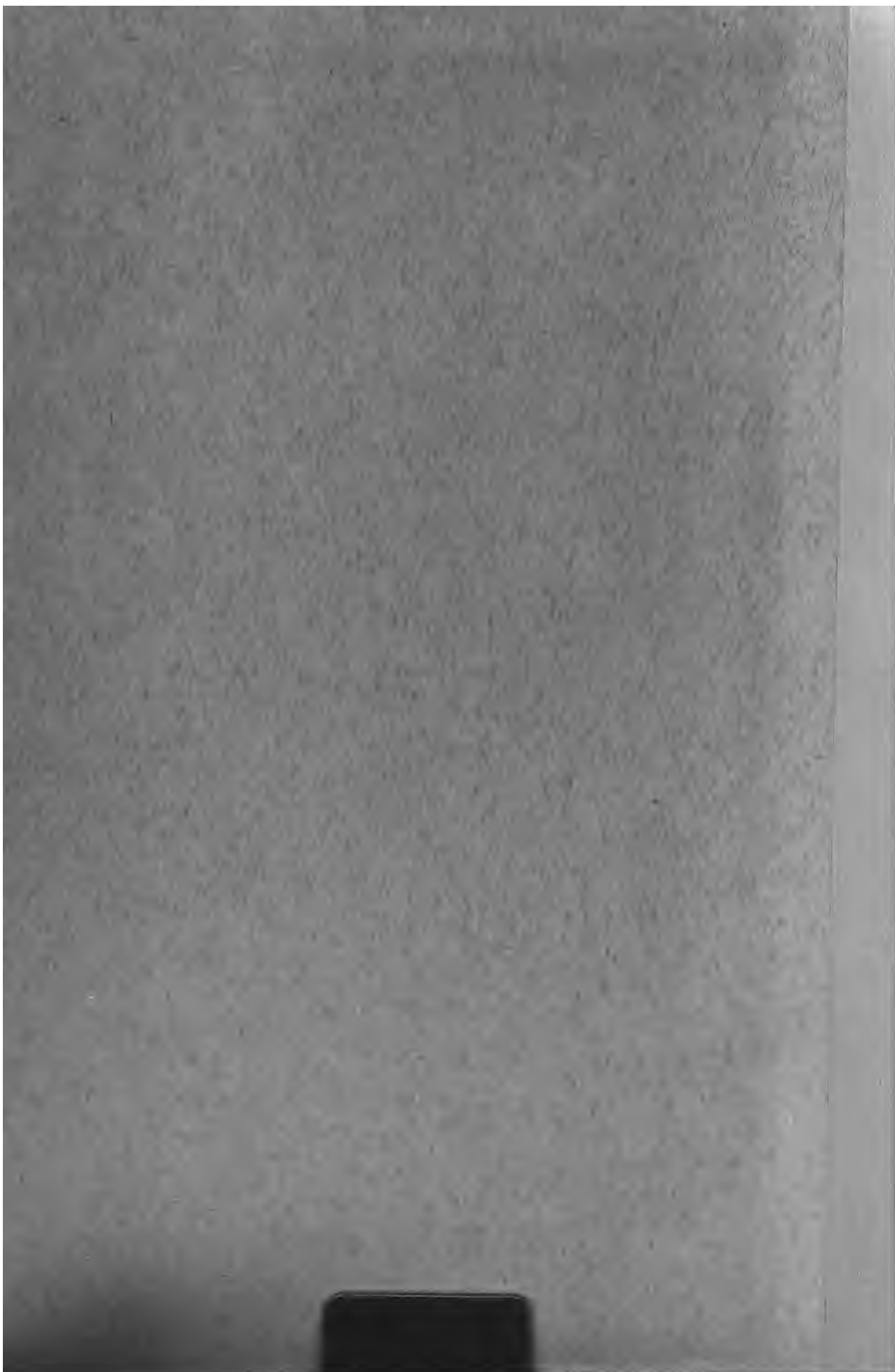
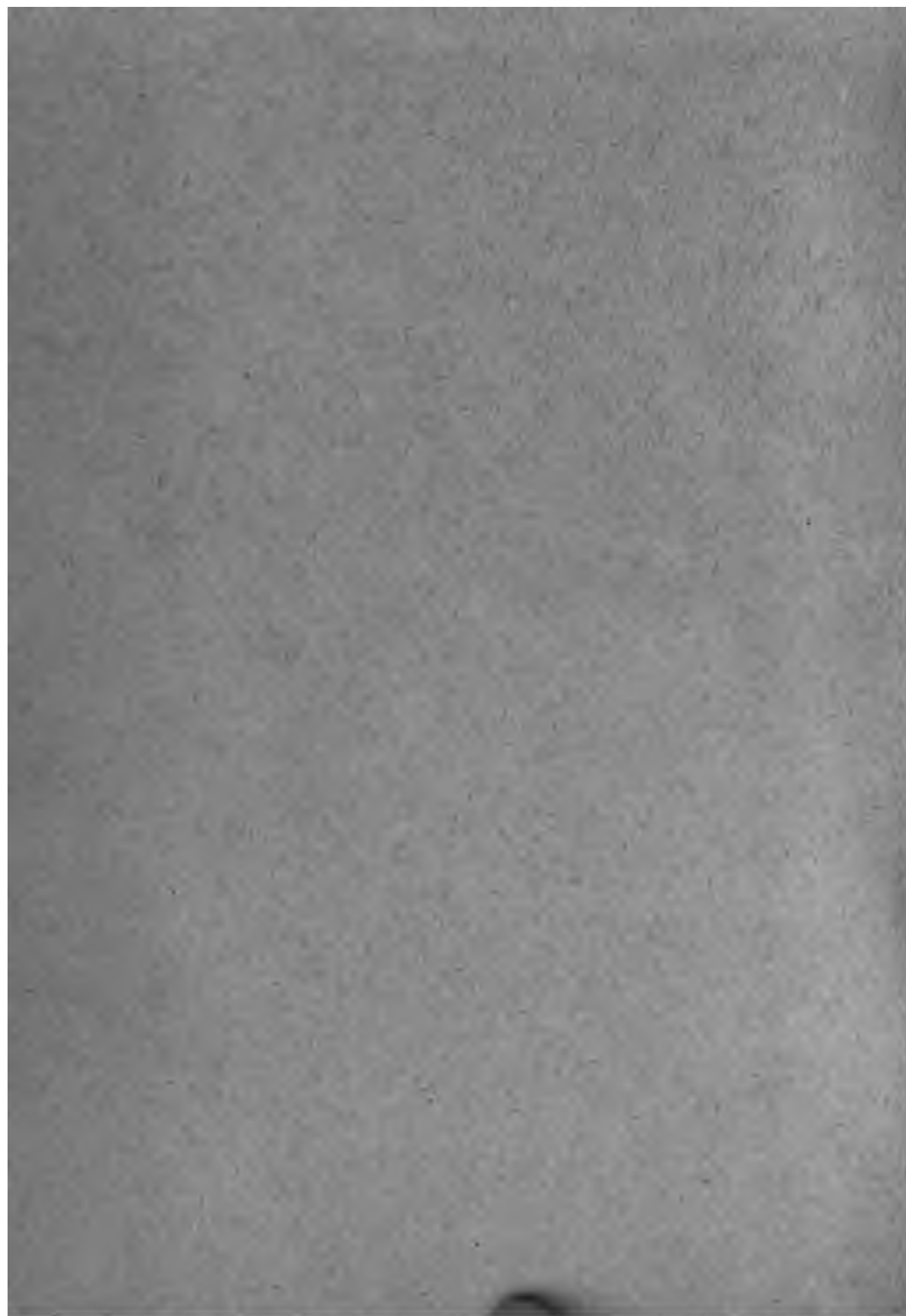


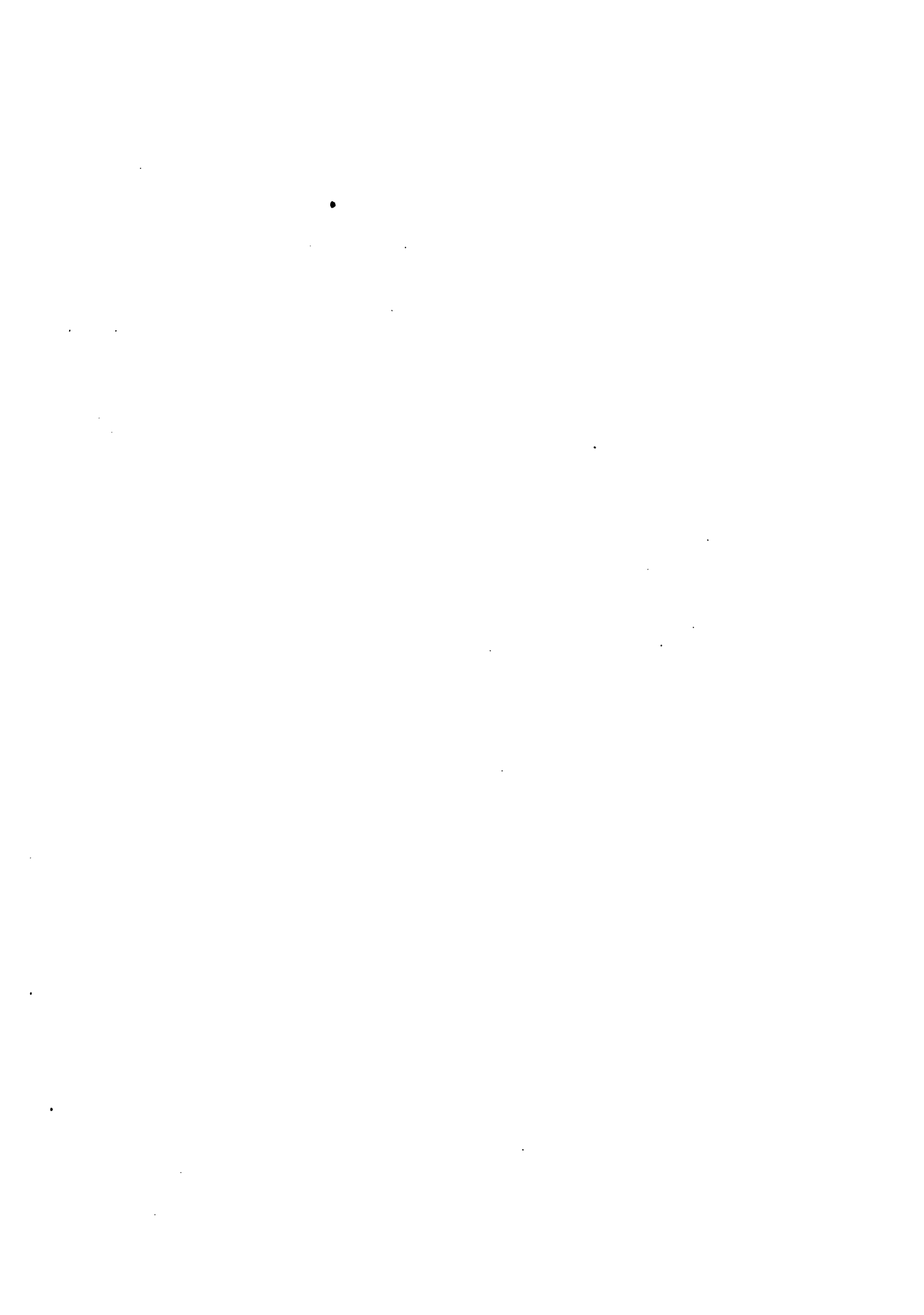
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3. Hymns
4. Petition of James Wilson of Inongray
5. Overture. Induction of Ministers.
6. Home and Foreign Missionary Record.

THE PRINCIPAL

*Hugh Barclay*

# ACTS

OF THE

## General Assembly

OF THE

### CHURCH OF SCOTLAND,

CONVENED AT EDINBURGH, MAY 19, 1859.

WITH THE

ABRIDGMENT OF THE PROCEEDINGS OF THAT ASSEMBLY,

AND OF THE

COMMISSION FROM AUGUST 1858 TO JUNE 1859.

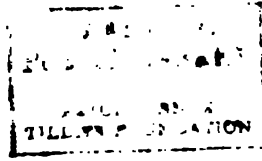


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MDCCCLIX.

NEW YORK  
JULY  
1859



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NOY WAM  
A. B. H.  
V. A. G. L.

THE  
GENERAL ASSEMBLY,

MAY XIX.—MDCCCLIX.

I.

THE QUEEN'S Commission to the EARL of MANSFIELD.

VICTORIA, *Dei gratiâ, Britanniarum Regina, Fidei Defensor; Omnibus probis hominibus, ad quos præsentis literæ nostræ pervenerint, Salutem. Quandoquidem Nos considerantes, quod Generalis Ecclesiæ Scotiæ Conventus in diem decimum nonum Maii instantis convenire ordinatus fuit; Nosque cupidè et necessarium esse judicantes, in commodum dict. Ecclesiæ, ut idem Generalis Conventus die statuto et præscripto conveniret; atque rebus magni momenti Nos aliò vocantibus, dicto Conventui personaliter interesse nequimus: Nosque abundè satisfactæ de sufficientia et fidelitate præfidelis Nostræ et prædilecti consanguinei, Gulielmi Davidis, Comitæ de Mansfield, Equitis antiquissimi et nobilissimi ordinis Cardui, quod ad summum munus Nostræ supremi Commissionarii ad dict. Generalem Conventum ritè exercendum et obeundum usquequaque sit instructus: Noveritis igitur nominavisse, constituisse, et ordinavisse, tenoreque præsentium nominare, constituere, et ordinare, dictum præfidelem Nostrum et prædilectum consanguineum Gulielmum Davidem de Mansfield, Commissionarium Nostrum supremum dict. Ecclesiæ Scotiæ Generali Conventui; dando illi et concedendo plenam potestatem, commissionem et warrantum, sacram Nostram Personam et Auctoritatem Regalem representandi, et præsentiam Nostram supplendi, et locum Nostrum in dict. subsequenti Generali Conventu, tanquam Commissionario Nostræ pro eo proposito specialiter constitut. tenendi; omniaque ad imperium et munus Commissionarii Generali Conventui attinentia peragendi, tam plenè adeoque liberè in omni respectu quam quilibet alius in eodem summo munere fecerat, seu quovis tempore præterito facere potuerat, et ac si Nos ipsæ personaliter præsentis facere potuerimus. Quæque omnia et singula, quæ dictus Gulielmus David Comes de Mansfield, in hac Nostræ commissione prosequenda legitimè fecerit, seu fieri ordinaverit, Nos firmiter ratificamus et approbamus. Insuper omnibus dict. Conventibus et Ecclesiæ Pastoribus et Presbyteriis, cæterisque quibuscunque, intra dict. partem Regni Nostræ Uniti Magnæ Britannicæ et Hibernicæ Scotiam vocat., subditis Nostris cujuscunque gradûs seu qualitatis, ut dictum Gulielmum Davidem Comitem de Mansfield, tanquam supremum Commissionarium Nostrum, quoad effectum et modum supra memorat. agnoscant, vereantur, venerentur, et audiant, mandamus et præcipimus: Et hanc Nostræ commissionem à decimo nono die Maii instantis incipere, et deinceps durante subsequen. sessione dict. Generalis Conventus in vigore continuare declaramus, vel usquedum a Nobis revocabitur et exonerabitur. In cujus rei testimonium, Sigillum Nostrum per Unionis Tractatum custodiend., et in Scotia vice et loco Magni Sigilli ejusdem utend. ordinat., præsentibus appendi mandavimus, apud Aulam Nostram apud Saint James's, secundo die mensis Maii, anno Domini millesimo octingentesimo et quinquagesimo nono, Regni Nostræ anno vigesimo secundo.*

*Per signaturam manu S. D. N. Reginæ superscriptam.*

## II.

## HER MAJESTY'S LETTER to the GENERAL ASSEMBLY.

*VICTORIA R.*

**R**IGHT Reverend and Well-beloved! We greet you well.  
Impressed with the lively interest which We have ever felt for the welfare of the Church of Scotland, We contemplate with satisfaction the near approach of the Meeting of your Venerable Assembly.

Mindful of the wisdom and prudence which have always characterized your proceedings, and remembering the grave consideration which measures of the highest importance have always received at your hands, We commit with confidence the interests of the Church to your care, and earnestly pray that, by the blessing of God, your counsel may tend to the improvement of the moral and spiritual condition of Our faithful subjects in Scotland.

We gladly take this opportunity of assuring you of Our continued resolution to uphold the Rights and Privileges of your Established Church, and of thanking you for your past efforts in the cause of the Protestant Religion, and of your loyalty and attachment to Our Person and Authority.

Relying upon the many excellent qualities of Our right trusty and right well-beloved cousin, William David, Earl of Mansfield, Knight of Our most ancient and most noble Order of the Thistle, We have again made choice of him as the Representative of Our Person in this present Assembly, feeling confident that his tried ability and eminent judgment will enable him sufficiently to discharge the important duties which We have thought fit to intrust to his care; and that his prudence and courtesy will, in the execution of that trust, insure your cordial acceptance and co-operation. And so We bid you heartily farewell.

Given at Our Court, at St James's, the 12th day of May 1859,  
in the twenty-second year of Our reign.

*By Her Majesty's Command.*

(Signed) T. SOTHERON ESTCOURT.

*To The Right Reverend and Well-beloved  
The Moderator, Ministers, and Elders  
Of the General Assembly  
Of the Church of Scotland.*



## III.

Answer to HER MAJESTY'S Gracious Letter to the Moderator,  
Ministers, and Elders of the GENERAL ASSEMBLY of the  
Church of Scotland.

*May it please your Majesty,*

**WE**, the Ministers and Elders of the Church of Scotland, convened in this General Assembly, have received with profound respect and gratitude the Gracious Letter which Your Majesty has been pleased to address to us, expressive of the lively interest always evinced by Your Majesty in the welfare of the Church of Scotland, and of the satisfaction with which Your Majesty contemplated the approach of our present meeting.

We humbly thank Your Majesty for the expression of Your gracious approval of the manner in which our past proceedings have been conducted, and of the consideration which measures of the highest importance have received at our hands. We desire respectfully to assure Your Majesty of our utmost endeavour to promote the interest of the Church committed to our care; and we do most fervently unite in Your Majesty's earnest prayer, that by the blessing of God our counsels may tend to the improvement of the moral condition of Your Majesty's faithful subjects in Scotland.

It is with the profoundest gratitude that We have received the assurance of Your Majesty's continued resolution to uphold and support the Rights and Privileges of our Church, as by law established, and of Your Majesty's confidence in our efforts to promote the cause of the Protestant Religion, and also in our loyalty and attachment to Your Royal Person and Authority.

Fully assured of the many excellent qualities of the Right Honourable the Earl of Mansfield, and having had experience of his ability and eminent judgment, as well as of his prudence and courtesy in the discharge of the important duties which Your Majesty has been pleased to entrust to his care, We again most gladly receive him as the Representative of Your Majesty's Royal Person.

We receive with deep gratitude Your Majesty's Royal Warrant for L.2000 for the extension of the Reformed Religion in the Highlands and Islands of Scotland; and we shall earnestly study to apply this munificent gift to the purposes for which it has hitherto been specially destined.

That the God and Father of our Lord and Saviour Jesus Christ may grant unto Your Majesty a long and prosperous reign, and bestow upon Your Majesty, the Prince Consort, the Prince of Wales, and the other

Members of Your Royal House, all temporal and spiritual blessings, is the earnest prayer of

May it please your Majesty,

Your Majesty's most faithful, loyal, and obedient subjects,  
*The Ministers and Elders of the Church of Scotland  
 met in this General Assembly.*

Signed in our name,

In our presence,

And at our appointment, by

JOHN COOK, *Moderator.*

*Edinburgh, May 23, 1859.*

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#### IV.

Address to HER MAJESTY on the termination of the Revolt in  
 India and the Restoration of Peace.

*May it please Your Majesty,*

**WE**, Your Majesty's loyal and dutiful subjects, the Ministers and Elders of the Church of Scotland, met in General Assembly, hereby beg leave to approach the Throne to present our assurances of devoted attachment to Your Majesty, not only as our rightful Sovereign, but a Sovereign eminent for those virtues which dignify royalty and secure universal respect.

We deeply deplored the treachery and barbarity of the late Revolt in India, which occasioned, as is well known, profound grief to Your Majesty.

The war which followed was distinguished by innumerable proofs of the bravery of Your Majesty's troops, the heroism and patient endurance of Your faithful subjects, and, finally, the complete success which, through the blessing of Almighty God, crowned Your Majesty's arms.

It is with unfeigned satisfaction that we tender to Your Majesty our heartfelt congratulations on the happy issue, and our fervent hope that the peace and order which now prevail in India may long continue under Your Majesty's benignant rule.

That it may please the Father of all Mercies to lift on the British Empire, in all its dependencies, the light of His Gracious Countenance, and to

preserve the life of Your Majesty to reign long over a free, a loyal, and a religious people, is the sincere prayer of

May it please Your Majesty,

*The Ministers and Elders of the General Assembly  
of the Church of Scotland.*

Given at Edinburgh on the 23d day of May 1859.

In name of the Assembly,

JOHN COOK, *Moderator.*

## V.

### Address to the QUEEN on Her Birthday.

*May it please Your Majesty,*

**WE**, Your Majesty's most dutiful and loyal subjects, the Ministers and Elders of the Church of Scotland, met in General Assembly, beg leave to approach the Throne with our humble, but warm and affectionate congratulations on the recurrence of the day which gave Your Majesty birth.

We account it a special blessing to the British Empire that it has pleased God to raise up and to preserve, in the person of Your Majesty, a Sovereign whose public administration of Government, and whose private virtues, have secured the continued admiration, respect, and love of Her subjects.

That Your Majesty may be long spared to receive from year to year expressions of devoted attachment to Your Majesty's person and government; that the children whom God has given You may adorn their exalted station, and minister largely to Your Majesty's domestic comfort, and that of His Royal Highness the Prince Consort, by their exhibition of all royal and Christian graces; and that, after a prosperous reign on earth, Your Majesty may inherit the Kingdom that passeth not away, are the fervent prayers of

May it please Your Majesty,

*The Ministers and Elders of the General Assembly  
of the Church of Scotland.*

Given at Edinburgh on the 24th of May 1859.

In name of the Assembly,

JOHN COOK, *Moderator.*

## VI.

## COMMISSION of the GENERAL ASSEMBLY to certain Ministers and Ruling Elders, for discussing Affairs referred to them.

*Edinburgh, May 30, 1859. Sess. ult.*

THE General Assembly did, and hereby do, nominate and appoint the Rev. Dr John Cook of St Andrews their Moderator; and from the Presbytery of Abertarff, Mr Donald Maconnachie at Urquhart, Mr Malcolm M'Intyre at Boleskine, Ministers; Adam Paterson, Esq. of Springhall, Writer in Glasgow, Ruling Elder:—From the Presbytery of Skye, Mr John Forbes at Sleat, Mr Alexander Macdonald at Stenscholl, Ministers; Donald Macleod, Esq., Kingsburgh, Snizort, Ruling Elder:—From the Presbytery of Lewis, Mr John M'Rae at Stornoway, Mr James Strachan at Barvas, Ministers; John Orr Ewing, Esq. of Ratho, Ruling Elder:—From the Presbytery of Uist, Mr Henry Beatson at Barra, Mr Roderick M'Donald at South Uist, Ministers; Hugh Bruce, Esq., Advocate, Edinburgh, Ruling Elder:—From the Presbytery of Lochcarron, Mr Duncan Simon M'Kenzie at Gairloch, Mr Roderick Nicolson at Applecross, Ministers; John A. Macrae, Esq., W.S., Edinburgh, Ruling Elder:—From the Presbytery of Dornoch, Mr Duncan St Clair at Loth, Mr Dugald M'Kellar at Clyne, Ministers; George Dempster, Esq. of Skibo, Ruling Elder:—From the Presbytery of Tongue, Mr Kenneth Mackenzie at Strathy, Mr Angus Logan at Tongue, Ministers; John Lamont, Esq., Writer, Glasgow, Ruling Elder:—From the Presbytery of Caithness, Mr James Murray at Reay, Dr William Lillie at Wick, Ministers; Dr James Robertson, Professor of Church History in the University of Edinburgh, Ruling Elder:—From the Presbytery of Kirkwall, Mr Oliver Scott at Holm, Mr William Beattie at Evie and Rendal, Ministers; John Elder, Esq., W.S., Edinburgh, Ruling Elder:—From the Presbytery of Cairston, Mr Charles Clouston at Sandwick, Dr Samuel Trail at Harray and Birsay, Ministers; David Smith, Esq., W.S., Manager of the North British Insurance Co., Ruling Elder:—From the Presbytery of North Isles, Mr Thomas Scott at Shapinshay, Mr John Keillor at North Ronaldshay, Ministers; Robert Scarth, Esq. of Binscarth, Ruling Elder:—From the Presbytery of Lerwick, Mr Alexander Reid Saunders at Lerwick, Mr James Prophet at Dunrossness, Ministers; John Ross, Esq., S.S.C., Edinburgh, Ruling Elder:—From the Presbytery of Burravoe, Mr Gordon Urquhart M'Intosh at Unst, Mr James Barclay at Mid-Yell, Ministers; Henry Cheyne, Esq. of Tangwick, W.S., Ruling Elder:—From the Presbytery of Olnafirth, Mr James Rose Sutherland at Northmaven, Mr John M'Intyre at Delting, Ministers; Isaac Bayley, Esq., S.S.C., Edinburgh, Ruling Elder:—From the Presbytery of Edinburgh, Dr Alexander L. Simpson at Kirknewton, Mr Andrew Redman Bonar at Canongate, Dr

John Hunter at Tron Church, Dr Lewis Balfour at Colinton, Dr William Glover at Greenside Church, Mr Maxwell Nicholson at Tron Church, Mr William Henry Gray at Lady Yester's Church, Ministers; James Taylor, Esq., Provost of Leith, Alexander Goodsir, Esq., Manager for the British Linen Company, David Grant, Esq., Edinburgh, Ruling Elders:—From the City of Edinburgh, James Macknight, Esq., W.S., Adam Mossman, Esq., Jeweller:—From the University of Edinburgh, Dr Robert Lee, Professor of Biblical Criticism in the University:—From the Church in India, Mr Robert Francis Colvin, Junior Minister at Saint Andrew's Church, Bombay, Mr James Sheriff, Missionary of the Church of Scotland:—From the Presbytery of Linlithgow, Dr Andrew Bell at Linlithgow, Mr Adam Duncan Tait at Kirkliston, Mr William Learmonth at West Calder, Mr William Walker at Mid-Calder, Ministers; William Scott, Esq., younger of Jawcraig, Andrew Vannan, Esq., residing at Borrowstounness, Ruling Elders:—From the Burgh of Linlithgow, Robert Hathorn Johnston Stewart, Esq. of Straiton:—From the Burgh of Queensferry, James Rose, Esq., W.S., Edinburgh:—From the Presbytery of Biggar, Mr Charles Hope at Lamington, Mr John Laurie at Liberton, Ministers; John Gillespie, Esq., W.S., Edinburgh, Ruling Elder:—From the Presbytery of Peebles, Mr Alexander Macall Forrester at West Linton, Mr James Largie Blake at Stobo, Ministers; William Blackwood, Esq., Banker, Peebles, Ruling Elder:—From the Burgh of Peebles, Thomas Graham Murray, Esq., W.S., Edinburgh:—From the Presbytery of Dalkeith, Mr Thomas Gordon at Newbattle, Mr Alexander Torrence at Glencross, Mr John G. Beveridge at Inveresk, Ministers; Robert Craig, Esq., Craigesk, Newbattle, Ruling Elder:—From the Presbytery of Haddington, Mr William Lyon Riach at Pencaitland, Mr James M'Watt at Salton, Mr Thomas Drummond at Bolton, Ministers; Sir George Grant Suttie, Bart., of Balgone and Prestongrange, Ruling Elder:—From the Burgh of Haddington, Francis Farquharson, Esq., Builder, Haddington:—From the Burgh of North Berwick, Alexander Ramsay, Esq., Manager of the Edinburgh Water Company:—From the Presbytery of Dunbar, Mr John Jaffray at Dunbar, Mr Thomas Mitchell at Oldhamstocks, Ministers; Peter Haliburton Hume, Esq., Lawfield, Ruling Elder:—From the Burgh of Dunbar, David Broadwood, Esq. of Fulfordlees:—From the Presbytery of Dunse, Mr James R. Watson at Eccles, Mr Thomas Davidson at Abbey Saint Bathans, Ministers; Archibald Campbell Swinton, Esq., Advocate, Professor of Civil Law in the University of Edinburgh, Ruling Elder:—From the Presbytery of Chirnside, Mr Robert Kirke at Hutton, Mr William Dobie at Ladykirk, Mr Thomas Smith Goldie at Coldstream, Ministers; David Milne Home, Esq. of Milnegraden, Advocate, Ruling Elder:—From the Presbytery of Kelso, Mr Manners Hamilton Graham at Nenthorn, Mr John Baird at Yetholm, Ministers; Adam Brack Boyd, Esq. of Cherrytrees, Ruling Elder:—From the Presbytery of Jedburgh, Mr Alexander Munn Maccoll at Cavers, Mr Joseph Yair at Eckford, Mr James Stewart at Wilton, Ministers; John

Scott Chisholm, Esq. of Stirches, Ruling Elder :—From the Burgh of Jedburgh, William Oliver Rutherford, Esq. of Edgerston :—From the Presbytery of Lauder, Mr Donald Macleod at Lauder, Mr Archibald Brown at Legerwood, Ministers ; the Right Hon. Lord Polwarth, Ruling Elder :—From the Burgh of Lauder, Thomas Dunn, Esq., S.S.C., Edinburgh :—From the Presbytery of Selkirk, Mr William Murray at Melrose, Mr William M'Lean at Ashkirk, Mr Kenneth M. Phin at Galashiels, Ministers ; Major Robert Baillie, residing at Eildon Hall, Ruling Elder :—From the Burgh of Selkirk, Robert Paton, Esq., W.S. :—From the Presbytery of Annan, Mr John Henderson Gourlie at Brydekirk, Mr Robert Menzies at Hoddam, Ministers ; John Dalrymple Murray, Esq. of Murraythwaite, Ruling Elder :—From the Burgh of Annan, Sir John Heron Maxwell, Bart. of Sprinkell :—From the Presbytery of Langholm, Mr George Colville at Canobie, Mr James Wilson Macturk at Langholm, Ministers ; James Church, Esq., Tower of Sark, Ruling Elder :—From the Presbytery of Lochmaben, Mr George Wight at Wamphray, Mr Robert Saunders at Tundergarth, Mr John R. Currie at Hutton, Ministers ; Sir William Jardine, Bart. of Applegarth, Ruling Elder :—From the Burgh of Lochmaben, David Johnstone, Esq. of Riggheads, Writer in Dumfries :—From the Presbytery of Penpont, Mr Henry Wallace Smith at Durrisdeer, Mr John Donaldson at Kirkconnel, Ministers ; Dr Crawford Tait Ramage, Wallace-Hall, Ruling Elder :—From the Burgh of Sanquhar, James Veitch, Esq. of Eliock :—From the Presbytery of Dumfries, Mr Andrew Gray at New Church, Dumfries, Mr John Hope at Dunscore, Mr John Inches Dickson at Kirkbean, Mr John Mein Austin at St Mary's, Dumfries, Ministers ; Wellwood Herries Maxwell, Esq. of Munches, Mark Sprot Steuart, Esq. of Southwick, Ruling Elders :—From the Burgh of Dumfries, Christopher Harkness, Esq., Writer, Dumfries :—From the Presbytery of Kirkcudbright, Dr James Maitland at Kells, Mr George Murray at Balmaclellan, Mr Charles Baxter M'Kay, Assistant and Successor at Borgue, Ministers ; The Right Hon. the Earl of Selkirk, Ruling Elder :—From the Burgh of Kirkcudbright, Andrew Scott, Esq., W.S., Edinburgh :—From the Burgh of New Galloway, James Morgan, Esq., S.S.C., Edinburgh :—From the Presbytery of Wigtown, Mr Edward Knubley Sloane, at Sorbie, Dr James Charles at Kirkowen, Ministers ; William Carson, writer, Wigtown, Ruling Elder :—From the Burgh of Wigtown, Stair Hathorn Stewart, Esq. of Physgil :—From the Burgh of Whithorn, William Spence, Esq., Secretary of the British Linen Company Bank :—From the Presbytery of Stranraer, Mr Alexander Murdoch at Lochryan, Mr James Dougall at Stoneykirk, Ministers ; William Murdoch, Esq., Merchant, Stranraer, Ruling Elder :—From the Burgh of Stranraer, William Black, Esq., Town-clerk of Stranraer :—From the Presbytery of Ayr, Dr William Menzies at Maybole, Mr John M'Ewen at Kirkmichael, Mr James Crawford at Crosshill, Mr Cornelius Giffen at Daily, Mr Thomas Underwood, Assistant and Successor at Coylton, Ministers ; William Cooper, Esq. of Failford, John Joseph Burnett, Esq. of Gadgirth, Ruling Elders :—From the

Burgh of Ayr, Alexander Cassels, Esq., W.S., Edinburgh :—From the Presbytery of Irvine, Mr Charles B. Steven at Stewarton, Mr James Sommerville at Irvine, Mr John Campbell Jamieson at Dreghorn, Ministers ; William Lang, Esq. of Groatholm, Ruling Elder :—From the Burgh of Irvine, Alexander Longmuir Esq., Grain-Merchant in Irvine :—From the Presbytery of Paisley, Mr John Alison at Middle Parish Paisley, Mr Robert Graham at Kilbarchan, Mr Hugh Aird at Neilston, Ministers ; William Gibson, Esq., Oakshaw, Paisley, Ruling Elder :—From the Burgh of Renfrew, James Smith, Esq. of Jordanhill :—From the Presbytery of Greenock, Mr John Kinross at Largs, Mr Alexander Marshall at Cumbray ; Mr Robert Sellers, Esq., Merchant, Greenock, Ruling Elder :—From the Presbytery of Hamilton, Mr John Johnston at Old Monkland, Mr Bryce Johnston Bell at Gartsherrie, Mr Robert Archibald at New Monkland, Ministers ; The Right Hon. Lord Belhaven and Stenton of Wishaw, Ruling Elder :—From the Presbytery of Lanark, Mr William Smith, Assistant and Successor at Douglas, Dr John Wylie at Carluke, Ministers ; Robert Lithgow, Esq. of Stanmore, Ruling Elder :—From the Burgh of Lanark, David Rhind, Esq., Architect, Edinburgh :—From the Presbytery of Glasgow, Dr Alexander Hill, Professor of Divinity in the University of Glasgow, Dr Matthew Leishman at Govan, Dr Norman Macleod at Barony, Mr Alexander Hill at Kilsyth, Mr James Arthur at Springburn, Mr Hugh Park at Cumbernauld, Ministers ; John Walker, Esq., Cotton-Spinner in Glasgow, John Morrison, Esq., Manufacturer, Murray's Park, Govan, Frank Baird Esq., Merchant in Glasgow, Ruling Elders :—From the City of Glasgow, James Hannan, Esq., one of the Councillors of the Burgh :—From the University of Glasgow, The Very Rev. Thomas Barclay, D.D., Principal of the University :—From the Burgh of Rutherglen, Thomas Gray Buchanan, Esq. of Scotstown, Merchant, Glasgow :—From the Presbytery of Dumbarton, Dr Andrew Sym at New Kilpatrick, Mr William Mackintosh at Buchanan, Mr Frederick Lockhart Robertson at Bonhill, Ministers ; William Smith, Esq. of Carbeth-Guthrie, Ruling Elder :—From the Burgh of Dumbarton, John Maxwell, Esq., Lieutenant in the Army, residing in Dumbarton :—From the Presbytery of Dunoon, Mr John Macdougall at Lochgoilhead, Mr Alexander Brown at Rothsay, Ministers ; George Young, Esq., Writer, Glasgow, Ruling Elder :—From the Burgh of Rothesay, John Muir, Esq., Foley House, Rothesay :—From the Presbytery of Kintyre, Mr Dugald Campbell at Southend, Mr Walter Weir at Campbeltown (2d Charge), Ministers ; Smollet Montgomery Eddington, Esq. of Glencreggan, Ruling Elder.—From the Presbytery of Islay and Jura, Mr James Dewar at Oa, Mr James Dewar at Kilchoman, Ministers ; Charles Pearson, Esq., Accountant, Edinburgh, Ruling Elder :—From the Presbytery of Inveraray, Dr Colin Smith at Inveraray, Mr Donald Jackson at Kilmartin, Ministers ; William A. Campbell, Esq. of Ormsary, Ruling Elder :—From the Burgh of Inveraray, Edward Woodford, Esq., LL.D., one of Her Majesty's Inspectors of Schools for Scotland :—From the Presbytery of Lorn, Mr Donald MacCalman at Ardchattan, Mr

John Sinclair at Muckairn, Ministers; Henry Moffat, Esq. S.S.C., Edinburgh, Ruling Elder :—From the Presbytery of Mull, Mr Duncan Clerk at Torosay, Mr David Stewart at Ardnamurchan, Ministers; Donald Maclaine, Esq. of Lochbuy, Ruling Elder :—From the Presbytery of Dunkeld, Mr Duncan Campbell at Moulin, Mr Alexander R. Irvine at Blair Athole, Mr Robert Leishman at Clunie, Ministers; Archibald Butter, Esq. of Faskally, Ruling Elder :—From the Presbytery of Weem, Mr Duncan Dewar at Dull, Mr James Armstrong at Foss, Ministers; Patrick Keir, Esq. of Kindrogan, Ruling Elder :—From the Presbytery of Perth, Mr Adam Milroy at Moneydie, Dr Thomas Buchanan at Methven, Mr Edward Robertson at Tibbermuir, Mr Thomas Brown at Collace, Ministers; William Peddie, Esq. of Blackruthven, Archibald Reid, Esq., Sheriff-Clerk for the county of Perth, Ruling Elders :—For the Burgh of Perth, John M'Euen Gray, Esq., Ironmonger, Perth :—From the Presbytery of Stirling, Mr William Park at Airth, Mr George Alexander at Stirling, Mr John M'Laren at Larbert, Ministers; James George Morison, Esq., Touch House, Ruling Elder :—From the Burgh of Stirling, James Reid, Esq., Wood-Merchant, Stirling :—From the Presbytery of Auchterarder, Dr John M'Donald at Comrie, Mr Robert Young at Auchterarder, Mr William Robertson at Monzievaird and Strowan, Ministers; Duncan M'Whannell, Esq., Farmer at Victoria, in Monzievaird, Ruling Elder :—From the Presbytery of Dunblane, Mr Archibald Francis Stewart at Aberfoyle, Mr John Smeaton at Tulliallan, Ministers; John Buchanan Hamilton, Esq. of Leny, Ruling Elder :—From the Presbytery of Dunfermline, Dr James Fergusson at Beath, Mr James French at Dunfermline, Mr George Roddick at Aberdour, Ministers; James Kerr, Esq. of Middlebank, Dunfermline, Ruling Elder :—From the Burgh of Culross, John Tait, Esq., Advocate, Sheriff of Kinross and Clackmannan :—From the Burgh of Inverkeithing, Ralph Erskine Scott, Esq., Accountant, Edinburgh :—From the Presbytery of Kirkcaldy, Dr Matthew Bowie at Kinghorn, Mr Andrew Johnston at Kinglassie, Mr Mark Johnston Bryden at Kirkcaldy, Ministers; James Henderson Forrester, Esq., Kennoway, Ruling Elder :—From the Burgh of Kirkcaldy, Henry Beveridge, Esq., Provost of Kirkcaldy :—From the Burgh of Burtisland, John Shand, Esq., W.S., Edinburgh :—From the Burgh of Dysart, Captain John Reddie Black, of the Royal Navy, residing in Dysart :—From the Presbytery of Cupar, Dr John Anderson at Newburgh, Mr James Cochrane at Cupar, Mr James Macnair at Auchtermuchty, Mr David Brewster at Kilmany, Ministers; Colonel William Low, Cairnie Lodge, Cupar, Colonel Peter Barclay, Edinburgh, Ruling Elders :—From the Burgh of Cupar, George Hogarth, Esq., Banker in, and Provost of, Cupar :—From the Presbytery of St Andrews, Mr George Dickson at Kilrenny, Mr David Rose at Ferry-Port-on-Craig, Dr Alexander Urquhart at Newburn, Ministers; Alexander Watson Wemyss, Esq. of Denbrae, William Morgan, Esq. of Baldinny, Ruling Elders :—From the Burgh of St Andrews, Gregor M'Gregor, Esq., Banker, St Andrews :—From the University of St



Andrews, The Very Reverend John Tulloch, Principal of St Mary's College:—From the Burgh of Pittenweem, Thomas Landale, Esq., S.S.C., Edinburgh:—From the Burgh of Crail, John Smith, Esq., Writer and Banker in Anstruther:—From the Burgh of Anstruther-Easter, Alexander Shank Cook, Esq., Advocate (*Joint-Procurator*):—From the Burgh of Anstruther-Wester, John Wood, Esq., Banker, Colinsburgh:—From the Burgh of Kilrenny, Professor Alexander Ferrier Mitchell, St Mary's College, St Andrews:—From the Presbytery of Kinross, Mr William Ferguson at Fossoyay, Mr James Pennell at Ballingry, Ministers; Andrew Reddie, Esq. of Netherhall, Ruling Elder:—From the Presbytery of Meigle, Mr John Nicoll at Meigle, Mr Charles Chree at Lintrathen, Mr John A. M'Kenzie at Kettins, Ministers; Alexander Geekie, Esq. of Baldowie, Ruling Elder:—From the Presbytery of Forfar, Mr George Loudon at Inverarity, Mr Alexander Ross at Dunnichen, Ministers; James Mackintosh, Esq. of Lamancha, Ruling Elder:—From the Burgh of Forfar, Robert William Anderson, Esq., Clerk of Supply, Forfar:—From the Presbytery of Dundee, Mr Peter Grant at Dundee, Mr John Reid at Monikie, Dr Charles Adie at Dundee, Ministers; Thomas Bell, Esq. of Belmont, Ruling Elder:—From the Burgh of Dundee, John Ritchie, Esq., Merchant, Dundee:—From the Presbytery of Aberbrothock, Mr John Muir at St Vigean, Mr George Arklay at Inverkeillor, Ministers; Alexander Langlands, Esq., Brianton, Inverkeillor, Ruling Elder:—From the Burgh of Aberbrothock, Alexander Dickson, Esq., Tenant in Peasiehill:—From the Presbytery of Brechin, Mr David Skinner Maxwell at Melville, Mr George Gordon Milne at Careston, Mr Andrew Halkett at Brechin, Ministers; Patrick Arkley, Esq. of Dunninald, Advocate, Sheriff-Substitute of Mid-Lothian, Ruling Elder:—From the Burgh of Montrose, Robert Cooke, Esq., Merchant, Montrose:—From the Presbytery of Fordoun, Mr William Mearns at Kinneff, Mr James Mitchell at Garvock, Mr Robert Moir Spence at Arbuthnott, Ministers; Walter Cook, Esq., W.S., Edinburgh, Ruling Elder:—From the Burgh of Inverbervie, John Cook, Esq., W.S., Edinburgh:—From the Presbytery of Aberdeen, Mr James Smith at Greyfriars, Mr Thomas Dewar at South Parish, Mr John Wilson at North Parish, Dr William Paul at Banchory-Devenick, Mr James Fraser at St Clement's, Ministers; George Angus, Esq., M.D., late H.E.I.C.S., Asloun, Alford, Alexander Burness, Esq. of Mastrick, Prospect Place, Banchory-Devenick, Ruling Elders:—From the City of Aberdeen, William Yeats, Esq. of Auquharney:—From Marischal College, Dr William Robinson Pirie, Professor of Divinity in the University:—From King's College, Dr Robert Macpherson, Professor of Divinity in the University:—From the Presbytery of Kincardine O'Neil, Mr Charles M'Combie at Lumphanan, Mr George Cook at Kincardine O'Neil, Mr George Hutchieson at Banchory-Ternan, Ministers; Francis James Cochran, Esq. of Balfour, Ruling Elder —From the Presbytery of Alford, Dr Alexander Taylor at Leochel Cushnie, Mr Alexander Milne at Tough, Mr James Gillan at Alford,

Ministers; Robert Simpson, Esq. of Cobairdy, Ruling Elder :—From the Presbytery of Ellon, Mr James Whyte at Methlick, Mr Robert Ross at Cruden, Ministers; Thomas Milne, Esq., Bank-Agent, Ellon, Ruling Elder :—From the Presbytery of Garioch, Dr James Bisset at Bourtie, Mr James Peter at Leslie, Mr Archibald Storie at Culsamond, Ministers; Sir James D. H. Elphinstone, M.P., Bart. of Logie-Elphinstone, Ruling Elder :—From the Burgh of Kintore, Hugh Barclay, Esq., LL.D., Sheriff-Substitute of Perthshire :—From the Burgh of Inverury, Alexander Macduff, Esq. of Bonhard :—From the Presbytery of Deer, Mr James Welsh at New Deer, Mr John Mitchell at St Fergus, Mr James Mitchell at Peterhead, Ministers; John Anderson, Esq., residing at Mormond Village, Ruling Elder :—From the Presbytery of Turriff, Mr Alexander Gordon at Forglen, Mr John Abel at Fergue, Ministers; James Baird, Esq. of Gartsherrie, Ruling Elder :—From the Presbytery of Fordyce, Mr Ludovic William Grant at Boyndie, Dr Robert Bremner at Banff, Ministers; Harry Maxwell Inglis, Esq. of Logan Bank, W.S., Ruling Elder :—From the Burgh of Cullen, William Arthur Peterkin, Esq., Board of Supervision, Edinburgh :—From the Presbytery of Strathbogie, Dr William Duguid at Glass, Mr James A. Cruickshank at Mortlach, Ministers; Dr James Bryce, late of Calcutta, Ruling Elder :—From the Presbytery of Aberlour, Mr George Gray at Rothies, Mr Alexander Murdoch at Boharm, Ministers; John Tawse, Esq., Advocate, Edinburgh, Ruling Elder :—From the Presbytery of Abernethy, Mr James Stewart at Abernethy, Mr Grigor Stuart at Kingussie, Ministers; Major Duncan M'Pherson, Falls of Truim, Ruling Elder :—From the Presbytery of Elgin, Mr Francis Wylie at Elgin, Mr John Cushny at Speymouth, Ministers; James Hope, Esq., D.K.S., Edinburgh, Ruling Elder :—From the Burgh of Elgin, Alexander Russell, Esq., Publisher, Elgin :—From the Presbytery of Forres, Mr John M'Donald at Dallas, Mr James Keith at Forres, Ministers; Robert Grant, Esq. of Kincorth, Advocate, Ruling Elder :—From the Burgh of Forres, Thomas Davidson, Esq., Bank-Agent in Forres :—From the Presbytery of Nairn, Mr Lewis Macpherson at Cawdor, Mr Colin Mackenzie at Ardclach, Ministers; Robert Fraser, Esq., residing at Brackla, Ruling Elder :—From the Presbytery of Inverness, Mr John Fraser at Petty, Mr James MacDonald at Daviot, Ministers; William Simpson, Esq., Springfield, Inverness, Ruling Elder :—From the Presbytery of Chanonry, Mr Alexander Wood at Rosemarkie, Mr Robert Williamson at Kilmuir Wester and Suddie, Ministers; Walter Malcolm, Esq., Writer, Edinburgh, Ruling Elder :—From the Burgh of Fortrose, Thomas Leburn, Esq., S.S.C., Edinburgh :—From the Presbytery of Tain, Mr Lewis Rose at Tain, Mr Alexander Maclean at Croick, Ministers; Andrew Scott, Esq., Kildary, Ruling Elder :—From the Presbytery of Dingwall, Dr Alexander Maclean at Kiltearn, Mr William Sutherland at Dingwall, Ministers; John Binning, Esq., Factor for Tulloch and Gairloch, Ruling Elder :—From the Burgh of Dingwall, John MacGregor, Esq., Heritor in Dingwall :—And the

Assembly added thereto the Rev. Dr James Grant, Minister of St Mary's, Edinburgh, in place of the Moderator:—To BE COMMISSIONERS of this General Assembly, to the effect after mentioned; with power to the said Commissioners, or their quorum, which is hereby declared to be any thirty-one of the said Commissioners, whereof twenty-one are always to be Ministers, to meet and convene within the Assembly Hall, at Edinburgh, the first day after the dissolution of this Assembly, at twelve of the clock noon, and thereafter the second Wednesday of August, the third Wednesday of November, and the first Wednesday of March, next to come, at twelve of the clock noon, and oftener, when and where they shall think fit and convenient; with power to the said Commissioners to choose their own Moderator: And likewise, the General Assembly fully empower their said Commissioners, or their quorum above mentioned, to cognosce and finally determine, as they shall see cause, in every matter referred to, or which shall be referred to them, by any act or order of the Assembly; and to do every thing contained in and conform to the instructions given, or to be given, by the Assembly; and to advert to the interests of the Church on every occasion, that the Church and the present Establishment thereof do not suffer or sustain any prejudice which they can prevent, as they will be answerable: Provided always, that this general clause be not extended to particular affairs or processes before Synods or Presbyteries, that are not of universal concern to, or influence upon, the whole Church. And it is hereby appointed that no private processes be determined, except at the four stated diets; and what shall be determined at one diet of the Commission, with relation to private causes, shall be unalterable by any other diet thereof, and shall stand and continue in force till disapproved of by the General Assembly. And the Assembly renew the instructions given by the General Assembly in the year One thousand seven hundred and seventeen to their Commission, and appoint the same to stand in full force, as instructions to the Commissioners before named, and to be observed by them on all points, as if the same were specially here inserted: And that they inquire into the publishing and spreading of books and pamphlets tending towards the promoting of opinions, of whatever kind, inconsistent with our *Confession of Faith*: And that the recommenders of such books or pamphlets, or of the errors therein contained, whether by word, writ, or print, be called before the said Commission to answer for the same. And further, the said Commission is hereby empowered to receive any references and appeals that shall be made to them from Synods, in matters of doctrine, and ripen such affairs for next General Assembly; and to contribute what they can to the suppression of vice and immorality; and to give all needful advice and assistance to Synods and Presbyteries, upon application to them for that end: Likewise, to take care that the impressions of the *Holy Scriptures*, the *Confession of Faith*, and *Catechisms*, and such books as are authorized by this Church, relating to the doctrine, worship, discipline, and government thereof be correct; and to give directions about printing the same.

And the Commissioners are appointed and empowered to keep a correspondence with the Committee for Reformation of the Highlands and Islands, for suppressing Popery and Superstition, and for promoting the knowledge of true religion, and carrying on a reformation in those parts, and to give assistance and concurrence therein, and, if need be, to apply to the Government for a proper remedy and speedy redress. And the said Commissioners are hereby strictly prohibited and discharged to meddle in any other matters than what are committed and referred to them, as above mentioned: And in all their actings, they are to proceed according to the acts and constitution of this Church, and to do nothing contrary thereto, or to the prejudice of the same; declaring, that in and for all their actings they shall be accountable to, and censurable by, next General Assembly, as they shall see cause. And the General Assembly appoint the said Commissioners particularly to observe the Acts of the General Assembly, One thousand seven hundred and twelve, and One thousand seven hundred and nineteen, respecting the application of the public money; which two Acts are printed among the Acts of the Assembly, One thousand seven hundred and sixty-one. And this Commission is to continue and endure until another Commission be appointed; and Members are required to attend the diets of the said Commission; and absentees therefrom are ordered to be noticed, according to the 17th Act of the General Assembly held in the year One thousand seven hundred and six. And for the better securing a quorum and attendance of Members on the Commission, the General Assembly prohibit the Presbytery of Edinburgh, or any other Presbytery within twelve miles thereof, to meet on any of the days or weeks appointed for the meeting of this Commission; and such of the members of these Presbyteries as are on the Commission are required, all of them, to give attendance on the diets thereof; and the Presbyteries at a greater distance, who have four or more members on the Commission, are to take care that at least two of them attend each diet of the same. And the General Assembly appoint their Commission, at the first meeting, to discuss as many of the causes and questions relative to the settlement of vacant churches, which are or shall be referred to them by the Assembly, as they can overtake: And it is further provided, That when any Presbytery or Synod of this Church shall decline to comply with the sentence of the Commission, or to give the same a full execution, in that case the Commission is hereby prohibited to execute the same, by appointing any such correspondent meeting, as has been sometimes the practice, but shall allow the same to lie over to the ensuing Assembly, to which such Presbyteries or Synods shall be answerable for such their conduct, and are hereby appointed to send up with their Commissioners their reasons for the same. And that, in passing their sentences, and in ordering the execution of the same, they strictly observe the 12th Act of the Assembly, One thousand seven hundred and thirty-six.

## VII.

COMMISSION to some Ministers and Ruling Elders for the Reformation of the Highlands and Islands of Scotland, and for managing Her Majesty's Royal Bounty.

*Edinburgh, May 30, 1859. Sess. 14.*

THE General Assembly did, and hereby do, nominate and appoint the Rev. Dr John Cook, their Moderator, all the Ministers who are Members of the Presbytery of Edinburgh, Mr Malcolm M'Intyre, Mr Alexander Macdonald, Mr John M'Rae, Mr James Strachan, Mr Roderick M'Donald, Mr Duncan Simon M'Kenzie, Mr Duncan St Clair, Mr Kenneth Mackenzie, Dr William Lillie, Mr Oliver Scott, Dr Samuel Trail, Mr John Keillor, Mr Adam Duncan Tait, Mr Thomas Gordon, Mr William Lyon Riach, Mr Robert Kirke, Mr Archibald Brown, Mr Kenneth M. Phin, Mr Robert Menzies, Mr George Colville, Mr John R. Currie, Mr Andrew Gray, Dr James Maitland, Dr James Charles, Dr William Menzies, Mr James Somerville, Mr Robert Graham, Mr John Kinross, Dr Norman Macleod, Principal Barclay, Mr William Mackintosh, Mr Alexander Brown, Mr James Dewar, Mr John Sinclair, Mr Robert Leishman, Mr James Armstrong, Mr Thomas Brown, Dr John M'Donald, Mr James French, Mr Mark Johnston Bryden, Mr George Dickson, Principal Tulloch, Mr John Nicoll, Mr Peter Grant, Mr William Mearns, Dr William Paul, Dr Robert Macpherson, Mr James Gillan, Mr Archibald Storie, Dr Robert Bremner, Mr Grigor Stuart, Mr Francis Wylie, Mr James Keith, Mr Colin Mackenzie, Mr Alexander Wood, Dr Alexander Maclean, *Ministers*; Adam Paterson, Esq., John Orr Ewing, Esq., Hugh Bruce, Esq., John A. Macrae, Esq., Dr James Robertson, John Elder, Esq., David Smith, Esq., John Ross, Esq., Henry Cheyne, Esq., Isaac Bayley, Esq., David Grant, Esq., William Blackwood, Esq., Archibald Campbell Swinton, Esq., Dr Crawford Tait Ramage, The Right Hon. the Earl of Selkirk, James Morgan, Esq., William Spence, Esq., William Cooper, Esq., The Right Hon. Lord Belhaven and Stenton, Robert Lithgow, Esq., John Morrison, Esq., William Smith, Esq., Smollet Montgomery Eddington, Esq., Charles Pearson, Esq., Dr Edward Woodford, Donald Maclaine, Esq., James George Morison, Esq., John Buchanan Hamilton, Esq., Colonel Peter Barclay, Thomas Landale Esq., Alexander Shank Cook, Esq., Thomas Bell, Esq., Patrick Arkley, Esq., John Cook, Esq., Harry Maxwell Inglis, Esq., Dr James Bryce, Thomas Leburn, Esq., John Binning, Esq., *Ruling Elders*:—TO BE A COMMITTEE of this Assembly, for the Reformation of the Highlands and Islands of Scotland, for promoting the knowledge of true religion, suppressing Popery and profaneness, and for managing the Royal Bounty for these ends, according to, and in terms of, Her Majesty's grant to this

Assembly : In prosecution of which purposes, the Committee are to appoint Preachers and Catechists to go to such places as they shall find, upon due information, to be the most proper, according to Her Majesty's design expressed in Her warrant; and in so doing, that they have particular regard to such parishes in South Uist, Small Isles, Glencoe, Harris, the countries of Moidart, Glengarry, and Lochaber, and the other parishes of the Synods of Glenelg and Argyll, which the Committee shall find, by reason of their vast extent, by the prevalence of Popery and ignorance, and other unhappy circumstances, to be in the greatest distress : And they shall take care that the persons they employ be certified, and found, upon due trial, to be properly qualified for their respective offices ; of good abilities for the same ; of a pious life and conversation ; prudent, of undoubted loyalty to Her Majesty, and of competent skill in the principles of Divinity, and particularly in Popish controversies ; such Preachers and Catechists being hereby appointed to be subject to, and under the inspection of, the Presbyteries of the bounds to which they are sent, who are to take care that the orders of the Committee be duly observed by them. And the Preachers are also appointed to catechise, and both they and the Catechists to instruct the people from house to house, and to visit the sick ; and, in all their labours among the people to be careful to teach them the principles and duties of the true Christian Protestant religion, and the obligations they are under to duty and loyalty to Our Sovereign Lady, Queen Victoria, and obedience to the laws : And the Committee are empowered to give them such instructions as to their work and behaviour as they shall judge meet ; which instructions the Preachers and Catechists are hereby ordered to obey. The General Assembly do farther appoint the said Committee to have a particular regard, in their proceedings, to the regulations agreed upon by the Committee of the Assembly for managing the Royal Bounty, on the 30th September 1730, approved by frequent Assemblies ; and to take care that the Presbyteries and others concerned observe the same, which they are hereby ordered to do ; particularly the Assembly ordain the several Presbyteries to insert in their registers the Committee's appointments of the designations, salaries, and stations of the several Missionaries, and to have an exact regard thereto, in all the letters they shall write about the said Missionaries, and in giving of certificates to them ; and to direct all their letters concerning Missionaries in their bounds, only to the Moderator of the Committee ; which letters shall be signed, at the appointment of the Presbytery, by the Moderator or Clerk thereof : And the Assembly discharge any payment to be made of the salaries of the Missionaries and Catechists, except upon receipts from the Missionaries and Catechists themselves, and upon such certificates bearing that they have served for the time mentioned in the receipts, as the said Committee shall from time to time appoint, and upon the production of the Missionaries' journals, and whatever other information the Committee may deem to be necessary ; and that every Catechist who receives

a salary from the Royal Bounty, on condition that the parishioners or gentlemen of the district shall pay a certain sum in aid of such salary, shall make a declaration that he has received the particular sum specified; and that the attestation of the Presbytery shall, in like manner, bear that the Catechist has received the stipulated sum which the Committee make the condition of his appointment; that a journal of the itinerant's labours in the ministry of the mission committed to him be written on the back of the Presbytery's certificate, and signed by him, as the ground on which the Presbytery have granted him said certificate. The General Assembly do also empower the said Committee to apply, for the purposes above mentioned, what may remain of the last year's Royal Bounty not disposed of, by reason of any of the Missionaries not fulfilling the appointments laid upon them; and that they are to keep a register of their proceedings, and likewise distinct books of accounts how the foresaid money is bestowed, which shall be patent to any concerned, or who may be pleased to inspect the same. Of the persons above named as Members of this Committee, five are declared to be a quorum, whereof three are to be Ministers. But it is hereby appointed, that at the quarterly meeting of the Committee in which the scheme or establishment of Missionaries for the ensuing year is to be approved and determined, not less than fourteen shall be a quorum, whereof nine shall be Ministers: And the said Committee are appointed to have their first General Meeting at Edinburgh, the first lawful day after the adjournment of the first stated diets of the Commission of the General Assembly; their second meeting (which is for fixing the annual scheme, as well as for ordinary business), upon the first lawful day after the stated meeting of the Commission of the General Assembly in August, with power to those members who shall then be present to adjourn; and their other two general meetings the first lawful days after the stated meetings of the Commission of the General Assembly in November and March, within the Assembly Hall, at twelve o'clock noon, except that day shall fall to be Saturday, and then the meeting shall be upon Monday next thereafter, at the said hour; with power to the said Committee to adjourn themselves to such times and places as they shall find most needful and convenient. And if there shall be no meeting of the Commission in August, November, or March, the Committee are appointed and empowered to hold their meetings at one o'clock of the days on which the Commission was so appointed to meet. And they are to keep a correspondence with the Commission of the General Assembly, and the Society in Scotland for propagating Christian Knowledge, and their Committee, and to take their advice and assistance; and also to correspond with the Synods and Presbyteries concerned. They are likewise instructed and empowered, as they shall see cause, to apply to the Government, or any magistrate, for assistance and support in carrying on the design of the Commission now given to them. And the General Assembly do grant full power to the said Committee to make such regulations as to

the administration of the foresaid Royal Bounty, as to them may seem most beneficial. And the said Committee are appointed to examine the accounts of the distribution of the Royal Bounty, and to lay the same before the Lords Commissioners of Her Majesty's Treasury, and to report their diligence to the General Assembly, to whom they are to be accountable. And it is agreed, that no person, once employed and inserted in the scheme, shall be struck out thereof for that year, but by a quorum of at least fourteen, whereof nine to be Ministers; and in case any complaint shall be made against any of those on the scheme, it shall not be determined the first ordinary meeting that the same is offered, but it shall lie on the table till another meeting; and, in the meantime, the person complained of, and the Presbytery of the bounds wherein he officiates, shall be acquainted with such complaint, and those concerned be required to send to the said Committee a just account of the matter, against the next meeting. And it is further appointed, that after the yearly scheme of Missionaries on the Royal Bounty is settled, in the manner above directed, and notice thereof given by letters to the Presbyteries concerned, such Presbyteries shall send up to the said Committee their answers to these letters, at furthest, with their Commissioners to the General Assembly, if the same be not done sooner; and that the Committee, at their first meeting after the General Assembly, shall endeavour to complete the next year's scheme themselves; and if they cannot complete it, they shall name a sub-committee of their number for that purpose, who are to lay their draft thereof before a subsequent meeting, which is appointed to meet as soon after the rising of the Assembly as possible: And empower the Committee, at their first meeting, to reject any petition for a new station, in case they shall find sufficient objections against it: And that the said Committee, in making up the scheme of Missionaries, &c., do not exceed the sum in the grant.

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## VIII.

### ACT for Altering the Day of Meeting of the Synod of Glenelg.

*Edinburgh, May 25, 1859. Sess 9.*

**T**HE General Assembly having heard a Petition from the Synod of Glenelg, did, and hereby do, appoint the said Synod to meet, in all time coming, on the third Wednesday of April, commencing on the third Wednesday of April next.



## IX.

OVERTURE and Interim Act anent Resuscitating Defunct  
Presbyteries.*Edinburgh, May 29, 1859. Sess. 9.*

**W**HEREAS it is desirable that some precise and definite rule should be laid down for resuscitating Presbyteries which have become defunct from the failure of a "quorum" on the appointed day of Meeting. The General Assembly agree to transmit the following Overture to Presbyteries for their consideration, and in the meantime they convert the same into an Interim Act.

It is overtured that the General Assembly do, with the consent of a majority of the Presbyteries of this Church, declare, enact, and ordain, That when a Presbytery shall, from any cause, become defunct, it shall be competent for any three or more of its members on the roll to address a requisition to the Moderator, whom failing, to the clerk of such Presbytery, requesting him to call a meeting of the whole members of Presbytery, for the special purpose of reconstituting the Court on a day specified, not less than ten, and not more than fifteen days from the date of such requisition, and at their usual place of meeting, by circular letters addressed to every member on the roll of the Presbytery when it became defunct; with which request he shall comply; and if a quorum of members shall assemble at the time and place specified in the said circular, it shall be competent for them to declare the Presbytery reconstituted, and to adjourn to another day, and the Presbytery shall, by such resolution, be as effectually reconstituted as if it had been renewed by appointment of the Synod according to the present practice; provided always that nothing herein contained shall be held to impair, to any effect, the power of the Synod to revive a Presbytery according to the present practice.

## X.

OVERTURE and ABSTRACT of the Acts of Assembly presently in  
force, in regard to the Study of Divinity,—to the Licensing  
of Students,—and to Probationers.*Edinburgh, May 28, 1859. Sess. 13.*

**T**HE Report of the Committee for the examination of Students was given in and read. The General Assembly resolved that the Abstract which it contained, of the Acts of Assembly presently in force in regard to the

Study of Divinity,—Licensing of Students, &c., should be transmitted as an Overture to Presbyteries, with a view of being embodied into an Act along with certain suggestions for their improvement made by the Committee, formerly transmitted by the Assembly for the consideration of the Presbyteries of the Church, and now inserted in the Overture.

The Overture is of the following tenor :—

**Preamble.** WHEREAS the Acts of former Assemblies, relating to the Study of Divinity,—to the Licensing of Students,—and to Probationers, are dispersed over a number of years : And whereas it is desirable and will be convenient for the Presbyteries of the Church, as well as for Professors and Students, to have the whole of the laws now in use on these subjects consolidated into one Act,—the General Assembly did, and hereby do, declare and of new enact, as follows :—

#### CHAPTER I.—ANENT STUDENTS.

**Course of Study previous to entering the Divinity Hall.** I. That no Student shall be entered upon the roll of any Professor of Divinity, unless he shall produce to the said Professor a certificate from the Minister of the parish in which he has his usual residence ; or, in his absence, or during a vacancy in said parish, from some neighbouring Minister, bearing that his character is suitable to his views ; together with a Diploma of Master of Arts, or certificates from the several Professors of Philosophy under whom he had studied, from which it may be clearly ascertained that in some University or Universities of Scotland he had gone through a full course of Philosophy, in some winter sessions of College preceding that in which the certificates are produced,—it being understood that in the absence of a diploma of Master of Arts, the Student shall produce certificates of having attended the following classes,—viz., Latin, Greek, Logic, Mathematics, Moral Philosophy, and Natural Philosophy, in such order as is prescribed in the University at which he has studied.

1727, xii.  
1813, viii.

**Preliminary Examination by Presbytery.** II. That previously to the enrolment of any Student as a Student of Divinity, he shall lay before the Presbytery, within the bounds of which he chiefly resides, all the Certificates mentioned in Article I., and shall be examined by said Presbytery upon Literature, Science, and Philosophy,—particularly upon Greek and Latin ; and also upon his knowledge of the Christian religion, as it is exhibited in the Catechetical Standards of the Church ; and shall produce to the Professors of Divinity under whom his studies are to be conducted, a certificate from the Presbytery, bearing that he has passed such examination in a satisfactory manner.

1827, vii.

1837, ix.

**Six months' residence within the bounds of the Presbytery necessary before Examination.** III. That except in the case of Students not resident within 1851, viii.  
the bounds of the Church of Scotland, and especially provided for by Article VII. following, a Presbytery shall not be entitled to examine any Student as a candidate for enrolment as a Student of Divinity, unless he be known to some member thereof, as having had his chief residence within their bounds for the previous six months, or produce a satisfactory certificate to them, from that Presbytery within whose bounds he has so chiefly resided for a like period, immediately preceding the date thereof.

**Certificates to be given by Professors at the close of each Session.** IV. That Professors of Divinity shall keep a watchful eye on the principles and conduct of all Students under their care; and at the close of each session of his course, every Student shall 1727, xii.  
1782, viii.  
take with him to the Presbytery a certificate from the Professors under whom he has studied, of his good conduct and proficiency.

**Annual Examination by Presbyteries.** V. That every Student of Divinity, after producing the Certificates referred to in the preceding Article, and also a Certificate of good moral character from his parish Minister, or during a 1837, viii.  
vacancy in the parish from some neighbouring Minister, shall be examined by the Presbytery within whose bounds he chiefly resides, every year; and be required to produce to the Professors of Divinity, every session of his attendance at the Hall, a certificate from the Presbytery of his having been examined by them on the progress made by him in his studies, and of the Presbytery's satisfaction with the same, as well as a certificate of his good moral character from the Minister of his parish, before he can be enrolled.

**Rules as to mode of conducting Examinations.** VI. That in conducting Examinations, Presbyteries shall 1856, xiv.  
observe the following Regulations: (1.) That, if Presbyteries see cause, an Examining Committee, or Examining Committees, shall be appointed annually in each Presbytery, on the day when Members of Assembly are elected; the Examining Committee, or Committees, to be open to all the Members of Presbytery.

(2.) That the Committee, or Committees, shall meet for examination of Students, on a different day from that on which the Presbytery meets; or, if circumstances render that inexpedient, the Committee or Committees shall meet not less than two hours before the Presbytery meets, in order that the examination may not be hurriedly conducted.

(3.) That a minute of the Committee's proceedings shall be kept, in which every particular respecting the examination shall be stated, *e.g.*, What were the subjects of examination? What length of time was employed in the examination? What were the relative numbers of questions answered correctly, and otherwise? &c., &c.

(4.) That the above minute shall be given in to the Presbytery, along with a written report from the Committee on the whole examination.

(5.) That when Presbyteries examine Students *coram*, they also shall keep a separate minute of their examination. And when their examination is posterior to that of their Committees, it shall be chiefly upon the same subjects which formed the ground of examination by their Committees; Students being also prepared, when examined by the Presbytery *coram*, to be examined, agreeably to the Acts of Assembly, on the Catechetical Standards of the Church.

(6.) That written questions shall be given to the Students, and written answers shall be required from them, in some part of each examination, whether by Presbyteries, or by their Committees; and that the Committees shall give in to the Presbyteries both the questions and the answers, along with their minute and their report.

(7.) That the Report, and its accompanying documents, shall not be recorded, but kept *in retentis* at the pleasure of the Presbytery.

(8.) That as soon as possible after the appointment of an Examining Committee, or Examining Committees, a list of topics for examination, and of books on which examinations shall be based, shall be annually drawn up by the different Presbyteries, or their Examining Committees, who shall make known to the Students who are about to come before them, what topics and books, or portions of books, are to be the subjects of examination for the year, and shall farther report annually to the Synod what selection of books and topics has been made.

(9.) That the above regulations shall apply, in so far as they can be applied, to all examinations of Students.

- 1835, xv. Anent Students not resident within the bounds of the Church of Scotland. VII. That Students not resident within the bounds of the Church of Scotland, who have finished a course of Philosophy in any of the Universities of Scotland, shall, previous to their enrolment as Students of Divinity, or for any of the sessions of their attendance at the Hall, be examined by the Presbytery within whose bounds the University at which they have studied is situated, either at the end of the last session of their course of Philosophy, or immediately before the commencement of the session in Divinity for which they are to be enrolled.
- 1728, viii Divinity Curriculum or Course of Study. VIII. That the course of attendance at the Divinity Hall shall be completed in four sessions, provided that the Students' attendance during three of these sessions shall have been regular; but Students giving regular attendance for only two sessions shall continue to prosecute the study of Divinity during other three sessions; it being understood that all Students shall be required to give at least two sessions of regular attendance on the Classes of Divinity, Church History, Hebrew, and Biblical Criticism, if there be a class of Biblical Criticism in the University or Universities at which they have prosecuted their Theological Course.
- 1818, viii.
- 1856, xiv.
- 1838, xi.  
1839, xi.

**Anent Discourses to be delivered in the Hall.** IX. That in each of these cases the Students shall be enrolled by the Professors of Divinity during the several sessions of their respective courses, and shall deliver in the Divinity Hall, in the manner hereinafter provided, an EXEGESIS in Latin on some controverted Head in Divinity; a HOMILY in English; a CRITICAL EXERCISE on some portion of the Original Text of the Old Testament; an EXERCISE and ADDITION on some portion of the Original Text of the New Testament; a LECTURE on some large portion of Scripture; and a POPULAR SERMON; and such other Exercises as the Professors shall think proper to prescribe. And Professors of Divinity are required, as far as they find it practicable, to insist that every Student shall deliver his first Discourse some time during his second session at the latest, and the remainder of his Discourses at such periods as may enable him to deliver the whole of them before the end of January of the last session of his course. 1782, viii. 1813, viii. 1836, x. 1813, viii.

**Students not to act as Preachers.** X. That Students of Divinity, before the termination of their course of Theological Study, and before being duly licensed, shall not be employed in preaching or the public ministry of the Word; and all Ministers are expressly prohibited from giving countenance or encouragement to such a practice. 1855, xiii.

## CHAPTER II.—ANENT THE TRIALS AND LICENSING OF STUDENTS.

**Students may apply for their Certificates during the currency of their last session.** I. That any Student shall be entitled to apply to the Professors for his certificates, that he may be proposed for trials for License, and that the preliminary steps may be taken by the Presbytery, during the currency of the last session of his course; with this limitation, that if the said last session is to be claimed as a session of regular attendance, he shall at the conclusion thereof obtain a new certificate of his attendance during its currency, and produce the same to the Presbytery or Synod. 1813, viii.

**Proposal that Students be taken on Trials to lie on the table till next ordinary meeting.** II. That when a Student is proposed to any Presbytery in order to be taken upon trials, the Presbytery shall be alone, and the motion for that purpose shall lie upon the table till their next ordinary meeting. In the meantime, the Presbytery shall appoint the Member by whom the Student has been proposed to lay before the said meeting the certificate, or certificates, in favour of the Student, specified in the third paragraph of the next section of this Act; to desire him to attend the same, and to inform him, that previously to the meeting, he ought, as far as circumstances may permit, to wait on such Ministers of the Presbytery as have not formerly had an opportunity of conversing with him in private. 1782, viii. 1813, viii.

Regulations to be observed in considering proposal. III. That when the time appointed for considering the motion is arrived, the Presbytery shall strictly observe the following regulations :—

- 1782, viii. (1.) The Presbytery shall be alone while they are employed in discussing the several preliminaries respecting Students who are proposed for trials.
- 1782, viii. (2.) They shall require satisfying evidence that every Student who is proposed for that purpose has completed the twenty-first year of his age.
- 1813, viii. (3.) No Student shall be admitted to trial unless he produces to the Presbytery a certificate, or certificates, from the Professor or Professors of Divinity under whose tuition he has studied, bearing that he has prosecuted his studies, and delivered his discourses, in the manner prescribed by this Act, and that the same have been sustained, and that his conduct, as far as it consists with the knowledge of the said Professor or Professors, has been in every respect suitable to his views in life. And the General Assembly do likewise hereby enact, that the Presbytery shall record, at full length, the said certificate, or certificates, in their minutes. And it is hereby enacted and declared, that the Student having lodged such certificate or certificates, shall be entitled to obtain extracts of the same if demanded.
- 1705, xvi. (4.) No Presbytery shall receive any Student upon trials without being satisfied that he is of good report ; sound in his principles ; pious, sober, grave, and prudent in his behaviour ; of a peaceable disposition ; and well affected to the happy establishment in this kingdom both in Church and State. And that the Presbytery may proceed with all due caution, in a matter of such peculiar importance, they shall not agree to the motion in behalf of the Student, unless his residence during the year preceding has been chiefly within their bounds, or he shall produce sufficient testimonials from the Presbytery in whose bounds his residence has chiefly been during that term, bearing that his character is such as is described in the immediately preceding sentence of this paragraph, and recommending him in those respects to the Presbytery before whom the proposal is made, as a proper person to be entered upon trials.
- 1782, viii. (5.) That before any Presbytery shall agree to take a Blind Student upon trials, they shall first consult the General Assembly.
- 1782, viii. (6.) The Presbytery shall not agree to the motion in favour of the Student, unless they are satisfied that he has made a competent degree of proficiency in those several branches of knowledge which are necessary to enable him to be a useful Preacher of the Gospel. And the General Assembly ordain, that the Presbytery, in order to procure full information in this respect, shall examine the Student strictly and privately on his knowledge of the Greek and Latin languages, and of Philosophy and Theology.
- 1711, x. (7.) If, after these preliminary steps have been taken, the Presbytery shall be of opinion that the Student is duly qualified in these several particulars, they shall record this opinion in their minutes, and order their Clerk to write letters to the several Presbyteries within the bounds of the

Provincial Synod, two calendar months at least before the meeting of the same, informing them of the Presbytery's intention to take the Student upon public trials; and bearing that the certificate, or certificates, in his favour, which are required by this Act, have been regularly laid before them. But it is hereby provided, that within the bounds of such Synods as meet only once a-year, a Student may be entitled to have these circular letters written half-a-year sooner than would be otherwise competent; but the trials and licensing of such Student shall not be proceeded with to their termination, before the close of the Session at the Divinity Hall in which he was enrolled for the last Session of his Theological course. 1782, viii.

Anent transference of Students.

IV. That at the request of the Student, it shall be competent to any Presbytery, upon cause shown, to transfer the receiving of the public trials, or any parts thereof, certifying to the Presbytery to which the transference is to be made, that the various preliminary steps have been taken according to the directions of the Act; and that the private, and such parts of the public trials as have been already gone through, have been received with approbation. Failing such certificate, it shall not be competent to make the transference. 1813, viii. 1713, x.

Anent Students who have studied in Universities not within the bounds of this Church.

V. That if a Student have studied, either in whole or in part, in Protestant Universities which are not within the bounds of this Church, he shall, when he is proposed to any Presbytery for trials, be required to produce satisfying testimonials from the Professors of Divinity in said Universities; and the time which these Professors shall certify to have been employed by him in studying Divinity under their tuition, shall be computed in the same manner as if he had prosecuted his studies in any of the Universities within the bounds of this Church. But it is hereby provided, that no Student, in such circumstances, shall be admitted even to those private trials, which are appointed to be taken before the writing of the circular letters, sooner than six calendar months after his arrival in Scotland. 1813, viii.

Proceedings of Synods anent Students proposed for Trials.

VI. That if a Presbytery propose to take a Student upon public trials, and have with that view written the circular letters as required by this Act, public intimation thereof shall be made at some diet of the next meeting of the Provincial Synod, which shall not be the last diet thereof. And the Presbytery Clerk is hereby required to transmit to the Synod Clerk an Extract of the Certificate, or Certificates, laid before the Presbytery in favour of the Student, and also an Extract Minute, or Minutes, of the proceedings of Presbytery in regard to his preliminary examination or private trials, in order that the same may be produced at this diet of Synod. And it is likewise hereby ordained, that at some subsequent diet of the Synod, particular inquiry shall 1813, viii.

be made whether any of the members of the Court has any objection to offer against the Student being entered upon public trials; and that the Synod then taking into consideration the Extracts produced, and the whole of the case, shall judge of the expediency of allowing the Presbytery to admit the Student upon trials; or if in any case the Presbytery Clerk shall fail to transmit the Extracts above mentioned, the Student shall produce to the Synod by himself, or by any member of the Court, the said Extracts, which by this Act he is entitled to obtain.

1782, viii.  
1813, viii.

**Subjects and order of Trials.** VII. That if the Synod shall allow the Student to be taken upon public trials, the Presbytery shall proceed therein with all convenient speed; and the Assembly appoint the following trials to be taken of the Student, and in the order herein mentioned:—*1st*, Catechetical trials on Divinity, Chronology, and Church History; *2d*, A trial in the Hebrew and Greek Languages; *3d*, An Exegesis in Latin, on some controverted head in Divinity; *4th*, A Homily in English; *5th*, An Exercise and Addition; *6th*, A Lecture on some large portion of Scripture; *7th*, A Popular Sermon; it being understood that, if the Presbytery see cause, they may examine the Student upon the subject of these several discourses.

1849, xi.

**Regulations as to Licensing.**

VIII. That the Student having gone through the several trials which are mentioned in the immediately preceding section of this Act, the Presbytery are ordained to proceed in the following order:—

(1.) They shall deliberately and seriously take a conjunct view of the whole trials, and if they shall be of opinion that the Student is not properly qualified to perform the duties incumbent upon a Preacher of the Gospel, they shall by no means grant him a license in his present circumstances.

(2.) If, upon this review of the trials, the Presbytery are fully satisfied therewith, they shall record this opinion in their minutes.

1711, x.

(3.) The Presbytery shall then propose to the Student the questions that are appointed to be put to all who pass trials, by Act 10th, Assembly 1711, and require him to subscribe the Formula which is prescribed by the said Act. And the General Assembly strictly prohibit all Presbyteries from licensing any Student to preach the Gospel, who shall not give explicit and satisfying answers to these questions, and subscribe the said Formula, and also prohibit them from using any other questions or Formula than those prescribed by the said Act.

1782, viii.

1759, viii.

(4.) The Presbytery shall order the Act 8th of Assembly 1759, against Simoniacal Practices, to be read to the Student in their presence.

(*Lastly.*) The Presbytery shall appoint their Moderator to license the Student to preach the Gospel, and order their Clerk to furnish him with an extract of his license.



## CHAPTER III.—ANENT PROBATIONERS.

Probationers removing into other Presbyteries to report themselves and lodge Certificates.

I. That every Probationer, on leaving the bounds of the Presbytery by which he was licensed, or in which he has been residing as a Probationer, and going to reside within the bounds of another Presbytery, shall, within two months, report himself, through the Moderator or Clerk, to the Presbytery into which he has come, and lay before them a Presbyterial Certificate of his being a Probationer, and that his conduct is in every respect becoming his profession; and the said Presbytery shall mark in their register the Probationer's name, and the name of the Presbytery which licensed him, as well as the name of the Presbytery from which he received such certificate; but in the event of Probationers failing so to report themselves, and to produce such certificate, this shall not exempt them from the jurisdiction of the Presbytery within whose bounds they reside or officiate. And Presbyteries are enjoined to keep a watchful eye upon all Probationers residing within their bounds, and to require from them the same subjection and orderly carriage to which they were engaged to the Presbytery by which they were licensed.

1736, ix.

1694, x.  
1856, xii.

Anent annual Lists of Probationers.

II. That Presbyteries shall annually, at their meeting for the election of Commissioners to the General Assembly, extract from their Records, and transmit to the Assembly, a complete list of all the Probationers then residing, or who shall have resided, within their bounds for the space of two months immediately preceding the date of said List; mentioning first the names of all the Probationers licensed by themselves, and then the names of all other Probationers residing as above, with the names of the Presbyteries from which they have brought certificates as Probationers, as well as of the Presbyteries that licensed them; and also the names of all Students who have been proposed to be taken upon trials, or are then under trials for license.

1736, ix.

1697, iii.

Anent Silenced Probationers.

III. That Presbyteries, when transmitting the foresaid Lists, shall at the same time transmit to the Clerk of the General Assembly an account of all Probationers who shall have been silenced by them during the course of the year preceding the date of said account; and also an account of all Ministers who shall have been deposed by them from the office of the Holy Ministry.

1709, xv.

1694, x.

The form of process to apply to Probationers.

IV. That in all cases of prosecution, by Libel or otherwise, against Probationers, the rules of the form of process shall be observed in the same way as in the prosecution of Ministers.

1835, xi.

1745, ix.

**Other Acts to be repealed.** V. That all Acts of the General Assembly in regard to the course of Theological Study, the Examination of Students previous to entering, and during their course through the Divinity Hall, and also in regard to trials for License, and to Probationers, inconsistent with the provisions of this Act, shall be held to be, and hereby are, repealed.

**Conclusion.** For the better observance of this Act, the General Assembly ordain, *1st*, That it shall be printed among their other printed Acts. *2d*, That it shall be printed by itself in some convenient form. *3d*, That a Copy of this separate edition shall be transmitted to each Professor of Divinity in the Universities of Scotland; and that the said Professors shall read the same in their respective Halls, once at least during every session, and at such times as they have reason to expect the attendance of the greatest number of Students for that session. And *lastly*, That a copy of the same edition shall likewise be transmitted to the Clerks of each Synod and Presbytery within the bounds of this Church, and that the said Clerks shall keep the same along with their minutes, and bring it to each meeting of their respective Courts, for the use of their Members.

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## XI.

OVERTURE anent the Admission of Graduates of English Universities to the Divinity Halls in the Universities of Scotland.

*Edinburgh, May 28, 1859. Sess. 13.*

**T**HE General Assembly agree to transmit the following Overture for the consideration of the Presbyteries of the Church:—

WHEREAS it is considered advisable to alter the laws respecting the admission of Students of Divinity to this effect, that young men who have completed their under-graduate course at Oxford or Cambridge or King's College, London, and have taken the degree of B.A., should be put in the same position with those who have completed a course of Literature and Philosophy at one or other of the Universities of Scotland,—it is hereby Overtured that the General Assembly, with the consent of the Presbyteries of the Church, do enact and ordain to that effect; providing also that the annual examination of such Students may be carried on by the Presbyteries of the Synod of England in connection with the Church of Scotland, and that a duly attested Certificate from any one of those Presbyteries, that such examination has been satisfactory, along with the other necessary Certificates, shall be authority for Professors of Divinity to enrol such Students as Students of Divinity.

## XII.

*Edinburgh, May 30, 1859. Sess. Ult.*

THE General Assembly called for the Report of the Committee on Standing Orders, and approved of the same ; and declare and enact that in future the following shall be observed as the Standing Orders for Regulating the business of the House :—

## I.

AS TO THE COMMISSIONS OF PARTIES ELECTED AS MEMBERS OF  
ASSEMBLY.

1. All Commissions to Members of an ensuing Assembly shall be transmitted, by the parties elected, to the Agent for the Church, as soon as conveniently may be after the date of election, and not later than the second Thursday in the month of May in which such Assembly is to meet ; and the Agent shall, on a day not later than three days previous to the first day on which the Assembly meets, submit all Commissions so transmitted to him to the Procurator and Clerks of the Assembly, who, along with the Agent, shall constitute a Standing Committee,—of which the Agent shall be Convener,—for examination of Commissions transmitted to the Agent as aforesaid ; and the said Committee shall, by their Convener, report to the Assembly, at its first diet, how far the said Commissions appear to be regular and according to law and practice, and whether any of the same be, in these respects, defective.

2. Along with Commissions in favour of Ruling Elders, there shall be transmitted to the Agent the certificate required by the Act of Assembly 1839, cap. 12, anent the Qualification of Representative Elders.

3. All Commissions reported by the Agent's Committee to be defective, or which, on the report of the said Committee, shall be objected to by any party having interest, or by any Member of Assembly, shall be remitted by the Assembly to a Committee of Nine of its members, of whom Three shall be a quorum ; and the Committee of Assembly shall report upon the said Commissions to the diet of Assembly held next after the date of the appointment of the said Committee.

4. It shall be competent to lodge with the Agent for the Church, Commissions which have not been previously transmitted to him, in terms of Section 1, *supra*, at any period during the sitting of the Assembly ; and such Commissions shall be submitted by the Agent to the Assembly at their meeting on the day next after the day on which the Commissions shall have been so lodged, and shall either be disposed of by the Assembly at once, or be remitted to their Committee on Disputed Commissions, as to the Assembly shall seem proper.

5. The Committee on Disputed Commissions shall, if called upon, or if it shall appear to the Committee necessary or expedient so to do, hear the party whose Commission is objected to, by himself or by his counsel or agent, in support of his Commission; and also any party or parties who may object to such Commission.

## II.

### AS TO CONSTITUTING THE ASSEMBLY, AND THE APPOINTMENT OF, AND PROCEDURE BEFORE, THE COMMITTEES FOR DESPATCH OF BUSINESS.

6. The Commissioners elected to serve in the Assembly shall convene in the Assembly Hall on the day fixed for the meeting of Assembly, at the usual hour, and after Sermon, according to the present practice,—when, after prayer by the Moderator of the last preceding General Assembly,—the names of all parties whose Commissions have been lodged with the Agent previous to the meeting of Assembly shall be read by him to the House.

7. The election of a Moderator shall then be made.

8. Her Majesty's Commission to the Lord High Commissioner shall then be read and recorded.

9. Her Majesty's Letter to the Assembly shall then be read, and a Committee shall be appointed to frame an Address in answer thereto.

10. The Report of the Agent's Committee upon Commissions transmitted to, or otherwise lodged with the Agent, shall then be called for and read, and shall be disposed of in manner prescribed in section 3, *supra*.

11. The following Committees shall then be nominated, viz. :—

Committee on Disputed Commissions.

Committee on Overtures.

Committee on Bills.

Committee for Arranging the Order of Business.

Committee for Classing Returns to Overtures.

Committee for Revising the Record of the Commission.

12. When there is a vacancy in any of the offices of the ordinary office-bearers of the Assembly, such steps as to the Assembly may appear proper shall then be taken for supplying the vacancy.

13. The Committees appointed in terms of section 11, *supra*, shall meet, respectively, at the times and places specified in the minute of their ap-

pointment; and the Committees on Bills and Overtures shall respectively make a report to the Assembly, at its diet next following the diet when the said Committees were appointed, and at such times thereafter as the state of the business brought before them may render expedient, or as the Assembly shall direct.

14. The Committee for arranging the Business of the Assembly shall report to the Assembly from time to time as the state of the business may render expedient; and the Committee for revising the record of the Commission shall report to the Assembly, before its close, and as soon as may be after the appointment of the said Committee.

15. Overtures from Synods or Presbyteries shall be presented to the Committee on Overtures by the Commissioners from the Presbytery, or by the Commissioners from some Presbytery within the bounds of the Synod promoting the overture; and no overture from a Synod or Presbytery shall be transmitted to the Assembly by the Committee on Overtures, if not so presented to them.

16. Overtures by individual members of the Assembly shall be presented to the Committee on Overtures by the parties promoting such overtures; and no such overture shall be transmitted to the Assembly by the Committee on Overtures, unless it shall be so presented to the Committee.

17. Applications to the Committee on Bills shall be made by petition, subscribed by a party having an interest in the cause, or other matter referred to in the said petition, or by his counsel or duly authorized agent; and in the said petition there shall be specified the cause, or other matter sought to be transmitted to the Assembly, and all documents connected therewith, also sought to be transmitted.

18. Along with applications for transmission to the Assembly, of appeals, or of dissents and complaints against the judgments of inferior courts, there shall be produced to the Committee an extract of the judgment complained of, and an extract or certified copy of the relative reasons of appeal, or of dissent and complaint, with all documents, or copies, certified by the Clerk of the Court whose judgment is appealed against, to be correct copies, of all documents forming part of the record in the inferior court.

19. In all causes brought up to the Assembly by appeal or otherwise, the record shall be held to consist of the entire minutes of the inferior courts in relation to the cause, and of the evidence, whether parole or documentary, adduced in the same, whether engrossed in the minutes, or lodged in the inferior court and kept *in retentis*; and no documents, not forming part of the record, shall be transmitted by the Committee on Bills to the Assembly, in connection with any cause, with the exception of reasons of appeal or of dissent and complaint, which shall, in all cases where tendered, be transmitted along with the record.

20. When there shall be more than one appeal in the same cause, or more than one dissent and complaint, or one or more appeals, as well as one or more dissents and complaints, it shall not be necessary to produce, along with the petition to the Committee in each appeal or dissent and complaint, the record in the cause, or a certified copy of the same; but it shall be sufficient to refer to the record, as produced along with the petition relative to any other appeal or dissent and complaint; provided always, that along with every petition to transmit an appeal or dissent and complaint, there shall be produced an extract of the judgment complained of.

21. Where any cause shall be referred by an inferior court to the General Assembly, the clerk of such inferior court shall, as soon as may be after the reference has been made, transmit to the Agent for the Church the record in such cause, or a duly certified extract or copy of the same; and along with every application to the Committee to transmit such reference to the Assembly, there shall be produced an extract of the minute of the inferior court containing the reference, and the petition shall refer to the record, or to the extract of the same, as having been transmitted to, and as being in the hands of, the Agent for the Church.

22. That in the cases specified in the last preceding section, the Agent for the Church shall produce to the Committee the record in any cause transmitted to him as aforesaid, and referred to in any application to the Committee; and the Committee, if they shall agree to transmit the reference to the Assembly, shall transmit, along therewith, the record in the cause.

23. That along with all applications to the Committee to transmit to the Assembly original petitions, or other applications to the Assembly in the first instance, there shall be produced to the Committee a written copy of such petition or other application, subscribed by the party promoting the same, or by his counsel or agent, and all documents referred to in the said petition, or upon which the petitioner intends to found in support of his application, and which are not already before the House.

### III.

#### REGULATIONS AS TO PRINTING.

24. In causes brought before the Assembly by appeal, involving the merits of the cause, the appellants shall print, in the form at present in use, and shall lodge with the Agent for the Church, not less than 450 copies of the judgment or deliverance complained of, and relative record, not later than the Monday preceding the day fixed for the meeting of the Assembly; and no such cause shall be entertained by the Assembly, where it shall appear, when the cause is called for discussion, that such prints have not, when the cause is so called, been lodged with the Agent for the Church.

25. In causes brought before the Assembly by dissent and complaint, involving the merits of the cause, it shall be optional to the complainers either to comply with the regulations as to printing prescribed by the last preceding section in the case of appeals, or to lodge with the Agent for the Church, at the time and in the manner provided with regard to prints in appeals, a complete written copy of the judgment complained of, and relative record.

26. In appeals, or dissents and complaints, upon incidental points not involving the merits of the cause, the appellant or complainer shall print, or furnish written copies, and shall lodge with the Agent for the Church, in manner above provided with regard to appeals and dissents and complaints upon the merits, and under a similar sanction, the judgment complained of, and such parts of the relative record as may have a bearing upon the said judgment; provided always, that in the case of such appeals and complaints upon incidental matters, the appellant or complainer shall serve upon the respondent, or his known agent, on the same day on which he shall lodge his print, or written copy of the proceedings, with the Agent for the Church, a similar print, or written copy of such proceedings; and it shall be competent for the respondents, at any time before the hearing of the cause, to print, or furnish a written copy, as the case may be, of such additional portions of the proceedings as they may think fit. In all cases where prints are lodged with the Agent for the Church, by either of the parties in a cause, in terms of these Regulations, the Agent shall be entitled, on application made to him for that purpose, to supply six copies of such prints to the opposite party or parties in the cause, or to his or their duly authorized Agents.

27. When an inferior court shall refer a cause to the Assembly, the parties to the said cause shall, at their joint expense, print and lodge with the Agent for the Church the minute containing the reference and relative record, at the same time as is provided with regard to the print in the case of appeals; under certification that if any of the parties shall refuse to contribute his share of the expense of such print, before the time when the cause is called for discussion, he shall be considered as having deserted the cause, and shall not be entitled to be heard.

28. Parties promoting original petitions or other applications to the Assembly, in the first instance, shall print and lodge with the Agent for the Church, on or before the Monday preceding the day on which the Assembly meets, not less than 450 copies of such petition or other application, and of all documents transmitted along therewith to the Assembly by the Committee on Bills; provided always that in causes arising out of trials for license or ordination, or out of matters relating to Church ordinances, or any matter not involving the interests of private parties, brought before the As-

sembly by reference, or by petition presented to the Assembly, by any Minister or member of a Church court in the discharge of his public duty as such, it shall be optional to the Court making the reference, or to the party or parties insisting in such cause, either to print and lodge with the Agent printed copies of the proceedings in the same, in manner already provided with regard to appeals, or to lodge with the Agent a written copy of the said proceedings, in manner provided with regard to dissents and complaints.

29. The parties promoting any overtures to the General Assembly shall print and lodge with the Agent for the Church, on or before the Monday of the week in which the Assembly meets, not less than 450 copies of such overture; provided always that in the case of any overtures relating to matters emerging after the meeting of the Assembly, such overtures shall be printed and lodged with the Agent at least two days before discussion of the same by the Assembly.

30. The Clerk of the Assembly shall preserve two copies of every print lodged with the Agent for the Church in manner above provided, one copy of which print, having a copy of the judgment of the Assembly in the cause to which it relates, prefixed or annexed thereto, shall be bound up and kept in the records, and the other copy, also having the judgment written thereupon, shall be lodged in the Library.

#### IV.

##### ORDER OF PLEADING IN CAUSES.

31. In causes brought before the Assembly by appeal, or by dissent and complaint, where there is only one appellant or complainer, or one set of appellants or complainers, concurring in the same reasons of appeal, or of dissent and complaint, and one respondent, or one set of respondents, concurring in the same answers to the reasons of appeal, or of dissent and complaint, the case for the appellant, or complainer, shall be stated by himself or by his counsel, who at the same time shall submit such argument upon the case as he shall think fit; and the party or counsel so stating the appeal or complaint, shall be followed by the respondent or his counsel; and at the close of the answer to the opening statement for the appellant, he shall be entitled to be again heard, and the respondent shall also be entitled to be heard in answer to the second speech for the appellant or complainer; and if, in his final answer, the respondent or his counsel shall state any fact, or submit any argument not adverted to in his answer to the opening statement for the appellant, the appellant, or complainer, shall be entitled to a reply upon the new matter introduced in the final answer for the respondent; but with the exception of this right of reply so limited, in no case shall more than two speeches be allowed to each party at the bar.

32. In such causes as those referred to in the last preceding article, and



in which there are more than one appellant, or set of appellants, and respondents, insisting on the appeal or dissent and complaint, or supporting the judgment complained of, on different grounds, and in separate reasons or answers, each appellant, or complainer, shall be entitled to open and state his separate case, and each respondent shall be entitled to make his separate answer, and the debate shall be closed with a reply for the several appellants; provided always that it shall be competent to the parties, with consent of the House, to make any arrangement for conducting the debate other than that herein prescribed, which shall have the effect of limiting, farther than is herein done, the number of speeches to be made from the bar.

33. In causes brought before the Assembly by reference from an inferior court, the reference shall be stated to the House by one of the Commissioners of the Presbytery, or by a Commissioner from a Presbytery within the bounds of the Synod making the reference, in his place as a member of the House, or by some member of such Presbytery or Synod specially appointed for that purpose; and the Assembly shall thereafter hear the parties in the cause referred, in such order as the shape of the case may seem to require, keeping in view the regulations in the last two preceding articles.

34. It shall be competent for any member of an inferior court whose judgment is brought under review of the Assembly, to appear at the bar in support of the judgment; but where Commissioners have been specially appointed by the inferior courts to support their judgment, the Assembly shall not hear any member of such court, other than one of the members so appointed, unless any member not so appointed, and who wishes to be heard, can show a separate and peculiar interest to support the judgment; and it shall, in all such cases, be competent to the Assembly, to limit the number of members of an inferior court who shall be heard in support of the judgment under review.

35. Where a judgment of a Synod, affirming a judgment of a Presbytery, is brought under review of the Assembly, the members of Presbytery shall have no *status* as parties at the bar, except in the character of members of the Synod; but where a reversal by a Synod, of a judgment of a Presbytery, is under review, the Presbytery may appear and be heard at the bar of the Assembly, as appellants against the judgment, provided always that they comply with the regulations herein contained, regarding causes brought under review of the Assembly by appeal.

36. Where a Synod reverses a judgment of a Presbytery, on a dissent and complaint, and the Presbytery appeal against the reversal, the complainers in the dissent and complaint to the Synod may appear, and be heard at the bar of the Assembly, as respondents to the appeal for the Presbytery.

37. In causes brought before the Assembly by petition, or other application to the Assembly in the first instance, the party promoting the said application shall be entitled to be heard in support of the same; and the Assembly, if required so to do, shall also hear an answer from any party upon whom they may have directed such application to be served, or whom they shall consider to be a proper respondent; and the debate at the bar shall be closed with a reply from the party promoting the application.

## V.

ORDER OF DEBATE IN THE HOUSE, AND AS TO PUTTING THE QUESTION,  
AND TAKING THE VOTE.

38. It shall be competent to any member of Assembly to make such motion as he shall think fit, upon any matter regularly brought under the consideration of the Assembly; and any member, so moving, shall state the terms of his motion in writing, to be laid upon the table of the House. It shall not be competent for any member to withdraw a motion which he has once made, or so to vary the terms of his motion as to render the same in substance another motion, without the leave of the Assembly.

39. When a motion so made is seconded, it shall be competent for any member to move an amendment upon the same, of which he shall also state the terms in writing; and when the motion and amendment have been duly made, seconded, and laid upon the table, it shall be competent for any member to be heard in support of one or other of the propositions before the House; and the debate shall be closed with a reply, if he think fit to claim a reply, from the mover of the motion.

40. When there is only one amendment to the motion proposed to the House, the vote shall be taken at the close of the debate, upon the motion and amendment.

41. Where there is more than one amendment, the vote shall be first taken upon the question, which of the amendments shall be put against the motion; and this question shall be decided by one or more votes, according as there are two or more amendments submitted to the House.

42. All motions after the first shall be dealt with as amendments on the first motion, to the effect of being disposed of in manner above provided in article 41.

43. It shall be competent to any Member of the House, present at the vote, to enter upon the minutes a dissent from the judgment or resolution of the House, immediately after the vote; and to lodge thereafter his reasons of dissent, to which any member present at the vote may adhere,

either when such dissent is taken, or at the next diet of the Assembly thereafter. But it shall not be competent to enter a dissent at any diet after that at which the resolution dissented from was passed.

## VI.

## AS TO MISCELLANEOUS BUSINESS.

44. All Applications for constitutions for New Churches, and the relative documents, shall, along with the feudal titles of the churches and grounds, be transmitted, one month before the meeting of each Assembly, to the Home Mission Committee, or such other Committee as the Assembly may have specially appointed for receiving the same, along with extracts of the approval of the proposed constitutions by the Presbyteries of the respective bounds, or of their deliverances upon the proposals; and such Committee shall revise the proposed constitutions and examine the titles, and report to the Assembly their opinion as to any alterations that should be made on the proposed constitutions, the said Committee giving to all parties who may have appeared before the respective Presbyteries eight days' notice of the day fixed for the consideration of their case, in order that they may attend for their interest,—certifying all parties applying for constitutions for New Churches, that if they fail so to transmit for revision and examination the documents aforesaid, their applications will not be entertained by the Assembly: Provided always, that where the said documents have been transmitted, they must also be thereafter regularly passed to the Assembly through the Committee of Bills, in common form; and all parties who have made compearance in the Presbyteries shall be entitled, as at present, to be heard before the Assembly to which the applications are so passed, or any Committee to be appointed by them, on their objections to the constitutions for the proposed churches, or to the report of the Home Mission or other Committee specially appointed as aforesaid.

45. Manuscript Reports to the Assembly shall be written upon foolscap paper, and so as to admit of being bound up into volumes, and it shall not then be necessary to engross them in the Record.

46. Where several overtures have been transmitted to Presbyteries by the Assembly, the return by the Presbytery to each overture shall be written upon a separate sheet of foolscap paper.

47. The Standing Orders shall be read over by one of the Clerks on the first day of the meeting of every Assembly, if any member shall require that they shall be so read; and any motion for repeal or amendment of any of the Orders shall be brought before the Assembly in like manner with overtures in regard to other matters; provided always, that it shall be com-

petent to the Assembly, on the motion of any member to that effect, and on cause shown, summarily to dispense with the observance of the Standing Orders, or of any of them, in any particular case.

## VII.

### CLOSING OF THE ASSEMBLY.

48. When the business set down for the last Monday of the sitting of the Assembly shall have been disposed of, the Assembly shall be closed by addresses from the Moderator, to the Assembly and to His Grace the Commissioner; and by the Commissioner, to the Assembly; and with devotional exercises, according to the practice of the Assembly.

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## XIII.

### ACT appointing Collections for the Schemes of the Church.

*Edinburgh, May 30, 1859. Sess. 14.*

**T**HE General Assembly of the Church of Scotland appoint the following days for General Collections throughout all the Churches within their bounds, viz. :—(1.) The second Sabbath of July for the Scheme for Colonial Churches; (2.) The third Sabbath of August for the Scheme for Conversion of the Jews; (3.) The second Sabbath of October for the Scheme for Education; (4.) The second Sabbath of December for the Scheme for Home Missions; (5.) The second Sabbath of February for the Scheme for Foreign Missions; (6.) The fourth Sabbath of March for the Scheme for Endowment of Chapels of Ease; and (7.) The fourth Sabbath of April for Extra Collection for the Scheme for Home Missions; provided always, that whenever the celebration of the Sacrament of the Lord's Supper shall happen to fall on any of the said Sabbaths, the Collection shall be made on the Sabbath immediately following: And the Assembly enjoin every Minister, on the Sabbath preceding that on which each Collection is to be made, to give due intimation thereof from the pulpit, accompanied with such information on the object of the Collection as he may have been able to acquire. The General Assembly, while rejoicing at the increased fruits of the Christian zeal of the people of this Church, would earnestly urge on them the duty of still further augmenting the means provided by them for promoting the cause of the Redeemer, hitherto so inadequate to the extent of the field daily opening up to the operations of the Church, and so far within what might be expected from the gratitude and love due to a crucified Saviour: They enjoin particularly all Ministers of the Church to fulfil the duty incumbent on them, of at least exhorting their Congregations to embrace the opportunities of

contributing towards the spread of the Gospel of Christ, on all the days above specified. The General Assembly hail, with the highest gratification, the information which they have received, to the effect that, in many Parishes, Associations have been instituted for raising funds in support of the Schemes of the Church: they regard such Associations as admirably calculated, if conducted on proper principles, not only to secure an increase of means for the diffusion of the knowledge of the Gospel among those who are unhappily still ignorant of its blessed truths, but also to exert a most beneficial influence on the Christian condition of all who shall become associated for this important object: The General Assembly, therefore, renew their most earnest recommendation, that Parochial Associations may be instituted in all Parishes in which they have not been already established; and they would specially press on the Members of these Associations the great importance of accompanying all their efforts for the advancement of the Redeemer's kingdom with fervent and persevering supplication and prayer. Farther, the General Assembly enjoin all the Presbyteries of the Church to hold a yearly meeting, of which due intimation shall be given in all the Parish Churches within their bounds, and which the public shall be invited to attend, in order to afford to every Minister of the Presbytery an opportunity of stating what has been done within his Parish, in furtherance of the said objects; and to give to the persons present, by means of addresses by one or two of the Members, specially appointed for that purpose, such information as to the progress of Christianity at home and abroad as may be best calculated to arouse the benevolence of the Christian public, and to maintain their interest in the prosperity of the said objects. And particularly, the General Assembly enjoin the several Presbyteries to require of all the Ministers within their bounds, a distinct and articulate account as to whether the aforesaid Collections have been made on the Sabbaths severally appointed for them, and to record the report of every Minister in their Presbytery Books; and likewise ordain the several Synods to take a similar account annually of the diligence of their respective Presbyteries in this matter, and to enter the same in their Synod Records. And the Assembly earnestly urge on their faithful people, seriously to consider the duty of contributing liberally towards the advancement of Christ's cause, according to the ability wherewith God has blessed them. The General Assembly further earnestly renew the authority and instruction formerly given to the Committees on the several Schemes, and more especially to the Joint Committee, to send, as they shall see cause, Deputations throughout the country, to explain and advocate the said Schemes; putting themselves, for this purpose, in communication with the Synods or Presbyteries. The General Assembly also enjoin the several Presbyteries to send up to the next General Assembly an exact report of the Collections made in each of the Parishes within their bounds. The General Assembly order this Act to be printed separately, and a copy to be transmitted to every Parish Minister, and to every Minister or Probationer officiating in a Chapel of Ease in connection

with the Church of Scotland, before the fourth Sabbath of June next ; and they ordain the said Act to be read from the Pulpit on the Sabbath immediately preceding that appointed for the first General Collection.

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#### XIV.

##### ACT appointing Collections for Extinction of the Debts affecting Chapels of Ease.

*Edinburgh, May 30, 1859. Sess. 14.*

**T**HE General Assembly of the Church of Scotland appoint a General Collection to be made throughout all the churches within their bounds, on the third Sabbath of January, for the Extinction of the Debts affecting Chapels of Ease.

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#### XV.

##### ACT appointing the Diet of the next General Assembly.

*Edinburgh, May 30, 1859. Sess. Ult.*

**T**HE next General Assembly of this Church is appointed to be holden at Edinburgh, on Thursday the 17th day of May 1860.

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Extracted from the Records of the General Assembly of the Church of Scotland, by

A. L. SIMPSON, *Cl. Eccl. Scot.*

## REPORT of COMMITTEE of GENERAL ASSEMBLY on the Clerkships.

THE Committee were appointed to consider and report upon the nature of the duties which have hitherto been discharged by the Clerks of the Assembly with the assistance of the Agent for the Church, and on the emoluments received by them, and how far any change should be made in these; and, in the meantime, it was agreed that the vacancy occasioned by the appointment of Dr Simpson to be first Clerk be not filled up until the Report has been brought up and considered.

The Committee have not failed honestly to address themselves to the performance of the duties thus devolved on them. They have held three meetings, at which attended the Rev. Drs Hill, Leishman, Pirie, and Bisset, the Rev. Mr Phin, Professor Swinton, Sheriff Barclay, and Messrs Cook (Joint-Procurator), Bayley, Smith, and Cheyne.

The Committee find that the offices of Clerks to the Assembly have been in previous times dealt with in the most various ways. Originally, one person acted as Clerk and Procurator, who was subsequently allowed to join or depute any he might think fit to the performance of these duties; and, from the year 1638 down to 1695, the office of Clerk, conjoint with the office of Procurator, or separate from it, appears to have been always held by a *layman*. In the latter year, the Rev. Mr Baunatyne was appointed Clerk for that special Assembly,—Mr Spence, a layman, having been appointed to assist him. The same arrangement seems to have been yearly repeated down to 1701, when Mr Dundas, advocate, was appointed Clerk,—Mr Spence, the person who had been assistant to the previous Clerk, *pro tempore*, being appointed Sub-Clerk. In 1703, another advocate was appointed Principal Clerk; and the same gentleman was, in 1706, appointed Procurator, and appears to have held both offices for a long period,—Mr Spence acting as Sub-Clerk down to 1711, when he was appointed sole Agent, and thereafter to have held the offices of *Agent* and *Sub-Clerk* down to 1738, when another gentleman was conjoined with him in both offices. This arrangement continued till 1743, when, on the death of Mr Spence, Mr Baillie was elected Conjoint-Clerk with a Mr M'Intosh, the former taking the Agent's, and the latter the Sub-Clerk's department. In the year 1746, the offices of Procurator and Principal Clerk seem to have been disjoined, one of the ministers of Edinburgh being appointed Principal Clerk. In 1753, Mr M'Intosh having died, Mr Edmondston was conjoined with Mr Baillie,—Mr Baillie to act as Agent, and Mr Edmondston to act as Sub-Clerk, and Clerk to the Committee for managing the Royal Bounty. It appears that, Mr Baillie having died, Mr Edmondston thereafter held the offices both of Agent and Sub-Clerk for many years previous to his death, which happened in 1781, when one of the ministers of Edinburgh was appointed Sub-Clerk. Since that period the offices of Agent and Sub-Clerk have been distinct, and there

appears to have been ever since two Clerks,—a Principal and a Sub-Clerk,—and, indeed, for a very considerable period there were two conjunct Sub-Clerks, apparently in consequence of the age or ill health of the Principal Clerk. Since 1789, also, the Clerks appear all to have been clergymen,—though, in 1828, the fact of Mr Murray, W.S., having been a candidate, shows that there was no understood exclusion of a layman from filling the office.

The Committee thus hold that, so far as precedent is concerned, there is nothing to bar the Assembly from dealing with the offices of Clerks, or parties to be appointed to the performance of Clerk's duties, in the way which may be deemed best calculated for the proper conduct of business.

There have been specially brought under the notice of the Committee two suggestions inferring a radical alteration of the present system, inasmuch as either would practically suppress one of the existing Clerkships.

1st, It has been suggested that, reverting to the system which appears more than once to have existed, the Assembly might advantageously appoint a Principal Clerk only, making the Agent an Assistant-Clerk, a suggestion which, it appeared to some members of the Committee, might have been advantageously adopted had both Clerkships been *now* vacant, but which could not be fairly or properly adopted during the tenure of office of a Clerk appointed under the different system that has latterly prevailed.

2d, That the office of Clerk might, with the whole emoluments presently enjoyed by both Clerks, with an addition thereto, be conferred upon some single competent individual (lay or clerical, as may be thought suitable,) resident in Edinburgh, and devoting his whole time to the duties, who would be always at hand, and accessible for the discharge of all duties connected with the office,—having associated with him, during the sitting of the Assembly, some competent party as an assistant. The Committee, however, feel that unless a gentleman possessing some other *status* and emolument, such as one holding a Professorship, could be found to take the office so regulated, there may be grave doubts entertained how far he would be able to bring to, and confer upon the office, that *status* and dignity which they think it desirable should ever appertain to it; and while they would be disinclined in any way to express an opinion appearing to limit the free action of those who may hereafter have to deal with the matter, they are disposed to think that, unless for some very cogent reasons, the Assembly should, in conformity with the practice that has practically existed for the last seventy years, choose their Clerks from among the clergy, or at least from among those who hold the *status* of Ministers.

The Committee simply report these suggestions; they feel that, in present circumstances, they could not seek to give effect to them, had they even been at one as to the merits of either. But the majority of the Committee are of opinion that two permanent Clerks are necessary, and that the Agent has sufficient calls on his time and attention, during the sittings of the Assembly, in matters proper to his own office, to prevent his being able to act as Assistant-Clerk, or thus to obviate the necessity of there being always two Clerks, had even both Clerkships been now open.



The Committee having thus arrived at the conclusion that both Clerkships should be retained, addressed themselves to the duty of considering what changes, if any, ought to be made in relation to the duties and emoluments of the offices; and, with reference to these, they felt called upon to have regard to the duties laid upon the Agent at the time of his appointment, because, in some respects, they were disposed to think duties had then been devolved upon the Agent which properly appertained to the office of Clerk; and relative to this, they had also to consider to some extent the emoluments enjoyed by the Clerks and Agent.

The Committee find that, among the many and multifarious duties expressly devolved upon the present Agent at the time of his appointment, which are all specified in a Report by a Committee on the duties of the Agency, appointed by the General Assembly of 1855, and, with one exception, approved by that Assembly, there were the following:—

“ To prepare the Memoranda for conducting the business of the Assembly at its opening, and, under the direction of the Committee of the Assembly for arranging business, to adjust the Memoranda for each day the Assembly meets.

“ To act as Clerk to the Committee on Bills.

“ Along with the Clerks to adjust and revise the scroll minutes of the proceedings of the Assembly and the Commission.

“ From the scroll minutes to make out the Proceedings of the Assembly and Commission, and to get them fairly copied, compared, and signed.

“ To prepare the MSS. of the Acts of Assembly, and Abridgment of the Proceedings of the Assembly, for the Press, and, along with the Clerks, to revise the proof-sheets, and superintend the printing and issuing thereof.

“ To give out Extracts of the Acts of Assembly.”

The Committee are of opinion that the whole of the duties here enumerated, and laid upon the Agent at the period of his appointment are duties properly appertaining to the office of the Clerks, and that the Agent should be relieved of them, and the same devolved upon the Clerks.

To prevent misapprehension, the Committee desire expressly to state, that by this change they mean to devolve upon the Clerks the duty and cost of having duly prepared (at joint expense) the fair copies of the records requiring to be made for preservation and deposit at Edinburgh and St Andrews; that the Principal Clerk, as being entitled by usage to the instrument-money payable on dissents, should have charge of and the duty of keeping up the Register of Dissents, in use to be kept; and while the Committee recommend that one of the Clerks of Assembly should act as Clerk to the Committee on Bills, they, at the same time, recommend that it shall be the duty of the Agent to attend as Process-Clerk all meetings of the Committee on Bills, and to give his aid and advice to the Clerk acting as Clerk to that Committee.

The Committee, while thus regulating the duties of the Clerks and Agent respectively, in a way different from that which has for some time prevailed, and fixing their relative responsibilities in accordance, have no wish to

prevent the Clerks and Agent making any arrangements, as between themselves, which they may find convenient, and which may be consistent with the efficient discharge of the duties of each,—their relative responsibilities to the Assembly to be, however, unaffected by such arrangement.

It was suggested that the Clerks should not be members of Assembly; and while, after full consideration, the Committee are not prepared to say that the appointment of a Clerk to be a member of the House should forfeit his office, they are of opinion that he should be incapable of acting as Clerk while a member of Assembly; and, therefore, that when a Clerk is appointed a member, he should, for such Assembly, cease to act as Clerk, and should ask leave of the Assembly to be allowed to appoint some competent friend, approved of by the Assembly, to act in his stead, it being understood that such leave will be granted as a matter of course.

Suggestions were also made as to the mode of conducting business by the Clerks with a view of expediting procedure, many of them well deserving of consideration, such as the Committee have no doubt will suggest themselves to the Clerks themselves; and which, at any rate, the Committee are satisfied require only to be mentioned to these gentlemen to insure, as far as they are practicable and useful, ready adoption. But the Committee do not think it would be expedient to endeavour to regulate the *minutiæ* and details by which the Clerks are to proceed in the discharge of their duties. At the same time, the Committee think that, while both Clerks are necessarily responsible to the Assembly for the due performance of their duties, the Principal Clerk should be primarily, as it were, responsible for the proper discharge of the whole duties, without reference to the manner in which he and the Sub-Clerk may arrange between them as to the performance of such duties. The Committee are also of opinion that the Principal Clerk should have charge of the Records, and that some safe place for the deposit of such should be obtained. During last Assembly, a Committee was appointed to communicate with the Lord Clerk-Register as to accommodation for that purpose in the additions to the General Register House now erecting. Such application was duly transmitted, and is now before the Lord Clerk-Register. In the meantime, perhaps the Assembly should direct as to the present place for deposit of the Records. It may also be right that the books in the Library should be put under the charge of the Principal Clerk, and some provision made for having them properly catalogued and cared for.

The Committee have also had reference to the emoluments of the offices of Clerks and Agent. They find that the salaries hitherto paid are as follows:—

To the Principal Clerk, . . . . .	£133 6 8
He has also been in the habit of receiving one-half of the free fees, after deduction of outlays in connection therewith, for Commissions, Extracts, &c., and this half may be stated at an annual average of, say . . . . .	22 10 0
Carry forward,	£155 16 8

Brought forward,	£155	16	8
He also has an allowance of L.3., 3s for stationery, and he receives the Instrument-Money for Dissents lodged, the latter of trifling amount; but the Committee have no means of estimating what the amount is, and they doubt if it will defray the cost of keeping the relative Register,—say		3	3 0
Making in all,	£158	19	8
To the Sub-Clerk,	£113	6	8
There has come to be attached to his office that of Clerk to the Royal Bounty, to which there is attached a salary of		25	0 0
He has also an allowance for stationery of		3	3 0
Making in all,	£141	9	8

To the Agent, a salary, including a sum allowed for preparing Acts of Assembly and Abstract Proceedings, copying papers, and making copies of Records for Assembly and St Andrews, superintending printing, revising proofs, and issuing Acts, &c., &c., &c., of	200	0	0
Allowance for coal, light, and stationery,	12	10	8
For acting as Sub-Clerk to Royal Bounty, the very inadequate amount of	20	0	0
One-half of fees on Commissions, Extracts, &c.,	22	10	0
Making in all,	255	0	8

The Committee, though they have laid additional duties and work upon the Clerks,—some of these, such as the making fair copies of the Records for Edinburgh and St Andrews, &c., &c., involving considerable outlay,—do not propose to make any change in the emoluments hitherto paid to the Clerks; because, upon a full consideration of the duties devolved upon these officers, the Committee are of opinion that, after taking into account the outlays they will be called on to make in order to the efficient discharge of their duties, they will still be adequately remunerated by the allowances hitherto made.

As regards the Agent, he will no doubt be relieved from some duties which he has been hitherto called on to perform, and from the direct outlay necessary in obtaining the fair copies of the Records requiring to be made for preservation; but, looking to the many calls on his time and attention in Church matters, to the fact that a valuable part of the business of the Church, which he was led to believe would, soon after his appointment, be put into his hands, has not yet so been passed to him, and to another circumstance to be immediately adverted to, they cannot recommend a reduction of his salary to a greater extent than £30.

The circumstance just alluded to, as affecting the question of the Agent's

remuneration is this. At the time of the appointment of the present Agent, one of his duties was stated as follows:—

“To advise the Presbyteries on all matters on which they may apply to him affecting the public interests of the Church, and on such cases procure for them the opinion of the Procurator of the Church.”

The Committee are given to understand that considerable doubts exist as to the privilege of gratuitous consultations conferred by this declaration. The Committee think that such doubts should be cleared away. That the meaning of this, in the opinion of the Committee, is and ought to be, as in the case of the Procurator, that among the duties proper to the office of Agent for the Church, and met by the salary and advantages of the office, shall be “To advise all Presbyteries and Synods in regard to any points and difficulties arising in matters coming judicially before them in their corporate capacities, in so far as they shall apply for and afford to him the means of giving such advice,” including the obtaining for them, from the Procurator, that officer’s advice on any statements or memorials transmitted to be laid before him. Of course, it will be understood that this does not lay upon the Agent the obligation to prepare formal memorials or other papers, and that he is to be fairly repaid for outlay, when called upon to incur such, on behalf of Church Courts consulting him as above. It will also be understood that, for the conduct of all proceedings in the Supreme Court, the Agent will fall to be paid by the Church Courts employing him. At the time of the present Agent’s appointment, it was understood that in respect of the advantages flowing from being Law-Agent of the Church and of all its Committees, the ordinary rate of charge should, in the case of business done by him for the Church and for Church Courts, be somewhat modified, and a remit was made to the Finance Committee to adjust a modified scale of charge. The Assembly of 1855, however, superseded for a time the transference to the Agent of the Church of the most valuable business at the command of the Church; and such still remaining untransferred to him, the Finance Committee have not been in a position to carry out the remit, and hence the Church and Church Courts remain deprived of the advantages which the Committee of 1855 contemplated they should be put in possession of.

In name and by authority of the Committee,

HENRY CHEYNE, *Convener.*

*Edinburgh, 24th May 1859.*

# ABRIDGMENT

OF THE

ACTINGS AND PROCEEDINGS OF THE GENERAL ASSEMBLY OF  
THE CHURCH OF SCOTLAND, AT EDINBURGH, 1859;

AND OF THE

PROCEEDINGS OF THE COMMISSION FROM AUGUST 1858 TO JUNE 1859.

*Edinburgh, Thursday, May 19, 1859. Sess. 1.*

After sermon by the Reverend Dr Matthew Leishman, Minister of Govan, Moderator of last General Assembly, from Isaiah lx. 22, the Ministers and Ruling Elders, Commissioners from the several Presbyteries, Royal Burghs, and Universities, convened within the Assembly Hall, and, after prayer, the names of all the Commissioners were read over.

The General Assembly then proceeded to the choice of a Moderator, when Dr Leishman proposed the Reverend Dr John Cook, Minister of St Leonard's, St Andrews, as a fit person to fill that office, which proposal was unanimously agreed to; whereupon Dr Cook, being called in at the Assembly's desire, took the Chair.

The Moderator then intimated to the Assembly that the office of Principal Clerk of the Assembly was vacant in consequence of the death of the venerable Principal Lee, and that it now fell to the Assembly, in conformity with former practice, to fill that office. Whereupon it was moved, seconded, and unanimously agreed to—That the Reverend Dr Alexander Lockhart Simpson, Minister of Kirknewton, Sub-Clerk, be elected Principal Clerk of Assembly, with the understanding that he was to acquiesce in any arrangements respecting his duties which the Assembly might be pleased to make.—The Assembly therefore did, and hereby do, elect, constitute, and appoint Dr Alexander Lockhart Simpson to be Principal Clerk to the Assembly and Commission thereof, with power to him to exercise the office, and to enjoy the emoluments, profits, and privileges thereof, as fully and freely as any of his predecessors enjoyed the same, with the understanding that he shall acquiesce in any arrangement respecting his duties which the Assembly may be pleased to make; and Dr Simpson being present, had the oath *de fidei administratione* administered to him, and took his place as Principal Clerk of the General Assembly.

The General Assembly being thus constituted, the Queen's Commission to the Right Honourable William David, Earl of Mansfield, constituting him Her Majesty's Representative in this Assembly, was read with all due honour and respect, and ordered to be recorded.<sup>1</sup>

The Queen's most gracious Letter to the Assembly was also read, and ordered to be recorded.<sup>2</sup>

Her Majesty's High Commissioner then addressed the General Assembly from the throne, and the Moderator made a suitable reply.

<sup>1</sup> Printed Acts, No. I.

<sup>2</sup> Printed Acts, No. II.

The General Assembly appointed a Committee to prepare a Minute to be inserted in the Records, expressive of the high respect entertained for the venerable Principal Lee.

A Committee was appointed to answer the Queen's most gracious Letter, and also to name Ministers to preach before the Lord High Commissioner.

The Procurator was authorized to draw from the Exchequer the Royal Grant of L.2000, and instructed to deliver the amount to the Finance Committee of the Royal Bounty.

The Report of the Committee of Office-Bearers of the Church for revising Commissions was read and approved of.

The Commission from the Church in India was sustained.

A Committee was appointed to receive from the family of the late Principal Lee the Volumes of the Records of the General Assembly which were in his custody as the Principal Clerk of the Church.

A Committee was appointed to prepare a loyal and dutiful Address to Her Majesty on the successful termination of the Revolt in India, and the sanguinary war to which it had given rise.

A Committee was appointed for arranging the business of the Assembly.

The Commission from the Burgh of Forres was sustained.

It was moved and seconded, That in respect that the office of Sub-Clerk of the General Assembly is now vacant, the General Assembly proceed to fill up the said office of Sub-Clerk, and that a Committee be now appointed to determine the duties of both Clerks, and their emoluments, to report to a subsequent diet of the Assembly; the Clerks to hold their appointments subject to the Report of said Committee, and the determination thereon of the Assembly.

Another motion was made and seconded, That the following members be appointed a Committee to consider and report upon the nature of the duties which have hitherto been discharged by the Clerks of Assembly with the assistance of the Agent for the Church, with the emoluments received by them, and how far any change should be made on one or other of them; and, in the meantime, that the vacancy occasioned by the appointment of Dr Simpson to be First Clerk be not filled up till the Report has been brought up and considered. After reasoning, the vote being called for, it was agreed that the state of the vote should be First or Second motion; and the roll being called, and votes marked, it carried Second motion by 114 to 112, wherefore the General Assembly resolved in terms of the second motion, and a Committee was therefore named,—Mr Cheyne, Convener.

Committees for Overtures and Bills were named and appointed to meet.

The General Assembly agreed to receive to-morrow the Report on the Conversion of the Jews, the Report on Indian Churches and the Report on Psalmody.

Adjourned.

*Sederunt.*

*Friday, May 20, 1859. Sess. 2.*

A diet spent in prayer.

The Assembly granted leave to the Presbytery of Annan to meet on Monday first, and attest the Commission of the Elder from the Burgh of Annan.

The Reports of the Committees on Overtures and Bills were given in and read.

The Assembly agreed to receive on Thursday a Deputation from the Irish Church Mission.

The General Assembly on an appeal reversed a decision of the Committee of Bills, refusing to transmit a petition to the General Assembly from certain parishioners of Kildalton, praying the Assembly to affirm the judgment of the Presbytery of Ilay and Jura rejecting the presentee to that parish, and agreed to hold the petition as transmitted, reserving all questions as to its competency.

The Report of the Committee for arranging business was read and approved of.

The General Assembly called for the Report of the Committee on Indian Churches, which was given in and read by Dr Bryce, the Convener. It was moved and unanimously agreed to—That the General Assembly have learned with great satisfaction that the increase in the number of the Chaplains of the Church of Scotland in India, which has been so long and so urgently pressed upon the Indian authorities, and in which the spiritual interests of so many of our countrymen in India are so nearly concerned, has been granted by Her Majesty's Government.—The Assembly have to record their grateful sense of the services of the Marquis of Dalhousie, while Governor-General, in promoting this object.—They desire to acknowledge the very great obligations under which Earl Canning, now Viceroy of India, has laid the Church of Scotland, by his able and zealous advocacy of their claims. To Her Majesty's Government, and to the noble Secretary of State now at the head of the Indian Board, the Assembly have to return their warmest thanks for the liberality and courtesy with which they have responded to their appeal in behalf of the Scotch Church in India.—The Assembly, sensible of the expediency of as little delay as possible occurring in the Chaplains now appointed proceeding to India, authorize the Presbytery of Edinburgh, upon whom the Act of Parliament has laid the duty of induction, to meet on Thursday the 28th May at ten o'clock, with power of adjournment, to expedite the same.—And the Assembly, further impressed with the importance of considering the relation in which the Chaplains now appointed by the Crown are to be placed ecclesiastically as regards the constituting of kirk-sessions, and the modifying, if necessary, the representation of the Church in India in this House, as fixed by the Act of Assembly 1814, appoint the following Committee (*here names to be inserted*) to consider what steps ought to be taken with these views, and to report before the close of the Assembly.—The Assembly desire also to record their warm acknowledgments to Dr Bryce for his unwearied labours in all that regards the best interests of the Church of Scotland in the East, and his successful exertions in procuring so great an accession to our Ministers and Chaplains in India.

The Rev. David Rose of Ferry-Port-on-Craig was appointed to lecture and preach before His Grace the Commissioner on the forenoon of next Lord's Day; and the Rev. Frederick L. Robertson of Bonhill to preach on the afternoon of that day.

The General Assembly called for the Report of the Committee on the Conversion of the Jews, which was given in and read by Professor Mitchell, the Convener.

It was moved and unanimously agreed to—That the General Assembly approve of and adopt this Report, and gratefully record their sense of the Divine favour vouchsafed to the plans and arrangements of the Committee, and to the exertions of the Missionaries under their superintendence.—The General Assembly approve of the measures taken by the Committee in carrying out the objects for which they were appointed, and observe with much satisfaction that they have been able to supply the wants of the Mission at Alexandria.—The General Assembly rejoice to learn from the Report, the lively interest that continues to be taken in the Jewish Mission by the Synod of Canada, and that there is a prospect of their co-operating with the Committee in the prosecution of their important work in the East. The

General Assembly, considering the interesting facts brought out as to Constantinople, and the opening there is for exertions among the Greek-speaking Jews and other classes of the population, cannot doubt that the Church will liberally respond to the call for funds, and earnestly recommend to the Committee to proceed with the establishment of a Mission at that Station as soon as they are in a position to do so. The General Assembly, while thankfully acknowledging collections in a greater number of parishes than have ever before contributed to the support of their Mission to the Jews, are yet obliged to notice with much regret that the sum realized from these collections is less than the amount received during previous years; and especially that there are still no fewer than 239 parishes, exclusive of Chapels, where no collections have been made, during the year, in behalf of the great and important cause entrusted to the Committee's care. The General Assembly cannot but regard with deep anxiety the prospect of not being able, from want of the necessary funds, to maintain or extend the Church's Mission among the children of Abraham; and therefore, while hereby renewing their most urgent solicitations to all the Congregations of the Church to further, by liberal contributions and fervent prayers, the spiritual welfare of God's ancient people, they do hereby also enjoin every Minister of the Church to give his Congregation an opportunity of contributing in support of the Mission to the Jews.—The General Assembly agree to record their thanks to the Convener, and through him to the Committee, for their zeal and diligence in carrying on the business of the Mission during the past year; and reappoint the Committee, and Professor Mitchell as their Convener, with power to sub-commit, and add to their number, and all other usual powers.

The General Assembly remitted to Mr Nicholson of the Tron Church to take charge of the requisite arrangements for the meetings for devotion in St Andrew's Church, on the evenings of the two Sabbaths during the sittings of the Assembly.

The Assembly called for the Report on Psalmody.—Dr Arnot, the Convener, reported verbally that the Committee had prepared a small collection of Hymns, but were anxious, before bringing them under the notice of the Assembly, to have a few additional members added to the Committee, to whom they might be submitted; to which proposal the Assembly agreed, and added accordingly.

The Commission from the University of St Andrews in favour of Principal Tulloch was sustained.

Certificate of *bona fide* Eldership in favour of the Ruling Elder from the Presbytery of Jedburgh produced, and he was authorized to take his seat as a Member of this Assembly.

Committees of Bills and Overtures authorized to meet to-morrow half an hour, and a quarter of an hour, respectively, before the meeting of Assembly.

Adjourned till to-morrow at eleven o'clock; which being publicly intimated, the meeting was closed with prayer.

*Sederunt.*

*Saturday, May 21, 1859. Sess. 3.*

Minutes of Thursday and Friday read and approved of.

Certificate of *bona fide* Eldership in favour of Dr Watson Wemyss, Commissioner from the Presbytery of St Andrews, produced, and he was authorized to take his seat as a Member of Assembly.

Reports from the Committees of Bills and Overtures given in and read.

Committees appointed to revise the Commission and Royal Bounty Records.



Report of the Business Committee read and approved of.

The General Assembly proceeded to consider the Petition of certain Elders, Communicants, and Sitters in the Church of Kildalton, agreeably to the decision come to by the House to hold the said Petition as transmitted, reserving all questions of competency.

Parties having been called, were heard and removed.

After reasoning, it was moved and seconded—That the Petition is incompetent, and the General Assembly therefore refuse to receive the same.

Another motion was made and seconded—That the General Assembly hold the Petition competent;—and a vote being called for, it was agreed that the state of the vote should be First or Second motion; and the roll being called, and votes marked, it carried First motion by 128 to 36.

Parties called in, and the judgment intimated.

The General Assembly called for the Report of the Education Committee, which was given in and read by Dr Cook (Haddington), the Convener. It was moved, seconded, and unanimously agreed to—That the General Assembly approve of the Report, and desire to express their thanks to Almighty God for the measure of success which has attended the operations of the Committee, and for the extent to which it has been the means of affording a sound Scriptural Education to many districts which, but for its aid, would have been wholly without instruction.—The Assembly learn with much satisfaction that the number of Schools on the Scheme is increased, that they are efficiently conducted, and continue to be so numerous attended.—The Assembly are gratified to learn that the Normal Schools are in a high state of efficiency, as is satisfactorily evidenced by the large increase of the allowance from Government on account of certificated Students. They approve of the exertions of the Committee to extend, through the Boarding-House, the advantages of Industrial instruction to the Female Students; and combined, as they trust such instructions always will be, with that religious and intellectual culture which ought ever to be regarded as the most essential element in the training of a Teacher, they anticipate that it will materially add to the value and usefulness of the Female Schools of the country.—They record their thanks to the Convener and Committee for their efficient and valuable services in the management of the Scheme during the past year; and reappoint the Committee,—Dr Cook of Haddington, Convener.

The Convener of the Education Committee then reported verbally respecting the state of the School at Edderton (remitted to the Committee by a former Assembly), that the building is in an unsatisfactory state, and the schoolmaster in a Lunatic Asylum, and that no provision has been made for the education of the Children.—The General Assembly appointed a Committee to consider what was most advisable in the circumstances,—Mr Phin, Convener.

The General Assembly called for the Report of the Committee on Popery, which was given in and read by Mr Robertson, Convener.

It was moved, seconded, and agreed to—That the General Assembly approve of the Report of the Committee on Popery now read; record the thanks of the House to the Convener and Committee for the diligence and zeal with which they have followed out the objects to which they were directed and authorized to attend, and also to Alexander T. Niven, Esq., C.A., for the valuable assistance rendered by him in reference to the statistical returns; and considering that the respected Convener, whose services had been so valuable, has resigned, remit to a Committee to consi-

der the propriety of uniting the Anti-Popery Committee to the Home Mission Committee, and to report to a future diet of Assembly,—Mr Phin, Convener.

The Assembly remitted to a Committee the References from the Presbytery of Glasgow, &c., relative to applications from Dissenting Students of Divinity, with instructions to consider the same, and to report,—Dr Traill, Convener.

The General Assembly appointed a Committee for revising Constitutions of New Churches,—Mr Cheyne, Convener.

The General Assembly adjourned till Monday the 23d inst., at eleven o'clock.

*Sederunt.*

*Monday, May 23. Sess. 4.*

The General Assembly did again convene, and was duly constituted.

The Minutes of last Sederunt were read and approved of.

The Reports of the Committees on Overtures and Bills were read.

The General Assembly directed that all Constitutions for New Churches be transmitted to the Committee appointed on Saturday for revising the same.

The Report of the Business Committee was read and approved of.

The General Assembly called for the Report of the Committee on Parochial Schools and Schoolmasters, which was given in and read by Dr Cook (St Andrews), Convener.

It was moved, seconded, and agreed to—That the Report be adopted; the thanks of the Assembly be recorded to the Convener and the Committee; and that the Committee be re-appointed, with the usual powers, in terms of the Report,—Dr Cook and David Smith, Esq., Joint Conveners.

Committees appointed to examine Synod Books.

The draft of the Answer to the Queen's Letter was read and approved of. The Moderator was authorized to sign the answer in name of the Assembly; and His Grace the Lord High Commissioner, on the application of the Assembly, undertook to transmit the same to Her Majesty.

Draft of an Address to the Queen on the termination of the Revolt in India, and restoration of Peace, read by Dr Leishman, and approved of; ordered to be engrossed; and, by direction of the House, the Moderator requested that the Lord High Commissioner would do the Assembly the honour of transmitting the Address to Her Majesty; to which His Grace made a courteous reply agreeing to said request.<sup>1</sup>

The General Assembly called for the Report of the Colonial Committee, which was given in and read by Dr Fowler, the Convener.

It was moved and seconded—That the General Assembly having taken into serious consideration the heavy responsibilities involved in the trust so generously committed to the Church by Her Majesty's Government, of recommending candidates for Army Chaplaincies; and learning from the Report now read, that a difference of opinion has arisen as to the propriety of the Moderator of the General Assembly having a voice in the recommendation; and further, considering the very heavy expenses incurred in connection with the Parisian Congregation, and the application of the Colonial Committee, in their Special Report, for a deliverance as to the expediency of maintaining that station; remit to a Committee to examine the Minutes of the Colonial Committee, and, if necessary, to meet with the Committee itself, with the view of ascertaining the steps taken by that Committee before recommending the several candidates already appointed; of obtaining a detailed statement of all the expenses connected with the Parisian Congregation, and of the mea-

<sup>1</sup> Printed Acts, No. IV.

asures employed for securing supply for that Congregation; the Committee to Report to a future diet of Assembly.

Another motion was made and seconded—That the General Assembly approve of the Report now read, reserving consideration of the Report relative to the Parisian Mission; renew the expression of heartfelt interest in the welfare of their countrymen in the Colonies, and resolve to continue their efforts to supply the localities that are destitute of them, with the means of grace and the consolations of the gospel. In order to carry out this object, and to meet the increased expenditure which has necessarily arisen, the General Assembly remit to the Colonial Committee to make an earnest and urgent appeal to the members and friends of the Church for increased liberality, not doubting that, when the emergency of the case is explained, the appeal will be cordially responded to.—The General Assembly have heard with the highest satisfaction that a considerable addition has been made during the past year to the number of Chaplains in the Army, to superintend the religious and moral welfare of Presbyterian Soldiers; and feeling a very deep interest in this object, instruct the Committee by all competent means to promote it.—The General Assembly record their thanks to the Convener and the other members of the Committee, for the fidelity, prudence, and care with which they have discharged the important duties committed to them.—In reference to the allusion contained in the Report to the appointment of Army Chaplains, the General Assembly resolve that the recommendation of persons to fill this office shall be vested jointly in the Moderator of the General Assembly and the Conveners respectively of the Home Mission Committee, the Colonial Committee, and the Committee on Indian Churches.—Further, the General Assembly reappoint the Committee, and remit to the Committee to suggest at a future diet the name of a suitable person to fill the office of Convener, vacant by the resignation of Dr Fowler.

A vote being called for, it was agreed that the state of the vote should be First or Second motion; and the roll being called and votes marked, it carried Second motion by 141 to 44—from which judgment Mr Phin dissented in his own name, and in the name of all who should adhere to him.

The General Assembly then proceeded to consider the Report on the Parisian Mission.

After reasoning, it was moved, seconded, and agreed to—That the General Assembly appoint the following Committee (*here follow the names*), to confer with the Colonial Committee as to keeping up the Paris Mission; and, should this be recommended, on the best means of sustaining said Mission, and of extending, if deemed advisable, the missionary operations of the Church to other important stations on the Continent, and to consider the information that may be submitted to them, and to report to a future diet of the Assembly,—Principal Tulloch to be Convener.

The General Assembly took up a complaint by the Rev. Alexander H. Irvine of Blair-Athol against a judgment of the Synod of Perth and Stirling, in regard to the duty of the Synod in recording the collections for the Schemes of the Church in the Synod Books. Parties having been heard, it was moved, seconded, and agreed to, That the General Assembly sustain the dissent and complaint, reverse the deliverance complained of, and enjoin the said Synod, and all other Synods of the Church, to comply with the provisions of the Act anent the recording of the collections for the Schemes in the Synod Books.

The General Assembly had transmitted from their Committee on Bills an appeal by the Rev. James Smith, Minister of Greyfriars Parish in Aberdeen, from a judg-

ment of the Synod of Aberdeen, of date the 13th April 1859, affirming a finding of the Presbytery of Aberdeen, of date 22d February 1859, of the following tenor, viz.,—“That whereas it is contrary to the constitution of the Church of Scotland, that persons not regularly called, and declared qualified by the Church, should take upon themselves the office of the Ministry of the Word, or meddle with any function ecclesiastical: And whereas, by Act 6 of Assembly 1799, and Act 13 of Assembly 1855, Ministers are prohibited from employing or countenancing any such persons in the teaching or ministry of the Word, in any of the Churches or Chapels in connection with the Church: And whereas the Presbytery have learned that certain individuals, neither ministers nor licentiates, nor even, it is believed, members of the Church, have recently been occupying pulpits, and teaching or addressing congregations in churches within the bounds of this Presbytery, both on Sabbaths and other days of the week,—the Presbytery did, and hereby do, warn all Ministers, Members of this Presbytery, and Ministers of Chapels of Ease within the bounds, that such practices are contrary to the laws of the Church.”

Parties being called, there appeared Mr Smith, with John B. L. Birnie, Esq., Advocate, his counsel; and for the Synod, Drs Pirie, Paul, and M'Pherson.

From the permission to Mr Smith to appear at the bar, and to be heard both personally and by counsel, the Earl of Selkirk dissented and took instruments.

The case having been partly heard, the General Assembly adjourned till half-past 7 o'clock this evening.

*Sederunt.*

*Eodem die, half-past 7 P.M. Sess. 5.*

The General Assembly did again convene, and resumed consideration of the appeal by the Rev. Mr Smith, at the stage at which it was left at the former sederunt. Parties having been fully heard were removed.

After reasoning, it was moved, seconded, and agreed to—That the General Assembly dismiss the Appeal; but with this declaration, that in affirming the judgments of the Presbytery and Synod, they hold them as declaring only, that the practice of preaching the Word of God, or of conducting the other solemn services of the sanctuary, by persons not duly appointed to the office of the Ministry in the Church, ought not to be countenanced by the Courts or Ministers of the Church.

The General Assembly had transmitted to them from the Committee on Bills a Petition by the Rev. John Fernie Thompson, Minister of St Leonard's Church, Perth, with a relative Petition and Statement by the Presbytery of Perth. Parties having been called, were heard and removed.

It was moved and seconded—That the General Assembly having considered both applications, and heard parties thereon at great length, refuse the desire thereof.

Another motion was made and seconded—That the General Assembly having considered the Petition of the Presbytery of Perth relative to the affairs of St Leonard's Chapel, find that the arrangements entered into between the Endowment Committee and the Presbytery of Perth have proceeded on a certain degree of misapprehension, and therefore recommend the Endowment Committee to pay annually to the Incumbent of St Leonard's Chapel the interest which may accrue upon the Fund paid to them by the Presbytery of Perth.

The vote being called for, it was agreed that the state of the vote should be First or Second motion, and on a division it carried First motion by 36 to 20.

The General Assembly adjourned till half-past 11 on Tuesday the 24th May.

*Sederunt.*

*Tuesday, May 24, 1859. Sess. 6.*

The General Assembly did again convene, and was duly constituted.

The Minutes of last sederunt read and approved of.

The General Assembly agreed to present to Her Majesty a loyal, dutiful, and affectionate Address on the recurrence of Her Birthday, and a Committee was appointed to prepare the same, and bring it before the Assembly in the course of the day,—Dr Hill, Convener. His Grace the Lord High Commissioner, by desire of the Assembly, was requested by the Moderator to transmit the same; to which request his Grace made a gracious reply, agreeing to said request.

The Commission from the Burgh of Annan was produced and sustained by the Assembly, and the name of Sir John Heron Maxwell, Bart., ordered to be added to the Roll of Members.

Mr Phin read and gave in reasons of dissent from the decision of the Assembly yesterday, refusing to appoint a Committee to examine the Records of the Colonial Committee.

The General Assembly received the deputation from the Irish Church Mission, consisting of the Rev. Alexander Dallas and the Rev. William Tait, who severally addressed the Assembly.

It was moved and unanimously agreed to—That the Moderator convey to the Deputation from the Irish Church Mission the cordial thanks of the Assembly for the very interesting and gratifying communication they have made of the progress and success of the Irish Mission; and express to their reverend brethren the delight with which the Assembly have received their visit, and the warmth of affection with which the Church of Scotland sympathises in their missionary operations; and that they will not fail in their prayers earnestly to commend them, and the work in which they are engaged, to the blessing of God.

The General Assembly had transmitted to them, from their Committee on Bills, an Appeal by the Rev. Dr Lee, minister of Old Greyfriars Church, Edinburgh, against a judgment of the Synod of Lothian and Tweeddale, of date 3d May 1859, affirming a sentence of the Presbytery of Edinburgh, of date 26th April 1859, of the following tenor, viz.—“The Presbytery of Edinburgh having received and considered the Report of the Committee, given in at last meeting, in pursuance of the remit made to them, of date 23d February 1859, find,—

“1st, That the practice has been introduced into Old Greyfriars Church, Edinburgh, of standing at the singing of psalms, and of kneeling at prayer, of which the Presbytery disapprove, as inconsistent with the immemorial usage of the Church.

“2d, That the prayers are read by Dr Lee.

“3d, That Dr Lee uses, and others officiating for him, in Old Greyfriars Church, use a book, either in manuscript or printed, entitled, “Prayers for Public Worship,” a copy of which was laid on the table of the Presbytery, and has now been reported on.

“4th, That the order of service contained in said book, and in as far as it is admitted by Dr Lee to be an exponent of the mode in which he conducts the devotions of the congregation, is at variance with the law and usage of the Church, in respect,—

“That he commences the service with the reading of verses of Scripture, as an introduction to the devotional exercises.

“That, after the confession of sins, certain passages of Scripture are read, styled “Comfortable Words,” and which may be regarded as occupying the place of what is termed “the absolution” in other liturgies.

“ That the prayers are broken into fragments ; and although Dr Lee explains that in using them he gives them a continuous form, yet from their structure, each short prayer being complete in itself, it is impossible to give them that real unity which is agreeable to the law and practice of the Church.

“ That in the use of this form the people are directed to say “ Amen” audibly at the close of each prayer,—all which being innovations unknown to this Church, and unauthorized by it, the Presbytery enjoin, as they do hereby enjoin, Dr Lee to discontinue the same, and to conform in future to the order and form of public worship as established in the Directory of Public Worship, confirmed by Acts of Assembly, and presently practised in this Church.”

The Assembly agreed to hold the name of Dr Arnot, on page 10 of the printed paper, as also the whole of the document on pages 10, 11, 12, entitled “ Reasons of Appeal,” and subscribed by Dr Bryce and Dr Arnot, as forming no part of the Record, they not having appealed.

Parties being called, compeared the appellant Dr Robert Lee for himself, and for the Synod Dr James Grant and Mr Adam Duncan Tait; and having been partly heard, the Assembly adjourned at half-past five, to meet at eight o'clock in the evening.

*Sederunt.*

*Eight o'clock P.M. Sess. 7.*

The General Assembly met according to adjournment, and was duly constituted. The Assembly resumed hearing parties in the appeal by the Rev. Dr Lee ; and having been fully heard they were removed.

It was moved and seconded—That the General Assembly sustain the Appeal, and recall the judgment of the Synod, in so far as the same affirms *simpliciter* the judgment of the Presbytery of Edinburgh, pronounced on the 26th April 1859 ; but find it established by the Report of the Committee of the Presbytery of Edinburgh, referred to in this judgment, and by the admissions of Dr Lee and certain Members of his Kirk-Session, that the prayers in the services of Greyfriars Church are read by Dr Lee from a book, either in manuscript or printed, entitled “ Prayers for Public Worship,” a copy of which was laid on the table of the Committee, and is now laid before this House : find that this practice is an innovation upon and contrary to the laws and usage of the Church in the celebration of public worship ; and the Assembly enjoin Dr Lee to discontinue the use of the book in question in the services of his Church, and to conform, in offering up prayer, to the present ordinary practice of the Church.

It was also moved and seconded—That the General Assembly, having heard parties, and after reasoning, dismiss the appeal, and so far affirm the judgment of the Synod as to find,—

*1st*, That the reading of forms of prayer is not in accordance with the Directory for the public worship of God, and is contrary to the practice of this Church.

*2dly*, That whilst the order of public worship, as stated in the Directory, begins with prayer, it has become the general usage in this Church to begin with singing.

*3dly*, That whilst the Directory prescribes nothing as to the position of the worshippers during the devotional exercises of Praise and Prayer, the practice of sitting during the former and of standing during the latter exercise has become the general practice. The General Assembly do therefore enjoin the Rev. Dr Lee to discontinue the practice lately introduced by him of reading forms of prayer in the public worship of God, and do further earnestly recommend to him to conform to the common usage of the Church in regard to the manner of conducting public worship.

The vote being called for, it was agreed that the state of the vote should be First or Second motion; and the roll being called, and votes marked, it carried First motion by 140 to 110.

Dr Hill produced and read draft of Address to her Majesty, agreed to at the forenoon's sederunt, which the Assembly approved of, and ordered to be engrossed.<sup>1</sup>

The General Assembly adjourned till 11 o'clock, Wednesday, the 25th.

*Sederunt.*

*Wednesday, 25th May. Sess. 8.*

The General Assembly did again convene, and was constituted.

Minutes read and approved of.

A Committee appointed to consider the arrangements most proper to be adopted in regard to the doorkeepers, and all other matters affecting the good order of the House,—Mr Cheyne, Convener.

Mr Henry Wallis Smith at Durrisdier appointed to lecture and preach before his Grace the Lord High Commissioner on the forenoon of Sabbath next, and Mr George Hutchison at Banchory-Ternan on the afternoon of same day.

The Committee on Business gave in a Report, which was approved of.

Report of Committee for revising the Royal Bounty Record read and approved of, and the Record authorized to be attested.

Reports of Committees for visiting the Synod Books of Shetland and Dumfries read and approved of, and the Records directed to be attested in terms thereof.

Synod Book of Angus and Mearns laid on the table, and a Committee appointed to visit the same.

A letter was read, addressed to the Moderator, by Rev. Dr Robertson, tendering his resignation of the office of Convener of the Endowment Committee. The General Assembly heard with the deepest pain and regret the letter, and appointed a Committee—Lord Belhaven to be Convener—to wait on Dr Robertson, and to express to him this their unanimous feeling, and to urge on him their equally unanimous and most earnest desire and request that he will reconsider the resolution intimated in his letter. The General Assembly desire, at the same time, to record their continued and entire confidence in Dr Robertson, and their strong conviction, that if he shall be induced to comply with the unanimous wish of the House, his great enterprise will ultimately be carried to a successful issue; and the General Assembly further record their determination to use every means in their power to aid him in his efforts.

The General Assembly called for the Report of the Committee on the duties and emoluments of the Clerks, which was given in, read, and approved of, and the Assembly directed it to be printed along with the Acts of Assembly.<sup>2</sup>

The General Assembly proceeded to the election of a Sub-Clerk of the Assembly, when Dr John Cook, Minister of Haddington, and Dr James Macfarlane, Minister of Duddingston, were severally proposed for that office; and the vote being called for, it was agreed that the state of the vote should be "Dr Cook" or "Dr Macfarlane;" and the roll being called, and votes marked, it carried "Dr Cook" by 228 to 83. The General Assembly therefore did, and hereby do, nominate, constitute, and appoint the said Dr Cook to be Sub-Clerk to the General Assembly and Commission thereof, and Clerk to the Committee for managing the Royal Bounty; and the said Dr Cook being called in, and the oath *de fidei administrationis officii* administered to him, he took his seat at the Assembly table.

<sup>1</sup> Printed Acts, No. V.

Printed Acts, p. 43.

The General Assembly authorized the Committee on Bills to meet to-morrow, half an hour before the meeting of Assembly.

The General Assembly called for the Overture anent the Annuity-Tax, which was read. It was moved and seconded—That the General Assembly approve of the Overture, and that a Committee be appointed to represent to Parliament, and more especially to Her Majesty's Government, the importance of adopting such measures as may both keep up the present number of City Ministers, and preserve to them, under any substitution that may be made for the Annuity-Tax, if the same shall be abolished, the full average of the annual incomes which they now enjoy. Another motion was made and seconded—That a Committee be appointed to represent the case to Parliament, and more especially to Her Majesty's Government, and to confer with all parties interested, to obtain a fair and equitable adjustment of the Annuity-Tax.

The Second motion was, with the leave of the House, withdrawn, and the First motion was adopted. Principal Barclay craved and obtained leave to dissent from the adoption of said motion in his own name, and that of all who should adhere to him; to this dissent adhered Mr Mossman.

The Report of the Committee on Correspondence with the Synod in England in connection with the Church of Scotland, was given in and read by Dr Hill. A Letter from the Synod to the Venerable the General Assembly was also read, containing the annual statement respecting the Churches and proceedings of the Synod, and a deputation from the Synod, consisting of the Rev. Lawrence Macbeth, the Rev. John Orr, and John Andrews, Esq., to whom the Letter had been entrusted, was introduced to the Assembly. Mr Macbeth and Mr Orr being called upon, then severally addressed the Assembly. Thereafter it was moved and unanimously agreed to, That the Moderator be requested to express to the Rev. Messrs Macbeth and Orr the gratification with which the very interesting Letter of which they had been the bearers had been received and their addresses heard; and that the Moderator be further requested to prepare an answer to the Letter, assuring our brethren of the Scottish Synod in England of the deep and affectionate interest which the General Assembly take in their welfare and success. The Assembly also approved of the Report of the Committee, and agreed to reappoint the same, with additions.

It was further moved and unanimously agreed to—That the important suggestion that young men who had completed their undergraduate course at Oxford or Cambridge Universities, or King's College, London, and taken the degree of B.A., should be admitted to the Divinity Hall of a Scottish University, in the same manner as if they had passed through a course of Arts at such University, should be remitted to a Committee to consider and report on the same to this General Assembly,—Dr Hill to be Convener.

The Reports of Committees for visiting the Synod Books of Ross, Angus and Mearns, and Lothian and Tweeddale, were given in, read, and approved of, and the Records directed to be attested in terms thereof.

The House adjourned, to meet at 8 o'clock.

*Sederunt.*

8 o'clock, May 25, 1859. *Sess. 9.*

The General Assembly did again convene.

The Assembly took into consideration the petition of the Synod of Glenelg, for a change in the day of meeting from the last Wednesday of July to the first Wednesday of May. It was moved and unanimously agreed to—That the meeting of the said



Synod should be altered to the third Wednesday of April ; and the General Assembly enacted accordingly.<sup>1</sup>

Leave was granted for a meeting of the Committee of Overtures at a quarter before 11 to-morrow.

The Assembly next called for the Report of the Committee on Correspondence with Foreign Churches, which was given in and read by Mr Robertson, the Convener.

Monsieur Boucher was introduced to the Assembly, and heard as Representative of the Central Society of France.

It was moved and unanimously agreed to—That the General Assembly, having heard the Report of the Committee on Correspondence with Foreign Churches, approve of the Report, and commend the diligence of the Committee : Express their cordial satisfaction at the information conveyed by the Report of the continued success of the Protestant Churches on the Continent of Europe, and deeply sympathise with the Church of Piedmont, which is now exposed to the dangers accompanying the occupation of their country by foreign armies. The General Assembly commend this old and deeply-tried Church to the protection of that Almighty arm which has hitherto so signally supported them.—The General Assembly have heard with deep interest the address of the Rev. Philip Boucher, the representative of the Central Protestant Society of France. They gladly welcome his reappearance in the General Assembly as a renewed assurance of the affectionate interest with which our Church is regarded by the Protestant Church of France,—request the Moderator to convey their thanks to Monsieur Boucher, and through him to return the Protestant Churches of France the assurance of the deep interest and regard of the Church of Scotland in their welfare.—The General Assembly reappoint the Committee, the Rev. W. Robertson to be Convener ; authorize the Committee to take the requisite means for raising funds by collections through the Church or otherwise, and to apply the same as the Committee may advise, and to report to next General Assembly.

The Overtures anent Innovations on Public Worship were called for, and those from the Synod of Merse and Teviotdale, and the Presbytery of Kirkcaldy, read.

It was moved that the Overtures be transmitted to a Committee, that the subject referred to in the same may be duly considered with a view to such regulation of the form of religious worship as (without unduly restricting ministerial liberty,) might secure a substantial uniformity in the Church ; and to report their suggestions to next General Assembly. It was also moved to the same effect, but that the Committee report their suggestions to this Assembly. This motion was, with the leave of the House, withdrawn.

It was also moved that the Overtures be dismissed ;—and a vote being called for, it was agreed that the state of the vote should be First or Second motion ; and the vote being called, and votes marked, it carried First motion ; whereupon the Assembly resolved in terms of First motion, and a Committee was accordingly appointed,—Dr Robertson, Convener.

The Overture from the Synod of Orkney anent Defunct Presbyteries was called for and read.

An Overture by the General Assembly on the subject, to be transmitted to Presbyteries, was read and approved, and in the meantime passed into an Interim Act.<sup>2</sup>

The General Assembly next took up the Petition of the Presbytery of Lewis for the appointment of Associate Members to said Presbytery, in consequence of two of

<sup>1</sup> Printed Acts, No. VIII.

<sup>2</sup> Printed Acts, No. IX.

the members being disqualified, by relationship with the party, from acting in a case of discipline respecting a Parochial Teacher, the one being the father, and the other the brother-in-law, of the accused. The Assembly agreed to grant the prayer of said petition, and appointed the Rev. William Sutherland of Dingwall, and the Rev. Archibald Clark of Kilmalie, failing either of whom, the Rev. Roderick Nicholson of Applecross, to act as Associate Members in the case referred to.

The General Assembly adjourned till 11 o'clock on Thursday the 26th May.

*Sederunt.*

*Edinburgh, Thursday, May 26, 1859. Sess. 10.*

The General Assembly did again convene and was constituted.

The Minutes of last sederunt read and approved of.

Reports of the Committees on Overtures and Bills given in and read.

All the Constitutions of Churches mentioned in the Report of the Committee on Bills were referred to the Committee on the Constitutions of New Churches.

A Report was given in and read by the Rev. Dr Smith, Tolbooth, Convener of the Committee for improving the accommodation of the Assembly, stating that the Committee had purchased the buildings immediately adjoining the Assembly Hall. The report was approved of.

The Report of the Committees for visiting the Synod Books of Moray and Galloway given in, read, and approved of, and the Records ordered to be attested in terms thereof.

The General Assembly called for the Report of the Committee for Propagating the Gospel in Foreign Parts, which was given in and read by Dr Craik, the Convener.

It was moved, seconded, and unanimously agreed to—That the General Assembly approve of the Report of the Committee on Foreign Missions, given in and read by the Rev. Dr Craik, Convener; commend the diligence with which the Committee have directed their attention to the instructions of last General Assembly; and further instruct the Committee to consider whether the time may have arrived for transferring the Educational operations of the Mission, in whole or in part, to stations in the interior, the education being conducted by European teachers and natives under the superintendence of an ordained European missionary; recommend to the Committee to continue to watch the bearing of public events on Education in India, with a view to secure the encouragement of every means conducive to the conversion of the natives to the Christian faith; regard with satisfaction the circumstance that six Students of Divinity have offered their services as Missionaries, and sanction the proposed proceedings with respect to the trial for license and ordination of four of these Students, by their Presbyteries, on the understanding that as Missionaries of this Church they place themselves under that kind of training which the Committee may direct, in order that they may be early qualified for preaching the Gospel to the natives, to which labour their exertions are ultimately to be exclusively devoted; express the hope that the Probationers of the Church, and Students of Divinity, may be led to consider how far they are summoned to engage in the work of Missionaries to India; observe that there is an increase of the income as compared with that of some past years, but urge on all the Ministers of the Church the necessity of taking a deep interest in the objects of the Mission, so that the contributions may greatly exceed those which have ever yet been given; reappoint the Committee, with Dr Craik, Convener, and express to him, and through him to the Committee, their thanks for the zeal, industry, and fidelity with which the business of the Scheme has been conducted.

The Assembly appointed a Committee to consider what improvement may be made on the "Missionary Record," and under what regulations it ought to be conducted—the Rev. Mr Nicholson of the Tron Church to be Convener.

The General Assembly had transmitted to them, by their Committee of Bills, an Appeal by the Rev. Angus M'Intyre, of Kinlochspelve, also Dissent and Complaint by the Rev. Donald M'Donald, of Kilmeny, against certain deliverances of the Presbytery of Islay and Jura, of date 20th April 1859, disposing of the Objections stated to the settlement of the Appellant; also against a deliverance of said Presbytery of the same date, finding that the Appellant was not a qualified and suitable person to be Minister of the Parish of Kildalton.

The General Assembly proceeded to take up said Appeal and Dissent and Complaint; and parties having been called, there appeared for the Appellant, A. Rutherford Clark, Esq., advocate, Crawford Hill, Esq., advocate, and Alex. Moncrieff, Esq., advocate; for the Dissident, John F. Maclennan, Esq., advocate; for the Objectors, Hamilton Pyper, Esq., advocate, Andrew Beatson Bell, Esq., advocate, and John Burnet, Esq., advocate; for the Presbytery, the Rev. James Dewar of Oa, and the Rev. James Dewar of Kilchoman.

Mr Moncrieff was heard for the Appellant, and the Assembly adjourned at 6 o'clock, to meet at 8 o'clock this evening.

*Sederunt.*

8 o'clock P.M., Thursday. Sess. 11.

The General Assembly did again convene and was duly constituted.

Parties at the bar, in the Kildalton case, resumed; and having been heard, were removed.

It was moved and seconded—That the General Assembly having heard parties, dismiss the Appeal and Dissent and Complaint, and affirm the judgment of the Presbytery upon the third objection, in so far as the said judgment finds "that the discourses were not edifying; that the subjects for the most part were disconnected with the texts; and that the discourses themselves were not connected one part with another;"—Sustain the Appeal and Dissent and Complaint in so far as the judgment finds other objections proven; but in respect of the above deliverance in regard to the third objection, the Assembly further affirms the judgment of the Presbytery, finding that the Appellant is not a qualified and suitable person for the functions of the ministry in the Parish of Kildalton, and ought not to be settled in the same.

Another motion was made and seconded—Sustain the Appeal; reverse the judgment of the Presbytery finding the Presentee unqualified to be Minister of Kildalton; and remit the cause to the Presbytery, with instructions to proceed with the settlement of the Presentee according to the laws of the Church.

A third motion was made and seconded—That, in so far as the sermons of the Presentee, as preached by him at Kildalton, were never laid on the table of the Presbytery, as required by the regulations for the working of the Church Benefices Act, declare the whole proceedings null from the time that the Presentation was sustained, and direct the Presbytery to proceed thenceforth *de novo* according to the laws of the Church.

This motion was, with the leave of the House, withdrawn, and a vote being called for, it was agreed that the state of the vote should be First or Second motion; and the Roll being called and votes marked, it carried First motion by 102 to 95.

The Assembly therefore resolved in terms of said first motion; whereupon it was

moved and agreed to—That intimation of the vacancy be made to the Patron, and also to the Presbytery of Islay and Jura.

From the above judgment Dr Lee dissented, in his own name, and in the name of all who should adhere to him; to which dissent Principal Barclay and the Rev. James Welsh adhered.

Mr Dewar of Oa, on the part of the Presbytery, acquiesced in the judgment, took instruments, and craved extracts; and Mr William Mason, S.S.C., for the Objectors, acquiesced, took instruments, and craved extracts.

The Assembly adjourned, to meet on Friday at 11 o'clock.

*Sederunt.*

*Friday, May 27, 1859. Sess. 12.*

The General Assembly did again convene and was constituted.

The Minutes of last sederunt were read and approved of.

Dr Bryce craved leave to adhere to the dissent of Dr Lee against the deliverance of last night in the Kildalton case; which the Assembly refused, in respect that he had not been present at the vote.

The Convener of the Committee appointed to confer with Dr Robertson intimated that a written report would be given in on Monday.

The Report on the Widows' Fund was given in and read by Rev. Dr Grant, the Collector. The Representatives of the Presbytery of Alford craved and obtained leave to withdraw the Overture from said Presbytery "anent the Report of the Ministers' Widows' Fund."

It was moved, seconded, and unanimously agreed to—That the General Assembly approve of the Report; express their renewed sense of the ability, faithfulness, and kindness with which the respected Convener continues to discharge his duties; and request the Moderator to convey their thanks from the Chair. The Moderator tendered their thanks accordingly.

The Report of the Lay Association was given in and read by the Clerk.

It was moved, seconded, and unanimously agreed to—That the General Assembly receive the Report with high satisfaction, and gratefully acknowledge the deep interest taken by the Lay Association in the prosperity of the Five Schemes of the Church, and the valuable assistance received from that body during so many years. The General Assembly receive with much pleasure the report of the intercourse held by the Association during the past year with the members of the Church in England, and they rejoice in the assurance that that intercourse has not been without good results. They trust to receive again, during the coming year, the cordial assistance and co-operation of the Lay Association, in the efforts of the Committee appointed by the General Assembly during its present sitting for promoting increased communion with the brethren in England. The General Assembly learn with satisfaction that the Association contemplate during the coming year establishing additional Provincial Branches; and they renew the strong recommendation formerly given to all Ministers and other members of the Church, and to the Colonial Committee, to aid in the formation of the contemplated branches of the Lay Association, and also recommend to Presbyteries to extend to that body their cordial co-operation and assistance.

The General Assembly called for the Report of the Committee appointed to draw up a tribute of respect to the memory of the late Principal Lee. The following was given in and read by Dr Hill, Convener, and approved of:—

For no less a period than thirty-three years, Principal Lee held the situation

of one of the Clerks of the General Assembly, and to the fulfilment of the duties of that important office he brought qualifications of a superior kind.

In intimate and profound acquaintance with the history, the laws, and the constitution of the Church of Scotland, he was altogether unrivalled; and having been blessed, by the Author of his being, with a quick and retentive memory, he was never at a loss, when opportunities occurred, to apply his extensive knowledge to the service of the Church. Hence Principal Lee was an authority in all ecclesiastical matters, to which the utmost deference was justly paid; and the death of so able and sage a counsellor, full both of years and of honours, is a dispensation of Divine Providence to which it becomes us submissively to bow, but over which the General Assembly, so long dignified by his presence, and aided by his wisdom, has cause to mourn. To the eminent and varied attainments of Principal Lee, to his high standing in the literary and intellectual world, and to the distinguished places which he held successively in most of the universities of the land, it is unnecessary to do more than allude.

But there is one subject which cannot be omitted when referring to the relation in which Principal Lee stood to the Assembly, because it illustrates in a very striking manner what a powerful hold the language of the Holy Scriptures, and the truths which they contain, had taken of the Principal's mind. In the Records of the General Assembly there are not a few Pastoral Addresses, issued by the Assembly's order, but well known to have been written by Principal Lee. No one can read them without admiring their Scriptural character, and their peculiar solemnity and impressiveness. They are precious to the Church of Scotland, not only from their intrinsic value, but also as memorials of the living faith which actuated Principal Lee; and they may, through the blessing of God, be a means of realizing in his case what is said by an Apostle respecting Abel, "Though dead he yet speaketh."

The Moderator was requested to transmit a copy of the above tribute to Mrs Lee, along with a letter expressing the deep sympathy felt by the General Assembly, with her and the other members of the late Principal's family, in the painful bereavement with which it has pleased Almighty God to visit them.

It was also moved, seconded, and unanimously agreed to,—That the admirable Pastoral Addresses alluded to should be collected and published in a small volume, as a further tribute of respect on the part of the General Assembly to a name which this Church can never cease to revere, and in the confident expectation, that by rendering these Addresses accessible to the public, an important service will be done to the cause of religion, and a fitting memorial preserved of the relation in which their distinguished author stood to the Church of Scotland. A Committee (Dr Robertson, Convener), was appointed to carry out this Resolution.

The General Assembly called for the Report of the Committee on proposed New Regulations for the guidance of Presbyteries in acting under the Scotch Benefices Act, which was given in and read by Dr Leishman, Convener, and the proposed New Regulations were laid on the table. The Overtures relating to this subject were also read.

After different Members had been heard, it was moved and seconded—That the General Assembly now proceed to consider, clause by clause, the Act of Assembly respecting the Induction of Ministers, along with the corresponding clauses of the proposed Overture.

Another motion was made and seconded—That the Report be recommitted *sim-*

*placiter* to the Committee, with instructions to bring it up to next General Assembly, with such alterations, if any, as they may see fit.

The vote being called for, it was agreed that the House go to a division; and the House having divided, it carried First motion by 74 to 71. The Act and the proposed Regulations were then read clause by clause, as resolved by the House; and 1st clause of the New Regulations was approved as it stood; the 2d, 3d, 4th, and 5th clauses were approved of as altered by the House; the 6th clause was approved of without alteration. The Assembly referred the consideration of the remaining clauses to a Committee, to meet to-morrow at 9, and report—Dr Robertson, Convener.

The Committee of Overtures was authorized to meet to-morrow, a quarter of an hour before the meeting of Assembly.

The Assembly adjourned, to meet to-morrow at half-past 10.

*Sederunt.*

*Saturday, May 28, 1859. Sess. 13.*

The which day the General Assembly did again convene, and was constituted.

The Minutes of last sederunt were read and approved of.

The Report of the Business Committee was given in by Dr Hill, and approved of.

Dr Hunter, on the part of the Colonial Committee, recommended to the General Assembly Dr William Stevenson, Minister of South Leith, as Convener of said Committee, and he was accordingly appointed to that office.

It was moved and unanimously agreed to—That the Moderator be requested to write a Letter, in name of the Assembly, to the Synods in connection with the Church in the Colonies, expressing the deep interest which the Church at home continues to take in their welfare.

The General Assembly called for the Report of the Committee on Aids to Devotion, which was given in and read by Dr Crawford, the Convener, who also laid on the table a few copies of the Prayers for Social and Family Worship, which the General Assembly of last year allowed the Committee to publish if they should see cause.

Various Members having been heard on the subject, it was moved, seconded, and unanimously agreed to—That the General Assembly approve of the diligence of the Committee in prosecuting the important work entrusted to them: reappoint the Committee, with additional members—Dr Crawford to be Convener—and give them power, as formerly, to add to their number. In regard to the Collection of Prayers accompanying the Report, the General Assembly reserve, in the meantime, any deliverance upon their merits; remit them to the Committee for such revision and amendment, in any future edition that may be issued, as may to the Committee appear advisable, and earnestly recommend that the Ministers of this Church, and all interested in the work entrusted to this Committee, would communicate to the Convener such suggestions as may be calculated to render this volume of Aids to Devotion more useful and acceptable to the several parties for whose use it is designed.

The General Assembly next called for the Report of the Home Mission Committee, which was given in and read by Dr Crawford, Convener, and several Members were heard on the subject. It was moved, seconded, and unanimously agreed to,—That the Report be approved of and adopted; and that while the General Assembly, on the one hand, deeply lament the large deficiency of revenue to meet the required expenditure for the past year, they regard, on the other hand, with the highest satisfaction, the extension of the operations of the Committee. The General

Assembly agree to record to the Convener and Committee the warmest thanks of the Assembly for the fidelity and ability with which they have discharged the highly-onerous trust committed to them; reappoint the Committee, with power to add to their number, Dr Crawford to be Convener; and as it is of paramount importance, not only to make proper provision for maintaining in full efficiency the numerous Chapels and Mission Stations, requiring for that end considerable assistance from the Church at large, but also to meet the applications for aid in new and clamant cases; and, moreover, to extend the operations under the Church Building branch of the Scheme in many necessitous districts in which such provision is urgently called for, involving an expenditure greatly beyond the ordinary income of the Scheme; the General Assembly most anxiously and affectionately recommend to all the Ministers, Members, and Friends of the Church, to give to this great and important missionary enterprise, with which the strength and wellbeing of the Church, and the most momentous interests of the country are so intimately united, their fervent prayers and largely-increased support. It was further agreed, in order to meet the excess of expenditure during the past year, and to enable the Committee in some measure to provide for the extended operations which they are so pressingly required to undertake, to authorize an Extra Collection to be made in all the places of worship in connection with this Church, betwixt and the next sitting of the Assembly, and to remit to the Joint Committee on the Schemes to fix a convenient day for such Extra Collection.

His Grace the Commissioner intimated to the Assembly, that he had received from the Secretary of State for the Home Department a letter, stating that he had had the honour to lay before the Queen the answer of the General Assembly of the Church of Scotland to Her Majesty's most gracious Letter, and that Her Majesty was pleased to receive the same in the most gracious manner.

The Report of the Committee on Chapel Debts was given in and read by Professor Swinton, Convener. It was moved, seconded, and unanimously agreed to—That the General Assembly approve of the Report, and record the thanks of the Assembly to the Committee; and in respect of the urgent necessity for sufficient funds being collected without delay, to enable the Church to benefit by the liberality of the Ferguson Trustees, the Assembly, in the most earnest manner, recommend the objects of the Committee to the liberality of the members and friends of the Church; and appoint a general collection to be made in aid of its funds, on some Sabbath to be fixed by the Joint Committee, and to be specially intimated in an Act appended to the Act of Assembly appointing the annual collection for the Schemes of the Church.<sup>1</sup> Reappoint the Committee,—Professor Swinton to be Convener.

The Report of the Committee on the Examination of Students was given in and read by Dr Hill. It was moved, seconded, and unanimously agreed to—That the Abstract, which the Report contained, of the Acts of Assembly presently in force in regard to the Study of Divinity, Licensing of Students, &c., should be transmitted as an Overture to Presbyteries, with a view of embodying the Acts of the Assembly presently in force relating to the Education and Licensing of Students, along with certain suggestions for their improvement made by the Committee, and formerly transmitted by the Assembly for the consideration of the Presbyteries of the Church; and that the thanks of the House be given to Dr Hill for the great trouble he had taken.<sup>2</sup>

The Report of the Committee on the Amalgamation of the Committee on Popery

<sup>1</sup> Printed Acts, No. XIV.

<sup>2</sup> Printed Acts, No. X.

with the Home Mission Committee was given in and read by Mr Phin, the Convener. It was moved and seconded—That the General Assembly remit to the Royal Bounty Committee and to the Home Mission Committee the whole of the Missionary work carried on by the Church within Scotland; discharge the present Anti-Popery Committee, and appoint another Committee to watch over the interests of Protestantism, and to report to the Commission, or to next General Assembly, on any public questions affecting those interests that may seem to them to require the interference of the Church.

A second motion was made and seconded—That the General Assembly, having heard the Report of the Committee on the Amalgamation of the Popery with the Home Mission Committee, approve of that Report, and find that it is not expedient, at present, to amalgamate the two Committees; reappoint the Anti-Popery Committee, to be Convener; and authorize the Committee to take such measures for collecting funds as they may consider expedient, subject always to the sanction and concurrence of the Committee appointed to regulate the stated collections on behalf of the Six Schemes of the Church.

A third motion was made and seconded—That the General Assembly, in the circumstances, appoint a Special Committee to inquire into the whole matter,—to consider the operations of the Committee,—and how far such operations might be conducted in a less objectionable form. The General Assembly appoint said Committee to report to the Commission, and authorize the Commission, if they shall see cause, to recommend the matter to the favourable consideration of the Church.

A fourth motion was made and seconded—That the Committee on Popery be not reappointed.

The First motion was, with the leave of the House, withdrawn; and it was agreed that a vote should be taken between the Third and Fourth motions, when it carried Third motion by 33 to 12. The vote was then taken between the Second and Third motions, when it again carried Third motion by 37 to 13. Whereupon the General Assembly found in terms of Third motion, and a Committee was appointed accordingly,—Dr Robertson to be Convener. From which deliverance Dr Hill, Dr Hunter, and Mr Macrae dissented for themselves, and for all who may adhere to them, for reasons to be given in.

The General Assembly called for the Overture anent the Tricentenary of the Reformation in Scotland, which was read. A Report from the Committee on the same subject, appointed by the Commission of last General Assembly, was also read. Dr Hill moved the adoption of the Overture, and the appointment of a Committee in consequence, which was seconded, and unanimously agreed to. The Committee to be named on the meeting of the House on Monday.

The General Assembly called for the Report on Gaelic Scriptures, which was given in and read by Dr Smith of Inveraray. It was moved, seconded, and unanimously agreed to—That the Report be approved of, and a Committee appointed to communicate with Her Majesty's Government respecting the means of obtaining for the Gaelic Scriptures that protection which is given to them in English, with power to make the necessary arrangements for carrying the object into effect. A Committee was appointed—Dr Smith, Convener.

The General Assembly called for the Report of the Committee on Gaelic Preachers, which, in absence of Mr John M'Intyre of Kilmonivaig, the Convener, through indisposition, was given in and read by Mr Malcolm M'Intyre of Boleskine. It was moved and agreed to—That the General Assembly approve of the diligence of the



Committee; reappoint with additions—Mr John M'Intyre of Kilmonivaig, Convener; recommend the matter for their consideration, and to report to next Assembly.

The General Assembly adjourned till Monday, at half-past 10 o'clock.

*Sederunt.*

*Monday, May 30, 1859. Sess. 14.*

The General Assembly did again convene, and was constituted.

The Minutes of last sederunt were read and approved of.

Reasons of Dissent from the Deliverance of the General Assembly, in reference to the Anti-Popery Committee, were given in and read by Dr Hill, and were concurred in by Dr Hunter, Dr Duguid, and Francis James Cochran, Esq.

A Letter in their name by Dr J. F. Revel, President of the Synod of the Vaudois, assembled at Tour, addressed to the Moderator of the General Assembly of the Presbyterian and Established Church of Scotland, was given in and read; and the Answer of the Moderator thereto was read by him from the Chair, and approved of by the Assembly.

The General Assembly passed the Act appointing Collections for the Schemes of the Church; and authorized the Clerks to arrange the announcements of further Collections in the manner most likely to bring them sufficiently under the notice of the Church.<sup>1</sup>

The General Assembly next took up the reference from the Presbytery of Edinburgh, with respect to Mr Alexander Walker, a missionary in India, who had received license and ordination from one of the Presbyterial bodies, there erected by Act of Assembly 1854, as to whether he, being so ordained, was eligible to the office of Scotch Chaplain in India. After reasoning, it was moved and agreed to—That a small Committee be appointed to draw up a deliverance in this case,—Professor Mitchell to be Convener.

The General Assembly next took up the consideration of the Petition of the Presbytery of Uist, anent the case of the Rev. Donald M'Donald, who had been presented by the Queen to the *quoad sacra* parish of Trumisgary, he being a licentiate and ordained minister of the Presbyterian Synod of Canada, in connection with the Church of Scotland, craving the instructions of the Assembly. It was moved and agreed to—That a Committee be appointed to confer with the Presentee to Trumisgary, and to satisfy themselves of the sufficiency of his literary and theological acquirements for the exercise of the functions of the ministry in the sphere to which he has been appointed; and authorize the Presbytery, on receiving the Report of said Committee approving of the Presentee, to proceed to his settlement in accordance with the rules of the Church,—Dr Hill to be Convener.

The Assembly called for the Report of the Committee anent suggestion by the Synod of the Presbyterian Church in England, as to the admission of Students graduating at the Universities of Oxford, Cambridge, and King's College, to be Students of Divinity, which was given in by Dr Hill, with the draft of an Overture. The Assembly resolved to transmit the same for the consideration of the Presbyteries of the Church.<sup>2</sup>

The Assembly then proceeded to appoint the Committee for managing the Royal Bounty, with instructions.<sup>3</sup>

The Assembly called for the Report of the Committee on British Guiana, which was given in and read by Dr Fowler, in absence from illness of Dr Muir, the Convener.

<sup>1</sup> Printed Acts, No XIII.

<sup>2</sup> Printed Acts, No. XI.

<sup>3</sup> Printed Acts, No. VII.

It was moved and seconded—That the General Assembly approve of the Report now made, and record thanks to the Convener and the Committee; and resolve, in terms of the recommendation contained in the Report, to dissolve the Presbytery of Berbice as a Presbytery, so as to bring the several members thereof directly under the jurisdiction of the several Presbyteries by whom they were licensed and ordained. The General Assembly further resolve that it is necessary that a strict inquiry be made into the ecclesiastical state of the Church of Scotland in British Guiana, and especially into the charges which have mutually been made by the members of the Presbytery of Berbice against one another, and with that view appoint the following Members (*here insert the names*) a Special Commission, to take such steps as they may find most beneficial for that end; and the General Assembly authorize the said Commission to nominate and appoint Commissioners to proceed to British Guiana, and they hereby confer on the Commissioners so to be appointed the following powers:—

1. To make all necessary inquiries into the present state and efficiency of the Church in British Guiana, and specially into the conduct of the several members at present composing the Presbytery of Berbice.

2. To receive up the various records and deeds belonging to the Presbytery of Berbice, and all deeds, papers, and minutes, and others relative to the various properties belonging to the Church connected with the Presbytery of Berbice.

3. In the event of their finding any sufficient reason for doing so, authorize the Commissioners to take such precognitions into the conduct of any or all of the ministers at present members of the Presbytery of Berbice as may enable the several Presbyteries by whom the same were ordained, or licensed, to proceed against them by libel or otherwise.

4. On their return, the Commission to report the result of their inquiries to the Commission of the General Assembly at an ordinary meeting thereof, or at a special meeting to be called by the Moderator, if it shall be thought necessary to do so.

The General Assembly further remit to the Commission of Assembly, if they shall see proper, on receiving the Report of the Commissioners, to suspend any one or more of the said members of the Presbytery of Berbice from their functions as Ministers of the Church, until the charges which may be made against them be judicially examined into and decided; and the General Assembly further remit to the several Presbyteries by whom the members at present comprising the Presbytery of Berbice were licensed, or ordained, to take all necessary measures to investigate into the truth of any such charges,—with powers to send out Commissioners to British Guiana to take the necessary evidence, and to proceed to a final determination thereof in such manner as they may be advised, and may appear to them best for the good of the Church. And the General Assembly further instruct the Colonial Committee, in terms of the Report now read, to defray all the necessary expenses connected with such proceedings; and they further direct that an extract of this deliverance be transmitted by the Clerk of Assembly to the several parties at present comprising the Presbytery of Berbice.

Another motion was made and seconded—That the General Assembly had laid before them the Report of the Committee on British Guiana. The General Assembly, in the circumstances of this case, appoint a special Commission to inquire into the whole matter, authorizing them, if they shall see cause, to take evidence on the spot; and after evidence led, to dissolve the Presbytery, suspend any of the members thereof from the functions of the ministry, and to take all other steps that they shall

judge to be necessary to maintain the discipline and vindicate the purity of the Church in that colony, and to report to next General Assembly.

The vote being called for, it was agreed that the state of the vote should be First or Second motion; and the vote being taken, it carried First motion by 63 to 49. The General Assembly accordingly found in terms of said first motion, and a Commission was appointed,—Dr W. Stevenson of South Leith, Convener.

The Committee on Sabbath Observance was reappointed,—Dr Muir, Convener.

Committee anent the Tricentenary of the Reformation appointed,—Mr M. Nicholson, Convener.

The Assembly took up the Appeal of the Rev. Dr Geo. Smith and others against a judgment of the Synod of Lothian and Tweeddale, of date 2d November 1858, which reversed a judgment of the Presbytery of Edinburgh, of date 25th August 1858, to the effect that the resignation by Dr Barclay of the parish of Currie, given in that day, consequent on his appointment to the Principality of Glasgow, should lie on the table till next ordinary meeting;—and found that the parish of Currie became vacant on the 25th August 1858, by Dr Barclay's resignation of his charge into the hands of the Presbytery at their meeting that day, and appointed the Presbytery of Edinburgh to make the requisite intimations of the vacancy.

Parties being called, compared for the Appellants, Dr Smith and Dr Lee;—and for the Synod, Dr Macfarlane and Mr Phin.

Parties having been heard were removed. It was moved, seconded, and agreed to, to sustain the appeal, and reverse the judgment of the Synod, in so far as the same finds that the parish of Currie became vacant on the 25th August 1858, by Dr Barclay's resignation of his charge into the hands of the Presbytery at their meeting on that day; and the Assembly find that the vacancy took place only on the acceptance of the resignation by the Presbytery. From which deliverance Dr Hill dissented, so far as it might seem to sanction the delay of the Presbytery, on the ground that he held them bound to have accepted Dr Barclay's resignation on the day on which it was tendered, but *quoad ultra* concurred.

The Report of the Committee on Sabbath Schools was given in and read by the Rev. W. Leitch, Monimail, in the absence from illness of Mr M'Kie, the Convener.

It was moved, seconded, and agreed to—That the General Assembly approve of the Report; commend the manner in which Returns from the Synods have been prepared; enjoin every Presbytery and Synod to appoint a Committee on Sabbath Schools, that Reports having been first brought up to the Presbytery may afterwards be submitted to that meeting of Synod which takes place immediately before the meeting of Assembly, and after approval sent to the Convener of the General Assembly's Committee, on or before the first of May annually. Require all Ministers to transmit to the Conveners of Presbytery Committees answers to the queries that may be addressed to them by the Committee of the General Assembly. That the General Assembly, while gratefully acknowledging the valuable services of Mr M'Kie, deeply sympathize with him in the afflicting circumstances which have led him to resign the office of Convener; and having learned that the Committee have appointed the Reverend William Leitch to draw up the Report which has just been read, express their thanks to him for the services which he has rendered on this occasion; that the Committee be reappointed, with power to add to their number—Mr Leitch to be Convener; and that the thanks of the Assembly be given through him to the Conveners of Synods, Committees, and other Members of Committees.

The Report of the Committee appointed to confer with Dr Robertson anent the Convenership of the Endowment Committee was given in by Professor Swinton, in the necessary absence of Lord Belhaven, the Convener, to the following effect:—That the Committee had to announce with the greatest possible satisfaction, that they had been successful in inducing Dr Robertson to consent to continue for another year his invaluable services;—recommend the Assembly to accept this, on the understanding that the Endowment Committee should be authorized to select another gentleman, who in the capacity of Vice-Convener might relieve Dr Robertson of some portion of the gigantic labours hitherto devolved on him. Further, express their conviction, that in order to encourage Dr Robertson and his Committee to continue with unabated zeal the prosecution of their labours, and to enable them, under the blessing of God, to bring their labours, at no distant date, to a successful issue, what is principally required is, that the General Assembly as a body, and the individual members thereof, should hold themselves pledged to employ renewed and increased exertions to aid the Committee in their great work. It was moved, seconded, and unanimously agreed to—That this Report be approved of.

The General Assembly called for the Report of the Endowment Committee, which was given in and read by Dr Robertson, the Convener.

It was unanimously agreed to approve of and adopt the Report; to record the cordial thanks of the Assembly to the Convener, and through him to the Committee, for the untiring zeal and energy with which they have continued to discharge the deeply important and highly arduous duties devolved upon them; to re-appoint the Committee, with powers to add to their number—Dr Robertson to be Convener, and the Rev. William Smith of Trinity College Church to be Vice-Convener. The General Assembly, while devoutly thankful to the Giver of all good for the large measure of success which it has pleased Him to vouchsafe to this great enterprise of the Church, from its formation to the present time, cannot refrain from expressing regret and disappointment at the falling off during the past year as regards the amount of subscriptions reported. The Assembly are aware that this falling off is primarily and chiefly to be ascribed to the pecuniary difficulties in which the country has been recently involved; these, however, they rejoice to think, are rapidly passing away; and, implicitly relying on the warm and strong assurances of renewed and increased support so frequently given in the course of its present sittings by so many of its Members, and in the full belief that these assurances have not been given in vain, the General Assembly take courage, and desire the Committee to resume the work entrusted to them, in the confident expectation of finding in every Minister, Member, and friend of the Church a willing coadjutor, alike ready and desirous to come to their help towards its accomplishment. The General Assembly have learned, with much satisfaction, that several Synods and Presbyteries of the Church have appointed Committees, with the necessary Conveners and Office-bearers, as auxiliaries to the General and Acting Committees;—cordially approve of these appointments, and anxiously recommend to the remaining Synods and Presbyteries to make the like arrangements, and to follow out these with all possible energy and despatch; and, finally, the General Assembly most affectionately recommend to all the Office-bearers, Members, and friends of the Church, collectively and individually, to put forth every possible effort, as soon after the rising of the Assembly as circumstances admit of, not only to redeem the defalcation of the past year, but also to meet the requisite advances, by completing, before the next sitting of Assembly, the subscriptions, upon the provincial plan, for the four remaining

provinces, in which, on an average, fully one-half of the required amount is already subscribed,—a work which, great though it be, will assuredly be completed, if exertions commensurate with its necessity and importance are vigorously prosecuted and perseveringly sustained.

The General Assembly next called for the Report of the Endowment Committee on Constitutions for Churches, which was given in and read by Dr Robertson, the Convener.

It was moved and unanimously agreed to—The General Assembly approve of and adopt the Report, and, in terms of the recommendation therein contained, pass the Constitutions of the several Churches and Parishes, *quoad sacra*, mentioned in the Report; appoint the same to be recorded, and authorize extracts thereof to be issued in common form; and further, in accordance with the recommendation of the Committee, instruct and authorize the Presbytery of Auchterarder to dispose of, and to apply the Bank stock referred to in the Report, for the purpose and in the manner therein mentioned.

Further, the General Assembly, on a verbal statement by the Convener of the Committee on Endowment of Chapels of Ease, in regard to several Churches for which Endowments have been provided, or are in progress, and expected to be completed, mentioned in the List, number three (III.), contained in the Appendix number three (III.), to the printed Report given in this day by the Committee to the Assembly, the Constitutions for which Churches it may be necessary to prepare, alter, or remodel, before the meeting of next General Assembly, with a view to proceedings for having them erected by the Court of Teinds into churches *quoad sacra*, remit to the Committee on the Endowment of Chapels of Ease, in conjunction with the Joint Procurators, or either of them, and the Principal and Depute-Clerks, or either of them, to prepare, alter, or remodel, adjust, and approve of the Constitutions of these Churches, in conformity with the model deeds which have been already approved of by the Committee and the General Assembly, and in conformity with the requirements of the Act of Parliament 7 and 8 Vict., cap. 44; and on such Constitutions being so prepared and adjusted, authorize the Clerk of Assembly to give certified copies thereof of the dates of which they were approved; provided always that such Constitutions have been previously sanctioned and approved of by the Presbyteries of the respective bounds, and that these Constitutions shall be specially reported to the next General Assembly, so that they may be inserted in the Records of the Church, and regular extracts thereof given out in common form.

The Assembly next took up the petition of Mr James Wilson, late minister of Irongray, deposed by Assembly 1853, praying to be reponed to the *status* of a licentiate of the Church. Crawford Hill, Esq., advocate, was heard for the petitioner.

It was moved and unanimously agreed to—That the prayer of the petition be not granted. Party called in, and judgment intimated.

The General Assembly next called for the Report of the Committee appointed to receive the Records of the Church in the possession of the late Principal Lee, which was given in and read by Dr Simpson, Convener. The Assembly approve of the Report, continue the Committee, and add to it the name of Mr Cheyne.

A Letter was read from Dr Veitch, St Cuthbert's, resigning the Joint Conventership of the Library Committee, which he had held along with the Rev. Principal Lee. The Assembly remit the arrangement and care of the Library to the

Committee already appointed to receive the Records of the Church from the family of Principal Lee.

The Report of the Joint Committee on the Schemes was given in verbally by Dr Simpson, Convener. The Assembly approve of the Report; reappoint the Committee,—Dr Simpson, Convener.

John Tait, Esq., was heard on the Overture for taking the Votes. The Assembly referred the subject to a Committee,—Dr Simpson, Convener.

The General Assembly referred the Overture on the Administration of the Sacraments to the Committee on the Order of Public Worship.

The Report of the Committee on Feuing Glebes was given in by the Agent, in absence of Mr M'Kenzie of Lasswade, the Convener. Assembly approve of the Report; reappoint the Committee, with the addition of Mr Gordon, Newbattle,—Mr Phin to be Convener.

Report of the Committee on the Sale of Patronages during Vacancies given in verbally by Mr Swinton, Convener. Assembly approve of the Report; reappoint the Committee,—Mr Swinton, Convener.

Report of the Committee as to Dundee Churches given in verbally by Dr Hill, in absence of Mr Shand, the Convener. Assembly approve of the Report; reappoint Committee,—Mr Shand, Convener.

Report of the Committee for Removal of Difficulties under the Act for Disjoining Parishes given in verbally by Dr Robertson, Convener. Assembly approve Report; reappoint Committee,—Dr Robertson, Convener.

Report of the Committee anent Appropriating a Portion of the Stipends of Suspended Ministers to maintain Ordinances in their Parishes given in verbally by Dr Robertson, Convener. Assembly reappoint Committee,—Dr Robertson, Convener.

The Assembly called for Report of Committee on the Records of the Church, which was given in verbally by Mr Gordon, Newbattle, in absence of Mr Muir. The Assembly approve of the Report; reappoint the Committee, with additional names,—Dr Stark and Mr Muir, Joint Conveners.

The Assembly adjourned, to meet again at 8 o'clock.

*Sederunt.*

8 o'clock P.M., May 30, 1859. *Sess. ult.*

The General Assembly did again convene.

The Assembly called for the Report of the Committee appointed to draw up a deliverance in the case of Mr Walker, which was given in and read by the Clerk, in absence of Dr Robertson, Convener, and was as follows:—The General Assembly sustain the reference; and in consideration of the apparently unanimous petition in Mr Walker's favour from the Congregation of St Andrew's Church, Madras, and of the long period during which he discharged the functions of the ministry in that Congregation, in the absence of the Honourable East India Company's stated Chaplains, and of the high testimony borne to Mr Walker's professional character and efficiency by not a few of the most distinguished of the Company's servants in the Madras Establishment, both civil and military, the General Assembly unanimously resolved to authorize the Presbytery of Edinburgh to grant induction to Mr Walker, as one of the Chaplains of Madras, on his producing a presentation to the office from the Secretary of State for India. But the General Assembly, in recording this judgment, think it necessary to add, that the judgment rests exclusively on the

specialties of the case, and that the Assembly, under ordinary circumstances, would strongly disapprove of opening up the Indian Chaplaincies to Preachers not regular Licentiates of this Church, and that they would yet more strongly disapprove of the appointment to the office of Chaplain of those who have gone out to India as Missionaries. The General Assembly further desire it to be understood, that the Assembly does not by this deliverance admit that Mr Walker, or others similarly situated, are to be held qualified to receive benefices in Scotland.

Dr Smith, Convener of the Committee for the accommodation of the Assembly, reported verbally that a considerable sum had been raised by subscription in the Assembly to defray the price of the building purchased adjoining the Assembly Hall, and to meet, with the aid of Government, the expense of making it available for the improvement of the accommodation of the Assembly, and that the Committee thought that, by application to the Presbyteries of the Church, with the sanction and recommendation of the Assembly, the requisite funds might, with their aid, be procured. The Assembly approve of the Report, and the suggestion therein contained as to raising the necessary funds, and recommend the same to the favourable consideration of the Presbyteries of the Church.

The Assembly called for the Report of the Committee on the Petition of the Rev. R. O. Young, which was given in and read by Mr Leburn, the Convener. The Assembly approve of the Report, and adopt it as their deliverance.

The Assembly called for the Report of the Finance Committee, which was given in and read by Mr Cheyne, Convener. The Assembly approve of the Report; reappoint the Committee,—Mr Cheyne, Convener.

The Assembly called for the Report of the Committee for Revising Constitutions of Churches, which was given in and read by Mr Cheyne, Convener, and approved of by the Assembly.

The Assembly called for the Report of the Committee for providing accommodation for the Records of Assembly, which was given in and read by Mr Cheyne, Convener. The Assembly approve of the Report, and reappoint the Committee,—Mr Cheyne, Convener.

The Assembly called for the Report of the Committee on the Ordering of the House and its Doorkeepers, which was given in and read by Mr Cheyne, Convener. The Assembly approve of the Report; reappoint the Committee,—Mr Cheyne Convener,—with the additional powers craved.

The Assembly called for the Report on Unexhausted Teinds, which was given in and read by Mr Shand, Convener. The Assembly approve of the Report; reappoint the Committee,—Mr Shand, Convener.

The Assembly called for the Report of the Committee on Hymns, which was given in and read by Dr Arnot, Convener, and a collection of thirty-three Hymns laid on the table of the Assembly, which had received the unanimous approval of said Committee. After some discussion, the General Assembly unanimously agreed to the following deliverance:—The Assembly approve of the diligence of the Committee; authorize them to take such further measures as to them shall seem meet for the revision, publication, and circulation of the collection under the Committee's sanction, it being distinctly understood that it has not yet been approved of by the Assembly, and that the Hymns are not to be used in the services of the sanctuary; reappoint the Committee,—Dr Arnot, Convener; and instruct the Committee to report to next Assembly.

The Assembly called for the Report of the Committee on the Progress of the

Universities (Scotland) Bill, and the proceedings of the Commissioners under it, which was given in and read by Dr Cook, Haddington, the Convener.

The Assembly also called for the Report of the Committee appointed to watch over the practical working of the Act for regulating the admission of Professors into Lay Chairs in the Universities of Scotland, which was given in and read by Dr Cook, Haddington, Convener.

The Overtures anent the recent Universities Act, from the Presbyteries of Glasgow and Turriff, were likewise laid on the table and read.

After some discussion, it was moved, seconded, and agreed to—That the Assembly approve of the diligence of the two Committees, and resolve to amalgamate the same, with a view to the important objects to which the Reports refer. Committee appointed accordingly,—Dr Cook (Haddington) to be Convener.

It was further moved, seconded, and agreed to—That the General Assembly resolve to appoint a special Committee to consider the whole question of the relations subsisting between the Church and the Universities, and more particularly to consider what steps ought to be taken by the Church, within her competency, to secure to the youth committed to her charge, while prosecuting academical studies, the blessings of an education and training suited to the principles of pure and undefiled religion. Committee appointed,—Dr Robertson to be Convener.

The Assembly heard Dr Lee on the Overture for the Relief of Aged and Indigent Ministers in the discharge of their Ministerial Duties, and unanimously agreed to appoint a Committee for the promotion of the object,—Dr Lee to be Convener.

The Report of the Committee on the References as to Students of Divinity from Dissenting Bodies was given in and read by Dr Traill, the Convener.

The Assembly approved of the recommendation of the Report, that Mr William Barnwell, who had attended the Free Church Hall for four years, and thereafter the Divinity Hall in Glasgow for one year, should be taken on trials for license by the Presbytery of Glasgow, but not to receive license till the expiry of a year from the date of his application.

The Assembly disapproved of the recommendation of the Committee, that Mr Thomas Forbes, who had attended for four years at the United Presbyterian Theological Hall, and thereafter the Divinity Class in the Divinity Hall of the College of Edinburgh for one year, should be taken on trials, and required that, before being so, he must give attendance at the other three Theological Classes not attended by him last year.

The Assembly approved of the recommendation of the Report, that the Presbytery of Kintyre take Mr Archibald Fullarton on trials, if his course of study in the Theological Hall of the United Presbyterian Church extended over the whole period, or the same number of months, and has embraced the same extent of subjects as are taught in the Theological Hall of Glasgow, he having also attended a full session at that Hall; but that, if not, they shall intimate to Mr Fullarton that he shall attend in one of the Theological Halls of a Scottish University for the additional time that may be necessary, [excluding the session of attendance already given in the Theological Hall of Glasgow,] to make his attendance on theological teaching of the same length with that which is required from students of this Church.

The Assembly called for the Report of the Committee on the regulations under the Scotch Benefices Act, which was given in by Dr Leishman.

It was moved, seconded, and agreed to—That the regulations, as partly amended by the Assembly, be transmitted to the Committee, to be maturely considered by



them ; the Committee to circulate them, as approved and amended by them, at least two months before the meeting of next Assembly ; and to report to that Assembly. Committee reappointed, with additions,—Dr Leishman to be Convener.

The Assembly called for the report of the Committee on Standing Orders, which was given in by Mr Cook, the Joint Procurator. The Assembly approve of the Report, and discharge the Committee, and adopt the Standing Orders, as now amended, as the Orders for regulating the business of the House, and enact to that effect.<sup>1</sup>

The Overtures as to Induction of Ministers and the Scotch Benefices Act were again brought before the House, and that from Glasgow read.

It was moved and seconded—That the General Assembly having called for the Overtures regarding the Settlement of Ministers under the Scotch Benefices Act, and having considered the same, Resolved to appoint a Committee to take the whole subject into their serious consideration, and to report to next Assembly.

Another motion was made and seconded—That in respect that the subject of the Regulations to facilitate the working of the Church Benefices Act is now under the consideration of a Committee of this House, and that the Assembly are not satisfied that any better measure can be secured to effect the objects for which the Act was passed, dismiss the Overtures.

Parties having, with permission of the Assembly, withdrawn the Overtures, the motions before the House were not pressed to a division.

The Assembly called for the Overture on the Schoolmasters' Formula, which having been read, it was agreed that the Overture be remitted to the Parochial School Committee.

The Assembly next called for the Report on the Paris Mission, which was given in and read by Principal Tulloch. The Assembly approved of the Report. Power was given to the Committee on Correspondence with Foreign Churches to add to their number.

Dr Robertson reported that there was a balance standing at the credit of the Popery Committee to the amount of L.260, 9s. 6d. Power was given to Mr John Hope, W.S., to employ so much of this as may be necessary in discharging the existing engagements of the Committee.

The General Assembly referred the Overture on the State of the Highlands *simpliciter* to the Home Mission Committee.

The Assembly called for the Report of the Committee on the West Church of Inverness, which was given in by Mr Macrae, along with a verbal statement of the exertions of the Committee. It was remitted to the Agent and Procurators to inquire as to the possibility of obtaining from the Kirk-Session, at present holding them, the titles of the Church.

The Assembly called for the Report of the Committee on Gorbals Church, which was read by Mr Macrae ;—the diligence of the Committee commended, and the Committee discharged.

The Committee on Correspondence with the Synod of England was reappointed,—Dr Fowler, Convener.

The Committee on the means of maintaining Parliamentary Churches was reappointed,—Dr Robertson, Convener.

A Committee appointed to revise the Minutes of Assembly.

All Overtures not disposed of deferred.

<sup>1</sup> See Printed Acts, No. XII.

Commission of Assembly appointed.<sup>1</sup>

The Minutes of this and the former Sederunt read and approved of.

The Moderator then addressed the Assembly, and afterwards addressed His Grace the Lord High Commissioner.

His Grace addressed the Assembly in reply thereto.

Act passed appointing the Meeting of next General Assembly.<sup>2</sup>

The Assembly concluded with prayer, singing of psalms, and pronouncing the blessing.

<sup>1</sup> Printed Acts, No. VI.

<sup>2</sup> Printed Acts, No. XV.

ABRIDGMENT of the PROCEEDINGS of the COMMISSION of the  
GENERAL ASSEMBLY, 1858-9.

*Sederunt.*

*Edinburgh, June 1, 1858.*

Commission and Instructions of Assembly read. Dr Robertson was called to the chair, and constituted the meeting with prayer.

The Commission took up the Reference from the Presbytery of Islay and Jura in the case of the Rev. Alexander Stewart, minister of Killarrow, remitted to them by the General Assembly. Mr Dewar, a Member of the Presbytery of Islay and Jura, made an additional statement on the subject of the Reference, and produced certified copy of the Proof as to Mr Stewart's insanity, taken by the Presbytery of Glasgow on the 2d September 1857, under Commission from the Presbytery of Islay and Jura, which was read. Various Members having been heard, it was moved and unanimously agreed to—That the Commission recommend to the Presbytery of Islay and Jura, in the event of Mr Stewart's liberation, and the application by his agent being renewed, and supported by proper medical certificates, to endeavour to secure some such arrangement, as now exists, for having the spiritual interests of the parish of Killarrow duly provided for; and appoint a Committee, with whom the Presbytery of Islay and Jura may consult if fresh difficulties arise,—Dr Muir, Convener.

The Commission next took into consideration the Memorial of the Students' Protestant Society of the Four University Towns, as to a Tricentenary Commemoration of the Reformation in Scotland, also remitted to them by the Assembly. The Commission, heartily approving of the object brought before them in the Memorial, agreed to appoint a Committee to take the whole matter into consideration; to communicate with the Memorialists, and all other parties favourably impressed with the same object; and to report to next General Assembly such suggestions as may be likely to carry the object into effect in a manner befitting the solemn and deeply interesting event proposed to be commemorated. Committee appointed,—Dr Muir, Convener.

Commission appointed a Committee (Principal Lee, Convener) for attending to impressions of the Holy Scriptures, the Confession of Faith, Catechisms, and other books authorized by the Church, and for reporting errors observed in any of the editions.

*Extraordinary Meeting.*

*Edinburgh, July 14, 1858.*

Commission met in consequence of Requisition to Dr Leishman, Moderator of last General Assembly, who was called to the chair, and constituted the meeting by prayer.

The Moderator stated, that a Requisition had been addressed to him by a number of the Members of the Commission, requesting him immediately to call a meeting of the Commission, to take into consideration the proposed Bill laid before Parliament affecting the Universities of Scotland. That, in compliance with this Requisition, he had called the Members of Commission to meet this day in the Assembly Hall for this purpose; and that he trusted the meeting would approve of the step

he had taken. The conduct of the Moderator in calling the meeting was unanimously approved of. After discussion it was moved, seconded, and agreed to—That the Commission having taken into consideration the Bill now before the House of Lords, intituled, “An Act to make provision for the better Government and Discipline of the Universities of Scotland, and Improving and Regulating the Course of Study therein, and for the Union of the two Universities and Colleges of Aberdeen,” while cordially approving of the object and many of the provisions of the Bill, yet feel themselves called on strongly to object to the Clause No. 3, as being in their view prejudicial to the best interests of education, and subversive of the rights and privileges guaranteed to the Church of Scotland by solemn Acts of the Legislature, and more especially by the Act of Security, ordered to be incorporated in the Act of Union, and declared to be a fundamental part of the same; and they resolve to present a Petition to the House of Lords, praying their Lordships to expunge the said Clause from the Bill, before the same shall be passed into law.

Dr Muir dissented, for reasons to be given in. A Draft of Petition was then read, and a Committee appointed to adjust the same, and also to watch over the progress of the Bill,—Dr Robertson, Convener.

Meeting closed with prayer.

*Edinburgh, Wednesday, August 11, 1858.*

Not a quorum.

*Edinburgh, Wednesday, November 17, 1858.*

Not a quorum.

*Sederunt.*

*Edinburgh, Wednesday, March 2, 1859.*

Dr Leishman, Moderator of last Assembly, called to the chair.

Minutes of Extraordinary Meeting, July 1858, read. The Moderator reported that he had received a communication from the Secretary at War, stating that two additional Presbyterian Chaplains would be necessary for temporary service with the troops in India, with official pay and allowances the same as to the other Chaplains, and requesting him to submit names. Also a further communication, 10th June 1859, stating, that instead of 800 rupees per month, the previous rate, it would be sufficient to assign to all the Presbyterian Clergymen hereafter appointed the salary of 500 rupees. Further, that he had transmitted, with concurrence of the Colonial Committee, a memorial and representation against such reduction, to which no answer had yet been received, but that, when it was, he would be prepared, along with the Committee, to communicate the names of two suitable persons.

Dr Robertson, as Convener of the Committee appointed at last meeting on the Universities Bill, reported verbally, that a Petition against Clause 3 had been transmitted to House of Lords, who had, in the first instance, expunged the Clause, but that it was re-inserted in the Commons, and on conference allowed to stand part of the Bill.

After considerable discussion, it was moved and seconded—That the Commission having heard the Report of the Committee appointed by last Meeting of Commission to Petition against the Clause of the Universities Bill, by which it is provided, that the Principals of the Universities of Glasgow, Aberdeen, and Edinburgh, shall not in time to come be or be deemed to be Professors of Divinity, desire to express their deep regret that the opposition to the Clause referred to was

ineffectual, and that it now stands part of the Universities Act; and they resolve to report their proceedings in this matter to the next General Assembly, in the firm trust that the Assembly will give the whole subject that deliberate consideration which appears to them to be called for by its vital importance to the Church; and recommend the consideration of the question to the Presbyteries of the Church, with a view to its full and deliberate discussion in the next General Assembly.

It was also moved and seconded, That the consideration of the subject be entered on. The vote being called, it was agreed that the state of the vote should be First or Second motion; and the roll being called, and votes marked, it carried First motion by 26 to 16; whereupon the Commission resolved in terms of First motion.

Dr Muir called the attention of the Commission to the present state of our Parochial Schools, and having been heard on the subject, moved the following Resolutions:—

That the Commission renew their testimony upon the value of the Parochial Schools of Scotland, assured that, under the Divine blessing, the religious and moral character of Scotchmen, their respectable *status*, and beneficial influence on society, have been and still are greatly to be traced to these admirable institutions. That the distinctive peculiarities of the Parochial Schools of Scotland, by which, amid whatever amount of secular instruction is given in them, their chief aim is directed, through means of the Holy Bible and of the precious Shorter Catechism, to the godly upbringing of youth, should recommend them to the hearty support of all who seek the prosperity of their country, and the piety and eternal welfare of individuals. That the Commission cherish in most grateful memory the wise designs of these patriotic and good men who secured for the Parochial Schools the sanction of Legislative Acts, rendering those institutions essentially a part of the Ecclesiastical Establishment of the land. That the Commission resolve, that to preserve these Schools in strict connection with the Church of Scotland, whose evangelical faith is made known and settled in Standards established by law, affords the best warrant, under Divine favour, for the prolonging of their religious and moral efficiency. That the Commission view with anxious concern the movements now carried on to subvert the institution of the Parochial Schools, or so to change their constitution as to separate them from the Church of Scotland, fully assured that it is the superintendence of a Church sound in the faith, and to whose doctrine and discipline teachers, by the tests of a Church Formula, are legally bound and amenable, which alone shall serve, under the Divine blessing, to continue and to perpetuate the religious element in the education of the youth of the land. That the Commission anew express their determination to use every constitutional means in their power to maintain the Parochial Schools in strict connection with the Church of Scotland, and to procure increased support for them on a constitutional and permanent basis, and to promote and enlarge their efficiency; and having all these objects in view, resolve to Petition both Houses of Parliament accordingly.

The above Resolutions were unanimously adopted.

Dr Muir then submitted Draft of proposed Petition, which was approved of, and the Moderator was authorized to sign the same in name of the Commission. Committee appointed to carry the above resolution into effect,—Dr Muir, Convener.

Dr Macfarlane laid upon the table Copy of a Bill presently before Parliament, entitled, “A Bill to Abolish the Ministers’ Money, or Annuity-Tax, levied within the City of Edinburgh, the parish of Canongate, and Burgh of Montrose, as vacancies occur among the present Ministers; and to make provision for their Succes-

sors;" and moved that the Commission petition the House of Commons against said Bill, which was agreed to; and the Commission appointed a Committee—Dr Macfarlane, Convener—remitting to them to prepare said Petition, and forward it for presentation.

Dr Hill having drawn the attention of the Commission to a Bill now before Parliament, entitled "Marriage-Law Amendment Bill," moved, That the Commission petition both Houses of Parliament against the same; which was unanimously agreed to. Dr Hill then read Draft of Petition, which was adjusted by the Meeting, and the Moderator authorized to sign the same in name of the Commission.

The Commission agreed to request the Right Honourable the Lord Advocate to present the Petition to the House of Commons, and the Right Honourable Lord Campbell to the House of Lords. The Commission further appointed Dr Hill and the Moderator a Committee to see the Resolution carried into effect.

Adjourned.

## COMMITTEES OF THE GENERAL ASSEMBLY, 1859.

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1. Committee for Managing Her Majesty's Royal Bounty.—(See Acts of Assembly, page 17.)

2. On Propagating the Gospel in Foreign Parts, especially in India.

The Moderator, all the Ministers of the Presbyteries of Edinburgh, Glasgow, and Aberdeen, Dr Hill, Dr Bell, Dr Bryce, Dr Graham, Dr M'Culloch, Dr Liddell, Dr Keith, Dr Pirie, Dr Lockhart, Dr Buchan, Dr Bennet, Dr Macfarlane (Arroquhar), Dr Sym, Dr Barty, Dr M'Vicar, Dr Park, Dr Anderson, Dr Ritchie, Dr Bisset, Dr Cook (Haddington), Dr Menzies (Keir), Mr Macfarlane (Troqueer), Mr Johnstone (Anwoth), Mr Duncan (Torthorwald), Mr Boyd (Irongray), Mr Caird (Glasgow), Mr Chrystal (Auchinleck), Mr Makellar (Mearns), Mr Shaw (Ayr), Mr Graham (Kilbarchan), Mr Pearson (Strathblane), Mr Campbell (Eastwood), Mr Wilson (Paisley), Mr Muir (Dalmeny), Mr Playfair (Abercorn), Mr Lee (Roxburgh), Mr Johnstone (Logie), Mr French (Dunfermline), Mr Taylor (Dundee), Mr Milligan (Kilconquhar), Mr Mackenzie (Lasswade), Mr Muir (Cockpen), Mr M'Gowan (Laurencekirk), Mr Rose (Cargill), Mr Robertson (Bonhill), Mr Dun (Cardross), Mr Phin (Galashiels), Mr Smith (Edinburgh), Mr Robertson (Glasgow), Mr Leitch (Monimail), Mr Wylie (Elgin), Mr Ritchie (Jedburgh), Mr Wright (Dalkeith), Mr Turner (Port of Menteith), Mr Bowie (Kinghorn), Mr Cochrane (Cupar), Mr M'Culloch (Montrose), Dr Brander (Duffus), Mr Paisley (St Ninians), Mr Stuart (Edinburgh), Mr Findlay (Stirling); The Earl of Selkirk, Harry Maxwell Inglis, Esq., A. Young Howison, Esq., Alexander Goodsir, Esq., John Cook, Esq., William Smith, Esq., Patrick Arkley, Esq., Andrew Scott, Esq., Stair Hathorn Stewart, Esq., James Baird, Esq., William Bell Macdonald, Esq., John Beatson Bell, Esq., David Johnstone, Esq., John Tawse, Esq., Colonel William Low, John Shand, Esq., John Anthony Macrae, Esq., David Smith, Esq., Walter Malcolm, Esq., Sir William Baillie, Bart., George Tweedie Stodart, Esq., William Spence, Esq., Adam Paterson, Esq., Hugh Barclay, Esq., LL.D., John Lewis, Esq., J. G. Kinneer, Esq.—Dr CRAIK, Convener.

3. For Increasing the Means of Education and Religious Instruction in Scotland, particularly in the Highlands and Islands.

The Moderator, all the Ministers of the Presbyteries of Edinburgh and Glasgow, Dr Cook (Haddington), Principal Dewar, Dr Robertson, Dr M'Leod (Morven), Dr M'Quhae, Dr Dunbar, Dr Lockhart, Dr M'Culloch, Dr Forsyth, Dr Pirie, Dr Barty, Dr Bell, Principal Barclay, Dr Stirling, Dr Wylie, Dr Paul (Banchory), Dr Brander, Dr Buchanan, Dr Smith (Cathcart), Mr Horne (Corstorphine), Mr Bell (Carmylie), Mr Robertson (Monzievaird), Dr Menzies (Keir), Mr Milligan (Kilconquhar), Mr Lee (Roxburgh), Mr Tait (Kirkliston), Mr Wilson (Paisley), Mr Cumming (Perth), Mr Phin (Galashiels), Mr Struthers (Prestonpans); The Earl of Seafield, The Earl of Selkirk, The Earl of Leven and Melville, Lord Belhaven, Lord Polwarth, Sir J. H. Maxwell, Bart., Sir

James D. H. Elphinstone, Bart., Sir William Baillie, Bart., The Joint Procurators, R. Scott Moncrieff, Esq., Walter Cook, Esq., Donald Horne, Esq., Isaac Bayley, Esq., John Campbell Swinton, Esq., David Smith, Esq., David Milne Home, Esq., William Smith, Esq., Henry Cheyne, Esq., Patrick Arkley, Esq., Professor Campbell Swinton, William Campbell, Esq., John Cook, Esq., James Hope, Esq., William Cooper, Esq., John Tawse, Esq., John A. Macrae, Esq., Archibald Butter, Esq., Stair H. Stewart, Esq., Smollett M. Eddington, Esq., W. Bell Macdonald, Esq., Alexander M'Duff, Esq., Charles Pearson, Esq., John Tait, Esq., John Beatson Bell, Esq., Anthony Murray, Esq., H. M. Davidson, Esq., The Members of the General Assembly 1859 from the Synods of Argyll, Glenelg, Ross, Sutherland and Caithness, Orkney and Zetland; and the Ministers of all the Presbytery seats in the remaining Synods.—Dr COOK (Haddington), Convener.

#### 4. On Home Missions.

The Moderator, all the Ministers of the Presbyteries of Edinburgh, Glasgow, and Aberdeen, Dr Hill, Dr Bell, Dr Crombie, Mr Tait, Mr R. H. Muir, Mr Adamson, Mr M. C. Mackenzie, Dr Cook (Haddington), Mr Scott, Mr Bell, Mr Smellie, Dr Aitken, Mr Walker, Mr Christison, Mr K. M. Phin, Mr Donaldson, Mr R. Menzies, Mr Monilaws, Mr Thomas Smith, Mr Murray, Mr Cowan, Mr Johnston, Dr M'Quhae, Dr Lockhart, Mr Makellar, Dr M'Culloch, Dr Gardiner, Dr Wylie, Dr Sym, Dr Graham, Mr Story, Dr C. Smith, Mr John Buchanan, Mr J. M'Arthur, Dr John M'Leod, Mr Campbell, Mr N. M'Lean, Mr A. R. Irvine, Mr A. H. Gray, Mr Peter Balfour, Dr Tannoch, Mr D. Bell, Dr Anderson, Mr J. Cochrane, Dr J. S. Barty, Mr T. Hill, Dr Bisset, Mr Cushnie, Mr Gibbon, Mr Cruickshank, Mr Brown, Mr Gardner, Dr Bryce, Mr Allardyce, Mr Thomson, Mr Grant, Dr Macpherson, Mr Walker, Mr Gibson, Mr Rose, Mr Chisholm, Mr M'Ivor, Mr M'Kinnon, Mr Macrae, Mr Clouston, Mr Gardiner; The Marquis of Tweeddale, The Earl of Seafield, The Earl of Selkirk, The Earl of Leven and Melville, Lord Belhaven, Sir R. A. Anstruther, Bart., Robert Bell, Esq., A. S. Cook, Esq., Walter Cook, Esq., Hugh Bruce, Esq., Donald Horne, Esq., James Rose, Esq., James Hope, Esq., Colonel Dundas, David Milne Home, Esq., John Tait, Esq., A. Butter, Esq., Thomas Blaikie, Esq., Macduff Rhind, Esq., A. O. Dalgleish, Esq., Henry Cheyne, Esq., John Rutherford, Esq., Isaac Bayley, Esq., Professor Campbell Swinton, Alexander Webster, Esq., C. Campbell, Esq., W. O. Rutherford, Esq., John Cook, Esq., John Gillespie, Esq., Wm. Thoms, Esq., Thomas Watson, Esq., S. M. Eddington, Esq., John Shand, Esq., Robert M'Haffie, Esq., David Smith, Esq., John Ross, Esq., A. Y. Howison, Esq., William Dawson Macritchie, Esq.—Dr CRAWFORD, Convener.

#### 5. On the Conversion of the Jews.

The Moderator, all the Ministers of the Presbyteries of Edinburgh, Glasgow, and Aberdeen, Professor Mitchell (St Andrews), Mr Adam D. Tait (Kirkliston), Mr David Playfair (Abercorn), Mr John Ker (Polmont), Mr R. H. Muir (Dalmeny), Mr John Adamson (Newton), Mr Robert Wright (Dalkeith), Mr James Ingram (Fala), Mr Thomas Gordon (Newbattle), Mr R. W. Thomson (Ormiston), Dr Cook (Haddington), Mr John Struthers (Prestonpans), Mr John Macrae (Hawick), Mr James Macnair (Auchtermuchty), Mr K. M. Phin (Galashiels), Dr Liddell (Lochmaben), Dr Charles (Kirkowen), Mr Andrew Browne (Beith), Mr Donald Makellar (Mearns), Mr G. O. Moffat (Port-Glasgow), Mr Robert Archibald (New Monkland), Mr W. G. Smith (Fintray), Mr Charles Stewart (Kilmory), Mr Duncan Campbell (North Knapdale), Principal Campbell, Mr W. C. Rose (Cargill), Mr T. D. Kirkwood (Dumbarney), Mr William Findlay (Stirling), Mr Jn. Stewart (Edinburgh), Mr Paton J. Glead



(Dunning), Mr R. J. Johnstone (Logie), Mr James French (Dunfermline), Dr Wordie (Cupar), Mr John Gilchrist (Dunbog), Dr Buist (St Andrews), Dr Park (St Andrews), Principal Tulloch (St Andrews), Mr David Esdaile (Rescobie), Mr John Robertson (Glasgow), Dr Pirie (Aberdeen), Mr Archibald Anderson (Crathie), Mr Alexander Gordon (Forglen), Mr James Walker (Huntly), Dr Bryce, Mr James Sellar (Aberlour), Mr Francis Wylie (Elgin), Dr Gibson (Avoch), Mr Peter Mackenzie (Urquhart), Mr Alexander M'Donald (Kildonan), Mr William Anderson (Walls and Flotta), Mr James Brothie (Westray), Professor Weir (Glasgow), Dr M'Donald (Inverness), Mr John Kinross (Largs); Walter Cook, Esq., George Ross, Esq., John Elder, Esq., John Tawse, Esq., John Tait, Esq., George Smith, Esq., William Bell Macdonald, Esq., The Earl of Selkirk, Adam Paterson, Esq., William Smith, Esq., Archibald W. Goldie, Esq., William Campbell, Esq., Archibald Young Howison, Esq., Colonel Dundas, James Ker, Esq., Patrick Arkley, Esq., Sir James D. H. Elphinstone, Bart., Sir John Heron Maxwell, Bart., G. T. Stodart, Esq., J. A. Macrae, Esq., David Rhind, Esq., Henry Cheyne, Esq., John Campbell Swinton, Esq., R. G. Baillie, Esq., Robert Scott Moncrieff, Esq.—Professor MITCHELL, Convener.

#### 6. On Colonial Churches.

The Moderator, Dr Fowler, Principal Tulloch, Principal Campbell, Dr Balfour, Dr Paul (St Cuthbert's), Dr Veitch, Dr Crawford, Dr Glover, Dr Robert Lee, Dr Arnot, Dr Nisbet, Dr Muir, Dr Hunter, Principal Barclay, Dr Simpson, Dr Stevenson, Dr Hill, Dr Syme (New Kilpatrick), Dr Macleod (St Columba, Glasgow), Dr M'Culloch, Dr Forsyth, Dr Macleod (Morven), Dr Paton, Dr Pirie, Dr Anderson, Dr Craik, Dr Milligan, Dr Graham (Killearn), Dr Inglis (Lochrutton), Dr Aiton, Dr M'Quhae, Dr Macfarlane (Arroquhar), Dr Smith (Cathcart), Dr Bisset (Bourtie), Dr Menzies (Maybole), Dr Liddell, Dr M'Pherson, Dr Bell, Dr Ritchie (Longforgan), Dr Lockhart, Dr Adie, Dr Bryce, Dr Bremner, Dr Barton, Dr Maitland (Kells), Dr Wordie, Professor Mitchell, Dr Macleod (Barony, Glasgow), Mr Robertson (Hamilton), Mr Bonar, Mr M'Fie, Mr Horne (Corstorphine) Mr Colvin (Cramond), Mr Masson, Mr Stevenson, Mr Robertson (New Greyfriar's), Mr Fraser, Mr Gray, Mr Nicholson, Mr Duff, Mr Buchanan, Mr Stewart, Mr Clark, Mr Mackenzie (Lasswade), Mr Ker (Polmont), Mr Scott (Dirleton), Mr Stevenson (Dalry), Mr Thomas Hill, Mr Cochrane (Cupar), Mr Macdonald (Alvie), Mr Storie (Roseneath), Mr Murray (Morton), Mr Wilson (Tynron), Mr Cowan, Mr John Kinross, Mr Brown (Rothesay), Mr Brown (Alva), Mr Balfour (Clackmannan), Mr Bryce, Mr Walker (Huntly), Mr Dunn (Cardross), Mr Johnstone (Logie), Mr French, Mr John Robertson, Mr J. G. Young, Mr Sutherland (Dingwall), Mr Cæsar (Tranent), Mr Wylie (Elgin); Mr Thomas Dewar, Mr Storie, The Earl of Leven and Melville, Lord Polwarth, Sir William Baillie, Bart., Sir Angus Campbell, Bart., Walter Cook, Esq., Isaac Bayley, Esq., Hugh Bruce, Esq., David Milne Home, Esq., William Pagan, Esq., Alexander Russell, Esq., R. B. Dalglish, Esq., David Hay, Esq., John Stewart, Esq., David Johnstone, Esq., William Ogilvie, Esq., W. O. Rutherford, Esq., James Johnstone, Esq., William Smith, Esq., George Tweedie Stodart, Esq., John Shand, Esq., Colonel Dundas, Thomas Landale, Esq., James Baird, Esq., Major Duncan M'Pherson, A. Y. Howison, Esq., Dr Woodford, James Dickson, Esq., William Dawson Macritchie, Esq., James Macfarlane, Esq., Sheriff Barclay, John A. Macrae, Esq., John Orr Ewing, Esq., David Smith, Esq., William Cooper, Esq., Professor Campbell Swinton, John Tait, Esq.—Dr STEVENSON (S. Leith), Convener.

#### 7. On the Endowment of Chapels of Ease.

The Moderator, all the Ministers of the Presbyteries of Edinburgh and Glasgow, Dr Chalmers, Dr Bryce, Mr Dunn (Cardross), Mr Wilson (Paisley), Dr Smith

(Inveraray), Mr Macduff (Falkland), Mr Muir (Dalmeny), Mr Muir (Cookpen), Mr Riach (Pencaitland), Mr Buchanan (Kingarth), Dr Cook (Haddington); Sir R. A. Anstruther, Bart., Hugh Bruce, Esq., Walter Cook, Esq., Robert Bell, Esq., A. S. Cook, Esq., John Tait, Esq., Professor Campbell Swinton, G. T. Stodart, Esq., James Hope, Esq., Henry Cheyne, Esq., John Cook, Esq., Isaac Bayley, Esq., James Johnstone, Esq., William Smith, Esq., James Kerr, Esq., Robert Scott Moncrieff, Esq., John Cabbell, Esq., A. G. Kidston, Esq., J. H. Anderson, Esq., John Anderson, Esq., Alexander Berwick, Esq., William Blackwood, Esq., Patrick Blair, Esq., A. Burness, Esq., A. Butter, Esq., Sir James Campbell, George Dempster, Esq., David Fraser, Esq., E. S. Gordon, Esq., George Henry, Esq., J. Stewart Hepburn, Esq., David Milne Home, Esq., Peter Imrie, Esq., Lord Justice-Clerk, David Johnstone, Esq., David Landale, Esq., John Landels, Esq., John Leadbetter, Esq., W. B. Macdonald, Esq., Anthony Murray, Esq., T. G. Murray, Esq., Robert Paton, Esq., R. W. Philip, Esq., David Rhind, Esq., George Ross, Esq., James Taylor, Esq., W. L. Whyte, Esq., Lord Jerviswood, R. G. Baillie, Esq., S. M. Eddington, Esq., David Mure, Esq., Charles Pearson, Esq., R. E. Scott, Esq., John Shand, Esq., David Smith, Esq., David Stevenson, Esq., Sir George Clerk, Bart., Sir William Baillie Bart., James Baird, Esq., Captain George Scott, R.N., R. H. Johnstone Stewart, Esq.—Dr ROBERTSON, Convener.

#### 8. Joint Committee on the Schemes of the Church.

The Conveners of the Six Schemes, Dr Simpson, Dr Paul, Dr Nisbet, Dr Hunter; David Smith, Esq., John Cook, Esq., John Shand, Esq., Hugh Bruce, Esq., John Elder, Esq., Henry Cheyne, Esq.—Dr SIMPSON, Convener.

#### 9. On Sabbath Observance.

All the Ministers of the Presbyteries of Edinburgh and Glasgow, Dr Hill, Dr Wylie, Mr Tait, Mr Lee, Mr Playfair, Mr Walker, Mr James Reid, Mr James Watson, Mr Robert Menzies, Dr Liddell, Dr Charles, Mr Alexander Young, Dr Stirling, Mr Charles B. Steven, Mr Robert Kirke, Dr Keith, Dr Chalmers; Anthony Murray, Esq., Patrick Arkley, Esq., Hugh Barclay, Esq., Gavin Fullerton, Esq., Robert Scott Moncrieff, Esq., William Smith, Esq.—Dr MUIR, Convener.

#### 10. On the Examination of Students of Divinity.

The Moderator, all the Professors of Divinity, of Ecclesiastical History, of Biblical Criticism, and of Hebrew, Dr Simpson, Dr Hunter, Dr Grant, Dr Bell, Principal Barclay, Dr Glover, Dr Cook (Haddington), Dr Veitch, Dr Craik, Dr Napier, Dr Boyd, Dr Sym, Dr Forsyth, Dr Colin Smith, Dr Buchanan (Methven), Mr T. G. Beveridge, Mr Maclaren, Mr Cruickshanks, Dr William Park, Dr M'Quhae, Dr Liddell, Mr Wilson (Paisley), Mr Macculloch (Montrose), Mr Gillon (Alford), Mr A. D. Tait, Mr D. Playfair, Mr Walker (Muthill), Dr Bisset, Dr Macfarlane (Arroquhar), Mr Curdie, Mr M'Calman (Ardchattan), Mr Cameron (Logierait), Mr F. Wylie, Dr Duguid, Dr Macdonald (Inverness), Mr Lillie, Mr Wilson (Forgandenny), Mr Gordon (Newbattle), Mr Pearson (Strathblane), Professor Campbell Swinton, Dr Woodford.—Dr HILL, Convener.

#### 11. On Indian Churches.

Dr Hill, Dr Muir, Dr Pirie, Dr Grant, Dr Laurie, Dr Bryce, Mr Meiklejohn,

Mr Bowie, Dr Charles, Dr Veitch, Dr Cook (Haddington), Dr Macfarlane (Duddingston), Mr R. H. Muir, Dr Robertson, Dr Smith (Tolbooth), Dr Jamieson, Dr Macpherson, Mr Smeaton, Mr Hardy, Dr Duguid, Dr N. M'Leod (Glasgow), Dr Bisset, Mr K. M. Phin; Robert Bell, Esq., Walter Cook, Esq., John Tait, Esq., James Hope, Esq., James M'Intosh, Esq., William Cooper, Esq., Colonel Low, A. Y. Howison, Esq., Walter Malcolm, Esq., Sir John H. Maxwell, Bart., The Earl of Selkirk.—Dr BRYCE, Convener.

## 12. On Gaelic Scriptures.

Principal Dewar, Dr Robertson, Dr M'Leod (St Columba, Glasgow), Dr M'Leod (Morven), Mr Mackenzie (South Knapdale), Dr Smith (Inveraray), Mr M'Intyre (Kilmoryvaig), Mr Macdonald (Comrie), Mr Clerk (Kilmallie), Mr John Macfarlane.—Dr SMITH, Convener.

## 13. On Finance.

The Moderator, Dr Muir, Dr Simpson, Dr Pirie, Dr Macfarlane, Mr K. M. Phin, Dr George Smith; Henry Cheyne, Esq., Robert Bell, Esq., Professor Campbell Swinton, Patrick Arkley, Esq., David Smith, Esq., William Cooper, Esq., Walter Cook, Esq., Isaac Bayley, Esq., John Shand, Esq., Macduff Rhind, Esq.—Mr CHEYNE, Convener.

## 14. On Correspondence with Foreign Churches.

The Moderator, Dr Hill, Dr Simpson, Dr M'Leod (St Columba, Glasgow), Dr M'Leod (Morven), Dr Paul (St Cuthbert's), Dr Muir, Dr Hunter, Mr W. Robertson (New Greyfriar's), Dr Crawford, Dr Veitch, Dr Aitken, Mr Yair, Mr Story, Dr N. M'Leod (Glasgow), Mr Playfair, Mr Ingram, Mr Macduff (Falkland), Dr Nisbet, Mr W. Milligan, Mr Donaldson, Principal Campbell, Dr Bremner, Dr Smith (Inveraray), Mr Gordon (Newbattle), Mr Clark (Kilmallie), Mr M'Intosh (Buchanan), Dr Craik, Mr Gilchrist, Dr Pirie, Mr Wylie, Mr Stevenson (Dalry), Dr Stevenson (Leith), Mr Robertson (Monzievaird), Mr Story (Roseneath), Dr Jamieson; Patrick Arkley, Esq., Sir Ralph A. Anstruther, Bart., Sir James D. H. Elphinstone, Bart., Sir John H. Maxwell, Bart., R. G. Baillie, Esq., R. Scott Moncrieff, Esq., John Tait, Esq., Hugh Bruce, Esq., J. Johnstone, Esq. of Alva, Alex. Campbell, Esq. of Ormsary, David Milne Home, Esq.—Mr ROBERTSON (New Greyfriar's), Convener.

## 15. On Aids to Devotion.

The Moderator, Dr Hill, Dr Muir, Dr Simpson, Dr Buist, Dr Paul (St Cuthbert's), Dr M'Leod (Morven), Dr Robertson, Dr Leishman, Dr Hunter, Dr Crawford, Dr M'Culloch, Dr Pirie, Dr Macfarlane, Dr Veitch, Dr N. M'Leod (Glasgow), Dr Nisbet, Dr M'Donald (Inverness), Principal Campbell, Mr W. Robertson (Monzievaird), Dr Fowler, Mr W. H. Gray, Mr Nicholson, Principal Tulloch, Professor Mitchell, Dr Stevenson, Dr Arnot, Mr Riach, Mr Wright (Dalkeith), Mr Robertson (Glasgow), Dr Cook (Haddington), Mr Macrae (Hawick), Principal Dewar, Dr Jamieson, Mr Archd. Watson, Mr Cumming (Perth), Dr Chalmers, Dr W. Brown, Principal Barclay, Dr Liddell, Dr Charles, Mr Paisley; The Earl of Selkirk, Sir J. H. Maxwell, Bart., Sir William Jardine, Bart., The Joint-Procurator, Sheriff Barclay, Walter Cook, Esq., John Tait, Esq., Sir Hugh Lyon Playfair, Robert Scott Moncrieff, Esq., James Johnstone, Esq., Professor Campbell Swinton.—Dr CRAWFORD, Convener.

## 16. On the Feuing of Glebes.

The Moderator, Dr Leishman, Dr Hill, Dr Paul (St Cuthbert's), Dr Simpson, Dr Grant, Dr Robertson, Dr M'Quhae, Dr Veitch, Mr Cruickshanks, Mr Mackenzie (Lasswade), Mr Ingram, Dr Cook (Haddington), Mr Kinross, Mr K. M. Phin, Mr Gordon (Newbattle); Robert Bell, Esq., Sir John H. Maxwell, David Milne Home, Esq., Walter Cook, Esq., Henry Cheyne, Esq., Sir George Clerk, Bart.—Mr PHIN, Convener.

## 17. On Parochial Schoolmasters and Schools.

The Moderator, Dr Robertson, Dr Grant, Dr Hill, Dr Simpson, Dr Graham, Dr Bell, Dr Hunter, Dr Craik, Dr Cook (Haddington), Mr Robertson, Dr Veitch, Mr Nicholson, Mr Phin, Mr D. Horne, Mr A. D. Tait, Mr William Lee, Mr A. Taylor, Dr Nisbet, Mr W. H. Gray, Dr Macfarlane, Dr Paul (St Cuthbert's), Mr Thomas Gordon, Dr Jamieson, Dr Macpherson, Mr A. R. Irvine, Mr A. R. Bonar, Dr George Smith, Dr Barty, Dr N. M'Leod, Mr D. Esdaile; Sir James D. H. Elphinstone, Bart., Sir George Clerk, Bart., Sir William Baillie, Bart., Walter Cook, Esq., Professor Campbell Swinton, John Tait, Esq., Dr Bryce, A. S. Cook, Esq., John Shand, Esq., John Elder, Esq., R. Scott Moncrieff, Esq., John Cook, Esq., D. Milne Home, Esq., Henry Cheyne, Esq., David Smith, Esq., Dr Woodford, Dr Ramage, Isaac Bayley, Esq., Alex. Watson Wemyss, Esq., J. Beatson Bell, Esq.—Dr COOK (St Andrews) and Mr DAVID SMITH, Joint Conveners.

## 18. On Sabbath Schools.

Dr Hunter, Dr Hill, Dr Cook (St Andrews), Dr Runciman, Dr Jamieson, Dr Gillan, Dr Craik, Dr Macvicar, Dr M'Leod (Barony), Mr Walker (Huntly), Mr Gillan, Mr Irvine (Blair-Atholl), Mr Horne (Corstorphine), Mr Gardner (Breachin), Mr Macduff (Glasgow), Mr Gordon (Newbattle), Mr Esdaile, Mr M'Kie (Erskine), Mr Playfair, Mr R. H. Muir, Mr Wilson (Paisley), Mr Kirke, Mr Watson (Glasgow), Mr Logie, Mr Gray (Lady Yester's), Mr Robertson (Glasgow), Professor Mitchell, Mr Frazer (Aberdeen); Professor Campbell Swinton, Sheriff Barclay, Sheriff Arkley, John Mitchell, Esq., James Macallan, Esq., John King, Esq., William Cooper, Esq., James A. Campbell, Esq., Thomas G. Murray, Esq., Charles H. Murray, Esq., John Christie, Esq.; and the following, being Conveners of Committees of Synod, viz.:—Mr John Paton for Merse and Teviotdale,—Mr John Anderson for Dumfries,—Mr George Murray for Galloway,—Mr James Cruickshank for Glasgow and Ayr,—Dr Colin Smith for Argyle,—Mr J. Elder Cumming for Perth and Stirling,—Mr William Leitch for Fife,—Mr J. Gerard Young for Angus and Mearns,—Mr J. Davidson for Aberdeen,—Mr George Gray for Moray,—Mr Donald M'Intyre for Ross,—Mr William Phin for Sutherland and Caithness,—Mr John Macrae for Glenelg,—Mr Gavin Lochore for Orkney,—and Mr Z. M. Hamilton for Shetland.—Mr LEITCH (Monimail), Convener.

## 19. To Advise with the Presbytery of Dundee in regard to the State of the Churches in Dundee.

The Moderator, Dr Robertson, Dr Crombie, Dr Hill, Dr Muir, Dr Paul, Dr Runciman, Dr Macfarlane, Dr Fowler, Dr Veitch, Dr Pirie, Principal Tulloch, Dr Arnot, Mr Wilson (Paisley), Mr K. M. Phin, Dr Adie; A. S. Cook, Esq., Henry Cheyne, Esq., David Smith, Esq., John Shand, Esq., Professor Campbell Swinton, Dr Bryce, Sheriff Barclay, William Cooper, Esq.—Mr SHAND, Convener.

## 20. On Debts affecting Chapels of Ease.

Dr Hill, Dr Simpson, Dr Robertson, Dr Hunter, Dr Grant, Dr Paul (St Cuthbert's), Mr Lewis Rose, Mr Hugh Aird, Mr D. Makellar, Mr William Shaw; Professor Campbell Swinton, John King, Esq., John Mitchell, Esq., David Milne Home, Esq., John Shand, Esq., Isaac Bayley, Esq., David Smith, Esq.—Professor CAMPBELL SWINTON, Convener.

## 21. To Watch over the Practical Working of the Act for regulating the Admission of Professors into Lay Chairs in the Universities of Scotland, and the proceedings of the Commissioners under the late Universities (Scotland) Act.

The Moderator, Principal Barclay, Dr R. Lee, Dr Hill, Principal Tulloch, Professor Mitchell, Dr M'Pherson, Dr Pirie, Dr Hunter, Dr Leishman, Mr Robertson, (Glasgow), Dr Craik, Mr Milligan, Dr Paul, Dr Bell, Mr Phin, Dr Jamieson, Dr Robertson, Dr Bryce; John Tait, Esq., John Ross, Esq., David Smith, Esq., Henry Cheyne, Esq., Sheriff Arkley, David Milne Home, Esq., Mr John Cook, Sheriff Barclay, —Dr COOK (Haddington), Convener.

## 22. On Unexhausted Teinds and Augmentations.

Dr Hill, Dr Cook (Haddington), Mr Murray (Morton), Mr Muir (St Vigeans), Mr Phin (Galashiels), Dr Bryce, Dr Smith (Tolbooth); Henry Moffat, Esq., John Shand, Esq.—Mr SHAND, Convener.

## 23. On the Paraphrases and Hymns.

The Moderator, ~~Dr Robertson~~, Dr Muir, Dr Grant, Dr Hunter, Dr Arnot, Dr Nisbet, Principal Campbell, Dr Liddell, Dr Stevenson (Leith), Dr Craik, Dr M'Vicar, Dr Park, Professor Mitchell, Mr Cochrane, Mr Rose, Mr Menzies, Mr M'Culloch, Mr Brown, Dr N. M'Leod, Mr William Lee, Dr Crawford, Mr Robertson (Hamilton), Mr Playfair, Mr Muir (Dalmeny), Mr J. R. Macduff, Mr Cumming, Mr Robertson (Monzievaird), Dr Macpherson, Principal Tulloch, Principal Barclay, Dr Lee, Mr Bonar, Mr Hutchison (Banchory); Sir William Baillie, Bart., Sheriff Tait, Sheriff Arkley, Alexander M'Duff, Esq.—Dr ARNOT, Convener.

## 24. On the Accommodation of the General Assembly.

The Moderator, Dr Robertson, Dr Hill, Dr Grant, Dr Simpson, Dr Leishman, Dr Smith (Tolbooth), Dr Robert Lee, Dr Craik, Dr Cook (Haddington), Dr Charles, Dr Macpherson, Dr Sym, Mr K. M. Phin, Mr Colin M'Culloch, Mr James M'Gowan, Mr Thomas Irvine, Mr Patrick Bell, Mr M. C. Mackenzie; The Earl of Selkirk, Sir John Heron Maxwell, Robert Bell, Esq., Robert Ritchie, Esq., David Smith, Esq., Dr Stark, Henry Cheyne, Esq., A. S. Cook, Esq., Alexander Cassels, Esq., Sir Hugh L. Playfair, Thomas Leburn, Esq., Hugh Bruce, Esq., David Rhind, Esq., John A. Macrae, Esq., John Scott Chisholm, Esq., John Beatson Bell, Esq., Dr Woodford, Adam Mossman, Esq.—Dr SMITH, Convener.

## 25. On the Temporalities of Benefices.

The Moderator, Dr Cook (Haddington), Dr Hill, Dr Grant, Dr Paul (St Cuthbert's), David Smith, Esq., Henry Cheyne, Esq., John Cook, Esq., John Shand, Esq., John Tait, Esq., Archibald Cuthbertson, Esq., Professor Campbell Swinton.—Dr COOK (Haddington), Convener.

## 26. On the Extension and Improvement of Scotch Universities.

The Moderator, Dr Robertson, Dr Hill, Dr Grant, Dr Robert Lee, Dr Jackson, Professor Weir, Principal Tulloch, Dr Brown, Professor Mitchell, Principal Campbell, Dr Pirie, Dr Macpherson, Dr Cruickshanks, Dr Cook (Haddington), Dr Craik, Dr Bisset, Dr Chalmers; Professor Campbell Swinton, David Smith, Esq., Isaac Bayley, Esq., Henry Cheyne, Esq.—Dr ROBERTSON, Convener.

## 27. On Ecclesiastical Records.

The Moderator, Dr Robertson, Dr Bell, Dr Veitch, Dr Fowler, Mr R. H. Muir, Mr Niven, Dr Bremner, Dr Paul (Banchory-Devenick), Dr Stevenson, Mr Gordon (Newbattle), Mr Tait; Dr Stark, Sheriff Barclay, Sheriff Arkley, John Cook, Esq.—Mr MUIR and Dr STARK, Joint Conveners.

## 28. For Revising Constitutions and Titles of Churches.

The Moderator, Dr Leishman, Mr Nicholson, Mr Tait, Dr Wylie, Principal Barclay, Dr Menzies; J. Baird, Esq., H. Sellars, Esq., Procurator Cook, Henry Cheyne, Esq., David Smith, Esq., Isaac Bayley, Esq., James Hope, Esq.—Mr CHEYNE, Convener.

## 29. On Correspondence with the Synod in England, in connection with the Church of Scotland.

Dr Muir, Dr Robertson, Dr Crawford, Dr John Paul, Dr Cook (Haddington), Dr Fowler, Dr Hill, Dr Pirie, Principal Tulloch, Mr Nicholson, Dr M'Leod (Barony), Mr Dobie (Ladykirk), Mr Giffen (Daily); Professor Campbell Swinton, John Tait, Esq., David Smith, Esq., John Orr Ewing, Esq.—Dr FOWLER, Convener.

## 30. On Celebrating Tricentenary of the Reformation.

The Moderator, Dr Leishman, Dr Muir, Dr Hill, Principal Tulloch, Dr Robertson, Dr Hunter, Mr Nicholson, Dr M'Pherson, Dr Pirie; Sheriff Barclay, Sheriff Arkley, J. A. Macrae, Esq., F. J. Cochran, Esq., Professor Mitchell, J. Baird, Esq., Major Baillie, Alexander M'Duff, Esq., Donald M'Laren, Esq.—Mr NICHOLSON, Convener.

## 31. On the Working of the Benefices Act.

The Moderator, Principal Tulloch, Dr Robertson, Dr Muir, Dr John Paul,

Dr Simpson, Dr Hill, Dr Pirie, Dr Cook (Haddington), Dr Paul (Banchory), Dr Macfarlane, Dr Gillan, Dr M'Pherson, Mr Robertson (Monzievaird), Mr Gibbon, Mr M'Culloch (Montrose), Mr M'Kenzie (Urquhart), Mr Pearson (Strathblane); A. S. Cook, Esq., David Smith, Esq., Sheriff Barclay, Henry Cheyne, Esq.—Dr LEISHMAN, Convener.

### 32. On Parliamentary Manses, &c.

The Moderator, Dr Cook (Haddington), Dr Robertson, Dr Muir, Dr Macfarlane; The Joint Procurators, Professor Campbell Swinton, Sheriff Tait.—Dr ROBERTSON, Convener.

### 33. On Sale of Patronages during Vacancies.

The Moderator, Dr Robertson, Dr Hill, Dr Cook (Haddington); Sir J. D. H. Elphinstone, Bart., Professor Campbell Swinton.—Professor SWINTON, Convener.

### 34. On Gaelic Preaching.

Dr Hill, Dr Muir, Dr Cook (Haddington), Mr John M'Intyre (Kilmonivaig), Mr Archibald Clark (Kilmallie), Mr Alexander Mackenzie (Knapdale), Mr Alexander Campbell (Weem), Dr Macdonald (Comrie), Principal Dewar, Mr D. Masson, Dr Smith (Inveraray), Dr Macfarlane (Arrochar), Dr Macdonald (Inverness), Mr John Forbes (Sleat), Mr Donald M'Conochie (Urquhart), Mr Malcolm M'Intyre (Boleskine), Mr Alex. M'Gregor (Inverness), Mr John Campbell (Killin), Mr David Ross (Kiltarlity), Mr Donald M'Calman (Ardchattan); Patrick Grant, Esq., John A. Macrae, Esq., Major Macpherson, The Joint Procurators, Archibald Campbell Swinton, Esq.—Mr M'INTYRE, Convener.

### 35. On Obtaining Proper Accommodation for the Records of the Church.

The Moderator, Dr Hill, Dr Robertson, Dr Muir, Dr Pirie, Dr James Macfarlane, Dr Crawford, Dr Robert Lee, Dr Cook (Haddington), Dr Simpson, Dr W. Paul, Dr George Smith; The Earl of Selkirk, Sir John Heron Maxwell, Bart., Sir William Jardine, Bart., The Joint Procurator, Walter Cook, Esq., John Cook, Esq., John A. Macrae, Esq., David Smith, Esq., Henry Cheyne, Esq., Professor Campbell Swinton, Sheriff Arkley.—Mr CHEYNE, Convener.

### 36. On Collections in Cases of Emergency by the Church.

The Moderator, Dr Robertson, Dr Muir, Dr Hill, Dr Crawford, Dr Cook (Haddington), Dr Fowler; David Smith, Esq., Henry Cheyne, Esq., John Shand, Esq., John A. Macrae, Esq.—Dr ROBERTSON, Convener.

### 37. On the Relations subsisting between the Church and the Universities.

The Moderator, Principal Barclay, Dr Robertson, Dr Lee, Dr N. Macleod, Dr M'Pherson, Mr W. R. Gray, Mr Donaldson (Kirkconnel), Professor Campbell Swinton,

Thomas Dunn, Esq., James G. Morison, Esq., Thomas Leburn, Esq., William Cooper, Esq.—Dr ROBERTSON, Convener.

38. On the Door-Keepers, and other matters affecting the order of the House.

The Moderator, Dr Hill, Mr Murray, (Melrose), Mr Donaldson, (Kirkconnel); Henry Cheyne, Esq., David Smith, Esq., and the Office-bearers.—Mr CHEYNE, Convener.

39. On the Annuity-Tax, Edinburgh.

The Moderator, Dr Robertson, Dr Hill; Lord Belhaven, Lord Polwarth, Sir James D. Elphinstone, Professor Campbell Swinton, David Smith, Esq.—Dr ROBERTSON, Convener.

40. On the Regulation of the Forms of Religious Worship.

The Moderator, Dr Hill, Dr Robertson, Dr Pirie, Dr N. M'Leod, Principal Tulloch, Dr Glover, Dr Lee, Mr Gordon (Newbattle), Mr Nicholson, Mr Phin, Dr Hunter, Mr Tait (Kirkliston), Dr Leishman, Principal Barclay; Lord Belhaven, Lord Selkirk, Lord Polwarth, Sir John H. Maxwell, The Joint Procurator, John Tait, Esq., David Milne Home, Esq., Professor C. Swinton, Sheriff Arkley, John Scott Chisholm, Esq., Sheriff Barclay, Major Baillie, Henry Cheyne, Esq., David Smith, Esq., Isaac Bayley, Esq.—Dr ROBERTSON, Convener.

41. For Improvement and Management of Missionary Record.

The Moderator, Principal Tulloch, Dr Leishman, Dr N. M'Leod, Mr Black, Mr Phin, Mr Nicholson, Mr Gordon (Newbattle); Professor Mitchell, Major Baillie, Professor Swinton, H. Cheyne, Esq.—Mr NICHOLSON, Convener.

42. For Collecting and Publishing the Pastoral Addresses drawn up by the late Principal Lee.

The Moderator, Dr Hill, Dr Hunter, Dr Pirie, Dr Balfour, Dr Robertson; Walter Cook, Esq., Professor Swinton.—Dr ROBERTSON, Convener.

43. To inquire into the operations of the Popery Committee, &c.

Dr Robertson, Dr Hunter, Mr Nicholson, Dr Crawford, Mr Robertson (Greyfriar's), Mr Smith (Trinity College Church); David Smith, Esq., John Tait, Esq., J. A. Macrae, Esq.—Dr ROBERTSON, Convener.

44. To Communicate with Her Majesty's Government anent Gaelic Scriptures.

The Moderator, Dr Hill, Dr Robertson, Dr Smith (Inveraray); Sheriff Tait.—Dr SMITH, Convener.



## 45. To confer with Presentee to Trumisgarry.

Dr Hill, Dr M'Leod (Barony), Dr Leishman, Mr Park (Cumbernauld), Dr Smith (Inveraray); Mr Thomas Munro.—Dr HILL, Convener.

## 46. On taking the Vote in Divisions.

The Office-bearers, Dr Robertson, Dr Bryce; David Milne Home, Sheriff Tait, Henry Cheyne, Esq., David Smith, Esq.—Dr SIMPSON, Convener.

## 47. On the Removal of Difficulties under the Act for Disjoining or Dividing Parishes, &amp;c. (7 and 8 Vict., c. 44).

The Moderator, Dr Hill, Dr Muir, Dr Robertson, Dr Macfarlane (Duddingstone), Dr Cook (Haddington), Dr Crawford, A. Macduff, Esq., David Smith, Esq., Henry Cheyne, Esq., John Shand, Esq.—Dr ROBERTSON, Convener.

## 48. On Appropriating a portion of the Stipends of Ministers, suspended in the exercise of Discipline, towards the Administration of Ordinances in the Deprived Parishes.

The Moderator, Dr Hill, Dr Muir, Dr Robertson, Dr Macfarlane (Duddingstone), Dr Cook (Haddington), Dr Crawford, A. Macduff, Esq., David Smith, Esq., Henry Cheyne, Esq., John Shand, Esq.—Dr ROBERTSON, Convener.

## 49. For receiving the Records, &amp;c., of the Church from the family of Principal Lee, and for the arrangement and care of the Library.

The Office-bearers, Dr Robertson, Dr Bisset, Professor Swinton, David Smith, Esq., Henry Cheyne, Esq.—Dr SIMPSON, Convener.

## 50. On the Overture for the relief of Aged and Indigent Ministers in the discharge of their duties.

The Moderator, Dr Lee, Principal Barclay, Dr N. Macleod, Dr Macpherson, Mr Gray (Lady Yester's), Mr Donaldson (Kirkconnel), Professor Swinton, Thomas Dunn, Esq., James G. Morrison, Esq., Thomas Leburn, Esq., William Cooper, Esq.—Dr LEE, Convener.



# ABSTRACT

OF

## THE PUBLIC ACCOUNTS

OF

# THE CHURCH OF SCOTLAND,

FOR THE YEAR ENDING 15<sup>TH</sup> APRIL  
MDCCCLIX.

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## I.—GENERAL CHURCH FUNDS.

## CHARGE.

I. BALANCE on hand at 15th April 1858, per Abstract of last year:—	£380	16	2
II. ANNUAL GRANT from Government for 1858-59 :—			
Payable in Quarterly Instalments, . . . . .	£1100	0	0
Less Income Tax, . . . . .		22	18 4
			<u>1077 1 8</u>
III. CHURCH-DOOR COLLECTIONS and Donations received during the Year			
1858-59 :—			
Sum, . . . . .		42	8 8
IV. INTEREST on BANK ACCOUNT, . . . . .		6	1 5
			<u>6 1 5</u>
	SUM OF THE CHARGE,	£1506	<u>7 11</u>

## DISCHARGE.

I. SALARIES:—			
Moderator, . . . . .	£195	16	8
Procurator, . . . . .	195	16	8
Principal Clerk, . . . . .	130	11	0
Sub-Clerk, . . . . .	110	19	4
Agent (including Allowance for preparing Acts for Publication, and Duplicate Sets Records), . . . . .	197	12	8
Procurators Clerks, . . . . .	29	7	5
London Solicitor, . . . . .	20	9	6
	The above under deduction of Income Tax.		
Beadles, . . . . .	32	0	0
Officer at entrance to Throne, . . . . .	3	3	0
Precentor, . . . . .	2	15	0
			<u>£918 11 3</u>
II. PRINTING :—			
1. Acts of Assembly, Abstract of Church Accounts 1857-58, and circulating same, . . . . .	£37	6	7
2. Standing Orders, Regulations, &c., . . . . .	10	19	6
3. Circulars, Meetings of Commission, &c., . . . . .	3	15	3
			<u>52 1 4</u>
III. ALLOWANCES for STATIONERY :—			
To Agent, . . . . .	£4	4	0
Principal Clerk, . . . . .	3	3	0
Sub-Clerk, . . . . .	3	3	0
			<u>10 10 0</u>
IV. EXPENSE of Stationery for Committees, &c., for the two past years,		9	15 7
V. ADVERTISING :—			
Meeting of General Assembly, Meetings of Commission, &c.,		10	18 9
VI. EXPENSES connected with the Assembly Hall :—			
Gas, . . . . .	£1	18	6
Coals, . . . . .	1	9	4
Water Duty, . . . . .	1	0	0
Cleaning and Lighting Hall, . . . . .	3	4	0
			<u>7 11 10</u>
	Carry forward	£1009	<u>8 9</u>

## GENERAL CHURCH FUNDS—CONTINUED.

	Brought forward,	£1009 8 9
<b>VII. POSTAGES and INCIDENTAL EXPENSES :—</b>		
Agent's Postages, and Allowance for Coals, . . . . .	£12 8 8	
Procurator's Postages, . . . . .	0 11 8	
Postages of Circular by Dr Hill to Members of Assembly, . . . . .	1 7 3	
Expense of Binding Volumes of Assembly Papers, &c. . . . .	3 7 6	
	<hr/>	17 15 1
<b>VIII. EXPENSES</b> incurred by the Assembly's Committee on Parish Schools,		3 18 2
<b>IX. ACCOUNTS OF BUSINESS :—</b>		
1. To London Solicitor :—		
For Sundries, . . . . .	£0 15 10	
2. To Agent :—		
For Copyings, . . . . .	2 11 0	
	<hr/>	3 6 10
<b>X. AUDITOR'S FEE :—</b>		
For Auditing Accounts and preparing Abstract for the past year, . . . . .		3 3 0
		<hr/>
		£1037 11 10
<b>XI. FUNDS</b> on hand at 15th April 1859 :—		
Balance in Bank, . . . . .		468 16 1
		<hr/>
SUM OF THE DISCHARGE,		£1506 7 11

## II. THE ROYAL BOUNTY.

## CHARGE.

<b>I. BALANCE</b> in Bank at 15th April 1858, . . . . .		£1157 5 5
<b>II. HER MAJESTY'S ROYAL BOUNTY</b> for the year 1858-59, £2000 0 0		
Less Income-Tax retained on Salaries, . . . . .	6 11 3	
	<hr/>	1993 8 9
<b>III. INTEREST</b> on Bank Account at 15th April 1859, . . . . .		27 15 5
		<hr/>
SUM OF THE CHARGE,		£3178 9 7

## DISCHARGE.

<b>I. SALARIES :—</b>		
To 59 Acting Missionaries, Catechists, and Scripture Readers, £2216 9 4		
To 3 Retired Missionaries, . . . . .	105 0 0	
	<hr/>	£2321 9 4
<b>II. TRAVELLING</b> Expenses of Candidates, . . . . .	24 1 0	
<b>III. EXPENSE</b> of repairing Mission-House at Burravoe, . . . . .	69 12 1	
<b>IV. EXPENSES</b> of Management :—		
1. Salaries :—		
Dr Simpson, as Clerk to Committee, less		
Tax, . . . . .	£24 9 7	
Mr Bell, as Clerk to Finance Committee,		
less Tax, . . . . .	19 11 8	
Officer, . . . . .	5 0 0	
	<hr/>	£49 1 3
Carry forward,	£49 1 3	£2415 2 5

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 ROYAL BOUNTY—CONTINUED.
 

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Brought forward,	£49 1 3	£2415 2 5
2. Auditor, for 1857-58,	3 3 0	
3. Printing, Advertising, and Stationery,	9 6 11	
4. Postages and Incidents,	3 11 6	
		65 2 8
V. BALANCE in Bank at 15th April 1859,		698 4 6
SUM OF THE DISCHARGE,		<u>£3178 9 7</u>

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## III. CENTESIMA FUND.

This FUND consists of five of the CITY OF EDINBURGH'S BONDS of ANNUITY for £27 in all, as mentioned in the Accounts of former years, and also of the under-noted sum in Bank, under deduction of the sum due to the Treasurer. The Annuities under the above Bonds are payable by moieties at Candlemas and Lammas. The Bonds can only be redeemed on payment at the rate of £100 for each £3 of Annuity.

The value of the above five Bonds, taken at £79, 10s. for each £3 of Annuity, the present selling price, is . . . . . £715 10 0

Amount deposited in Bank at 15th April 1859,	£39 0 0	
Less Balance due to the Treasurer,	1 6 1	
		<u>37 13 11</u>
		SUM, <u>£753 3 11</u>

*Note.*—The selling price stated in last year's Account was £79 for each £3 of Annuity. The market value depends on the current Rate of Interest.

The present Annuitants on the Fund are Misses Mary and Ann Morrison, mentioned in previous Accounts, who receive an Annuity of £10 each, payable in August. The balance of the Annuities received on the City Bonds, and also the Bank Interest, is intended, in the meantime, to be accumulated along with the sum presently in Bank.

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 IV.—EDUCATION.

## I. GENERAL FUND.

## CHARGE.

I. BALANCE due to the Scheme at 15th April 1858:—		
Sum, per Abstract of last year,		£3290 0 4
II. INCOME of the Scheme for the year ending 15th April 1859:—		
1. Collections from 894 Parishes and Chapels—		
Sum,	£2859 6 9	
<i>Note.</i> —From 170 Parishes no contributions have been received.		
2. Annual Subscriptions,	318 14 0	
Carry forward,	£3178 0 9	£3290 0 4

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 EDUCATION—CONTINUED.
 

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	Brought forward,	£3178 0 9	£3290 0 4
<b>3. Donations—</b>			
1. From Parochial, Congregational, and Missionary Associations,		£164 12 7	
2. From Individuals,		88 2 0	
		<hr/>	252 14 7
4. Legacies,			759 2 1
5. Contributions from Lay Association, for the year 1858–59,			460 4 0
6. Dividends on £4705, 17s. 8d. Government Stock (Dr Bell's Legacy), for 1858–59,			138 4 10
7. Annual Grants from the Duke of Sutherland for Schools,			150 1 6
8. Interest on Bank Account,			10 10 1
9. Books sold by Teachers,			130 9 8
	Total Income, 1858–59,		<hr/>
			5079 7 6
	<b>SUM OF THE CHARGE,</b>		<hr/>
			£8369 7 10

## DISCHARGE.

## I. EXPENDITURE on the General Scheme during the year ending 15th April 1859:—

## 1. EXPENSES relative to Schools:—

## 1. Salaries—

To 162 Male Teachers,			£3032 3 6
To 18 Female Teachers,			127 10 6

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 £3159 14 0

2. Advances on account of next year's Salaries,			8 10 0
3. Grants to Widow of late Teacher at Laggaratown,			18 15 0
4. Retired Allowances,			28 11 9
5. Donations to Schools not on the Scheme,			40 0 0
6. Travelling Expenses of Teachers to their Stations,			35 7 3
7. Books purchased for Schools (subject to repayment),			257 12 9
8. Carriages of Books to Stations,			9 1 1
9. <i>Missionary Record</i> to Teachers,			20 11 3

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 £3578 3 1
2. SUMS paid to Messrs Paton and Ritchie for furnishing copies of *Missionary Record* for gratuitous circulation, from June 1858 to June 1859.

Proportion chargeable upon the Education Scheme,			32 9 10
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## 3. SCHEMES' OFFICE—one-sixth share of Expenses:—

1. Of Collector's and Officer's Salaries for the past year,		£27 6 8	
2. Of Taxes, Coals, Gas, &c.		10 14 3	
3. Of Printing, Books, and Stationery,		3 6 3	
4. Of Despatching <i>Missionary Record</i> to Clergy and others, monthly,		2 11 6	
5. Of Postages and Incidents,		4 1 4	
		<hr/>	48 0 0

## 4. EXPENSES incurred by Secretary in Inspecting Schools in the Highlands and Islands, &amp;c.,

65 0 0

## 5. TRAVELLING Expenses incurred by Convener,

20 0 0

## 6. PRINTING Annual Report, Presbyterial Reports, Schedules, Notice of Annual Collection, Lithographing Circulars, &amp;c.,

97 6 7

## 7. ADVERTISING and Stationery,

18 18 3

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 Carry forward, £3859 17 9

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 EDUCATION—CONTINUED.
 

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	Brought forward,	£38 9 17	9
8. POSTAGES, Carriages, and Incidental Expenses:—			
1. Incidents, including Postages, Carriage of Parcels to Presbyteries and Ministers, Portage, &c., incurred in the General Management of the Scheme,	£30 19	0	
2. Commissions allowed on Subscriptions, &c., in Edinburgh and Glasgow,	10 0	0	
		40 19	0
9. EXPENSES of Management:—			
1. Salary to Secretary—£250 per annum— Proportion chargeable upon the General Branch of the Scheme,	£187 10	0	
2. Salary to Clerk of the Committee, £135— Proportion chargeable upon the General Scheme,	101 5	0	
3. Allowance to Auditor and Accountant—			
1. For Auditing, Framing, and Reporting upon the Accounts for the year ending 15th April 1858,	£18 18	0	
2. Proportion of General Allowance for superintending Funds, Auditing Collectors' Books, &c., for the year to 15th April 1859,	2 12	6	
		21 10	6
		310 5	6
	SUM,	£4211	2 3
11. EDINBURGH and Glasgow Normal Schools:—			
1. Balance due to Normal Schools at 15th April 1858,	£391 12	5	
2. Annual Sum payable to Normal Schools for 1858-9,	500 0	0	
		891 12	5
111. PAYMENT into the East and West India Fund Account:—			
Sum,		200 0	0
	<i>See Abstract of said Account—Charge, Branch III.</i>		
111. BALANCE due to the General Scheme at 15th April 1859:—			
Balance in Union Bank,	£2606 9	2	
Contributions from Lay Association, for the year 1858-59,	460 4	0	
		3066 13	2
	SUM OF DISCHARGE,	£8369	7 10

## STATE OF FUNDS.

I. Balance in Bank,	£3066 13	2
11. Government Stock (Dr Bell's Legacy),	4705 17	8
Invested in names of Rev. Dr Muir, Rev. Dr Grant, Rev. Dr Macfarlane, and Isaac Bayley, Esq.		
111. East and West India Fund:—		
1. Amount invested in Schemes' Office and in Glasgow Normal School Buildings,	£800 0	0
2. Payment towards purchase of Boarding-house in Picardy Place,	630 0	0
3. Balance in Bank,	425 12	3
		1855 12 3
	£9628	3 1



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 EDUCATION—CONTINUED.
 

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## II. EAST AND WEST INDIA FUND.

## CHARGE.

I. BALANCE in Bank at 15th April 1858:—	
Per last year's Account, . . . . .	£678 2 3
II. DIVIDENDS on Government Stock recovered:—	
Amount, . . . . .	175 15 0
<i>Note.</i> —These Dividends, due in 1843–4, were accidentally omitted to be drawn when the stock was sold out.	
III. SUM received from General Fund, . . . . .	200 0 0
<i>See General Abstract—Discharge, Branch III.</i>	
IV. INTEREST on Bank Account, . . . . .	1 15 0
	<hr/>
	SUM, £1055 12 3

## DISCHARGE.

I. SUM advanced towards Purchase of Boarding-house in Picardy Place on 15th May 1858, . . . . .	£630 0 0
<i>Note.</i> —The house was purchased by the Trustees of the late Dr Bell for the sum of £2220, whereof £1600 was borrowed on the security of the house, and the remainder advanced out of this fund as above.	
II. BALANCE in Bank at 15th April 1859, . . . . .	425 12 3
	<hr/>
	SUM, £1055 12 3

## III. NORMAL SCHOOL FUND.

## CHARGE.

I. SUMS received from General Fund:—	
1. Balance due to Normal Schools at 15th April 1858, . . . . .	£391 12 5
2. Annual Sum payable to Normal Schools from General Fund, for 1858–59, . . . . .	500 0 0
	<hr/>
	£891 12 5
<i>See preceding General Account—Discharge, Branch II.</i>	
II. GOVERNMENT Grants and Allowances, and other Receipts:—	
For the year 1858–59, . . . . .	8700 17 4
	<hr/>
	SUM OF THE CHARGE, £9592 9 9

## DISCHARGE.

I. EXPENDITURE on Normal Schools during the year 1858–59:—	
Amount, . . . . .	£7732 13 11
II. BALANCE in Bank at 15th April 1859:—	
Sum, . . . . .	1859 14 10
	<hr/>
	SUM OF THE DISCHARGE, £9592 9 9

*Note.*—As the Government School Year does not terminate until 1st July, the details of the Normal School Receipts and Expenditure are not here given, but there will be exhibited to next year's Assembly a detailed statement brought down to 31st December 1859.

## V. INDIA MISSION.

## I. GENERAL FUND.

## CHARGE.

I. BALANCE <i>due to the Scheme at 15th April 1858</i> :—			
Per Abstract of last year,	.	.	£1297 17 11
II. GENERAL INCOME <i>of the Scheme for the Year ending 15th April 1859</i> :—			
1. COLLECTIONS and Contributions—			
From 862 Parishes and Chapels,	.	.	£3175 17 4
<i>Note.</i> —From 205 Parishes no Contributions have been received.			
From Parochial, Congregational, and Missionary Associations,	.	.	208 9 1
From Individuals,	.	.	157 16 0
From the "Lay Association," for the Year 1858–59,	.	.	161 6 6
			<hr/>
			£3703 8 11
2. LEGACIES,	.	.	318 19 4
3. INTEREST on Bank Account (balance),	.	.	0 16 2
TOTAL GENERAL INCOME, 1858–59,			<hr/>
			4023 4 5
III. DIVIDENDS and Interest of the "Murray Fund," set apart for Scholarships :—			
Sum,	.	.	64 14 8
IV. INTEREST of "Crichton and Wilson Funds," Invested for Special Purposes :—			
Sum,	.	.	62 5 4
V. SUMS Borrowed from "Invalid Fund" :—			
Amount,	.	.	387 15 0
			<hr/>
SUM OF THE CHARGE,			£5835 17 4

## DISCHARGE.

I. EXPENDITURE <i>during the year ending 15th April 1859</i> :—			
1. EXPENSES of Missionary Establishments—			
1. At Calcutta,	.	.	£1059 0 5
2. At Bombay,	.	.	819 15 4
3. At Madras,	.	.	942 10 0
			<hr/>
			£2821 5 9
2. OUTFIT and Passage-Money of Mr Grant to Bombay,	.	.	157 0 0
3. GRANT by the Committee to the Rev. W. White on his return from India,	.	.	50 0 0
4. EXPENSE of Stamped <i>Records</i> for India,	.	.	15 6 0
5. SUMS paid to Messrs Paton and Ritchie for Copies of <i>Missionary Record</i> for gratuitous circulation among the Clergy, &c.—			
Proportion payable by this Scheme,	.	.	32 9 10
6. SCHEMES' Office—Share of Expenses—			
1. Of Collector's and Officer's Salaries,	.	.	£27 6 8
2. Of Taxes, Coals, Gas, &c.,	.	.	10 14 3
3. Of Printing, Books, and Stationery,	.	.	3 6 4
4. Of Despatching <i>Record</i> monthly to Clergy and others,	.	.	2 11 6
5. Of Postages and Incidents,	.	.	4 1 3
			<hr/>
			48 0 0
			<hr/>
Carry forward,			£3124 1 7

## INDIA MISSION—CONTINUED.

	Brought forward,	£3124	1	7
7. PRINTING Annual Report, . . . . .			10	9 7
8. PRINTING Notices of Annual Collection, &c., . . . . .			33	13 9
9. ADVERTISING, . . . . .			9	0 0
10. EXPENSE of Transfer of Royal Bank Stock, . . . . .			4	0 0
11. EXCHANGE and Bank Charges on Remittances, . . . . .			9	9 7
12. POSTAGES and Incidents—				
1. Postages and Incidents incurred in the general management of the Scheme (including Convener's Travelling Expenses, &c.), . . . . .		£41	16	5
2. Expense of despatching Notices of Annual Collection, . . . . .			11	14 9
3. Annual Allowance to Mr M'Callum, Glasgow, for despatching Circulars, &c., . . . . .			5	0 0
			<u>58</u>	<u>11 2</u>
13. EXPENSES of Management—				
1. Allowance to Financial Secretary for the year to 15th April 1859, . . . . .		£63	0	0
2. Allowance to Secretary to the Acting Committee for same period, . . . . .			25	0 0
3. Allowance to Auditor and Accountant—				
For Auditing, Framing, and Reporting upon the Accounts for the year ending 15th April 1858, . . . . .		£12	12	0
Proportion of General Allowance for Auditing Collectors' Books, &c. for the current year, . . . . .			2	12 6
			<u>15</u>	<u>4 6</u>
			<u>103</u>	<u>4 6</u>
			<u>£3352</u>	<u>10 2</u>

TOTAL EXPENDITURE FOR 1858-59, £3352 10 2

## II. BALANCES due to the Scheme at 15th April 1859—

1. Balance in Bank, . . . . .	£2322	0	8
2. Contribution from "Lay Association" for 1858-59, . . . . .		161	6 6
		<u>2483</u>	<u>7 2</u>
			<u>£5835</u>
			<u>17 4</u>

SUM OF THE DISCHARGE, £5835 17 4

## II. INVALID FUND.

## CHARGE.

I. BALANCE in Bank at 15th April 1858, per Abstract of last year, . . . . .		£208	2	0
II. DIVIDENDS on £3000 Stock of the Royal Bank of Scotland—				
Due at Midsummer 1858, . . . . .		£87	15	0
Due at Christmas 1858, . . . . .			88	2 6
			<u>175</u>	<u>17 6</u>
III. INTEREST on Bank Account at 15th April 1859, . . . . .			2	10 5
IV. BALANCE due to the Bank at 15th April 1859, . . . . .			1	5 1
			<u>387</u>	<u>15 0</u>
			SUM,	£387 15 0

## INDIA MISSION—CONTINUED.

## DISCHARGE.

## Loans to General Fund—

On 18th November 1858,	.	.	.	£300	0	0
On 15th January 1859,	.	.	.	87	15	0
				<u>£387</u>		<u>15 0</u>

*Note.*—The Advances to the General Fund now amount to £837, 15s.

## STATE OF FUNDS.

## I. General Funds—

Balance on hand as above, . . . . . £2483 7 2

## II. Invalid Fund—

Capital Stock of the Royal Bank, . . . . . 3000 0 0

*Note.*—The small Balance of £1, 5s. 1d. due to the Bank on this Fund will be met by future Dividends.

## III. Murray Fund—

1. Capital Stock of the Royal Bank, . . . . .	£645	0	0
2. Capital Stock of the British Linen Company, . . . . .	300	0	0
<u>945 0 0</u>			

## IV. Crichton and Wilson Fund—

Amount invested in Railway Debenture, . . . . .	1500	0	0
<u>£7928 7 2</u>			

## VI. HOME MISSION.

## CHARGE.

## I. FUNDS on hand at 15th April 1858 :—

Amount per Abstract of last year, . . . . . £3327 11 11

## II. INCOME of the Scheme for the Year ending 15th April 1859,—

## 1. COLLECTIONS and Contributions—

From 957 Parishes and Chapels, . . . . . £3145 5 10

*Note.*—No Contributions have been received from 148 Parishes.

From Parochial, Congregational, and Missionary Associations, . . . . .	90	14	1
From Individuals, . . . . .	83	18	2
<u>£3319 18 1</u>			

2. LEGACIES, . . . . . 758 7 8

3. CONTRIBUTION from "Lay Association" for the year 1858-59, . . . . . 382 15 6

## 4. INTEREST—

1. On Bond for £3500—

A year to Martinmas 1858 (less tax), £136 12 6

Carry forward,	£136	12	6	£4461	1	3	£3327	11	11
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## HOME MISSION—CONTINUED.

Brought forward,	£136 12 6	£4461 1 3	£3327 11 11
2. On Loan of £160 to Presbytery of Kirkwall— To 22d September, when principal sum paid up,	7 0 10		
3. On Bank Account— At 15th April 1859,	58 3 7		
		201 16 11	
TOTAL INCOME, 1858-59,			4662 18 2
III. PRINCIPAL SUM in Bond by Presbytery of Kirkwall:— Received on 22d September 1858,			160 0 0
			SUM OF THE CHARGE, £8150 10 1

## DISCHARGE.

## I. EXPENDITURE during the Year ending 15th April 1859:—

1. GRANTS Voted and Paid by the Committee—			
1. In aid of 64 Unendowed Churches,	£2787 12 8		
2. Towards the Support of Missionaries at 44 Preaching Stations,	1536 3 2		
		£4323 15 10	
2. ADDITIONAL Grant in aid of Church at Methil,	10 0 0		
3. DONATION to Missionary at New Street Chapel, Canongate,	7 0 0		
4. ALLOWANCE to Missionary at South Ronaldshay for Travelling Charges,	2 0 0		
5. TRAVELLING and other Expenses incurred by Deputations in visiting 75 Chapels and Stations,	49 7 10		
6. SUMS paid to Messrs Paton and Ritchie for copies of <i>Missionary Record</i> for gratuitous circulation among the Clergy, &c.— Proportion payable by the Home Mission,	32 9 10		
7. SCHEMES' OFFICE—Share of Expenses—			
1. Of Collector's and Officer's Salaries,	£27 6 8		
2. Of Taxes, Coals, Gas, &c.,	10 14 2		
3. Of Printing, Books, and Stationery,	3 6 4		
4. Of Despatching <i>Missionary Record</i> monthly to Clergy and others,	2 11 6		
5. Of Postages and Incidents,	4 1 4		
		48 0 0	
8. EXPENSE of Printing Annual Report, Lithographing Circulars, and General Printing,	26 0 9		
9. EXPENSE of Printing Notices of Annual Collection,	54 13 0		
10. ADVERTISING Annual Collection, Meetings of Committee, &c.,	14 11 8		
11. POSTAGES, Carriages, and Incidents—			
1. Postages and Carriage of Packets with Collection Notices, &c.,	£15 2 3		
2. Postages and Petty Disbursements in the General Management of the Scheme,	14 17 8		
3. Stationery, &c.,	7 1 6		
4. Annual Allowance to Mr M'Callum, Glasgow, for despatching Circulars, &c.,	5 0 0		
		42 1 5	
Carry forward,		£4610 2 4	

## INDIA MISSION—CONTINUED.

## DISCHARGE.

## Loans to General Fund—

On 18th November 1858, . . . . .	£300 0 0	
On 15th January 1859, . . . . .	87 15 0	
		<u>£387 15 0</u>

*Note.*—The Advances to the General Fund now amount to £837, 15s.

## STATE OF FUNDS.

## I. General Funds—

Balance on hand as above, . . . . .	£2483 7 2
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## II. Invalid Fund—

Capital Stock of the Royal Bank, . . . . .	3000 0 0
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*Note.*—The small Balance of £1, 5s. 1d. due to the Bank on this Fund will be met by future Dividends.

## III. Murray Fund—

1. Capital Stock of the Royal Bank, . . . . .	£645 0 0	
2. Capital Stock of the British Linen Company, . . . . .	300 0 0	
		<u>945 0 0</u>

## IV. Crichton and Wilson Fund—

Amount invested in Railway Debenture, . . . . .	1500 0 0	
		<u>£7928 7 2</u>

## VI. HOME MISSION.

## CHARGE.

I. FUNDS *on hand at 15th April 1858* :—

Amount per Abstract of last year, . . . . .	£3327 11 11
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II. INCOME *of the Scheme for the Year ending 15th April 1859*,—

## 1. COLLECTIONS and Contributions—

From 957 Parishes and Chapels, . . . . .	£3145 5 10
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*Note.*—No Contributions have been received from 148 Parishes.

From Parochial, Congregational, and Missionary Associations, . . . . .	90 14 1
From Individuals, . . . . .	83 18 2
	<u>£3319 18 1</u>

## 2. LEGACIES, . . . . .

758 7 8

## 3. CONTRIBUTION from "Lay Association" for the year 1858-59, . . . . .

382 15 6

## 4. INTEREST—

## 1. On Bond for £3500—

A year to Martinmas 1858 (less tax), £136 12 6

Carry forward, . . . . .	£136 12 6	£4461 1 3	£3327 11 11
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## HOME MISSION—CONTINUED.

Brought forward,	£136 12 6	£4461 1 3	£3327 11 11
2. On Loan of £160 to Presbytery of Kirkwall— To 22d September, when principal sum paid up,	7 0 10		
3. On Bank Account— At 15th April 1859,	58 3 7		
		201 16 11	
TOTAL INCOME, 1858–59,			4662 18 2
III. PRINCIPAL SUM in Bond by Presbytery of Kirkwall:— Received on 22d September 1858,			160 0 0
			SUM OF THE CHARGE, £8150 10 1

## DISCHARGE.

## I. EXPENDITURE during the Year ending 15th April 1859:—

1. GRANTS Voted and Paid by the Committee—			
1. In aid of 64 Unendowed Churches,		£2787 12 8	
2. Towards the Support of Missionaries at 44 Preaching Stations,		1536 3 2	
			£4323 15 10
2. ADDITIONAL Grant in aid of Church at Methil,		10 0 0	
3. DONATION to Missionary at New Street Chapel, Canongate,		7 0 0	
4. ALLOWANCE to Missionary at South Ronaldshay for Travelling Charges,		2 0 0	
5. TRAVELLING and other Expenses incurred by Deputations in visiting 75 Chapels and Stations,		49 7 10	
6. SUMS paid to Messrs Paton and Ritchie for copies of <i>Missionary Record</i> for gratuitous circulation among the Clergy, &c.— Proportion payable by the Home Mission,		32 9 10	
7. SCHEMES' OFFICE—Share of Expenses—			
1. Of Collector's and Officer's Salaries,	£27 6 8		
2. Of Taxes, Coals, Gas, &c.,	10 14 2		
3. Of Printing, Books, and Stationery,	3 6 4		
4. Of Despatching <i>Missionary Record</i> monthly to Clergy and others,	2 11 6		
5. Of Postages and Incidents,	4 1 4		
			48 0 0
8. EXPENSE of Printing Annual Report, Lithographing Circulars, and General Printing,			26 0 9
9. EXPENSE of Printing Notices of Annual Collection,			54 13 0
10. ADVERTISING Annual Collection, Meetings of Committee, &c.,			14 11 8
11. POSTAGES, Carriages, and Incidents—			
1. Postages and Carriage of Packets with Collection Notices, &c.,	£15 2 3		
2. Postages and Petty Disbursements in the General Management of the Scheme,	14 17 8		
3. Stationery, &c.,	7 1 6		
4. Annual Allowance to Mr M'Callum, Glasgow, for despatching Circulars, &c.,	5 0 0		
			42 1 5
Carry forward,			£4610 2 4

## HOME MISSION—CONTINUED.

	Brought forward,	£4610 2 4
12. EXPENSES of Management—		
1. Salary to Secretary—		
For one year,	£100 0 0	
2. Allowance to Secretary's Clerk, as fixed by Committee—		
For one year,	35 0 0	
3. Auditor and Accountant—		
For Auditing, Framing, and Reporting upon the Accounts for the year to 15th April 1858,	£17 17 0	
Proportion of General Allowance for Superintending Funds, Auditing Collectors' Books, &c., for the current year,	2 12 6	
	20 9 6	155 9 6
TOTAL ORDINARY EXPENDITURE, 1858-59,		£4765 11 10
II. PAYMENTS out of Church Extension (Capital) Fund:—		
For Church at Ardallie,	£225 0 0	
For Church at Bridge of Allan,	232 10 0	
For Church at Strone,	160 0 0	
For Church at Kirn,	140 0 0	
To Presbytery of Deer,	50 0 0	
	807 10 0	
III. FUNDS on hand at 15th April 1858:—		
1. Balance in Bank (British Linen Company),	£2194 12 9	
2. Contribution from "Lay Association" for 1858-59,	382 15 6	
	2577 8 3	
SUM OF THE DISCHARGE,		£8150 10 1

*Note.*—From the Funds belonging to the Committee there falls to be immediately separated, in terms of a resolution of the Committee, the balance, amounting to about £1500, of Miss Campbell's Legacy, which is applicable to special purposes.

## VII. COLONIAL CHURCHES.

## CHARGE.

I. FUNDS on hand at 15th April 1858:—		
Per Abstract of last year,	£7210 18 3	
II. INCOME of the Scheme for the year ending 15th April 1859:—		
1. Collections and Contributions—		
From 853 Parishes and Chapels,	£2410 19 10	
<i>Note.</i> —From 214 Parishes no Contributions have been received.		
Carry forward,	£2410 19 10	£7210 18 3



## COLONIAL CHURCH—CONTINUED.

	Brought forward,	£2410 19 10	£7210 18 3
From Parochial, Congregational, and Missionary Associations,		63 12 1	
From Individuals,		31 0 0	
		<u>£2505 11 11</u>	
2. LEGACIES,		149 3 5	
3. CONTRIBUTION from "Lay Association" for the year 1858-59,		201 6 0	
4. CONTRIBUTIONS from British North America—			
From Presbytery of Pictou,	£127 5 11		
From Presbytery of Montreal,	99 19 0		
		<u>227 4 11</u>	
5. INTEREST on Bank Account,		117 17 7	
	TOTAL INCOME, 1858-59,		<u>3201 3 10</u>
	SUM OF THE CHARGE,	£10,412 2 1	

## DISCHARGE.

## I. EXPENDITURE during the Year ending 15th April 1859 :—

## 1. PAYMENTS to Missionaries and Catechists—

## 1. SYNOD OF CANADA.

## Presbyteries.

## (1.) Montreal—

Rev. James Herald,	£ 37 10 0	
Rev. J. Paterson,	109 11 10	
Rev. J. Rannie,	150 0 0	
Rev. J. Moffat,	125 0 0	
	<u>£422 1 10</u>	

## (2.) Hamilton—

Rev. W. Masson,	£118 0 0	
Rev. John Hay,	70 0 0	
	<u>188 0 0</u>	

## (3.) Kingston—

Rev. A. P. Marshall,	150 0 0	
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## (4.) Toronto—

Rev. R. W. Ross,	47 15 6	
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## (5.) Glengarry—

Rev. Jas. S. Douglas,	50 0 0	
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## (6.) London—

Rev. R. G. M'Laren,	£150 0 0	
Rev. Chas. Campbell,	46 0 0	
Rev. Fras. Nicol,	34 18 7	
	<u>231 0 7</u>	

£1088 17 11

## 2. SYNOD OF NOVA SCOTIA.

## Presbyteries.

## (1.) Halifax—

Rev. James Wilson,	£135 0 0	
Rev. John Martin, Superintendent of Missions,	100 0 0	

Carry forward, £253 0 0 £1088 17 11

## PUBLIC ACCOUNTS OF THE CHURCH

## COLONIAL CHURCHES—CONTINUED.

	Brought forward,	£235	0	0	£1088	17	11	
(2.) <i>Pictou</i> —								
Rev. James Mair,	. . .	£70	0	0				
Rev. James Christie,	. . .	87	10	0				
Rev. T. Tulloch,	. . .	150	0	0				
Rev. Alex. M'Gillivray, M'Len- nan's Mount,	. . .	60	0	0				
Rev. John M'Lean,	. . .	24	0	0				
					391	10	0	
(3.) <i>Prince Edward Island</i> —								
Rev. Wm. M'Laren,	. . .	£137	10	0				
Rev. Andrew Lochhead,	. . .	100	0	0				
					237	10	0	
						864	0	0

## 3. SYNOD OF NEW BRUNSWICK.

## Presbyteries.

(1.) <i>St John</i> —								
Rev. A. Forbes,	. . .	£37	0	0				
Rev. Peter Keay,	. . .	46	15	6				
Rev. J. Ross,	. . .	75	0	0				
Rev. H. J. M'Lardy,	. . .	85	14	7				
Rev. D. Stott,	. . .	77	15	0				
Mr Æneas Macdonald, Catechist,	. . .	20	0	0				
					£342	15	1	
(2.) <i>Miramichi</i> —								
Rev. William Murray, Moncton,	. . .	£126	13	4				
Rev. James Murray, Bathurst,	. . .	50	0	0				
Rev. William Macrobie, Tabu- sintac,	. . .	100	0	0				
Rev. J. Steven, Restigouche, ar- rears of salary,	. . .	50	0	0				
					326	13	4	
						669	8	5

## 4. NEW ZEALAND.

Rev. William Kirkton, Wellington,	. . . . .	154	2	8
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## 5. SYNOD OF AUSTRALIA.

(1.) <i>Sydney, Paddington</i> —							
Rev. James Milne,	. . . . .	£100	0	0			
(2.) <i>Maitland, Newcastle</i> —							
Rev. J. Nimmo,	. . . . .	129	0	0			
					229	0	0

## 6. JAMAICA.

<i>Kingston</i> —							
Rev. A. J. Milne,	. . . . .	50	0	0			

2. OUTFITS and Passage-Money—					£3055	9	0
To Canada, six Ministers,	. . . . .	£333	7	9			
To Nova Scotia, two do.,	. . . . .	50	0	0			
Carry forward,		£383	7	9	£3055	9	0

## COLONIAL CHURCHES—CONTINUED.

	Brought forward,	£383 7 9	£3055 9 0
To Australia, two Ministers,	.	173 0 0	
To Ceylon, one do.,	.	110 0 0	
			666 7 9
<b>3. GRANTS to Churches—</b>			
To Georgetown Church, Prince Edward Island,	.	£50 0 0	
To St Andrew's Church, Newfoundland,	.	50 0 0	
To Church at Point Levi, Quebec,	.	100 0 0	
			200 0 0
<b>4. GRANT for defraying Expenses relative to recovery of St Mark's Manse, Demerara,</b>			
	.		75 0 0
<b>5. GRANT to Rev. George Harper for Travelling Expenses to Mara, Berbice,</b>			
	.		54 0 0
<b>6. GRANT to Rev. A. P. Marshall for Passage Home from Toronto,</b>			
	.		10 0 0
<b>7. GRANT to Queen's College, Kingston, Canada—</b>			
For College,	.	£300 0 0	
For Bursaries,	.	35 0 0	
			335 0 0
<b>8. DONATION to Student at Queen's College,</b>			
	.		5 0 0
<b>9. TRAVELLING Expenses of Candidates,</b>			
	.		14 2 0
<b>10. EXPENSE of <i>Missionary Record</i> for the Colonies, to April 1859,</b>			
	.		27 5 0
<b>11. EXPENSE of Ordination of Missionary,</b>			
	.		3 3 0
			£4445 6 9
<b>12. EXPENSES relative to Paris Mission,</b>			
	.		427 0 0
<b>13. EXPENSES of Convener and Deputations to London,</b>			
	.		60 6 6
<b>14. SUMS paid to Messrs Paton and Ritchie for Copies of <i>Missionary Record</i> for gratuitous circulation among the Clergy, &amp;c.,</b>			
	.		32 9 10
<b>15. SCHEMES' OFFICE—Share of Expenses—</b>			
1. Of Collector's and Officer's Salaries,	.	£27 6 8	
2. Of Taxes, Coals, Gas, &c.,	.	10 14 3	
3. Of Printing, Books, and Stationery,	.	3 6 3	
4. Of Despatching <i>Missionary Record</i> to Clergy and others monthly,	.	2 11 6	
5. Of Postages and Incidents,	.	4 1 4	
			48 0 0
<b>16. PRINTING Annual Report, Notices of Annual Collection, Circulars, &amp;c.,</b>			
	.		67 5 0
<b>17. ADVERTISING,</b>			
	.		12 15 3
<b>18. STATIONERY,</b>			
	.		7 12 6
<b>19. POSTAGES, Parcels, and Incidental Expenses—</b>			
1. Postages, Parcels, &c., incurred in the General Management of the Scheme during the past year,	.	£27 6 6	
2. Postages and Circulation of Notice of Annual Collection,	.	10 14 6	
3. Annual Allowance to Mr M'Callum, Glasgow, for Circulating Notices, &c.,	.	5 0 0	
4. Incidental Expenses,	.	3 18 2	
			46 19 2
<b>20. EXPENSES of Management—</b>			
1. Salary to Secretary and Treasurer, a year, to 31st December 1858,	.	£45 0 0	
			£45 0 0
Carry forward,		£45 0 0	£5147 15 0

## COLONIAL CHURCHES—CONTINUED.

	Brought forward,	£45 0 0	£5147 15 0
2.	Salary to the Clerk to the Committee, a year, to 31st December 1858,	20 0 0	
3.	Allowance to Auditor and Accountant— For Auditing, Framing, and Reporting upon the Accounts for the year ending April 15, 1858,	£13 13 0	
	Proportion of General Allowance for Superintending the Funds, Auditing Collectors' Books, &c., during the past year,	2 12 6	
		<u>16 5 6</u>	
			<u>81 5 6</u>
	TOTAL EXPENDITURE, 1858-59,		£5229 0 6
II. FUNDS on hand at 15th April 1859:—			
1.	Balance in Bank (British Linen Company),	£4981 15 7	
2.	Contribution from "Lay Association" for 1858-59,	201 6 0	
			<u>5183 1 7</u>
	SUM OF THE DISCHARGE,		<u>£10,412 2 1</u>

## COLONIAL STUDENTS' FUND.

<i>CHARGE.</i>			
I.	BALANCE in Bank—		
	At 15th April 1858, per Abstract of last year,		£17 10 5
II.	REMITTANCES from the Colonies—		
	Amount,		79 10 5
III.	BANK Interest—		
	At 15th April 1859,		0 6 5
			<u>SUM, £97 7 3</u>
<i>DISCHARGE.</i>			
I.	PAYMENTS to Students—		
	To two Students in Edinburgh,	£30 0 0	
	To two Students in Glasgow,	50 0 0	
			<u>£80 0 0</u>
II.	BALANCE in Bank—		
	At 15th April 1859,		17 7 3
			<u>SUM, £97 7 3</u>

## VIII. CONVERSION OF THE JEWS.

<i>CHARGE.</i>			
I.	BALANCES due to the Scheme at 15th April 1858:—		
	Per Abstract of last year,		£2097 9 4
	Carry forward,		<u>£2097 9 4</u>

## CONVERSION OF THE JEWS—CONTINUED.

	Brought forward,	£2097 9 4
<b>II. INCOME of the Scheme for the Year ending 15th April 1859 :—</b>		
<b>1. COLLECTIONS and Contributions—</b>		
From 818 Parishes and Chapels, . . . . .	£2044 1 8	
<i>Note.</i> —The number of Parishes which have not contributed is 239.		
From Parochial, Congregational, and Missionary Associations, . . . . .	62 18 9	
From Individuals, . . . . .	87 5 0	
	<u>£2194 5 5</u>	
<b>2. LEGACIES,</b> . . . . .	149 3 4	
<b>3. CONTRIBUTION from "Lay Association" for the year 1858–59,</b> . . . . .	133 6 0	
<b>4. INTEREST—</b>		
1. On Railway Debentures, . . . . .	£165 17 5	
2. On Bank Accounts, . . . . .	23 4 6	
	<u>189 1 11</u>	
<b>TOTAL INCOME, 1858–59,</b>	<u>2665 16 8</u>	
<b>III. CONTRIBUTIONS for Erection of Church and School at Cassandra :—</b>		
Sum, . . . . .		<u>166 7 6</u>
	<b>SUM OF THE CHARGE,</b>	<u>£4929 13 6</u>

## DISCHARGE.

<b>I. EXPENDITURE during the Year ending 15th April 1859 :—</b>		
<b>1. Payments on account of Missions—</b>		
<b>1. Turkish Mission.</b>		
<b>(1.) Salonica—</b>		
<b>Salaries—</b>		
Rev. Mr Crosbie, . . . . .	£300 0 0	
Dr Wolfe, . . . . .	250 0 0	
Mr Rosenberg (one quarter), . . . . .	37 10 0	
Lay Agents, . . . . .	185 0 0	
Mr T. Schillinger, teacher, . . . . .	105 0 0	
	<u>£877 10 0</u>	
<b>(2.) Cassandra—</b>		
<b>1. Salaries—</b>		
Dr Paionides (three quarters), . . . . .	£75 0 0	
Lay Agent, . . . . .	37 10 0	
	<u>112 10 0</u>	
<b>2. School Rents and General Expenses connected with Missions at Salonica and Cassandra,</b> . . . . .	107 7 3	
	<u>£1097 7 3</u>	
<b>(3.) Smyrna—</b>		
<b>1. Salaries—</b>		
Rev. Mr Coull, . . . . .	£300 0 0	
Rev. Mr Benoliel, to March 1, 1859 (and including expenses of return to Britain), . . . . .	226 13 4	
Mr Rosenberg (three quarters), . . . . .	112 10 0	
Lay Agents . . . . .	269 17 2	
	<u>£909 0 6</u>	
<b>Carry forward,</b>	<u>£909 0 6</u>	<u>£1097 7 3</u>

## CONVERSION OF THE JEWS—CONTINUED.

	Brought forward,	£909 0 6	£1097 7 3
2.	Chapel and School Rents, and general Expenses connected with the Mission,	90 5 5	999 5 11
(4.)	Alexandria.		
	1. Salaries—		
	Rev. Mr Yule,	£350 0 0	
	Mr Christie, teacher (one quarter),	50 0 0	
		£400 0 0	
	2. General Expenses connected with the Mission,	25 1 11	425 1 11
			£2521 15 1
2.	German Mission.		
	(1.) Karlsruhe—Rev. Mr Sutter—		
	1. Salary,	£250 0 0	
	2. Expenses,	11 13 6	
		£261 13 6	
	(2.) Darmstadt—Mrs Lehner—		
	Proportion of Salary,	20 0 0	281 13 6
3.	Salary to the Rev. Mr Marcussohn, formerly at Cassandra,		250 0 0
			£3053 8 7
2.	TRAVELLING Expenses and Outfits of Missionaries,		149 0 4
3.	PREMIUMS of Insurance on Lives of Missionaries, and Expenses connected therewith,		73 2 0
4.	STAMPED Records for Missionaries,		2 13 6
5.	RENT of Halkin Street Chapel, London,		130 7 2
6.	SUMS paid to Dr Dwight, Constantinople, for the purchase of Judæo-Spanish Bibles, and other Expenses connected with Mission,		220 3 0
7.	TRAVELLING and other Expenses of Messrs Sutter and Marcussohn coming from and returning to Germany, and their and others holding Meetings throughout the Country,		71 10 3
8.	SUMS paid to Messrs Paton and Ritchie for copies of <i>Missionary Record</i> , for gratuitous circulation among the Clergy, &c.—		
	Proportion chargeable on this Scheme,		32 9 11
9.	SCHEMES' OFFICE—Share of Expenses—		
	1. Of Collector's and Officer's Salaries,	£27 6 8	
	2. Of Taxes, Coals, Gas, &c.,	10 14 2	
	3. Of Printing, Books, and Stationery,	3 6 4	
	4. Of Despatching <i>Missionary Record</i> monthly to the Clergy and others,	2 11 6	
	5. Of Postages and Incidents,	4 1 4	
			48 0 0
10.	EXPENSES incurred by the Convener on the general business of the Scheme,		23 3 3
11.	PRINTING Annual Report, Notices of Collection, Meetings, &c.,		42 11 10
12.	ADVERTISING, Stationery, &c.,		14 3 7
	Carry forward,		£3829 6 2

## CONVERSION OF THE JEWS—CONTINUED.

	Brought forward,	£3829	6	2
13. POSTAGES, Parcels, and Incidental Expenses—				
1. Postages, Parcels, &c., during the year,		£29	5	8
2. Expenses of Posting Notice of Annual Collection, .		7	14	7
3. Annual Allowance to Mr M'Callum, Glasgow, for Circulating Notices, &c., . . . . .		5	0	0
4. Incidental Expenses, . . . . .		8	13	6
				<u>50 13 9</u>
14. EXPENSES of Management—				
1. Secretary and Treasurer—				
For the year to 15th April 1859, . . . . .		£50	0	0
2. Auditor and Accountant—				
For Auditing, Framing, and Reporting upon the Accounts for the year end- ing 15th April 1858, . . . . .		£10	10	0
Proportion of General Allowance for Superintending the Funds, Auditing Collectors' Books, &c., for the cur- rent year, . . . . .		2	12	6
				<u>13 2 6</u>
				<u>63 2 6</u>
TOTAL EXPENDITURE, 1858-59,		£3974	9	8

## II. BALANCES due to the Scheme at 15th April 1859.

1. In Bank—				
On General Fund, . . . . .		£635	15	11
Cassandra Fund, . . . . .		158	11	2
				<u>£794 7 1</u>
By Secretary—				
On General Fund, . . . . .		£18	19	9
Cassandra Fund, . . . . .		8	11	0
				<u>27 10 9</u>
				<u>£821 17 10</u>
2. Contribution from "Lay Association" for 1858-59, . . . . .		133	6	0
				<u>955 3 10</u>
SUM OF THE DISCHARGE,		£4929	13	6

## IX. ENDOWMENT SCHEME.

## CHARGE.

I. BALANCE due to the Scheme at 15th April 1858 :—				
Per Abstract of last year, . . . . .		£4123	0	1
II. SUBSCRIPTIONS, Donations, and Collections received during the year ending 15th April 1859 :—				
1. PROVINCIAL SCHEME—				
Subscriptions and Donations—				
Amount, . . . . .		£15,177	18	2
Carry forward,		£15,177	18	2
				<u>£4123 0 1</u>

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 ENDOWMENT SCHEME—CONTINUED.
 

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	Brought forward,	£15,177 18 2	£4123 0 1
<b>2. GENERAL FUND—</b>			
(1.) Instalments of Subscriptions, and Subscriptions for Particular Churches—			
	Amount,	£2873 10 3	
(2.) Donations, General and Special—			
	Amount,	94 6 8	
(3.) Church-Door Collections—			
	Amount,	2720 7 10	
(4.) Parochial, Missionary, and Congregational Associations,			
	Amount,	73 3 0	
(5.) Legacies,			
	Amount,	493 2 8	
		<hr/>	6254 10 5
			<hr/> 21,432 8 7
<b>III. INTEREST:—</b>			
On Bank Account—			
1. On General Account,			
	Amount,	£40 2 0	
2. On Provincial Scheme Account—			
	Group I.,	£5 15 9	
	Group II.,	11 4 6	
	Group III.,	60 17 10	
	Group IV.,	6 4 6	
	Group V.,	10 3 2	
		<hr/>	94 5 9
			<hr/> 134 7 9
<b>IV. SUM due to Endowment Scheme in regard to Dowanhill purchase, received on 16th August 1858,</b>			
			48 17 2
<b>V. SUM Borrowed from Feu Account on 16th August 1858,</b>			
			48 5 4
			<hr/>
	SUM OF THE CHARGE,		£25,786 18 11
			<hr/>

## DISCHARGE.

<b>1. PRICE of Feu-duties purchased by the Committee, and Expenses—</b>			
	At Dowanhill—balance of Price,	£5909 8 10	
	Expenses,	21 6 3	
		<hr/>	£5930 15 1
<b>2. GRANTS to Churches—</b>			
	1. To St Marnoch's Church,	£80 9 2	
	2. To New Parish of Alloway, Ayr,	1000 0 0	
		<hr/>	1080 9 2
<b>3. SUBSCRIPTIONS, Donations, &amp;c., repaid—</b>			
1. For Newhaven Chapel—			
	Amount, with Interest,	£950 11 7	
2. For Largoward Chapel—			
	Amount, with Interest,	662 0 11	
3. For Sundries,			
	Amount,	16 3 0	
		<hr/>	1628 15 6
<b>4. SUMS paid to Messrs Paton and Ritchie for copies of <i>Missionary Record</i>, for gratuitous circulation among the Clergy, &amp;c.—</b>			
	Proportion payable by Endowment Scheme,	32 9 10	
		<hr/>	£8672 9 7
	Carry forward,		£8672 9 7



## ENDOWMENT SCHEME—CONTINUED.

	Brought forward,	£8672 9 7
5. SCHEMES' OFFICE—Share of Expenses—		
1. Of Collector's and Officer's Salaries, . . . . .	£27 6 8	
2. Of Taxes, Coals, Gas, &c., . . . . .	10 14 3	
3. Of Printing, Books, and Stationery, . . . . .	3 6 3	
4. Of Despatching <i>Missionary Record</i> monthly to Clergy, and others, . . . . .	2 11 6	
5. Of Postages and Incidents, . . . . .	4 1 4	
	<hr/>	48 0 0
6. SUMS advanced to Feu Account—		
Amount, . . . . .		311 3 7
7. TRAVELLING and other Expenses incurred by the Convener in the Management of the Scheme—		
Sum, . . . . .		50 0 0
8. PRINTING Annual Report, Collection Notices and Abstracts, Cir- culars, Notices, &c., with regard to Provincial Scheme—		
Amount, . . . . .		202 5 10
9. EXPENSE of Advertising and of Posting Notices of Annual Col- lection, and of Advertisements in regard to the Provincial Scheme, . . . . .		
		65 7 3
10. STATIONERY, . . . . .		
		21 11 2
11. POSTAGES, Carriages, and Incidental Expenses—		
1. Postages of Circulars, Reports, &c., incurred in the General Management of the Scheme, . . . . .	£22 13 6	
2. Postages, Expense of Meetings, &c., in regard to the Provincial Scheme, . . . . .	74 8 2	
3. Annual Allowance to Mr M'Callum, Glasgow, for despatching Notices, &c., . . . . .	5 0 0	
4. Incidental Expenses, . . . . .	1 3 6	
	<hr/>	103 5 2
12. EXPENSES of Management—		
1. Secretary and Clerks—		
A year to 27th February 1859, . . . . .	£120 0 0	
2. Treasurer and Clerks—		
(1.) Allowance for the year to 15th April 1859, . . . . .	£35 0 0	
(2.) Charge for Assistant-Clerk's Sa- lary, from 21st October 1858 to 30th April 1859, . . . . .	32 9 0	
(3.) Charge for Treasurer's Outlays for 1855-6 and 1856-7, . . . . .	60 15 2	
	<hr/>	128 4 2
3. Auditor and Accountant—		
(1.) For Auditing, Framing, and Re- porting upon the Accounts for the year to 15th April 1858, . . . . .	£14 14 0	
(2.) Proportion of General Allow- ance, and for Auditing Collec- tor's Books for the current year, . . . . .	2 12 6	
	<hr/>	17 6 6
	<hr/>	265 10 8
	Carry forward,	£9739 13 3

## PUBLIC ACCOUNTS OF THE CHURCH.

## ENDOWMENT SCHEME—CONTINUED.

	Brought forward,	£9739 13 3
13. BALANCES <i>due to the Scheme at 15th April 1859</i> —		
1. To the General Scheme—		
Balance in Bank,	£4153 7 0	
2. To the Provincial Scheme—		
(1.) Balances in Bank—		
Group I.,	£ 751 12 9	
Group II.,	1575 13 6	
Group III.,	6733 8 3	
Group IV.,	979 12 11	
Group V.,	1845 13 5	
	<u>£11,886 0 10</u>	
(2.) Balance in hands of Treasurer,	7 17 10	
	<u>11,893 18 8</u>	
		<u>16,047 5 8</u>
SUM OF THE DISCHARGE,		<u>£25786 18 11</u>

## 13. BALANCE

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MEMBERS OF ASSEMBLY,  
1859.

N.B.—The Edinburgh addresses of Members, so far as known, are printed in *Italics*.

## SYNOD OF GLENELG.

1. *Presbytery of Abertarff.*

Mr Donald Maconniochie, at Urquhart

Mr Malcolm M'Intyre, at Boleskine

Adam Paterson, Esq. of Springhall, writer in  
Glasgow, *London Hotel, St Andrew square*2. *Presbytery of Skye.*

Mr John Forbes, at Sleat

Mr Alexander Macdonald, at Stenscholl

Donald Macleod, Esq., Kingsburgh, Snizort

3. *Presbytery of Lewis.*

Mr John M'Rae, at Stornoway

Mr James Strachan, at Barvas

John Orr Ewing, Esq. of Ratho

4. *Presbytery of Uist.*

Mr Henry Beatson, at Barra

Mr Roderick M'Donald, at South Uist

Hugh Bruce, Esq., Advocate, Edinburgh

5. *Presbytery of Lochcarron.*

Mr Duncan Simon M'Kenzie, at Gairloch



Mr Roderick Nicolson, at Applecross.  
 John A. Macrae, Esq., W.S., Edinburgh, 14  
*Gloucester place.*

## II.—SYNOD OF SUTHERLAND AND CAITHNESS.

### 6. *Presbytery of Dornoch.*

Mr Duncan St Clair, at Loth  
 Mr Dugald M'Kellar, at Clync  
 George Dempster, Esq. of Skibo

Burgh of Dornoch.

### 7. *Presbytery of Tongue.*

Mr Kenneth Mackenzie, at Strathy  
 Mr Angus Logan, at Tongue  
 John Lamont, Esq., writer, Glasgow, 14 *Pitt*  
*street*

### 8. *Presbytery of Caithness.*

Mr James Murray, at Reay  
 Dr William Lillie, at Wick  
 Dr James Robertson, Professor of Church  
 History in the University of Edinburgh, 25  
*Ainslie place*

Burgh of Wick.

## III.—SYNOD OF ORKNEY.

### 9. *Presbytery of Kirkwall.*

Mr Oliver Scott, at Holm  
 Mr William Beattie, at Evic and Rendal



## 13. BALAN

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*24. Presbytery of Kelso.*

Mr Manners Hamilton Graham, at Nenthorn  
 Mr John Baird, at Yetholm  
 Adam Brack Boyd, Esq. of Cherrytrees

*25. Presbytery of Jedburgh.*

Mr Alexander Munn Maccoll, at Cavers  
 Mr Joseph Yair, at Eckford  
 Mr James Stewart, at Wilton  
 John Scott Chisholm, Esq. of Stirches  
 Burgh of Jedburgh.  
 William Oliver Rutherford, Esq. of Edgerston

*26. Presbytery of Lauder.*

Mr Donald Macleod, at Lauder  
 Mr Archibald Brown, at Legerwood  
 The Right Hon. Lord Polwarth  
 Burgh of Lauder.  
 Thomas Dunn, Esq., S.S.C., Edinburgh, 7 *Hill*  
*street*

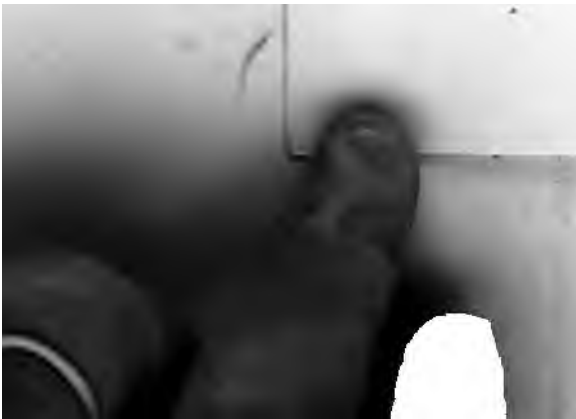
*27. Presbytery of Selkirk.*

Mr William Murray, at Melrose  
 Mr William M'Lean, at Ashkirk  
 Mr Kenneth M. Phin, at Galashiels  
 Major Robert Baillie, residing at Eildon Hall  
 Burgh of Selkirk.  
 Robert Paton, Esq., W.S.

## VII.—SYNOD OF DUMFRIES.

*28. Presbytery of Annan.*

Mr John Henderson Gourlie, at Brydekirk  
 Mr Robert Menzies, at Hoddam  
 John Dalrymple Murray, Esq. of Murray-  
 thwaite



## Burgh of Annan.

Sir John Heron Maxwell, Bart. of Springkell

29. *Presbytery of Langholm.*

Mr George Colville, at Canonbie

Mr James Wilson Macturk, at Langholm  
James Church, Esq., Tower of Sark

30. *Presbytery of Lochmaben.*

Mr George Wight, at Wamphray

Mr Robert Sanders, at Tundergarth

Mr John R. Currie, at Hutton

Sir William Jardine, Bart. of Applegarth

## Burgh of Lochmaben.

David Johnstone, Esq. of Riggheads, Writer in  
Dumfries.

31. *Presbytery of Penpont.*

Mr Henry Wallis Smith, at Durrisdeer

Mr John Donaldson, at Kirkconnel

Dr Crawford Tait Ramage, Wallace-Hall

## Burgh of Sanquhar.

James Veitch, Esq. of Elioek

32. *Presbytery of Dumfries.*

Mr Andrew Gray, at New Church, Dumfries

Mr John Hope, at Dunscore

Mr John Inches Dickson, at Kirkbean

Mr John Mein Austin, at St Mary's, Dumfries

Wellwood Herries Maxwell, Esq. of Munches

Mark Sprot Steuart, Esq. of Southwick

## Burgh of Dumfries.

Christopher Harkness, Esq., Writer, Dumfries

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connection with  
the Moderator of

change of Day of

appointment of

THURSDAY, 26th May 18

1. Minutes, &c.
2. Report of India Mission Committee.
3. Case of Kildalton.

## 13. BALANCE

1. To

2. To

39. *Presbytery of Greenock.*

Mr John Kinross at Largs

Mr Alexander Marshall, at Cumbray

Robert Sellers, Esq., Merchant, Greenock

40. *Presbytery of Hamilton.*

Mr John Johnston, at Old Monkland

Mr Bryce Johnston Bell, at Gartsherrie

Mr Robert Archibald, at New Monkland

The Right Honourable Lord Belhaven and  
Stenton, of Wishaw41. *Presbytery of Lanark.*Mr William Smith, Assistant and Successor at  
Douglas

Dr John Wylie, at Carluke.

Robert Lithgow, Esq. of Stanmore

## Burgh of Lanark.

David Rhind, Esq., Architect, Edinburgh, 54 *Great  
King street*42. *Presbytery of Glasgow.*Dr Alexander Hill, Professor of Divinity in the  
University of Glasgow.Dr Matthew Leishman, at Govan, 21 *Charlotte square*

Dr Norman Macleod, at Barony

Mr Alexander Hill, at Kilsyth

Mr James Arthur, at Springburn

Mr Hugh Park, at Cumbernauld

John Walker, Esq., Cotton-spinner in Glasgow

John Morrison, Esq., Manufacturer, *Murrow's  
Park, Govan*

Frank Baird, Esq., Merchant in Glasgow

## City of Glasgow.

James Hannan, Esq., one of the Councillors of the  
Burgh

## 13. BALANCE

1. To

2. To

46. *Presbytery of Islay and Jura.*

Mr James Dewar, at Oa

Mr James Dewar, at Kilchoman

Charles Pearson, Esq., Accountant, Edinburgh,  
128 *George street*47. *Presbytery of Inveraray.*

Dr Colin Smith, at Inveraray

Mr Donald Jackson, at Kilmartin

William A. Campbell, Esq. of Ormsary

## Burgh of Inveraray.

Edward Woodford, Esq., LL.D., one of Her Ma-  
jesty's Inspectors of Schools for Scotland, 59  
*Great King street*48. *Presbytery of Lorn.*

Mr Donald MacCalman, at Ardchattan

Mr John Sinclair, at Muckairn

Henry Moffat, Esq., S.S.C., Edinburgh, 23  
*George IV. Bridge*49. *Presbytery of Mull.*

Mr Duncan Clerk, at Torosay

Mr David Stewart, at Ardnamurchan

Donald Maclaine, Esq. of Lochbuy, 15 *Royal*  
*circus*

## XI.—SYNOD OF PERTH AND STIRLING.

50. *Presbytery of Dunkeld.*

Mr Duncan Campbell, at Moulin

Mr Alexander R. Irvine, at Blair Athole

Mr Robert Leishman, at Clunie

Archibald Butter, Esq. of Faskally





## XIV.—SYNOD OF ABERDEEN.

## 13. BALANCE

1. To

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67. *Presbytery of Aberdeen.*

Mr James Smith, at Greyfriars

Mr Thomas Dewar, at South Parish

Mr John Wilson, at North Parish

Dr William Paul, at Banchory Devenick

Mr James Fraser, at St Clement's

George Angus, Esq., M.D., late H.E.I.C.S.,  
Asloun, AlfordAlexander Burness, Esq. of Mastrick, Prospect  
place, Banchory Devenick

## City of Aberdeen.

William Yeats, Esq. of Auquharney

## Marischal College.

Dr William Robinson Pirie, Professor of Divinity  
in the University

## King's College.

Dr Robert Macpherson, Professor of Divinity in the  
University, 82 *George street*68. *Presbytery of Kincardine O'Neil.*

Mr Charles M'Combie, at Lumphanan

Mr George Cook, at Kincardine O'Neil

Mr George Hutchieson, at Banchory Ternan

Francis James Cochran, Esq. of Balfour

69. *Presbytery of Alford.*

Dr Alexander Taylor, at Leochel and Cushnie

Mr Alexander Milne, at Tough

Mr James Gillan, at Alford

Robert Simpson, Esq. of Cobairdy, *New Club,*  
*Princes street*

## XIV.—SYNOD OF ABERDEEN.

## 13. BALANCE

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67. *Presbytery of Aberdeen.*

Mr James Smith, at Greyfriars  
 Mr Thomas Dewar, at South Parish  
 Mr John Wilson, at North Parish  
 Dr William Paul, at Banchory Devenick  
 Mr James Fraser, at St Clement's  
 George Angus, Esq., M.D., late H.E.I.C.S.,  
 Asloun, Alford  
 Alexander Burness, Esq. of Mastrick, Prospect  
 place, Banchory Devenick

## City of Aberdeen.

William Yeats, Esq. of Auquharney

## Marischal College.

Dr William Robinson Pirie, Professor of Divinity  
 in the University

## King's College.

Dr Robert Macpherson, Professor of Divinity in the  
 University, 82 *George street*

68. *Presbytery of Kincardine O'Neil.*

Mr Charles M'Combie, at Lumphanan  
 Mr George Cook, at Kincardine O'Neil  
 Mr George Hutchieson, at Banchory Ternan  
 Francis James Cochran, Esq. of Balfour

69. *Presbytery of Alford.*

Dr Alexander Taylor, at Leochel and Cushnie  
 Mr Alexander Milne, at Tough  
 Mr James Gillan, at Alford  
 Robert Simpson, Esq. of Cobairdy, *New Club,*  
*Princes street*



83. *Presbytery of Tain.*

Mr Lewis Rose, at Tain  
Mr Alexander Maclean, at Croick  
Andrew Scott, Esq., Kildary

Burgh of Tain,

84. *Presbytery of Dingwall.*

Dr Alexander Maclean, at Kiltearn  
Mr William Sutherland, at Dingwall  
John Binning, Esq., Factor for Tulloch and  
Gairloch

Burgh of Dingwall.

John MacGregor; Esq., Heritor in Dingwall

13. BALAN

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83. *Presbytery of Tain.*

Mr Lewis Rose, at Tain  
Mr Alexander Maclean, at Croick  
Andrew Scott, Esq., Kildary

Burgh of Tain,

84. *Presbytery of Dingwall.*

Dr Alexander Maclean, at Kiltarn  
Mr William Sutherland, at Dingwall  
John Binning, Esq., Factor for Tulloch and  
Gairloch

Burgh of Dingwall.

John MacGregor; Esq., Heritor in Dingwall

13. BALANCE

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# CHURCH OF SCOTLAND.

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## GENERAL ASSEMBLY.

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### ROLL OF BUSINESS:

*TUESDAY, 24th May 1859.*

1. Minutes.
  2. Deputation from Irish Church Mission.
  3. Report on the Duties of the Clerks.
  4. Appeal of the Rev. Dr Robert Lee from the Synod of Lothian and Tweeddale.
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*WEDNESDAY, 25th May 1859.*

1. Minutes, &c.
  2. Election of Sub-Clerk.
  3. Overtures on Annuity-Tax.
  4. Overtures on Innovations.
  5. M. Boucher, representing the Central Protestant Society of France, to address the House.
  6. Deputation from the Synod in England, in connection with the Church of Scotland, and Letter from the Moderator of the Synod.
  7. Petition from the Synod of Glenelg for a Change of Day of Meeting.
  8. Overture anent Defunct Presbyteries.
  9. Petition — Presbytery of Lewis for the Appointment of Assessor to said Presbytery.
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*THURSDAY, 26th May 1859.*

1. Minutes, &c.
2. Report of India Mission Committee.
3. Case of Kildalton.



# Church of Scotland.

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## GENERAL ASSEMBLY.

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### ROLL OF BUSINESS:

*WEDNESDAY, 25th May 1859.*

1. Minutes, &c.
2. Election of Sub-Clerk.
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4. Overtures on Innovations.
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8. Overture anent Defunct Presbyteries.
9. Petition — Presbytery of Lewis for the Appointment of Assessor to said Presbytery.

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*THURSDAY, 26th May 1859.*

1. Minutes, &c.
2. Report of India Mission Committee.
3. Case of Kildalton.

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# Church of Scotland.

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## GENERAL ASSEMBLY.

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### ROLL OF BUSINESS:

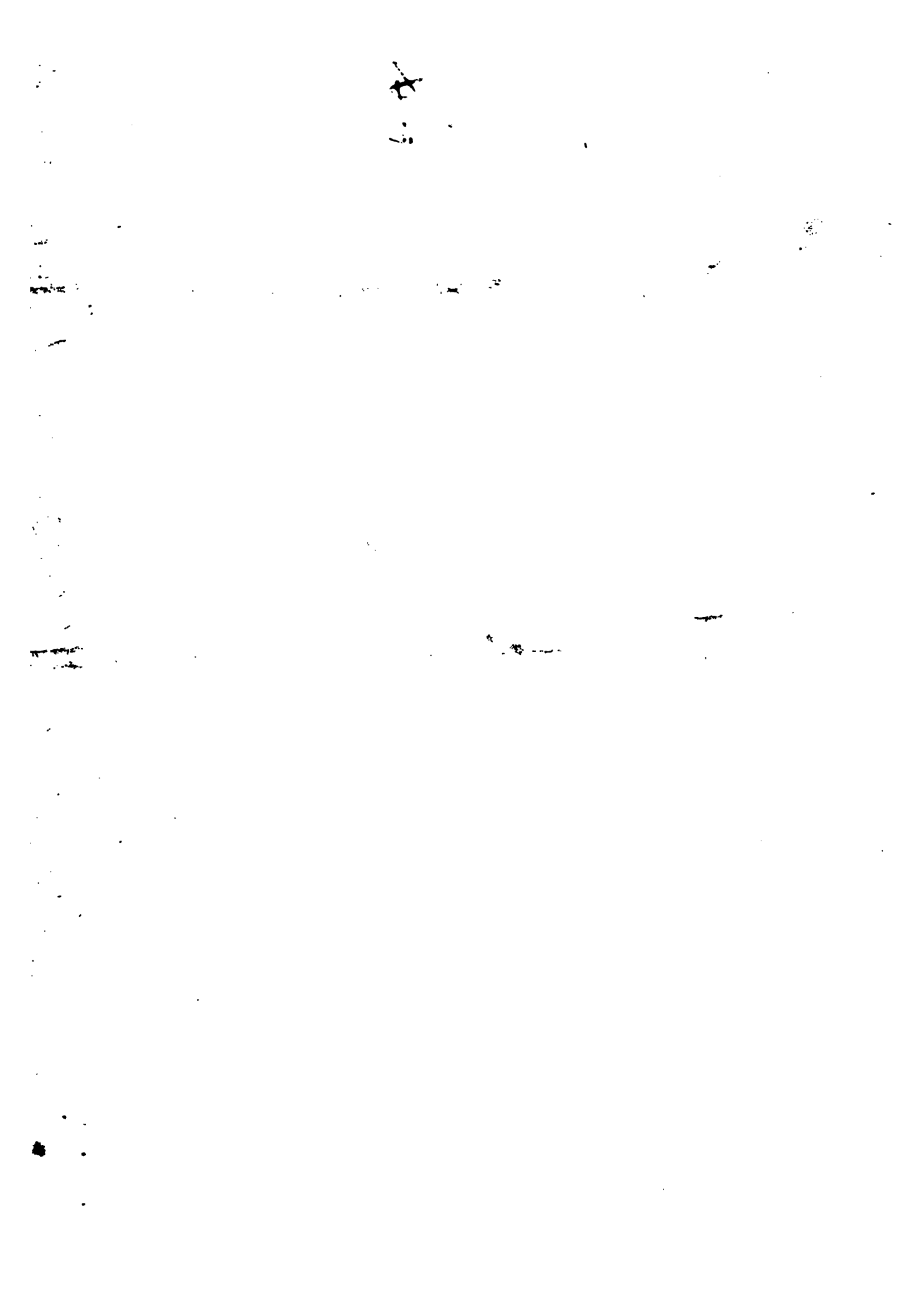
*FRIDAY, 27th May 1859.*

1. Minutes, &c.
2. Widows' Fund.
3. Overture anent New Lists for Widows' Fund.
4. Lay Association.
5. Report on Regulations for Induction of Ministers, and Over-  
tures on Benefices Acts.
6. Report on Sabbath Schools.
7. Report on Sabbath Observance.
8. Petition of James Wilson.

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*SATURDAY, 28th May 1859.*

1. Minutes, &c.
2. Report of Committee on Aids to Devotion.
3. Report of Home Mission Committee.
4. Report on Chapel Debts.
5. Report on Regulations anent Examination of Students of  
Divinity.
6. Report of Committee on Amalgamation of the Committee on  
Popery with the Home Mission Committee.
7. Overture on the Tricentenary of the Reformation.
8. Report on Gaelic Scriptures.
9. Report of Committee on Gaelic Preaching.



# Church of Scotland.

## GENERAL ASSEMBLY.

### ROLL OF BUSINESS:

MONDAY, 30th May 1859.

1. Minutes, &c.
2. Act appointing Collections for Schemes.
3. Committee for Managing Royal Bounty to be appointed.
4. Petition—Presbytery of Uist respecting the *status* of the Presentee to Trumisgarry.
5. Reference from Presbytery of Edinburgh with respect to the Ordination of Mr Alex. Walker.
6. Overture anent Admission of Students of Divinity who have attended Universities in England.
7. Report of Committee on British Guiana.
8. Appeal against Judgment of Synod of Lothian and Tweeddale in the Currie case.
9. Report on Sabbath Schools.
10. Report on Sabbath Observance.
11. Petition of James Wilson.
12. Report of Committee to confer with Dr Robertson.
13. Report of Endowment Committee.
14. Report of Endowment Committee on Constitutions.
15. Overture anent Mode of Taking the Vote.
16. Overtures anent the Administration of the Sacraments.
17. Overtures anent Universities Act.
18. Report of Committee on Regulations for the Induction of Ministers.
19. Overture anent Assistance to Aged and Infirm Ministers in Discharge of their Ministerial Duties.
20. Report of Committee on Hymns.
21. Report of Joint Committee on the Schemes.
22. Report of Committee on References as to Students of Divinity from Dissenting Bodies.

23. Overtures on Schoolmasters' Formula.
24. Report on Parisian Mission.
25. Report from Finance Committee.
26. Report of Committee on Revising Constitutions.
27. Report of Committee for Accommodation for Records of the Assembly.
28. Report of Committee on Accommodation of the Assembly.
29. Report of the Committee on the Ordering of the House and its Doorkeepers.
30. Report of Committee on the Records of the Church.
31. Report of Committee of last Assembly on Petition of Rev. R. O. Young.
32. Report of Committee on Sale of Patronages during Vacancies.
33. Report of Committee on West Church, Inverness.
34. Report of Committee on Gorbals Church.
35. Report of Committee on Dundee Churches.
36. Report of Committee on Standing Orders.
37. Report of Committee on the MSS. of the Church and Library.
38. Report of Committee on Feuing of Glebes.
39. Report of Committee on Admission of Professors to Lay Chairs, and on the Improvement of Universities.
40. Report of Committee on Unexhausted Teinds.
41. Report of Committee on Correspondence with Synod in England.
42. Report of Committee on Parliamentary Manses.
43. Report of Committee on Removal of Difficulties under Act for Disjoining Parishes.
44. Report of Committee for appropriating a portion of Stipends of Suspended Ministers.
45. Overtures not disposed of to be deferred.
46. Protestations to be called for:
47. Committee to Review Minutes to be appointed.
48. Commission of Assembly to be appointed.
49. Act appointing next Meeting of Assembly.
50. Conclusion.

OVERTURE  
OF  
THE PRESBYTERY OF GARIOCH,  
IN ANENT THE  
SCOTCH UNIVERSITIES' ACTS OF 1853 AND 1858,  
TO THE VENERABLE THE GENERAL ASSEMBLY, 1859.

Whereas by the Act of Security and Treaty of Union, it was provided that all Principals and Professors within the Universities and Colleges of Scotland, shall, for the greater security of the Protestant faith, and of the Established Presbyterian Church, before or at their admission, acknowledge, and profess, and subscribe, the Confession of Faith, as the confession of their faith, and that they would practise and conform themselves to the worship presently in use in this Church, and submit themselves to the government and discipline thereof:

And Whereas the Act 16 and 17 Victoria, C. 89,—in manifest violation and disregard of the aforesaid National Compacts, abrogated all these much-prized securities, except in the case of the Professors of Divinity, and of the Principals in the Universities of Glasgow, Aberdeen, and Edinburgh, and substituted for them a merely negative declaration, which can with impunity be easily evaded:

And Whereas the Act 21, 22 Vict., passed during 1858, made an additional inroad on the rights and privileges of this Church, by secularizing the Office of Principal in the Universities of Glasgow, Aberdeen, and Edinburgh, and thus severed the last constitutional bond of connection between the Established Church and the higher Education of Scotland:—*It is humbly overtured* by the Presbytery of Garioch: That the Venerable Assembly of the Church of Scotland take the said Acts of 16, 17, and 21, 22, of Queen Victoria, into their most deliberate consideration, with a view of claiming from Parliament, a restitution of those rights and privileges of which the Church of Scotland has been despoiled, in violation of the most solemn international Compacts ever entered into between two independent Nations, the terms of which provided unalterably, that all pertaining to the security of the Protestant Faith, and the Established Presbyterian Church should be reserved, and held to be beyond the competency of the Federal Legislature to intermeddle with or even consider. Should this appeal to the justice of Parliament be unsuccessful,—It is further overtured: That the General Assembly, solemnly protesting against the wrongs which the Church has sustained, shall take such measures, as to its wisdom may seem most proper, for securing that the youth belonging to her Communion may be committed to the training and superintendence of such Professors only, on whose soundness in the Protestant Faith, and good affection to the principles and government of the Church of Scotland, full reliance may be placed.



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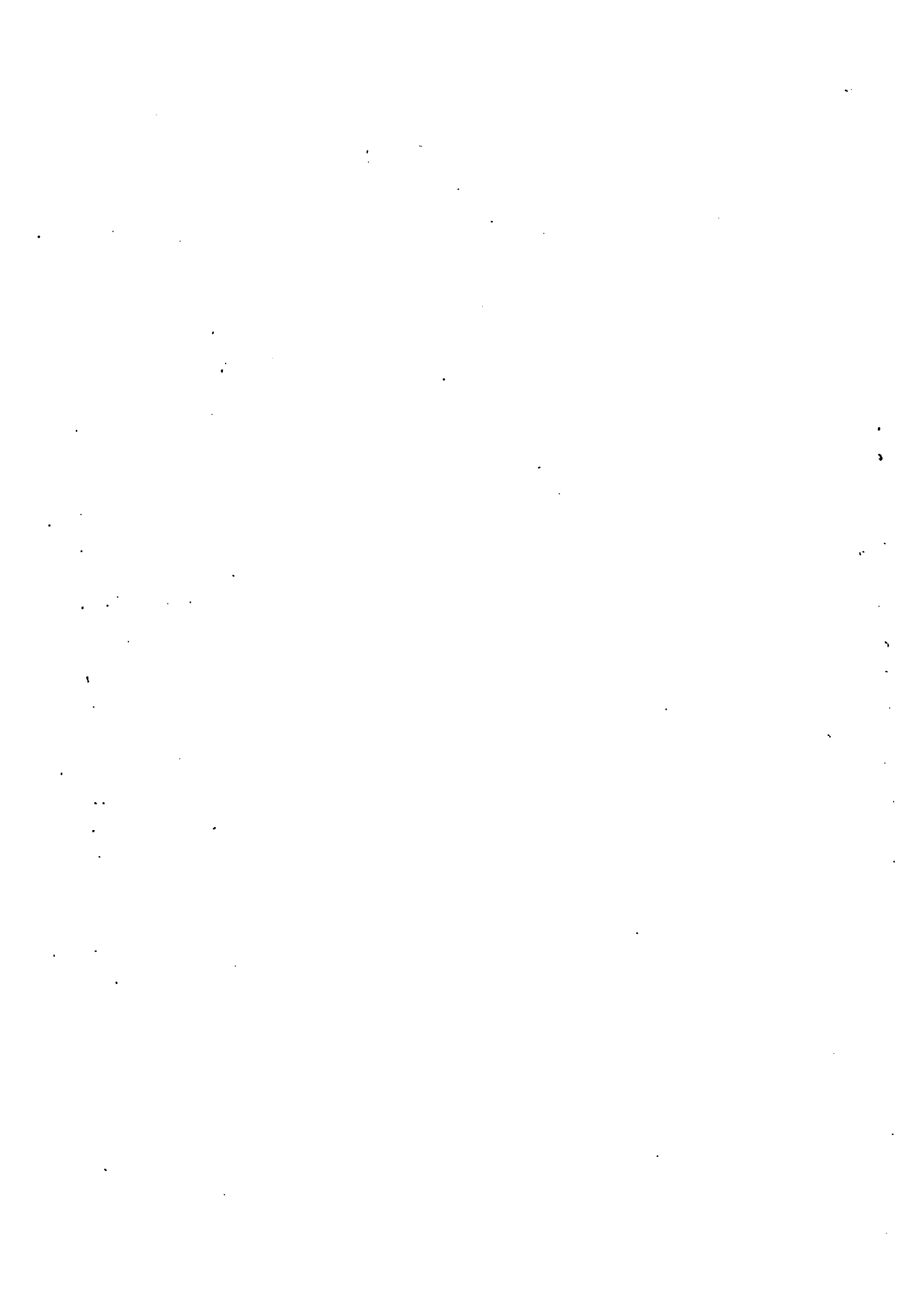
**OVERTURE**  
OF  
**THE PRESBYTERY OF TURRIFF,**  
ANENT THE  
**SCOTCH UNIVERSITIES' ACTS OF 1853 AND 1858,**  
TO THE VENERABLE THE GENERAL ASSEMBLY, 1859.

“Whereas by the Act of Security and Treaty of Union, it was provided that all Principals and Professors within the Universities and Colleges of Scotland, shall, for the greater security of the Protestant faith, and of the Established Presbyterian Church, before or at their admission, acknowledge, and profess, and subscribe, the Confession of Faith, as the confession of their faith, and that they would practise and conform themselves to the worship presently in use in this Church, and submit themselves to the government and discipline thereof:

“And Whereas the Act 16 and 17 Victoria, C. 89,—in manifest violation and disregard of the aforesaid National Compacts, abrogated all these much-prized securities, except in the case of the Professors of Divinity, and of the Principals in the Universities of Glasgow, Aberdeen, and Edinburgh, and substituted for them a merely negative declaration, which can with impunity be easily evaded:

“And Whereas the Act 21, 22 Vict., passed during 1858, made an additional inroad on the rights and privileges of this Church, by secularizing the Office of Principal in the Universities of Glasgow, Aberdeen, and Edinburgh, and thus severed the last constitutional bond of connection between the Established Church and the higher Education of Scotland:—It is humbly overtured by the Presbytery of Turriff: That the Venerable Assembly of the Church of Scotland take the said Acts of 16, 17, and 21, 22, of Queen Victoria, into their most deliberate consideration, with a view of claiming from Parliament, a restitution of those rights and privileges of which the Church of Scotland has been despoiled, in violation of the most solemn international Compacts ever entered into between two independent Nations.

“Should this appeal to the justice of Parliament be unsuccessful,—It is further overtured: That the General Assembly, *solemnly protesting* against the wrongs which the Church has sustained, shall take such measures, as to its wisdom may seem most proper, for securing that the youth belonging to her Communion may be committed to the training and superintendence of such Professors only, on whose soundness in the Protestant Faith, and good affection to the principles and government of the Church of Scotland, full reliance may be placed.”







# OVERTURE

FROM THE SYNOD OF MERSE AND TEVIOTDALE

TO

THE GENERAL ASSEMBLY ANENT THE UNIVERSITIES  
OF SCOTLAND.

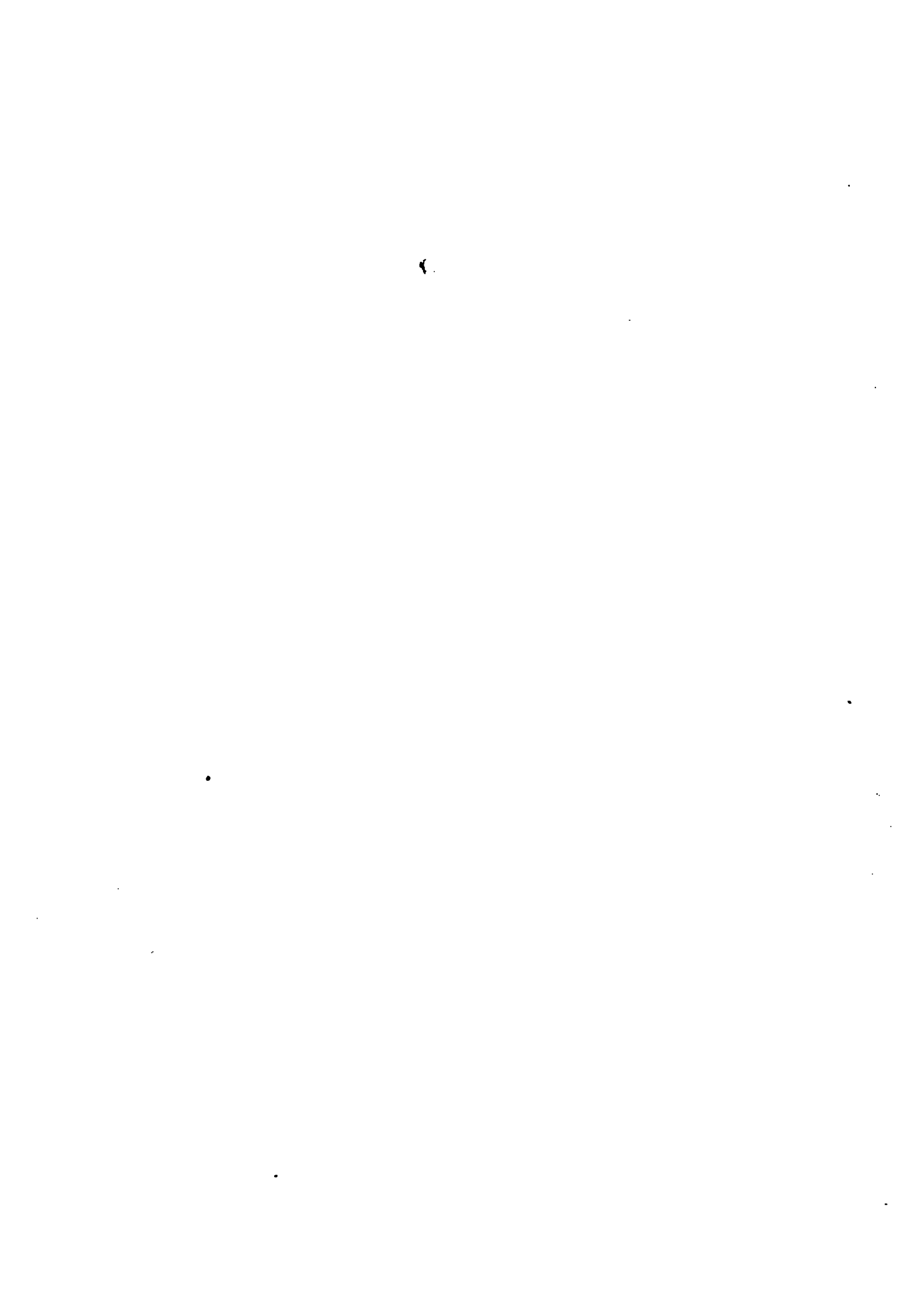
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At KEILSO, the twenty-sixth of April, One thousand eight hundred and fifty-nine years, the Synod of Merse and Teviotdale met and was constituted.— *Inter alia*, it was agreed to transmit the following Overture :—

“WHEREAS certain recent Legislative enactments have greatly altered the constitution of the Universities of Scotland, it is humbly Overtured to the ensuing General Assembly to take into serious consideration the present relation between these Universities and the Church.”

Extracted from the Records of the Synod of Merse and Teviotdale, by

ADAM GOURLAY, Cl. Syn. Prov.



## OVERTURE

OF

## THE PRESBYTERY OF ALFORD,

ANENT THE

## SCOTCH UNIVERSITIES' ACTS OF 1853 AND 1858,

TO THE VENERABLE THE GENERAL ASSEMBLY, 1859.

At BRIDGE of ALFORD, the Sixth day of May, One Thousand Eight Hundred and Fifty-nine years, The PRESBYTERY OF ALFORD being met and constituted. Sederunt, &c.

*Inter alia*—The following Overture anent the Scotch Universities' Acts of 1853 and 1858, was given in and read :—The tenor follows :

“Whereas by the Act of Security and Treaty of Union, it was provided that all Principals and Professors within the Universities and Colleges of Scotland, shall, for the greater security of the Protestant faith, and of the Established Presbyterian Church, before or at their admission, acknowledge, and profess, and subscribe, the Confession of Faith, as the confession of their faith, and that they would practise and conform themselves to the worship presently in use in this Church, and submit themselves to the government and discipline thereof :

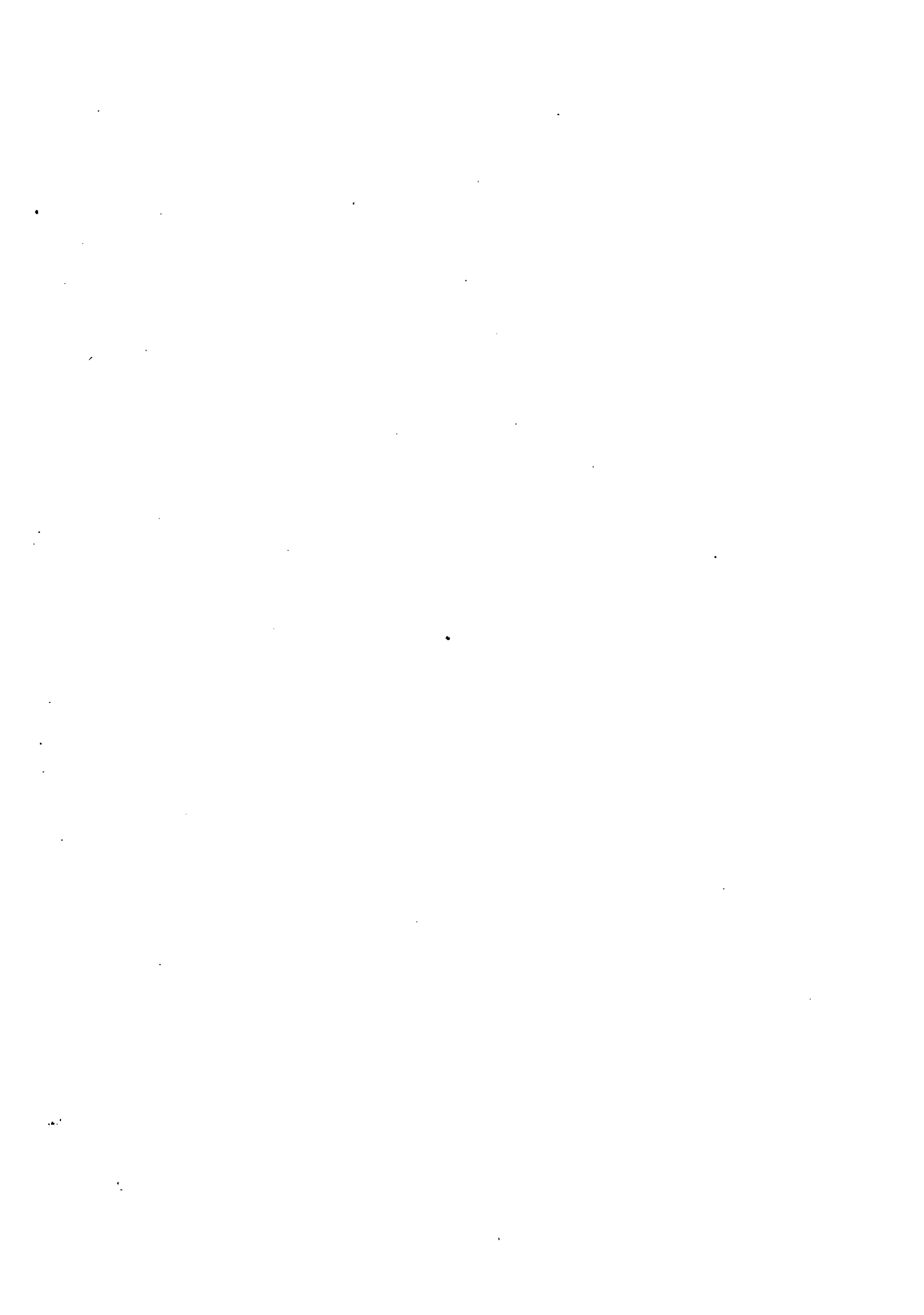
And Whereas the Act 16 and 17 Victoria, C. 89,—in manifest violation and disregard of the aforesaid National Compacts, abrogated all these much-prized securities, except in the case of the Professors of Divinity, and of the Principals in the Universities of Glasgow, Aberdeen, and Edinburgh, and substituted for them a merely negative declaration, which can with impunity be easily evaded :

And Whereas the Act 21, 22 Vict., passed during 1858, made an additional inroad on the rights and privileges of this Church, by secularizing the Office of Principal in the Universities of Glasgow, Aberdeen, and Edinburgh, and thus severed the last constitutional bond of connection between the Established Church and the higher Education of Scotland :—*It is humbly overtured* by the Presbytery of Alford : That the Venerable Assembly of the Church of Scotland take the said Acts of 16, 17, and 21, 22, of Queen Victoria, into their most deliberate consideration, with a view of claiming from Parliament, a restitution of those rights and privileges of which the Church of Scotland has been despoiled, in violation of the most solemn international Compacts ever entered into between two independent Nations, the terms of which provided unalterably, that all pertaining to the security of the Protestant Faith, and the Established Presbyterian Church should be reserved, and held to be beyond the competency of the Federal Legislature to intermeddle with or even consider. Should this appeal to the justice of Parliament be unsuccessful,—It is further overtured : That the General Assembly, solemnly protesting against the wrongs which the Church has sustained, shall take such measures, as to its wisdom may seem most proper, for securing that the youth belonging to her Communion may be committed to the training and superintendence of such Professors only, on whose soundness in the Protestant Faith, and good affection to the principles and government of the Church of Scotland, full reliance may be placed.”

The Presbytery unanimously approve of said Overture, and order it to be transmitted to the ensuing General Assembly.

Extracted from the Records of the Presbytery of Alford, this 7th day of May, 1859, by

HUGH M'CONNACH, *Pby. Clk.*



MAY 1859.

In the General Assembly.

10

# OVERTURE

TO

THE VENERABLE THE GENERAL ASSEMBLY OF  
THE CHURCH OF SCOTLAND,

Indicted to meet at Edinburgh, 19th May 1859,

FROM THE

SYNOD OF ORKNEY,

ANENT

THEOLOGICAL TRAINING.

At Kirkwall, the Eighteenth day of August, Eighteen hundred and fifty-eight years, which day the Synod of Orkney being met and constituted,—*Inter alia*, it was moved, seconded, and unanimously agreed to, that the following Overture be transmitted to the General Assembly:—

**W**HEREAS it is of the utmost importance to the interests of religion and the welfare of the people, that the young men who are training for the office of the ministry should, during the whole course of their literary and philosophic, as well as theological studies at the University, be under the teaching and superintendence of men sound in the faith, and unblamable in conduct: And WHEREAS the security formerly provided for the religious character of the Professors of Literature and Philosophy, and of the Principals of the Colleges and Universities of Scotland,

with the exception of the Principal of St. Mary's College, in St. Andrews, has been done away: And WHEREAS, in regard to the Theological Professorships, there is in many cases no such provision of income as to induce Members of the Church, best qualified for the work, to accept appointments to such Professorships:— It is humbly Overtured by the Synod of Orkney to the ensuing General Assembly, that the General Assembly take the premises under their most serious consideration, and adopt such measures as shall to them appear to be best fitted for securing, that young men training for the office of the ministry shall not, in the course of their literary and philosophic studies, be exposed to teaching in the course of which the sacred truths and duties of religion shall be treated with irreverence or disrespect; and that for the Theological Professorships, such provision shall be made as shall make appointments desirable to Ministers of the Church best qualified for the office.

Extracted, on this and the preceding page, from the  
Records of the Synod of Orkney, by

(Signed) WILLIAM SPARK, *Syn. Clk.*

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O V E R T U R E  
OF  
THE PRESBYTERY OF ALFORD,  
ANENT THE  
REPORT OF THE MINISTERS' WIDOWS' FUND,  
TO THE VENERABLE THE GENERAL ASSEMBLY.

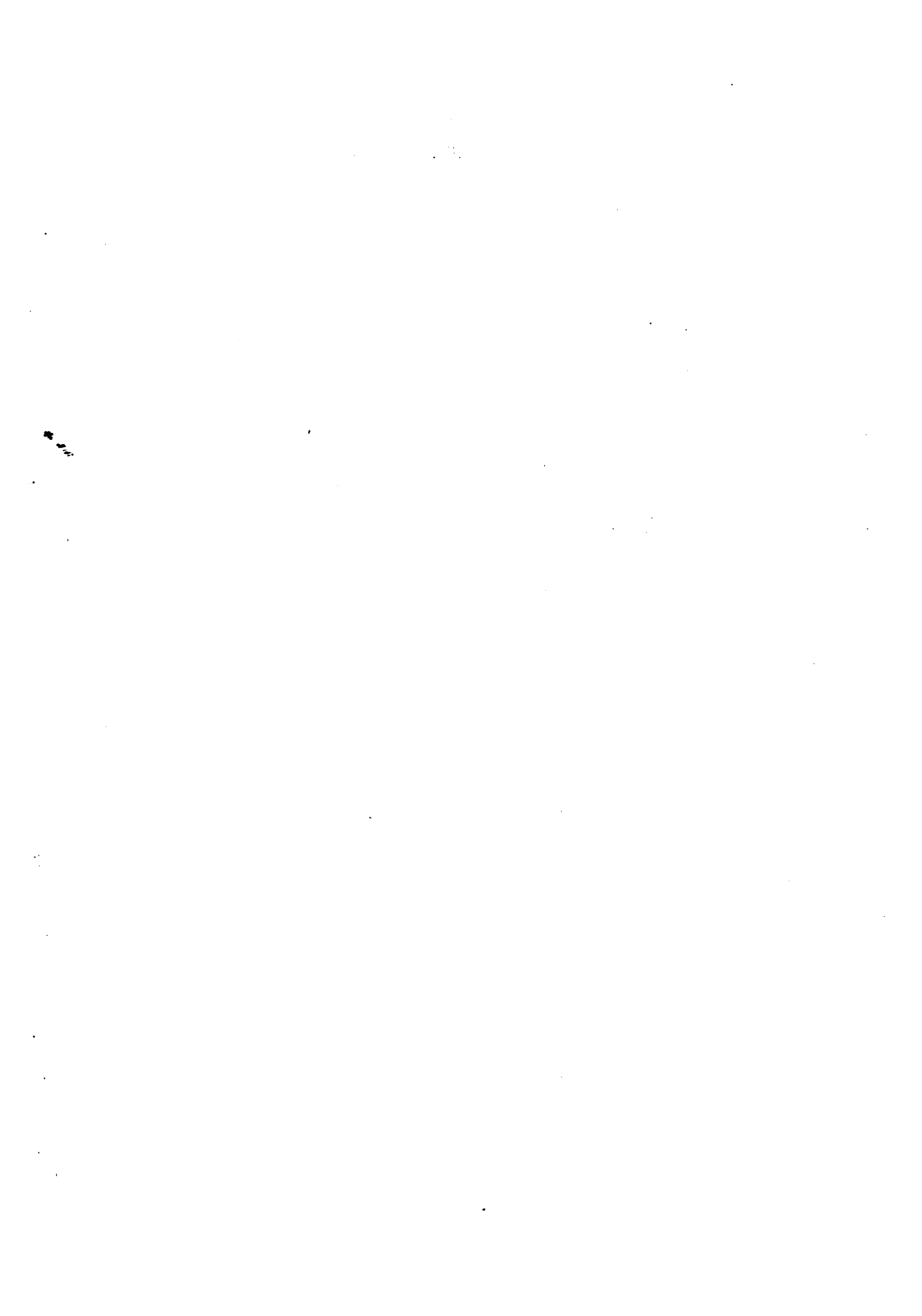
At BRIDGE of ALFORD, the Sixth day of May, One Thousand Eight Hundred and  
Fifty-nine years, The PRESBYTERY OF ALFORD being met and constituted.  
Sederunt, &c.

*Inter alia*—Thereafter the following Overture anent the Report of the Ministers' Widows' Fund was given in, and approved of, and ordered to be transmitted to the General Assembly :

“ It is humbly overtured by the Rev. the Presbytery of Alford to the Venerable the General Assembly of the Church of Scotland, indicted to meet at Edinburgh on THURSDAY the 19th May instant—That the General Assembly instruct their Clerk to the Widows' Fund to draw up a short abstract of the various Acts of Parliament relative to the said Fund—the different conditions specified on which the Representatives of deceased Members are entitled to participate in its benefits.—*And moreover*, that he, the Clerk, publish annually a statement regarding said Fund, similar to that published by the Clerk of the “ Schoolmasters' Widows' Fund ”—or a statement in its various details equally minute—and forward annually to each Minister of the Church of Scotland, and Professor in the different Universities who are connected with said Fund, a copy of the state of the Fund, drawn up as directed.”

Extracted from the Records of the Presbytery of Alford, this 7th day of  
May, 1859, by

HUGH M'CONNACH, *Pby. Clk.*





*May 1859.*

IN THE GENERAL ASSEMBLY.

## OVERTURE

FROM

THE PRESBYTERY OF SKYE,

ANENT

THE SETTLEMENT OF PRESENTEES.

*April 7th, 1859.*

**W**HEREAS it is of the greatest importance to the prosperity of the Church of Scotland to secure the settlement of suitable and acceptable Presentees; and whereas distinct laws, clear and comprehensive regulations, are essential to the accomplishment of this end; and whereas protracted and vexatious settlements, accompanied by very expensive litigations, have taken place under the provisions of the Benefices Act of 1843, "An Act to remove doubts respecting the admission of Ministers to Benefices in that part of the United Kingdom called Scotland:" It is humbly overtured by the Presbytery of Skye to the Venerable the General Assembly, that steps be taken for placing the provisions of the said Act in a more definite form, and for framing such regulations as will promote the peace and comfort of the Church, and clearly exhibit and fully preserve the rights of the Christian people in the settlement of Ministers.

HUGH MACARTHUR, *Moderator, P.T.*  
JOHN LAMONT, *Presbytery Clerk.*

Given in on the 7th of April 1859.

J. LAMONT, *Clerk.*



MAY 1859.

In the General Assembly.

1/3

# OVERTURE

TO

THE VENERABLE THE GENERAL ASSEMBLY OF  
THE CHURCH OF SCOTLAND,

Indicted to meet at Edinburgh, 19th May 1859,

FROM THE

PRESBYTERY OF WEEM,

ANENT

THE SCOTTISH BENEFICES ACT.

At Weem, the Twenty-seventh day of April, Eighteen hundred and fifty-nine years, which day the Presbytery of Weem met, conform to adjournment, and was duly constituted,

*Inter alia*,—A Deputation appeared, and laid on the table a Petition, that the Presbytery might be pleased to pray that the General Assembly may take steps, in co-operation with the Patrons of Church Livings, and of other influential members of the community, to have the Scottish Benefices Act, commonly called Lord Aberdeen's Act, altered and remodelled by the Legislature, or such other measures enacted as may put an end to the grievances which have occurred under its operation. The Presbytery unanimously agreed to receive this Petition; and the following Overture was adopted, and without a vote agreed to be transmitted to the General Assembly:—

‘ **T**HE Presbytery of Weem, desiring sincerely the welfare, peace, and preservation of the Church of Scotland, are fully

PATON AND RITCHIE, Printers, Edinburgh.

‘ persuaded that it is essential to the promotion of these objects,  
‘ that the Presentees to vacant Charges be found not only com-  
‘ petently qualified according to the existing laws of the Church,  
‘ but, moreover, decidedly acceptable to the flocks over which they  
‘ are to act as overseers ; and being besides taught by experience  
‘ that the Scottish Benefices Act, commonly called Lord Aber-  
‘ deen’s Act, much as it may appear to be in favour of the people  
‘ in the ample opportunity which it affords for tendering objec-  
‘ tions, has nevertheless not served the purposes of its enactment,  
‘ but, on the contrary, has been in many instances the vexatious  
‘ occasion of a great deal of delay, expense, and uncertainty, alike  
‘ to Presentee, people, and Presbytery ; therefore the Presbytery  
‘ of Weem humbly but most earnestly Overture the General As-  
‘ sembly, that that Venerable Court may be pleased to take the  
‘ same into their serious consideration ; and, if they see meet, to  
‘ take steps to have the foresaid Act so altered and remodelled,  
‘ that an end may be put to the grievances which have occurred  
‘ under its operation.’

Extracted from the Records of the Presbytery of Weem,  
by

ALEXR. CAMPBELL, *Presb. Clk.*

In the General Assembly.

May 1859.

14

# O V E R T U R E

ANENT

## THE SETTLEMENT OF MINISTERS UNDER THE SCOTTISH BENEFICES ACT.

At Glasgow, the fourth day of May, eighteen hundred  
and fifty-nine years,—

**W**HICH day the Presbytery of Glasgow being met and con-  
stituted, *inter alia*,—

It was moved, seconded, and agreed to transmit the following  
Overture anent the Settlement of Ministers under the Scottish  
Benefices Act to the ensuing meeting of the General Assembly,  
namely :—

‘ WHEREAS unacceptable settlements have taken place under  
‘ the Scottish Benefices Act ; and, whereas, it is desirable to pre-  
‘ vent as much as possible the recurrence of such settlements,—  
‘ *It is humbly Overtured* by the Reverend the Presbytery of Glas-  
‘ gow to the Venerable the General Assembly, indited to meet at  
‘ Edinburgh the nineteenth day of this current month of May, that  
‘ the Assembly take the whole subject of the collation of Ministers  
‘ under their most serious consideration, with the view of devising  
‘ an effectual remedy for the evils complained of in all time coming.’

Extracted from the Records of the Presbytery of Glas-  
gow, by

JAMES SMITH, P.C.

11

12

MAY 1859.  
In the General Assembly.

15

# OVERTURE

TO

THE VENERABLE THE GENERAL ASSEMBLY OF  
THE CHURCH OF SCOTLAND,

Indicted to meet at Edinburgh, 19th May 1859,

FROM THE

PRESBYTERY OF BRECHIN,

ANENT

THE COLLATION OF MINISTERS.

At Brechin, the Fourteenth day of April, One thousand eight hundred and fifty-nine years,—Which day the Presbytery of Brechin met and was constituted,—

*Inter alia*, the Presbytery took into consideration the Memorial from Lay Members of the Church of Scotland in reference to the Induction of Ministers. Satisfaction having been expressed at the interest evinced by the Lay Members in the welfare and prosperity of the Church of Scotland, it was moved, seconded, and unanimously agreed to, that the following Overture on this subject be transmitted to the ensuing General Assembly:—

‘ **W**HEREAS, under the working of the Scotch Benefices Act,  
‘ commonly called Lord Aberdeen’s Act, Ministers in some  
‘ cases have been settled in parishes contrary to the express wishes  
‘ of the Congregations, and in the face of numerous signed objec-  
‘ tions, whereby serious evils have arisen, to the detriment, as is

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‘ alleged, of the peace and prosperity of the National Church,—the  
 ‘ credit of her Office-bearers and Members,—the influence and dig-  
 ‘ nity of her Courts,—and the cause of Religion within her bounds :  
 ‘ —And WHEREAS much difference of opinion prevails through-  
 ‘ out the Church as to the origin of these evils,—whether they  
 ‘ are traceable directly to the Scotch Benefices Act itself, or to  
 ‘ the improper and unfair application of its provisions in the  
 ‘ working of it out:—It is humbly Overtured the Venerable the  
 ‘ General Assembly to take the whole subject of the Collation of  
 ‘ Ministers under their most serious consideration, with the view  
 ‘ of devising some speedy and effectual remedy for the evils  
 ‘ complained of, to whatsoever cause they may be justly attri-  
 ‘ butable.

Extracted from the Records of the Presbytery of Brechin,  
 by

ROBT. GRANT, *Pby. Clk.*



MAY 1859.

In the General Assembly.

16

# OVERTURE

TO

THE VENERABLE THE GENERAL ASSEMBLY OF  
THE CHURCH OF SCOTLAND,

Indicted to meet at Edinburgh, 19th May 1859,

FROM THE

PRESBYTERY OF GREENOCK,

ANENT

THE SETTLEMENT OF UNACCEPTABLE MINISTERS.

At Greenock, and in the West Parish Session-house, this Second day of February, One thousand eight hundred and fifty-nine years. This day the Presbytery of Greenock met, conform to appointment, and was constituted,—*Inter alia*,

**W**HEREAS the Church of Scotland has been established and is upheld for the religious and moral improvement of the people: And **W**HEREAS the settlement of unacceptable ministers in parishes is calculated to prevent such improvement: And **W**HEREAS several cases of these have taken place under the Benefices Act:—It is humbly Overtured to the Venerable the General Assembly of the Church, to take the matter into serious consideration, with the view to such an application to the Legislature for

an amendment of the Act, as will in future give effect to the principle of non-intrusion in its fullest extent.

The Sederunt closed with prayer.

Extracted from the Records of the Presbytery of Greenock, this Fifth day of May, One thousand eight hundred and fifty-nine years, by

JAMES HUTCHESON, *Presb. Clk.*

MAY 1859.  
In the General Assembly.

17

# OVERTURE

TO

THE VENERABLE THE GENERAL ASSEMBLY OF  
THE CHURCH OF SCOTLAND,

Indicted to meet at Edinburgh, 19th May 1859,

FROM THE

PRESBYTERY OF DUNKELD,

ANENT

THE SETTLEMENT OF ACCEPTABLE MINISTERS  
IN VACANT BENEFICES.

At Dunkeld, the Twenty-ninth day of March, One thousand eight hundred and fifty-nine years, which day the Presbytery of Dunkeld, being met and constituted, did, *inter alia*, agree to Overture the General Assembly as follows:—

**W**HEREAS the settlement of acceptable ministers in vacant benefices is necessary to the peace and prosperity of the Church: And **W**HEREAS the Act 6 and 7 Vict., cap. 61, commonly called Lord Aberdeen's Act, has been found not in all cases to conduce to this most desirable end: And **W**HEREAS the right of objecting to presentees, conferred by that Act on the parishioners, is hampered with conditions that make its exercise expensive and dilatory, as well as uncertain in its results:—It is humbly Overtured by the Presbytery of Dunkeld, to the Venerable

the General Assembly, to take steps, in co-operation with the Patrons of Benefices, to obtain such a legislative change in said Act as will prevent the evils that have been found to arise under its operation.

Extracted from the Records of the Presbytery of Dun-  
keld, by

THO. C. WILSON, *Presb. Clk.*

18

MAY 1859.

In the General Assembly.

# OVERTURE

TO

THE VENERABLE THE GENERAL ASSEMBLY OF  
THE CHURCH OF SCOTLAND,

Indicted to meet at Edinburgh, 19th May 1859,

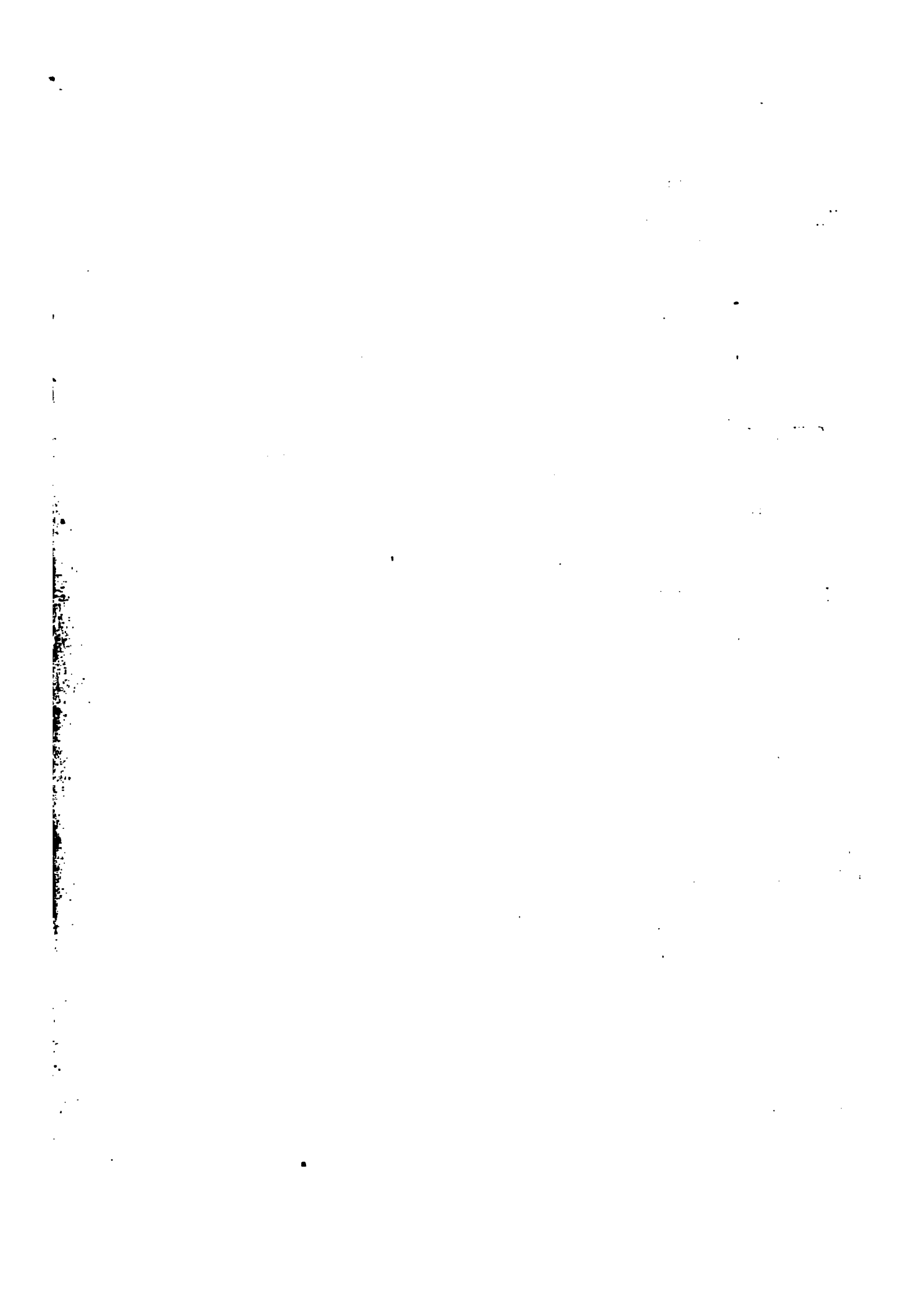
ANENT

REGULATIONS ON THE INDUCTION OF MINISTERS.

ASSEMBLY HALL, 21st May 1859.

**W**HEREAS, under the Regulations of Assembly 1856, for the working out of the Scotch Benefices Act, the Call cannot be proceeded on if the Objections offered to a Presentee under the Act are sustained as relevant, and found proved by the Presbytery acting judicially between the Presentee and the Objectors:—It is humbly Overtured to the Assembly, that henceforth Presbyteries be instructed to ask for Objections, and if any are offered, judicially to dispose of the same before any steps are taken in the Moderating of a Call.

(Signed) JAMES BRYCE, D.D.  
THOMAS BARCLAY, D.D.  
JAMES GILLAN, of Alford.



MAY 1859.

In the General Assembly.

# OVERTURE

TO

THE VENERABLE THE GENERAL ASSEMBLY OF  
THE CHURCH OF SCOTLAND,

Indicted to meet at Edinburgh, 19th May 1859,

FROM THE

PRESBYTERY OF ABERTARFF,

PRESENT

THE SCOTTISH BENEFICES ACT.

At Fort-Augustus, the Fourth day of May, Eighteen hundred and fifty-nine years, which day the Presbytery of Abertarff met according to adjournment, and being constituted,—

*Inter alia*,—The Presbytery agreed to transmit the following Overture to the ensuing General Assembly :—

**T**HE Presbytery, highly valuing the Scotch Benefices Act as an explicit declaratory enactment, freeing from all doubt the established law of the Church which prohibits the settlement of any minister against whom just cause of objection exists; disapproving, in present circumstances, of applying to the Legislature to alter the provisions thereof; and regretting that this excellent law has hitherto been impeded in its operations by the Form of Process used for carrying it into effect—a form which is cumbrous, dilatory, and expensive :—Respectfully Overture the Venerable the General Assembly, to simplify and expedite

the procedure for carrying out the objects of the said Statute, and particularly to shorten the form of cognoseing objections taken against Presentees, and to make such regulations as the Assembly may consider adequate for these purposes.

Extracted from the Records of the Presbytery of Aber-  
tarff, by  
(Signed) COLIN M'KENZIE, *Presb. Clk.*



MAY 1859.

20

In the General Assembly.

# OVERTURE

TO

THE VENERABLE THE GENERAL ASSEMBLY OF  
THE CHURCH OF SCOTLAND,

Indicted to meet at Edinburgh, 19th May 1859,

FROM THE

PRESBYTERY OF KIRKCALDY,

RELATIVE TO

THE CONDUCTING OF PUBLIC WORSHIP.

At Kirkcaldy, the Fourth day of May, Eighteen hundred and fifty-nine years, the which day the Presbytery of Kirkcaldy met and was constituted,—*Inter alia*, it was resolved, by a majority of five to four, to transmit to the Venerable the General Assembly the following Overture, viz. :—

**W**HEREAS it is proper and for edification, that the exercises of public worship in all congregations throughout the Church should be conducted in conformity with the 'Directory for the Public Worship of God,' agreed to and approved by the General Assembly 1645, and which was also ratified and approved by Act of Parliament of the same year: And WHEREAS a departure, in many respects, from the order of said Directory has for some time past generally prevailed in practice:—It is humbly Overtured by the Presbytery of Kirkcaldy, to the Venerable the

General Assembly, that they do, of new, 'require, decern, and ordain, that according to the plain tenor and meaning of the said Directory, and the intent of the preface thereof, it be carefully and uniformly observed and practised by all the ministers and others within this kingdom, whom it doth concern : ' and not only so, but for the more effectual accomplishing of this, and by way of publishing a Declaratory Act on the same, that a tabular form be prepared and issued, setting forth the various parts of public worship *in the order and according to the manner* in which they ought to be punctually observed and practised in all congregations throughout the Church.

Extracted from the Records of the Presbytery of Kirkcaldy, by

JOHN WILSON, *Presb. Clk.*

21

# OVERTURE

TO

THE VENERABLE THE GENERAL ASSEMBLY OF THE  
CHURCH OF SCOTLAND,

INDICTED TO MEET AT EDINBURGH, 19TH MAY 1859,

FROM THE

SYNOD OF MERSE AND TEVIOTDALE ANENT  
INNOVATIONS IN PUBLIC WORSHIP.

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At KELSO, the twenty-sixth of October, One thousand eight hundred and fifty-eight years, which day the Provincial Synod of Merse and Teviotdale met and was constituted.—*Inter alia*, it was resolved to transmit to the Venerable the General Assembly the following Overture, viz. :—

“ WHEREAS it appears from the decision of last General Assembly, on the Overtures anent Public Worship, that the General Assembly have enjoined Presbyteries to inquire into the existence of innovations in Public Worship, only “ when such innovations are represented to them as having taken place,” it is humbly overtured to the ensuing General Assembly to require each Presbytery, to see that the Uniformity of Public Worship be maintained within its bounds.”

Extracted from the Records of the Synod of Merse and Teviotdale, by

ADAM GOURLAY, Cl. Syn. Prov.

‘ Rights and Privileges of the Church in its relation to the Uni-  
‘ versities of Scotland,—*It is humbly Overtured*, by the Reverend  
‘ the Presbytery of Glasgow, to the Venerable the General  
‘ Assembly, indited to meet at Edinburgh on the nineteenth day  
‘ of this present month of May, that the foresaid Clause be taken  
‘ into consideration by the Venerable Assembly, and such mea-  
‘ sures be adopted in reference to it as the wisdom of the Assembly  
‘ shall deem most expedient.

Extracted from the Records of the Presbytery of  
Glasgow, by

JAMES SMITH, P.C.

MAY 1859.

In the General Assembly.

23

# OVERTURE

TO

THE VENERABLE THE GENERAL ASSEMBLY OF  
THE CHURCH OF SCOTLAND,

Indicted to meet at Edinburgh, 19th May 1859,

FROM THE

PRESBYTERY OF PEEBLES,

ANENT

PRINCIPALS IN UNIVERSITIES.

At Peebles, the Sixteenth day of March, One thousand eight hundred and fifty-nine, which day the Presbytery of Peebles met, and was constituted,—

*Inter alia*, it was moved, seconded, and unanimously agreed to, that the following Overture should be transmitted to the ensuing General Assembly:—

‘ **W**HEREAS it is enacted, in the third clause of the Act 21 and 22 Victoria, cap. 83, entitled “An Act to make provision for the better government and discipline of the Universities of Scotland, and for the union of the two Universities and Colleges of Aberdeen,” that the Principals in the Universities of Glasgow, Aberdeen, and Edinburgh, appointed in time to come, shall not, as such, be, or be deemed, Professors of Divinity; nor shall it be a valid objection to any person appointed to the office of Principal in any of the said Universities, that he is a Layman:

‘ And WHEREAS the aforesaid enactment, *especially when viewed in connection with that entire freedom from the religious inspection and control of the Church of Scotland, and from all religious inspection and control whatsoever, which has recently been conveyed to every Professor, except the Theological Professors in our Universities*, is a contradiction in terms to the very title of the Bill itself, and to the pious purposes of those by whom the Scottish Universities were founded :—It is humbly Overtured by the Presbytery of Peebles, to the General Assembly, that the past and present relation of the Church to the Universities be considered, and such measures adopted as the General Assembly may regard as best fitted to promote the interests both of Religion and of Education.’

Closed with prayer.

(Signed) Wm. WALKINSHAW, *Modr.*

Extracted from the Records of the Presbytery of Peebles,  
by

G. H. MONILAWS, *Presb. Clk.*

May 1859.

IN THE GENERAL ASSEMBLY.

24

## OVERTURE

BY

THE PRESBYTERY OF DEER,

IN RELATION TO THE

EXAMINATION OF STUDENTS OF DIVINITY.

STRICHEN, 27th April 1859.

**W**HICH day the Presbytery of Deer being duly met and constituted,—Sederunt, the Rev. James Mitchell, Moderator; Messrs Welsh, Hume, Cock, Robb, Wilson, and Gray, Ministers; Messrs Anderson and Wilson, Elders; John Mitchell, Clerk, *pro tempore*.—*Inter alia*, It was unanimously resolved to transmit the following Overture to the ensuing General Assembly:—

That whereas there is a great diversity in the Subjects prescribed for the Examination of Students in Divinity by different Presbyteries, it is humbly overtured by the Presbytery of Deer, that the Venerable the General Assembly, indicted to meet at Edinburgh on Thursday the Nineteenth day of May next, in their wisdom appoint a Committee to draw up an uniform series of Subjects of Trial for the different years of attendance at the Divinity Hall.

Extracted from the Records of the Presbytery of Deer, this seventh day of May 1859, by

ALEX. IRVINE,  
*Clerk of Presbytery.*





MAY 1859.

In the General Assembly.

25

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## OVERTURE

TO

THE VENERABLE THE GENERAL ASSEMBLY OF  
THE CHURCH OF SCOTLAND

IN  
RESENTMENT

### SCHOOLMASTERS' FORMULA.

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At Cupar, the 10th day of May 1859. The Presbytery of Cupar being met and constituted, *inter alia*, it was unanimously resolved by the Presbytery to transmit the following Overture to the General Assembly :—

**W**HEREAS the taking of the Oaths to Government, and the Signing of the Formula on the part of all Parochial Schoolmasters previous to induction into office, as now practised in this Church, is a guarantee for the loyalty and religious character of every such Schoolmaster, which, from the earliest times, has been regarded as indispensable ;

And whereas attempts have been already made, and in all probability will be made again, to alter this arrangement by Parliamentary enactment, and even to render it illegal, on the part of the Church, to require any such guarantee for the loyalty and religious character of presentees to Parish Schools ;

And whereas, at the same time, it is well known that there are religious bodies in the land who, equally with the Established Church, adhere to the Westminster Confession of Faith and other Presbyterian standards, who have schools in connection with them, over which they exercise jurisdiction and superin-

tendence in the same way as is practised in the Establishment, and which schools it is possible the Legislature may see cause to endow, and in other respects to place on a level with the already existing Parish Schools ;

It is humbly overtured by the Presbytery of Cupar to the Venerable the ensuing General Assembly :—

1. That the General Assembly resist, in every way competent for them, the passing of any Act of Parliament designed to abrogate the above-named Oaths and Formula, and more especially instruct Presbyteries and their faithful people everywhere to use all proper and available means to induce the Legislature to abstain from all such legislation—the contemplated change being, in the opinion of this Church, subversive of Parochial order, hostile to the interests both of Church and State, destructive of the religious constitution of the Schools, and at variance with the true ends of a Christian and Protestant Education. But at the same time,

2. That the General Assembly frankly acknowledge the claims of other Presbyterian Bodies to have their schools endowed by the State, and placed in all respects on a similar footing with Parochial Schools ; provided always that the Teacher give a guarantee of his loyalty and religious character by taking the Oaths to Government and signing such a religious Formula, acknowledging the Westminster Standards, as may be satisfactory to the Presbyterian Body with which the School is connected, or which exercises jurisdiction over it.

Extracted from the Records of the Presbytery of Cupar, by

**JAMES ANDERSON, *Presbytery Clerk.***

MAY 1859.

In the General Assembly.

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OVERTURE 26

TO

THE VENERABLE THE GENERAL ASSEMBLY OF  
THE CHURCH OF SCOTLAND.

FROM

THE PRESBYTERY OF CUPAR,

IN

SALARIES OF PAROCHIAL SCHOOLMASTERS.

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At Cupar, the 10th day of May 1859 years ; which day the Presbytery of Cupar being met and constituted, *inter alia*, they agreed to transmit the following Overture to the ensuing General Assembly—viz. :—

**W**HEREAS it has been well known, from constant personal observation, that the Parish School System of Scotland is a model for effectiveness, while the salary of its masters is quite insufficient ;

And whereas it has been seen with what unanimity both of these statements have been reiterated by the most distinguished members of the Legislature of all shades of politics, as well as by the Heritors of Scotland, and indeed by all classes and denominations of our countrymen, and by not a few foreigners of literary and philanthropic eminence—The Presbytery of Cupar humbly overture the Venerable the General Assembly to peti-

tion both Houses of Parliament to pass an Act fixing the Salary of Schoolmasters at the minimum of fifty pounds sterling, or at such other sum as may be deemed to be adequate. The Presbytery enjoin their delegates to support said Overture in the Assembly.

Extracted from the Records of the Presbytery of  
Cupar, by

JAMES ANDERSON, *Presbytery Clerk.*

## OVERTURE

OF

## THE PRESBYTERY OF STRATHBOGIE,

ANENT THE

## SCOTCH UNIVERSITIES' ACTS OF 1853 AND 1858,

TO THE VENERABLE THE GENERAL ASSEMBLY, 1859.

“Whereas by the Act of Security and Treaty of Union, it was provided that all Principals and Professors within the Universities and Colleges of Scotland, shall, for the greater security of the Protestant faith, and of the Established Presbyterian Church, before or at their admission, acknowledge, and profess, and subscribe, the Confession of Faith, as the confession of their faith, and that they would practise and conform themselves to the worship presently in use in this Church, and submit themselves to the government and discipline thereof:

And Whereas the Act 16 and 17 Victoria, C. 89,—in manifest violation and disregard of the aforesaid National Compacts, abrogated all these much-prized securities, except in the case of the Professors of Divinity, and of the Principals in the Universities of Glasgow, Aberdeen, and Edinburgh, and substituted for them a merely negative declaration, which can with impunity be easily evaded:

And Whereas the Act 21, 22 Vict., passed during 1858, made an additional inroad on the rights and privileges of this Church, by secularizing the Office of Principal in the Universities of Glasgow, Aberdeen, and Edinburgh, and thus severed the last constitutional bond of connection between the Established Church and the higher Education of Scotland:—*It is humbly overtured* by the Presbytery of Strathbogie: That the Venerable Assembly of the Church of Scotland take the said Acts of 16, 17, and 21, 22, of Queen Victoria, into their most deliberate consideration, with a view of claiming from Parliament, a restitution of those rights and privileges of which the Church of Scotland has been despoiled, in violation of the most solemn international Compacts ever entered into between two independent Nations, the terms of which provided unalterably, that all pertaining to the security of the Protestant Faith, and the Established Presbyterian Church should be reserved, and held to be beyond the competency of the Federal Legislature to intermeddle with or even consider. Should this appeal to the justice of Parliament be unsuccessful,—It is further overtured: That the General Assembly, solemnly protesting against the wrongs which the Church has sustained, shall take such measures, as to its wisdom may seem most proper, for securing that the youth belonging to her Communion may be committed to the training and superintendence of such Professors only, on whose soundness in the Protestant Faith, and good affection to the principles and government of the Church of Scotland, full reliance may be placed.”

HUNTLY, May 4, 1859.—Extracted from the Records of the Presbytery of Strathbogie, of this date, by



MAY 1859.

28

In the General Assembly.

# OVERTURE

TO

THE VENERABLE THE GENERAL ASSEMBLY OF  
THE CHURCH OF SCOTLAND,

Indicted to meet at Edinburgh, 19th May 1859,

FROM THE

SYNOD OF ORKNEY,

ANENT

DEFUNCT PRESBYTERIES.

At Kirkwall, the Eighteenth day of August, Eighteen hundred and fifty-eight years, which day the Synod of Orkney being met and constituted,—*Inter alia*, it was unanimously resolved to transmit the following Overture to the General Assembly :—

**W**HEREAS “ a fixed constitution, well understood, is the “parent of peace and order :” And **W**HEREAS doubts exist on the vitally important question, as to whether or not it be constitutional and competent for the Members of a Presbytery that has become, in technical language, “defunct,” to revive it without the interposition of the Synod or General Assembly : **W**HEREAS entirely opposite doctrines are taught on this subject by different authorities of high name and position : And **W**HEREAS it is extremely desirable that no doubt should exist as to what is the proper mode of Ecclesiastical procedure in circumstances

that are of not unfrequent occurrence ; and that, when they do occur, give rise at present to much difficulty and embarrassment, and involve important consequences :—It is humbly Overtured by the Synod of Orkney, to the Venerable the General Assembly of the Church of Scotland, that the General Assembly take the premises into their serious consideration, and pass an Act to remove all doubts on this matter ; and do generally, in reference thereto, what to their wisdom may seem meet.

Extracted, on this and the preceding page, from the  
Records of the Synod of Orkney, by

(Signed) WILLIAM SPARK, *Syn. Clk.*



MAY 1859.

In the General Assembly.

28

# OVERTURE

TO

THE VENERABLE THE GENERAL ASSEMBLY OF  
THE CHURCH OF SCOTLAND,

Indicted to meet at Edinburgh, 19th May 1859,

FROM THE

PRESBYTERY OF PENPONT,

ANENT

SCHEDULES FOR SCHOOL STATISTICS.

At Penpont, the Third day of May, One Thousand eight hundred and fifty-nine years, which day the Presbytery of Penpont met and was constituted,—*Inter alia*, it was agreed to transmit the following Overture to the General Assembly, viz. :—

**W**HEREAS the Schedules now in use for obtaining School Statistics are of a nature too complex, and are not suited to obtain these correct returns which are so desirable,—It is humbly Overtured by the Presbytery of Penpont, to the Venerable the General Assembly, that they do take the same into their consideration, and so alter and amend them as to meet the wants of the case.

Sederunt closed with prayer.

Extracted from the Records of the Presbytery of Penpont, by

ROBERT NEWALL, *Presb. Clk.*



# OVERTURE

ANENT

## THE TRICENTENARY OF THE REFORMATION IN SCOTLAND.

At Glasgow, the fourth day of May Eighteen hundred  
and fifty-nine years,—

WHICH day the Presbytery of Glasgow being duly met and  
constituted, *inter alia*,—

It was moved, seconded, and agreed, to transmit the following  
Overture relating to the Tricentenary of the Reformation in Scot-  
land to the ensuing meeting of the General Assembly, namely:—

‘ WHEREAS the Tricentenary of the Reformation being estab-  
‘ lished in Scotland will occur in the year 1860; and whereas it  
‘ is desirable that the Members of this National Church should be  
‘ prepared to celebrate so remarkable an epoch in an appropriate  
‘ manner,—*It is humbly Overtured* by the Reverend the Presbytery  
‘ of Glasgow to the Venerable the General Assembly, indited to  
‘ meet at Edinburgh on the nineteenth day of this present month  
‘ of May, that a Committee be appointed to consider and report  
‘ to the General Assembly in 1860 how said Tricentenary may  
‘ be best, most devoutly, and most improvingly be observed; and  
‘ that power be given to said Committee to hold communication

‘ with other bodies of Christians, so that, if there shall be a dis-  
‘ position to act together on an occasion of such general concern,  
‘ the Protestants of Scotland may unite in showing the value which  
‘ they attach to the blessings of the Reformation, and their deter-  
‘ mination, with the help of God, to retain these blessings for  
‘ themselves, and transmit them to posterity.’

Extracted from the Records of the Presbytery of  
Glasgow, by

JAMES SMITH, *P.C.*

In the General Assembly.

May, 1859.

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# APPEAL

OF

THE REVEREND JAMES SMITH,

MINISTER OF GREYFRIARS PARISH IN ABERDEEN,

FROM A SENTENCE OF THE SYNOD OF ABERDEEN PRONOUNCED  
ON THE 13TH OF APRIL, 1859.

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*At Aberdeen, the Thirteenth day of April, One thousand Eight  
hundred and Fifty-nine years.*

On which day, the Provincial Synod of Aberdeen being met and constituted by prayer, *inter alia*, took up a Dissent and Complaint by the Reverend James Smith, Minister of Greyfriars Parish in Aberdeen, against a Deliverance of the Presbytery of Aberdeen, of date the Twenty-second day of February last, and thereupon called parties. Compeared for the Complainer, the said Reverend James Smith; for the Presbytery, the Reverend Dr. William Paul, Dr. William Robertson Pirie, and Dr. Robert Macpherson. The Synod proceeded to read the relative papers in this case, as transmitted by the Committee for Bills, and of which the tenor follows, viz. :—

## I. EXTRACT MINUTE OF THE PRESBYTERY OF ABERDEEN.

*St. Mary's Chapel, Aberdeen, the Twenty-second day of February,  
One thousand Eight hundred and Fifty-nine years.*

Which day the Presbytery of Aberdeen met, and having been constituted, *inter alia*, Dr. Paul brought before the Presbytery the motion of which he had given notice at last ordinary Meeting, which was read, and its tenor follows :—“ Whereas it is contrary to the constitution of the Church of Scotland, that persons, not regularly called, and declared qualified by the Church, should take upon themselves the office of the Ministry of the Word, or meddle with any function Ecclesiastical: And whereas, by Act 6th of Assembly 1799, and Act 13th of Assembly 1855, Ministers are prohibited from employing or countenancing any such persons in the teaching or Ministry of the Word, in any of the Churches or Chapels in connexion with the Church: And whereas the Presbytery have learned that certain individuals, neither Ministers, nor Licentiates, nor even, it is believed, Members of the Church, have recently been occupying pulpits, and teaching or addressing Congregations in Churches within the bounds of this Presbytery, both on Sabbaths and other days of the week, the Presbytery did, and hereby do warn all Ministers, Members of this Presbytery, and Ministers of Chapels of Ease within the bounds, that such practices are contrary to the Laws of the Church.” Which motion was proposed and seconded. It was also moved and seconded: That the Presbytery having considered the motion now made, decide, that the “Divine Service” referred to in the Act 1855, refers only to the usual diets of worship on the Sabbath day. After deliberation, it was agreed that the state of the vote be first, or second motion. And the roll having been called, and votes marked, it was found to carry first motion.

From which motion, Mr. Smith, of Greyfriars, dissented, and complained to the ensuing Synod, for reasons to be given in, in due time, and for others to be urged at the bar of the Synod,—and took instruments, and craved Extracts, which were allowed.

## II. EXTRACT MINUTE, WITH REASONS OF DISSENT AND COMPLAINT; viz.—

*At St. Mary's Chapel, Aberdeen, the Twenty-ninth day of March,  
1859 years.*

Which day, the Presbytery of Aberdeen met, and having been constituted, the Clerk reported that Reasons of Dissent and Complaint against the finding

of the Presbytery, of date the Twenty-second day of February last, had been lodged with him in due time; which reasons were laid on the table and read, as follows:—

“Aberdeen, 26th February, 1859.

Reasons of Dissent and Complaint against the finding of the Presbytery of Aberdeen, on Tuesday the Twenty-second of February, by James Smith, Minister of Greyfriars:—

*First.*—“Because the interpretation put upon the law is impolitic, suicidal, and unsuited to the age, and like many other laws it will not be possible to carry it into execution in a living church.

*Second.*—“Because the supposed law is at present very generally broken, and if literally carried out, according to the interpretation now put upon it, would put a stop to all the variety of religious meetings and prayer meetings in which numbers of laymen of other denominations, or even our own elders, take part; and would put a stop to Sabbath School addresses in our Churches and Chapels by others than by our Ministers and Licentiates.

*Third.*—“Because such an interpretation of the law would compel us to prevent our people from hearing, in our own Churches or Chapels, any deservedly celebrated clergyman of the Church of England, or of any other denomination who might come among us, although he were to address our people only on a Sabbath evening, or week-day evening, and not in the usual hours of Divine Service.

*Fourth.*—“Because such an interpretation is injurious to the best interests of the Church of Scotland, the glory of God, and the great end of the Gospel Ministry in the conversion of souls.

(Signed) “JAMES SMITH, Minister of Greyfriars.”

The Clerk was instructed to send an extract of the said reasons to the Complainer, along with the other extracts in this case; and the Presbytery appointed Dr. Paul, Dr. Pirie, and Dr. Macpherson, to defend the Presbytery's sentence complained against, at the bar of the Synod.

Extracted from the Record of the Presbytery of Aberdeen, &c., by

(Signed) WILLIAM PAUL, Pby. Clk.

The reading of the papers being finished, parties were heard and removed. And after reasoning, it was moved and seconded, “That the Synod dismiss the complaint, and affirm the finding of the Presbytery of Aberdeen;”

which motion was agreed to, and the Synod did, and hereby do, find in terms thereof.

Parties were recalled, and heard this deliverance read :—Whereupon Dr. William Paul acquiesced for the Presbytery of Aberdeen, and took instruments, and craved extracts; but against which sentence the Reverend James Smith protested, and appealed to the ensuing General Assembly, for the reasons already lodged, and others to be lodged in due time, or to be lodged at the bar of the Assembly, on all which he took instruments in the hands of the Clerk, and craved extracts, which were allowed.

The Synod appointed the members in the bounds, who may be present as Commissioners in the ensuing General Assembly, to defend the sentence appealed against.

Extracted from the Record of the Provincial Synod of Aberdeen, on this and the six preceding pages, by

ALEX. CUSHNY, *Synod Clerk.*



32

In the General Assembly.

*May* 1859.

# EXTRACT OF MINUTES

OF

SYNOD OF LOTHIAN AND TWEEDDALE,

## IN CURRIE CASE.

which motion was agreed to, and the Synod did, and hereby do, find in terms thereof.

Parties were recalled, and heard this deliverance read :—Whereupon Dr. William Paul acquiesced for the Presbytery of Aberdeen, and took instruments, and craved extracts ; but against which sentence the Reverend James Smith protested, and appealed to the ensuing General Assembly, for the reasons already lodged, and others to be lodged in due time, or to be lodged at the bar of the Assembly, on all which he took instruments in the hands of the Clerk, and craved extracts, which were allowed.

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Extracted from the Record of the Provincial Synod of Aberdeen, on this and the six preceding pages, by

ALEX. CUSHNY, *Synod Clerk.*

32

In the General Assembly.

*May 1859.*

# EXTRACT OF MINUTES

OF

SYNOD OF LOTHIAN AND TWEEDDALE,

## IN CURRIE CASE.



Extract MINUTES of SYNOD of LOTHIAN AND TWEED-  
DALE, of date 2d November 1858, in Currie case.

*Edinburgh, 2d November 1859.*

WHICH day the Synod of Lothian and Tweeddale being met  
and constituted, *inter alia*,

The Synod took up the Dissent and Complaint by Drs Veitch and Macfarlane against a judgment of the Presbytery of Edinburgh, of date 25th August 1858, That the resignation by Dr Barclay of the parochial charge of Currie lie on the table till next ordinary meeting.

The following papers were produced and read—

1. Extract Minutes of Presbytery of Edinburgh, of date 25th August 1858.
2. Extract Minutes of Presbytery of Edinburgh, of date 29th September 1858, including Reasons of Dissent and Complaint by Drs Macfarlane and Veitch.
3. Extract Minutes of Presbytery of Edinburgh, of date 27th October 1858, including Answers to above Reasons by Drs Smith and Lee and Mr William Smith.

Parties being called, there appeared Drs Macfarlane and Veitch, the complainers; for the Presbytery, Drs George Smith and Robert Lee and Mr William Smith.

Dr Macfarlane was heard in support of the dissent and complaint, Drs Smith and Lee for the Presbytery, and Dr Veitch in reply.

Parties having been removed; a motion was made and seconded, That the Synod sustain the dissent and complaint; reverse the sentence of the Presbytery complained of; find that the Parish of Currie became vacant on the 25th August 1858, by Dr Barclay's resignation of his charge into the hands of the Presbytery at their meeting that day; and appoint the Presbytery of Edinburgh to make the requisite intimations of the vacancy.

Another motion was made and seconded, That the Synod sustain the Dissent and Complaint, and find that the Presbytery of Edinburgh erred in the judgment they came to, and ought, on the day on which Dr Barclay's resignation was tendered, in terms of the Act of Assembly to have accepted that resignation, and made the usual intimations that the charge was vacant to the patron and people of Currie.

It was agreed that the state of the votes be, *first* or *second* motion, and the roll being called and votes marked, it carried *first* motion.

Wherefore the Synod sustain the Dissent and Complaint, reverse the sentence of the Presbytery complained of; find that the parish of Currie became vacant on the 25th August 1858, by Dr Barclay's resignation of his charge into the hands of the Presbytery at their meeting on that day; and appoint the Presbytery of Edinburgh to make the requisite intimations of the vacancy.

Parties being called in, judgment was intimated; whereupon Drs Smith and Lee and Mr Wm. Smith protested, and appealed to the General Assembly; took instruments in the clerk's hands, and craved extracts.

Drs Macfarlane and Veitch acquiesced in the judgment, and took instruments.

Messrs Tait and Phin were appointed to defend the sentence of the Synod at the bar of the General Assembly.

Extracted on this and the two preceding pages from the Records of the Synod of Lothian and Tweeddale, by  
JOHN CHRISTISON, *Syn. Clk.*

Extract MINUTES of the PRESBYTERY OF EDINBURGH  
in Currie Case, 1858.

*At Edinburgh, and within the Presbytery Hall there,  
the 25th August 1858 years.*

The which day the Presbytery of Edinburgh met, and was duly constituted.

*Inter alia*, There was received and read the following letter from Dr Barclay, addressed to the Moderator, viz.—

*' Currie, 25th August 1858.*

' Rev. and Dear Sir,

' Having been presented and admitted to the office of  
' Principal of the College of Glasgow, I hereby tender the resig-  
' nation of my charge as Minister of this parish; and request  
' that the Presbytery may be pleased to take the usual steps for  
' dissolving the pastoral relation between me and my parish-  
' ioners.

I remain, Rev. and Dear Sir, Very faithfully yours,  
(Signed) ' T. BARCLAY.

' To the Reverend the Moderator

' of the Presbytery of Edinburgh.

' To be communicated.'

After discussion, it was moved and seconded, That Dr Barclay's resignation of the parochial charge of Currie, contained in the above communication, be accepted. It was also moved and seconded, That the said resignation lie on the table till next ordinary meeting.

It was agreed that the state of the vote should be *first* or *second* motion. The roll being called, and votes marked, it carried *second* motion by 9 to 3. Wherefore the Presbytery resolved in terms of the *second* motion. Against this judgment Drs Veitch and Macfarlane dissented, and protested for leave to complain to the ensuing Synod, promising to give in reasons in due time.

Extracted on this and the preceding page from the Records  
of the Presbytery of Edinburgh by  
(Signed) HENRY DUFF, *Clk. Presb. Edin.*

*At Edinburgh, and within the Presbytery Hall there,  
the 29th September 1858 years.*

The which day the Presbytery of Edinburgh met, and was duly constituted.

*Inter alia*, Dr Macfarlane read and gave in the following Reasons of Dissent (dated 1st September) against the judgment of the Presbytery anent Dr Barclay's tender of the resignation of the parochial charge of the Church and Parish of Currie, laid on the table at last ordinary meeting, viz.—

' We protest for leave to complain to the Synod of Lothian and Tweeddale against the sentence of the Presbytery of Edinburgh in regard to Dr Barclay's resignation of the parochial charge of Currie, of date the 25th day of August 1858,

' I. Because by delaying to accept this resignation the Presbytery contravene the statute of the Church anent the union of offices, Session 5, May 28, 1817, by which it is enacted and ordained, ' That if a minister of a parish which is not situated in the city that is the seat of the University, or the suburbs thereof, be hereafter presented or elected to a Professorship in any University, he shall, at the first ordinary meeting of the Presbytery which shall take place after the lapse of six months from the date of his induction into the Professorship, resign into the hands of the Presbytery his parochial charge.' The time and the meeting of Presbytery at which the resignation must be made are distinctly specified.

' The resignation is not merely to be tendered to the Presbytery as what they have it in their option to decline, but the parochial charge must, in what is then done, pass from the hands of the minister into the hands of the Presbytery; and the resignation is a thing that must be done and completed at that particular meeting. The obligations of the Presbytery to accept the resignation, as employing, in terms of the statute, the means competent to them in order to prevent the same person from holding at the same time a Professorship in a University and a parochial charge,' being manifestly as imperative as that of the party required to make the resignation. So imperative is the obligation, that, in the event of the resignation not being made as enacted, the Presbytery are, by the



‘ statute, to serve the minister with a libel, and proceed against  
 ‘ him according to the rules of the Church.

‘ II. Because, if the Presbytery is not under such obligation  
 ‘ but may delay the acceptance of the resignation to another  
 ‘ meeting, they may equally delay the matter indefinitely and  
 ‘ maintain the union of offices against which the statute referred  
 ‘ to was expressly passed. If they have power to delay a month,  
 ‘ they have power not to accept the resignation at all, or, in other  
 ‘ words, altogether to disregard the statute.

‘ III. Because the statute, as is obvious, alike from its including  
 ‘ Ministers of Chapels of Ease, and from its leaving no alternative  
 ‘ in case of neglect but to serve a libel on the party, makes the  
 ‘ resignation final and absolute, without reference to the parish-  
 ‘ ioners, and holds it as constituting, in itself, the dissolution of  
 ‘ the pastoral tie. The office of the Presbytery is simply minist-  
 ‘ terial, their duty being to accept the resignation and declare  
 ‘ the parish vacant; nor, in the case complained of, can the delay  
 ‘ be ascribed to any regard for the sacredness of the pastoral re-  
 ‘ lation and the interest of the parishioners of Currie, for they are  
 ‘ not cited to appear; no document, whether from them or the  
 ‘ University, is called for, there is no reason assigned why the  
 ‘ Presbytery are to be more able to determine the matter at next  
 ‘ meeting than last.

‘ IV. Because, whilst the delay does not answer any one pur-  
 ‘ pose for the spiritual good of the parish, it necessarily affords  
 ‘ occasion to a question of civil rights, which the Presbytery  
 ‘ would have done well to avoid. The whole object of the delay  
 ‘ seems to resolve itself into this, that the resignation not being  
 ‘ accepted till the twenty-ninth day of September, Dr Barclay  
 ‘ may not only receive the income of the Principal of the Univer-  
 ‘ sity of Glasgow, but at the same time be entitled to draw the  
 ‘ full year’s stipend of the parish of Currie, the half of which  
 ‘ would otherwise have belonged to the Widow’s Fund.

‘ For these reasons, we protest that we shall not be held re-  
 ‘ sponsible, either for the violation of ecclesiastical law, or the  
 ‘ civil consequences that may be involved in this matter; and we  
 ‘ complain to the Synod, that it may be found and declared that  
 ‘ Doctor Barclay’s resignation, at the meeting of Presbytery on  
 ‘ the 25th August, did then and there take effect; that the Pres-  
 ‘ bytery have no power to restore the charge which was then,

' in terms of the statute, resigned into their hands, and that the  
' parish of Currie was vacant from that date.

(Signed) ' JAMES MACFARLANE.  
' JAMES VEITCH.

' *Edinburgh, 1st September 1858.*'

The following Committee were appointed to answer the above Reasons, viz., Dr Smith, Dr R. Lee, Mr Smith, and Mr Masson; whereof Dr Smith to be Convener.

Extracted on this and the five preceding pages from the Records of the Presbytery of Edinburgh by  
(Signed) HENRY DUFF, *Clk. Presb. of Edin.*

*At Edinburgh, and within the Presbytery Hall there,  
the 27th day of October 1858 years.*

The which day the Presbytery of Edinburgh met, and was duly constituted.

*Inter alia*, Dr Smith, Convener of the Committee appointed at last ordinary meeting to answer Reasons of Dissent, &c., by Drs Macfarlane and Veitch, as to Dr Barclay's resignation of the parochial charge of Currie, read and gave in the following Answers, viz. :—

I. The Presbytery, in delaying to accept the resignation of Principal Barclay, did not, in the judgment of your Committee, contravene the statute referred to.

Your Committee do not dispute the obligation lying upon the Presbytery to proceed, according to the laws of the Church, to dissolve the pastoral tie between the minister of Currie and the parish, if they shall see cause; but they hold, that tendering a resignation to the Presbytery is altogether and essentially different from the acceptance of that resignation; that tendering a resignation is one thing, and accepting it another; and they can see nothing in the statute to make it appear that giving in a letter of resignation of a ministerial charge to the Court which constituted that ministerial relation between the pastor and his flock, does, *ipso facto*, dissolve it.

II. Your Committee are of opinion, that if the Church had considered it imperative upon the Presbytery to accept a resignation as soon as it is tendered, it would have said so; it would

neither have left a discretionary power on the Presbytery, nor would it have omitted the steps to be taken by the Presbytery in such circumstances. But by doing neither, the Church does not encroach upon that constitutional power with which Presbyteries are invested, and the wise discretion under which they act.

III. The third reason of Dissent being already answered, your Committee will only add, that it appears to them at variance with all ecclesiastical form and practice to hold that a letter of resignation, in the circumstances referred to, is to be held as the act of the Court to which that letter was addressed, and to which the writer of that letter was answerable so long as he continued minister of Currie.

IV. Your Committee are confidently of opinion that the Presbytery has not violated any law, civil or ecclesiastical, and therefore the threat of civil consequences gives them little concern. They cannot suppose it possible that the Superior Court will declare a vacancy to have taken place on the twenty-fifth of August, when the resignation was not then accepted by the Presbytery. They cannot suppose it possible that a vacancy can be legally held to have taken place a calendar month before the acceptance of the resignation, and the declaration of that vacancy by the Court which had constituted the pastoral tie, and which at the time was alone competent to dissolve it.

(Signed) GEORGE SMITH, *Convener*.  
 WM. SMITH.  
 ROBERT LEE.  
 D. MASSON.

The Presbytery approved of the above Answers, adopted them as their answers, and appointed Dr Smith, Dr R. Lee, and Mr Smith, to defend the judgment of the Presbytery before the Synod of Lothian and Tweeddale, indicted to meet at Edinburgh on Tuesday the second day of November next.

Extracted on this and the ten preceding pages from the  
 Records of the Presbytery of Edinburgh, by  
 (Signed) HENRY DUFF, *Clk. Presb. Edin.*

I certify that what is written on this and the eight preceding

pages, is a true copy of the Extract-Record of the Presbytery of Edinburgh, produced and read in the Synod of Lothian and Tweeddale, at their meeting on 2d November 1858, in the Dissent and Complaint by Drs Veitch and Macfarlane against a judgment of the Presbytery of Edinburgh, of date 25th August 1858, That the resignation by Dr Barclay of the parochial charge of Currie lie on the table till next ordinary meeting.

(Signed) JOHN CHRISTISON, *Syn. Clk.*

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**REASONS** against a Sentence of the Synod of Lothian and Tweeddale, of date 2d November 1858, sustaining a Dissent and Complaint against a Sentence of the Presbytery of Edinburgh, of date 25th August 1858, That the resignation by Dr BARCLAY of the Parochial Charge of Currie do lie on the table.

We appeal from said sentence to the ensuing meeting of the General Assembly, to be held at Edinburgh in May 1859,

I. Because the Deliverance of the Synod attaches a meaning to the Act of the Assembly referred to which it does not warrant.

If the resignation of any minister of his parochial charge, in such cases as the Act refers to, is completed by the reading of his letter of resignation, and if the Presbytery has no power to consider and dispose of it, it is thought that the Act would have declared this explicitly, it would have said that the ministerial tie between the minister and his parish was dissolved, either by the fact of his induction to any chair or office within a University, or on that day six months after said induction, and not have left any discretion to the Presbytery whatever. If it is imperative upon a Presbytery to sustain a resignation in such cases immediately, the Act would have said so; it would have instructed the Presbytery to declare the Church vacant from a certain date, with a view to prevent the possibility of contravening or evading the statute by any delay whatever.

II. We hold that the pastoral tie between Principal Barclay

and the parishioners of Currie could not, in the circumstances, be dissolved but by the Court which had formed it, and that the Presbytery was not under any obligation to receive his resignation the instant that it was tendered, as is evident from the injunction laid upon Presbyteries to libel ministers who do not comply with the requirements of the Act, which it is plain the Presbytery could not have done if Principal Barclay, by tendering his resignation, had ceased to be a member of the Presbytery of Edinburgh, and was no longer amenable to their discipline.

(Signed) GEORGE SMITH,  
 GEORGE SMITH, for and by authority  
 from Rev. Dr R. LEE.  
 GEORGE SMITH, for and by authority  
 from Rev. Wm. SMITH.

*Edinburgh, 10th November 1858.*

I certify that what is written on this and the preceding page is a true copy of Reasons of Appeal lodged with me by the Rev. Dr Smith, 11th November 1858.

JOHN CHRISTISON, *Syn. Clk.*



In the General Assembly.

*May* 1859.

**EXTRACT OF MINUTES**

OF

**SYNOD OF LOTHIAN AND TWEEDDALE,**

**IN CURRIE CASE.**





MAY 1859.

In the General Assembly.

# PETITION

OF THE

PRESBYTERY OF PERTH

Relative to the Affairs of ST LEONARD'S CHURCH, PERTH.

Unto the Venerable the GENERAL ASSEMBLY of the CHURCH of SCOTLAND,  
the PETITION of the PRESBYTERY of PERTH,

*Humbly sheweth,*

**T**HAT, at a meeting of the Presbytery of Perth, held on the 27th day of April, 1859, the Presbytery resolved to refer the whole matter at present pending between them and the Endowment Committee, relative to St Leonard's Church, to the ensuing General Assembly, and also to petition that reverend Court to take the whole case into their mature and serious consideration, with a view to secure the Stipend of the Minister of St Leonard's promised under the constitution granted by the General Assembly of 1856: That the Presbytery do not mean in any way to imply that the conduct of the Endowment Committee has not been fair and honourable; but simply that an unhappy misunderstanding has taken place, greatly affecting for evil the condition of the chapel and the Church in Perth: That the Presbytery beg to submit to the Assembly the following statement of facts:—

STATEMENT concerning **ST LEONARD'S CHURCH** *in re* the Presbytery of Perth and the Endowment Committee.

On the ordination of Rev. William Struthers to the chapel of St Leonard's in 1844, several lay friends of the Church signed a bond, guaranteeing to him the sum of £100 annual stipend.

In the close of the year 1853, being desirous of relief from this bond, these obligants raised among themselves the sum of £1000.

On 5th October, 1853, they offered to the Presbytery of Perth this sum of £1000, on condition that they should be relieved from their bond.

The Presbytery communicated with the Home Mission and Endowment Committees. These Committees, in the end of October, in a letter from Dr Simpson, offered to give a back bond securing the Presbytery from loss, in case of their relieving the bond obligants, and this on the following conditions:—1st, "That the whole debt affecting the chapel shall be discharged, "and the property secured in inalienable connection with the Church of Scotland;" and 2d, "That the obligants in the bond pay the sum of £1000, "to be employed in the endowment of St Leonard's Church, Perth."

On the general offer made in this letter, the Presbytery, on 2d November, 1853, accepted the offer of £1000 from the bond obligants. On November 30, 1853, minutes of the two Committees, of date November 15, 1853—that from the Endowment Committee being more minute—were laid before the Presbytery, specifying the terms they were willing to agree to. And here the Presbytery admit that the Endowment Committee offer £50 a-year so long as Mr Struthers shall remain minister of the chapel, "and no longer." This was reported by the Committee of Presbytery. No deliverance is given on this more specific offer. The Committee are merely thanked for diligence, and requested to raise means to defray the debt.

At the same meeting, the agent for the bond obligants intimated that he had consigned the £1000 in bank in implement of the agreement with the Presbytery, and protested that his clients held themselves relieved from payment of stipend from the date of the Presbytery's acceptance of their offer.

On December 28, 1853, there arose a difficulty as to the Presbytery granting a deed of relief to the obligants; and, after protracted negotiations, it was agreed that the £1000 should be lodged in the hands of the Endowment Committee, who should themselves grant the deed of relief instead of the Presbytery.

In January, 1854, a second difficulty arose as to other claims alleged by Mr Struthers, and as to the annual burden of feu-duties on the chapel property. After long negotiations, the Endowment Committee refused to undertake either of these burdens, the bond obligants ceased to demand relief from the former, and the Presbytery consented to guarantee the payment of the feu-duties.

In May, 1856, the debt being cleared off, the Trustees, in whom the property of the chapel was invested, and who were security for the debt, executed a trust disposition of the chapel property in favour of the Presbytery of Perth. This disposition contains a narrative of all the steps that had been taken, which formed the conditions on which the disposition was granted. It is there stated, as the agreement between the Presbytery and Endowment Committee, "that, provided the whole debt affecting the chapel was discharged, and the property thereof secured in inalienable connection with the Church of Scotland, the said Committees (Endowment and Home Mission), would undertake to provide the whole expense of *maintaining ordinances at said church or chapel in all time coming.*" (See p. 14 *Draft.*) The draft of this disposition was sent to Edinburgh for revision by the two Committees, and contains marks of revision in the handwriting of the Secretary of both Committees.

In May, 1856, also, an amended constitution for the chapel of St Leonard's was obtained from the General Assembly. The Presbytery, though they had trusty commissioners present there, yet put their part of the business into the hands of the Secretary of the Endowment Committee, in order that all parties should be satisfied. By him the petition to the Assembly for the specified alterations was drawn out. The only alterations proposed were in three clauses of the constitution,—the first and second with reference to the election of managers, rendered necessary by the conveyance of the property, and the third with reference to the bond for minister's stipend, being the very matter now in dispute. The constitution of the chapel was revised by a small Committee of the Assembly, with a leading legal member (Mr Cheyne) of the Endowment Committee, well acquainted with the whole transaction, at its head. The Secretary of the Endowment Committee attended the deliberations of the Revising Committee more than once to give explanations; and at length the amended constitution was passed by the General Assembly. It contains the following clause:—"The bond for the stipend to any future minister appointed to the chapel, while it remains unendowed, and not erected into a parish church, shall be granted by the managers *qua* managers, and not as individuals; and they shall be entitled and bound to apply towards payment of such stipend *the annual payment of £50, receivable from the Endowment Committee, as the interest of the capital sum paid over to them,* and any grant or allowance that may be made by the Home Mission Committee, as well as the revenue referred to in Article IV." The amended

portions of the constitution were transmitted to the bond obligants in Perth in June 1856, in the same letter and by the same hand which brought them the draft bond of annuity from the Endowment Committee.

At length, in January, 1857, the bond of annuity was signed by the Endowment Committee, the £1000 were paid over into their hands, and the long-pending agreement was closed.

In June, 1857, the Rev. Mr Struthers was translated from Perth.

In June, 1858, in reply to an application from the agent of the managers of St Leonard's, a formal refusal was given to the request for the annual payment of £50, on the ground that the obligation of the Endowment Committee ceased with the incumbency of Mr Struthers.

From that date to the present, fruitless negotiations between the Presbytery and the Committee have been proceeding. After various refusals had been given, an offer was made by the Endowment Committee, which it was impossible for the Presbytery to accept. At length, in the month of March, 1859, the Presbytery offered to refer the case to three neutral parties; but the Committee refused the reference, on the ground that there was no case for arbitration.

Such is a brief statement of facts in this protracted and painful question. And the petitioners call the attention of the General Assembly to the following points:—

1. They feel that the case is not without its serious difficulties. The letter from Dr Simpson, dated 22d October, 1853, merely offers, in general terms, to relieve the obligants under the bond to Mr Struthers, in a clause already quoted; and the Endowment Committee minute of November 15, 1853, specifies that the payments by the Committee shall continue "no longer" than his incumbency. This stipulation, however, as appears from the minutes, was never accepted by the Presbytery; and, moreover, the terms then proposed had reference to a draft deed of relief, which the Presbytery afterwards refused altogether to execute.

2. There is no minute of Presbytery committing them to the view that the payment should be made only during Mr Struthers' incumbency.

3. The agreement was not completed till the month of January, 1857; and the only formal documents, in addition to the minutes specifying the various items of that agreement, are the trust disposition of the property, in favour of the Presbytery, the amended constitution of the chapel, and the bond

of relief and assignation, in favour of the stipend obligants. The last of these was between the Endowment Committee and the obligants alone, being meant simply to relieve the latter from their obligation. From its very nature, it could only give relief during the term for which the obligants had been bound—that is, during the incumbency of Mr Struthers. And it is therefore no argument against the Presbytery's view, that this deed is confined to the one incumbency. The two other formal documents referred to were sent to Edinburgh, to the Secretary of the Endowment and Home Mission Committees, just that they might not interfere with the proper claims of either. In the charge made for revising the trust disposition by the Secretary, the following note is added:—"This revision, apart from its expediency in the usual case, was essential to the requirements both of the Home Mission and Endowment Committees, in reference to the negotiations with them." Both these documents—the trust disposition and the amended constitution—are undeniably in favour of the Presbytery's view. The former states that "the said Committees undertake to provide the whole expense of maintaining ordinances at said church or chapel in all time coming." (See draft of disposition, revised by the Committee's Secretary, p. 14.) The constitution enacts that, "while the chapel remains unendowed, and not erected into a parish church," the managers "shall be entitled *and bound to apply towards payment of such stipend the annual payment of £50, receivable from the Endowment Committee as the interest of the capital sum paid over to them.*" (See Art. ix. of Constitution, drawn up by Mr Marshall, and revised by Mr Cheyne.)

4. It has been pleaded by the Endowment Committee that they are not bound by the amended constitution, inasmuch as it was granted without their knowledge, and "long after the terms of the transaction were finally arranged and closed." (Min., 26th August, 1858.) The former of these statements is sufficiently answered by what has just been said; and, in reply to the latter, it may be added, that the terms of the transaction did not close till the debt was paid off by the Presbytery, till the chapel property was vested in them as trustees, and till the £1000 were lodged in the hands of the Committee. The former of these was completed in May, 1856; and the latter only in January, 1857; while the constitution was granted on 2d June, 1856.

5. The friends of the church in Perth have paid in all for the stipend of St Leonard's, since 1846, the sum of £1662; and since these negotiations began, the Presbytery have cleared off £394 of debt affecting said church.

6. The whole stipend paid to the incumbent last year, as already reported to the Home Mission Committee, was £74, from which he had to support himself and family.

7. The Endowment Committee have now in their possession the sum paid to them by the bond obligants in January, 1857; and the interest of that sum they claim must be allowed to accumulate, while it is believed the Presbytery would accept that interest in full payment of the Committee's obligation. The question, therefore, seems to lie between *the accumulation of £50 a-year for the future endowment of St Leonard's*, and *its present payment towards the maintenance of ordinances in said chapel*, in accordance with obligation, and towards the stipend of a minister whose income otherwise is under £80, and who was inducted on the faith of this payment.

8. The Presbytery and the friends of the church in Perth having already raised so much for behoof of St Leonard's Chapel, and the former having raised lately for the Endowment Scheme according to the willingness of their people, cannot undertake to raise any considerable sum at present in addition for St Leonard's Church.

9. It is possible that, should the General Assembly support the Endowment Committee in their refusal to pay their proportion of stipend, or should the Home Mission Committee withdraw their grant of £50 a-year, the present incumbent may be driven from his post, the congregation scattered, and the doors of the chapel shut. Such an event your petitioners will deeply regret; but they believe that the responsibility of so unhappy a result will not lie with them.

May it therefore please your venerable House to take the case into your serious consideration, and pronounce such judgment therein as shall do justice to all parties in the cause, and best promote the interests of the Church and kingdom of Christ in the city and neighbourhood of Perth.

And your petitioners shall ever pray.

In name and by appointment of the Presbytery of Perth,

(Signed) J. ELDER CUMMING.  
JOHN WILSON.  
W. MAURY.

**EXTRACT MINUTES of the PRESBYTERY of PERTH referred to in foregoing Statement.**

At Perth, the 30th day of March, 1859, which day the Presbytery of Perth met and was constituted. *Sederunt*, the Rev. Ed. Robertson, Moderator, Mr Liston, Dr Buchanan, &c. *Inter alia*,

The Presbytery learn, with deep regret, that Dr Robertson declines to meet them again in conference on the subject of St Leonard's Chapel; and, in order to leave no means of effecting an amicable settlement with the Endowment Committee untried, they hereby offer to refer the whole case to the arbitration of three neutral parties,—one to be named by them, one by the Endowment Committee, and the third by the two arbiters so named. They also express their willingness to do what they can immediately to raise funds for the endowment of the chapel. Further, they direct their Clerk to send an extract of this resolution to the Endowment Committee, with a request for a speedy reply.

The sederunt was closed with prayer.

Extracted from the Minutes of Presbytery, by

JOHN WILSON, P. C.

At Perth, the 27th day of April, 1859, which day the Presbytery of Perth met and was constituted. *Sederunt*, the Rev. Ed. Robertson, Moderator, Messrs Liston, Murdoch, &c. *Inter alia*,

The Clerk intimated that, as instructed, he had transmitted to the Endowment Committee an extract of the Resolution come to at last meeting, relative to St Leonard's Church, and had received in reply an excerpt Minute of a meeting of said Committee, of date the 9th day of April current, at which meeting the Committee had unanimously resolved to decline the reference to arbitration proposed by the Presbytery, and to adhere, in all respects, to their minute of date the 29th of January last.

There was also laid before the Presbytery a petition from the Rev. John F. Thomson, minister of St Leonard's, praying the Presbytery to take the necessary steps to secure payment of the £50 a-year due to him from the Endowment Committee, in terms of the constitution.

Which having been read, Mr Cumming, after a clear and comprehensive statement of the various proceedings which had taken place in regard to this matter, submitted the following motion:—

*annual payment of £50, receivable from the Endowment Committee, as the interest of the capital sum paid over to them."*

The Petitioner has received the annual grant from the Home Mission, but has received no money from the Endowment Committee.

The Petitioner has applied for relief to the Presbytery of Perth; but they have failed to obtain satisfaction in the matter, and have resolved to bring up the subject to your venerable House by way of Petition and Reference.

As the Petitioner is most deeply interested in the issue, he has been advised thus to approach your venerable House by way of Petition, craving that justice from their hands which, he doubts not, they will be ready to extend to him.

The Petitioner respectfully refers to the printed statement by the Presbytery of Perth for a more minute detail of particulars.

The Petitioner has only to add, that he was no party to any preliminary steps between the Presbytery and the Endowment Committee. He had only to look to, and be guided by, the completed deeds of conveyance and constitution. By these he found he was guaranteed £50 as the interest of £1000 impledged in the hands of the Endowment Committee. He understands that it is sound law, as well as good sense, *that all correspondence and communications, previous to the making of a final or formal deed, cannot be so much as looked at, to modify or explain the express and clear terms of the covenant contained in the concluded deed.*

The Petitioner would especially and respectfully call the attention of your venerable House to the fact that the General Assembly were so far consenters, if not parties, to both deeds; and that, especially, by their own deed of constitution in 1856, they pledged themselves to the Petitioner or future incumbent of the church for the annual payment of £50 from the Endowment Committee. It is therefore more to the justice than to the benevolence of your venerable House that the Petitioner feels himself entitled to appeal.

In conclusion, the Petitioner may be permitted to suggest, for the consideration of your venerable House, whether the interests of the great scheme of endowment, so energetically and successfully worked by the reverend Convener of its Committee, may not be much more and permanently injured in the district of Perth, by withdrawing implement of the solemn pledge contained in the above-mentioned documents, than it would be benefited by any financial advantages through the slow increase of capital, by the addition thereto of annual interest on the £1000 impledged with the Endowment Committee.





MAY 1859.

In the General Assembly.

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*CASE OF INNOVATIONS*

IN

*PUBLIC WORSHIP.*

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# EXTRACT FROM MINUTES

OF

THE SYNOD OF LOTHIAN AND TWEEDDALE,

RELATIVE TO

PUBLIC WORSHIP AS CONDUCTED BY REV. DR. ROBERT LEE,  
IN OLD GREYFRIARS' CHURCH, EDINBURGH;

WITH APPENDIX,

REPORT OF THE COMMITTEE OF THE PRESBYTERY OF  
EDINBURGH,

ON

THE MODE AND ORDER OF PUBLIC WORSHIP IN OLD  
GREYFRIARS' CHURCH, EDINBURGH.



MAY 1859.

In the General Assembly.

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*CASE OF INNOVATIONS*

IN

*PUBLIC WORSHIP.*

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# EXTRACT FROM MINUTES

OF

THE SYNOD OF LOTHIAN AND TWEEDDALE,

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ON

THE MODE AND ORDER OF PUBLIC WORSHIP IN OLD  
GREYFRIARS' CHURCH, EDINBURGH.



# EXTRACT MINUTES

OF THE

SYNOD OF LOTHIAN AND TWEEDDALE,

IN THE MATTER OF THE

ORDER OF PUBLIC WORSHIP, AS OBSERVED IN  
OLD GREYFRIARS' CHURCH, EDINBURGH.

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*Edinburgh, May 3, 1859.*

Which day the Synod of Lothian and Tweeddale being met and constituted :—

*Inter alia*,—The Synod took up the Dissent and Complaint by Dr. Robert Lee and others against a judgment of the Presbytery of Edinburgh, of date 26th April last, enjoining Dr. Lee to discontinue certain innovations introduced into public worship, as conducted by him in Old Greyfriars' Church, and to conform in future to the order and form of public worship as established in the Directory of Public Worship, confirmed by Acts of Assembly, and presently practised in the Church.

Mr. Gray, the Moderator, being a member of the Presbytery of Edinburgh, Mr. Ingram was called to the chair, and took it accordingly.

The following papers were produced :—

*Presbytery Hall, Dec. 29, 1858.*

The Presbytery of Edinburgh met here this day, and was duly constituted.

*Inter alia*,—Dr. Balfour gave notice that, as a paper has appeared in a recent number of the *Edinburgh Christian Magazine*, in which it is stated that a change has been effected in the mode of conducting public worship in the Church of Old Greyfriars', he would, at next ordinary meeting of Presbytery, put a question on this subject to Dr. Robert Lee, minister of said church.

Extracted, on this page, from the Records of the Presbytery of Edinburgh, by

HENRY DUFF, *Clk. Presb. Edin.*

*Presbytery Hall, Jan. 26, 1859.*

The Presbytery of Edinburgh met here this day, and was duly constituted.

*Inter alia*,—Dr. Balfour, in terms of the notice given at last ordinary meeting, intimating his intention to put a question to Dr. Robert Lee, now asked leave of the Presbytery to put to him the following question:—‘Have you not introduced into public worship, as conducted by you in Old Greyfriars’ Church, an order of divine service, together with the use of a liturgy or form of public devotions, and certain forms and postures in devotional exercises unknown to this Church, and inconsistent with the rules and practice thereof?’

After discussion, the Moderator, with the consent of the Presbytery, then put Dr. Balfour’s question to Dr. Lee.

Dr. Lee intimated that he would be prepared to answer Dr. Balfour’s question at next ordinary meeting.

Extracted, on this and the preceding page, from the Records of the Presbytery of Edinburgh, by

HENRY DUFF, *Clk. Presb. Edin.*

*Presbytery Hall, Feb. 23, 1859.*

The Presbytery of Edinburgh met here this day, and was duly constituted.

*Inter alia*,—Dr Balfour laid on the table copy of a book entitled, ‘Prayers for Public Worship, with Extracts from the Psalter,’ by Robert Lee, D.D.

Dr. R. Lee, in reference to his statement at last ordinary meeting of Presbytery, ‘That he would, at this meeting, answer the question then put to him through the Moderator,’ and the question being again read over by the Moderator, viz. :—‘Have you not introduced into public worship, as conducted by you in Old Greyfriars’ Church, an order of divine service, together with the use of a liturgy or form of public devotions, and certain forms and postures in devotional exercises unknown to this Church, and inconsistent with the rules and practice thereof?’—Answered in the negative.

Dr. Lee was then heard in explanation. Thereafter it was moved and seconded, That the Presbytery, having heard Dr. Lee’s

answer and explanation, find it unnecessary, *in hoc statu*, to proceed further in the case. It was also moved and seconded, That, having heard Dr. Lee in answer to the question put to him, and not being satisfied with the explanation which accompanied his answer, the Presbytery appoint a Committee of their number to inquire more fully into the facts of the case in connexion with the question put to Dr. Lee, with instructions to confer with him and his Kirk-session, and to report on the book laid on the table, in so far as Dr. Lee may admit it to be an exponent of the mode in which public worship is conducted in his church.

It was agreed that the state of the vote should be *first* or *second* motion. The roll being called and votes marked, it carried *second* motion, by a majority of twenty-one to fourteen. Wherefore the Presbytery resolved in terms of the second motion, and appointed the following Committee in terms thereof—namely, Dr. Macfarlane, Dr. Balfour, Dr. Grant, Dr. Muir, Dr. Veitch, Dr. Crawford, Dr. Fowler, Dr. Nisbet, Mr. Gray, Mr. Langwill, and Mr. Smith, Ministers; Mr. Cassels, Mr. Phin, and Mr. Hill, Elders,—whereof, Dr. Macfarlane to be Convener.

Extracted, on this and the three preceding pages, from the Records of the Presbytery of Edinburgh, by  
HENRY DUFF, *Clk. Presb. Edin.*

*Presbytery Hall, March 30, 1859.*

The Presbytery of Edinburgh met here this day, and was duly constituted.

*Inter alia*,—The Presbytery agreed to meet in the Presbytery Hall on Friday the 8th April next, at Eleven o'clock A.M., to receive Report of the Committee appointed on 23d February last, to inquire into the facts of the case in connexion with the question put to Dr. R. Lee at that sederunt; to confer with him and his Kirk-session; and to report on the book entituled 'Prayers for Public Worship,' &c., by R. Lee, D.D., in so far as he may admit it to be an exponent of the mode in which public worship is conducted in Old Greyfriars' Church.

Extracted, on this and the preceding page, from the Records of the Presbytery of Edinburgh, by

HENRY DUFF, *Clk. Presb. Edin.*

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*Presbytery Hall, April 8, 1859,*  
Eleven o'clock A.M.

The Presbytery of Edinburgh met here this day, agreeably to their resolution of 30th March last, and was duly constituted.

The minute appointing the meeting was read.

Dr. Macfarlane, Convener of the case of Old Greyfriars' Church, read and gave in the Report which accompanies this paper, and is hereto appended.

It was moved and seconded, That the Presbytery receive the Report now read, order it to lie upon the table till Tuesday the 26th instant, at Twelve o'clock noon, and further order that, in the meantime, the Report be printed and circulated by the Committee,—to which day the Presbytery adjourns for consideration of said Report. It was also moved and seconded, That, having received the Report of the Committee appointed to confer with Dr. R. Lee, find that it is inexpedient to proceed further in this case. It was agreed that the state of the vote should be *first* or *second* motion. The roll being called and votes marked, it carried *first* motion, by a majority of fifteen to nine. Wherefore the Presbytery resolved in terms of the *first* motion.

From this judgment Dr. Bryce dissented, and protested for leave to complain to the ensuing Synod, promising to give in reasons in due time, took instruments in the Clerk's hands, and craved extracts, which were granted.

Dr. R. Lee protested, for himself and all others who might adhere to him, that he would not be held liable in any expenses incurred in printing the Report. To this protest, Mr. W. Smith, Mr. Duff, and Dr. Arnot, adhered.

The Clerk was ordered peremptorily to enjoin the attendance of members at the meeting on the 26th instant.

Extracted, on this and the twenty-eight preceding pages, from the Records of the Presbytery of Edinburgh, by  
HENRY DUFF, *Clk. Presb. Edin.*

*Presbytery Hall, April 26, 1859.*

The Presbytery of Edinburgh met here this day, agreeably to their resolution of 8th April last, and was duly constituted.

The minute appointing the meeting was read.

Synod dismiss the Dissent and Complaint, and affirm the sentence of the Presbytery.

Another motion was made and seconded, That the Synod find that the form of public worship in the Greyfriars' Church is, in some important steps, not authorised by the Directory, or consistent with the ordinary practice of the Church; but before issuing the injunction complained against, that the Presbytery ought to have dealt with the minister and Kirk-session of the Greyfriars', with a view to convince them that this was the case; refer the further consideration of the case to the General Assembly, in terms of the instructions of the Act ordaining the Directory; at the same time express their deep sense of the great importance of having such a definite order of public worship enjoined by the Assembly, as, reconciling the Directory with existing practices, may in future prevent all innovations, and secure substantial uniformity in the Church.

It was agreed that the state of the vote should be *first* or *second* motion; and the roll being called, and votes marked, it carried *first* motion by twenty-five to eight. Wherefore the Synod dismissed the Dissent and Complaint, and affirmed the sentence of the Presbytery.

Parties being called in, judgment was intimated, whereupon Dr. Lee protested and appealed to the General Assembly, took instruments in the Clerk's hands, and craved extracts.

Dr. Grant, on the part of the Presbytery of Edinburgh, acquiesced in the judgment, and took instruments.

Messrs. Tait and Muir were appointed to defend the sentence of the Synod at the bar of the General Assembly.

Extracted, on this and the forty-one preceding pages, by  
JOHN CHRISTISON, *Synod Clk.*

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REASONS OF APPEAL, for the Rev. Dr. R. LEE, against a Deliverance of the Synod of Lothian and Tweeddale, of 3d May 1859, in the matter of Alleged Innovations in Public Worship as conducted in Old Greyfriars' Church, Edinburgh.

I appeal, in my own name, and in the name of all who may adhere to me, against a finding of the Synod of Lothian and Tweeddale, 3d May 1858, affirming a finding of the Presbytery of

Edinburgh, 26th April 1859, touching alleged innovations in the public worship of Old Greyfriars' Church, for the following among other reasons :—

I. BECAUSE the postures used by the congregation in the Church of the Greyfriars' are proper and decent in themselves, and are not forbidden by any law.

II. BECAUSE the order of service observed in said church is that prescribed by the Directory for Public Worship.

III. BECAUSE there is no law of the Church forbidding the reading of prayers.

IV. BECAUSE the words which the Synod censure as occupying the place of an absolution are the words of Scripture, and appropriate to the occasion on which they are used.

V. BECAUSE the prayers used in said church are not fragmentary, or deficient in order and unity.

VI. BECAUSE the people are entitled to say Amen at the end of the prayers—which practice is decent and proper, and has the highest sanction.

(Signed) ROBERT LEE, D.D.  
DAVID ARNOT, D.D.

EDINBURGH, 11th May 1859.

I hereby certify that what is written on this and the three preceding pages, is a true copy of Reasons and Protest against a Judgment of the Synod of Lothian and Tweeddale, of date 3d May, lodged with me on the 11th May 1859.

(Signed) JOHN CHRISTISON, *Synod Clk.*

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REASONS OF APPEAL against a Deliverance of the Synod of Lothian and Tweeddale, in the matter of the Order of Public Worship as observed in Old Greyfriars' Church.

I. BECAUSE the matter of order in the form of Public Worship observed within the Old Greyfriars' Church of Scotland, Edin-

burgh, was brought before the Presbytery in an *incompetent, unprecedented, and unconstitutional* manner, unknown to the laws and practice of this Church—viz., that of one member of Court being publicly called on by another to plead to a charge of violating the said laws and practice—and which ought not to have been entertained by the Presbytery.

II. BECAUSE the incompetency lying at the root of this procedure could not be purged by any subsequent step taken by the Presbytery, such as that of sending the matter to a Committee, and this notwithstanding that such a remit was not complained of, or carried to the superior Church Court.

III. BECAUSE the deliverance of the last General Assembly, of date May 31, 1858, anent innovations in public worship, on which the proceedings of the Presbytery and Synod are attempted to be justified, was directed against such changes within congregations as may be *rashly adopted*, to the exclusion manifestly, if not indeed to the sanction, of changes *not rashly adopted*.

IV. BECAUSE, supposing the case brought up to have been competently raised, no proof was called for or obtained, that the changes introduced by Dr. Lee had been *rashly adopted* by him.

V. BECAUSE, further, any changes to be proceeded on under the said deliverance, whether rashly introduced or not, were to be '*represented to the Presbytery*,' meaning manifestly thereby, represented in a *competent order* and *constitutional* manner, which rule the dissentients and complainers affirm has not been observed by the Presbytery proceeding *suo moto* to *question* and *inquire*.

VI. BECAUSE if the Presbytery held itself, in the exercise of its undoubted jurisdiction, as proceeding under a *fama* that the order of the Directory had been violated by Dr. Lee, the first step that ought to have been taken was to have dealt with a brother under suspicion of a delict according to the form of process in such cases provided.

VII. BECAUSE the course pursued was neither fair nor courteous towards a member charged in a manner so irregular and unprecedented with conduct that might subject him to the

heaviest censures of the Church ; nor was it in the circumstances for edification to bring this matter before the Presbytery in the summary and inquisitorial manner that has been pursued, and must, if sanctioned by the General Assembly, so far as to open up the question upon its merits, establish a precedent that may greatly disturb the peace and endanger the welfare of the Church of Scotland.

(Signed) JAMES BRYCE, D.D.  
DAVID ARNOT, D.D.

EDINBURGH, *7th May* 1859.

I hereby certify that what is written on this and the three preceding pages, is a true copy of Reasons and Protest against a Judgment of the Synod of Lothian and Tweeddale, of date 3d May, lodged with me on the 11th May 1859.

(Signed) JOHN CHRISTISON, *Synod Clk.*

BLY,

# REPORT

OF THE

COMMITTEE OF THE PRESBYTERY OF EDINBURGH

ON THE

METHOD AND ORDER OF PUBLIC WORSHIP IN OLD  
GREYFRIARS' CHURCH, EDINBURGH.

CASE,

ADOPTED ON THE 8TH APRIL 1859, AND ORDERED TO BE PRINTED FOR  
THE MEMBERS OF COURT, WITH A VIEW TO ITS  
CONSIDERATION BY THE PRESBYTERY,  
ON TUESDAY THE 26TH APRIL,  
AT TWELVE O'CLOCK.

EDINBURGH,

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The book referred to was also laid upon the table, where the Committee, after due deliberation, agreed unanimously to invite Dr. Lee to confer with them in the Office of the Secretary on the 4th day of March next, and instructed the Convener accordingly.

At a meeting of Committee of the Presbytery of Edinburgh held within the Office of the Schemes of the Church Number Twenty-two Queen Street, on Friday the Fourth day of March, Eighteen hundred and fifty-nine.

*Present*,—the Rev. Drs. Macfarlane (Convener), Muir, G. Veitch, Crawford, Fowler; the Rev. Messrs. Gray, Strang Langwill; and Messrs. Hill, Cassels, and Phin, Elders.

The Committee met in terms of the remit from the Presbytery, dated the 23d ult., regarding the mode of conducting public worship in the Parish Church of Old Greyfriars; the Rev. Dr. Lee being also present, the Deliverance of the Presbytery on this subject was read.

The following procedure then took place:—

1. *Dr. Macfarlane*.—Will Dr. Lee be so good as state to the Committee what his usual form and order is in conducting public worship on the forenoon of Sabbath in the Old Greyfriars Church?

1. *Dr. Lee*.—The mode of conducting public worship is uniform in the forenoon. The Directory prescribes that the service is to begin with calling upon the people to join in worshipping the great name of God, but no words being suggested, I commence by reading an appropriate passage of Scripture. Then follow a prayer. Then the Scriptures are read, general chapter of the Old Testament, which is also expounded shortly. Then a psalm is sung, after which follows another prayer. Then is read a chapter or some considerable portion of the New Testament, which forms the subject of a lecture. Sometimes another psalm is sung after this, but not uniformly. Then follow the intercessory prayer, a psalm is sung, and benediction pronounced.

2. In the afternoon?





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9. Does the portion of Dr. Lee's book entitled "Administration of the Sacrament of the Lord's Supper" convey a fair representation of the manner in which that ordinance is administered by him?

9. *Dr. Lee.*—The ordinance of the Lord's Supper has never been administered according to the form given in the book, or in any other than the common form.

10. When any minister or probationer has officiated for Dr. Lee, has he been asked by him, or was he known to him, to use the forms of prayer given in his book?

10. *Dr. Lee.*—I never required or asked any one to use the prayers in the book, but I decline answering whether I know of any one having done so.

11. Has Dr. Lee, on any occasion, employed any minister or probationer to read prayers from the desk—he himself lecturing or preaching on the same occasion from the pulpit?

11. *Dr. Lee.*—I never employed any one to read prayers.

12. Has any one read the prayers contained in the book in your presence when he was conducting divine service?

12. *Dr. Lee.*—I decline to answer that question.

13. Is the passage entitled "Invitation" usually introduced between the passages of Scripture and the first prayer?

13. *Dr. Lee.*—I generally use, before the commencement of the prayer, none but the words of Scripture.

14. In reference to the answer given to Question 7, each of the prayers is continuous, whereas "in the book they are broken into parts,"—does that mean that the passages of Scripture between the prayers in the book are omitted?

14. *Dr. Lee.*—It means that those given in the book, or other extracts from the Psalms, form parts of the prayer.

15. Whether, according to the recommendation expressed in the printed book of prayer on the Presbytery table, the congregation of Old Greyfriars', or any part of it, make the audible response of "Amen" at the end of each prayer?

15. *Dr. Lee.*—I believe some do, and I exhort them all to do so at the end of each of the three prayers.

16. When Dr. Lee is not officiating, does he kneel at prayer, and stand at singing, in his own Church?

*Present*,—The Rev. Drs. Macfarlane (Convener), Muir, Fowler, Veitch, Crawford; the Rev. Messrs. Gray, La and Smith; and Mr. Phin, Elder.

The following correspondence was read:—

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"13 HERIOT ROW, 9<sup>th</sup> Marc

"DEAR SIR,—I am directed by the Committee of the Presbytery of Edinburgh, appointed to report as to the mode in which public worship is conducted in the Parish Church of Old Greyfriars', to explain that they are of opinion that it will be better to have a conference with the elders of the Kirk-session of the parish; and the Committee, therefore, request that the Session will be good enough to meet them within the Office Schemes of the Church, 22 Queen Street, on Friday next, 11th instant, at 3 o'clock P.M.

"I address this to you as the elder at present representing the Kirk-session of Old Greyfriars' in the names of the others not being known to me), in the hope that you will take the trouble to intimate this to your brother elders and that as many of them will attend as may find it convenient to do so. I remain, Dear Sir, Yours faithfully, (Signed) PHIN.—Alexander Ramsay, Esq., 2 Darnaway Street."

"EDINBURGH, 10<sup>th</sup> Marc

"DEAR SIR,—I am favoured with yours of yesterday, and in compliance with your request, have written to the other elders of Old Greyfriars' to be in attendance on the Committee of the Presbytery to-morrow at 3. I am, Dear Sir, Yours faithfully (Signed) ALEX. RAMSAY.—John Phin, Esq., 13 Heriot Row."

Mr. Ramsay, Dr. Stark, and Mr. Peterkin attended the meeting, but stated that they did so as individual elders of Old Greyfriars', and not as representing the Kirk-session.

Questions were then put, and answered as follows:—

1. Does the congregation stand at singing and kneeling prayers?

*Mr. Ramsay*.—Most of them do.

*Dr. Stark* concurred in this answer; but

*Mr. Peterkin* said he could not tell. He could not say as to the kneeling, but as to standing he could say that he appeared to him that they did generally.

2. When were these practices introduced?



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ledge that the practices were approved of by m  
their general adoption shewed that they had the  
tire concurrence of the congregation.

6. To *Mr. Ramsay*.—How was it known by the congrega  
that Dr. Lee approved of these practices ?

*Mr. Ramsay*.—I have heard Dr. Lee state his appr  
of them myself, and, like other sentiments held  
clergyman, to which no secrecy was attached, t  
sentiments spread from one person to another,  
became generally known.

7. When the Church was under repair, was application n  
by any parties connected with the congregation, that acc  
modation should be provided by the Town Council for the  
shippers to kneel during divine service ?

*Mr. Ramsay*.—I made no such application myself,  
I know of no one else who did.

*Dr. Stark* and *Mr. Peterkin* concur in this answer.

8. Is the book, a copy of which is shewn, used in the Chu  
by the congregation in their devotional exercies ?

*Mr. Ramsay*.—No ; not in so far as I know or belie  
and for the first time, I observed on Sunday week  
strangers in Church, each with a copy of the boob  
his hand, and endeavouring, evidently, to find  
follow the prayers in the book, but, evidently,  
without success ; and except by those two persor  
have never seen the book used by any one what  
in the Church.

*Dr. Stark* agreed with *Mr. Ramsay* in every respect,  
cept that on that day I only observed one person  
the book.

*Mr. Peterkin*.—Certainly not, so far as I know.

9. Do you know of any minister or probationer officiating  
any time for Dr. Lee, who read the prayers from this boob  
conducting the devotional exercies of the congregation ?

*Mr. Ramsay*.—I have no means of knowing whether  
one did or no. But I hope the congregation  
better employed, during prayer, than endeavourin  
discover whether the prayers are oral or read pray

*Dr. Stark*.—Agrees.

*Mr. Peterkin*.—I have no means of knowing.



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**GLASGOW: PRINTED BY THOMAS**



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THE GENERAL ASSEMBLY,

MAY, 1859.

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THE KILDALTON CASE,

1858-59.

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JOHN THOMSON, S.S.C, EDINBURGH,

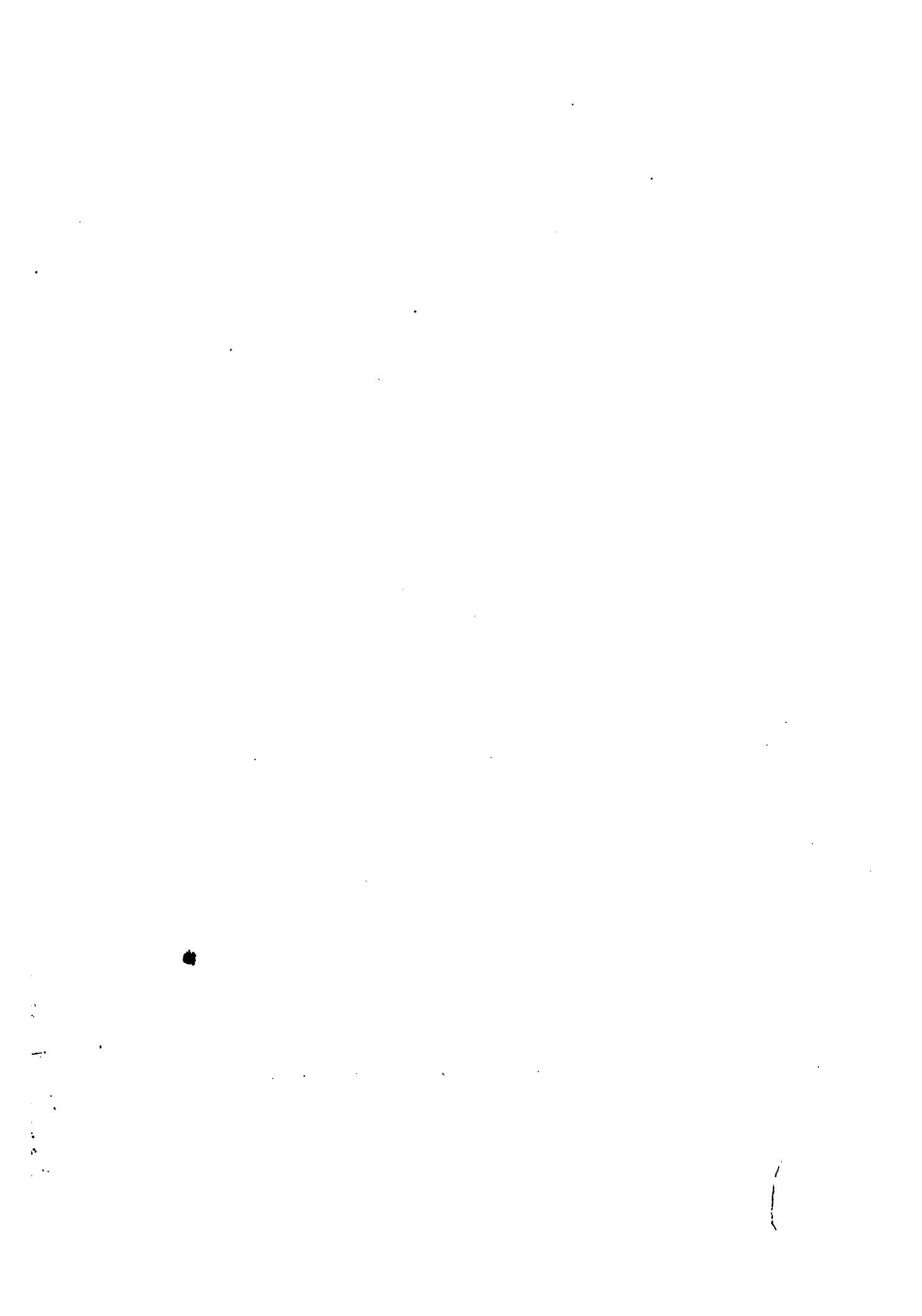
AND

ALEXANDER MACDONALD, WRITER, GREENOCK,

AGENTS FOR THE PRESENTEE.

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GLASGOW: PRINTED BY THOMAS MURRAY & SON.



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# R E C O R D .

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## I.—EXTRACT FROM THE RECORDS OF THE PRESBYTERY OF ISLAY AND JURA.

At BRIDGEND, ISLAY, the thirtieth day of June, one thousand eight hundred and fifty-eight years—

Which day and place the Presbytery of Islay and Jura being met and constituted. Sederunt—  
The Reverend Daniel Macphie, moderator; James Dewar, Kilchoman; James Dewar, Oa; Lachlan Mackenzie, Jura and Colonsay; and Donald Macdonald, Kilmeny, Clerk of Presbytery.

The minutes of last meeting being read and approved of, the following minute of the brethren at Kildalton manse, after the funeral of their late brother, was approved of, and ordered to be engrossed: "At the manse of Kildalton, the fourth day of May, eighteen hundred and fifty-eight years, which day the following brethren met here after the funeral of their late brother, the Reverend Archibald Mactavish, minister of this parish, who departed this life on the twenty-ninth day of April last, viz., the Rev. James Dewar, Kilchoman; Lachlan Mackenzie, Jura and Colonsay; James Dewar, Oa; and Donald Macdonald, Kilmeny; and having chosen the said Lachlan Mackenzie to be moderator *pro tempore*, the meeting was constituted by prayer.

"Mr Dewar, Kilchoman, was appointed to preach in the church here on Sabbath next, and after divine service to declare the church vacant from the 29th day of April last; and they instruct the clerk to enter the said Mr Archibald Mactavish's decease in the separate register.

"The meeting further direct the said Mr James Dewar to intimate the vacancy by letter to the Patron of the parish; and they appoint the following supplies for the parish, viz., Mr Dewar, Oa, to preach on the 23d of May current; Mr Mackenzie, Jura, on the 6th of June; and Mr Macdonald, Kilmeny, on the 20th of said month.

"The meeting resolved to record their high esteem of their deceased brother, as a friend, their sense of the loss which they have sustained by his death, and to convey to his widow and family their deep sympathy with them and the congregation, in this bereavement."

The meeting closed with prayer, and signed Lachlan Mackenzie, moderator P.T.

Mr Dewar, Kilchoman, stated that he had preached at Kildalton on the ninth day of May, as ordered, and intimated the vacancy immediately thereafter to the Secretary of State for the Home Department.

The Rev. Mr Dewar, Oa, and also Messrs Macdonald and Mackenzie, stated that they had preached on the days appointed.

There was laid on the table of the Presbytery a presentation from the Crown in favour of the Reverend Angus Macintyre, minister of the *quoad sacra* parish of Kinlochspelve in Mull, to the church and parish of Kildalton, but as the necessary relative documents were not produced, the Presbytery ordered said presentation to lie on the table till next meeting; and in the meantime, the clerk is instructed to intimate accordingly to the Presentee, and to request of him to forward the necessary documents to the Presbytery before the next meeting.

As upon Sabbath next Mr Macphie is to assist at Kilchoman, there will be no service at Kildalton till the 11th proximo, on which day Mr Macphie is appointed to preach, and on the following Monday, or any subsequent day, preside at the meeting of the kirk-session of the parish, to make up a roll of communicants, and to attend to any other business that may come before the session.

The Presbytery adjourned to meet in Bridgend upon Thursday, 22d day of July.

The meeting was closed with prayer.

(Signed)

DANIEL MACPHIE, Moderator.

## II.—EXTRACT FROM THE RECORDS OF THE PRESBYTERY OF ISLAY AND JURA.

At BRIDGEND, the twenty-second day of July, one thousand eight hundred and fifty-eight years—  
Which day and place the Presbytery of Islay and Jura being met and constituted. Sederunt—  
The Reverend Lachlan Mackenzie of Jura and Colonsay, moderator, *pro tempore*; James Dewar, Oa; James Dewar, Kilchoman; and Donald Macdonald, Kilmeny, the Clerk of Presbytery.

Before entering on business, Mr Macphie, the moderator, arrived and took the chair.

The minutes of last meeting being read and approved of, the Presbytery took up the Presentation to the Church and Parish of Kildalton in favour of the Reverend Angus Macintyre, minister of the *quoad sacra* Parish of Kinlochspelve, which was read; there was also produced his letter of acceptance, and a certificate of his qualification to Government, which Presentation and relative documents were read and sustained. The Presbytery, therefore, did, and hereby do sustain the said Presentation and relative documents.

The Presbytery appointed the said Mr Macintyre, who was present, to preach in the Parish Church of Kildalton, upon Sabbath the first day of August, also upon Sabbath the eighth, and upon Tuesday the tenth days thereof; and they appoint the following members of Presbytery, viz.: Mr Macphie, the moderator; Mr Dewar, Kilchoman; and Mr Dewar, Oa, a committee to be present, and to receive from the said Mr Angus Macintyre the manuscript of his sermons delivered that day and the Sabbaths preceding; and the Presbytery farther resolved to meet in the said Church of Kildalton, upon Tuesday the twenty-fourth day of August, to moderate in a Call in favour of the Presentee, and of receiving objections, if such shall be offered. Mr Macphie, the moderator, to preach on that occasion. And they appointed the Revd. Mr Dewar, of Oa, to preach in the Church of Kildalton, on Sabbath the 25th current, and make intimation of these resolutions.

There was produced and read a communication from the Synod of Argyle, on the Administration of Baptism, and also a recommendation of Synod anent contributing to Supplementary Orphan Fund. The Presbytery adjourn, to meet at Kildalton on the twenty-fourth day of August.

The meeting was closed with prayer.

(Signed)

DANIEL MACPHIE, Moderator.

Extracted upon this and the three preceding pages, at the manse of Kilmeny, Islay, this twenty-sixth day of April, eighteen hundred and fifty-nine years, by

(Signed)

DONALD MACDONALD, Pres. Clk.

## III.—EXTRACT FROM THE RECORDS OF THE PRESBYTERY OF ISLAY AND JURA.

At KILDALTON PARISH CHURCH, the twenty-fourth day of August, one thousand eight hundred and fifty-eight years—

Which day and place the Presbytery of Islay and Jura being met and constituted. Sederunt—  
—The Reverend Daniel Macphie, minister of Portnahaven, moderator; James Dewar, Kilchoman; James Dewar, Oa; Lachlan Mackenzie, Jura and Colonsay; and Donald Macdonald, Kilmeny, the Clerk of Presbytery.

The minutes of last meeting being read and approved of, the edict, intimating Mr Angus Macintyre's appointment to preach in the Parish Church of Kildalton, was returned certified as having been duly executed.

It was reported by Mr Macphie, and Mr Dewar, Oa, that the said Mr Angus Macintyre had fulfilled these appointments, that they had been present as a Committee, appointed by the Presbytery, on the tenth day of August, and had received from Mr Macintyre, at the conclusion of the service, the manuscript of his sermons delivered that day, and on the two Sabbaths preceding, which were ordered to be docqueted.

Mr Macphie, the moderator, ascended the pulpit, and preached in Gaelic from Hebrews, chapter iii. verse 1; and in English, from 2 Corinthians, chapter iv. verse 5.

At this stage of the business, compeared Mr Angus Macintyre, with Alexander Macdonald,

Esquire, Writer in Greenock, as his agent and mandatory, who produced the following mandate to appear for him at this, and all subsequent meetings, which mandate was sustained by the Presbytery:—

“PORT-ELLEN, 24th August, 1858.

“Alexander Macdonald, Esquire, Writer, Greenock,

“Sir,—I hereby authorize you to appear and act for me as mandatory and agent, before the Reverend the Presbytery of Islay and Jura, at a meeting of that Reverend Body, to be held this day in the Parish Church of Kildalton, to moderate in a Call in my favour to the Church and Parish of Kildalton aforesaid, and at all subsequent meetings of the said Presbytery, in relation to my Presentation, with the same powers as belong to, Sir, your obedient servant,

(Signed)

“ANGUS MACINTYRE.”

A form of Call and Concurrence was then read by the clerk; the Call was thereafter subscribed by thirteen parishioners, which subscriptions were attested by the moderator.

The Presbytery order the Call to be entrusted to Mr Levack, the Session-Clerk, till next meeting of Presbytery, in order to afford an opportunity to any parishioner disposed to sign it, to do so.

It was asked by the moderator if any person present intended to object; whereupon the following objections were given in and subscribed by the following parties:—

Special objections against the settlement of the Reverend Angus Macintyre of Kinlochspelve, as minister of the Church and Parish of Kildalton, in the Presbytery of Islay, by the persons hereto subscribers, and others adhering thereto, members of the congregation, or parishioners of said parish.

*First*, The said parish, with upwards of three thousand inhabitants, has a considerable and rapidly increasing proportion, who do not understand Gaelic. The practice has hitherto been to have two services every Sabbath, the one in English, the other in Gaelic; but the Objectors are given to understand that the Presentee has rarely if ever an English service in his present charge, and that he is not qualified to conduct such service with ease, and to the advantage of that portion of the parishioners who do not fully understand the Gaelic language—a fact which has been established by his recent trial services in the parish.

*Second*, That the Presentee, in his present charge, has a manse and glebe adjacent to the church, and the parishioners number about five hundred. That the Presentee passes a great portion of his time in another parish, many miles distant, where he has a separate residence, and thereby has shown his inability to take the spiritual oversight of so important and extensive a parish as Kildalton, with a population so widely scattered, and therefore requiring a young, vigorous, and energetic minister, which the Presentee is not.

*Third*, That, as ordered by the Presbytery, the Presentee has officiated on three several days, in the parish church of Kildalton; that the Objectors are not satisfied with his manner of conducting the Church services. The prayers were not offered with any degree of earnestness or solemnity. The discourses were not edifying; the subject being, for the most part, unconnected with the texts, and the discourses themselves in no way connected one part to another. That the delivery had more the character of recitation of the composition of another than of earnest and direct appeal to the understanding and the heart. That the services had every appearance of being got up for the occasion, (although most inappropriate), hurriedly begun and still more abruptly brought to a close, and that on two of the said days on which the Presentee officiated, he did not, at the commencement of the services, as is enjoined by the Directory of the Church, read any portion of the Holy Scripture.

*Fourth*, That the Presentee does not appear imbued with a charitable or conciliatory spirit; having shown this so markedly in the Psalms selected and given out to be sung at the various diets, more especially the last verses of the One Hundred and Forty-first Psalm, on Sabbath, 1st of August; the One Hundred and Twentieth Psalm, on Sabbath, 8th of August; also, the Ninth Psalm in the Book of Psalms, which he read on Tuesday, 10th of August, none of these having connection with the various subjects of his discourses, but were obviously intended to insult and irritate those who might use their Christian privilege of judging and expressing their opinions on his ministerial qualifications and fitness for the special charge to which he aspires.

*Delivered*  
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*Fifth*, That the Presentee's pronunciation is at times indistinct, so much so, that many of congregation had great difficulty in ascertaining either the Psalms or texts he gave out.

*Lastly*, That the Presentee has directly and indirectly used solicitations and unfair means to cure a favourable reception in the parish, and to obtain subscribers to his Call, contrary to the law the Church, and the express terms of one of the declarations he is bound to make at his induction

	NAME.	DESIGNATION.	RESIDENCE.
	Archibald Campbell,	elder,	Port-Ellen.
	Donald Jamieson,	elder,	Lagavulin.
	Walter Graham,	distiller,	Ardenistle.
	Colin Hay,	distiller,	Callumkill.
5	William Hunter,	distiller,	Laphroig, C.
	James Mackerrol,	postmaster,	Port-Ellen.
	Williamina Hunter,		Laphroig.
	Horatia Perry Graham,		Lagavulin.
	W. L. Johnstone,	M.D.,	Edinburgh.
10	Peter Macarthur,	cooper,	Port-Ellen.
	Thomas Scot,	shepherd,	Callumkill.
	Dugald Johnston,	distillery,	Laphroig.
	Alexander Gordon,	In. Rev. officer,	Lagavulin.
	Mary Gordon,		Lagavulin.
15	Janet Scott,		Callumkill.
	Stewart Fraser,	baker,	Port-Ellen.
	Anne Mackerrol,	Post-Office,	Port-Ellen.
	Anne Eliza Hunter,		Laphroig.
	Dugald Macdougall,		Port-Intruan.
20	John Macmillan,	shipowner,	Port-Ellen.
	George Calder,	cartwright,	Port-Ellen.
	his		
	Robert × Maclellan,		Lagavulin.
	mark		
	Donald Macdougall,	innkeeper,	Port-Ellen.
	Peter Mackenzie,	gamekeeper,	Ure Cottage.
25	James Robertson,	shepherd,	Cornibus.
	his		
	Archibald × Macmillan,	stillman,	Lagavulin.
	mark		
	Duncan Macdougall,	wright,	Port-Ellen.
	Angus Kennedy,	shoemaker,	Port-Ellen.
	John MacEachern,	smith,	Lagavulin.
30	Agnes H. Gordon,		Lagavulin.
	Jannet Macdonald,		Laphroig.
	Gilbert Carmichael,		Lagavulin.
	Ann Carmichael,		Lagavulin.
	his		
	James × Morrison,		Lagavulin.
	mark		
	his		
35	William × Macmillan,		Lagavulin.
	mark		
	Duncan Macmillan,	miller,	Lagavulin.
	Peter Macdougall,	cartwright,	Port-Ellen.
	Ann Jamieson,		Lagavulin.
	Gilbert Macfadyen,		Lagavulin.
40	John Smith,	sailor,	Lagavulin.

*very well only*

RECORD.

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	NAME.	DESIGNATION.	RESIDENCE.
	his Godfrey × Livingston, mark	distilleryman,	Lagavulin.
	John Livingston, John Mackerrol, William Macmillan, her	sailor, sailing-master, clerk,	Lagavulin. W. Frederick. Lagavulin.
45	Ann × Macniven, mark her		Lagavulin.
	Catherine × MacInnes, mark her		Lagavulin.
	Margaret × Jamieson, mark her		Lagavulin.
	Mary × MacEachern, mark her		Lagavulin.
	Mary × Gilchrist, mark her		Lagavulin.
50	Janet × Macdougall, mark her		Lagavulin.
	Lilly × Macmillan, mark her		Lagavulin.
52	Ann × Macmillan, mark		Lagavulin.

Those signing by mark (×) attested by (Signed) DANIEL MACPHIE, Modr.

KILDALTON, 24th Augt., 1858.

What is above contained are the objections and signatures of the Objectors, in number fifty-two, to the Settlement of the Rev. Angus Macintyre.

(Signed) DANIEL MACPHIE, Moderator.

The Presbytery agreed to receive the objections, in the meantime, as subscribed by the Objectors, in number fifty-two. The Presbytery reserved to Mr Alexander Macdonald, on the part of the Presentee, the right to impugn the same, and the right of the parties whose names are adhibited thereto to sign their names, as well as the relevancy of the objections themselves. The Presbytery reserved consideration of the objections till next meeting.

The agent for the Presentee craved diligence against witnesses and havers, in support of his objections to these objections, and the names thereto attached, and to enable him to discuss the relevancy. The Presbytery grant the diligence accordingly, and instruct the clerk to issue the necessary letters of diligence; in which deliverance the said procurator assented, and craved extracts of the whole proceedings, which were allowed.

The Presbytery adjourned to meet at Bridgend, upon Wednesday, the 8th of September, to consider the said objections and relevancy thereof.—Closed with prayer.

(Signed) DANIEL MACPHIE, Modr.

Extracted upon this and the eleven preceding pages, from the minutes of the Presbytery of Islay and Jura, at the Manse of Kilmeny, Islay, this the 26th day of August, 1858 years, by

DONALD MACDONALD, Pres. Clk.

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## IV.—EXTRACT FROM THE RECORDS OF THE PRESBYTERY OF ISLAY AND JURA.

At BRIDGEND, ISLAY, the eighth day of September, one thousand eight hundred and fifty-eight years—

Which day and place the Presbytery of Islay and Jura being met and constituted. Sederunt—  
The Reverend Daniel Macphie, minister of Portnahaven, moderator; James Dewar, Kilchoman; James Dewar, Oa; Lachlan Mackenzie, Jura and Colonsay; and Donald Macdonald, Kilmeny, clerk of Presbytery.

The minutes of last meeting being read, and before they were approved of,

Compeared Hugh Dempster, Esquire, Writer in Greenock, who produced a mandate, signed by forty-six of those who objected at the former meeting.

Whereupon the procurator for the Presentee, on the names being read over, objected to the mandate being received or sustained, *quoad* the following parties whose names do not appear in the list of Objectors, viz.:—Lilly MacEachern, Ann Maclugas, Janet Macphadean, Mary Johnstone, and Mary Livingstone, (five names).

Answered on the part of the Objectors, that the parties objected to are married women, and are identically the same parties as those whose names are entered as follows in the list of Objectors, viz.:—Lilly Macmillan, Ann Macniven, Janet Macdougall, Mary MacEachern, Mary Gilchrist.

The Presbytery, after proof being led, were satisfied with regard to the identity of the foresaid parties; they sustained the following mandate:—

“KILDALTON, 7th September, 1858.

“To Hugh Dempster, Esquire, Writer, Greenock,

“Sir,—We, the undersigned parishioners and members of the congregation of the Parish Church of Kildalton, do hereby authorize you as our agent, to appear before the Presbytery of Islay and Jura, or other competent judicatories, and state and support our objections to the settlement of the Reverend Angus Macintyre, the Presentee to the said church and parish as minister thereof, and to take all such steps as you may consider necessary to prevent any such settlement taking place.

“We remain,

‘Sir,

“Your obedient Servants,

(Signed)

“ Walter Graham.  
William Hunter.  
Peter Mackenzie.  
Colin Hay.  
Gilbert Carmichael.  
Duncan Macmillan.  
Robert Maclellan, his × mark.  
Horatia Perry Graham.  
Ann Jamieson.  
Archy. Macmillan, his × mark.  
Ann Macmillan, her × mark  
William Macmillan, his × mark.  
Lilly MacEachern, her × mark.  
Alexander Gordon.  
Mary Gordon.  
Cathren MacInnis, her × mark.  
Donald Jamieson, elder.  
Margaret Jamieson, her × mark.  
Ann Maclugish, her × mark.  
James Robertson.  
Anne Carmichael.  
Williamina Hunter.  
Anne Eliza Hunter.  
Jannet Macdonald.

(Signed)

William Macmillan, Witness.

William Macmillan, Witness.

William Macmillan, Witness.

William Macmillan, Witness.

William Macmillan, Witness.

William Macmillan, Witness.

William Macmillan, Witness.

William Macmillan, Witness.

RECORD.

William Macmillan, Witness.

William Macmillan, Witness.  
William Macmillan, Witness.

William Macmillan, Witness.

Dugald Johnstone.  
Agnes H. Gordon.  
Dugald Macdougall.  
John MacEachern.  
Janet Macfadyean, her × mark.  
Mary Johnstone or MacEachern.  
John Smith.  
Godfrey Livingstone, his × mark.  
Mary Livingstone, her × mark.  
John Livingstone.  
Gilbert Macfadyen.  
James Morison, his × mark.  
George Calder.  
William Macmillan.  
Thomas Scott.  
Angus Kennedy.  
Donald Macdougall.  
Archd. Campbell, elder.  
Stewart Fraser.  
Peter Macarthur.  
Duncan Macdougall.

46 Peter Macdougall."

The Presbytery approved of their last minute, against which approval, in so far as it allows to the Presentee a proof of any objection to the title of the Objectors to insist upon the same, the Objectors protest and appeal to the ensuing General Assembly, for reasons to be given in in due time, took instruments in the clerk's hands, and craved extracts, which were allowed.

At this stage, the procurator for the Presentee objected to any other parties, except those whose names appeared to be subscribed to the mandate produced, being considered as Objectors in this case, and craved the Presbytery to delete the names of such parties accordingly.

The procurator for the Objectors objected to the relevancy of this craving and to the competency of the motion, in respect that the Presbytery are bound, under the Act, to proceed to consider and dispose of the objections, irrespective of the mandate referred to, and they are not at liberty to expunge the names of any one of the Objectors, but must preserve the objections in their integrity.

Answered for the Presentee.—The only parties before the Court are the Presentee and those persons whose names appear at the mandate produced. There is no appearance by the other Objectors, although duly warned to attend. They must, therefore, be considered as having fallen from their objections, and the Presentee has simply craved a finding to that effect.

The Presbytery having considered the objections and answers, sustain the objection and refuse the motion and craving of the Presentee's agent.

Against which finding the agent for the Presentee protested and appealed to the ensuing meeting of the General Assembly, took instruments, and craved extracts, which were allowed.

The communion roll being called for, a roll of communicants was produced, dated 12th day of July, 1858, consisting of one hundred and fifty-nine in number, which, of consent of parties, the Presbytery held to be correct.

The Call being called for, Mr Levack, the acting session-clerk, returned the same, with twenty-one additional names signed personally, and two hundred and ninety signed per mandates, which 290 names were written to the Call by the mandatories, in the presence of the said Mr Levack; which mandates were also produced, and of which Call, and the signatures thereto attached, the tenor follows, viz :—

"We, heritors, elders, members of the congregation of Kildalton, and parishioners of the parish of Kildalton, being Protestants, desirous of promoting the glory of God and the good of his Church, being destitute of a fixed pastor, and being satisfied by good information and our own experience, of the ministerial abilities and suitableness to our capacities, of the gifts of you, Mr Angus Macintyre, have agreed to invite, as we do hereby invite and Call you to undertake the office of pastor among us, promising you all dutiful respect, encouragement, and obedience in the Lord.

"In witness whereof we have subscribed this Call, before the Presbytery of Islay and Jura, on the twenty-fourth day of August, Eighteen Hundred and Fifty-eight years.

(Signed)

"Duncan MacCuaig, C.  
John Fraser.  
Duncan Macintyre, C.  
John Macdonald, Inland Revenue Officer, C.  
John Macintyre, Ardtala.  
Donald Macintyre, Port-Ellen.  
his  
James MacCuaig, × per D. Macphie, Modr., C.  
mark  
Alex. MacCuaig, Port-Ellen, C.  
Peter MacCuaig.  
Daniel Campbell, C., Port-Ellen.  
Donald Macpherson, C., do.  
his  
Donald × Leonie, per D. M'F., Modr.  
mark  
13 Neil Black, Port-Ellen, C.

I, Daniel Macphie, moderator, appointed by the Presbytery of Islay and Jura, to preach at the moderation of a Call in favour of Mr Angus Macintyre, in the Parish of Kildalton, do hereby attest the subscriptions to the within Call, (being thirteen in number), to be the genuine subscriptions of those whose names they purport to be.

(Signed) DANIEL MACPHIE, Moderator.

September 1.

Duncan Macdougall, Ardbeg.	his
John Campbell, do.	Archd. × Maclergan, J. G. L., Witness, Ardbeg.
Donald Maclellan, do. C.	mark
Duncan Macduffie, do.	his
Dugald Mactaggart, do.	John × Macmillan, J. G. L., Witness, do.
Coll MacCuaig, do.	mark
Donald Macnab, do.	her
Archd. Macalister, do.	Christina × MacCuaig, J. G. L., Witness, do.
his	mark
William × MacEwen, J. G. L., Witness, do.	his
mark	Peter × Macaffer, J. G. L., Witness, do.
his	mark
Donald × Maclellan, J. G. L., Witness, do.	Alexr. Darroch, Glen Lotta.
mark	John Darroch, do.
his	Catharine Darroch, do.
Malcolm × Maclellan, J. G. L., Witness, do.	Mary Darroch, do., C.
mark	Dougal Currie, do.
his	Catharine Torrie, do.
Neil × Macduffie, J. G. L., Witness, do.	Bell Macalpine, do.
mark	Mary Sinclair, do., C.
his	Mary Sinclair, do.
Alex. × Eads, J. G. L., Witness, do.	Neil Bell, do.
mark	Margaret Macphadyen, do.
Duncan Darroch, J. G. L., Witness, do.	Flora Bell, do.
her	Flora Macphadyen, do.
Mary × Darroch, J. G. L., Witness, do.	Alexr. Johnston, do.
mark	Catharine Johnston, do.
James Cameron, do.	Ann Johnston, do.
Malcolm Kennedy's mark ×, J. G. L., Witness, do.	Donald Gillies, Machray.

Sarah Shaw, Port-Ellen, C.  
 Angus Johnston, do., C.  
 Donald Cameron, do.  
 Mary Campbell, do.  
 Samuel Johnstone, do.  
 Catherine Macfadyen, do.  
 Flora Shaw, do., C.  
 Thomas Millar, do.  
 George Anderson, do.  
 Angus Macquarry, do.  
 Robert Macarthur, do.  
 James Mackerrol, do.  
 James Anderson, do.  
 Neil Campbell, do.  
 Marrion Torry, do.  
 William Gilchrist, do.  
 Neil Macmillan, do.  
 Archd. Macfadyen, do.  
 Duncan Carmichael, do.  
 John Carmichael, do.  
 Duncan Fullarton, do.  
 Malcolm Sinclair, do.  
 Andrew Macgibbon, do., C.  
 Margaret Macpherson, do., C.  
 John Shaw, do., C.  
 Charles Maclauchlin, do.  
 Angus Macinnes, do.  
 Duncan Sinclair, Glen Lotts, C.  
 Jessie Macintyre, Port-Ellen.  
 Mary Macintyre, do.

Archibald Macarthur, Mandatory and Witness; Duncan MacCuaig, Witness to these n  
 by the Mandatory.—Lagavulin, 1st Sept, 1858, D. M'C. signed as above.

Dougald Macintyre, Ardtala  
 Jane Macintyre, do.  
 Jane Macgilvray, do  
 Catherine Gillies, do.  
 Flora Macdougall, do.  
 Colin Macintyre, do.  
 Neil Macgilvray, do.  
 John Morrison, do.  
 Archd. Macintyre, do.  
 Archd. Macgill, Ardmore, C.  
 John MacCormick, do.  
 Mrs Donald Macintyre, Port-Ellen.  
 Peter Macintyre, Ardelistry, C.  
 Mary Macintyre, do., C.  
 Christy Campbell, do.  
 Ronald Campbell, do.  
 Angus Macnicol, Glenaigadale.  
 Margt. Mackay, do.  
 John Morrison, do., C.  
 Janet Macintyre, do., C.  
 Duncan Morrison, do.  
 Margt. Morrison, do.  
 Mary Morrison, do.  
 Donald Macfadyen, Ardbeg.

Emily Macintyre, Port-Ellen.  
 George Gardner, do.  
 Nancy Macintyre, do.  
 Mrs Macintyre, do., C.  
 George MacCallum, do.  
 Ann MacCallum, do.  
 Margaret Woodrow, do.  
 David MacEachern, do.  
 Isabella Clark, do.  
 Duncan Macarthur, do.  
 Duncan Morrison, do.  
 Coll Macdonald, do.  
 Agnes Macdonald, do.  
 Archibald Campbell, do.  
 Jessie MacCuaig, do., C.  
 Flora MacCuaig, do., C.  
 Jessie MacCuaig, do., C.  
 Catherine MacCuaig, do.  
 Isabella MacCuaig, do.  
 Isabella Maclean, do.  
 Marrion Gillis, do.  
 Margaret Campbell, do., C.  
 Archibald Macintosh, do.  
 Mary MacCuaig, do.  
 James Gillies, do.  
 Catherine MacCuaig, do., C.  
 Duncan Campbell, do.  
 Donald MacEachern, do.  
 Margaret Smith, do.  
 Donald Mackerrol, do.

Mrs Macfadyen, Ardbeg.  
 Mrs MacCuaig, do.  
 Margt. MacCuaig, do.  
 Angus MacCuaig, do.  
 Mrs Head, do.  
 John Black, do.  
 Mrs Black, do.  
 Ann Black, do.  
 Mrs D. MacDougall, do.  
 William A. Taylor, do.  
 Hector Macallister, do.  
 Mrs MacEwen, do.  
 Donald Gilchrist, do.  
 John Macallister, do.  
 Margaret Macallister, do.  
 Mary Macallister, do.  
 Mrs Macallister, do.  
 Duncan Macallister, do.  
 Robert Weir, Callumkill.  
 Duncan Lindsay, do.  
 Alex. Weir, do.  
 Donald Macintyre, Lotts  
 Alex. Macintyre, do.

THE GENERAL ASSEMBLY,

MAY, 1859.

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THE KILDALTON CASE,

1858-59.

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JOHN THOMSON, S.S.C, EDINBURGH,

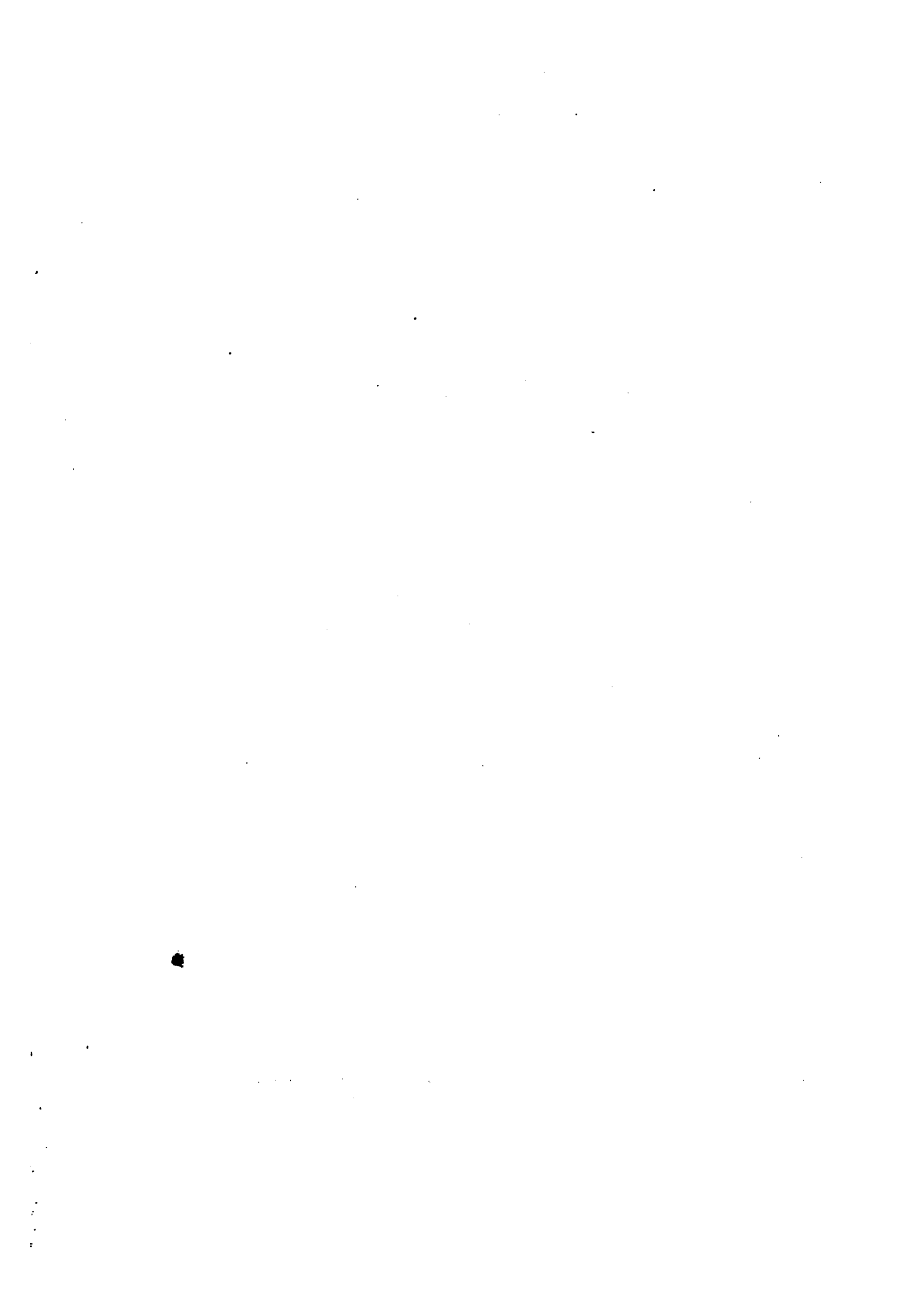
AND

ALEXANDER MACDONALD, WRITER, GREENOCK,

AGENTS FOR THE PRESENTEE.

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GLASGOW: PRINTED BY THOMAS MURRAY & SON.





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At PORT-ELLEN, and within the Parish School-house there, the twenty-sixth day of November, eighteen hundred and fifty-eight years—

Which day the Presbytery of Islay and Jura being met and constituted. Sederunt—The Rev. James Dewar, of Oa, moderator; Daniel Macphie, Portnahaven; James Dewar, Kilchoman; Lachlan Mackenzie, Jura and Colonsay; and Donald Macdonald, Kilmeny, Presbytery Clerk.

The minutes of last meeting were read and approved of.

Mr Dewar, of Kilchoman, was appointed Clerk P.T., in the usual manner, and the oath *de fidei* administered to him.

The Presbytery then proceeded with the Kildalton case, when there appeared for the Presentee Alexander Macdonald, Esquire, writer, Greenock, and for the Objectors, Hugh Dempster, Esquire, writer, Greenock, and Alan Weir, Esquire, writer, Greenock.

Mr Colin Hay, Distiller, residing at Callumkill, compeared as a witness for the Objectors, his examination was so far completed and entered in the separate Record.

The Presbytery adjourned to meet here at six o'clock p.m., and the witness was cited, *apud acta*, to appear at that diet.—Closed with prayer.

(Signed) JAMES DEWAR, Modr.

XII.—EXTRACT FROM THE RECORDS OF THE PRESBYTERY OF ISLAY AND JURA.

At PORT-ELLEN, and within the Parish School-house there, the twenty-sixth day of November, eighteen hundred and fifty-eight, six o'clock p.m.—

The Presbytery of Islay and Jura being met and constituted according to adjournment. Sederunt—Rev. James Dewar of Oa, moderator; Daniel Macphie, Portnahaven; James Dewar, Kilchoman; Lachlan Mackenzie, Jura and Colonsay; and Donald Macdonald, Kilmeny, Presbytery Clerk.

The minutes of last meeting were read and approved of.

The Presbytery proceeded with the Kildalton case, when Alexander Macdonald, Esquire, writer, Greenock, appeared for the Presentee, and Hugh Dempster, Esquire, and Alan Weir, Esquire, writer, Greenock, for the Objectors.

Mr Dewar, Kilchoman, was appointed Clerk P.T., in the usual manner, and the oath *de fidei* administered to him.

Mr Colin Hay, distiller, residing at Callumkill, re-compeared, and his evidence-in-chief was completed, and entered upon the separate Record.

The Presbytery, in consequence of the lateness of the hour (two o'clock a.m.), adjourn to meet within the Parish Church of Kildalton, on Monday, the 29th current, at 12 o'clock, reserving to Mr Macdonald the right to cross-examine the witness at that diet.—Closed with prayer.

(Signed) JAMES DEWAR, Modr.

XIII.—EXTRACT FROM THE RECORDS OF THE PRESBYTERY OF ISLAY AND JURA.

At KILDALTON CHURCH, the 29th day of November, 1858 years—

Which day the Presbytery of Islay and Jura being met and constituted. Sederunt—The Rev. James Dewar of Oa, moderator; James Dewar of Kilchoman; Daniel Macphie, Portnahaven; Lachlan Mackenzie, Jura and Colonsay; Donald Macdonald of Kilmeny, Presbytery Clerk.

The minutes of last meeting being read and approved of, the Presbytery adjourn, to meet at the School-house, Lagavulin, to-day, at 2 o'clock P.M.—Closed with prayer.

(Signed) JAMES DEWAR, Modr.

## XVII.—EXTRACT FROM THE RECORDS OF THE PRESBYTERY OF ISLAY AND JURA.

The Presbytery met in terms of adjournment in the School-house of PORT-ELLEN. Sederunt *ut supra*, being re-constituted, the Kildalton case was proceeded with.

The witness, James Mackerrol, re-appeared for cross-examination; his evidence was completed and entered in the separate Record.

The following supplies were appointed for the Parish of Kildalton, viz.:—Mr Brodie on the twelfth current; Mr Macdonald, Kilmeny, on the twenty-sixth; Mr Dewar, Oa, on the ninth of January; Mr M'Kenzie, Jura, on twenty-third of January; Mr Macphie on the sixth of February.

The Presbytery adjourn to meet at Kildalton upon Tuesday, the eighteenth of January next.—Closed with prayer.

(Signed) JAMES DEWAR, Moderator.

## XVIII.—EXTRACT FROM THE RECORDS OF THE PRESBYTERY OF ISLAY AND JURA.

At the PARISH CHURCH OF KILDALTON, the eighteenth day of January, eighteen hundred and fifty-nine years—

The Presbytery of Islay and Jura being met and constituted. Sederunt—The Rev. James Dewar, Oa, moderator; Lachlan Mackenzie, Jura and Colonsay; James Dewar, Kilchoman; and William Webster, Esquire, Dail, elder; and Donald Macdonald, Kilmeny, Presbytery Clerk.

The minutes of last meeting being read and approved of, the members appointed at last meeting to supply the pulpit of Kildalton, stated that they had obtempered the orders of the Presbytery by preaching in the Parish Church of Kildalton on the days appointed.

The Presbytery proceeded to the consideration of the Kildalton Case.

Mr Dewar, Kilchoman, was appointed Clerk P.T. in the usual manner, and took the oath *de fidei*.

Hugh Dempster, Esquire, writer in Greenock, appeared as agent for the Objectors, and Alexander Macdonald, Esquire, writer there, for the Presentee.

Compared John Maclean, shoemaker in Tobermory, as a witness for the Objectors, against whom an execution of citation was produced, and dated tenth day of January, eighteen hundred and fifty-nine. The agent for the Objectors also produced an execution of citation, dated eighth of January curt., against John MacCallum, tenant, Derrynaculean, and Roderick Macleod, tenant, Cameron, both within the parish of Kinlochspelve, and Presbytery of Mull, who being thrice called within the Church, and at the most patent door of the Church of Kildalton, failed to appear, the above-mentioned John Maclean was solemnly sworn and interrogated as a witness for the Objectors. His evidence was taken down in the separate Record, and concluded.

The Presbytery adjourn, to meet at Port-Ellen at twelve o'clock noon to-morrow.—Closed with prayer.

(Signed) JAMES DEWAR, Moderator.

## XIX.—EXTRACT FROM THE RECORDS OF THE PRESBYTERY OF ISLAY AND JURA.

At PORT-ELLEN, the nineteenth day of January, eighteen hundred and fifty-nine—

The Presbytery of Islay and Jura being met and constituted. Sederunt—The Rev. James Dewar, Oa, moderator; Lachlan Mackenzie, Jura and Colonsay; James Dewar, Kilchoman; Donald Macdonald, Presbytery Clerk; and William Webster, Esquire, Dail, elder.

The minutes of last meeting being read and approved of, the Presbytery proceeded with the Kildalton Case, when there appeared Hugh Dempster, Esquire, writer in Greenock, agent for the Objectors, and Alexander Macdonald, Esquire, writer there, as agent for the Presentee.

# R E C O R D .

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## I.—EXTRACT FROM THE RECORDS OF THE PRESBYTERY OF ISLAY AND JURA.

At BRIDGEND, ISLAY, the thirtieth day of June, one thousand eight hundred and fifty-eight years—

Which day and place the Presbytery of Islay and Jura being met and constituted. Sederunt—  
The Reverend Daniel Macphie, moderator; James Dewar, Kilchoman; James Dewar, Oa; Lachlan Mackenzie, Jura and Colonsay; and Donald Macdonald, Kilmeny, Clerk of Presbytery.

The minutes of last meeting being read and approved of, the following minute of the brethren at Kildalton manse, after the funeral of their late brother, was approved of, and ordered to be engrossed: “At the manse of Kildalton, the fourth day of May, eighteen hundred and fifty-eight years, which day the following brethren met here after the funeral of their late brother, the Reverend Archibald Mactavish, minister of this parish, who departed this life on the twenty-ninth day of April last, viz, the Rev. James Dewar, Kilchoman; Lachlan Mackenzie, Jura and Colonsay; James Dewar, Oa; and Donald Macdonald, Kilmeny; and having chosen the said Lachlan Mackenzie to be moderator *pro tempore*, the meeting was constituted by prayer.

“Mr Dewar, Kilchoman, was appointed to preach in the church here on Sabbath next, and after divine service to declare the church vacant from the 29th day of April last; and they instruct the clerk to enter the said Mr Archibald Mactavish’s decease in the separate register.

“The meeting further direct the said Mr James Dewar to intimate the vacancy by letter to the Patron of the parish; and they appoint the following supplies for the parish, viz, Mr Dewar, Oa, to preach on the 23d of May current; Mr Mackenzie, Jura, on the 6th of June; and Mr Macdonald, Kilmeny, on the 20th of said month.

“The meeting resolved to record their high esteem of their deceased brother, as a friend, their sense of the loss which they have sustained by his death, and to convey to his widow and family their deep sympathy with them and the congregation, in this bereavement.”

The meeting closed with prayer, and signed Lachlan Mackenzie, moderator P.T.

Mr Dewar, Kilchoman, stated that he had preached at Kildalton on the ninth day of May, as ordered, and intimated the vacancy immediately thereafter to the Secretary of State for the Home Department.

The Rev. Mr Dewar, Oa, and also Messrs Macdonald and Mackenzie, stated that they had preached on the days appointed.

There was laid on the table of the Presbytery a presentation from the Crown in favour of the Reverend Angus Macintyre, minister of the *quoad sacra* parish of Kinlochspelve in Mull, to the church and parish of Kildalton, but as the necessary relative documents were not produced, the Presbytery ordered said presentation to lie on the table till next meeting; and in the meantime, the clerk is instructed to intimate accordingly to the Presentee, and to request of him to forward the necessary documents to the Presbytery before the next meeting.

As upon Sabbath next Mr Macphie is to assist at Kilchoman, there will be no service at Kildalton till the 11th proximo, on which day Mr Macphie is appointed to preach, and on the following Monday, or any subsequent day, preside at the meeting of the kirk-session of the parish, to make up a roll of communicants, and to attend to any other business that may come before the session.

The Presbytery adjourned to meet in Bridgend upon Thursday, 22d day of July.

The meeting was closed with prayer.

(Signed)

DANIEL MACPHIE, Moderator.



## II.—EXTRACT FROM THE RECORDS OF THE PRESBYTERY OF ISLAY AND JURA.

At BRIDGEND, the twenty-second day of July, one thousand eight hundred and fifty-eight years—  
Which day and place the Presbytery of Islay and Jura being met and constituted. Sederunt—  
The Reverend Lachlan Mackenzie of Jura and Colonsay, moderator, *pro tempore*; James Dewar, Oa; James Dewar, Kilchoman; and Donald Macdonald, Kilmeny, the Clerk of Presbytery.

Before entering on business, Mr Macphie, the moderator, arrived and took the chair.

The minutes of last meeting being read and approved of, the Presbytery took up the Presentation to the Church and Parish of Kildalton in favour of the Reverend Angus Macintyre, minister of the *quoad sacra* Parish of Kinlochspelve, which was read; there was also produced his letter of acceptance, and a certificate of his qualification to Government, which Presentation and relative documents were read and sustained. The Presbytery, therefore, did, and hereby do sustain the said Presentation and relative documents.

The Presbytery appointed the said Mr Macintyre, who was present, to preach in the Parish Church of Kildalton, upon Sabbath the first day of August, also upon Sabbath the eighth, and upon Tuesday the tenth days thereof; and they appoint the following members of Presbytery, viz: Mr Macphie, the moderator; Mr Dewar, Kilchoman; and Mr Dewar, Oa, a committee to be present, and to receive from the said Mr Angus Macintyre the manuscript of his sermons delivered that day and the Sabbaths preceding; and the Presbytery farther resolved to meet in the said Church of Kildalton, upon Tuesday the twenty-fourth day of August, to moderate in a Call in favour of the Presentee, and of receiving objections, if such shall be offered. Mr Macphie, the moderator, to preach on that occasion. And they appointed the Revd. Mr Dewar, of Oa, to preach in the Church of Kildalton, on Sabbath the 25th current, and make intimation of these resolutions.

There was produced and read a communication from the Synod of Argyle, on the Administration of Baptism, and also a recommendation of Synod anent contributing to Supplementary Orphan Fund.

The Presbytery adjourn, to meet at Kildalton on the twenty-fourth day of August.

The meeting was closed with prayer.

(Signed)

DANIEL MACPHIE, Moderator.

Extracted upon this and the three preceding pages, at the manse of Kilmeny, Islay, this twenty-sixth day of April, eighteen hundred and fifty-nine years, by

(Signed)

DONALD MACDONALD, Pres. Clk.

## III.—EXTRACT FROM THE RECORDS OF THE PRESBYTERY OF ISLAY AND JURA.

At KILDALTON PARISH CHURCH, the twenty-fourth day of August, one thousand eight hundred and fifty-eight years—

Which day and place the Presbytery of Islay and Jura being met and constituted. Sederunt—  
The Reverend Daniel Macphie, minister of Portnahaven, moderator; James Dewar, Kilchoman; James Dewar, Oa; Lachlan Mackenzie, Jura and Colonsay; and Donald Macdonald, Kilmeny, the Clerk of Presbytery.

The minutes of last meeting being read and approved of, the edict, intimating Mr Angus Macintyre's appointment to preach in the Parish Church of Kildalton, was returned certified as having been duly executed.

It was reported by Mr Macphie, and Mr Dewar, Oa, that the said Mr Angus Macintyre had fulfilled these appointments, that they had been present as a Committee, appointed by the Presbytery, on the tenth day of August, and had received from Mr Macintyre, at the conclusion of the service, the manuscript of his sermons delivered that day, and on the two Sabbaths preceding, which were ordered to be docqueted.

Mr Macphie, the moderator, ascended the pulpit, and preached in Gaelic from Hebrews, chapter iii. verse 1; and in English, from 2 Corinthians, chapter iv. verse 5.

At this stage of the business, compared Mr Angus Macintyre, with Alexander Macdonald,

Esquire, Writer in Greenock, as his agent and mandatory, who produced the following mandate to appear for him at this, and all subsequent meetings, which mandate was sustained by the Presbytery:—

“PORT-ELLEN, 24th August, 1858.

“Alexander Macdonald, Esquire, Writer, Greenock,

“Sir,—I hereby authorize you to appear and act for me as mandatory and agent, before the Reverend the Presbytery of Islay and Jura, at a meeting of that Reverend Body, to be held this day in the Parish Church of Kildalton, to moderate in a Call in my favour to the Church and Parish of Kildalton aforesaid, and at all subsequent meetings of the said Presbytery, in relation to my Presentation, with the same powers as belong to, Sir, your obedient servant,

(Signed)

“ANGUS MACINTYRE.”

A form of Call and Concurrence was then read by the clerk; the Call was thereafter subscribed by thirteen parishioners, which subscriptions were attested by the moderator.

The Presbytery order the Call to be entrusted to Mr Levack, the Session-Clerk, till next meeting of Presbytery, in order to afford an opportunity to any parishioner disposed to sign it, to do so.

It was asked by the moderator if any person present intended to object; whereupon the following objections were given in and subscribed by the following parties:—

Special objections against the settlement of the Reverend Angus Macintyre of Kinlochspelve, as minister of the Church and Parish of Kildalton, in the Presbytery of Islay, by the persons hereto subscribers, and others adhering thereto, members of the congregation, or parishioners of said parish.

*First*, The said parish, with upwards of three thousand inhabitants, has a considerable and rapidly increasing proportion, who do not understand Gaelic. The practice has hitherto been to have two services every Sabbath, the one in English, the other in Gaelic; but the Objectors are given to understand that the Presentee has rarely if ever an English service in his present charge, and that he is not qualified to conduct such service with ease, and to the advantage of that portion of the parishioners who do not fully understand the Gaelic language—a fact which has been established by his recent trial services in the parish.

*Second*, That the Presentee, in his present charge, has a manse and glebe adjacent to the church, and the parishioners number about five hundred. That the Presentee passes a great portion of his time in another parish, many miles distant, where he has a separate residence, and thereby has shown his inability to take the spiritual oversight of so important and extensive a parish as Kildalton, with a population so widely scattered, and therefore requiring a young, vigorous, and energetic minister, which the Presentee is not.

*Third*, That, as ordered by the Presbytery, the Presentee has officiated on three several days, in the parish church of Kildalton; that the Objectors are not satisfied with his manner of conducting the Church services. The prayers were not offered with any degree of earnestness or solemnity. The discourses were not edifying; the subject being, for the most part, unconnected with the texts, and the discourses themselves in no way connected one part to another. That the delivery had more the character of recitation of the composition of another than of earnest and direct appeal to the understanding and the heart. That the services had every appearance of being got up for the occasion, (although most inappropriate), hurriedly begun and still more abruptly brought to a close, and that on two of the said days on which the Presentee officiated, he did not, at the commencement of the services, as is enjoined by the Directory of the Church, read any portion of the Holy Scripture.

*Fourth*, That the Presentee does not appear imbued with a charitable or conciliatory spirit; having shown this so markedly in the Psalms selected and given out to be sung at the various diets, more especially the last verses of the One Hundred and Forty-first Psalm, on Sabbath, 1st of August; the One Hundred and Twentieth Psalm, on Sabbath, 8th of August; also, the Ninth Psalm in the Book of Psalms, which he read on Tuesday, 10th of August, none of these having connection with the various subjects of his discourses, but were obviously intended to insult and irritate those who might use their Christian privilege of judging and expressing their opinions on his ministerial qualifications and fitness for the special charge to which he aspires.

*Fifth*, That the Presentee's pronunciation is at times indistinct, so much so, that many of the congregation had great difficulty in ascertaining either the Psalms or texts he gave out.

*Lastly*, That the Presentee has directly and indirectly used solicitations and unfair means to procure a favourable reception in the parish, and to obtain subscribers to his Call, contrary to the laws of the Church, and the express terms of one of the declarations he is bound to make at his induction.

	NAME.	DESIGNATION.	RESIDENCE.
	Archibald Campbell,	elder,	Port-Ellen.
	Donald Jamieson,	elder,	Lagavulin.
	Walter Graham,	distiller,	Ardenistle.
	Colin Hay,	distiller,	Callumkill.
5	William Hunter,	distiller,	Laphroig, C.
	James Mackerrol,	postmaster,	Port-Ellen.
	Williamina Hunter,		Laphroig.
	Horatia Perry Graham,		Lagavulin.
	W. L. Johnstone,	M.D.,	Edinburgh.
10	Peter Macarthur,	cooper,	Port-Ellen.
	Thomas Scot,	shepherd,	Callumkill.
	Dugald Johnston,	distillery,	Laphroig.
	Alexander Gordon,	In. Rev. officer,	Lagavulin.
	Mary Gordon,		Lagavulin.
15	Janet Scott,		Callumkill.
	Stewart Fraser,	baker,	Port-Ellen.
	Anne Mackerrol,	Post-Office,	Port-Ellen.
	Anne Eliza Hunter,		Laphroig.
	Dugald Macdougall,		Port-Intruan.
20	John Macmillan,	shipowner,	Port-Ellen.
	George Calder,	cartwright,	Port-Ellen.
	his		
	Robert × Maclellan,		Lagavulin.
	mark		
	Donald Macdougall,	innkeeper,	Port-Ellen.
	Peter Mackenzie,	gamekeeper,	Ure Cottage.
25	James Robertson,	shepherd,	Cornibus.
	his		
	Archibald × Macmillan,	stillman,	Lagavulin.
	mark		
	Duncan Macdougall,	wright,	Port-Ellen.
	Angus Kennedy,	shoemaker,	Port-Ellen.
	John MacEachern,	smith,	Lagavulin.
30	Agnes H. Gordon,		Lagavulin.
	Jannet Macdonald,		Laphroig.
	Gilbert Carmichael,		Lagavulin.
	Ann Carmichael,		Lagavulin.
	his		
	James × Morrison,		Lagavulin.
	mark		
	his		
35	William × Macmillan,		Lagavulin.
	mark		
	Duncan Macmillan,	miller,	Lagavulin.
	Peter Macdougall,	cartwright,	Port-Ellen.
	Ann Jamieson,		Lagavulin.
	Gilbert Macfadyen,		Lagavulin.
40	John Smith,	sailor,	Lagavulin.

*very much*

RECORD.

5

	NAME.	DESIGNATION.	RESIDENCE.
	his Godfrey × Livingston, mark	distilleryman,	Lagavulin.
	John Livingston, John Mackerrol, William Macmillan, her	sailor, sailing-master, clerk,	Lagavulin. W. Frederick. Lagavulin.
45	Ann × Macniven, mark her		Lagavulin.
	Catherine × MacInnes, mark her		Lagavulin.
	Margaret × Jamieson, mark her		Lagavulin.
	Mary × MacEachern, mark her		Lagavulin.
	Mary × Gilchrist, mark her		Lagavulin.
50	Janet × Macdougall, mark her		Lagavulin.
	Lilly × Macmillan, mark her		Lagavulin.
52	Ann × Macmillan, mark		Lagavulin.

Those signing by mark (×) attested by (Signed) DANIEL MACPHIE, Modr.

KILDALTON, 24th Augt., 1858.

What is above contained are the objections and signatures of the Objectors, in number fifty-two, to the Settlement of the Rev. Angus Macintyre.

(Signed) DANIEL MACPHIE, Moderator.

The Presbytery agreed to receive the objections, in the meantime, as subscribed by the Objectors, in number fifty-two. The Presbytery reserved to Mr Alexander Macdonald, on the part of the Presentee, the right to impugn the same, and the right of the parties whose names are adhibited thereto to sign their names, as well as the relevancy of the objections themselves. The Presbytery reserved consideration of the objections till next meeting.

The agent for the Presentee craved diligence against witnesses and havers, in support of his objections to these objections, and the names thereto attached, and to enable him to discuss the relevancy. The Presbytery grant the diligence accordingly, and instruct the clerk to issue the necessary letters of diligence; in which deliverance the said procurator assented, and craved extracts of the whole proceedings, which were allowed.

The Presbytery adjourned to meet at Bridgend, upon Wednesday, the 8th of September, to consider the said objections and relevancy thereof.—Closed with prayer.

(Signed) DANIEL MACPHIE, Modr.

Extracted upon this and the eleven preceding pages, from the minutes of the Presbytery of Islay and Jura, at the Manse of Kilmeny, Islay, this the 26th day of August, 1858 years, by

DONALD MACDONALD, Pres. Clk.

## IV.—EXTRACT FROM THE RECORDS OF THE PRESBYTERY OF ISLAY AND JURA.

At BRIDGEND, ISLAY, the eighth day of September, one thousand eight hundred and fifty-eight years—

Which day and place the Presbytery of Islay and Jura being met and constituted. Sederunt—  
The Reverend Daniel Macphie, minister of Portnahaven, moderator; James Dewar, Kilchoman; James Dewar, Oa; Lachlan Mackenzie, Jura and Colonsay; and Donald Macdonald, Kilmeny, clerk of Presbytery.

The minutes of last meeting being read, and before they were approved of,  
Compeared Hugh Dempster, Esquire, Writer in Greenock, who produced a mandate, signed by forty-six of those who objected at the former meeting.

Whereupon the procurator for the Presentee, on the names being read over, objected to the mandate being received or sustained, *quoad* the following parties whose names do not appear in the list of Objectors, viz.:—Lilly MacEachern, Ann Maclugas, Janet Macphadean, Mary Johnstone, and Mary Livingstone, (five names).

Answered on the part of the Objectors, that the parties objected to are married women, and are identically the same parties as those whose names are entered as follows in the list of Objectors, viz.:—Lilly Macmillan, Ann Macniven, Janet Macdougall, Mary MacEachern, Mary Gilchrist.

The Presbytery, after proof being led, were satisfied with regard to the identity of the foresaid parties; they sustained the following mandate:—

“KILDALTON, 7th September, 1858.

“To Hugh Dempster, Esquire, Writer, Greenock,

“Sir,—We, the undersigned parishioners and members of the congregation of the Parish Church of Kildalton, do hereby authorize you as our agent, to appear before the Presbytery of Islay and Jura, or other competent judicatories, and state and support our objections to the settlement of the Reverend Angus Macintyre, the Presentee to the said church and parish as minister thereof, and to take all such steps as you may consider necessary to prevent any such settlement taking place.

“We remain,

‘Sir,

“Your obedient Servants,

(Signed)

“ Walter Graham.  
William Hunter.  
Peter Mackenzie.  
Colin Hay.  
Gilbert Carmichael.  
Duncan Macmillan.  
Robert Maclellan, his × mark.  
Horatia Perry Graham.  
Ann Jamieson.  
Archy. Macmillan, his × mark.  
Ann Macmillan, her × mark.  
William Macmillan, his × mark.  
Lilly MacEachern, her × mark.  
Alexander Gordon.  
Mary Gordon.  
Cathren MacInnis, her × mark.  
Donald Jamieson, elder.  
Margaret Jamieson, her × mark.  
Ann Maclugish, her × mark.  
James Robertson.  
Anne Carmichael.  
Williamina Hunter.  
Anne Eliza Hunter.  
Jannet Macdonald.

(Signed) William Macmillan, Witness.

William Macmillan, Witness.  
William Macmillan, Witness.  
William Macmillan, Witness.  
William Macmillan, Witness.

William Macmillan, Witness.

William Macmillan, Witness.  
William Macmillan, Witness.

RECORD.

William Macmillan, Witness.

William Macmillan, Witness.  
William Macmillan, Witness.

William Macmillan, Witness.

Dugald Johnstone.  
Agnes H. Gordon.  
Dugald Macdougall.  
John MacEachern.  
Janet Macfadyean, her × mark.  
Mary Johnstone or MacEachern.  
John Smith.  
Godfrey Livingstone, his × mark.  
Mary Livingstone, her × mark.  
John Livingstone.  
Gilbert Macfadyen.  
James Morison, his × mark.  
George Calder.  
William Macmillan.  
Thomas Scott.  
Angus Kennedy.  
Donald Macdougall.  
Archd. Campbell, elder.  
Stewart Fraser.  
Peter Macarthur.  
Duncan Macdougall.  
46 Peter Macdougall."

The Presbytery approved of their last minute, against which approval, in so far as it allows to the Presentee a proof of any objection to the title of the Objectors to insist upon the same, the Objectors protest and appeal to the ensuing General Assembly, for reasons to be given in in due time, took instruments in the clerk's hands, and craved extracts, which were allowed.

At this stage, the procurator for the Presentee objected to any other parties, except those whose names appeared to be subscribed to the mandate produced, being considered as Objectors in this case, and craved the Presbytery to delete the names of such parties accordingly.

The procurator for the Objectors objected to the relevancy of this craving and to the competency of the motion, in respect that the Presbytery are bound, under the Act, to proceed to consider and dispose of the objections, irrespective of the mandate referred to, and they are not at liberty to expunge the names of any one of the Objectors, but must preserve the objections in their integrity.

Answered for the Presentee.—The only parties before the Court are the Presentee and those persons whose names appear at the mandate produced. There is no appearance by the other Objectors, although duly warned to attend. They must, therefore, be considered as having fallen from their objections, and the Presentee has simply craved a finding to that effect.

The Presbytery having considered the objections and answers, sustain the objection and refuse the motion and craving of the Presentee's agent.

Against which finding the agent for the Presentee protested and appealed to the ensuing meeting of the General Assembly, took instruments, and craved extracts, which were allowed.

The communion roll being called for, a roll of communicants was produced, dated 12th day of July, 1858, consisting of one hundred and fifty-nine in number, which, of consent of parties, the Presbytery held to be correct.

The Call being called for, Mr Levack, the acting session-clerk, returned the same, with twenty-one additional names signed personally, and two hundred and ninety signed per mandates, which 290 names were written to the Call by the mandatories, in the presence of the said Mr Levack; which mandates were also produced, and of which Call, and the signatures thereto attached, the tenor follows, viz. :—

"We, heritors, elders, members of the congregation of Kildalton, and parishioners of the pariah of Kildalton, being Protestants, desirous of promoting the glory of God and the good of his Church, being destitute of a fixed pastor, and being satisfied by good information and our own experience, of the ministerial abilities and suitableness to our capacities, of the gifts of you, Mr Angus Macintyre, have agreed to invite, as we do hereby invite and Call you to undertake the office of pastor among us, promising you all dutiful respect, encouragement, and obedience in the Lord.

"In witness whereof we have subscribed this Call, before the Presbytery of Islay and Jura, on the twenty-fourth day of August, Eighteen Hundred and Fifty-eight years.

(Signed)

"Duncan MacCuaig, C.  
John Fraser.  
Duncan Macintyre, C.  
John Macdonald, Inland Revenue Officer, C.  
John Macintyre, Ardtala.  
Donald Macintyre, Port-Ellen.  
his  
James MacCuaig, × per D. Macphie, Modr., C.  
mark  
Alex. MacCuaig, Port-Ellen, C.  
Peter MacCuaig.  
Daniel Campbell, C., Port-Ellen.  
Donald Macpherson, C., do.  
his  
Donald × Leonie, per D. M'F., Modr.  
mark  
13 Neil Black, Port-Ellen, C.

I, Daniel Macphie, moderator, appointed by the Presbytery of Islay and Jura, to preach at the moderation of a Call in favour of Mr Angus Macintyre, in the Parish of Kildalton, do hereby attest the subscriptions to the within Call, (being thirteen in number), to be the genuine subscriptions of those whose names they purport to be.

(Signed) DANIEL MACPHIE, Moderator.

September 1.

Duncan Macdougall, Ardbeg.  
John Campbell, do.  
Donald Maclellan, do. C.  
Duncan Macduffie, do.  
Dugald Mactaggart, do.  
Coll MacCuaig, do.  
Donald Macnab, do.  
Archd. Macalister, do.  
his  
William × MacEwen, J. G. L., Witness, do.  
mark  
his  
Donald × Maclellan, J. G. L., Witness, do.  
mark  
his  
Malcolm × Maclellan, J. G. L., Witness, do.  
mark  
his  
Neil × Macduffie, J. G. L., Witness, do.  
mark  
his  
Alex. × Eads, J. G. L., Witness, do.  
mark  
Duncan Darroch, J. G. L., Witness, do.  
her  
Mary × Darroch, J. G. L., Witness, do.  
mark  
James Cameron, do.  
Malcolm Kennedy's mark ×, J. G. L., Witness, do.

his  
Archd. × Macclergan, J. G. L., Witness, Ardbeg.  
mark  
his  
John × Macmillan, J. G. L., Witness, do.  
mark  
her  
Christina × MacCuaig, J. G. L., Witness, do.  
mark  
his  
Peter × Macaffer, J. G. L., Witness, do.  
mark  
Alexr. Darroch, Glen Lotts.  
John Darroch, do.  
Catharine Darroch, do.  
Mary Darroch, do., C.  
Dougal Currie, do.  
Catharine Torrie, do.  
Bell Macalpine, do.  
Mary Sinclair, do., C.  
Mary Sinclair, do.  
Neil Bell, do.  
Margaret Macphadyen, do.  
Flora Bell, do.  
Flora Macphadyen, do.  
Alexr. Johnston, do.  
Catharine Johnston, do.  
Ann Johnston, do.  
Donald Gillies, Machray.

Hugh MacEachern, Port-Ellen.  
 Catharine Sinclair, Glenegadale.  
 Jane Torry, do.  
 Mary Macintyre, Glen Lotts.  
 Mary Macintyre, do.  
 John Currie, do.  
 Mary Robertson, do., C.  
 Mary Macniven, do.  
 Catharine Clark, do.  
 Bell Macqueen, do.  
 Janet Macintyre, do.  
 Catharine Currie, do., C.  
 Mary Orr, do.  
 Duncan Mactaggart, Laorin.

Malcolm Robertson, Glen Lotts.  
 Alexander Macintyre.  
 Alexr. MacEwen, Port-Ellen Distillery.  
 Margt. MacEwen, do.  
 Catharine Darroch, do.  
 Janet Macintyre, do.  
 Neil Darroch, do.  
 Margaret Currie, do.  
 Thomas Macdonald, Glen Lotts  
 Donald Macdonald, do.  
 Jessie Macdonald, do.  
 Ann Macdonald, do.  
 Margaret Macdonald, do.

Duncan MacCuaig, Port-Ellen, Mandatory ; Archd. Macarthur, Witness.

James Livingston, Port-Ellen, C.  
 Dugald MacCuaig, do.  
 Alexr. Livingstone, do.  
 James Macfarlane, do.  
 Archibald Mackay, do.  
 Donald Macmillan, do.  
 Henry MacCuaig, do.  
 Duncan Macalpine, parochial teacher, do.  
 John Macintyre, do., C.  
 Duncan Campbell, do.  
 Dugald Macintyre, do.  
 Duncan MacCuaig, do., C.  
 Angus MacCuaig, do.  
 George Campbell, do.  
 Colin Macnab, do.  
 John MacCallum, do.  
 Duncan Macmillan, do.  
 Donald Macmillan, do.  
 Hugh Gilchrist, do.  
 Neil MacCuaig, do.  
 John Macniven, do., C.  
 Angus Mackeachan, do.  
 Angus Brown, do.  
 Malcolm Macintyre, do.  
 Dugald Campbell, do.  
 John Maclauchlin, do.  
 John MacCuaig, do.  
 John Macinnes, do.  
 Lauchlin Maclean, do.  
 James Brown do.,  
 Donald Macintyre, do.  
 Hugh Logan, do.  
 Mary Fraser, do.  
 Donald Campbell, do.  
 Allan M'Dougall, do.  
 Samuel Johnstone, do.  
 Ellen Campbell, do.  
 Flora Macphie, do.  
 Ann Campbell, do.  
 William MacCuaig, do.  
 Margt. Currie, do.

Neil Macinnes, Port-Ellen.  
 Ann Kerr, do.  
 Archibald Brown, do.  
 Alex. Cameron, do.  
 John Shaw, do.  
 Alex. Smith, do.  
 Dugald Carmichael, do.  
 Neil Macintyre, Glen Lotts.  
 Dugald MacCuaig, Port-Ellen.  
 Donald MacCravie, do.  
 Alex. Macintyre, do.  
 John Macintyre, do.  
 Margaret MacCuaig, do.  
 Christina Macintyre, do.  
 Duncan Shaw, do.  
 David Vine, do.  
 Catherine Vine, do.  
 Archibald Lindsay, do.  
 Samuel Macfarlane, do.  
 Marrion Anderson, do.  
 Donald Black, do.  
 John Stewart, do.  
 Hugh Logan, do., C.  
 Marrion Logan, do., C.  
 Robert Campbell, do.  
 Mary Logan, do.  
 Ann Logan, do.  
 Janet Dunlope, do.  
 Duncan Macintyre, do.  
 Duncan Mackay, do.  
 Catharine Johnstone, do., C.  
 William Currie, do.  
 Duncan Logan, do., C.  
 Neil Logan, do.  
 Dugald Logan, do.  
 Mary Logan, do.  
 Janet Logan, do.  
 Bell Logan, do.  
 Betsy Macphail, do.  
 Godfrey Livingston, do.



Sarah Shaw, Port-Ellen, C.  
 Angus Johnston, do., C.  
 Donald Cameron, do.  
 Mary Campbell, do.  
 Samuel Johnstone, do.  
 Catherine Macfadyen, do.  
 Flora Shaw, do., C.  
 Thomas Millar, do.  
 George Anderson, do.  
 Angus Macquarry, do.  
 Robert Macarthur, do.  
 James Mackerrol, do.  
 James Anderson, do.  
 Neil Campbell, do.  
 Marrion Torry, do.  
 William Gilchrist, do.  
 Neil Macmillan, do.  
 Archd. Macfadyen, do.  
 Duncan Carmichael, do.  
 John Carmichael, do.  
 Duncan Fullarton, do.  
 Malcolm Sinclair, do.  
 Andrew Macgibbon, do., C.  
 Margaret Macpherson, do., C.  
 John Shaw, do., C.  
 Charles Maclauchlin, do.  
 Angus Macinnes, do.  
 Duncan Sinclair, Glen Lotts, C.  
 Jessie Macintyre, Port-Ellen.  
 Mary Macintyre, do.

Emily Macintyre, Port-Ellen.  
 George Gardner, do.  
 Nancy Macintyre, do.  
 Mrs Macintyre, do., C.  
 George MacCallum, do.  
 Ann MacCallum, do.  
 Margaret Woodrow, do.  
 David MacEachern, do.  
 Isabella Clark, do.  
 Duncan Macarthur, do.  
 Duncan Morrison, do.  
 Coll Macdonald, do.  
 Agnes Macdonald, do.  
 Archibald Campbell, do.  
 Jessie MacCuaig, do., C.  
 Flora MacCuaig, do., C.  
 Jessie MacCuaig, do., C.  
 Catherine MacCuaig, do.  
 Isabella MacCuaig, do.  
 Isabella Maclean, do.  
 Marrion Gillis, do.  
 Margaret Campbell, do., C.  
 Archibald Macintosh, do.  
 Mary MacCuaig, do.  
 James Gillies, do.  
 Catherine MacCuaig, do., C.  
 Duncan Campbell, do.  
 Donald MacEachern, do.  
 Margaret Smith, do.  
 Donald Mackerrol, do.

Archibald Macarthur, Mandatory and Witness; Duncan MacCuaig, Witness to these names entered by the Mandatory.—Lagavulin, 1st Sept., 1858, D. M'C. signed as above.

Dougald Macintyre, Ardtala.  
 Jane Macintyre, do.  
 Jane Macgilvray, do.  
 Catherine Gillies, do.  
 Flora Macdougall, do.  
 Colin Macintyre, do.  
 Neil Macgilvray, do.  
 John Morrison, do.  
 Archd. Macintyre, do.  
 Archd. Macgill, Ardmore, C.  
 John MacCormick, do.  
 Mrs Donald Macintyre, Port-Ellen.  
 Peter Macintyre, Ardelistry, C.  
 Mary Macintyre, do., C.  
 Christy Campbell, do.  
 Ronald Campbell, do.  
 Angus Macnicol, Glenaigadale.  
 Margt. Mackay, do.  
 John Morrison, do., C.  
 Janet Macintyre, do., C.  
 Duncan Morrison, do.  
 Margt. Morrison, do.  
 Mary Morrison, do.  
 Donald Macfadyen, Ardbeg.

Mrs Macfadyen, Ardbeg.  
 Mrs MacCuaig, do.  
 Margt. MacCuaig, do.  
 Angus MacCuaig, do.  
 Mrs Head, do.  
 John Black, do.  
 Mrs Black, do.  
 Ann Black, do.  
 Mrs D. MacDougall, do.  
 William A. Taylor, do.  
 Hector Macallister, do.  
 Mrs MacEwen, do.  
 Donald Gilchrist, do.  
 Mrs Donald Gilchrist, do.  
 John Macallister, do.  
 Margaret Macallister, do.  
 Mary Macallister, do.  
 Mrs Macallister, do.  
 Duncan Macallister, do.  
 Robert Weir, Callumkill.  
 Duncan Lindsay, do.  
 Alex. Weir, do.  
 Donald Macintyre, Lotts, C.  
 Alex. Macintyre, do.

Mary Macintyre, Lotta.  
 Mrs Macintyre, C.  
 Robert Beaton, Kintura.  
 Margaret Beaton, do.  
 James Logan, do.  
 Bell Logan, do.  
 Donald Morrison, Trudernish.  
 Janet Calder, Ardbeg.  
 Thomas Calder, do.  
 Mrs John Campbell, do.

Mrs Archibald Macclergan, Ardbeg.  
 Mrs Donald Macclergan, do.  
 James Cameron, do.  
 Duncan Cameron, do.  
 Mrs D. Cameron, do.  
 Charles Black, do.  
 Mrs Macaffer, do.  
 Mrs Macmillan, do.  
 Mrs Black, do.  
 Bell Maclellan, do.

(Signed) John Macdonald, officer of Inland Revenue, Witness to these names entered by the Mandatory, Donald Macintyre.—Lagavulin, 4th Sept., 1858. Donald Macintyre, Mandatory.

John Macarthur, Port-Ellen.  
 Mary Black, do.  
 Ann Macarthur, do.  
 Archd. Macarthur, do.  
 John Campbell.  
 Margt. Mackerrol.  
 Neil MacCuaig.  
 Ann Campbell.  
 John Campbell, C.  
 Christina Campbell, C.  
 Catharine Campbell.  
 Alexr. Cameron.  
 Ann Brown, Balevicar.  
 Malcolm Macqueen, do.  
 Gilbert Macarthur, Port-Ellen.  
 Donald Brown, do.  
 Gilbert Macphail, Balevicar.  
 Malcolm Brown, do.

Duncan Macalpine, Glen Lotta.  
 John Maclean, Port-Ellen.  
 Donald Maclellan, do.  
 James Macdougall, Kintra, C.  
 Donald Carmichael, Balevicar.  
 Dugald Morrison.  
 Margt. Brown.  
 Catharine MacCuaig, Port-Ellen.  
 Rachel Macgibbon.  
 Isabella Currie.  
 Mary Campbell.  
 Peter Reid, Lotts, C.  
 Peter Clark.  
 Margt. MacCuaig, Port-Ellen, C.  
 Kenneth Clark.  
 Marrion Clark.  
 Maria Black, C.

(Signed) Duncan MacCuaig, Mandatory.—Lagavulin, 7th Sept., 1858.

The Presbytery then instructed the Clerk to analyse the Call, stating the number of heritors, communicants, and parishioners; how many signed per mandate and how many by holograph.

The following committee were appointed to assist the Clerk:—Mr Dewar, Kilchoman; Mr Mackenzie, Jura.

The Presbytery resumed consideration of the objections, when, having compared the names admitted to the same with the admitted roll of communicants, find that the number of Objectors whose names are upon the roll is thirty-four, and those whose names are not upon the roll is eighteen. The names of those eighteen parties are as follows, viz.:—Colin Hay, William Snell Johnstone, M.D., Edinburgh, Dugald Johnston, Ann Mackerrol, Ann Eliza Hunter, Duncan Macdougall, Angus Kennedy, John MacEachern, Agnes H. Gordon, James Morrison, Gilbert Macphadyen, John Smith, Godfrey Livingston, John Livingstone, John Mackerrol, William Macmillan, clerk, Mary MacEachern, Mary Gilchrist. The Objectors whose names are on the roll of communicants are as follows:—Archibald Campbell, elder; Donald Jamieson, elder; Walter Graham, distiller; William Hunter, distiller; James Mackerrol, postmaster; Williamina Hunter, Laphroig; Horatia Perry Graham, Lagavulin; Peter Macarthur, cooper; Thomas Scott, shepherd; Alex. Gordon, Inland Revenue officer; Mary Gordon, Lagavulin; Janet Scott, Callumkill; Stewart Fraser, baker; Dugald Macdougall, Portantruan; John Macmillan, shipowner; George Calder, cartwright; Robert Maclellan, Lagavulin; Donald Macdougall, innkeeper, Port-Ellen; Peter Mackenzie, gamekeeper, the Cottage; James Robertson, shepherd, Cornabus; Archibald Macmillan, stillman, Lagavulin; Janet Macdonald, Laphroig; Gilbert Carmichael, Lagavulin; Ann Carmichael, Lagavulin; Gilbert Carmichael, Lagavulin; William Macmillan, Lagavulin; Duncan Macmillan, miller, Lagavulin; Peter Macdougall, cartwright, Port-Ellen; Ann Jamieson, Lagavulin; Ann Macniven; Catharine Macinnes; Margaret Jamieson; Janet Macdougall; Lilly Macmillan; Ann Macmillan.

The agent for the Objectors offered to prove, that the Objectors whose names are not on the roll of communicants are nevertheless parishioners of Kildalton, and members of the congregation who stately worship at Kildalton Church.

The agent for the Presentee objected, first, to the names of Archibald Campbell and Donald Jamieson remaining on the list of Objectors as elders, in respect they have not the legal *status* of that office, and craves production of the session-book to establish said objection. Second, the said procurator objected to the names of the eighteen individuals before engrossed remaining as Objectors, in respect that they are not in communion with the congregation of the parish of Kildalton, and have, therefore, no right to object to the settlement of the Presentee.

Answered.—That this objection is irrelevant, in respect that the word elder is surplusage, and the only *status* the court can recognise is that of members of the congregation, which it is admitted they possess. The word elder is used as part of their designation, and they have long officiated as elders, Mr Campbell upwards of thirty years, and Jamieson upwards of ten years. With regard to the second part of the objection stated for the Presentee, the Objectors maintain that the eighteen persons objected to fall within the purview of the statute in the Acts of the General Assembly of 2d June, 1856, respecting the induction of ministers, as possessing a good title to object.

Parties being removed, the Presbytery, after reasoning, sustained the objection, and find that the eighteen parties objected to have no right to object, not being communicants.

Against which finding the agent for the Objectors protested, and appealed to the ensuing meeting of the General Assembly, took instruments, and craved extracts, which were allowed.

The Presbytery proceeded to take up the relevancy of the objections, and after reasoning on the first objection, unanimously found it relevant.

Against which finding the procurator for the Presentee protested and appealed, took instruments, and craved extracts, which were allowed.

Mr Dempster, for the Objectors, acquiesced in the foregoing deliverance.

The Presbytery adjourned to meet at eight of the o'clock p.m.

(Initialed) D. M.F., Modr.

The Presbytery—sederunt *ut supra*—resumed consideration of the relevancy of the objections. The Presbytery then proceeded to consider the relevancy of the second objection, and after having heard parties' procurators, they unanimously find it relevant, so far as it alleges that the parish of Kildalton, with a population so widely scattered, requires a vigorous and energetic minister, which the Presentee is not, but, *quoad ultra*, they unanimously find the said objection not relevant.

In which judgment the agent for the Presentee acquiesced, in so far as it finds the objection not relevant, took instruments and craved extracts, *ut supra*; but in so far as it finds the said objection relevant, he protested and appealed, took instruments, and craved extracts, *ut supra*.

Mr Dempster, for the Objectors, acquiesced in the foregoing deliverance, in so far as it found the objection relevant, and *quoad ultra* protested against said deliverance, appealed to the ensuing General Assembly, took instruments, and craved extracts, which were allowed.

The Presbytery having heard parties' procurators, unanimously find the third objection relevant.

Against which finding, the agent for the Presentee protested and appealed, *ut supra*.

Mr Dempster for the Objectors, acquiesced in the foregoing deliverance, took instruments, and craved extracts, which were allowed.

4th, The Presbytery, having heard parties' procurators, find the fourth objection irrelevant, Revd. Mr Dewar, Kilchoman, dissenting.

Mr Dempster, agent for the Objectors, protested against the foregoing deliverance, appealed to the ensuing General Assembly, took instruments, and craved extracts, which were allowed.

5th, The Presbytery, after hearing parties' procurators, having reasoned, finds the fifth objection relevant.

Against which finding the agent for the Presentee protested and appealed, took instruments, and craved extracts, *ut supra*, which were allowed.

Mr Dempster, for the Objectors, acquiesced in the foregoing deliverance, took instruments, and craved extracts, which were allowed.

6th, The Presbytery, having heard parties' procurators, unanimously find the sixth objection irrelevant.

Against which deliverance Mr Dempster, for the Objectors, protested, took instruments in the clerk's hands, and craved extracts, which were allowed, and appealed to the next meeting of the General Assembly.

The Presbytery having asked the agent for the Presentee whether he admitted or denied the truth of the objections, in so far as found relevant,

The agent answers that he denied the truth.

The Presbytery admitted the objections, in so far as found relevant to proof, and allowed the parties a conjunct probation, and appointed Wednesday, the thirteenth day of October next, at twelve o'clock noon, at the Parish Church of Kildalton, for the Objectors to proceed with the proof, and grants diligence against all witnesses and havers.

Against which order for proof, the agent for the Presentee protested and appealed to the ensuing meeting of the General Assembly, took instruments, and craved extracts, which were allowed.

Mr Dempster acquiesced, took instruments, and craved extracts, which were allowed.

The above meeting was duly intimated. Mr Macphie was appointed to preach in Kildalton on Sunday the 26th current, and Mr Macdonald on the 10th day of October next.

The Presbytery adjourned to meet at Kildalton upon Wednesday the 13th day of October.—  
Closed with prayer. (Signed) DANIEL MACPHIE, Moderator.

Extracted upon this and the preceding three-and-twenty pages, from the minutes of the Presbytery of Islay and Jura, at the manse of Kilmeny, Islay, this seventeenth day of September, eighteen hundred and fifty-eight years, by  
(Signed) DONALD MACDONALD, Pres. Clk.

V.—EXTRACT FROM THE RECORDS OF THE PRESBYTERY OF ISLAY AND JURA.

At KILDALTON PARISH CHURCH, the thirteenth day of October, one thousand eight hundred and fifty-eight years—

The Presbytery of Islay and Jura being met and constituted. Sederunt—The Reverend Lachlan Mackenzie, moderator, *pro tempore*; James Dewar, Kilchoman; James Dewar, Oa; and Donald Macdonald, Kilmeny, Presbytery Clerk.

While the minutes of last meeting were being read, Mr Macphie, the moderator, appeared, and when the reading was finished, took the chair. The minutes were then approved of.

The Presbytery proceeded with the Kildalton case.

Parties being called, compeared as agent for the Presentee, Alexander Macdonald, Esquire, Writer in Greenock, and Hugh Dempster, Esquire, for the Objectors.

Mr Alan Weir, writer in Greenock, produced a mandate from James Mackerrol, postmaster, and Janet Scott, Callumkill, addressed to Mr Hugh Dempster, writer, Greenock, and Mr Alan Weir, writer, Greenock, empowering them, or either of them, as their agent or agents, to appear for them before this Presbytery, or any other competent judicatory, as per mandate produced, against the reception of which mandate the agent for the Presentee objected:—1st, In respect that it authorises the mandatories to state and support objections to the Presentee, while the time is past for stating objections. 2d, There is no date of meeting specified, of the Presbytery, which the mandatories are entitled to attend. 3d, The parties who have signed the said mandate are not entitled to subscribe the same. To which objections it was answered on the part of the Objectors referred to:—1st, That they authorise by their mandate, Mr Dempster or Mr Weir, as their agents or agent, to appear before the Presbytery, or any other competent judicatory, as per mandate produced; the mandate in this respect is a general one, and the objection of the Presentee refers to one part of the duty which the agent may perform, but they are also authorised to support the objections, and generally to act for the Objectors as if personally present, and to take every step, and do every act competent to the mandants as Objectors to the present settlement. The first objection, therefore, proceeds upon a partial view of the scope of the mandate, which is expressed in the usual form. 2d, The Objectors are entitled to appear at all meetings of this Presbytery, during the dependence of the present proceedings, and are entitled to be represented by an agent at all the diets, without any limitation to a particular meeting. 3d, The parties, James Mackerrol and Janet Scott, have been sustained as Objectors, and are therefore entitled to sign the mandate, and, as parties in these proceedings, possess the same privileges as the Presentee himself.

After reasoning, the Presbytery found that Ann Mackerrol has no right to appear before the Presbytery by mandatory; but sustained the mandate as modified, in as far as respects James Mackerrol and Janet Scott. Against which finding, in so far as it sustains the mandate, the procurator for the Presentee protested and appealed, *ut supra*; but in as far as it does not sustain the same, he acquiesced, took instruments, and craved extracts, which were allowed.

Mr Weir, on the part of the mandants, acquiesced in the finding of the Presbytery; the Presbytery, in accordance with their resolution, proceeded to take proof in the Kildalton case.

The sermons, preached by the Presentee in the Church of Kildalton, on Sabbath, the first day of August, Sabbath, the eighth, and Tuesday the tenth days of August, were produced by the moderator, and attested by him and the clerk, before the Presbytery, which the Objectors held as part of the proof, and which were received of consent of both parties as such.

The following witness, Mr Walter Graham, Distiller, Ardinistie, compeared, who, being solemnly sworn and examined, *in initialibus*, his evidence was entered in the separate Record.

The Presbytery adjourned to meet here to-morrow at twelve o'clock noon, to proceed with the case.—The meeting was closed with prayer. (Signed) DANIEL MACPHIE, Moderator.

#### VI.—EXTRACT FROM THE RECORDS OF THE PRESBYTERY OF ISLAY AND JURA.

At the PARISH CHURCH OF KILDALTON, the fourteenth day of October, one thousand eight hundred and fifty-eight years—

Which day and place the Presbytery of Islay and Jura being met and constituted. Sederunt—The Revd. Daniel Macphie, moderator; Lachlan Mackenzie, Jura and Colonsay; James Dewar, Oa; James Dewar, Kilchoman; and Donald Macdonald, Presbytery Clerk.

The minutes of last meeting being read and approved of, Mr Dewar, Kilchoman, was appointed clerk, *pro tempore*, whereupon the oath, *de fidei*, was administered to him.

William Webster, Esquire, produced a commission in his favour from the Kirk Session of Bownmore, as ruling elder, which the Presbytery sustained; Mr Webster's name was accordingly added to the roll of Presbytery.

The clerk produced reasons of protest from the agent of the Presentee to Kildalton, which were received in due time, against the deliverance pronounced by the Presbytery, at their meeting in Bridgend, on the eighth day of September, in this case.

The examination, *in causa*, of Mr Walter Graham, one of the witnesses for the Objectors to the Presentee to Kildalton, was concluded.

The Presbytery adjourn to meet in Bridgend for the examination of Students, upon Thursday the twenty-first current.—Closed with prayer, and

(Signed) DANIEL MACPHIE, Moderator.

#### VII.—EXTRACT FROM THE RECORDS OF THE PRESBYTERY OF ISLAY AND JURA.

At BRIDGEND, the twenty-first day of October, one thousand eight hundred and fifty-eight years—

Which day and place the Presbytery of Islay and Jura being met and constituted. Sederunt—The Rev. James Dewar, Kilchoman, moderator P.T.; William Webster, Esquire, ruling elder; and Donald Macdonald, Presbytery Clerk.

The minutes of last meeting were read, but their approval was deferred until a future meeting.

The Clerk stated that this meeting was appointed for the express purpose of examining students preparatory to their enrolment in the Divinity Hall next session; but as one of the members was to be particularly engaged this day on important business elsewhere, the Presbytery authorised the Moderator and the Clerk to proceed with the examination of those students on their arrival, and to report to next meeting of Presbytery.

The Presbytery adjourn to meet in the Parish Church of Kildalton, upon Tuesday, the twenty-third proximo, to proceed with the proof in the Kildalton case, and also to take up any other business that may come before them.—Closed with prayer. (Signed) DANIEL MACPHIE, Moderator.

#### VIII.—EXTRACT FROM THE RECORDS OF THE PRESBYTERY OF ISLAY AND JURA.

At the PARISH CHURCH OF KILDALTON, the twenty-third day of November, one thousand eight hundred and fifty-eight years—

Which day and place the Presbytery of Islay and Jura being met and constituted. Sederunt—The Rev. Daniel Macphie, Portnahaven, Modr.; James Dewar, Kilchoman; James Dewar, Oa; Lachlan Mackenzie, Jura and Colonsay; and Donald Macdonald, Kilmeny, Pres. Clk.

The minutes of the two last meetings were read, and the approval of them was deferred, so far as the Kildalton case was concerned.

Compeared Mr Duncan Taylor, student of divinity, who produced a certificate from Dr Hill, professor of divinity, stating his enrolment in the Divinity Hall during session 1856-7, and that he delivered a lecture and an exegesis with approbation, and that his conduct was in every respect suitable to his views; he also produced certificates of his attendance, for three sessions, in the University of Heidelberg, in the Grand Duchy of Baden, in Germany. In the summer session of 1857, studied Biblical Criticism under Professor Umbreit, and also by Professor Kamphausen; and in the winter session of 1857-8, Biblical Criticism of the Old Testament by Professor Umbreit, Church History by Professor Hundeshagen, Hebrew by Kamphausen, Encyclopedie of Theology by Professor Rothe. In the summer of 1858, the Life of Christ by Rothe, Church History by Hundeshagen.

The Presbytery having examined Mr Taylor on Theology, had reason to be satisfied with his proficiency, and enjoined the Clerk to give him the necessary certificate to enable him to be enrolled in the Divinity Hall this session.

The Report for the Ministers' Widows Fund for the 115th year was examined, found correct, attested by the Moderator and Clerk, and ordered to be transmitted to Edinburgh.

The committee gave in the Report of the Examination of Students, which was sustained.

The Presbytery adjourn, to meet in the Church of Kildalton, at 12 o'clock to-morrow.—Closed with prayer. (Signed) DANIEL MACPHIE, Moderator.

#### IX.—EXTRACT FROM THE RECORDS OF THE PRESBYTERY OF ISLAY AND JURA.

At the CHURCH OF KILDALTON, the twenty-fourth day of November, one thousand eight hundred and fifty-eight years—

Which day and place the Presbytery of Islay and Jura being met and constituted. Sederunt—  
The Rev. Daniel Macphie, moderator; Lachlan Mackenzie, Jura and Colonsay; James Dewar, Oa; James Dewar, Kilchoman; and Donald Macdonald, Kilmeny, Pres. Clerk.

The minutes of last meeting were read and approved of.

This being the meeting for appointing a Moderator for the ensuing year, the Reverend Mr Dewar, of Oa, was unanimously elected, and accordingly took the chair.

The parties in the Kildalton case not having appeared, the Presbytery adjourn to meet in the Church of Kildalton, at twelve o'clock to-morrow.—Closed with prayer.

(Signed) JAMES DEWAR, Modr.

#### X.—EXTRACT FROM THE RECORDS OF THE PRESBYTERY OF ISLAY AND JURA.

At KILDALTON CHURCH, the twenty-fifth day of November, one thousand eight hundred and fifty-eight years—

Which day and place the Presbytery of Islay and Jura being met and constituted. Sederunt—  
The Revd. James Dewar of Oa, moderator; Daniel Macphie, Portnahaven; James Dewar, Kilchoman; Lachlan Mackenzie, Jura and Colonsay; and Donald Macdonald, Kilmeny, Presbytery Clerk.

The minutes of last meeting were read and approved of.

The Presbytery then proceeded with the Kildalton case, when Alexander Macdonald, Esquire, Writer, Greenock, appeared for the Presentee, and Hugh Dempster, Esquire, Writer, Greenock, and Allan Weir, Esquire, Writer, Greenock, for the Objectors.

These gentlemen stated that they were unable to be present on 23d November, owing to a dense fog on the Clyde preventing the steamer from arriving at Port-Ellen until this morning.

The agent for the Objectors produced warrant from the Presbytery of Mull for citing witnesses within the bounds of that Presbytery, dated 2d November, 1858, which was read, and executions of citations against several parties who failed to appear.

Mr Dewar, Kilchoman, was appointed Clerk, P.T., in the usual manner, and the oath *de fidei* administered to him.

Donald Macpherson, residing at Tobermory, was examined as a witness for the Objectors—his evidence was entered in the separate Record, and completed.

The Presbytery adjourn to meet to-morrow at Port-Ellen at 12 o'clock noon.—Closed with prayer.

(Signed) JAMES DEWAR, Modr.

**XI.—EXTRACT FROM THE RECORDS OF THE PRESBYTERY OF ISLAY AND JURA.**

At PORT-ELLEN, and within the Parish School-house there, the twenty-sixth day of November, eighteen hundred and fifty-eight years—

Which day the Presbytery of Islay and Jura being met and constituted. Sederunt—The Rev. James Dewar, of Oa, moderator; Daniel Macphie, Portnahaven; James Dewar, Kilchoman; Lachlan Mackenzie, Jura and Colonsay; and Donald Macdonald, Kilmeny, Presbytery Clerk.

The minutes of last meeting were read and approved of.

Mr Dewar, of Kilchoman, was appointed Clerk P.T., in the usual manner, and the oath *de fidei* administered to him.

The Presbytery then proceeded with the Kildalton case, when there appeared for the Presentee Alexander Macdonald, Esquire, writer, Greenock, and for the Objectors, Hugh Dempster, Esquire, writer, Greenock, and Alan Weir, Esquire, writer, Greenock.

Mr Colin Hay, Distiller, residing at Callumkill, compared as a witness for the Objectors, his examination was so far completed and entered in the separate Record.

The Presbytery adjourned to meet here at six o'clock p.m., and the witness was cited, *apud acta*, to appear at that diet.—Closed with prayer.

(Signed)

JAMES DEWAR, Modr.

**XII.—EXTRACT FROM THE RECORDS OF THE PRESBYTERY OF ISLAY AND JURA.**

At PORT-ELLEN, and within the Parish School-house there, the twenty-sixth day of November, eighteen hundred and fifty-eight, six o'clock p.m.—

The Presbytery of Islay and Jura being met and constituted according to adjournment. Sederunt—Rev. James Dewar of Oa, moderator; Daniel Macphie, Portnahaven; James Dewar, Kilchoman; Lachlan Mackenzie, Jura and Colonsay; and Donald Macdonald, Kilmeny, Presbytery Clerk.

The minutes of last meeting were read and approved of.

The Presbytery proceeded with the Kildalton case, when Alexander Macdonald, Esquire, writer, Greenock, appeared for the Presentee, and Hugh Dempster, Esquire, and Alan Weir, Esquire, writer, Greenock, for the Objectors.

Mr Dewar, Kilchoman, was appointed Clerk P.T., in the usual manner, and the oath *de fidei* administered to him.

Mr Colin Hay, distiller, residing at Callumkill, re-compared, and his evidence-in-chief was completed, and entered upon the separate Record.

The Presbytery, in consequence of the lateness of the hour (two o'clock a.m.), adjourn to meet within the Parish Church of Kildalton, on Monday, the 29th current, at 12 o'clock, reserving to Mr Macdonald the right to cross-examine the witness at that diet.—Closed with prayer.

(Signed)

JAMES DEWAR, Modr.

**XIII.—EXTRACT FROM THE RECORDS OF THE PRESBYTERY OF ISLAY AND JURA.**

At KILDALTON CHURCH, the 29th day of November, 1858 years—

Which day the Presbytery of Islay and Jura being met and constituted. Sederunt—The Rev. James Dewar of Oa, moderator; James Dewar of Kilchoman; Daniel Macphie, Portnahaven; Lachlan Mackenzie, Jura and Colonsay; Donald Macdonald of Kilmeny, Presbytery Clerk.

The minutes of last meeting being read and approved of, the Presbytery adjourn, to meet at the School-house, Lagavulin, to-day, at 2 o'clock p.m.—Closed with prayer.

(Signed)

JAMES DEWAR, Modr.

## XIV.—EXTRACT FROM THE RECORDS OF THE PRESBYTERY OF ISLAY AND JURA.

At LAGAVULIN, and within the School there, *Eodem die*, 2 o'clock P.M.

Which day and place the Presbytery of Islay and Jura being met and constituted. Sederunt—  
The Rev. James Dewar of Oa, moderator; James Dewar, Kilchoman; Daniel Macphie,  
Portnahaven; Lachlan Mackenzie, Jura and Colonsay; and Donald Macdonald, Presbytery  
Clerk.

The minutes of last meeting being read and approved of, the Presbytery proceeded with the Kildalton case, when there appeared parties' procurators as at last diet.

Colin Hay was examined, and his evidence was completed and entered upon the separate Record; also, Miss Horatia Perry Graham was examined, and her evidence was so far completed and entered upon the separate Record.

The Presbytery adjourn, to meet here to-morrow at 12 o'clock noon.—Closed with prayer.

(Signed) JAMES DEWAR, Moder.

## XV.—EXTRACT FROM THE RECORDS OF THE PRESBYTERY OF ISLAY AND JURA.

At LAGAVULIN, and in the School-house there, the thirtieth day of November, one thousand eight hundred and fifty-eight years—

Which day and place the Presbytery of Islay and Jura being met according to adjournment and constituted. Sederunt—The Rev. Daniel Macphie; the Rev. Mr Dewar, Kilchoman; William Webster, Esquire, elder; and Donald Macdonald, Presbytery Clerk.

In absence of the moderator, Mr Macphie was appointed moderator P.T.

The minutes of yesterday's meeting were read and approved of. The Presbytery proceeded with the Kildalton case, when parties' procurators appeared as at last diet.

Examination of Miss Graham was begun, in the course of which Mr Dewar of Kilchoman having been re-appointed clerk *pro tempore*, and the oath *de fidei* administered to him, in the course of the examination, the Rev. Mr Mackenzie, and the moderator, Mr Dewar of Oa, having entered the Court, the moderator, Mr Dewar, took the chair. The evidence of Miss Graham was then proceeded and completed in the separate Record.

The Presbytery adjourn to meet in the School-house of Port-Ellen, at eleven o'clock A.M., to-morrow.—Closed with prayer, and

(Signed) JAMES DEWAR, Moderator.

## XVI.—EXTRACT FROM THE RECORDS OF THE PRESBYTERY OF ISLAY AND JURA.

At the Parochial School-house of KILDALTON, Port-Ellen, the first day of December, one thousand eight hundred and fifty-eight years—

The Presbytery of Islay and Jura being met in terms of adjournment and constituted. Sederunt—  
the Rev. Daniel Macphie; James Dewar, Kilchoman; William Webster, Esquire, elder;  
and Donald Macdonald, Kilmeny, Presbytery Clerk.

In absence of the moderator, Mr Macphie was appointed moderator P.T.

The Kildalton case was proceeded with, when there appeared Hugh Dempster, Esquire, writer, Greenock, for the Objectors, and Alex. Macdonald, Esquire, for the Presentee.

The minutes of last meeting were read and approved of.

Mr Dewar, Kilchoman, was re-appointed clerk P.T. in the usual manner, and the oath *de fidei* administered to him.

Mr James Mackerrol was examined as a witness for the Objectors, and his evidence was taken down in the separate Record.

Port-Ellen, 4 P.M.—The Presbytery adjourned to meet here at 5 o'clock P.M.—Closed with prayer.

(Signed) JAMES DEWAR, Moderator.



## XVII.—EXTRACT FROM THE RECORDS OF THE PRESBYTERY OF ISLAY AND JURA.

The Presbytery met in terms of adjournment in the School-house of PORT-ELLEN. Sederunt *ut supra*, being re-constituted, the Kildalton case was proceeded with.

The witness, James Mackerrol, re-appeared for cross-examination; his evidence was completed and entered in the separate Record.

The following supplies were appointed for the Parish of Kildalton, viz.:—Mr Brodie on the twelfth current; Mr Macdonald, Kilmeny, on the twenty-sixth; Mr Dewar, Oa, on the ninth of January; Mr M'Kenzie, Jura, on twenty-third of January; Mr Macphie on the sixth of February.

The Presbytery adjourn to meet at Kildalton upon Tuesday, the eighteenth of January next.—Closed with prayer.

(Signed) JAMES DEWAR, Moderator.

## XVIII.—EXTRACT FROM THE RECORDS OF THE PRESBYTERY OF ISLAY AND JURA.

At the PARISH CHURCH OF KILDALTON, the eighteenth day of January, eighteen hundred and fifty-nine years—

The Presbytery of Islay and Jura being met and constituted. Sederunt—The Rev. James Dewar, Oa, moderator; Lachlan Mackenzie, Jura and Colonsay; James Dewar, Kilchoman; and William Webster, Esquire, Dail, elder; and Donald Macdonald, Kilmeny, Presbytery Clerk.

The minutes of last meeting being read and approved of, the members appointed at last meeting to supply the pulpit of Kildalton, stated that they had obtempered the orders of the Presbytery by preaching in the Parish Church of Kildalton on the days appointed.

The Presbytery proceeded to the consideration of the Kildalton Case.

Mr Dewar, Kilchoman, was appointed Clerk P.T. in the usual manner, and took the oath *de fidei*. Hugh Dempster, Esquire, writer in Greenock, appeared as agent for the Objectors, and Alexander Macdonald, Esquire, writer there, for the Presentee.

Compeared John Maclean, shoemaker in Tobermory, as a witness for the Objectors, against whom an execution of citation was produced, and dated tenth day of January, eighteen hundred and fifty-nine. The agent for the Objectors also produced an execution of citation, dated eighth of January curt., against John MacCallum, tenant, Derrynacuilean, and Roderick Macleod, tenant, Cameron, both within the parish of Kinlochspelve, and Presbytery of Mull, who being thrice called within the Church, and at the most patent door of the Church of Kildalton, failed to appear, the above-mentioned John Maclean was solemnly sworn and interrogated as a witness for the Objectors. His evidence was taken down in the separate Record, and concluded.

The Presbytery adjourn, to meet at Port-Ellen at twelve o'clock noon to-morrow.—Closed with prayer.

(Signed) JAMES DEWAR, Moderator.

## XIX.—EXTRACT FROM THE RECORDS OF THE PRESBYTERY OF ISLAY AND JURA.

At PORT-ELLEN, the nineteenth day of January, eighteen hundred and fifty-nine—

The Presbytery of Islay and Jura being met and constituted. Sederunt—The Rev. James Dewar, Oa, moderator; Lachlan Mackenzie, Jura and Colonsay; James Dewar, Kilchoman; Donald Macdonald, Presbytery Clerk; and William Webster, Esquire, Dail, elder.

The minutes of last meeting being read and approved of, the Presbytery proceeded with the Kildalton Case, when there appeared Hugh Dempster, Esquire, writer in Greenock, agent for the Objectors, and Alexander Macdonald, Esquire, writer there, as agent for the Presentee.

The Presbytery re-appointed Mr Dewar of Kilchoman Clerk P.T., whereupon the oath *de fidei* was administered to him.

Compeared Mr James Stuart, student of divinity, Glasgow, as a witness for the Objectors, who was solemnly sworn—his evidence was entered in the separate Record and completed.

The Presbytery adjourned, to meet here at six P.M. this evening.—Closed with prayer.

(Signed) JAMES DEWAR, Moderator.

XX.—EXTRACT FROM THE RECORDS OF THE PRESBYTERY OF ISLAY AND JURA.

PORT-ELLEN, *Eodem die*, 6 P.M.

The Presbytery met and was constituted. Sederunt *ut supra*.

The clerk produced reasons of protest and appeal for the Revd. Angus Macintyre, lodged in his hands, sixth day of December last, which were ordered to be docketed and kept *in retentis*.

Compeared Dugald Macdougall, residing at Portintruan, as a witness for the Objectors, who was solemnly sworn and examined.

At this stage of the business, Mr Duncan Macalpine, Parochial Schoolmaster of Kildalton, residing in Port-Ellen, was appointed to interpret, and the oath *de fidei administratione officii*, was administered to him.

Dugald Macdougall's evidence was completed and entered in the separate Record.

The Presbytery adjourn, to meet here to-morrow at twelve o'clock noon.—Closed with prayer.

(Signed) JAMES DEWAR, Moderator.

XXI.—EXTRACT FROM THE RECORDS OF THE PRESBYTERY OF ISLAY AND JURA.

At PORT-ELLEN, the twentieth day of January, eighteen hundred and fifty-nine years—

The Presbytery of Islay and Jura met and being constituted. Sederunt—The Revd. James Dewar of Oa, moderator; Lachlan Mackenzie, Jura and Colonsay; James Dewar, Kilchoman; Donald Macdonald, Kilmeny, Presbytery Clerk; and William Webster, Esquire, Daill, elder.

The minutes of last meeting being read and approved of, Mr Dewar, Kilchoman, was appointed clerk, P.T., in the usual manner, and the oath *de fidei* administered to him.

Hugh Dempster, Esquire, writer in Greenock, appeared as agent for the Objectors, and Alex. Macdonald, Esquire, writer there, agent for the Presentee.

Compeared Peter Macdougall, cartwright, Port-Ellen, who was solemnly sworn and examined as a witness for the Objectors—his evidence was so far completed, and entered in the separate Record.

The Presbytery adjourned to meet here at twelve o'clock noon, to-morrow.—Closed with prayer.

(Signed) JAMES DEWAR, Moderator.

XXII.—EXTRACT FROM THE RECORDS OF THE PRESBYTERY OF ISLAY AND JURA.

At PORT-ELLEN, the twenty-first day of January, eighteen hundred and fifty-nine—

The Presbytery of Islay and Jura met and being constituted. Sederunt—The Revd. James Dewar of Oa, moderator; Lachlan Mackenzie, Jura and Colonsay; James Dewar, Kilchoman; Donald Macdonald, Presbytery Clerk, ministers; and William Webster, Esquire, Daill, elder.

The minutes of last meeting were read and approved of.

The Presbytery then proceeded with the Kildalton case.

Hugh Dempster, Esquire, writer in Greenock, appeared as agent for the Objectors, and Alex. Macdonald, Esquire, writer there, as agent for the Presentee.

Mr Dewar, Kilchoman, was appointed clerk, P.T., in the usual manner, and the oath *de fidei* administered to him.

Compeared Janet Macdonald, Laphroig, as a witness for the Objectors, who being solemnly sworn and examined, her evidence was completed, and entered in the separate Record.

Compeared also, Duncan Macdougall, joiner, Port-Ellen, who was solemnly sworn and examined as a witness for the Objectors—his evidence was completed, and entered in the separate Record.

The Presbytery adjourn, to meet in Port-Ellen, on Monday next, 24th current.—Closed with prayer.

(Signed)

JAMES DEWAR, Moderator.

#### XXIII.—EXTRACT FROM THE RECORDS OF THE PRESBYTERY OF ISLAY AND JURA.

At PORT-ELLEN, the twenty-fourth day of January, eighteen hundred and fifty-nine years—

The Presbytery of Islay and Jura being met and constituted. Sederunt—The Revd. James Dewar, of Oa, moderator; Lachlan Mackenzie, Jura and Colonsay; James Dewar, Kilchoman; Donald Macdonald, Presbytery Clerk, ministers; and William Webster, Esquire, Daill, elder.

The minutes of last meeting being read and approved of,

The Presbytery proceeded with the Kildalton case, when Hugh Dempster, Esquire, writer in Greenock, appeared as agent for the Objectors, and Alex. Macdonald, Esquire, writer there, as agent for the Presentee.

Mr Dewar, Kilchoman, was appointed clerk, P.T., in the usual manner, and the oath *de fidei* administered to him.

Compeared Archibald Campbell, elder of Kildalton, as a witness for the Objectors, who was solemnly sworn and examined—his evidence was entered in the separate Record, and proceeded with so far.

The Presbytery adjourned, to meet to-morrow at twelve o'clock noon.—Closed with prayer.

(Signed)

JAMES DEWAR, Moderator.

#### XXIV.—EXTRACT FROM THE RECORDS OF THE PRESBYTERY OF ISLAY AND JURA.

At PORT-ELLEN, the twenty-fifth day of January, eighteen hundred and fifty-nine years—

Which day the Presbytery of Islay and Jura being met and constituted. Sederunt—The Rev. James Dewar of Oa, moderator; Lachlan Mackenzie, Jura and Colonsay; James Dewar, Kilchoman; Donald Macdonald, Presbytery Clerk, ministers; and William Webster, Esquire, Daill, elder.

The minutes of last meeting being read and approved of, the Presbytery proceeded with the Kildalton case, when Hugh Dempster, Esquire, writer in Greenock, appeared as agent for the Objectors, and Alex. Macdonald, Esq., writer there, as agent for the Presentee.

Mr Dewar, Kilchoman, was re-appointed Clerk P.T.

Re-compeared Archibald Campbell, elder of Kildalton, the preceding witness, who being again solemnly sworn and cross-examined for the Presentee, his evidence was completed and entered in the separate Record.

The Presbytery adjourned, to meet here at 8 P.M.—Closed with prayer.

(Signed)

JAMES DEWAR, Modr.

## XXV.—EXTRACT FROM THE RECORDS OF THE PRESBYTERY OF ISLAY AND JURA.

At PORT-ELLEN, *Eodem die, hora 8va p.m.*

The Presbytery of Islay and Jura met and was constituted. Sederunt—The Rev. James Dewar, Oa, moderator; Lachlan Mackenzie, Jura and Colonsay; James Dewar, Kilchoman; and Donald Macdonald, Presbytery Clerk.

The minutes of last meeting being read and approved of, the Kildalton case was proceeded with, when Hugh Dempster, Esquire, writer in Greenock, appeared for the Objectors, and Alex. Macdonald, Esquire, writer, there, as agent for the Presentee.

Compeared Donald Macdonald, minister of Kilmeny, Clerk to the Presbytery of Islay and Jura, who was solemnly sworn and examined as a haver, and produced the discourses preached by Mr Macintyre, the Presentee to Kildalton, on the first, eighth, and tenth days of August last, being six in number, and doctqueted by the former moderator, the Rev. Daniel Macphie, Portnahaven, and by the Clerk, and which were admitted by the agent of the Presentee to have been the trial discourses preached by the Presentee on the occasions referred to, and conform to minute thirteenth day of October last.

Compeared Donald Jamieson, church beadle, in the Parish of Kildalton, who was solemnly sworn and examined as a witness for the Objectors. His evidence was completed so far, and entered in the separate Record.

The Presbytery adjourn, to meet here to-morrow, at twelve noon.—Closed with prayer.

(Signed) JAMES DEWAR, Moderator.

## XXVI.—EXTRACT FROM THE RECORDS OF THE PRESBYTERY OF ISLAY AND JURA.

At PORT-ELLEN, the twenty-sixth day of January, eighteen hundred and fifty-nine years—

The Presbytery of Islay and Jura met, and being constituted. Sederunt—The Rev. James Dewar of Oa, moderator; Lachlan Mackenzie, Jura and Colonsay; James Dewar, Kilchoman; and Donald Macdonald, Kilmeny, Presbytery Clerk.

The minutes of last meeting being read and approved of, the Presbytery proceeded with the Kildalton case, when Hugh Dempster, Esquire, writer in Greenock, appeared for the Objectors, and Alexander Macdonald, Esquire, writer in Greenock, as agent for the Presentee.

Mr Dewar, of Kilchoman, was re-appointed Clerk P.T., and took the oath *de fidei*.

Re-compeared Donald Jamieson, elder, of the parish of Kildalton, who, being solemnly sworn and cross-examined for the Presentee, his evidence was completed and entered in the separate Record.

Compeared Peter Reid, crofter, residing at the Lotts, parish of Kildalton, who refused to be sworn, and was therefore not examined at the present diet.

The Presbytery adjourn to meet here at 7 p.m. this evening.—Closed with prayer.

(Signed) JAMES DEWAR, Moderator.

## XXVII.—EXTRACT FROM THE RECORDS OF THE PRESBYTERY OF ISLAY AND JURA.

At PORT-ELLEN, *Eodem die, 7 tina hora, p.m.*—

The Presbytery met and was constituted. Sederunt *ut supra*.

The minutes of last meeting being read and approved of, the Presbytery proceeded with the Kildalton case, when parties' procurators appeared as above, and Mr Dewar, Kilchoman, resumed as Clerk P.T.

The agent for the Objectors moved the Presbytery to proceed with the reading of the Presentee's trial discourses, which was objected to by the agent for the Presentee, who craved that the Presentee should himself read the discourses to the Presbytery, or, as there were a great many contractions in

them, which would be unintelligible, and that he should be allowed to make full and extended copies thereof, at the sight of and to be compared by the Clerk of the Presbytery, or by any member or members thereof who may be appointed for that purpose.

The Presbytery resolved to defer reading the discourses to a future occasion, and also reserved consideration of the craving by the Presentee's agent as to the reading or copying of the discourses.

The Presbytery adjourned to meet here to-morrow, at twelve o'clock, noon.—Closed with prayer.  
(Signed) JAMES DEWAR, Moderator.

#### XXVIII.—EXTRACT FROM THE RECORDS OF THE PRESBYTERY OF ISLAY AND JURA.

At PORT-ELLEN, the twenty-seventh day of January, eighteen hundred and fifty-nine years—

Which day and place the Presbytery of Islay and Jura being met and constituted. Sederunt—  
The Rev. James Dewar, of Oa, moderator; Lachlan Mackenzie, Jura and Colonsay; James Dewar, Kilchoman; and Donald Macdonald, Kilmenny, Presbytery Clerk.

The minutes of last meeting being read and approved of, the Presbytery proceeded with the Kildalton case, when Hugh Dempster, Esquire, writer in Greenock, appeared as agent for the Objectors, and Alexander Macdonald, Esquire, writer there, for the Presentee.

Mr Dewar, Kilchoman, was appointed Clerk P.T., and the oath *de fidei* administered to him.

The agent for the Objectors stated that he declared the proof-in-chief to be closed, excepting so far as additional evidence may be allowed or ordered by the Superior Court, and under reservation of the Objectors' right to lead proof in replication, and to hear the sermons read.

The procurator for the Presentee objected to the above reservation in terms of a representation written at the close of the Objectors' proof; and, further, moved the Presbytery to fix a diet for the Presentee leading his proof, and to authorise the clerk to issue a precept for citing witnesses and havers on behalf of the Presentee.

The Presbytery fixed Wednesday, the twenty-third day of February, eighteen hundred and fifty-nine, for the Presentee to go on with his proof, in the Parochial School-house at Port-Ellen, at twelve o'clock noon, and authorise the clerk to issue the precept craved for citing witnesses and havers.

The Presbytery appointed the following supplies for the Parish of Kildalton:—Mr Macphie, Portnahaven, on the sixth of February, and Mr Dewar, Kilchoman, on the twentieth.

The Presbytery enjoined the committee appointed to analyse the Call to meet here this afternoon, and appointed Mr Dewar, the moderator, to assist them.

The Presbytery authorised the moderator to hold meetings of the Session of Kildalton, and act in cases of discipline that may come before the Session.

The Presbytery adjourn to meet in the Parochial School-house of Port-Ellen, on Wednesday, twenty-third February.—Closed with prayer.

(Signed) JAMES DEWAR, Moderator.

#### XXIX.—EXTRACT FROM THE RECORDS OF THE PRESBYTERY OF ISLAY AND JURA.

At the Parochial School-house of PORT-ELLEN, February twenty-third, eighteen hundred and fifty-nine—

Which day and place the Presbytery of Islay and Jura being met and constituted. Sederunt—  
the Rev. James Dewar of Oa, moderator; James Dewar, Kilchoman; Lachlan Mackenzie, Jura and Colonsay; Daniel Macphie, Portnahaven; Donald Macdonald, Kilmenny, Presbytery Clerk, ministers; and William Webster, Esquire, Dail, elder.

The minutes of last meeting being read and approved of,

The Presbytery took up the Kildalton case, when there appeared Alexr. Macdonald, Esquire, as agent for the Presentee, and Hugh Dempster, and Allan Weir, Esquires, agents for the Objectors.

At this stage, A. Macdonald, Esquire, the agent for the Presentee, stated that he could not proceed.

## XXX.—EXTRACT FROM THE RECORDS OF THE PRESBYTERY OF ISLAY AND JURA.

At PORT-ELLEN, twenty-third February, eighteen hundred and fifty-nine, 7 P.M.—

The Presbytery met according to adjournment. *Sederunt ut supra.*

The minutes of last meeting were read and approved of. The Presbytery proceeded with the Kildalton case. Alex. Macdonald, Esquire, writer in Greenock, appeared as agent for the Presentee, and Messrs. Dempster and Weir for the Objectors. Mr Dewar, Kilchoman, was appointed Clerk P.T., and took the oath *de fidei*.

Compeared John Macintyre, farmer, Ardtalla, Parish of Kildalton, as a witness for the Presentee, who was solemnly sworn and examined. His evidence-in-chief was completed, and was entered in the separate Record.

The Presbytery adjourn, to meet at twelve noon, to-morrow, to proceed with the cross-examination of the witness.—Closed with prayer.

(Signed)

JAMES DEWAR, Moderator.

## XXXI.—EXTRACT FROM THE RECORDS OF THE PRESBYTERY OF ISLAY AND JURA.

At PORT-ELLEN, the twenty-fourth day of February, eighteen hundred and fifty-nine—

Which day and place the Presbytery of Islay and Jura being met and constituted. *Sederunt*—  
The Rev. James Dewar of Oa, moderator; James Dewar, Kilchoman; Lachlan Mackenzie, Jura and Colonsay; Daniel Macphie, Portnahaven; Donald Macdonald, Kilmenny, Presbytery Clerk, ministers; and William Webster, Esquire, Daill, elder.

The minutes of last meeting being read and approved of, parties' procurators appeared as formerly, viz., Alexander Macdonald, Esquire, as agent for the Presentee, and Hugh Dempster and Allan Weir, Esquires, agents for the Objectors.

Mr Dewar, Kilchoman, was appointed Clerk P.T., in the usual manner, and took the oath *de fidei*.

Re-compeared the foresaid John Macintyre, who, being again solemnly sworn and examined, and cross-interrogated for the Objectors, his evidence was completed so far, and entered in the separate Record.

The Presbytery adjourn to meet in the school-house at 7 p.m. this evening.

The witness John Macintyre was summoned, *apud acta*, to appear at 7 p.m. in the school-house.—Closed with prayer.

(Signed)

JAMES DEWAR, Moderator.

## XXXII.—EXTRACT FROM THE RECORDS OF THE PRESBYTERY OF ISLAY AND JURA.

PORT-ELLEN, *Eodem die*, 7 p.m.—

The Presbytery of Islay and Jura being met and constituted. *Sederunt ut supra.*

Agents' parties as above.

Mr Dewar, Kilchoman, was appointed Clerk *pro tempore*, and took the oath *de fidei*.

Re-compeared John Macintyre, who, being again solemnly sworn and cross-examined for the Objectors, his evidence was completed and taken down in the separate Record.

The Presbytery adjourn, to meet in Port-Ellen at eleven a.m. to-morrow.—Closed with prayer.

(Signed)

JAMES DEWAR, Moderator.

**XXXIII.—EXTRACT FROM THE RECORDS OF THE PRESBYTERY OF ISLAY AND JURA.**

At PORT-ELLEN, the twenty-fifth day of February, eighteen hundred and fifty-nine years—

Which day and place the Presbytery of Islay and Jura being met and constituted. Sederunt—  
Rev. James Dewar, Kilchoman; Daniel Macphie, Portnahaven; Donald Macdonald, Kilmeny, Presbytery Clerk, ministers; and William Webster, Esquire, Daill, elder.

The Presbytery proceeded with the Kildalton case.

The Rev. Daniel Macphie, Portnahaven, was appointed Moderator P.T., in absence of the Rev. Mr Dewar, the Moderator, and took the chair accordingly.

The minutes of last meeting being read and approved of, Alexander Macdonald, Esquire, writer in Greenock, appeared as agent for the Presentee, and Hugh Dempster and Allan Weir, Esquires, writers there, for the Objectors.

Mr Dewar, Kilchoman, was appointed Clerk P.T., and the oath *de fidei* administered to him.

Compeared Andrew Macgibbon, alater, Port-Ellen, as a witness for the Presentee, who being solemnly sworn, and interrogated—his evidence was taken down in the separate Record.

At this stage of the proceedings, Mr Dewar, the moderator, and the Revd. Lachlan Mackenzie, who had a considerable distance to travel, entered the Court, and the moderator took the chair.

The said witness was cross-interrogated for the Objectors—his evidence was completed, and entered in the separate Record.

The Presbytery adjourned, to meet on Monday next, the twenty-eighth current at twelve noon.—Closed with prayer.

(Signed)

JAMES DEWAR, Moderator.

**XXXIV.—EXTRACT FROM THE RECORDS OF THE PRESBYTERY OF ISLAY AND JURA.**

At PORT-ELLEN, the 28th day of Feb., eighteen hundred and fifty-nine years—

The Presbytery of Islay and Jura being met and constituted. Sederunt—The Rev. James Dewar, Oa, moderator; Lachlan Mackenzie, Jura and Colonsay; James Dewar, Kilchoman; Daniel Macphie, Portnahaven; Donald Macdonald, Kilmeny, Presbytery Clerk, ministers; and William Webster, Esquire, Daill, elder.

The minutes of last meeting being read and approved of, the Presbytery took up the Kildalton case, when Alex. Macdonald, Esquire, writer in Greenock, appeared as agent for the Presentee, and Hugh Dempster and Allan Weir, Esquires, writers, there, for the Objectors.

Compeared Donald Black, student, residing at Salen, Island of Mull, as a witness for the Presentee, who being solemnly sworn and examined, his evidence was entered in the separate Record, so far. The witness Black was cited to appear by the moderator *apud acta*.

The Presbytery adjourn, to meet in the School-house, at 7 P.M.—Closed with prayer.

(Signed)

JAMES DEWAR, Moderator.

**XXXV.—EXTRACT FROM THE RECORDS OF THE PRESBYTERY OF ISLAY AND JURA.**

At PORT-ELLEN, *Eodem die, 7ma hora p.m.*—

The Presbytery of Islay and Jura being met and constituted according to adjournment. Sederunt—The Rev. James Dewar, Oa, moderator; Lachlan Mackenzie, Jura and Colonsay; James Dewar, Kilchoman; Daniel Macphie, Portnahaven; and Donald Macdonald, Kilmeny, Presbytery Clerk.

The minutes of last meeting being read and approved of, Alex. Macdonald, Esquire, writer in Greenock, appeared as agent for the Presentee, and Hugh Dempster and Allan Weir, Esquires, also

writers, there, as agents for the Objectors. Mr Dewar, Kilchoman, was appointed Clerk P.T., and took the oath *de fidei*.

Re-compeared Donald Black, the said witness for the Presentee, and being solemnly sworn and cross-examined for the Objectors, his evidence was completed and entered in the separate Record.

The Presbytery adjourn, to meet in Port-Ellen, at twelve o'clock noon, to-morrow.—Closed with prayer.

(Signed)

JAMES DEWAR, Moderator.

XXXVI.—EXTRACT FROM THE RECORDS OF THE PRESBYTERY OF ISLAY AND JURA.

At PORT-ELLEN, first March, eighteen hundred and fifty-nine years—

Which day and place the Presbytery of Islay and Jura being met and constituted. Sederunt—  
The Rev. James Dewar, of Oa, moderator; Lachlan Mackenzie, Jura and Colonsay;  
James Dewar, Kilchoman; Samuel Macphie, Portnahaven; and Donald Macdonald, Kilmeny, Presbytery Clerk.

The minutes of last meeting being read and approved of, the Presbytery proceeded with the Kil-dalton case.

Alexander Macdonald, Esquire, writer in Greenock, appeared as agent for the Presentee, and Hugh Dempster and Allan Weir, Esquires, as agents for the Objectors.

Mr Dewar, Kilchoman, was appointed Clerk P.T., and the oath *de fidei* administered to him.

Compeared John Macdonald, officer of Inland Revenue, Port-Ellen, who, being solemnly sworn and interrogated as a witness for the Presentee, his evidence was so far completed and entered in the separate Record.

The said witness was cross-interrogated for the Objectors, and his evidence was entered, so far as proceeded with, in the separate Record.

The Presbytery adjourn to meet at 7 P.M., to proceed with the further examination of the aforesaid witness, who was cited, *apud acta*, to appear at 7 P.M. this evening.—Closed with prayer.

(Signed)

JAMES DEWAR, Moderator.

XXXVII.—EXTRACT FROM THE RECORDS OF THE PRESBYTERY OF ISLAY AND JURA.

PORT-ELLEN, *Eodem die*, 7 P.M.

The Presbytery of Islay and Jura being met and constituted. Sederunt *ut supra*.

Parties' procurators appeared as above.

Re-compeared the foresaid John Macdonald, who, being again solemnly sworn and cross-examined for the Objectors, his evidence, so far as it was completed, was entered in the separate Record.

The witness was cited, *apud acta*, to appear at eleven o'clock forenoon, to-morrow.

The Presbytery adjourn, to meet at eleven o'clock A.M., to-morrow.—Closed with prayer.

(Signed)

JAMES DEWAR, Moderator.

XXXVIII.—EXTRACT FROM THE RECORDS OF THE PRESBYTERY OF ISLAY AND JURA.

At PORT-ELLEN, the second day of March, eighteen hundred and fifty-nine years—

Which day and place the Presbytery of Islay and Jura being met and constituted. Sederunt—  
—The absence of the Revd. James Dewar of Oa, moderator, the Revd. Daniel Macphie, the former moderator, took the chair; present with him Revd. James Dewar, Kilchoman; and the Revd. Donald Macdonald, Kilmeny, Presbytery Clerk.



The minutes of last meeting being read and approved of, the Presbytery proceeded with the Kildalton case.

Alex. Macdonald, Esquire, writer in Greenock, appeared as agent for the Presentee, and Hugh Dempster, and Allan Weir, Esquires, also writers there, agents for the Objectors.

Mr Dewar, Kilchoman, was appointed clerk P.T., and took the oath *de fidei*.

Re-compeared John Macdonald, the former witness, who, being again solemnly sworn and cross-examined for the Objectors, his evidence was completed so far, and entered in the separate Record.

At this stage of the business, half-past twelve o'clock, Mr Mackenzie, Jura and Colonsay, and Mr Dewar, Oa, the moderator, having entered the Court, together with Mr Webster, Daill, elder, Mr Dewar, the moderator, took the chair. Thereafter the evidence of the present witness was completed and entered in the separate Record.

The Presbytery adjourn to meet here to-morrow at eleven A.M.—Closed with prayer.

(Signed) JAMES DEWAR, Moderator.

### XXXIX.—EXTRACT FROM THE RECORDS OF THE PRESBYTERY OF ISLAY AND JURA.

At PORT-ELLEN, March third, eighteen hundred and fifty-nine years—

Which day and place the Presbytery of Islay and Jura being met and constituted. Sederunt—the Rev. James Dewar, Kilchoman; Daniel Macphie, Portnahaven; Donald Macdonald, Kilmeny, Presbytery Clerk, ministers; and William Webster, Esquire, Daill, elder.

In the absence of Mr Dewar of Oa, the moderator, Mr Macphie, the former moderator, was appointed moderator P.T., and took the chair.

The minutes of last meeting being read and approved of,

The Presbytery proceeded with the Kildalton case, when Alexr. Macdonald, Esquire, Writer in Greenock, appeared as agent for the Presentee, and Hugh Dempster, and Allan Weir, Esquires, also Writers in Greenock, as agents for the Objectors.

Mr Dewar, Kilchoman, was appointed clerk P.T., and took the oath *de fidei*.

Compeared John Frazer, steamboat porter in Port-Ellen, who being solemnly sworn and examined as a witness for the Presentee, his evidence was proceeded with so far and entered in the separate Record.

At this stage of the proceedings, 12 o'clock noon, Mr Mackenzie, Jura and Colonsay, and Mr Dewar, Oa, moderator, having entered the Court, the moderator took the chair.

The Presbytery adjourn to meet here at seven P.M. this evening.

The witness was cited *apud acta* to appear at the meeting of Presbytery at 7 P.M. this evening.—Closed with prayer.

(Signed) JAMES DEWAR, Moderator.

### XL.—EXTRACT FROM THE RECORDS OF THE PRESBYTERY OF ISLAY AND JURA.

At PORT-ELLEN, *Eodem die*, 7 P.M.

The Presbytery of Islay and Jura being met and constituted. Sederunt *ut supra*.

Parties' procurators also appeared as above.

The minutes of last meeting being read and approved of, Mr Dewar, Kilchoman, was appointed clerk P.T., and took the oath *de fidei*.

The Presbytery proceeded with the Kildalton case.

Re-compeared the foresaid witness, who being again solemnly sworn and examined as a witness for the Presentee, and his evidence-in-chief being proceeded with, was concluded and entered in the separate Record.

Being thereafter cross-examined for the Objectors, his evidence was completed and entered in the separate Record.

The Presbytery adjourn to meet at Port-Ellen on Monday next, the seventh day of March current.—Closed with prayer.

(Signed) JAMES DEWAR, Moderator.

**XLI.—EXTRACT FROM THE RECORDS OF THE PRESBYTERY OF ISLAY AND JURA.**

At PORT-ELLEN, the seventh day of March, eighteen hundred and fifty-nine years—

Which day and place the Presbytery of Islay and Jura being met and constituted. Sederunt—the Rev. James Dewar of Oa, moderator; James Dewar, Kilchoman; Donald Macdonald, Kilmeny, Presbytery Clerk, ministers; and William Webster, Esquire, Daill, elder.

The minutes of last meeting being read and approved of, the Presbytery proceeded with the Kildalton Case, when Alex. Macdonald, Esquire, writer in Greenock, appeared as agent for the Presentee, and Hugh Dempster and Allan Weir, Esquires, also writers in Greenock, as agents for the Objectors.

Mr Dewar, Kilchoman, was appointed Clerk P.T., and the oath *de fidei* administered to him.

Compeared Alex. MacCuaig, general merchant and farmer, Port-Ellen, who was solemnly sworn and examined as a witness for the Presentee—his evidence-in-chief was completed and entered in the separate Record.

Thereafter the foresaid witness was cross-examined for the Objectors, and his evidence was so far completed and entered in the separate Record. The witness was cited *apud acta* to appear at 6 P.M.

The Presbytery adjourn, to meet at 6 P.M.—Closed with prayer.

(Signed) JAMES DEWAR, Moderator.

**XLII.—EXTRACT FROM THE RECORDS OF THE PRESBYTERY OF ISLAY AND JURA.**

At PORT-ELLEN, March seventh, eighteen hundred and fifty-nine years, 6 P.M.—

The Presbytery of Islay and Jura being met and constituted. Sederunt—The Rev. James Dewar of Oa, moderator; James Dewar, Kilchoman; Daniel Macphie, Portnahaven; Donald Macdonald, Kilmeny, Presbytery Clerk, ministers; and William Webster, Esquire, Daill, elder.

The minutes of last meeting being read and approved of, the Presbytery proceeded with the Kildalton Case, when parties' procurators appeared as above.

Mr Dewar, Kilchoman, was appointed Clerk P.T., and took the oath *de fidei*.

Re-compeared the foresaid witness, who was again solemnly sworn and examined in Gaelic, and being cross-examined for the Objectors, his evidence was so far completed, and entered in the separate Record.

The Presbytery adjourn, to meet here to-morrow at eleven o'clock forenoon.—Closed with prayer.

(Signed) JAMES DEWAR, Moderator.

**XLIII.—EXTRACT FROM THE RECORDS OF THE PRESBYTERY OF ISLAY AND JURA.**

At PORT-ELLEN, the eighth day of March, eighteen hundred and fifty-nine years—

Which day and place the Presbytery of Islay and Jura being met and constituted. Sederunt—The Rev. James Dewar, Kilchoman; Daniel Macphie, Portnahaven; and Donald Macdonald, Presbytery Clerk.

In absence of the moderator, Rev. Mr Dewar of Oa, Mr Macphie, the last moderator, took the chair.

The minutes of last meeting being read and approved of, the Presbytery proceeded with the Kildalton Case, when Alex. Macdonald, Esquire, writer in Greenock, appeared as agent for the Presentee, and Hugh Dempster and Allan Weir, Esquires, also writers in Greenock, as agents for the Objectors.

Mr Dewar, Kilchoman, was appointed Clerk P.T., and took the oath *de fidei*.

Compeared Neil Black, labourer, residing at Port-Ellen, who being solemnly sworn and examined

in Gaelic as a witness for the Presentee, his evidence-in-chief was completed and entered in the separate Record.

At this stage of the business, Mr Dewar of Oa, the moderator, entered the Court, and took the chair.

Compeared Duncan MacCuaig, innkeeper and farmer, Port-Ellen, who being solemnly sworn and examined *in initialibus* for the Objectors, his evidence was taken down in the separate Record. The witness was cited *apud acta* to appear at the meeting of Presbytery at half-past 6 o'clock this evening.

The Presbytery adjourn, to meet at half-past 6 o'clock this evening.—Closed with prayer.

(Signed) JAMES DEWAR, Moderator.

**XLIV.—EXTRACT FROM THE RECORDS OF THE PRESBYTERY OF ISLAY AND JURA.**

At PORT-ELLEN, half-past 6 P.M. of said day—

The Presbytery of Islay and Jura being met and constituted. Sederunt—The Rev. James Dewar of Oa, moderator; James Dewar of Kilchoman; Daniel Macphie, Portnahaven; Lachlan Mackenzie, Jura and Colonsay; and Donald Macdonald, Kilmeny, Presbytery Clerk.

The minutes of last meeting were read and sustained.

The Presbytery proceeded with the Kildalton case, when parties' procurators appeared as above.

Mr Dewar, Kilchoman, was appointed Clerk, *pro tempore*, and took the oath *de fidei*.

Re-compeared Donald MacCuaig, the foresaid witness, and being again solemnly sworn and examined, *in initialibus*, his examination was proceeded with so far, and entered in the separate Record.

The witness was cited, *apud acta*, to appear at the meeting of Presbytery, at eleven o'clock to-morrow forenoon.

The Presbytery adjourn, to meet here at 11 o'clock to-morrow forenoon.—Closed with prayer.

(Signed) JAMES DEWAR, Moderator.

**XLV.—EXTRACT FROM THE RECORDS OF THE PRESBYTERY OF ISLAY AND JURA.**

At PORT-ELLEN, the ninth day of March, eighteen hundred and fifty-nine years—

Which day and place the Presbytery of Islay and Jura being met and constituted. Sederunt—The Rev. James Dewar, of Oa, moderator; Lachlan Mackenzie, Jura and Colonsay; James Dewar, Kilchoman; Daniel Macphie, Portnahaven; and Donald Macdonald, Kilmeny, the Clerk of Presbytery.

The minutes of last meeting being read and approved of, the Presbytery proceeded with the Kildalton case, when Alexander Macdonald, Esquire, writer in Greenock, appeared as agent for the Presentee, and Hugh Dempster and Allan Weir, Esquires, also writers in Greenock, as agents for the Objectors.

Mr Dewar, Kilchoman, was appointed Clerk *pro tempore*, and took the oath *de fidei*.

Re-compeared the said Duncan MacCuaig, and being solemnly sworn, *in initialibus*, and cross-interrogated as a witness for the Presentee, his examination was completed, and entered in the separate Record.

The Presbytery adjourn, to meet here at half-past seven o'clock this evening.—Closed with prayer.

(Signed) JAMES DEWAR, Moderator.

**XLVI.—EXTRACT FROM THE RECORDS OF THE PRESBYTERY OF ISLAY AND JURA.**

At PORT-ELLEN, March the ninth, eighteen hundred and fifty-nine years, *Eodem die*, half-past seven P.M.—

## LXVII.—EXTRACT FROM THE RECORDS OF THE PRESBYTERY OF ISLAY AND JURA.

At PORT-ELLEN, April 6th, 1859 years—

Which day and place the Presbytery of Islay and Jura being met and constituted. Sederunt—  
The Rev. James Dewar of Oa, moderator; James Dewar of Kilchoman; Daniel Macphie,  
Portnahaven; David Macdonald, Kilmeny, the Clerk of Presbytery.

The minutes of last meeting were read and approved of. The Presbytery proceeded with the Kildalton case, when Alexander Macdonald, Esquire, writer in Greenock, appeared as agent for the Presentee, and Hugh Dempster, Esquire, also writer in Greenock, appeared as agent for the Objectors. Mr Dewar, Kilchoman, was appointed Clerk P.T., and took the oath *de fidei*.

Compeared Thomas Macdonald, residing at Avenvoggie, who being solemnly sworn and examined as a witness for the Presentee, his evidence was completed and entered in the separate Record.

Re-compeared Donald Macintyre, the foresaid witness, who was again solemnly sworn and cross-examined for the Objectors, his evidence was so far completed and entered in the separate Record.

The witness was cited, *apud acta*, to appear at next diet.

The Presbytery adjourn, to meet here at 7 P.M. this evening.—Closed with prayer.

(Signed) JAMES DEWAR, Modr.

## LXVIII.—EXTRACT FROM THE RECORDS OF THE PRESBYTERY OF ISLAY AND JURA.

At PORT-ELLEN, 7 P.M., April 6th, 1859—

The Presbytery of Islay and Jura being met and constituted in terms of adjournment. Sederunt *ut supra*.

Parties' procurators also appeared as above.

The Presbytery proceeded with the Kildalton case.

Re-compeared the said witness, Donald Macintyre, who being again solemnly sworn and examined as a witness for the Presentee, his evidence was so far completed and entered in the separate Record.

The witness was cited, *apud acta*, to appear at next diet.

The Presbytery adjourn, to meet here to-morrow at twelve o'clock noon.—Closed with prayer.

(Signed) JAMES DEWAR, Modr.

## LXIX.—EXTRACT FROM THE RECORDS OF THE PRESBYTERY OF ISLAY AND JURA.

At PORT-ELLEN, April 7th, 1859 years—

Which day and place the Presbytery of Islay and Jura being met and constituted in terms of adjournment. Sederunt—The Rev. James Dewar, of Oa, moderator; James Dewar, of Kilchoman; Daniel Macphie, Portnahaven; Donald Macdonald, Kilmeny, the Clerk of Presbytery.

The minutes of last meeting being read and approved of, the Presbytery proceeded with the Kildalton case, when Alexander Macdonald, Esquire, writer in Greenock, appeared as agent for the Presentee, and Hugh Dempster, Esquire, also writer in Greenock, appeared as agent for the Objectors.

Mr Dewar, Kilchoman, was appointed Clerk P.T., and took the oath *de fidei*.

The said Donald Macintyre appeared in terms of the citation served upon him, *apud acta*.

The Presbytery, at whose desire he appeared, dispensed with his further examination, and his evidence, as entered in the separate Record, is held to be completed.

The agent for the Presentee then declared his proof to be closed.

The Presbytery agreed to meet this evening, for the purpose of hearing the Presentee's discourses read, as part of the proof for the Objectors, which being duly intimated, the Presbytery adjourn, to meet at 7 P.M.—The meeting was closed with prayer.

(Signed)

JAMES DEWAR, Modr.

Mr Dewar, Kilchoman, was appointed clerk *pro tempore*, and took the oath *de fidei*.

Re-compeared Duncan MacCueig, innkeeper and farmer, Port-Ellen, who was solemnly sworn and examined, *in causa*, as a witness for the Presentee, his evidence was completed, so far, and entered in the separate Record.

The Presbytery approve of the diligence of the committee appointed to analyze the Call, reappoint said committee, and enjoin them to have their report ready, if possible, for next meeting of Presbytery.

With reference to a statement made by Duncan MacCuaig, a witness examined for the Presentee, to the effect that he had seen one signing the objections to the Revd. Mr Macintyre's settlement, when in a tipsy state, the Presbytery record that neither as a Court, nor as individuals, did they see any party under the influence of liquor, nor any ground of suspecting any one of being in such a state in the Church of Kildalton, on the day of moderating in the Call, or signing the objections.

The Presbytery adjourned, to meet at Port-Ellen, upon Tuesday the twenty-second day of March, current.—The meeting was closed with prayer, and

(Signed)

JAMES DEWAR, Modr.

XLIX.—EXTRACT FROM THE RECORDS OF THE PRESBYTERY OF ISLAY AND JURA.

At PORT-ELLEN, the twenty-second day of March, one thousand Eight Hundred and Fifty-nine years—

Which day and place the Presbytery of Islay and Jura met, in terms of adjournment, and was constituted. Sederunt—The Reverend James Dewar, Oa, moderator; James Dewar, Kilchoman; Donald Macdonald, Kilmeny, the Clerk of Presbytery, ministers; and William Webster, Esquire, Daill, elder.

The minutes of last meeting being read and approved of, against which approval of the previous minute the procurator for the Presentee protested and appealed to the ensuing meeting of the General Assembly, took instruments, and craved extracts, which were allowed, for the following and other reasons to be stated at the discussion of this appeal:—

1st, That the Presbytery has no right to interfere with the evidence led in this case, by recording statements which may affect the proof led on either side, because, by doing so, they would virtually make themselves witnesses in the case.

2d, The statements with regard to the party said to have been in a state of intoxication, which are introduced into the minute, were not brought before the Court during the business for which they were sitting as a Court, but after the examination of the witness was completed, and after the procurator for the Presentee had left the Presbytery.

The Presbytery proceeded with the Kildalton case, when Alexander Macdonald, Esq., writer in Greenock, appeared as agent for the Presentee, and Hugh Dempster and Allan Weir, Esquires, also writers in Greenock, appeared as agents for the Objectors. Mr Dewar, Kilchoman, was appointed Clerk *pro tempore*, and took the oath *de fidei*.

Re-compeared the said Duncan MacCuaig, as a witness for the Presentee, who being again solemnly sworn, and his former depositions being read over to him, he was examined, and his evidence was concluded in-chief, and taken down in the separate Record.

The Presbytery adjourn, to meet here at half-past six o'clock, this evening.

The witness was cited *apud acta* to appear for cross-examination at said diet.—The meeting was closed with prayer, and

(Signed)

JAMES DEWAR, Modr.

L.—EXTRACT FROM THE RECORDS OF THE PRESBYTERY OF ISLAY AND JURA.

At PORT-ELLEN, the twenty-second day of March, one thousand eight hundred and fifty-nine years, half-past six o'clock afternoon—

2d Objection, With regard to the second objection, it was moved by the Rev. Mr Mackenzie, seconded by Mr Macdonald, and unanimously agreed to by the Presbytery, that the Presbytery find the second objection proven, in so far as it states that the parish of Kildalton, with a population so widely scattered, requires a vigorous and energetic minister, but not proven *quoad ultra*.

Parties' procurators having been called in, and the above judgment having been intimated to them, the procurator for the Presentee acquiesced therein, in so far as it finds the same or any part thereof not proven; but in so far as it finds the same proven, at least to the extent of inferring that it has been proved that the parish in question requires a more vigorous and energetic minister than any ordinary country parish, he does not acquiesce, and he took instruments and craved extracts *ut supra*.

The agent for the Objectors acquiesced in the preceding judgment on the second objection, in so far as it finds that Kildalton, with a population so widely scattered, requires a vigorous and energetic minister, proven, took instruments and craved extracts, which were allowed; but in so far as it finds the said objection to be *quoad ultra* not proven, they protested and appealed to the ensuing meeting of the General Assembly, for reasons to be given in in due time, took instruments and craved extracts, which were allowed.

3d Objection, It was moved by the Rev. Mr Dewar, Kilchoman, and seconded by Mr William Webster, elder, and agreed to, that the Presbytery find the third objection is proven, in so far as it states, that as ordered by the Presbytery, the Presentee officiated on three several days in the Parish Church of Kildalton: That the Objectors are not satisfied with his manner of conducting the church services: That the prayers were not offered up with solemnity: That the discourses were not edifying: That the subject for the most part was unconnected with the texts, and that the discourses themselves were not connected one part to another: And that on two of the said days on which the Presentee officiated, he did not, before sermon, read any portion of the Holy Scriptures; but not proven *quoad ultra*.

The Rev. Mr Macdonald dissenting, except in respect that it is proved that the Presentee officiated, as ordered by the Presbytery, on three several days in the Parish Church of Kildalton, and that the Objectors are not satisfied with his manner of conducting the church services.

Parties being called in, and the above judgment having been intimated to them, the agent for the Presentee acquiesced therein, in so far as it finds the said objection, or any part thereof, not proven; but in so far as it finds the said objection, or any part thereof, proven, he protests, and appeals to the ensuing meeting of the General Assembly, for reasons to be given in in due time, took instruments and craved extracts, which were allowed.

The agent for the Objectors acquiesced in the above judgment, in so far as it finds the third objection proven to the extent therein stated, took instruments and craved extracts, which were allowed; but in so far as it finds the said objection to be not proven, they protest, and appeal to the ensuing meeting of the General Assembly, for reasons to be given in in due time, took instruments and craved extracts, which were allowed.

4th Objection found irrelevant.

5th Objection, It was moved by the Rev. Mr Mackenzie, and seconded by the Rev. Mr Macdonald, and unanimously agreed to, that the Presbytery find the fifth objection proven in reference to the members of the English congregation only.

Parties' procurators having been called in, and the above judgment intimated to them, the procurator for the Presentee protested and appealed to the ensuing meeting of the General Assembly against the same, in so far as it finds any part of the said objection proved, for reasons to be given in in due time, took instruments in the Clerk's hands, and craved extracts, which were allowed.

The agent for the Objectors acquiesced in the above judgment on the fifth objection, in so far as it finds the said objection to be proved, took instruments in the Clerk's hands and craved extracts, which were allowed; but in so far as the said judgment does not find that the said objection has been proved to the full extent, and in terms thereof, they protested and appealed to the ensuing meeting of the General Assembly, for reasons to be given in in due time, took instruments, and craved extracts, which were allowed.

6th objection irrelevant.

It was moved by the Reverend Mr Dewar of Kilchoman—Whereas, the first, second, third, and fifth objections have been substantiated, in the judgment of the Presbytery, to the extent and effect above-narrated; therefore, the Presbytery, in respect of these objections, and having regard to the whole circumstances and condition of the parish, to the spiritual welfare and edification of the people, and to the character and number of persons by whom the said objections are preferred: Find and declare that

Re-compeared the said Duncan MacCuaig, who being again solemnly sworn and examined, his evidence was completed and taken down in the separate Record.

The Report of the committee appointed to analyse the Call of date March the tenth day, and then given in and ordered to lie on the table, was taken up and read; also the Supplementary Report, given in this day was also read and both approved of by the Presbytery, and ordered to be engrossed in their minutes; as also the *interim* Report, given in:—"At Port-Ellen, the tenth day of March, one thousand eight hundred and fifty-nine years, at 10 A.M.

"The committee formerly appointed to analyse the Call met here in terms of the Presbytery's instructions. Present—Reverend Donald Macdonald, Presbytery Clerk, convener; Reverend James Dewar, Kilchoman; and Reverend Lachlan Mackenzie, Jura and Colonsay.

"In the interim Report, already given in, it was stated that the Call in favour of Mr Macintyre was signed, on the day of moderating in the Call, by thirteen individuals; that two of these signed by marks, and that six of them were communicants; that when in possession of the Session Clerk twenty-one signed, of whom none were communicants, and that of these eleven signed by mark. Thus far your committee found matters plain and easy. But in addition to the signatures above referred to, there were adhibited to the Call names of individuals in behalf of whom the right was claimed in virtue of writings bearing to be mandates granted by them to Mr Duncan MacCuaig, innkeeper, Port-Ellen, Mr Archibald Macarthur, said Mr Duncan MacCuaig's barman and general servant, and Mr Donald Macintyre, residing at Port-Ellen. Before proceeding to explain the difficulties which your committee have experienced in scrutinising these documents, which were laid before the Presbytery, they state their contents simply as they were laid before the Presbytery at Bridgend, viz., to number 1, Duncan MacCuaig, mandatory, there are appended forty-four names, of whom thirty-three signed by mark and eleven signed their own names, as attested by Archibald Macarthur, of the Steamboat Tavern, who stated that they signed there. To mandate number 2, in favour of Archibald Macarthur, containing one hundred and forty signatures, of which seventy-eight signed their names in full, and sixty-two by mark, the signatures are attested by the mandatory himself, by Sarah Shaw, John Macintyre, and John Macdonald. To mandate number 3, in favour of Donald Macintyre, there are adhibited twelve signatures, all written in full, and attested by John Macintyre and A. M'N. To mandate No. 4, in favour of said Donald Macintyre, are adhibited four signatures, all apparently written in the same hand, but not attested. To mandate number 5, in favour of said Donald Macintyre, seven names are appended, two apparently written in the same hand, and five more in the same hand, but different from that in the first two, attested by mandatory. To mandate number 6, in favour of said Donald Macintyre, are adhibited thirty-one signatures, five of these apparently in the same hand, three ditto, twenty ditto, attested by Duncan Macphie, Donald Macfadyen, and the mandatory. To mandate number 7, in favour of said Donald Macintyre, are appended thirteen signatures, a number of them apparently in the same hand, attested by Donald Macintyre, mandatory, and James Cameron. To mandate number 8, in favour of Duncan MacCuaig, are appended thirty-five names, nine of these written in full, and twenty-six by mark, attested by the mandatory and by Archibald Macarthur. To the mandates are adhibited fifteen communicants. The committee have further to report that various parties voluntarily compeared before them, requesting their names to be withdrawn from the Call or mandates, for reasons which the committee have not time to state, as the time appointed for the meeting of Presbytery is now come, but which, along with other difficulties, they are ready to lay before the Presbytery, with the least possible delay, when required.

(Signed)

"DONALD MACDONALD, Convener."

"The committee have to report that they are satisfied that the word 'Independent,' after the name of Duncan Macintyre, the third name on the right hand side of the Call, was written *per incuriam* by the Moderator, on the day the Call was moderated in; they report that the said Duncan Macintyre has declared himself, in their presence, to be an adherent of the Established Church.

(Signed)

"D. MACDONALD."

"At Port-Ellen, the twenty-fourth day of March, eighteen hundred and fifty-nine years. On which day the committee appointed to analyze the Call, met in terms of the Presbytery's injunction—present, the Reverend Lachlan Mackenzie; Reverend James Dewar, Kilchoman; the Reverend Donald Macdonald, convener; also the moderator, Reverend James Dewar of Oa; and the Reverend Daniel Macphie. They report as follows:—

"In the second report given in to the Presbytery, your committee stated that their difficulties commenced with the examination of documents, purporting to be mandates, given by certain parties to Mr

Duncan MacCuaig, innkeeper, Port-Ellen, Archibald Macarthur, acting as barman for said Duncan MacCuaig, in the Steamboat Tavern, and Donald Macintyre, residing at Port-Ellen; and your committee are now to submit the result of their investigations, with reference to said documents, as far as they have been able to investigate them. Your committee are at a loss how to designate the documents referred to. They are not, in the proper sense of the word, mandates. A mandate, your committee consider to be authority, given by one in the enjoyment of a privilege, but not in circumstances to exercise that privilege in person, to another person to act for him or her—and that authority, accompanied with a request so to act, such the documents referred to are not; neither are they attested in the way and manner in which mandates ought to be attested; they seem to be, and are allowed to have been written out by the individuals in whose favour they bear to have been granted. And these persons, or some of them, canvassed for mandates after they had got the headings written out. Another objection your committee would point out, and it is this, that parties' names were put down, either by full subscription or mark, while said parties never heard a mandate read, nor heard the Presentee preach. However disagreeable it may be to make these statements, the committee consider it their duty to do so. With reference to mandate No. 1, in favour of Mr Duncan MacCuaig, the heading seems to have been written out by Archibald Macarthur, who attests, as witness, the signatures; and who, as he stated to the committee at a former meeting, then went round for signatures. There are adhibited the names of five persons, viz., Thomas Macdonald, Donald Macdonald, Jessie Macdonald, Ann Macdonald, and Margaret Macdonald, who are not parishioners, and Neil Darroch, who is said to belong to the Free Church. With reference to mandate No. 2, bearing to be in favour of Archibald Macarthur, your Committee have to report that they have gone over that document with great labour and care, and that, even with the assistance of the mandatory and elders, and others, who ought to be well acquainted with the parish, they have had the utmost difficulty in ascertaining who some of the parties are whose names appear there, and where they reside. The mandatory, as we are given to understand, is an adherent of the Free Church, and his own name is not appended to the Call. The document has one hundred and forty-one names adhibited. Among these, there are the names of not more than fourteen, if so many, who, in reference to the roll of communicants, are found to be members of the congregation. The following parties, viz., John Macinnes, Archibald Brown, Samuel Macfarlane, William Gilchrist, Godfrey Livingstone, Isabella Clark, Angus Macinnes, Duncan Macarthur, and Duncan Campbell, are said to be adherents of the Free Church. The following parties, viz., Mary Macintyre, and Emily Macintyre, are adherents of the Free Church, and the signature of one of them, which is attested in its genuineness by John Macintyre, is declared by her sister, Mrs Bell, not to have been in the island when her name was adhibited. The designations, and places of residence of the following parties, viz., Angus Brown, Donald Campbell, Ann Campbell, Margaret Currie, Dugald Carmichael, Alexander Macintyre, John Macintyre Archibald Lindsay, Mary Campbell, and James Mackerrol, would require to be correctly ascertained. Henry MacCuaig, and Coll Macdonald, are said not to be parishioners, at least the former. Your committee cannot state whether or not Duncan Macintyre, signing the mandate, be the same that signed the Call in the church. The committee would suggest to the Presbytery the propriety of ascertaining the ages of the following parties, viz., Malcolm Macintyre, Margaret Logan, Donald Mackerrol, and Duncan Mackay. With reference to mandates number three, four, five, six, and seven, bearing to be in favour of Donald Macintyre, your committee have to state that difficulties of various kinds have met them in the examination of these documents; as, for example, from the erasures in numbers six and seven, it looks as if the names of the mandates were put down anticipatively—a number of names are put down in the same hand, the mandatory is often himself the attesting witness—he has declared that certain names adhibited to some of these mandates, are in his own handwriting, which declaration the committee on comparing these with his signature written in their presence, have a difficulty in admitting. Mrs Macallister, Maolbhuy, and her two daughters, Mary and Margaret, declare, in writing given under their hand, that Donald Macintyre had no authority from them to adhibit their names. Alexander Weir also declares that he is a Free Churchman; that he never heard the Presentee preach; that he never heard mandate or Call read; and that he never signed.

“Your Committee, with reference to parties appearing and wishing their names to be withdrawn from the Call, have to state that Peter Reid and Peter Clark gave as their reason, that they had not heard the Presentee preach; that there was nothing but names on the paper which they signed; and that they were pressed by Archibald Macarthur to sign, when they were drinking in Duncan MacCuaig's. Archibald Mackay assigned as his reason, that he had signed when he had been drinking. Angus Macquarrie gave a similar reason. Duncan Mackay stated that he does not belong to the Established



**Church.** Duncan Logan, that he had never heard the Presentee preach nor the Call read. The other parties who, besides the above, requested their names to be withdrawn, are—Alexander Cameron, William MacCuaig, John Macinnes, Duncan Sinclair, Mary Sinclair, his wife, and Mary Sinclair, his daughter, and Robert Campbell. Archibald Macintyre and Ronald Campbell, whose names are adhibited to Donald Macintyre's mandates, are said to be under age.

"With regard to the exact number of communicants whose names are adhibited to the mandates, as a whole, your Committee, in concluding their report, leave that to be determined by the Presbytery, if deemed necessary. (Signed) DONALD MACDONALD, Convener."

Against which resolution of the Presbytery approving of the said Reports, the procurator for the Presentee protested and appealed to the General Assembly, took instruments, and craved extracts, which were allowed, for the following and other reasons to be given in at the discussion of the present appeal: 1st, The Presentee, while he is not responsible for the acts of any parties who may have acted with regard to the signing of the Call, or for any mistakes which may have been committed by any party, from ignorance or otherwise, has to state—First, That the Committee were formed some six months ago, for the purpose of analysing the Call, but not for the purpose of determining the legal value of the mandates.

2d, That the reports now given in should have been long ago produced, so as to have enabled those interested to have made a thorough investigation with regard to the statements contained in them.

3d, The proof for the Presentee being now nearly closed, he is prevented from bringing forward such satisfactory evidence as he might have been otherwise enabled to do with regard to this matter.

4th, That the reports proceed upon *ex parte* statements, said to have been given to the Committee by persons whom the procurator for the Presentee has been afforded no opportunity of examining, and at sittings of the said Committee at which he was not present, and of which he received no intimation, and he is not, therefore, to be held as in any way homologating the steps that have been taken, or as admitting the correctness of the statements contained in the reports.

5th, The necessity for mandates arose from the Call having been left at a distance from the residences of the great body of the parishioners, viz., Port-Ellen, and these documents are as correctly framed and executed as it was possible, in a remote country parish, for documents of this description to have been.

6th, The procurator for the Presentee reserves right, if he shall be enabled to do so, at this late stage of the case, to redargue the statements contained in the Reports, without prejudice to his objections against the same.

While the Presbytery have allowed the above protest and appeal, with reasons, to be entered on their minutes, they do not admit that any party has a right to interfere with their proceedings while constitutionally engaged in discharging an important duty such as they consider analyzing of the Call to be.

The Presbytery adjourn, to meet at half-past eight this evening.—Closed with prayer.

(Signed) JAMES DEWAR, Moderator.

#### LIII.—EXTRACT FROM THE RECORDS OF THE PRESBYTERY OF ISLAY AND JURA.

At PORT-ELLEN, *Eodem die*—

The Presbytery of Islay and Jura being met and constituted in terms of adjournment. *Sederunt ut supra.*

Parties' procurators also appeared as above.

The Presbytery proceeded with the Kildalton case.

Mr Dewar, Kilchoman, was appointed Clerk P.T., and took the oath *de fidei*.

Compeared Thomas Armstrong, residing at Skye-house, shepherd to John Ramsay, Esq., of Kildalton, as a witness for the Presentee, and being solemnly sworn and examined, his evidence was taken down in the separate Record.

The agent for the Presentee tendered two Certificates, under the hand of the Presbytery Clerk of the Presbytery of Mull, which were obtained by the Presentee, and duly lodged with the Clerk of this

Presbytery on the respective dates of 24th August, 1858, and November, 1858, and which are respectively dated 17th August and 5th October, 1858, and craved that the same be recorded in their minutes in the usual way.

To the production and recording of which certificates the agent for the Objectors objected, 1st, Because with reference to the first document, bearing date 17th August, 1858, it is not a Presbyterial certificate, but a private certificate, signed by "John Macleod, D.D., Minister of Morven," and is not an extract from the Record of any Presbytery, nor authenticated as Presbyterial certificates require to be authenticated.

2d, Because the second certificate, bearing date 5th October, 1858, although signed by the Moderator and Clerk, *pro tempore*, of the Presbytery of Mull, is not duly authenticated.

3d, Because these documents, although now stated to have been duly lodged, have now, for the first time, been seen by the Objectors or their agent, and entered in the Records of this Presbytery, and made part of the proceedings of this case.

4th, Because it is incompetent for the Presbytery to receive the documents in question as evidence or to any effect. The said certificates having been read in the presence of the Presbytery, the Presbytery agreed to receive them, and ordered them to be recorded in their minutes.

"The Presbytery of Mull do not meet till the 28th current, and Mr Macintyre is thus unable to procure, as he now desires, and otherwise might easily do, a Presbyterial certificate in usual form. At the request, however, of several of the members, and with willing assent on my own part, I take leave to certify, that since his appointment to his present charge—an appointment made in compliance with the unanimously expressed desire of the parishioners—Mr Macintyre has succeeded, under very great difficulties and disadvantages, in discharging his pastoral duties efficiently, and, as I have always understood, to the entire satisfaction of his people. I feel assured that it will give all the members of this Presbytery, as it will certainly afford me, much satisfaction to see Mr Macintyre inducted to the parish to which he is now presented, where, with a large field of usefulness, he will enjoy for his family—in whose welfare, from my having made the acquaintance of their much respected relatives elsewhere, I feel an additional interest—advantages and comforts which have hitherto been in a great measure denied them.

"Given at Morven Manse, the 17th day of August, 1858.

(Signed)

"JOHN MACLEOD, D.D., Minister of Morven."

"At SALEN, the fifth day of October, Eighteen hundred and fifty-eight—

"Which day the Presbytery of Mull being met and duly constituted, *inter alia*—

"Mr Macintyre, minister of Kinlochspelve, who is a Presentee to the Parish of Kildalton in Islay, requested a certificate from the Presbytery, bearing that no complaint was brought before the Presbytery by any of the parishioners of Kinlochspelve of his having neglected his duties as a minister of that parish. It being a fact that no such complaint was ever made, the Presbytery unanimously agreed to grant the certificate required. And they further certify that it consists with their knowledge that Mr Macintyre has been discharging his duties in the face of very great difficulties.

(Signed)

"DUNCAN CLERK, Mod. P.T.

"MUNGO CAMPBELL, Clerk P.T."

Against which deliverance the agent for the Objectors protested, and appealed to the ensuing meeting of the General Assembly, took instruments in the clerk's hands, and craved extracts which were allowed, for the following, among other reasons, to be pled at the bar of the General Assembly, in support of this appeal:—

1st, Because it was incompetent for the Presbytery to receive, or order to be recorded, the documents in question, as they are not Presbyterial certificates, or duly authenticated as such.

2d, Because certificates cannot be received as evidence, and can bear no faith or strength in judgment, and ought to have been rejected.

3d, Because they have now been made productions in process for the first time at this diet, and the Objectors have been taken by surprise, and afforded no opportunity of investigating the statements which they contain, or of redarguing these statements.

The Presbytery adjourn, to meet here to-morrow, at 10 o'clock, *ante meridiem*.—Closed with prayer.

(Signed)

JAMES DEWAR, Modr.

## LIV.—EXTRACT FROM THE RECORDS OF THE PRESBYTERY OF ISLAY AND JURA.

At PORT-ELLEN, March 25th, 1859 years—

Which day and place the Presbytery of Islay and Jura met and was constituted. Sederunt—  
The Revd. Daniel Macphie, Portnahaven; Lachlan Mackenzie, Jura and Colonsay; James Dewar, Kilchoman; and Donald Macdonald, Kilmeny, Clerk of Presbytery.

In the absence of the moderator, Mr Macphie took the chair.

The minutes of last meeting being read and approved of, the Presbytery proceeded with the Kildalton case, when Alexander Macdonald, Esq., writer in Greenock, appeared as agent for the Presentee, and Hugh Dempster, and Allan Weir, Esquires, also writers in Greenock, as agents for the Objectors.

Mr Dewar, Kilchoman, was appointed clerk P.T., and took the oath *de fidei*.

Compeared Miss Jessie MacCuaig, Port-Ellen, who being solemnly sworn and examined as a witness for the Presentee, her evidence was completed, and taken down in the separate Record.

The Presbytery adjourn, to meet here on the 28th current.—Closed with prayer.

(Signed) DANIEL MACPHIE, Modr.

## LV.—EXTRACT FROM THE RECORDS OF THE PRESBYTERY OF ISLAY AND JURA.

At PORT-ELLEN, the 28th of March, 1859—

The Presbytery of Islay and Jura being met and constituted in terms of adjournment. Sederunt—  
—The Reverend James Dewar of Oa, moderator; James Dewar, Kilchoman; Donald Macdonald, Kilmeny, Clerk of Presbytery, ministers; and William Webster, Esquire, Daill, elder.

The minutes of the last meeting being read and approved of, the Presbytery proceeded with the Kildalton case, when Alexander Macdonald, Esquire, writer in Greenock, appeared as agent for the Presentee, and Hugh Dempster, and Allan Weir, Esquires, also writers there, appeared as agents for the Objectors.

Mr Dewar, Kilchoman, was appointed clerk P.T., and took the oath *de fidei*.

Compeared Donald Macpherson, residing in Port-Ellen, who, being solemnly sworn and examined as a witness for the Presentee, his evidence was completed, and taken down in the separate Record.

Compeared George Maccallum, general merchant, Port-Ellen, who being solemnly sworn and examined as a witness for the Presentee, his evidence was completed and taken down in the separate Record.

The Presbytery adjourn, to meet here, at half-past six o'clock, this evening.—Closed with prayer.

(Signed) JAMES DEWAR, Modr.

## LVI.—EXTRACT FROM THE RECORDS OF THE PRESBYTERY OF ISLAY AND JURA.

At PORT-ELLEN, March 28th, at half-past six P.M., 1859—

The Presbytery of Islay and Jura being met and constituted, in terms of adjournment. Sederunt—  
The Rev. James Dewar of Oa, Modr.; James Dewar, Kilchoman; Donald Macdonald, Kilmeny, Clerk of Presbytery, ministers; and William Webster, Esquire, Daill, elder.

The minutes of last meeting being read and approved of, the Presbytery proceeded with the Kildalton case, when Alexander Macdonald, Esquire, writer in Greenock, appeared as agent for the Presentee, and Hugh Dempster and Allan Weir, Esquires, also writers in Greenock, appeared as agents for the Objectors. Mr Dewar of Kilchoman was appointed Clerk P.T., and took the oath *de fidei*.

Compeared Miss Flora MacCuaig, who being solemnly sworn and examined as a witness for the Presentee, her evidence was completed and taken down in the separate Record.

The Presbytery adjourned, to meet here, at 12 o'clock noon, to-morrow.—Closed with prayer.  
(Signed) JAMES DEWAR, Modr.

LVII—EXTRACT FROM THE RECORDS OF THE PRESBYTERY OF ISLAY AND JURA.

At PORT-ELLEN, March 29th, 1859 years—

Which day and place the Presbytery of Islay and Jura being met and constituted, in terms of adjournment. Sederunt—The Reverend James Dewar of Oa, Modr.; James Dewar, Kilchoman; Donald Macdonald, Kilmeny, Presbytery Clerk, ministers; and William Webster, Esq., Daill, elder.

The minutes of last meeting being read and approved of, the Presbytery proceeded with the Kildalton case, when Alexander Macdonald, Esquire, writer in Greenock, appeared as agent for the Presentee, and Hugh Dempster and Allan Weir, Esquires, also writers in Greenock, appeared as agents for the Objectors. Mr Dewar of Kilchoman was appointed Clerk P.T., and took the oath *de fidei*.

Compeared Mr James Macdougall, schoolmaster, Kintra, Parish of Kildalton, who being solemnly sworn and examined as a witness for the Presentee, his evidence was completed and taken down in the separate Record

The Presbytery adjourn, to meet here at half-past six o'clock, this evening.—Closed with prayer.  
(Signed) JAMES DEWAR, Modr.

LVIII—EXTRACT FROM THE RECORDS OF THE PRESBYTERY OF ISLAY AND JURA.

At PORT-ELLEN, March 29th, half-past 6 P.M., 1859—

Which day and place the Presbytery of Islay and Jura being met according to adjournment, was constituted. Sederunt—The Revd. James Dewar of Oa, modr.; James Dewar, Kilchoman; Daniel Macphie, Portnahaven; Donald Macdonald, Kilmeny, Clerk of Presbytery, ministers; William Webster, Esquire, Daill, elder.

The minutes of last meeting being read and approved of, the Presbytery proceeded with the Kildalton case, when Alexander Macdonald, Esquire, writer in Greenock, appeared as the agent for the Presentee, and Hugh Dempster, Esquire, writer in Greenock, as agent for the Objectors.

Mr Dewar, Kilchoman, was appointed Clerk P.T., and took the oath *de fidei*.

Compeared Donald Campbell, ploughman to Mr Duncan MacCuaig, innkeeper, Port-Ellen, who being solemnly sworn and examined as a witness for the Presentee, his evidence was completed and entered in the separate Record.

The Presbytery adjourn, to meet here at 12 o'clock, noon, to-morrow.—Closed with prayer.  
(Signed) JAMES DEWAR, Modr.

LIX.—EXTRACT FROM THE RECORDS OF THE PRESBYTERY OF ISLAY AND JURA.

At PORT-ELLEN, March 30th, 1859—

Which day and place the Presbytery of Islay and Jura being met in terms of adjournment and constituted. Sederunt—The Revd. James Dewar, of Oa, moderator; James Dewar, Kilchoman; Daniel Macphie, Portnahaven; Donald Macdonald, Kilmeny, Clerk of Presbytery.

The minutes of last meeting being read and approved of, the Presbytery proceeded with the Kil-

dalton case, when Alexander Macdonald, Esquire, writer in Greenock, appeared as agent for the Presentee, and Hugh Dempster, Esquire, also writer in Greenock, appeared as agent for the Objectors.

Mr Dewar, Kilchoman, was appointed Clerk P.T., and took the oath *de fidei*.

Compeared Duncan Macdougall, farm overseer, residing at Ardbeg, who being solemnly sworn and examined as a witness for the Presentee, his evidence was completed and entered in the separate Record.

The Presbytery adjourn, to meet here at half-past six o'clock this evening.—Closed with prayer.

(Signed)

JAMES DEWAR, Modr.

LX.—EXTRACT FROM THE RECORDS OF THE PRESBYTERY OF ISLAY AND JURA.

At PORT-ELLEN, March 30th, half-past six o'clock P.M., 1859—

The Presbytery of Islay and Jura being met according to adjournment and was constituted. Sederunt—The Revd. James Dewar, of Oa, modr.; James Dewar, Kilchoman; Daniel Macphie, Portnahaven; Donald Macdonald, Kilmeny, the Clerk of Presbytery.

The minutes of last meeting being read and approved of, the Presbytery proceeded with the Kildalton case, when Alexander Macdonald, Esq., writer in Greenock, appeared as agent for the Presentee, and Hugh Dempster, Esquire, also writer in Greenock, appeared as agent for the Objectors.

Mr Dewar, Kilchoman, was appointed Clerk P.T., and took the oath *de fidei*.

Compeared Archibald Macarthur, residing in Port-Ellen, as a witness for the Presentee, who being solemnly sworn and examined, his evidence was so far completed and entered in the separate Record.

The Presbytery adjourn, to meet here at eleven o'clock to-morrow forenoon.—The meeting was closed with prayer.

(Signed)

JAMES DEWAR, Modr.

LXI.—EXTRACT FROM THE RECORDS OF THE PRESBYTERY OF ISLAY AND JURA.

At PORT-ELLEN, March 31st, 1859—

Which day and place the Presbytery of Islay and Jura being met and constituted in terms of adjournment. Sederunt—The Revd. James Dewar of Oa, modr.; James Dewar, Kilchoman; Daniel Macphie, Portnahaven; and Donald Macdonald, Kilmeny, the Clerk of Presbytery.

The minutes of last meeting being read and approved of, the Presbytery proceeded with the Kildalton case, when Alexander Macdonald, Esquire, writer in Greenock, appeared as agent for the Presentee, and Hugh Dempster, Esquire, also writer in Greenock, appeared as agent for the Objectors.

Mr Dewar, Kilchoman, was appointed Clerk P.T., and took the oath *de fidei*.

Re-compeared the said Archibald Macarthur, who being again solemnly sworn and examined as a witness for the Presentee, his evidence was so far completed, and entered in the separate Record.

The Presbytery adjourn, to meet here at half-past six P.M.—The meeting was closed with prayer.

(Signed)

JAMES DEWAR, Modr.

LXII.—EXTRACT FROM THE RECORDS OF THE PRESBYTERY OF ISLAY AND JURA.

At PORT-ELLEN, *Eodem die*, half-past 6 P.M.—

The Presbytery of Islay and Jura being met and constituted in terms of adjournment. Sederunt *ut supra*.

The Presbytery proceeded with the Kildalton case, when Alexander Macdonald, Esquire, writer in Greenock, appeared as agent for the Presentee, and Hugh Dempster, Esquire, also writer in Greenock, appeared as agent for the Objectors.

Mr Dewar, Kilchoman, was appointed Clerk P.T., and took the oath *de fidei*.

Re-compeared the said Archibald Macarthur, who being solemnly sworn and examined as a witness for the Presentee, and cross-examined for the Objectors, his evidence was completed so far, and entered upon the separate Record.

The Presbytery adjourn, to meet here to-morrow at 10 o'clock forenoon.—The meeting was closed with prayer.

(Signed) JAMES DEWAR, Moderator.

LXIII.—EXTRACT FROM THE RECORDS OF THE PRESBYTERY OF ISLAY AND JURA.

At PORT-ELLEN, April 1st, 1859 years—

Which day and place the Presbytery of Islay and Jura being met and constituted in terms of adjournment. Sederunt—The Rev. James Dewar of Oa, moderator; James Dewar, Kilchoman; Daniel Macphie, Portnahaven; and Donald Macdonald, Kilmeny, Presbytery Clerk.

The minutes of last meeting being read and approved of, the Presbytery proceeded with the Kildalton case, when Alexander Macdonald, Esquire, writer in Greenock, appeared as agent for the Presentee, and Hugh Dempster, Esq., also writer in Greenock, appeared as agent for the Objectors.

Mr Dewar, Kilchoman, was appointed Clerk P.T., and took the oath *de fidei*.

Re-compeared the said Archibald Macarthur as a witness for the Presentee, who being again solemnly sworn and cross-examined for the Objectors, his evidence was so far completed and entered in the separate Record.

The Presbytery adjourn, to meet at Port-Ellen, on Monday, 4th current, at twelve o'clock noon.—The meeting was closed with prayer.

(Signed) JAMES DEWAR, Modr.

LXIV.—EXTRACT FROM THE RECORDS OF THE PRESBYTERY OF ISLAY AND JURA.

At PORT-ELLEN, Monday, April 4th, 1859—

Which day and place the Presbytery of Islay and Jura being met and constituted in terms of adjournment. Sederunt—The Revd. James Dewar of Oa, moderator; James Dewar, Kilchoman; Daniel Macphie, Portnahaven, Donald Macdonald, Kilmeny, the Clerk of Presbytery, ministers; William Webster, Esquire, Daill, elder.

The minutes of last meeting being read and approved of, the Presbytery proceeded with the Kildalton case, when Alexander Macdonald, Esquire, writer in Greenock, appeared as agent for the Presentee, and Hugh Dempster, Esq., also writer in Greenock, appeared as agent for the Objectors.

Mr Dewar, Kilchoman, was appointed clerk P.T., and took the oath *de fidei*.

Re-compeared the said Archibald Macarthur, who, being again solemnly sworn and cross-examined for the Objectors, his evidence was so far completed, and entered in the separate Record.

The Presbytery adjourn to meet at half-past six o'clock P.M.

The witness was cited *apud acta* to appear at next diet.—The meeting was closed with prayer.

(Signed) JAMES DEWAR, Modr.

Being interrogated.—Is it matter of notoriety that the intelligent portion of the congregation of A Kildalton Church are generally dissatisfied with the Presentee's services on the occasion above referred to?

Objected for the Presentee.—That the question is incompetent, in respect that the intelligent part of the Kildalton congregation, which is stated by the witness to be, with few exceptions, the parties who have signed the objections, can as easily be brought forward to give their own evidence, as they were to sign the objections on the day for moderating in the Call; proof of notoriety is not proof of the B special objections which have been urged against the Presentee, and which ought to be proved in the same way that any ordinary facts, happening *de recenti*, are required to be proved in a court of law.

Answered.—That the agent for the Presentee has mistaken the import of the question, the question is whether it is matter of notoriety that the intelligent part of the congregation were generally dissatisfied with the Presentee's services; notoriety is therefore the fact proposed to be proved, and such evidence is competent. C

Parties being removed, the Presbytery allowed the question to be put, Mr Dewar, Oa, and Mr Macdonald dissenting; whereupon the procurator for the Presentee protested and appealed *ut supra*. Mr Dempster, the agent for the Objectors, acquiesced, and the question being put, the witness depones— I believe so.

Interrogated.—Is it your belief or opinion, from your knowledge of the congregation of Kildalton Church, that the Presentee is not qualified to conduct the English service to the advantage of that D portion of the congregation who do not fully understand the Gaelic language?

Objected, answered, disposed of, protested against, as in the case of a similar question put to the witness regarding the matter of opinion.

Cross-interrogated for the Presentee.—Depones, I saw the population of Kildalton stated as 3310 in the Edinburgh Almanack, on the day the objections were read over, and I have since seen it stated in an abridged statistical History of Scotland, published in 1833, which was showed by Mr Dempster, E agent for the Objectors. The last census was in 1851. Upon the assumption that I am correct in supposing that the above figures include the population of Oa, the number of inhabitants in the old parish of Kildalton will fully exceed 2300. I have no other means of knowing the population except those mentioned. There are no milestones between Laggan river and Proig, and I have never measured the distance. The Laggan river and Proig are the respective boundaries of the parish of Kildalton, exclusive of the district of Oa, as nearly as possible east and west. The boundary F line between the parish of Kildalton, and the parish of Killarrow, commences on the west at the Laggan river, and runs east till it joins the Torra river, part of the Torra farm being on the one side, and part on the other—that is as I hold the shootings from Mr Morrison. It is about three or four years since the changes in the Excise laws, to which I have referred, took place. One of the distilleries to which I have referred, was only enlarged last year, and then to a large extent. Ardbeg Distillery has been increasing, in point of size, for the last ten years; and I, myself, have nearly doubled the G capabilities of the Laphroig Distillery in 1848. Depones, I cannot speak positively to any distillery having been enlarged since 1851, except the one mentioned as having been enlarged last year, which is Mr Ramsay's. There has been an increase of the fixed number of Excise officers in the parish of Kildalton since 1851. I did not count the number. There are four or five shepherds in the parish of Kildalton, who do not understand Gaelic. Three of these, I know, have families. Lagavulin Distillery is about half a mile from my residence. H

Being shown the objections, and asked to state how many of the subscribers are residing in the immediate neighbourhood of the Distillery of Lagavulin? Depones, Twenty-seven. I think of these twenty-seven, six males communicants, and seven males non-communicants, are either employed in the distillery or on the farm. Of these, two only work occasionally. As nearly as I can recollect, there are two wives of these men communicants who are objectors, and one who is not a communicant. There are, besides, two unmarried females communicants, who are sisters of two of these men, and the mother of I one of them, who is also a communicant. I did not go to any of the parties to induce them to sign the objections. Nor did I read over the objections to them; but I think I heard them read to Dugald Macdougall, Portantruan, on the day the Call was moderated in, and to several others. John Macmillan, who signed the objections, is owner of a sloop. He owns no other vessel except that. There is only one officer of Inland Revenue, and two shepherds who signed the objections. These two shepherds are not Highlanders, and do not understand Gaelic so far as I know. I observed a man of the name of George K Calder, a cartwright, in church signing the objections, on the day for moderating in the Call. I did not consider him drunk. I would say, from his having spoken loud, that he had been tasting spirits,

## LXVII.—EXTRACT FROM THE RECORDS OF THE PRESBYTERY OF ISLAY AND JURA.

At PORT-ELLEN, April 6th, 1859 years—

Which day and place the Presbytery of Islay and Jura being met and constituted. Sederunt—  
The Rev. James Dewar of Oa, moderator; James Dewar of Kilchoman; Daniel Macphie  
Portnahaven; David Macdonald, Kilmeny, the Clerk of Presbytery.

The minutes of last meeting were read and approved of. The Presbytery proceeded with the Kildalton case, when Alexander Macdonald, Esquire, writer in Greenock, appeared as agent for the Presentee, and Hugh Dempster, Esquire, also writer in Greenock, appeared as agent for the Objectors. Mr Dewar, Kilchoman, was appointed Clerk P.T., and took the oath *de fidei*.

Compeared Thomas Macdonald, residing at Avenvoggie, who being solemnly sworn and examined as a witness for the Presentee, his evidence was completed and entered in the separate Record.

Re-compeared Donald Macintyre, the foresaid witness, who was again solemnly sworn and cross examined for the Objectors, his evidence was so far completed and entered in the separate Record.

The witness was cited, *apud acta*, to appear at next diet.

The Presbytery adjourn, to meet here at 7 P.M. this evening.—Closed with prayer.

(Signed)

JAMES DEWAR, Modr.

## LXVIII.—EXTRACT FROM THE RECORDS OF THE PRESBYTERY OF ISLAY AND JURA.

At PORT-ELLEN, 7 P.M., April 6th, 1859—

The Presbytery of Islay and Jura being met and constituted in terms of adjournment. Sederunt *ut supra*.

Parties' procurators also appeared as above.

The Presbytery proceeded with the Kildalton case.

Re-compeared the said witness, Donald Macintyre, who being again solemnly sworn and examined as a witness for the Presentee, his evidence was so far completed and entered in the separate Record.

The witness was cited, *apud acta*, to appear at next diet.

The Presbytery adjourn, to meet here to-morrow at twelve o'clock noon.—Closed with prayer.

(Signed)

JAMES DEWAR, Modr.

## LXIX.—EXTRACT FROM THE RECORDS OF THE PRESBYTERY OF ISLAY AND JURA.

At PORT-ELLEN, April 7th, 1859 years—

Which day and place the Presbytery of Islay and Jura being met and constituted in terms of adjournment. Sederunt—The Rev. James Dewar, of Oa, moderator; James Dewar, of Kilchoman; Daniel Macphie, Portnahaven; Donald Macdonald, Kilmeny, the Clerk of Presbytery.

The minutes of last meeting being read and approved of, the Presbytery proceeded with the Kildalton case, when Alexander Macdonald, Esquire, writer in Greenock, appeared as agent for the Presentee, and Hugh Dempster, Esquire, also writer in Greenock, appeared as agent for the Objectors.

Mr Dewar, Kilchoman, was appointed Clerk P.T., and took the oath *de fidei*.

The said Donald Macintyre appeared in terms of the citation served upon him, *apud acta*.

The Presbytery, at whose desire he appeared, dispensed with his further examination, and his evidence, as entered in the separate Record, is held to be completed.

The agent for the Presentee then declared his proof to be closed.

The Presbytery agreed to meet this evening, for the purpose of hearing the Presentee's discourse read, as part of the proof for the Objectors, which being duly intimated, the Presbytery adjourn, to meet at 7 P.M.—The meeting was closed with prayer.

(Signed)

JAMES DEWAR, Modr.



## LXX.—EXTRACT FROM THE RECORDS OF THE PRESBYTERY OF ISLAY AND JURA.

At PORT-ELLEN, April 7th, at 7 P.M., 1849—

The Presbytery of Islay and Jura being met and constituted conform to appointment. Sederunt—The Reverend James Dewar of Oa, moderator; James Dewar, Kilchoman; Daniel Macphie, Portnahaven; and Donald Macdonald, Kilmeny, Clerk of Presbytery.

The minutes of last meeting being read and approved of, Alexander Macdonald, Esquire, writer in Greenock, appeared as agent for the Presentee, and Hugh Dempster, Esquire, also writer in Greenock, appeared as agent for the Objectors.

The Presbytery proceeded to read the discourses preached by the Presentee in the Church of Kildalton on the 1st, 8th, and 10th days of August last, which were accordingly read.

Both parties declared their proof concluded, except to such extent as might be allowed or ordered by the Superior Court, which they respectively reserved; and the Presbytery circumscribed the term for proving against both. Both parties having waived their right to address the Presbytery, reserving the right of parties to be heard in the Superior Courts, the Presbytery resolved to adjourn to Wednesday, the 20th day of April current, at Bridgend, at 12 o'clock noon, to give judgment in the case, which having been duly intimated, the Sederunt was closed with prayer.

(Signed)

JAMES DEWAR, Modr.

Extracted on this and the preceding thirty-three pages from the Record of the Presbytery of Islay and Jura, at the Manse of Kilmeny, Islay, this ninth day of April, eighteen hundred and fifty-nine years, by

(Signed)

DONALD MACDONALD, Pres. Clk.

## LXXI.—EXTRACT FROM THE RECORDS OF THE PRESBYTERY OF ISLAY AND JURA.

At BRIDGEND, the twentieth day of April, 1859 years—

Which day and place the Presbytery of Islay and Jura, met, conform to adjournment, and was constituted. Sederunt—The Rev. James Dewar of Oa, moderator; Lachlan Mackenzie, Jura and Colonsay; James Dewar, Kilchoman; Daniel Macphie, Portnahaven; and Donald Macdonald, Kilmeny, the Clerk of Presbytery, Minrs.; and William Webster, Esq., Dail, elder.

*Relevancy*

There appeared for the Presentee, Alexander Macdonald, Esquire; and for the Objectors, Hugh Dempster, Esquire, and Allan Weir, Esquire.

The minutes of last meeting were read and approved of. Parties having been removed, the Presbytery proceeded to give judgment in the Kildalton case.

1st Objection, It was moved by Mr Dewar, Kilchoman, seconded by Mr Macphie, Portnahaven, and agreed to that the Presbytery find the first objection proven, in so far as it states that the parish of Kildalton has a considerable and increasing proportion who do not understand Gaelic; that the practice has hitherto been to have two services every Sabbath, the one in Gaelic, and the other in English; and that the Presentee's trial services in the parish were not conducted to the advantage of that portion of the congregation who do not fully understand the Gaelic language, but not proven *quoad ultra*. The Reverend Mr Macdonald dissenting, in so far as it is found that the Presentee's trial services were not conducted to the advantage of that portion of the congregation who do not fully understand the Gaelic language.

Parties being called in, and this judgment intimated, the agent for the Presentee acquiesced in said finding, in so far as it finds the objection not proven, but in so far as it finds the same or any part thereof proven, he protests and appeals to the ensuing meeting of the General Assembly, for reasons to be given in, took instruments and craved extracts, which were allowed. The agents for the Objectors acquiesced in said judgment, in so far as it finds part of said objection proven, took instruments and craved extracts, which were allowed; but in so far as it finds part of said objection not proven, the agent for the Objectors protested and appealed to the ensuing meeting of the General Assembly, for reasons to be given in in due time, took instruments and craved extracts, which were allowed.

2d Objection, With regard to the second objection, it was moved by the Rev. Mr Mackenzie, seconded by Mr Macdonald, and unanimously agreed to by the Presbytery, that the Presbytery find the second objection proven, in so far as it states that the parish of Kildalton, with a population so widely scattered, requires a vigorous and energetic minister, but not proven *quoad ultra*.

Parties' procurators having been called in, and the above judgment having been intimated to them, the procurator for the Presentee acquiesced therein, in so far as it finds the same or any part thereof not proven; but in so far as it finds the same proven, at least to the extent of inferring that it has been proved that the parish in question requires a more vigorous and energetic minister than any ordinary country parish, he does not acquiesce, and he took instruments and craved extracts *ut supra*.

The agent for the Objectors acquiesced in the preceding judgment on the second objection, in so far as it finds that Kildalton, with a population so widely scattered, requires a vigorous and energetic minister, proven, took instruments and craved extracts, which were allowed; but in so far as it finds the said objection to be *quoad ultra* not proven, they protested and appealed to the ensuing meeting of the General Assembly, for reasons to be given in due time, took instruments and craved extracts, which were allowed.

3d Objection, It was moved by the Rev. Mr Dewar, Kilchoman, and seconded by Mr William Webster, elder, and agreed to, that the Presbytery find the third objection is proven, in so far as it states, that as ordered by the Presbytery, the Presentee officiated on three several days in the Parish Church of Kildalton: That the Objectors are not satisfied with his manner of conducting the church services: That the prayers were not offered up with solemnity: That the discourses were not edifying: That the subject for the most part was unconnected with the texts, and that the discourses themselves were not connected one part to another: And that on two of the said days on which the Presentee officiated, he did not, before sermon, read any portion of the Holy Scriptures; but not proven *quoad ultra*.

The Rev. Mr Macdonald dissenting, except in respect that it is proved that the Presentee officiated, as ordered by the Presbytery, on three several days in the Parish Church of Kildalton, and that the Objectors are not satisfied with his manner of conducting the church services.

Parties being called in, and the above judgment having been intimated to them, the agent for the Presentee acquiesced therein, in so far as it finds the said objection, or any part thereof, not proven; but in so far as it finds the said objection, or any part thereof, proven, he protests, and appeals to the ensuing meeting of the General Assembly, for reasons to be given in due time, took instruments and craved extracts, which were allowed.

The agent for the Objectors acquiesced in the above judgment, in so far as it finds the third objection proven to the extent therein stated, took instruments and craved extracts, which were allowed; but in so far as it finds the said objection to be not proven, they protest, and appeal to the ensuing meeting of the General Assembly, for reasons to be given in due time, took instruments and craved extracts, which were allowed.

4th Objection found irrelevant.

5th Objection, It was moved by the Rev. Mr Mackenzie, and seconded by the Rev. Mr Macdonald, and unanimously agreed to, that the Presbytery find the fifth objection proven in reference to the members of the English congregation only.

Parties' procurators having been called in, and the above judgment intimated to them, the procurator for the Presentee protested and appealed to the ensuing meeting of the General Assembly against the same, in so far as it finds any part of the said objection proved, for reasons to be given in due time, took instruments in the Clerk's hands, and craved extracts, which were allowed.

The agent for the Objectors acquiesced in the above judgment on the fifth objection, in so far as it finds the said objection to be proved, took instruments in the Clerk's hands and craved extracts, which were allowed; but in so far as the said judgment does not find that the said objection has been proved to the full extent, and in terms thereof, they protested and appealed to the ensuing meeting of the General Assembly, for reasons to be given in due time, took instruments, and craved extracts, which were allowed.

6th objection irrelevant.

It was moved by the Reverend Mr Dewar of Kilchoman—Whereas, the first, second, third, and fifth objections have been substantiated, in the judgment of the Presbytery, to the extent and effect above-narrated; therefore, the Presbytery, in respect of these objections, and having regard to the whole circumstances and condition of the parish, to the spiritual welfare and edification of the people, and to the character and number of persons by whom the said objections are preferred: Find and declare that

the said Reverend Angus Macintyre is not a qualified and suitable person for the functions of the ministry in the Parish of Kildalton, and ought not to be settled in the same, and they refuse to proceed with his settlement as minister thereof; of which deliverance the Clerk is instructed to give intimation to the Patron.

The said motion was seconded by the Rev. Mr Macphie, Portnahaven.

It was also moved by the Rev. Mr Macdonald—That the Presbytery dismiss the objections, sustain the Call, and resolve to proceed with the settlement of the Presentee.

The second motion not being seconded, the first motion became the judgment of the Court: Wherefore, the Presbytery did, and hereby do find, in terms of the said motion, and refuse to proceed with the settlement of Mr Macintyre as minister of Kildalton, and direct an extract of this deliverance to be transmitted to the Patron by their clerk.

Against which finding, the Revd. Mr Macdonald dissented and protested for leave to complain to the ensuing meeting of the General Assembly, took instruments, and craved extracts, which were allowed, promising to give in reasons in due time.

Parties having been called in, and the above judgment having been intimated to them,

The agent for the Presentee protested and appealed to the ensuing meeting of the General Assembly, for reasons to be given in in due time, took instruments and craved extracts, which were allowed.

The agent for the Objectors, and on their behalf, acquiesced in the said judgment, took instruments, and craved extracts, which were allowed.

The Presbytery appointed the Revd. Mr Dewar of Oa, their moderator, and the Reverend Mr Dewar, Kilchoman, commissioners from the Presbytery to the ensuing General Assembly, to defend the judgment of the Presbytery in this case.—Closed with prayer.

(Signed)

JAMES DEWAR, Modr.

Extracted from the Records of the Presbytery of Islay and Jura, this 12th day of May, 1859 years, on this and the preceding thirteen pages, by

(Signed)

DONALD MACDONALD, Pres. Clk.

## LXXII.—EXTRACT FROM THE RECORDS OF THE PRESBYTERY OF ISLAY AND JURA.

### REASONS OF DISSENT AND COMPLAINT

*By the Reverend Donald Macdonald, Minister of the Parish of Kilmeny, within the Presbytery of Islay and Jura, in the County of Argyll; against—*

Certain deliverances of the said Presbytery, pronounced upon the twentieth day of April, eighteen hundred and fifty-nine, at a meeting of that Reverend body, held at Bridgend, in the Island of Islay, for pronouncing judgment upon the objections urged against the settlement of the Rev. Angus Macintyre, minister of the parish of Kinlochspelve, as Presentee to the Church of Kildalton, within said Presbytery, finding certain of said objections proved, and refusing to proceed with the induction of the said Presentee, and against which the said Reverend Donald Macdonald dissented and complained.

I, the said Reverend Donald Macdonald, dissent and complain against the said deliverance to the ensuing meeting of the venerable the General Assembly of the Church of Scotland, for the following reasons:—

First, Because it is not the fact that the parish of Kildalton has a rapidly increasing proportion of inhabitants who do not understand the Gaelic language, and that it consists with my knowledge, as the oldest and longest resident minister in Islay, that the said parish is a Gaelic speaking parish, and that there are very few individuals resident therein who do not understand Gaelic; and because there are no objections stated against the Presentee as a perfectly qualified preacher of the Gaelic language.

Second, Because, whatever the number of English speaking people may be, there are merely a few persons who have signed the objections.

Third, Because, while the parish is stated to number upwards of three thousand inhabitants, only fifty-two individuals have signed the objections, and the majority of these do not understand properly the English language; and, as appears from the evidence, they are under the influence of one

of the Objectors, and the opposition to the Presentee, in my opinion, was originated before he had any opportunity of preaching his trial discourses.

Fourth, Because I am not satisfied that the said opposition has been got up in good faith, or by parties who have at heart the interest of the Church, and because I am aware that the Presentee is acceptable to the general body of the parishioners, and that he has also proved himself to be acceptable to the parishioners of every parish in Islay where he has preached, and that this feeling is also in unison with the sentiments of the proprietor of Islay, viz., Charles Morrison, Esqr., and also of his factor, and other parties who have had an opportunity of hearing the Presentee preach.

Fifth, Because I know that both in English and Gaelic the Presentee is a very fair average preacher of the blessed Gospel, and the certificates produced from his own Presbytery, and the evidence of the witnesses adduced, satisfy me that he is also a vigorous and energetic minister in his present parish; and I am besides aware that the Presentee has executed several highly creditable translations of religious works from English into Gaelic, and that he was a most meritorious student in the University of Edinburgh, and carried off the Macpherson Bursary there, and was highly esteemed by the late Reverend Principal Baird, and as a divinity student received a prize of ten guineas from the Synod of Argyle for the best Gaelic sermon.

Sixth, Because, although the manuscript sermons are obviously mere skeletons, and do not contain all that he delivered of his trial discourses, and they are not written in full, in consequence of the Presentee having had a severe attack of cold, and little time to do so, as well as having been unexpectedly called upon to preach at the instance of one of the Objectors six times instead of four, as is usual, yet I am satisfied that the discourses themselves, apart from the evidence of the witnesses adduced for the Presentee, completely disprove the statements made by the Objectors against them; and I regret to see that some of the passages to which they object are quotations from the works of some of our most eminent divines and Christian poets; and in my opinion the sermons evince an originality of thought and illustration which I believe to be considerably above the average of the ordinary run of sermons.

Seventh, Because, from my own knowledge of the Presentee's preaching, both in Gaelic and English, I believe the objections to the sermons and other services of the Presentee to be utterly groundless, and that his settlement in the parish would decidedly be for the good of the Church, and be the means of gathering into its fold many wandering and wavering people.

Eighth, It is my firm conviction that, should the Presentee be rejected, and the parish be kept vacant, the people who are at present, and have always been strongly attached to the Established Church of Scotland, and who, I am aware, are desirous of the settlement of the Presentee, will be drawn away to the Free Church, which is situated within a short distance of Port-Ellen, the central and most important community in the parish.

Ninth, Because I am of opinion that the findings are not warranted by the evidence.

(Signed) DONALD MACDONALD,

Extracted from the Records of the Presbytery of Islay and Jura, on this and the six preceding pages, this twenty-sixth day of April, eighteen hundred and fifty-nine.

(Signed) DONALD MACDONALD, Pres. Clk.

**PROOF FOR THE OBJECTORS.**



## PROOF FOR THE OBJECTORS.

At KILDALTON PARISH CHURCH, the Nineteenth Day of October,  
Eighteen Hundred and Fifty-eight Years.

Compeared, Mr WALTER GRAHAM, Distiller, residing at Ardenistle, who being solemnly sworn **A** and examined *in initialibus*, depones :—Although my residence is Ardenistle, I manage the Distillery at Lagavulin. I am entered as distiller at Lagavulin, and have been accepted by the Board of Inland Revenue as such since 1835. There is no other distillery there. I am the son-in-law of the late Incumbent of the Parish of Kildalton, whose widow and daughter, Miss Mactavish, still reside in the manse, and they have still possession of the glebe.

Interrogated.—Are you aware that the manse and glebe are held by an arrangement with the **B** Synod by the foresaid parties, or either of them, so long as the parish is vacant? Depones, I am not aware of any existing arrangement of this description, but I understood that Mrs Mactavish was to have the grass from May last. I don't farm any part of the glebe myself. Previous to the issuing of the presentation in favour of Mr Macintyre, I wrote to the then Lord Advocate, requesting that we should get a leet. He replied that we could not get this, but if we applied for any particular person, through the Reverend Doctor Norman Macleod, of St Columba, Glasgow, the application would be **C** favourably considered. We held a meeting at Port-Ellen, and appointed the committee to correspond with Dr Macleod and the Heritor on the subject. The committee who were appointed were Mr Hunter, Mr Colin Hay, and myself. We corresponded with Dr Macleod, and he answered our letters. I have no objection to produce the correspondence if I have it, and the Presbytery require it. I wrote the Doctor myself, and either Mr Hay or Mr Hunter wrote Mr Ramsay. We did not fix upon any party, and never thought of fixing upon any party. I heard of no particular party whose name was **D** suggested to be sent to the Lord Advocate, but I heard the names of six parties mentioned who would be proper parties to preach at Kildalton, from whom to make a selection; but our Heritor, Mr Ramsay, did not make up his mind as to who should come forward. I cannot tell the names of the parties. There was no further application made to the Lord Advocate. The objections in this case were not got up by me. I read them after they were written, and qualified one or two words. The party who gave me the objections is Mr Hunter, one of the Objectors. I got no parties to put their **E** names to these objections. Any party that talked to me on the subject, I told them that I was prepared to do my own duty, and that every one ought to judge for themselves in a case of this kind. I told these parties that I intended to oppose Mr Macintyre. This was after he preached. I did not come into the church on the day of the moderation of the Call, with the objections in my possession, and it was against my better judgment that the objections were proceeded with that day. I wrote the names to the objections, in presence of the Presbytery, of the parties who could not write. On **F** the day of the moderation of the Call, but neither before nor after, I took an active part as an objector to the Presentee.

Cross-examined for the Objectors.—Depones, that at my suggestion Mrs Mactavish took a temporary house in Port-Ellen, in the end of July, as I wished her to leave the manse before the time arrived before an induction could have taken place, had there been no objections; but she cleaves to the place, and will not be prevailed on by me. The whole crop and stock have been sold off, excepting two or **G** three cows she intends to take to Port-Ellen. When my father-in-law died, I wrote to Dr John Macleod, Synod Clerk, requesting that Mrs Mactavish would be treated as well as widows in her position generally are, in regard to the grass. Depones, I told Mr Macintyre, the Presentee, on the 8th of August, that I intended to oppose his settlement as minister of this parish.

A Being interrogated.—What took place between you and the Presentee on the occasion referred to ?  
 Objected.—The proposed question is incompetent, because the only subject of inquiry in the initial examination as to which the question can be held to apply, is as to whether the witness got parties to sign the objections and to his statements that they should act for themselves, but that he intended to oppose the Presentee. The proposed question has no reference whatever to this matter, except as stated by the Objectors, that it is in *majorem evidentiā* of the intention of the witness to oppose the Presentee. But it must be obvious to the Court that such a line of examination is quite incompetent.

Answered for the Objectors.—That the Presentee's object in pursuing his line of interrogation upon this point, was to found an objection affecting the witness, his admissibility or credibility. He has questioned the witness in regard to the preparation or subscription of the objections, and elicited an answer to the effect that any person who spoke to the witness on the subject, he told them that he was prepared to do his duty, and that the witness's interference was after he had heard the Presentee preach. As cross to that, the witness has answered that the Presentee was one of the persons who spoke to him on the subject after preaching, so that the question-in-chief and the question-in-cross completely correspond, and the question, as put, is not leading, but calculated to bring out what took place in the witness his own language. The Court cannot anticipate the objection which the Presentee means to state to the witness; but the Objectors are entitled to guard the witness's evidence at least against any relevant objection that can be taken; and the tendency of this question is to show that his evidence must be received to the full extent, without any circumstances such as these he has been examined upon by the Presentee.

Parties being removed,

The Presbytery repelled the objection; against which deliverance the agent for the Presentee protested and appealed, *ut supra*, and also for all remeid competent at law in respect the question E proposes to introduce matter of a private nature affecting the Presentee. And the question being put, depones, After service Mr Macintyre made up to me without being introduced; shook hands with me. I said I thought he had Session matters to attend to. He then said I hope there will be no opposition to my induction. I answered I was afraid he would be disappointed. He then said by whom? and I replied that I for one would oppose him. He then asked if there were any other parties who intended to oppose him. I said I thought there were; that the other distillers would, but that I F could not speak positively; that the opposition would be open and straightforward, and that when we met again, I would give him any information he wished. I told him I did not like his first sermon, and that I thought the one he preached that day better; and on my making that remark, he said that he had a cold the first day. Depones, I did not know that there was such a man in existence as the Presentee before the month of May. I went to hear him on the 1st of August, in the best possible spirit towards him. Depones, On the day for moderating in the Call, I attended before the Presbytery, and G craved an adjournment in terms of the Act of the Assembly, when the agent for the Presentee threatened to take a protest in the hands of a Notary Public who was present. Thereafter, of consent of parties, the signing of the objections was proceeded with, and I signed the names of certain persons who could not write themselves, with the permission and under the eye of the Presbytery; and it was only in these respects that I was active on the occasion.

Re-interrogated for the Presentee.—Depones, Mr Macintyre and I were going in opposite directions H on the Sunday in question we met each other. Mr Hunter and Mr Hay are both distillers.

Whereupon the procurator for the Presentee objected to the admissibility of the proposed witness from the facts admitted by him in his initial examination.

Answered by Mr Dempster for the Objectors.—That there are no facts admitted in the initial examination that can in the least degree affect either the admissibility or credibility of the witness.

The Presbytery having considered the objection and answer, repelled the objection, and allowed I the witness to be examined *in causa*.

Whereupon the agent for the Presentee protested and appealed, *ut supra*, took instruments and craved extracts, which were allowed.

Mr Dempster, on the part of the Objectors, acquiesced in the foregoing deliverance, took instruments, and craved extracts, which were allowed.—All which is truth, as I shall answer to God.

K

(Signed)

WALTER GRAHAM.

DANIEL MACFIE, Moderator.

DONALD MACDONALD, Pres. Clk.



AT THE CHURCH OF KILDALTON, the 14th day of October, 1858. A

Recompeared, Mr WALTER GRAHAM, Distiller, residing at Ardenistle, who being again solemnly sworn and examined as a witness for the Objectors, *in causa*, of consent of parties the witness's initial examination was held as part of the evidence *in causa*, and the witness being interrogated for the Objectors, depones:—I am one of her Majesty's Justices of the Peace for the County of Argyll. I hold in lease a large portion of land in the parish of Kildalton, viz., island of Texa and the farms of B Ardenistle and Ardelistry. I have resided in the parish of Kildalton since the year 1837; and I am a communicant in the Parish Church, and have been so for the last nine years, to the best of my recollection. Depones, I am well acquainted with the parish in regard to its extent, population, and condition. It is the largest parish in Islay. The portion pertaining to the Parish Church of Kildalton is at least 30,000 acres—I mean Scotch acres. Depones, The entire parish of Kildalton is 24 miles in length and 7 miles in breadth, and exclusive of the Quoad Sacra parish of Oa, its length by C the road from Laggan river to Proaig is from 18 to 20 miles. According to the last census of the parish, the population was 3,310, which I think includes the population of Oa. There are seventeen farms in Oa, and I think the number of inhabitants will be under a thousand, but I do not know the exact number. Depones, The population belonging to the old parish is widely scattered over it. Since the last census the population may have fallen off, but at the present time I think it is increasing. The population is partly Gaelic and partly English. There is a considerable proportion D who do not understand the Gaelic language. The proportion who understand the English language only has increased of late years. This arises from the distilleries within the parish being enlarged, and changes that have taken place in the Excise laws, and, in consequence, a number of English speaking families having come to the parish connected with officers of Inland Revenue, who are now on a more permanent footing than formerly. The second cause of this increase in the English portion of the population is the increase of sheep stocks, and the tenants bringing practical shepherds from the E low countries. We have also now greater facilities of intercourse with the low countries by means of steam. There are also a number of English schools in the parish. I have taken an interest in the social condition of the population of the parish, and I know that of late years there has been a desire for social and religious and educational instruction among the inhabitants, and particularly in my own locality. The appliances resorted to are occasional lectures in the village of Port-Ellen, Sabbath schools, and weekly prayer meetings at Lagavulin. There is a General Assembly school at Lagavulin, F another at Kintra; the Parish and Free Church School at Port-Ellen; also, a female school at Port-Ellen; there is also instruction carried on by private individuals at Lagavulin among the poorer classes. Mr Ramsay, the proprietor of the greater part of the parish, takes a great interest in the education of the young. He examines the schools himself, both Free and Established. He makes no distinction in his examinations. On the whole, I think that the parish of Kildalton is the most thriving parish in Islay, not only in the above respects, but also because the people are all well employed, and there is a G large circulation of money, and a greater influx of strangers than in the other parishes. I have attended the Parish Church of Kildalton regularly since I came to the parish, in the year 1837. There are two churches in the parish, viz., the Established Church at Lagavulin and the Free Church at Port-Ellen. I know that there is a considerable number of the inhabitants who are attached to the Established Church.

Being interrogated.—From your personal knowledge of the condition of the parish of Kildalton, H and of its population, which you have described to be widely scattered, does the parish require a vigorous and energetic minister?

Objected.—The witness has stated all the facts bearing on the state or condition of the parish, so far as thought necessary by the Objectors to support their second objection, that the parish requires a vigorous and energetic minister. The witness is himself an objector, and although perfectly entitled to speak to facts to prove his own objection, he is not entitled to state his own opinion on these facts. I It is the duty and the province of the Presbytery alone, who are the judges in the case, to determine the value of these facts, and not that of witnesses, far less of one who combines the character of a witness with that of a party in the cause.

Answered for the Objectors.—First, that the question has a direct bearing upon the second objection. The Presbytery has admitted that objection, along with the others, to probation, and cannot disallow the question without stultifying their own interlocutor. Second—It is competent in law for K a witness to testify as to his belief or opinion, or even draw inferences respecting the fact in question, from other facts, provided these facts are within his personal knowledge; and the witness has deponed

A explicitly to his knowledge of the condition of this parish, derived from twenty years' experience. Third—It makes no difference that witness is a party, as the Acts 15 and 16 Victoria, c. 27, renders a party in his own cause competent as a witness; and being admitted a witness, he is entitled to be examined on all the grounds that a neutral witness can be examined on. Fourth—The Presbytery are entitled to judge only on the proof to be led, and not upon the mere averment contained in the objection, which therefore must be supported by evidence upon oath.

B Parties being removed, the Presbytery, after reasoning, sustained the objection and disallowed the question.

Against which deliverance Mr Dempster, agent for the Objectors, protested, and appealed to the next General Assembly; promising to give in reasons in due time, took instruments in the Clerk's hands, and craved extracts, which were allowed.

Depones.—I am an objector in the present case, and I adhere to the objections lodged with the  
 C Presbytery against the settlement of the Rev. Mr Macintyre as minister of the parish of Kildalton. During my experience there has been always a Gaelic service in the forenoon, and an English service in the afternoon, and that has been always the practice, as far back as my recollection goes. There were only two instances which I can recollect of on which the English service did not follow the Gaelic, and this was on account of bad weather. The congregation of Kildalton Church is partly English and partly Gaelic. There are about twelve families who have no Gaelic at all, and only understand the English language. There are only a few individuals who can properly understand both languages alike as preached from the pulpit. Those hearers that we have at the Gaelic we seldom have at the English. I attend the English service only. My family only attend the English service. I attended the English service in Kildalton Church on Sabbath 1st, Sabbath 8th, and Tuesday, the 10th of August. The Rev. Mr Macintyre officiated on these occasions. These were his  
 D trial services as Presentee. I was not satisfied with his manner of conducting the church services on those  
 E occasions. His manner in prayer appeared to me to want solemnity, and it was without fervour in my opinion. The sermons produced no good effect upon me; they were not in the slightest degree edifying; they were most unconnected, and there were parts of them that I did not understand from their want of connection. The composition was most miserable. In two instances I could not see how he could stick to the texts. These instances were on the 1st and 8th August, and this was from the nature of the texts chosen. These were, on the 1st August, Psalm cxli. 7 and 8 verses, and on  
 F the 8th August, Acts xxi. 16, one part of the discourse being loosely to the other. There were Scriptural quotations in these sermons, and they did not appear to me to be at all applicable. The delivery appeared to me to be abrupt. He did not read any portion of the Scripture either on the 1st or 8th of August, apart from the text. On Tuesday, the 10th August, he read the ninth Psalm. His text upon that day was 1 Chron. iv. 10. I think the ninth Psalm, which he read, was inappropriate to the subject of discourse. In his delivery he was very loud at one time and low at another. The Presentee's utterance was indistinct. I experienced a difficulty in ascertaining either the Psalm or the text he gave out. He spoke in one continuous strain for the most part. Depones, With very few exceptions, the Objectors comprehend the most intelligent portion of the congregation of Kildalton Church, and they are the most regular attendants upon public worship. I have looked at the Call at this diet for the first time, and from the glance I have been able to give at it, I have not been able to discover the name of any party who regularly attends worship in the Parish Church, so far as the  
 G English service is concerned. I cannot speak to the attendance at the Gaelic service.

H Being interrogated.—From your knowledge of the Kildalton people, were Mr Macintyre's services on the occasion you heard him preach, on the 1st, 8th, and 10th August, fitted to benefit or edify them generally?

Objected, for the reasons stated to a similar question put to the same witness.

I Answered for the Objectors as before, and with this addition, that the Presbytery is bound by the Act of Parliament, called Lord Aberdeen's Act, to have regard to the whole circumstances and condition of the parish, and the spiritual welfare and edification of the people; that the witness, from his long residence in the parish, and from being a member of the congregation, must know the sentiments of the people generally in regard to Mr Macintyre's ministrations. The Objectors cannot be expected to bring forward every parishioner to speak upon the subject, and as the witness knows the nature of the service, and the kind of people forming the congregation, he is enabled to give an intelligent opinion  
 K as to whether these services are fitted to benefit or edify them generally.

Parties being removed, the Presbytery sustain the objection and refuse to allow the question to be put; whereupon the agent for the Objectors protested and appealed *ut supra*.

Being interrogated.—Is it matter of notoriety that the intelligent portion of the congregation of A Kildalton Church are generally dissatisfied with the Presentee's services on the occasion above referred to?

Objected for the Presentee.—That the question is incompetent, in respect that the intelligent part of the Kildalton congregation, which is stated by the witness to be, with few exceptions, the parties who have signed the objections, can as easily be brought forward to give their own evidence, as they were to sign the objections on the day for moderating in the Call; proof of notoriety is not proof of the B special objections which have been urged against the Presentee, and which ought to be proved in the same way that any ordinary facts, happening *de recenti*, are required to be proved in a court of law.

Answered.—That the agent for the Presentee has mistaken the import of the question, the question is whether it is matter of notoriety that the intelligent part of the congregation were generally dissatisfied with the Presentee's services; notoriety is therefore the fact proposed to be proved, and such evidence is competent. C

Parties being removed, the Presbytery allowed the question to be put, Mr Dewar, Oa, and Mr Macdonald dissenting; whereupon the procurator for the Presentee protested and appealed *ut supra*. Mr Dempster, the agent for the Objectors, acquiesced, and the question being put, the witness depones—I believe so.

Interrogated.—Is it your belief or opinion, from your knowledge of the congregation of Kildalton Church, that the Presentee is not qualified to conduct the English service to the advantage of that D portion of the congregation who do not fully understand the Gaelic language?

Objected, answered, disposed of, protested against, as in the case of a similar question put to the witness regarding the matter of opinion.

Cross-interrogated for the Presentee.—Depones, I saw the population of Kildalton stated as 3310 in the Edinburgh Almanack, on the day the objections were read over, and I have since seen it stated in an abridged statistical History of Scotland, published in 1833, which was showed by Mr Dempster, E agent for the Objectors. The last census was in 1851. Upon the assumption that I am correct in supposing that the above figures include the population of Oa, the number of inhabitants in the old parish of Kildalton will fully exceed 2300. I have no other means of knowing the population except those mentioned. There are no milestones between Laggan river and Proig, and I have never measured the distance. The Laggan river and Proig are the respective boundaries of the parish of Kildalton, exclusive of the district of Oa, as nearly as possible east and west. The boundary F line between the parish of Kildalton, and the parish of Killarrow, commences on the west at the Laggan river, and runs east till it joins the Torra river, part of the Torra farm being on the one side, and part on the other—that is as I hold the shootings from Mr Morrison. It is about three or four years since the changes in the Excise laws, to which I have referred, took place. One of the distilleries to which I have referred, was only enlarged last year, and then to a large extent. Ardbeg Distillery has been increasing, in point of size, for the last ten years; and I, myself, have nearly doubled the G capabilities of the Laphroig Distillery in 1848. Depones, I cannot speak positively to any distillery having been enlarged since 1851, except the one mentioned as having been enlarged last year, which is Mr Ramsay's. There has been an increase of the fixed number of Excise officers in the parish of Kildalton since 1851. I did not count the number. There are four or five shepherds in the parish of Kildalton, who do not understand Gaelic. Three of these, I know, have families. Lagavulin Distillery is about half a mile from my residence. H

Being shown the objections, and asked to state how many of the subscribers are residing in the immediate neighbourhood of the Distillery of Lagavulin? Depones, Twenty-seven. I think of these twenty-seven, six males communicants, and seven males non-communicants, are either employed in the distillery or on the farm. Of these, two only work occasionally. As nearly as I can recollect, there are two wives of these men communicants who are objectors, and one who is not a communicant. There are, besides, two unmarried females communicants, who are sisters of two of these men, and the mother of I one of them, who is also a communicant. I did not go to any of the parties to induce them to sign the objections. Nor did I read over the objections to them; but I think I heard them read to Dugald Macdougall, Portantruan, on the day the Call was moderated in, and to several others. John Macmillan, who signed the objections, is owner of a sloop. He owns no other vessel except that. There is only one officer of Inland Revenue, and two shepherds who signed the objections. These two shepherds are not Highlanders, and do not understand Gaelic so far as I know. I observed a man of the name of George K Calder, a cartwright, in church signing the objections, on the day for moderating in the Call. I did not consider him drunk. I would say, from his having spoken loud, that he had been tasting spirits,

A I could not say that he was sober. I have no recollection that Mr Macintyre preached in the Parish Church of Kildalton on the Sunday after my marriage, nor of meeting him, and being introduced to him in the manse, nor of afterwards meeting him a day or so afterwards in my own house. I still adhere to my statement that, previous to May last, I did not know that there was such a person as Mr Macintyre in existence, so far as I recollect. I cannot say whether I attended the Church of Kildalton on the Sunday after my marriage.

B Re-interrogated for the Objectors.—Depones, Lagavulin is a village in the parish of Kildalton, and the oldest village in that parish or in Islay. It is situated in the immediate neighbourhood of the Parish Church. I think the thirteen parties referred to in my cross-examination, and their relations also referred to, attend the Parish Church of Kildalton. The most of them are very regular in their attendance. The only other village in the parish is that of Port-Ellen, which is about two and a-half miles distant from the Parish Church.—All which is truth, as the Deponent shall answer to God.

C (Signed) WALTER GRAHAM.  
JAMES DEWAR, Clerk, P.T.  
DONALD MACDONALD, Pres. Clk.

At KILDALTON CHURCH, the twenty-fifth day of November, 1858.

D Compeared DONALD MACPHERSON, residing in Tobermory, who being solemnly sworn and examined, depones as follows:—I have resided in the village of Tobermory near forty years. I am well acquainted with the Rev. Mr Macintyre, Presentee to the parish of Kildalton. I was employed by the Presentee when he first came to Kinlochspelve, after the Disruption. I was only a month employed by him at that time. I was employed about a week now and again at that time, and E altogether made up that time. Depones, I was again employed by the Presentee in taking care of his horse about three years ago, when he came to live with his family in Tobermory. I continued to take charge of his horse about a year.

Interrogated.—Is it consistent with your knowledge that the Presentee has, during the last three years referred to, been in the habit of spending several days in each week in Tobermory?

Objected for the Presentee.—The proposed question is incompetent, in respect the subject-matter F of it has not only not been admitted to probation, but was expressly found to be irrelevant by the judgment of the Presbytery of 8th September last.

Answered.—That the question is relevant to the second objection as sustained. The part of the second objection as it originally stood, which the Presbytery found to be irrelevant, referred more particularly to the charge that the Presentee had a separate residence in another parish, which the Presbytery thought was matter for libel if true, and also to the logical structure of the second objection G as it originally stood; but they left it to be inquired into whether the Presentee was "vigorous and energetic" in the work of the ministry, and the question is, whether frequent and stated absences from his parish is consistent with the active and energetic performance of his duties as a minister, which is clearly and separately distinct from the question of residence.

Parties being removed, and after reasoning, it was moved by Mr Mackenzie, that the objection be sustained, which motion was not seconded. Mr Dewar of Kilchoman, moved that the objection be dis- H allowed, and the question allowed to be put, which was seconded by Mr Macphie, and carried. Mr Macdonald declined to vote. The second motion was carried, from which Mr Mackenzie dissented; against which finding the agent for the Presentee protested and appealed to the ensuing meeting of the General Assembly, for the following and other reasons to be stated at the discussion of this appeal.

1. Because the objection under which the question is put, being the second objection, is in the following terms:—"That the Presentee, in his present charge, has a manse and glebe adjacent to the I church, and the parishioners number about 500. That the Presentee passes a great portion of his time in another parish many miles distant, where he has a separate residence, and thereby has shown his inability to take the spiritual oversight of so important and extensive a parish as Kildalton, with a population so widely scattered; and therefore requiring a young, vigorous, and energetic minister, which the Presentee is not."

2. Because the Presbytery, on the eighth day of September last, when discussing the relevancy of K the objections, pronounced the following deliverance: The Presbytery then proceeded to consider the relevancy of the second objection, and after having heard parties' procurators, they unanimously find it relevant, so far as it alleges that the parish of Kildalton, with a population so widely scattered, requires

a vigorous and energetic minister, which the Presentee is not; but, *quoad ultra*, they unanimously find A the said objection not relevant.

3. The question which has now been found relevant, is exactly part of that clause of the second objection; which, as already shown, was expressly found not to be relevant to go to proof.

The agent for the Presentee also took instruments in the Clerk's hands and craved extracts, which were allowed. The agent for the Objectors acquiesced.

The agent for the Presentee intimated that he held his objections and reasons as applicable to all B questions of a similar nature put to this witness.

The witness being recalled and the question put, depones, During the time I took charge of his horse in Tobermory, he was in the use of going to Kinlochspelve on Friday or Saturday, and to return to Tobermory on Monday or Tuesday, and whiles he would remain at Kinlochspelve for a fortnight at a time. There were no particular occasions when he would remain so whiles away. The distance between the manse of Kinlochspelve and where Mr Macintyre lives in Tobermory is about thirty miles. C Mr Macintyre usually travelled in a spring cart between the two places when I was employed by him. I know the road well, and would take a day to go to Kinlochspelve, and a day to return from thence to Tobermory. Tobermory is in a different parish from Kinlochspelve, and Torosay and the Government parish of Salen are between the two. Mr Macintyre lives on the shore at Tobermory, and I live up the brae or upper village, and there is a plantation between the two places. Since I ceased to be employed by Mr Macintyre he might be in that part of the village where he lives and I might not see D him. I was working at my own place, and did not see him often since I left his service, and I may have seen him a day now and again without taking any particular notice.

Interrogated for the Presentee.—Depones, I am about sixty-three years of age, and I have been a servant with Mr Macintyre's father at different times. I am a Free Churchman, but I am not a communicant, and do not deserve to be so. Before the Disruption I was an adherent of the Established Church of Scotland. E

Interrogated whether he was visited with church censure during the time he was an adherent of the Church of Scotland.—Depones, that he was called before the session, but that no charge had been proven against him.

Interrogated whether he live separate from his wife.—Depones, that he is not bound to admit or justify the guilt of his wife, and that this is all the answer that he shall give to the question.

Interrogated what he is working at.—Answers, I am a fisherman, and doing every other thing that I F can work at. Depones, I knew nothing about this case until an officer was sent to me to summon me. It is about a fortnight ago since I got the summons, and I left it to themselves to say how much I was to get for coming here. I have no ill-will or spite against Mr Macintyre. I have nothing against him from my very heart.

Re-interrogated for the Objectors.—Depones, Mr Macintyre employed me as before-mentioned after I was brought before the session. What I meant by stating that I did not deserve to be a communi- G cant is, that a man should have the witness within himself that he is one of the Lord's people. I was promised no bribe, and I expect nothing but what a witness ought to get in my circumstances of life. I was not willing to come, but understood that they could legally compel me. Depones, that on the intermediate days between those on which Mr Macintyre returned to Tobermory from Kinlochspelve and started again from Tobermory to Kinlochspelve were spent in Tobermory, but I did not know what he was doing those days.—All which is truth, as I shall answer to God. H

(Signed)

DONALD MACPHERSON, Witness.  
JAMES DEWAR, Modr.  
DONALD MACDONALD, Pres. Clk.

I

At PORT-ELLEN, *November 26th*, 1858.

Compeared Mr COLIN HAY, residing at Callumkill, who being solemnly sworn and examined, *in* *initialibus*, depones:—I am not a communicant of the Established Church of Scotland, but I signed the objections to Mr Macintyre's settlement. I formed part of a committee of three persons, consisting K of Mr Graham, Mr Hunter, and myself. There was no particular party we had in view, in communicating with the Lord Advocate, whom we wished to be presented to the parish. I know of one letter

- A I could not say that he was sober. I have no recollection that Mr Macintyre preached in the Parish Church of Kildalton on the Sunday after my marriage, nor of meeting him, and being introduced to him in the manse, nor of afterwards meeting him a day or so afterwards in my own house. I still adhere to my statement that, previous to May last, I did not know that there was such a person as Mr Macintyre in existence, so far as I recollect. I cannot say whether I attended the Church of Kildalton on the Sunday after my marriage.
- B Re-interrogated for the Objectors.—Depones, Lagavulin is a village in the parish of Kildalton, and the oldest village in that parish or in Islay. It is situated in the immediate neighbourhood of the Parish Church. I think the thirteen parties referred to in my cross-examination, and their relations also referred to, attend the Parish Church of Kildalton. The most of them are very regular in their attendance. The only other village in the parish is that of Port-Ellen, which is about two and a-half miles distant from the Parish Church.—All which is truth, as the Deponent shall answer to God.
- C (Signed) WALTER GRAHAM.  
JAMES DEWAR, Clerk, P.T.  
DONALD MACDONALD, Pres. Clk.

At KILDALTON CHURCH, the twenty-fifth day of November, 1858.

- D Compeared DONALD MACPHERSON, residing in Tobermory, who being solemnly sworn and examined, depones as follows:—I have resided in the village of Tobermory near forty years. I am well acquainted with the Rev. Mr Macintyre, Presentee to the parish of Kildalton. I was employed by the Presentee when he first came to Kinlochpelvie, after the Disruption. I was only a month employed by him at that time. I was employed about a week now and again at that time, and altogether made up that time. Depones, I was again employed by the Presentee in taking care of his horse about three years ago, when he came to live with his family in Tobermory. I continued to take charge of his horse about a year.
- E Interrogated.—Is it consistent with your knowledge that the Presentee has, during the last three years referred to, been in the habit of spending several days in each week in Tobermory?
- F Objected for the Presentee.—The proposed question is incompetent, in respect the subject-matter of it has not only not been admitted to probation, but was expressly found to be irrelevant by the judgment of the Presbytery of 8th September last.
- G Answered.—That the question is relevant to the second objection as sustained. The part of the second objection as it originally stood, which the Presbytery found to be irrelevant, referred more particularly to the charge that the Presentee had a separate residence in another parish, which the Presbytery thought was matter for libel if true, and also to the logical structure of the second objection as it originally stood; but they left it to be inquired into whether the Presentee was “vigorous and energetic” in the work of the ministry, and the question is, whether frequent and stated absences from his parish is consistent with the active and energetic performance of his duties as a minister, which is clearly and separately distinct from the question of residence.
- H Parties being removed, and after reasoning, it was moved by Mr Mackenzie, that the objection be sustained, which motion was not seconded. Mr Dewar of Kilchoman, moved that the objection be allowed, and the question allowed to be put, which was seconded by Mr Macphie, and carried. Mr Macdonald declined to vote. The second motion was carried, from which Mr Mackenzie dissented; against which finding the agent for the Presentee protested and appealed to the ensuing meeting of the General Assembly, for the following and other reasons to be stated at the discussion of this appeal.
- I 1. Because the objection under which the question is put, being the second objection, is in the following terms:—“That the Presentee, in his present charge, has a manse and glebe adjacent to the church, and the parishioners number about 500. That the Presentee passes a great portion of his time in another parish many miles distant, where he has a separate residence, and thereby has shown his inability to take the spiritual oversight of so important and extensive a parish as Kildalton, with a population so widely scattered; and therefore requiring a young, vigorous, and energetic minister, which the Presentee is not.”
- K 2. Because the Presbytery, on the eighth day of September last, when discussing the relevancy of the objections, pronounced the following deliverance: The Presbytery then proceeded to consider the relevancy of the second objection, and after having heard parties’ procurators, they unanimously find it relevant, so far as it alleges that the parish of Kildalton, with a population so widely scattered, requires

a vigorous and energetic minister, which the Presentee is not; but, *quoad ultra*, they unanimously find A the said objection not relevant.

3. The question which has now been found relevant, is exactly part of that clause of the second objection; which, as already shown, was expressly found not to be relevant to go to proof.

The agent for the Presentee also took instruments in the Clerk's hands and craved extracts, which were allowed. The agent for the Objectors acquiesced.

The agent for the Presentee intimated that he held his objections and reasons as applicable to all B questions of a similar nature put to this witness.

The witness being recalled and the question put, depones, During the time I took charge of his horse in Tobermory, he was in the use of going to Kinlochspelve on Friday or Saturday, and to return to Tobermory on Monday or Tuesday, and whiles he would remain at Kinlochspelve for a fortnight at a time. There were no particular occasions when he would remain so whiles away. The distance between the manse of Kinlochspelve and where Mr Macintyre lives in Tobermory is about thirty miles. C Mr Macintyre usually travelled in a spring cart between the two places when I was employed by him. I know the road well, and would take a day to go to Kinlochspelve, and a day to return from thence to Tobermory. Tobermory is in a different parish from Kinlochspelve, and Torosay and the Government parish of Salen are between the two. Mr Macintyre lives on the shore at Tobermory, and I live up the brae or upper village, and there is a plantation between the two places. Since I ceased to be employed by Mr Macintyre he might be in that part of the village where he lives and I might not see D him. I was working at my own place, and did not see him often since I left his service, and I may have seen him a day now and again without taking any particular notice.

Interrogated for the Presentee.—Depones, I am about sixty-three years of age, and I have been a servant with Mr Macintyre's father at different times. I am a Free Churchman, but I am not a communicant, and do not deserve to be so. Before the Disruption I was an adherent of the Established Church of Scotland. E

Interrogated whether he was visited with church censure during the time he was an adherent of the Church of Scotland.—Depones, that he was called before the session, but that no charge had been proven against him.

Interrogated whether he live separate from his wife.—Depones, that he is not bound to admit or justify the guilt of his wife, and that this is all the answer that he shall give to the question.

Interrogated what he is working at.—Answers, I am a fisherman, and doing every other thing that I F can work at. Depones, I knew nothing about this case until an officer was sent to me to summon me. It is about a fortnight ago since I got the summons, and I left it to themselves to say how much I was to get for coming here. I have no ill-will or spite against Mr Macintyre. I have nothing against him from my very heart.

Re-interrogated for the Objectors.—Depones, Mr Macintyre employed me as before-mentioned after I was brought before the session. What I meant by stating that I did not deserve to be a communicant is, that a man should have the witness within himself that he is one of the Lord's people. I was promised no bribe, and I expect nothing but what a witness ought to get in my circumstances of life. I was not willing to come, but understood that they could legally compel me. Depones, that on the intermediate days between those on which Mr Macintyre returned to Tobermory from Kinlochspelve and started again from Tobermory to Kinlochspelve were spent in Tobermory, but I did not know what he was doing those days.—All which is truth, as I shall answer to God. H

(Signed)

DONALD MACPHERSON, Witness.  
JAMES DEWAR, Modr.  
DONALD MACDONALD, Pres. Clk.

I

At PORT-ELLEN, *November 26th*, 1858.

Compeared Mr COLIN HAY, residing at Callumkill, who being solemnly sworn and examined, in *initialibus*, depones:—I am not a communicant of the Established Church of Scotland, but I signed the objections to Mr Macintyre's settlement. I formed part of a committee of three persons, consisting K of Mr Graham, Mr Hunter, and myself. There was no particular party we had in view, in communicating with the Lord Advocate, whom we wished to be presented to the parish. I know of one letter

- A written to Dr Macleod of St Columba, which I think was signed by Mr Graham. I am not aware of any person having been suggested to Dr Macleod, either by letter or otherwise. There were several parties suggested by Dr Macleod. I am not possessed of any letters written or received by the committee on the subject of the presentation. Neither Mr Graham nor Mr Hunter mentioned to me the names of any parties they wished to be presented to this parish. I did not prepare the objections, but after they were prepared, I suggested some alterations.
- B Interrogated.—Did you, previous to the objections being signed, call upon any party or parties, and particularly on Donald Campbell, Kintour, and his wife, to induce them to sign the objections, and did you point out to them the Psalms, or any other part of the Presentee's discourses at Kildalton, with the view to depreciate the Presentee's qualifications? Depones, I used no manner of coercion, or even entreaty, with any party as to signing the objections. I saw Donald Campbell and others at Kintour, stated to them some of my objections to the Presentee, and pointed out to them some of the
- C Psalms in question. I am not very sure, and indeed I do not think that there were any other parties to whom I stated my objections to the Presentee. I do not recollect that I went to any parties, and I read the objections to any one except Thomas Scott, my own shepherd, whom I met accidentally on my way home from Ardbeg to Callumkill. He and his wife signed the objections. I did not tell them to sign them. I suppose I was present during some part of the time the proof was led for the Objectors, and heard some trifling questions put to Mr Graham, such as "if he was a Justice of the Peace." Our
- D clerk, Mr Macmillan, went with Mr Weir, one of the Objectors' agents, to Mull, to act as interpreter, but I did not know the precise purpose for which he, Mr Weir, went. Mr Hunter requested me to allow Mr Macmillan to accompany Mr Weir to Mull, as the latter did not understand Gaelic. I had a good idea that it was in connection with evidence to be got up for this case that he went. I can't say whether there are any parties in Mull who can interpret Gaelic into English, but it is my opinion there must be.
- E Cross-interrogated for the Objectors.—Depones, I am an adherent of the Established Church of Scotland. For several years I have been a regular attendant, along with my wife, in the Parish Church of Kildalton. Depones, with regard to the proceedings which took place previous to the issuing of the presentation in favour of the Rev. Mr Macintyre, the committee was authorised to communicate with the heritor, Mr Ramsay, Dr Macleod, and the Lord Advocate: but no letter was written by the committee, nor any member thereof, to the Lord Advocate after I became a member of committee, as far
- F as I know. I think I was a member of committee from the first. I never wrote, nor authorised any letter to be written to the Lord Advocate either before or after I became a member. When I signed the objections, I considered that I had a right to do so, and to exercise the privileges of an objector. I have examined the list of objections, and see that neither Donald Campbell of Kintour, nor any of his family, are objectors. I know that Thomas Scott, my shepherd, heard Mr Macintyre preach his trial sermons. Depones, I did not induce Thomas Scott to become an objector. I did not know the
- G Presentee, and did not hear him preach, to my knowledge, before he preached his trial sermons. Depones, I had no prejudice, enmity, or ill-will at the Presentee, and went to hear him preach with the purpose of forming a fair and dispassionate opinion as to his qualifications. I always retired from church when requested to do so during the evidence of those who were examined in this case. If I entered the church, it was only to hear the discussion of the agents on points of law. I heard very little of Mr Graham's evidence. Depones, nothing that I heard would have the slightest influence
- H upon my testimony. I was not present in consequence of any culpable negligence or criminal intent, and I am not aware that I have received any instruction from any part of the evidence I may have heard. I know that Mr Graham's evidence was published in the *Bulletin* newspaper, and I read the report of his initial examination, but not his examination *in causa*, which, I am told, has been published in a subsequent number. I am quite certain that our clerk, Mr Macmillan, was never resident in Mull, and I don't think that he was never in Mull before the occasion on which he accompanied Mr
- I Weir. He understands the Gaelic and the English languages, and Mr Macmillan was permitted to accompany Mr Weir to Mull, only for the purpose of acting as interpreter to Mr Weir.
- Re-interrogated for the Presentee.—Depones, I did not see Mr Weir before he went from Islay to Mull, but I gave him letters of introduction to parties in Mull to Mr Weir. The one letter was to Mr Walter Elliot, Scoar, and the other to William Pirie, writer in Tobermory. I did not mention in my letters to these gentlemen Mr Weir's object in going to Tobermory. I did not request the Camp-
- K bells of Kintour to sign any new objections, nor did I send any other paper to them for the purpose of being signed in reference to this business. Although Mrs Hay and myself have been, as already deponed to, attending the Parish Church of Kildalton for several years back, none of our children born



during that period have been baptised by a minister of the Established Church of Scotland. The age A of our youngest child is about fifteen months. Our first child was baptised in Glasgow by the Rev. Mr Morison of the Evangelical Union, and the second by the Rev. Malcolm Maclaurin, Independent minister at Port-Charlotte, in the parish of Kilchoman, Islay. The second child was born in the parish of Kildalton, where I was residing, and the parish minister, the late Rev. Mr Mactavish, was then alive.

Whereupon the agent for the Presentee objected to the admissibility of the witness, upon the B ground stated against the admissibility of the first witness examined for the Objectors, and upon the additional grounds disclosed by the above examination. And the agent for the Objectors repeated his answer to the objection stated to the admissibility of the first witness, with the additional answer that the witness has disclosed no ground which can affect either his admissibility or credibility in point of law.

Parties being removed, the Presbytery, after reasoning, repel the objection, and allow the witness C to be examined *in causa*.

Against which finding the procurator for the Presentee protested, and appealed *ut supra*.—All which is truth, as I shall answer to God.

(Signed)

COLIN HAY.

JAMES DEWAR, Moderator.

DONALD MACDONALD, Pres. Clk. D

At PORT-ELLEN, Twenty-sixth November, 1858, at Six P.M.

Re-compeared Mr COLIN HAY, witness for the Objectors, who, being solemnly sworn and examined *in causa*, depones :—I am a distiller, and reside at Callum Kill. I am a partner of the firm of E Messrs A. Macdougall and Co., Distillers, Ardbeg, and I am the managing partner of that firm. Ardbeg Distillery is one of the largest in Islay. I am the tenant of the farm of Callum Kill and other farms in the parish of Kildalton, and I think I am the largest tenant farmer in that parish. I am married. I am a native of the parish of Kildalton, and have resided in that parish all my days, excepting about two years, during which I attended the parish school of Killarron, in Bowmore. I am well acquainted with the extent of the parish, its population, and social condition. With regard F to its extent, I think it is twenty miles in length by the old road, from the river of Laggan to the extremity of Proig farm. Its extreme breadth is from seven to eight miles. The population is widely scattered over the parish. The population consists partly of an English speaking and partly of a Gaelic speaking people. The English speaking population has been on the increase of late years. The population of the parish of Kildalton, *quoad civilia*, according to the last census taken in 1851, was 3310. I see this stated in Oliver and Boyd's Edinburgh Almanack for this year, at p. 512, also G in an almanack, by the same publishers, for 1853, which has also been put into my hands; and in the latter almanack it appears at p. 400, that the population of Oa is 1023, and that the population of Kildalton is 3315. From my knowledge of the parish of Kildalton, I coincide in the statement of the Edinburgh Almanack of 1858, p. 512, already referred to, that the population of that parish, *quoad civilia*, is upwards of 3000, and I now put in a copy of the official census for 1851, which is H docquetted and subscribed by me the moderator and clerk as relative hereto. It is impossible for me to assert whether or not the population has increased since 1851. There are two churches in the parish of Kildalton, exclusive of the district of Oa, viz., the Established Church at Lagavulin and the Free Church at Port-Ellen. There are six week-day schools in the parish of Kildalton. I know of I two Sabbath schools in the parish, one at Lagavulin and the other at Port-Ellen. With few exceptions, the population of the parish is Protestant. I have attended the Parish Church of Kildalton regularly since the Independent minister left Port-Ellen, which is not less than seven years ago. I understand the English and Gaelic languages equally well. The congregation of Kildalton Church is partly Gaelic and partly English. There has been always, in my experience, a Gaelic and an English service every Sabbath, the Gaelic being first. I generally attended the English service, but sometimes the Gaelic also. I know of about sixteen families who attend the English service; but I do not know the precise number of persons who attend. I think they may be about thirty persons who attend the English service; but there is a larger attendance in summer than in winter. Very few persons who K attend the English service understand the Gaelic language. I attended service in the Kildalton Parish Church on Sunday the first, Sunday eighth, and Tuesday the tenth of August. On the first and second

A of these days, I attended both the Gaelic and English services, and on the last the English service only. Mr Macintyre, the Presentee, officiated on these several days, by order of the Presbytery. I was not quite satisfied with his manner of conducting the church services on either of these days. His prayers did not strike me as being solemn or impressive, either in manner or matter. I did not consider that his discourses possessed much edification, and I was not much edified by them. I thought the subjects might be very well connected with the texts. I did not consider that the discourses themselves were well connected. I considered that they were deficient in the illustration of the subject taken up. I thought the Scriptural quotations, in a good many instances, were confused and desultory. I thought it was very difficult for me to remember the sermons as a whole, and I found a difficulty in remembering them from the want of good connection in the parts. It required a considerable strain of attention on my part to follow the preacher's ideas. I thought the discourses rather defective in point of practical application. I did not consider his delivery impressive. His delivery had more the character of recitation than of earnestness and direct appeal to the understanding and the heart. I apply that observation to the delivery of his English discourses. I thought some parts of the services were inappropriate.

Being interrogated.—In what respect they were inappropriate, the procurator for the Presentee stated that he does not object to the question as put, but as he believes it is intended to elicit an answer in regard to a matter which has already been found to be irrelevant, he reserves his right to object to any such answer being taken down in the proof.

The agent for the Objectors protested against the evidence being encumbered with vague statements of this description, and averred that the question had been answered, when a discussion arose; but supposing the interrogatory had not been answered, the agent for the Presentee was bound to state specific objections to it.

The Presbytery allow the question to be put in the meantime, but reserve for consideration whether the answer should be taken down. Against which finding,

Mr Dempster, as agent for the Objectors, protested and appealed to the ensuing meeting of the General Assembly, took instruments in the Clerk's hands, and craved extracts for the following and other reasons, to be stated at the discussion hereof:—1st. That the question is competent. 2d. That it has not been objected to. 3d. That it is *ultra vires* of the Presbytery to anticipate a witness's answer to a question, and to find that they reserve consideration whether the answer should be taken down.

The witness recalled, and the question put. The Presbytery, by a majority, refused to allow the answer to be taken down, except to the extent that the witness states as part of his answer, that the inappropriateness applies to the statements made in a previous part of his evidence—the part of the answer refused, being applicable to a matter which was found by the Presbytery to be irrelevant on the eighth of September last; from which judgment Messrs Dewar, Kilchoman, and Mr Macphie, Portmahaven, dissented.

Whereupon the agent for the Objectors protested and appealed for the reasons above stated, and others to be discussed at the bar of the General Assembly, and for other reasons to be given in due time.

The examination being resumed, the witness depones—In the Gaelic, I considered his delivery rather hurried. I consider hurried and abrupt to be the same thing. Depones, That upon Sunday the first, and Sunday the eighth days of August, the Presentee did not read any portion of Scripture before commencing the sermons, except the texts, and the psalms given out to be sung.

Being interrogated.—Whether the Presentee, on Tuesday, the tenth of August, read a portion of Scripture before sermon, and what that portion was?

Objected for the Presentee.—There is no statement whatever in the objections under proof in regard to the Presentee reading any portion of Scripture; but the objection is, that he did not read any portion of the Holy Scriptures.

Answered for the Objectors.—The sermons preached by the Presentee have already been produced, and form part of the evidence *in causa*, and it is specially alleged in the third objection that the services were most inappropriate. The portion of the Scripture read formed part of the services, and it is only by comparison of it with the discourse delivered on that day, that the Court can judge whether the services were appropriate, and whether it was appropriate to the occasion.

Parties being removed, the Presbytery, after reasoning, sustain the objection, whereupon the agent for the Objectors protested and appealed, *ut supra*.

Depones, the text of the Gaelic sermon on the first of August was Psalms lxi. 6. The text in English same day was in the Book of Psalms. The words being, "Our bones are scattered at the grave's

mouth, as when one cutteth and cleaveth wood upon the earth." The verse following also was given A out as a part of the text. On Sabbath the eighth, in Gaelic, the text was 1 Sam. x. 26, 27 verses, and in English the text was Acts xxi. 16. On Tuesday the 10th of August the text in English was 1 Chron. iv. 10.

Being interrogated what Psalms were given out by the Presentee on these several occasions, so far as he can recollect.—Depones, I cannot at present name the Psalms given out to be sung in connection with the first Gaelic service, not having my notes here. Psalm cxli. 7 was given out to be sung in connection with the English service. On the eighth I cannot name the Psalms connected with the Gaelic service, for the reason above stated. Of the Psalms connected with the English service on that day I can only name one, viz., cxx., for the reasons above stated. I will produce my notes at the next diet. Depones, I had a difficulty more than once in finding out the psalms, by reason of what I considered at the time indistinctness or lowness of voice on the part of the Presentee in naming the psalms. Depones, speaking from the services of the Presentee on the occasions referred to as my only data, I state that I do not consider him qualified to be my minister.—All which is truth, as I shall answer to God.

(Signed)

COLIN HAY.

JAMES DEWAR, Moderator.

DONALD MACDONALD, Pres. Clk.

D

At LAGAVULIN SCHOOL HOUSE, 29th November, 1858 years.

Re-compeared the said Mr COLIN HAY, who being again solemnly sworn and examined for the Presentee, depones, The notes referred to in my former examination are now before me. I find the several texts to be as formerly stated by me. I have no note of the psalms sung in connection with the first Gaelic sermon. At the second Gaelic service, the 84th Psalm was given out to be sung, as also the 60th Paraphrase. At the first English service, Psalm 141st from the 7th to 10th verses; also the 50th and 51st Paraphrases. At the second English service, the 120th and the 122d; and also the 42d Paraphrase were given out to be sung. I have no note in connection with the third English service.

Further depones, *in omnibus*, in terms of his initial examination, which was duly read over to and subscribed by him at the last diet at Port-Ellen—I am not always in the habit of taking notes of the F texts or Psalms given out by ministers, but I sometimes do so, and I cannot remember when I took such notes before in the Parish Church of Kildalton. I believe the Reverend Mr Morison, to whom I have referred in my initial examination, is a preacher in connection with the body commonly called Morisonians. During the time that I stated, I attended regularly the Parish Church of Kildalton, I pretty often went to hear the Reverend Mr Maclaurin, the Independent minister of Port-Charlotte, when he came to preach at Port-Ellen, irrespective of there being or not being service in G the Parish Church. The last occasion on which Mr Maclaurin officiated at Port-Ellen was several months ago. He has come round stately for the last forty years, as I believe, upon a preaching tour, in the district which includes Port-Ellen. He comes generally twice a year. Port-Charlotte is about twenty-five miles from my residence. The last time he was round I attended his services in the school-house at Lagavulin. This was about three months ago. There was no sermon in the Parish Church on that occasion. I do not suppose that was my reason for going to hear him on that occa- H sion. He stayed in my house, and he generally does when in the Lagavulin district. When at Port-Ellen he generally stays with James Campbell, merchant there, one of his hearers. When in the parish of Oa, he stays at the manse. Mr Maclaurin often sends me word when he is coming, and sometimes I intimate his coming to parties in the district. The rental of the farms referred to in my examination in chief, is £261 10s. I never measured the extent of the parish, and my estimate of its length and breadth is derived from my having walked over it. About one-half of the population is I located in Port-Ellen, which is upwards of three miles, but not four miles, from the Parish Church. I believe the population of Port-Ellen to be about 1200. In stating the population from the census of 1851 to be 3310 for the parish of Kildalton, I include in these figures the population of the *quoad sacra* parish of Oa, which I observe stated in Oliver and Boyd's Edinburgh Almanack for 1853 as 1023. I do not think the latter figures are correct. I consider the population of Oa does not exceed 900, and I estimate the population of Kildalton, exclusive of Oa, in 1851, as about 2500. Port-Ellen is about K due west from the Parish Church. The next largest collection of inhabitants is, I think, at Ardbeg, which is about a mile from the Church. The next largest collection of inhabitants is, I think, at

- A** Lagavulin, which is beside the Church, and the population of the two last places is about 200 souls. Glenegadle, and Duich Muir, comprise about 200 more. The latter district is the farthest off from the Parish Church, towards the west and north-west, and by the new road it is ten miles, but by the old road twelve miles from the Parish Church. It is only necessary to take a circuit of four miles to include the greatest bulk of the inhabitants. I speak to the number of the population from my general knowledge of the parish, but in 1841 I assisted in taking part of the census, viz., the north
- B** end of the parish, but I cannot say that this assists me much in making my estimate as above. With reference to my statement that the English population has increased of late years, I depon, that this has arisen, 1st, From an increased number of Excise officers being attached to distilleries within the last three years; 2d, From several low country farmers, shepherds, and tradesmen, having come to the parish within the last five or six years. There have been four or five additional Excise officers attached to the distilleries within the last three years or thereabouts. All these officers are not married. I
- C** think three out of the number are married, and one of them I know has a family, but I cannot tell the number. As to the others I do not know whether they have families or not. I estimate the increase from this source to be from ten to twelve. I am not aware that any of these parties understand the Gaelic language. I know five families, consisting of farmers and shepherds, came to the parish who only understand the English language, and one of these families left the parish in June last, and I reckon about twenty English speaking people from this source, including professional men and tradesmen. I
- D** think the parish has been increased in population by from six to eight additional individuals who do not understand the Gaelic language. Upon the whole, I think the parish has increased in population since 1851. What I have stated above are all the instances I am able to give of the increase of the English speaking population. I cannot state the number of English speaking people in 1851, but it was considerably less than at present. In 1851 I do not think there would have been more than fifteen individuals in the parish who could speak English only.
- E** Being shown the names attached to the objections, and interrogated how many of these parties do not understand the Gaelic language? depones, Twelve.
- Being shown the list of parties communicants found entitled to insist as Objectors, and being interrogated how many of these parties do not understand Gaelic? depones, Eight; but two in addition to these understand it only partially.
- Being shown the objections, and the names adhibited thereto, and being asked to state how many
- F** names of Excise officers are attached to the same? depones, One, whose name is Alexander Gordon, Lagavulin, a distillery under the charge of Mr Walter Graham, one of the Objectors.
- Being asked how many shepherds' names are among the names attached to the objections? depones, Two. The first is Thomas Scott, my own shepherd, whose wife is also an objector, and James Robertson, shepherd with Mr Ramsay, at Cornabus. There is only one professional man, whose name is attached to the objections, viz., Dr Johnston, my brother-in-law. The only farmer who does not
- G** understand Gaelic, and whose name is attached to the objections, is Mr William Hunter, who is at the same time distiller at Laphroig, as appears from the said objections. There are just two tradesmen who do not understand Gaelic, whose names are attached to the said objections, viz., Peter Macarthur, cooper, and Stewart Fraser, baker.
- Interrogated.—With reference to that part of your deposition in which you state that the prayers of the Presentee, on the occasions deponed to, did not strike you as being solemn or impressive, either in
- H** manner or in matter, you are desired to state the cause thereof? Depones, In regard to manner, I consider the Presentee had an offensive way of opening his eyes during prayer, which in my case had the effect described; and with regard to matter, I thought them very commonplace and incomprehensible.
- Interrogated.—Do you consider that commonplace prayers are usually incomprehensible? Depones, I did not say they were incomprehensible, but incomprehensible; and I mean by that word that
- I** they were limited in their scope.
- Interrogated, and desired to state in what respect the prayers were defective, or wanting in scope? Depones, I cannot condescend upon particulars, but I relate my impressions at the time. Among the constituent elements of prayer I understand to be adoration, confession, supplication, and thanksgiving.
- Interrogated.—What led you to consider that the discourses did not possess much edification, and what was the cause of their alleged failure to edify you? Depones, A comparison of my knowledge
- K** and experience of sermons in general, with the sermons in question, and they failed to edify me from their want of illustration, good connection, and confused and desultory style. In regard to edification, I consider that it mainly consists in enlightening the understanding, and improving the heart, thence

the conduct of man's life. I have had a considerable experience in hearing sermons, and I am a pretty A regular attender at church. In Sabbath schools, I have been accustomed to expound or explain Scripture to others, and to a very limited extent, a considerable time back, in meetings for religious exercises.

Being interrogated whether these occasions were in connection with the Established Church of Scotland? Depones, I am as unsectarian as any person can be; but at the time referred to, about six years ago, I was a member of the Independent Church, at Port-Ellen. B

Interrogated.—Do your statements with regard to the want of edification, connection, illustration, and style, apply to all the discourses, both English and Gaelic, or only to part of them? Depones, To all, with the exception of the first Gaelic sermon, which I thought better than the rest.

Interrogated.—Are you prepared to give any instances of the alleged want of edification and connection, or of any deficiency of illustration or style in any of the sermons which you heard? Depones, These things, attaching as they do to the discourses as a whole, I am not able to condescend upon the C particulars required, and the same answer will apply to a similar question with regard to my statement, that it required a considerable strain of attention, on my part, to follow the preacher's ideas, and that I thought the discourses rather defective in point of practical application.

Interrogated, and desired to state in what the alleged want of impressiveness of delivery consisted. Depones, that it was monotonous and did not possess that degree of animation and direct appeal to the audience requisite to a good delivery. I do not mean that the discourse was delivered upon the same D key, nor was the whole of it in the same tone of voice; most likely there was a modulation of the voice, but I have not a good musical ear, and I am rather ignorant of music. The want of direct appeal to the audience was one of the causes of my considering the delivery unimpressive; this remark applies to the English discourses. I mean by a direct appeal, a speaking to the people. There was no levity of manner, or want of seriousness, about the Presentee. I mean by the character of recitation that I have attached to the delivery, that it was more like the reading of a lesson out of a book. I regard a E manuscript sermon as good and as effective, when well delivered, as an extempore one.

Re-interrogated for the Objectors.—Depones, Mr Maclaurin, the Independent minister at Port-Charlotte, is much respected. I believe that he frequently resided at the manse of Kildalton, when he came to this district during the late Mr Mactavish's life. With the exception of the occasions when I attended Mr Maclaurin's preaching when at Port-Ellen, and in this district once or twice in the course of the year, and occasionally attending the service in the Free Church, which was generally when F there happened to be no service in the Parish Church, I have been a regular attender of the Parish Church for the last six years.

Interrogated.—Notwithstanding what you have stated, are you an adherent of the Established Church of Scotland? Depones, I would say that I am, and that I consider it of the utmost importance to maintain the efficiency of the Established Church, particularly in the Highlands, where Voluntaryism cannot supply the spiritual wants of the people. Besides the population which I have referred to as G located at Port-Ellen and other places, such as Ardbeg, Lagavulin, Glenegadle, and Duich Muir, there is a considerable number of farmers and others, whose residences are scattered over the parish, and at a considerable distance from the Parish Church. All the parties whose names are adhibited to the objections are regular attendants, with very few exceptions, at the Parish Church. We have three medical men in the parish, all of whom occasionally attend the Parish Church. I have referred again to the list of Objectors, and find appended to that list the names of forty-one individuals who understand the Gaelic language, and thirty-seven of these attend the Gaelic service. Depones, I have seen the Call, but have not examined it with much attention, and as it is not now in Court it cannot be referred to. Depones, a great number of individuals whose names appear adhibited to the Call, are far from being regular attenders in church, that is, the Church of Kildalton. There is a Sabbath school held in the school-room at Lagavulin, in which I at the present act as a teacher, which school I consider to be in connection with the Established Church. I

Cross-interrogated for the Presentee.—There are about twenty-three out of the thirty-seven parties who understand the Gaelic, and who attend the Parish Church as above deponed to, who reside at or near Lagavulin. These parties are not all employed by Mr Graham, but with few exceptions they are. The Free Church is considerably farther away from my house than the Parish Church. I think that the country people here are generally deficient in regular attendance at church, but they are quite as bad in the villages here. I include, in the forty-one who understand the Gaelic, Miss K Graham, and Robertson the shepherd. I am thirty-one years of age.

Re-interrogated for the Objectors.—Depones, The average attendance at the Gaelic services in

**A** Kildalton Parish Church is about one hundred. I occasionally but seldom attend the Gaelic services; but I am usually forward at the church when the Gaelic congregation is being dismissed, and I have frequently gross guessed the number.—All which is truth, as I shall answer to God.

(Signed)

COLIN HAY.

JAMES DEWAR, Moderator.

JAMES DEWAR, Clerk, P.T.

**B**

Compared Miss HORATIA PERRY GRAHAM, residing at Lagavulin, who being solemnly sworn and examined as a witness for the Objectors, depones, I am a communicant in the Parish Church of Kildalton, and have been so for seventeen or eighteen years, and I have been a regular attendant at that church during the time I have been in Islay. For about fifteen years I have acted as a teacher in the Sabbath school at Lagavulin in connection with the Established Church. For the last ten years I have

**C** had a week-day class for the young people belonging to the district of Lagavulin. I teach in that school reading, writing, and the Scriptures. This school is for the young people who are engaged at their labour during the day, and unable to attend during working hours. They accordingly meet every other night in my brother's office, and I take the charge of teaching them myself. This is a labour of love on my part. Depones, I understand Gaelic and English, and have spoken the Gaelic language from my childhood. There has been always, during my experience, two services in the Kildalton Church, one in

**D** Gaelic and the other in English. There is a portion of the congregation who do not understand Gaelic, and attend the English service only. On Sabbath, 1st August last, I attended the English service in that church. On Sabbath the 8th August I attended both the Gaelic and English services, and the English service on Tuesday the 10th of August. The Presentee, Mr Macintyre, officiated on these occasions. I had never heard him preach before. I knew these to be his trial services as Presentee to the Church and Parish of Kildalton, and I attended for the purpose of forming a fair and dispassionate

**E** judgment regarding his qualifications, and expected to hear a good sermon. Depones, I was not satisfied with his manner of conducting these services, and I received no advantage from them. His prayers were not offered up with earnestness or solemnity, and I could not join in his prayers, for it was revolting to me to hear the Almighty addressed in such a manner. He opened his eyes now and again, and turned them about the church, and, as it appeared to me, allowed his mind to be distracted, by which he lost the thread of his subject. With regard to the matter of his prayers, they seemed to me to

**F** be deficient in intercession; and he did not intercede for the church in particular, or for the church universal. I paid particular attention to his discourses, but received no edification from them. It did appear to me that his discourses elucidated the text in the least. The discourses themselves were in no way connected the one part to another; but they appeared like a string of detached sentences. The quotations from the Scriptures which he introduced did not appear to me to be at all appropriate or correct. He jumped about from subject to subject in such an extraordinary manner,

**G** that nobody could follow him: his meaning at times was very obscure. For example, in his English sermon, on the 8th of August, the text of which was Acts xxi. 16, so far as I can recollect, he spoke as follows, viz. :—"This old disciple sought to make amends for the sins he had been guilty of, while yet a heathen in the days of his ignorance and darkness, that by present zeal in the Christian cause he might atone for past ignorance or persecution." These are the words, so far as I can recollect, and the word atone is particularly impressed upon my memory. On the 1st of August, his text in Eng-

**H** lish was the 141st Psalm, 7 and 8 verses. On the 8th of August, his text in Gaelic was 1st Sam. x. 26 and 27 v.; and on the same day, his text in English was Acts xxi. 16 v. On Tuesday the 10th, his text in English was 1 Chronicles iv. 9, 10 v. With regard to his English sermon on Tuesday the 10th August, it was both obscure and unconnected, and I recollect one part of it where, talking of the Christian's lot being often a lowly one, he illustrated it by the example of Moses forsaking the splendours of Egypt, and all at once he got to the end of his career—that is Moses' career—and of Moses  
**I** it is said, "His grave is not known till this day." There was a little more said upon that subject, and he made a bound to Geneva then, and spoke of the grave of the great Reformer, and the willow that weeps over it. That is what I gathered from that part of his discourse, but I cannot give his precise words. In the English sermon of the 8th August, it was sometimes impossible to tell whether he was speaking of Mnason or St Paul.

Being interrogated, if upon the whole his discourses conveyed to you any useful instruction?  
**K** depones, None whatever. Depones, I felt quite disgusted with regard to his delivery; his enunciation was disagreeably loud—he roared. His delivery had more the character of recitation than of earnest and direct appeal to the understanding and heart. His voice was without modulation. His preach-

ing did not seem to come from his heart, and I am sure it failed to reach mine. His prayers were **A** very short, and very abrupt. His sermons were long enough for any good they did to me. I recollect that in connection with the English service on the 1st August, one of the Psalms given out to be sung was the 141st, and the last verses of that Psalm; and on the 8th August, one of the Psalms given out to be sung in connection with the English service, was the 120th. He did not read any portion of the Holy Scriptures on either of the Sabbaths on which I heard him, but on Tuesday the 10th August, he read the ninth Psalm. Parts of the services appeared to me to be inappropriate. **B**

Being interrogated.—In what respect did they appear to you to be inappropriate? Disposed of, protested, and appealed, as with regard to a similar question put to the witness, Mr Colin Hay, and of consent of parties, reasons of appeal were also held as repeated. Depones, The whole services appeared to me to be very inappropriate, and conceived in very bad taste. Depones, These services appeared to me to have been got up for the occasion; and with regard to the sermons, I explain that the two last verses of the 10th chapter of 1 Samuel seemed to me to be a very singular text for a trial sermon; **C** also his discourse, on the 8th August, from the 21st chapter of Acts, the 16th verse, in which he enlarged upon the duty of hospitality. The Presentee's pronunciation was at times indistinct, from his intonation. The Lagavulin pew in church is in front of the pulpit, and at a short distance from the pulpit, and it is a very good seat for hearing. I occupied a seat in that pew on all the occasions referred to. On one occasion I had a difficulty in ascertaining the Psalm he gave out. I do not consider that the Presentee is qualified to be my minister, and I never heard an evangelical clergyman **D** conduct the services of the Church in the way he did. I have gone over the names of the Objectors adhibited to the objections. I know many of them personally, but not the whole of them. Some of them I know to be most regular in their attendance on divine ordinances in Kildalton Parish Church. They are all respectable people. They include the better classes belonging to Kildalton Parish Church.

Interrogated.—Is it matter of notoriety that the most regular attendants of the congregation in said church are dissatisfied with the Presentee's trial services? Objected, answered, disposed of, **E** protested, and appealed, as with regard to a similar question put to Mr Walter Graham; and the question being put, depones, Yes. The most regular attendants at the Parish Church of Kildalton are opposed to Mr Macintyre's induction as minister of that church; and also all those who have demonstrated any zeal for the temporal and spiritual welfare of the parish, in as far as I know.—All which is truth, as I shall answer to God.

(Signed)

HORATIA PERRY GRAHAM. **F**  
JAMES DEWAR, Moderator.  
JAMES DEWAR, Clerk, P.T.

At LAGAVULIN, and in the School-House there, the 30th Nov., 1858 years.

**G.** Re-compeared the said Miss HORATIA PERRY GRAHAM, who being again solemnly sworn and cross-examined for the Presentee, depones—I am a sister of Mr Walter Graham, Distiller, Lagavulin, who is one of the Objectors. Is it consistent with your knowledge that Mr Graham has taken a great interest in the opposition to the Presentee, and have you yourself done so?

Whereupon it was objected for the Objectors that the question is incompetent, in so far as it implicates Mr Graham, and although the witness may be bound to speak regarding the part she herself **H** has taken, she is not entitled to offer any opinion regarding the interest that others may have taken in regard to the present settlement.

Answered for the Presentee.—The witness is not asked to give any opinion as to the conduct of other parties, but simply to state whether or not it is the fact that she and her brother have taken a great interest in the opposition against the Presentee. An opinion with regard to this matter, if it is a fact, is of course clearly distinct from the fact itself, and it is not intended to ask any opinion from Miss **I** Graham. The question is therefore clearly competent according to the ordinary rules of legal evidence, but more especially is it so having regard to the express terms of Lord Aberdeen's Act, by which it is enacted that the Presbytery "shall have regard to the whole circumstances and condition of the parish," and "to the character and number of the persons by whom the said objections or reasons shall be preferred."

Parties being removed, the Presbytery, after reasoning, disallowed the question to be put, in so far **K** as it refers to Mr Graham, but allow the question in so far as it refers to the witness herself.

Whereupon the agent for the Presentee protested, and appealed *ut supra*; and the question as

A modified being put to the witness, she depones—I take a deep and lively interest in opposing such a minister as I believe Mr Macintyre to be.

Interrogated.—Is your brother, Mr Graham, married to a daughter of the late Incumbent of the parish of Kildalton? Depones, I decline to answer the question.

Interrogated.—Whether your family, and the family of the late Rev. Mr Mactaviah, and their relatives in Islay, have taken a great interest in the opposition to the Presentee?

B At this stage the Rev. Mr Dewar of Oa, the Moderator, and the Rev. Mr Mackenzie, entered the Court and took their seats.

Whereupon it was objected for the Objectors, that the question is clearly incompetent for the reasons before stated.

Answered.—The answer made to the objection stated to the previous question is repeated.

C Parties being removed, the Presbytery, after reasoning, sustain the objection and disallow the question; whereupon the Procurator for the Presentee protested, and appealed *ut supra*.

I have not been educated in Islay, and I have spent a good part of my life out of the island. When out of the island, I lived principally in Glasgow. I attended different churches in Glasgow. I attended one church in Glasgow in connection with the English Episcopal Church, viz, St Jude's.

Interrogated.—For how many years were you in connection with the latter Church?—Depones, I do not recollect. It was for several years. And it was the last church that I attended before finally leaving Glasgow; and, of course, I communicated there. Previous to the Disruption I attended the Tron Church and Saint Matthew's, in connection with the Established Church. We had sittings in both churches. I attended St Jude's and St Matthew's during the same period, but I did not communicate in St Matthew's during the time that I attended St Jude's, after I became a communicant in the latter church. The witness adds, of her own accord, that her father and mother had sittings in St Matthew's, and during the time they had such sittings, I was in use to attend St Matthew's in the forenoon and St Jude's in the afternoon, and communicated in St Matthew's. After the sittings in St Matthew's were given up, I attended St Jude's only, and communicated in that church. From my education and position I, of course, mixed with the higher classes of society.

Interrogated.—How many ladies of the congregation of Kildalton Church do you know who have received the same education and have taken the same position in society as yourself, irrespective of your own immediate relatives or connexions? Depones, it is utterly impossible for me to answer that question. I know some of the parties who attend the English service in Kildalton Church. I am given to understand that there are seventy individuals who attend the English services in Kildalton Church, but I never counted them. Being a regular attendant, I am, of course, in the habit of seeing the regular attendants at that church.

Interrogated.—Although you may not be personally acquainted with the regular attendants of the church, are you not aware who they are, and what is their position? Depones, I decline to answer this question, having only come here to answer for myself. I understand a Gaelic sermon, but not so well as an English one. I can appreciate a good Gaelic sermon, and I can read the Gaelic Bible. I always spoke the Gaelic language, both in Islay and Glasgow, to those servants who knew Gaelic better than English. I attended no Gaelic Church while in Glasgow. Till within the last year and a half our family have from my childhood had a house in Glasgow and another house in Islay, and I was in the habit of spending the winter season in Glasgow and the summer season in Islay. For the last eighteen months I have resided constantly in Islay. I cannot specify the date when I heard the last Gaelic sermon preached in Kildalton Church previous to the Presentee's preaching his trial sermons; but the last Gaelic sermon I heard preached there was the last Gaelic sermon I ever heard preached by our late pastor. I think this occasion would be about the last Sunday of March last. I cannot tell the exact date when I heard a Gaelic sermon previous to the occasion just referred to.

Interrogated.—Whether it was six months, a year, or two years, or about what period? Depones, I cannot say, I am not in the habit of attending the Gaelic services, my domestic duties preventing my doing so; but otherwise, I would attend the Gaelic services as regularly as I do the English. I am perfectly aware that people may be able to speak the Gaelic conversationally, and not be able to understand a sermon; but if they speak it well, they will be able to understand a sermon pretty tolerably.

Interrogated.—For what particular purpose did you attend the Gaelic service on the eighth of August last? Depones, I went to hear what sort of a Gaelic preacher the Presentee was. I had previously heard various opinions with regard to his Gaelic preaching. I took no note of the texts of the discourses in question, nor did I mark them at the time; but they were impressed on my memory.



Depones, The week-day class, taught by me, is chiefly attended by the children of parents residing A within the district of Lagavulin, and also by young people who are grown up, and who reside in the same district. There are four or five parties who attend the week-day class, who neither themselves nor their parents are employed about the distillery or farm at Lagavulin; but the others are, and the total number is seventeen. I never knew that such an individual as the Presentee existed, till I saw him *Gazetted* as Presentee to Kildalton.

Interrogated.—Did you go to hear the Presentee for the purpose of giving him a fair and dispa- B sionate hearing? Depones, I went expecting to hear a good sermon, and no one would have been more rejoiced than I would, could he have proved himself a fit pastor for this parish. In forming my opinion of the Presentee's qualifications, and in subscribing the objections against him, I acted upon my own convictions, and upon my own knowledge of his disqualifications, uninfluenced by the opinions or statements of other parties against him. I cannot tell when I first saw the objections against the Presentee. I did not assist in framing them in any way. I do not remember having acquired any C additional information regarding the Presentee's disqualifications between the time I heard him preach as aforesaid, and my signing the objections; and I recollect of no party having made any statement to me disparaging to Mr Macintyre, except with regard to his preaching as aforesaid.

Interrogated.—Whether the objections were read by the witness herself, or whether they were read over to her by any other party, and how long it was before the objections were given in to the Presbytery? Depones, I read them over myself very often before they were given in to the Presbytery, D and this was some days before the moderation of the Call.

Interrogated.—Who was it that gave them to you? Depones, I decline to answer that question. I called upon no person to induce them to sign these objections. I think I did hear one party read the objections over to me, but I decline to state who that party is. I did not hear of any party spoken about who might be presented to the parish, previous to the presentation in favour of Mr Macintyre.

Interrogated.—Did you consider it necessary to have a young, vigorous, and energetic minister E for the parish of Kildalton, at the time you signed the objections.

Objected for the Objectors.—That in so far as the word "young" is concerned, the question is incompetent, having been disallowed by the Presbytery as irrelevant.

Answered.—Although it is incompetent for the Objectors to prove anything more than has been found relevant, it is perfectly competent for the Presentee in examining the witness, who is an Objector, to show, in terms of the third section of Lord Aberdeen's Act, that the "objections and reasons" stated F are not truly founded in any objection personal to the Presentee, in regard to his ministerial gifts and qualities, either in general or with reference to that particular parish, or arise from causeless prejudice; and unless the fullest investigation is permitted with regard to the objections stated, and the cause thereof, as well as the manner in which they have been got up, it will be impossible for this Court, or any superior Court of the Church, to arrive at a correct appreciation of the circumstances and condition of this parish in connection with the opposition made to this Presentee. It is not the fault of the G Objectors that the word "young" was found by the Presbytery to be irrelevant, for they argued strenuously that it should be kept in, and protested and appealed against the judgment finding it not relevant.

Parties being removed, after reasoning, the Presbytery unanimously sustains the objection, and refused to allow the question to be put, in so far as the word "young" is concerned, but *quoad ultra* H allow the question to be put.

Whereupon the agent for the Presentee protested and appealed *ut supra*; and further, he declined to put the question, as now modified, to the witness, in respect that the question had reference to what the witness considered at the time the objections were stated, and not to what she may now consider is necessary for the requirements of the parish of Kildalton.

Interrogated.—Did you, at the time you heard the Presentee preach as aforesaid, consider him not to be a vigorous and energetic minister? Depones, I can only give my evidence as to his pulpit I ministrations. I was in Islay at the time of my brother's marriage. I was present at the Parish Church on the Sabbath thereafter. I do not recollect of hearing Mr Macintyre preach at or about the time of my brother's marriage, and I am certain he did not preach there in my presence. The late Mr Mactavish preached in the afternoon of the first Sabbath after my brother's marriage. I was not at the forenoon service, which was in Gaelic. The remarks which I have made with regard to the Presentee's prayers and sermons apply to them all, as above mentioned by me. K

Interrogated and referred to that part of the deposition in which you state that you were not satisfied with the Presentee's manner in conducting the services, you are requested to state what it was C

A modified being put to the witness, she depones—I take a deep and lively interest in opposing such a minister as I believe Mr Macintyre to be.

Interrogated.—Is your brother, Mr Graham, married to a daughter of the late Incumbent of the parish of Kildalton? Depones, I decline to answer the question.

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B At this stage the Rev. Mr Dewar of Oa, the Moderator, and the Rev. Mr Mackenzie, entered the Court and took their seats.

Whereupon it was objected for the Objectors, that the question is clearly incompetent for the reasons before stated.

Answered.—The answer made to the objection stated to the previous question is repeated.

C Parties being removed, the Presbytery, after reasoning, sustain the objection and disallow the question; whereupon the Procurator for the Presentee protested, and appealed *ut supra*.

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D Interrogated.—For how many years were you in connection with the latter Church?—Depones, I do not recollect. It was for several years. And it was the last church that I attended before finally leaving Glasgow; and, of course, I communicated there. Previous to the Disruption I attended the Tron Church and Saint Matthew's, in connection with the Established Church. We had sittings in both churches. I attended St Jude's and St Matthew's during the same period, but I did not communicate in St Matthew's during the time that I attended St Jude's, after I became a communicant in the latter church. The witness adds, of her own accord, that her father and mother had sittings in St Matthew's, and during the time they had such sittings, I was in use to attend St Matthew's in the forenoon and St Jude's in the afternoon, and communicated in St Matthew's. After the sittings in St Matthew's were given up, I attended St Jude's only, and communicated in that church. From my education and position I, of course, mixed with the higher classes of society.

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G Interrogated.—Whether it was six months, a year, or two years, or about what period? Depones, I cannot say, I am not in the habit of attending the Gaelic services, my domestic duties preventing my doing so; but otherwise, I would attend the Gaelic services as regularly as I do the English. I am perfectly aware that people may be able to speak the Gaelic conversationally, and not be able to understand a sermon; but if they speak it well, they will be able to understand a sermon pretty tolerably.

H Interrogated.—For what particular purpose did you attend the Gaelic service on the eighth of August last? Depones, I went to hear what sort of a Gaelic preacher the Presentee was. I had previously heard various opinions with regard to his Gaelic preaching. I took no note of the texts of the discourses in question, nor did I mark them at the time; but they were impressed on my memory.

Depones, The week-day class, taught by me, is chiefly attended by the children of parents residing A within the district of Lagavulin, and also by young people who are grown up, and who reside in the same district. There are four or five parties who attend the week-day class, who neither themselves nor their parents are employed about the distillery or farm at Lagavulin; but the others are, and the total number is seventeen. I never knew that such an individual as the Presentee existed, till I saw him *Gazetted* as Presentee to Kildalton.

Interrogated.—Did you go to hear the Presentee for the purpose of giving him a fair and dispa- B sionate hearing? Depones, I went expecting to hear a good sermon, and no one would have been more rejoiced than I would, could he have proved himself a fit pastor for this pariah. In forming my opinion of the Presentee's qualifications, and in subscribing the objections against him, I acted upon my own convictions, and upon my own knowledge of his disqualifications, uninfluenced by the opinions or statements of other parties against him. I cannot tell when I first saw the objections against the Presentee. I did not assist in framing them in any way. I do not remember having acquired any C additional information regarding the Presentee's disqualifications between the time I heard him preach as aforesaid, and my signing the objections; and I recollect of no party having made any statement to me disparaging to Mr Macintyre, except with regard to his preaching as aforesaid.

Interrogated.—Whether the objections were read by the witness herself, or whether they were read over to her by any other party, and how long it was before the objections were given in to the Presbytery? Depones, I read them over myself very often before they were given in to the Presbytery, D and this was some days before the moderation of the Call.

Interrogated.—Who was it that gave them to you? Depones, I decline to answer that question. I called upon no person to induce them to sign these objections. I think I did hear one party read the objections over to me, but I decline to state who that party is. I did not hear of any party spoken about who might be presented to the pariah, previous to the presentation in favour of Mr Macintyre.

Interrogated.—Did you consider it necessary to have a young, vigorous, and energetic minister E for the parish of Kildalton, at the time you signed the objections.

Objected for the Objectors.—That in so far as the word "young" is concerned, the question is incompetent, having been disallowed by the Presbytery as irrelevant.

Answered.—Although it is incompetent for the Objectors to prove anything more than has been found relevant, it is perfectly competent for the Presentee in examining the witness, who is an Objector, to show, in terms of the third section of Lord Aberdeen's Act, that the "objections and reasons" stated F are not truly founded in any objection personal to the Presentee, in regard to his ministerial gifts and qualities, either in general or with reference to that particular pariah, or arise from causeless prejudice; and unless the fullest investigation is permitted with regard to the objections stated, and the cause thereof, as well as the manner in which they have been got up, it will be impossible for this Court, or any superior Court of the Church, to arrive at a correct appreciation of the circumstances and condition of this pariah in connection with the opposition made to this Presentee. It is not the fault of the G Objectors that the word "young" was found by the Presbytery to be irrelevant, for they argued strenuously that it should be kept in, and protested and appealed against the judgment finding it not relevant.

Parties being removed, after reasoning, the Presbytery unanimously sustains the objection, and refused to allow the question to be put, in so far as the word "young" is concerned, but *quoad ultra* H allow the question to be put.

Whereupon the agent for the Presentee protested and appealed *ut supra*; and further, he declined to put the question, as now modified, to the witness, in respect that the question had reference to what the witness considered at the time the objections were stated, and not to what she may now consider is necessary for the requirements of the parish of Kildalton.

Interrogated.—Did you, at the time you heard the Presentee preach as aforesaid, consider him not to be a vigorous and energetic minister? Depones, I can only give my evidence as to his pulpit I ministrations. I was in Islay at the time of my brother's marriage. I was present at the Parish Church on the Sabbath thereafter. I do not recollect of hearing Mr Macintyre preach at or about the time of my brother's marriage, and I am certain he did not preach there in my presence. The late Mr Mactavish preached in the afternoon of the first Sabbath after my brother's marriage. I was not at the forenoon service, which was in Gaelic. The remarks which I have made with regard to the Presentee's prayers and sermons apply to them all, as above mentioned by me. K

Interrogated and referred to that part of the deposition in which you state that you were not satisfied with the Presentee's manner in conducting the services, you are requested to state what it was C

A in the manner which did not satisfy you, and why you received no advantage from the services. Depones, I think I have answered that question already, so far as applies to the manner. I have never seen a minister open his eyes during prayer, and look round. I do not mean to say that the Presentee turned his head round to look about the Church, although that is the impression on my mind. With regard to not receiving advantage, I state that my mind was not enlightened.

Interrogated, and desired to state in what respect the Presentee's prayers were not offered up with B earnestness or solemnity in comparison with those of other ministers. Depones, They had neither fervour nor unction. I mean by unction a certain spiritual influence which I have always observed to permeate the prayers of godly ministers, and by fervour I mean warmth.

Interrogated.—Whether there was any want of seriousness or any levity of manner about the Presentee during the offering up of his prayers? Depones, I consider the opening of his eyes as levity.

Interrogated, and referred to that part of your deposition that it appeared to you "that the Presentee allowed his mind to be distracted, and that he thereby lost the thread of his prayer;" you are C requested to give any instances of these alleged circumstances. Depones, He hesitated.

Interrogated.—With regard to your statement "that the prayers were deficient in intercession"—whether intercession is part of the duty of a minister of the Church of Scotland in offering up prayer? Depones, I believe it to be the duty of every minister.

Interrogated.—With reference to your statement "that you received no edification from the discourses, and that they did not elucidate the texts in the least;" you are requested to state the precise D cause of the alleged non-edification, and want of elucidation. Depones, I did not understand the texts a bit better after he had done preaching than I did when he began.

Interrogated.—Is that the only answer you have to give to the question? Depones, I think it is enough.

Interrogated.—Are you satisfied that you were listening to the services in question with a meek E and teachable spirit? Depones, I am quite satisfied with the spirit with which I was listening.

Interrogated.—Did you find yourself laughing or manifesting other symptoms of levity during the services in question? Depones, In common with every person around me, I could not refrain from smiling when I heard a description of the sexton shovelling out the bones of our forefathers to make room for us, which I thought very ludicrously introduced.

Being asked to state in what respect the introduction of the above description was ludicrous, F depones, The manner in which it was stated.

Interrogated.—Have you no more precise or definite answer to give to the above question? Depones, I consider my answer will be found to be sufficiently definite when the sermons come to be read. There were other equally ludicrous illustrations in the Presentee's discourses which excited smiles from me. There was nothing more than smiles.

Interrogated and referred to that part of your deposition in which you state that you could not G join in the prayers, because it was revolting to you to hear the Almighty addressed in such a manner; you are requested to state the manner to which you allude. Depones, That is, without fervour or unction, and with his eyes open.

Interrogated.—Have you never considered that parties engaged in prayer frequently look with upturned eyes in adoration? I have heard that—

H "The upward glancing of an eye  
Is prayer when none but God is nigh."

Being interrogated and desired to give any instances where the discourses were in no way connected the one part with the other, but that they appeared like a string of detached sentences, depones, I consider I have done quite enough in that way already, as the sermons have been given in as proof.

I And this is my answer also to any similar question put with regard to my statement, that the quotations from the Scriptures did not appear to me to be at all appropriate or correct; that he jumped about from subject to subject in such an extraordinary manner that nobody could follow him, and that his meaning was at times very obscure.

Being referred to that part of your deposition in which you gave an illustration of your statement as to the obscurity of meaning, the quotation beginning with the words "This old disciple," etc.; you are requested to state in what the obscurity consists, and why the word "atone" therein contained was particularly K impressed upon your memory? Depones, Because the use of the word "atone" in such a connection was incomprehensible to me. We only speak of atoning in connection with our blessed Lord. Do you

mean to state that the word "atone" cannot be used in a discourse without implying the signification A you refer to? Depones, I do, when reference is made to our dealings with God, and I consider that the instance in the passage referred to does so. The passage itself seems to me obscure, from the connection in which the word atone is put, and that is the obscurity I refer to.

Interrogated and referred to the instance of alleged obscurity and incorrectness in the English sermon preached on Tuesday the tenth of August, having reference to the example of Moses, and with regard to the grave of the great Reformer, you are requested to point out the obscurity and the want of B connection. Depones, I can see no connection between the mystery in regard to the place of Moses' sepulture, and the lowly lot of the Christian; and the same answer will apply to the willow. The Reformer alluded to was Calvin.

Being interrogated.—Are you aware that a splendid tomb is an emblem of worldly wealth and power, and an unknown grave that of lowness of condition, and can you state why the grave of Moses is unknown and that of Calvin is said to have only a willow to mark the spot where his body lies? C Depones, When we speak of the rich and the poor in general, it is so; but in regard to Moses and Calvin, I understand that it was because of their exalted position, when they were alive, that their graves were afterwards unknown, and unadorned with a tombstone; with regard to the grave of Moses being unknown, I understand that it was so lest his followers should do him too much honour.

Interrogated.—Then do you observe that the very exaltation of the Christian brings with it the lowly tomb to which you have referred, and can you now understand "the connection between the D mystery in regard to the place of Moses' sepulture and the lowly lot of the Christian?" Depones, It is far beyond my comprehension to understand the question; it is too obscure for me to answer it.

Interrogated and referred to that part of your deposition in which you state that the discourses conveyed no useful instruction whatever to you, and that you felt quite disgusted; you are requested to state the particular parts of the discourses which caused you to feel such disgust? Depones, In general, his manner and matter, in fact his whole style struck me with aversion. I have already E referred to one passage which disgusted me, as unbecoming in the pulpit, viz, that about the bones of our forefathers.

Interrogated and requested to state any others? Depones, I refer you to a perusal of the sermons. The sermons were like the prayers, they had no unction or fervour, and that was what led me to think they did not come from the heart. When I stated that his enunciation was disagreeably loud, and that he roared, I mean that these expressions are convertible terms. When I state that his voice was F without modulation, I mean to say that there was not enough of modulation, in my opinion.

Re-interrogated for the Objectors.—Depones, I have always attended the Gaelic service in Kildalton Church, when my domestic duties permitted me to do so. I understand a Gaelic sermon as preached. I have been at all times careful, when in church, to listen with gravity and devoutness to the preacher. Depones, It did not appear to me that the words—

"The upward glancing of an eye  
Is prayer when none but God is nigh,"

applied to the Presentee on the occasions when he conducted the services in the Kildalton Parish Church. The Presentee's eye, so far as I saw, did not glance upwards at all, but downwards, and round about on the congregation, and his manner in this respect indicated to me a want of devotion.— H All which is truth, as I shall answer to God.

(Signed)

HORATIA PERRY GRAHAM.  
JAMES DEWAR, Moderator.  
JAMES DEWAR, Clerk, P.T.

At PORT-ELLEN, AND WITHIN THE SCHOOL-HOUSE THERE, the First Day of December,  
Eighteen Hundred and Fifty-eight Years.

Compeared JAMES MACKERBOL, Postmaster at Port-Ellen, who, being solemnly sworn both in Gaelic and English, in consequence of his preferring to give his answers in the former language, and examined as a witness for the Objectors, depones:—I am a native of Islay, and of this pariah. I have K resided in the pariah of Kildalton during my lifetime, and I am now between fifty and sixty years of age. I have been Postmaster of Port-Ellen for upwards of twenty years. I am a communicant at

A Kildalton Parish Church, and have been so for upwards of twenty years. I have been a regular attendant at that church during that period.

At this stage the Reverend Mr Dewar, of Oa, the Moderator, having entered the Court, took his seat as Moderator; and the witness being further interrogated, depones, I have been a constant attendant upon the Gaelic services in said church, and an occasional attendant at the English services. I understand both languages, but the Gaelic best, of course. I attended divine worship in said church B on Sabbath the first, and Sabbath the eighth days of August last, when the Presentee preached. I attended the Gaelic services on the first of August, and both the Gaelic and English services on the eighth August. I never heard the Presentee preach before the occasion referred to, and I went to hear him with the purpose of forming a fair and dispassionate opinion of his qualifications. Depones, I was not satisfied with his manner of conducting the services of the church on any of the occasions that I have referred to.

C Interrogated.—In what manner were his prayers offered up. The witness depones in Gaelic, and his answer, being translated by the Moderator, is as follows:—He stood up in the pulpit to pray in a manner different from any minister I ever saw standing up to pray for the people in the presence of the Lord. In the first place, his eyes were open, and he gazed about when the door was opened, and he was not humble in offering up the prayer. There was a want of earnestness and solemnity in his manner of offering up prayer. I derived no benefit from his discourses. His text on Sabbath the first of D August, in connection with his Gaelic sermon, was Psalms lxxvi. 6 v. On the eighth August his Gaelic text was 1 Samuel x. and the two last verses of the chapter, being 26 and 27 v. His English text on the same day was Acts xxi. and 16 v. In my opinion the subjects of the discourses were not connected with the texts.

Interrogated.—Were the discourses themselves in any way connected one part with the other? Depones in Gaelic as follows:—No; and they were not divided into heads, as I have been accustomed to E hear.

Interrogated.—Were they deficient in illustration, information, and in practical application? Depones in Gaelic, they were. They were deficient in opening up. There was no illustration. I got no information from them. There was no practical application.

Interrogated.—Did he jump from one topic to another, and had you a difficulty in following him? Depones, he did jump from one topic to another, and I experienced a difficulty in following him.

F Interrogated.—Had he a very hurried delivery? Depones, his delivery was hurried throughout his prayers and sermons, and from first to last. And the witness adds of his own accord, that his delivery was so hurried that the sermons made no impression on his mind.

Being interrogated.—Had the delivery more of the character of recitation of the composition of another than of earnest and direct appeal to the understanding and the heart? Depones in Gaelic, it did not appear to be his own composition or production. His delivery was like the reading of a school G boy reading his task, more than earnest and direct appeal to the understanding and the heart. Depones, the Presentee read no portion of the Holy Scriptures except the texts on any of the occasions I heard him preach.

Interrogated.—Was his pronunciation at times indistinct?—Depones, in Gaelic, I did not hear any Gaelic word from him that I did not understand; and the question being repeated, depones, His pronunciation was not indistinct in the Gaelic. Depones, As to the English, I am not going to give H any opinion, as I am not so well acquainted with it. In my opinion, the Presentee is not qualified to be my minister.

Interrogated.—Is it matter of notoriety that the most regular attendants at the Parish Church of Kildalton are dissatisfied with the Presentee? Depones, It is.

Being shown the objections, and interrogated if the individuals whose names are appended thereto are among the most regular attenders on Divine worship in Kildalton Parish Church, depones, Yes, I they are. I know them all.

Being shown the Call, and interrogated—If the parties whose names are written thereto are regular attenders on Divine worship in the Kildalton Parish Church? depones, They are not, and there are some whose names I see there who were never in any church, especially in the Parish Church of Kildalton. I know the whole of these parties, and every individual whose name is appended to the Call. As postmaster, I have the means of knowing the population of the parish of Kildalton, and I K think it will now amount to upwards of 3000, exclusive of the *quoad sacra* parish of Oa. Of late years there has been a rapid increase of the English speaking population, and who do not understand the

A not, are adherents of, and zealous for the Church of Scotland. But, with regard to Anne Mackerrool, it has already been proved that she left the Church of Scotland, after having communicated in it, and joined a Baptist community, from which she has separated, if in point of fact she has actually separated, only about two years ago. She has never since communicated in the Church of Scotland. She is not a regular attendant upon Divine worship in the Parish Church of Kildalton, so little so, that her own husband is unable to tell when she was there, previous to the occasion upon which she appears to have gone to hear the Presentee preach. In these circumstances, and having regard to the express terms and plain intention of the Benefices Act, under which the present proceedings are carried on, the Presentee is entitled to expect from this Court the fullest investigation with regard to the parties concerning whom the Objectors have, as above stated, led the evidence in question.

Parties being removed, the Presbytery, after reasoning, on the motion of Mr Dewar of Kilcho-man, seconded by the Rev. Mr Macphie, sustained the objection, and refused to allow the question to be put. The Rev. Mr Macdonald dissented; against which finding the procurator for the Presentee protested, and appealed *ut supra*. Depones, I do not know the reason why my wife has not communicated in the Parish Church of Kildalton since she left the Baptist body, but she can state so herself. I sit down stairs in church. There are five doors by which the congregation enter. I can see the people coming into the area of the church, but I cannot see the people coming into or going out from the gallery. The accesses to the gallery are on the outside of the church, and all that I can see of the gallery is the Ardbeg seat. I was not induced, from any information received from any other parties, to sign the objections, and I did not assist in drawing up the objections, and I got no people to sign them. The first time I saw the objections was in my own shop. The objections were sent to me under cover, and I did not know from whom they came, and I have them in my shop yet. The first time I saw the objections which were given into the Presbytery, was in the Church when the Call was moderated in, and I am quite certain of this, because I was in the church and signed them. The Moderator read them over that day to the best of my knowledge. They were read over after I and the other parties had signed. I did not read them over myself.

Interrogated.—Seeing that you have stated that you only saw the objections now lying on the table, for the first time, within the Church of Kildalton, on the day for moderating in the Call, will you explain what induced you to sign a paper containing objections against a party, which you neither read yourself, nor heard read to you by another.

F Objected for the Objectors.—The question is incompetent in respect—

1st, That the allegations in the objections, in so far as they have been found relevant by the Presbytery, are now under proof in accordance with the deliverance of the Presbytery, and not the circumstances under which the objector adhibited his signature to these objections.

2d, The question is not within the interlocutor of proof allowed by the Presbytery.

3d, It is not cross to the proof-in-chief.

G 4th, The question at issue is, whether the allegations in the objections are true.

Answered.—The procurator for the Presentee considers that it would be a waste of time to give any formal answer to these objections, and leaves the matter in the hands of the Presbytery, to be dealt with without any argument.

Parties being removed, the Presbytery, after reasoning, by a majority sustain the objections and refuse to allow the question to be put. Whereupon, the procurator for the Presentee protested, and H appealed *ut supra*. It was only after I signed the objections in the Church of Kildalton that I received the copy of the objections in my shop, as already deponed to. When I signed the objections against the Presentee I had no knowledge of his disqualifications to be minister of the Parish of Kildalton than what I derived from seeing and hearing him on the occasions that he preached in the Parish Church.

Interrogated, and referred to that part of your deposition in which you describe the Presentee's manner of conducting the Church services, you are requested to state if it was in respect of that description, as recorded in page 79 of the proof, that you were dissatisfied with the Presentee's manner of conducting these services? Depones, it is.

Interrogated.—What do you mean by stating that the Presentee was not humble in offering up the prayers? Depones in Gaelic as follows:—That he did not begin humble, and that he was not like one interceding with the Lord on behalf of the people before him, and he did not lift up his hands as he had seen godly ministers doing.

K Interrogated, and desired to state the manner in which the lifting of the Presentee's hands was different from that of the ministers referred to? Depones in Gaelic as follows:—He did not lift them up at all.

Interrogated.—Do you consider it to be a necessary part of a minister's manner in praying that he should lift up his hands? Depones, I do consider it, and I have seen it done by others. I do mean to say that there was a want of seriousness about the Presentee's manner in prayer, and I say this in addition to what I have said at page 79, viz.,—"That there was a want of earnestness and solemnity in his manner of offering up prayer."

Interrogated.—Was there any levity of manner about the Presentee? Depones in Gaelic, that he ran over it in a hurried, hasty, light, manner.

Interrogated and referred to your statement that you received no benefit from the Presentee's discourses, do you mean that he laid before you nothing new or original, or state in what precise respect the discourses failed to benefit you? Depones in Gaelic, that it is impossible to get anything new from the Bible, being an old book. He did not try to make any impression upon my mind, or to impress them on my mind, and he did not wait to do that.

Interrogated and referred to that part of your deposition in which you state that, in your opinion, the subjects of the discourses were not connected with the texts, you are requested to state these subjects and how they were not so connected? Depones, in Gaelic, as follows:—When he gave out his text he did not stick to it, but jumped away to something new or something else; he was in such a hurry that the one word was on the top of another, that he was in such a hurry that he could not follow him, and thus lost the good of it altogether, or that he lost the substance of it if there was any substance in it.

Being interrogated, and being again asked if he can name any of the subjects which he states were not connected with the texts. Depones, in Gaelic, as follows:—On the eighth August he gave out as his text 1 Samuel x., and there the two last verses. There is mention made there of Saul, that is, in the text. He jumped from that to Saul of the New Testament. And being asked to give any more instances, depones, I cannot; that he has given the reason already. He gave us no information about Saul of the Old Testament. He did not even tell us that he was a king. I do not remember what he said about Saul of the New Testament. Depones, I can give no other instance of the Presentee not sticking to his text, except what I have already stated. The sermons were not divided into heads at all. I think they were all deficient in illustration, information, and practical application.

Interrogated and requested to state any of the discourses in which he observed such deficiency, and any particular want of illustration, information, or practical application, which he experienced in listening to them. Depones, in Gaelic, as follows:—With regard to the two Gaelic sermons that I heard, they were deficient in illustration, information, and practical application. I told you already that I experienced no benefit from them, as they had not in them illustration, information, or practical application; and I have no other answer to make to the question than the above. As I did not hear Mr Macintyre before, I could not say whether or not he was labouring under a cold or not at the time he preached, as aforesaid. I did not hear him cough, or try to keep down a cough, on these occasions.

Being shown the objections, and the list of names adhibited thereto, you are requested to state how many of these parties reside at or in the neighbourhood of Lagavulin, Ardbeg, and Laphroig, and who are the parties that carry on the distilleries at these respective places? Depones, Thirty-seven. Ardbeg belongs to A. Macdougall & Co., and it is managed by Mr Colin Hay. Lagavulin is carried on under the management of Mr Walter Graham, and Laphroig Distillery is managed by Mr Dugald Johnstone, who is also the proprietor. Islay Distillery belongs to Mr Hunter, or at least is managed by him, and is situated south-east from Laphroig Distillery. These two distilleries are quite close to each other. Callum Kill and Ardinastle are in the neighbourhood of Lagavulin, the former on the north-east and the latter on the south-west of Lagavulin. The former is the residence of Mr Hay, and the latter of Mr Graham. Most of the parties composing the thirty-seven individuals above mentioned are in the employment of Mr Graham, Mr Hunter, Mr Hay, and Mr Johnstone, or are relatives of parties in their employment. These four gentlemen are included in the number of thirty-seven. The means I have of knowing the population of the parish are by knowing individuals, and by letters coming to them. I have never taken a census of the population of the parish. I do not know the population of the Oa, but I think it will be from 600 to 1000. I think the population of the parish in 1851 would be under 3000, without the parish of Oa. I cannot really say what the population of the two parishes would be in 1851, and my statement with regard to the population is a mere guess on my part. For some years past there has been a rapid increase of English speaking people in the parish, and the population has also increased within that time; and I think that the population has been increasing



A since 1851. I cannot tell how many English speaking people that could speak no Gaelic were in the parish in 1851, and I cannot tell how many have come to it since 1851 that cannot speak Gaelic.

Interrogated.—How many times he attended the English service in Kildalton Parish Church in the course of the year? Depones, I attended the English service four times since the month of July last. I do not recollect how many times I attended the English service between the months of January and July last, but since the death of the late incumbent there has been only service once a fortnight. The population B of Port-Ellen is pretty near 1300, and the village has increased of late. I think it contains now pretty nearly a half of the whole population. Port-Ellen is not three miles from the Parish Church. Depones, I never saw Mr Strachan, and to the best of my knowledge he is in Paisley.

Re-interrogated for the Objectors.—Depones, W. S. Johnstone is a medical man. Anne Mackerrol has never been careless in regard to her attendance on Divine worship. She has been at all times regular in her attendance on Divine worship, when the state of her health and her domestic duties permitted.

C She has been for several years in a delicate state of health. During the time she belonged to the Baptist Body, she occasionally attended service in the Kildalton Parish Church. She has been my wife nearly twenty years. John Macmillan, John Livingstone, and John Mackerrol are sea-faring men, and I know that when at home they are regular in their attendance at Kildalton Parish Church. George Calder, and Peter Macarthur I know to be also regular in their attendance. Depones, I am an objector to the Presentee, and I adhere to the objections. In selecting the thirty-seven names from D those appended to the objections, I refer to the following places, viz., Ardbeg, Callumkill, Lagavulin, Ardinastle, Laphroig. Mr Graham, Mr Hunter, Mr Hay, and Mr Johnstone are among the most respectable persons in the Parish. There is no one employed by Mr Hunter whose name appears appended to the list of objections—that is to say, none of Mr Hunter's servants. There is none of Mr Graham's domestic servants or farm servants among the subscribers to the objections. Depones, I know it is a fact that the majority of the church-going portion of the inhabitants of Port-Ellen attend the Free E Church, and I attribute this to the circumstance of the Free Church being in the close neighbourhood of the village. Depones, I state the population of Kildalton, exclusive of Oa, to be about three thousand at the present time to the best of my belief, and according to the best information I possess as postmaster in this parish, and I make the same statement with regard to the increase of the English speaking population within the last nine years. With regard to my statement as to the portion of the Port-Ellen people who go to the Free Church, I mean that they go there merely because it is nearer F than the Parish Church, and not from any preference they have for the Free Church. I cannot tell how often in the course of a year I have seen John Livingstone in the Parish Church; but I have seen him several times. For eight or nine years after our marriage, Anne Mackerrol attended regularly the Parish Church of Kildalton. She afterwards joined the Baptist body, who hold meetings once a month in Port-Ellen; but she occasionally attended the Parish Church. I do not know the cause of her leaving the Baptist body. I do not know of any person that lives at Ardinastle House or Callum- G kill, except Mr Graham, and Mr Colin Hay.—All which is truth, as I shall answer to God.

(Signed)

JAMES MACKERROL.

JAMES DEWAR, Moderator.

JAMES DEWAR, Clerk, P.T.

H At KILDALTON CHURCH, on the Eighteenth January, Eighteen Hundred and Fifty-nine.

Compeared JOHN MACLEAN, Shoemaker, Tobermory, who being solemnly sworn in Gaelic, and examined *in initialibus*, as a witness for the Objectors, depones, I have been residing in Tobermory between fourteen and fifteen years. I was born in the Parish of Kilmore, and spent the greater part of my life there. I resided for a few years in Tiree, after my marriage. I never was a parishioner of I the Parish of Kinlochspelve, and I never was in Islay before this day.

Whereupon the procurator for the Presentee objected to his admissibility as a witness.

The Presbytery repel the objection, and allowed the witness to be examined.

Depones, I have lived in Tobermory for upwards of fourteen years. I know the Reverend Angus Macintyre, minister of Kinlochspelve. I knew him before he went to College.

Interrogated.—Is it consistent with your knowledge, that the said Reverend Angus Macintyre K has for a period of about three years, previous to the month of August last, been in the habit of spending several days in each week in Tobermory?

Objected for the Presentee—

1st, By the 132d chap. of the Act of Parliament, 8 James VI., non-residence infers deprivation A from the ministry.

2d, By Lord Aberdeen's Act, sec. 1, Objectors are entitled to state any reasons against the settle- ment of a minister, which do not infer matter of charge against the Presentee, to be prosecuted and followed out according to the forms and discipline of the Church.

3d, That the objection under which the present question is put, being the second objection, is in the following terms, viz:—That the Presentee, in his present charge, has a manse and glebe adjacent B to the church, and the parishioners number about five hundred. That the Presentee passes a great portion of his time in another parish, many miles distant, where he has a separate residence, and thereby has shown his inability to take the spiritual oversight of so important and extensive a Parish as Kildalton, with a population so widely scattered, and therefore requiring a young, vigorous, and energetic minister, which the Presentee is not.

4th, That upon the eighth day of September last, the relevancy of the objections was discussed C before the Presbytery, and parties' procurators were fully heard thereon; and with reference to the second objection, the following deliverance was pronounced:—"The Presbytery then proceeded to consider the relevancy of the second objection, and after having heard parties' procurators, they unani- mously find it relevant, so far as it alleges that the Parish of Kildalton, with a population so widely scattered, requires a vigorous and energetic minister, which the Presentee is not; but *quoad ultra* they unanimously find the said objection not relevant." D

5th, The question which is now put does not refer to that part of the objection which has been found relevant, viz., that the Presentee is not a vigorous and energetic minister, a matter which could only be proved by his own parishioners; but the question refers expressly to that part of the objec- tions which the Presbytery have already solemnly and unanimously found not to be relevant, viz., "that the Presentee passes a great portion of his time in another parish many miles distant;" and this is all the more apparent, that the party to whom the question is put never was a parishioner of the E parish of Kinlochspelve, referred to in this objection.

6th, The decision of the Presbytery became final, no reasons of appeal having been lodged against it by the Objectors; and the Presbytery can neither legally, by ecclesiastical or civil law, go back upon what has been deliberately and finally settled, and permit an inquiry calculated to injure the character and standing of the Presentee, without subjecting themselves to judicial interferences.

Answered.—That the competency of the present question is *res judicata*, in so far as this Presby- F tery is concerned; a question in precisely similar terms having been allowed to be put to the witness Macpherson after objections had been stated and fully discussed. *Separatim*, the 132d chap. of 8 James VI. has no application, as it merely declares that when a minister resides not within the parish, but is absent therefrom, and from his kirk and using of his office for the space of four Sabbaths in the year, without a lawful cause, allowed by the Presbytery, may subject him to deprivation of his office.

2d, The question does not involve any matter of charge against the Presentee, to be followed out G according to the forms and discipline of the Church, but refers to the question whether he is active and energetic in the discharge of his pastoral duties in his present charge; and, certainly, habitual absence from his parish is an essential element in determining that question.

3d, That the question objected to is not where the Presentee's residence has been, but whether it is consistent with the witness's knowledge that he has been in the habit of spending several days in each week in Tobermory. H

4th, 5th, and 6th, The objection is irrelevant, and the question is competent to be put, as it clearly falls within the scope of the second objection, in so far as it has been sustained.

The Presbytery, after reasoning, sustained the objection, and refused to allow the question to be put, the Reverend Mr Dewar of Kilohoman and Mr Webster dissenting; against which deliverance the agent for the Objectors protested, and appealed to the ensuing General Assembly, took instru- ments in the Clerk's hands, and took extracts, which were allowed; and further protested for all I remeid competent at law, for the following, among other reasons, to be urged at the bar of the General Assembly at the discussion of the case:—

1st, That the question put falls within the scope of the second objection, in so far as it has been sustained as relevant by the Presbytery, in respect it tends to instruct the fact alleged that the Presentee is deficient in the discharge of his pastoral duties in his present charge, or in other words, that he is not an active and energetic minister. K

2d, Because the Presbytery have pronounced a deliverance in this instance diametrically opposite D

A to the deliverance which they pronounced when a similar question was put to Donald Macpherson, a witness previously examined for the Objectors.

3d, Because the objection stated is altogether irrelevant and erroneous, and ought to have been repelled.

The witness being recalled and interrogated.—What is the distance between Tobermory and Kinlochspelve? Depones, I cannot specify the precise distance, but to the best of my knowledge it is about twenty miles. Tobermory is not in the Parish of Kinlochspelve. I reside in that part of Tobermory called Portmore. I have worked for Mr Macintyre repeatedly in Tobermory, and for his family, mending shoes and repairing horse harness. The harness was for a horse and spring cart which Mr Macintyre kept when he happened to be in Tobermory, and which he used for travelling and carting. I cannot say where he was travelling to, but I know that he was going to Kinlochspelve at times. I never saw the cart used for any other purpose but for personal conveyance.

C Being interrogated, what times do you refer to? Depones, he went to Kinlochspelve on Fridays, and returned on Tuesdays, when his family was sick.

Being interrogated with reference to your last answer, during what period of time was Mr Macintyre in use to leave Tobermory on Fridays and return on Tuesdays? Objected, it has been already decided that it is incompetent to put any questions to the witness with regard to the allegation that the Presentee passed a portion of his time out of his parish in Tobermory, because it had been deliberately and unanimously settled, when the relevancy was decided on eighth September last, that such was not relevant. The question which the Objectors put which called for the judgment of the Presbytery is—Interrogated, Is it consistent with your knowledge that the said Reverend Angus Macintyre has, for a period of about three years previous to the month of August last, been in the habit of spending several days in each week in Tobermory? After the decision which has been given by the Presbytery, the Objectors are just endeavouring to put the same question in different words.

E Answered.—1st, The question naturally arises out of the immediately preceding, and this part of the proof would be left incomplete unless followed up, more especially as the witness has been allowed to refer to the Presentee's family.

2d, The question is essentially different from the previous one, which was disallowed.

3d, The Objectors are entitled to prove all facts and circumstances tending to instruct their objection which have been found relevant.

F Parties being removed, the Presbytery, after reasoning, allowed the following question to be put in the meantime, and without any prejudice, viz:—When was Mr Macintyre's family ill, and how long did that illness continue? The witness being recalled, and the question being put, depones, I cannot say when Mr Macintyre's family was ill.

Being interrogated.—Over what period was Mr Macintyre in the habit of leaving Tobermory on the Fridays and returning on the Tuesdays?

G Objected to, that this is exactly the same question in substance as was put to the witness at first, and which called forth, as the judgment of the Presbytery, that it was incompetent, the only difference being in the mere words of the present question. The former question asked the witness whether he was aware that for the last three years the Presentee had passed several days of each week out of his own parish, and in Tobermory? The present question, instead of giving the date to the witness of the number of years and the number of days, asks himself to state the time which the Presentee passed out of his parish in Tobermory—the former was the particular question, the latter is the general, relating precisely to the same point which has been found irrelevant, and must be determined in the same way if the Presbytery is to be consistent in their judgment.

I Answered.—The agent for the Presentee, in stating the above objection, has thought proper to keep out of view the second last answer obtained from the witness, to which the question objected to has special reference, and which is left quite unintelligible without an explanation. An answer has been obtained with reference to the alleged illness of the Presentee's family, but with reference to the other fact deponed to, as to the Presentee leaving Tobermory on Fridays and returning on the Tuesdays, it is left perfectly indefinite, both in regard to duration, and as to when it occurred; and therefore it is competent for the Objectors to follow up the examination in order to obtain a disclosure of the facts, which the answer of the witness leaves in a most unsatisfactory position.

K Parties being removed, the Presbytery, after reasoning, repel the objection, and allowed the question to be put, Mr Mackenzie and Mr Macdonald dissenting. The agent for the Presentee protested, and appealed *ut supra*, for the reasons above stated, and for other reasons to be stated at the bar of the Assembly when the discussion of the case comes on. The witness being recalled, and the question put.

Depones, I cannot tell, it may have been for a year or two years for aught I know, previous to my leaving Portmore Inn, at Whitsunday last. Depones, There was a pane of glass in a closet in the back part of my house from which I might see Mr Macintyre's house, and I might see himself once a quarter. I could see the house every minute in the day if I looked out of the window. The house that I lived in consisted of two apartments of a tenement, formerly occupied as an inn, called Portmore Inn, and after it ceased to be occupied as such, it was let out to private families, but retained its name, and I occupied my dwelling there for four years before Whitsunday last.

Being interrogated.—How often were you in the habit of seeing Mr Macintyre in Tobermory during the period of one or two years that you have referred to, and what was he doing on the occasions you saw him?

Objected for the Presentee.—The Presbytery finally settled the relevancy of the second objection, finding it incompetent to allow to go to probation, the allegation with regard to the Presentee's alleged absence from his parish, and alleged residence in another—he being entitled to be protected against such charges by Lord Aberdeen's Act, as involving matters which may be prosecuted and followed out according to the forms of the discipline of the Church. When it was attempted at the beginning of the examination of the present witness to prove the matters thus found to be irrelevant, the procurator for the Presentee stated clearly and explicitly the objections against the attempt to prove the irrelevant matters in question, and after a full discussion, the Presbytery again found such proof was incompetent. The Presentee's station and character, and position as a minister, are attempted to be affected by this line of evidence, in a process in which it is expressly declared by Act of Parliament to be incompetent to introduce such objections; but the Objectors have been allowed, against the representation and objections of the Presentee's procurator, and against the previous deliberate findings of the Presbytery itself, to continue a course of incompetent evidence, calculated and intended to injure the Presentee's position as a minister of the Church, and should this be continued, in addition to an appeal to the General Assembly, he will be reluctantly obliged to take, for his own protection, a notarial protest.

Answered for the Objectors, that they deny, in the most explicit terms, any intention to injure the Presentee's station, character, or position, and it is difficult to see how the present question can affect either the one or the other; the question is simply how often the witness has seen the Presentee in Tobermory during the period referred to, and what the Presentee was doing on the occasions the witness saw him, a question which is not at all connected with any part of the objections disallowed by the Presbytery; but perfectly relevant to the part sustained, inasmuch as it goes to show whether the Presentee was, or was not engaged in his Master's work on such occasions, or, in other words, in the active and energetic discharge of his pastoral duties.

Parties being removed, the Presbytery disallowed the question, Mr Dewar of Kilchoman and Mr Webster dissenting; and against said deliverance the agent for the Objectors protested, and appealed *ut supra*, for the following, among other reasons to be stated, at the bar of the General Assembly, at the discussion of the case, viz:—

1st, That the question is pertinent to the second objection, in so far as sustained by the Presbytery.

2d, That the best evidence that the Objectors could adduce, in support of their objections, that the Presentee is not an active and energetic minister, is to be gathered from witnesses who have opportunities of observing him, and where he spent his time.

Interrogated for the Presentee.—Have you anything to say, or do you know anything against Mr Macintyre as a vigorous and energetic minister? Depones, I never knew anything, ever since I was created, against him as such.

Re-examined for the Objectors.—Depones, I never heard Mr Macintyre preach. I am a Free Churchman.—All which is truth, as I shall answer to God. And he further depones, that he cannot write.

(Signed)

JAMES DEWAR, Moderator.  
JAMES DEWAR, Clerk P.T.

At PORT-ELLEN, the Nineteenth January, 1859.

Compared Mr JAMES STUART, Student of Divinity, residing in Glasgow, who being solemnly sworn and examined as a witness for the Objectors, depones, I heard the Presentee preach in Kildalton Church on Sabbath first and Sabbath eighth of August last, on the occasion of his preaching part of

**A** his trial discourses. Depones, I heard the English services on each of these occasions. I was favourably disposed towards the Presentee, but the services conducted by him did not realise my anticipations, and I was not satisfied with his manner of conducting the Church services. During certain parts of the prayer there was noise, occasioned by people ascending the stairs to the galleries and going along the passages. Mr Macintyre was standing with his face to the front, and his eyes were shut; at the noise he opened his eyes, turned his head, and stared at the people coming in. His manner in prayer **B** was not such as to impress me with devotional feelings. His prayers wanted warmth of expression in words and delivery. His prayers did not give the idea of fulness or satisfaction.

Interrogated.—Did he pray for the spiritual welfare of the people, or for the Church of Christ in general or in particular, or for the parish? Depones, I would rather put my answer in general words. The want of the prayers was supplication, they more resembled a lecture than a prayer. He did not pray for the parish or the spiritual and temporal welfare of the people, nor in a special and urgent **C** manner for the influence of the Spirit, nor for the welfare of the universal Church of Christ.

Interrogated.—Were his discourses edifying? Depones, That is a matter of opinion to me, and I would rather answer the question by facts; his manner of speaking was loud and monotonous, at times resembling that of a speech-crier; his action was monotonous, and resembling a smith hammering; his utterance was rather rapid, so that at times parts were lost, but generally distinct.

Interrogated.—Referring to the discourses you heard, were the subjects connected with the texts, **D** or were the discourses themselves connected one part with another. Depones, With reference to the first sermon from Psalms cxli. 7, 8 verses. I could not follow Mr Macintyre in many parts of his discourse; there was an abrupt transition from one idea to another. I could not trace any other connection between many of them, but that they were delivered the one after the other. The subject of the sermon was death and the resurrection; the first verse of the text refers so plainly to death that any parts of the sermon bearing on mortality are obviously connected with the text; but in the second verse the doctrine of the resurrection is only implied—this implied connection was not distinctly pointed out in **E** any part of the discourse, so that those parts of the sermon which related to the resurrection seemed to me, while hearing, not to be derived from the text. With regard to the second discourse from Acts xxi. 16 verse, there was the same want of connection between the ideas, and the same abrupt transition from one idea to another as in the former, and more markedly, and an inappropriate use of scriptural quotations, nailing the arguments with a quotation, as if that quotation were proof of his argument, whereas, **F** in so far as I could see, there was no connection between the argument and the passage quoted. He proposed as one of the heads of his discourse, to give the life of one Mnason of Cyprus, an old disciple. Certain hypothetical facts were adduced, and moral reflections drawn from them, which did not seem immediately connected with the text. The illustrations in both discourses were often very far-fetched, and sometimes bordering on the ludicrous. Some of them were good, although rather far-fetched. As an illustration in speaking of in-dwelling corruption, he said something to the following effect—Of it, as **G** of the Jebusites of old, it might be said they dwell in it (Jerusalem) to this day; but in general, the illustrations were not well put, so as to give the effect of a good illustration by being clearly connected with the subject illustrated. The above illustration, with regard to in-dwelling corruption, I consider to be good, but far-fetched. The following I consider as bordering on the ludicrous. In the first sermon he introduced as an illustration, the superstition, as he said, to be found in some parts of the Highlands of a viper not dying till sunset, and again, (though the illustration was ludicrous rather in **H** the manner of stating it, than in itself,) that of the callousness of a sexton in pitching bones out of a grave without proper moralizing on the subject.

Interrogated.—What was the character of the composition of the discourses? Depones, I think that comes under what I have stated in reference to the want of connection between the ideas. The sentences seemed to have been arranged without any regard to connection of ideas.

Interrogated.—On the whole, were these discourses calculated to edify or to produce a religious **I** impression? Depones, I could not follow Mr Macintyre's discourses. I tried to do so. So far as I could learn, from what I did understand of the discourses, there seemed to me a want of fervour and Gospel spirit. The practical application was brief and not very pointed. One of the Paraphrases given out I could not find. I was listening attentively at the time, and was in a good position to hear. The Presentee did not read any portion of the Scriptures before sermons, on either of the days I heard him preach. I am now attending the Divinity Hall in Glasgow for the third year.

**K** Interrogated for the Presentee.—How old are you? Depones, I decline to answer any question personal to myself. I do not belong to Islay, but I was living in Islay at the time I heard Mr Macintyre preach. I was living at Lagavulin for nearly a month when I heard Mr Macintyre preach. I

was sent there as tutor with the children, from Ballanaby, and I was residing with them in the house of Mrs Graham, who is their grandmother. A

Interrogated.—Is Mrs Graham, the mother of Mr Walter Graham, distiller at Lagavulin? Depones, Yes. I never heard Mr Macintyre preach before, and never saw him before. I knew that Mr Macintyre had got the presentation to Kildalton before my visit to Lagavulin; on recollection I am not sure as to this. I am not aware whether the days for the Presentee's trial discourses had been fixed before I came to Lagavulin. I sat in the Lagavulin seat, that is, Mrs Graham's seat. I went back to Ballanaby on the Monday before the Presentee preached his last discourse. I took notes of the second sermon. I gave them to nobody. I left Ballanaby on the first of November, or at the beginning of that month, for College. There is no positive arrangement about my returning to Ballanaby as tutor. Ballanaby is about twenty miles from Lagavulin, in a different parish and in a different part of the island from Kildalton. The proprietor of Ballanaby is a Mr Campbell, who is married to a daughter of Mrs Graham's. The occasion to which I have referred was the first time I visited at Lagavulin, but I passed a night there on my way from Glasgow to Ballanaby. I understand very little of Gaelic. I got a summons to attend this Court as a witness, before leaving Islay to attend College, for the first diet of proof led in this case. I was in attendance, but was not called. I got no subsequent summons, but I received a note from Mr Dempster, the agent for the Objectors, requesting my attendance at this diet. I do not think I saw, indeed I am sure I did not see, the objections before they were given in to the Presbytery. Since I left Islay I had no communication either with Mr Campbell or Mr Graham, or any of the Lagavulin or Ballanaby people, regarding this case or with regard to my being a witness in this case, with the exception of a few general remarks with regard to the last meeting of Presbytery for leading proof in this case, which were contained in a letter to me from Mrs Campbell of Ballanaby. I am staying at present with Mrs Graham at Lagavulin. I have given all the instances that I consider necessary with regard to the illustrations contained in the sermons above alluded to, but I am ready to give another if required. By monotonous action I mean such as produces on the mind the same effect as a constant repetition of the same words and action. I have seen plenty of public speakers without action at all, yet without being monotonous. I apply monotony in this instance to the speaking alone, where there is no action. B C D E

Interrogated, and desired to define the monotony of action in the case of the Presentee? Depones, His action consisted of a regular succession of raising up and bringing down his arm.

Interrogated.—Is such a mode of action unusual in a preacher? Depones, such monotonous action is unusual in what I consider a good preacher. I became tutor at Ballanaby at the end of last session of College. F

Re-interrogated for the Objectors. Depones, I did not leave Ballanaby to go to Lagavulin for the purpose of hearing Mr Macintyre preach, nor was I requested by any one to attend church on the occasions when Mr Macintyre preached. I went to church as on any other Sunday. I still adhere to my former statement, that I was favourably disposed towards the Presentee in so far that I expected to hear a good sermon.—All which is truth, as I shall answer to God. G

(Signed)

JAMES STUART.

JAMES DEWAR, Moderator.

JAMES DEWAR, Clerk, P.T.

At PORT-ELLEN, *Hodie die*, 6 o'clock P.M. H

Compared DUGALD MACDOUGALL, residing at Portentruan, who, being solemnly sworn and examined in Gaelic, as a witness for the Objectors, depones, I was tenant of one-half of the farm of Kintour, in this parish, for twenty years before I came to Portentruan. I am a communicant in the Parish Church of Kildalton, and have been so for upwards of thirty years. During the time the late Mr Mactavish was minister, there was always a service in Gaelic, and another in English. Mr Mactavish was minister of the parish for thirty-five years. I attended Kildalton Church prior to the time that Mr Mactavish became minister, and during the incumbency of Mr Mactavish's predecessor, Mr Gillies, which lasted for fifteen years; and during that period there was also, with very few exceptions, a Gaelic and an English service in said church. I attended service in Kildalton Parish Church on Sabbath first, and Sabbath eighth, and Tuesday tenth August last, when the Reverend Mr Macintyre preached his trial sermons. I only heard the Gaelic services. I belong to the Gaelic congregation, but have occasionally attended the English services. I was not very well pleased with the Presentee's K

A manner of conducting the services of the church on any of the occasions that I heard him. I did not consider the Presentee's prayers impressive, at least they did not impress me.

At this stage of the proceedings, Mr DUNCAN MACALPINE, Parochial Teacher of Kildalton, and residing at Port-Allen, was sworn as interpreter, and the oath *de fidele* was administered unto him.

Depones, I remark nothing about his prayers but a want of earnestness. I received very little instructions from his sermons. He did not long follow his text. He came over parts of the Bible here B and there, and they did not seem to me to be connected with the texts; but this might arise from my want of knowledge. During the last fifty years I have not been many Sabbaths absent from church, and was as regular in my attendance as most of the congregation.

Interrogated whether he had any difficulty in following the discourses of other ministers which he heard during his long experience? Depones, it is easier to follow a minister that one is accustomed to hear than a stranger. The sermons that I heard from Mr Macintyre were unlike those I have been C accustomed to hear; and I will tell you the reason, he did not divide his discourses into heads, and though he quoted plenty of Scripture, he did not inform us where the passages were to be found. I think that the whole of the passages so quoted were not in connection with the texts; some of them were, and some of them were not. Depones, he delivered his discourses in hard high words. He spoke with a loud voice.

Interrogated.—Had the sermons more the character of recitation than that of an earnest and direct D appeal to the understanding and heart. It did appear that he had it either by heart, or that he had it before him, because it came so easy to him, and he went over it as quickly as a person telling a story who knew it well. His delivery did not appear to come from the heart, otherwise he would not have spoken so lightly. The services were conducted in a much more hurried manner than I was in the habit of hearing. It was not like being delivered in a solemn manner in any way. His text in Gaelic on Sabbath the eighth was from 1 Sam. x. chap. 26 and 27 verses, so far as I recollect. I was somewhat E surprised that I should hear such a discourse from him as a trial sermon, because I did not expect to hear a discourse about a warrior. He spoke about two Sauls, one of the Old Testament, and one of the New Testament.

Interrogated.—Did he confuse these two? Depones, He said the one was a king and the other an apostle.

Interrogated.—Did he seem to be speaking of the one when he was referring to the other, F or did you sufficiently understand him? Depones, He said that Saul of the New Testament was a bad man, but afterwards became a good man. I don't think he confounded the two. I understood his words, but I did not understand his meaning. He did not read any portion of the Scriptures before giving out his text. For my part, judging from what I heard, I would not choose him for my minister.

Interrogated.—Is it a matter of notoriety that the greater part of the regular attenders of the Gaelic G congregation are not satisfied with Mr Macintyre's ministrations? Depones, I know the most part of the regular Gaelic attendants, and I know that the greater part of the regular Gaelic hearers are opposed to him.

Interrogated for the Presentee.—Depones, I am above sixty years of age, but cannot tell how many years more, and I have no reason to complain of my hearing. I never heard Mr Macintyre H preach before the occasions referred to. I heard from the newspapers that there was such a man, before he came to Islay, but I heard that such a man was coming.

Being interrogated whether he heard anything favourable or unfavourable about the Presentee in the newspapers or otherwise, depones, I saw nothing in the newspapers but that he was coming, but otherwise heard something of him, which was more against him than in his favour.

Interrogated and desired to state who the parties were who told him this, depones, I cannot name them, but it was talked in the parish school-house among a number of people assembled there. I No person came to me with the objections to be signed. I signed them in the church before the Presbytery, and that was the first time I saw the objections. I did not read them before I signed them. I did not pay much attention to the paper, but my objections were founded on what I had heard from the Presentee. I think Mr Macdonald, the Presbytery Clerk, read the objections in the Church. I did not hear the objections read before I signed them.

Interrogated.—What induced you to sign objections which you had neither read yourself nor K heard read to you by another?

Objected by the agent for the Objectors.—That the question is incompetent for the reasons stated

in support of the objection to a similar question put to the witness, James Mackerrol, which are here A held as repeated.

Answered for the Presentee.—The procurator for the Presentee is aware that the judgment of the Presbytery will be the same as that referred to in the case of the witness Mackerrol; but he maintains that under Lord Aberdeen's Act, he is entitled to the fullest investigation with regard to the motives and acts of the parties who signed the objections, more particularly when they come forward themselves to be witnesses against the Presentee. The present witness is one of the Objectors; he is, therefore, in the position of a pursuer of this process, and he is bound to answer all questions with regard to the part he has himself taken in getting up these objections. As he chooses, however, by the objection which his agent has just taken to refuse to explain his reason for the extraordinary course which he took in this matter, and should the Presbytery decide in conformity with that objection, the procurator for the Presentee will consider it his duty to put no more questions to him, and as the Presentee will suffer substantial injustice from such proceedings, he leaves the responsibility thereof with C the Presbytery.

Parties being removed, the Presbytery, after reasoning, sustained the objection, and disallow the question, whereupon the agent for the Presentee protested and appealed *ut supra*.

The witness being recalled, was re-examined for the Objectors.—Depones, I am an objector, and I adhere to my objections.

Re-interrogated by the agent for the Presentee, through the Court, in consequence of the last D question put, if he knows how many objections there are, and what is the nature of them? Depones, I think there are five. At the time I heard them I understood them; but now I am not able to express all that the objections contained. One reason was, that he did reside always in his own parish; and another reason, that he was not accustomed to be preaching always in the English language; another reason was, that the parish in which he was was but small, and that this was a large and populous parish. There are other two reasons which he cannot now explain till he has time to think of them. E

Re-interrogated by the agent for the Objectors, through the Court.—Depones, that the objections are principally founded on Mr Macintyre's services in the Kildalton Church, on the occasions before deponed to.—All which is truth, as I shall answer to God.

(Signed)

DUGD. MACDOUGALL  
JAMES DEWAR, Modr.  
JAMES DEWAR, Clerk P.T. F

At PORT-ELLEN, Twentieth January, Eighteen Hundred and Fifty-nine.

Compared PETER MACDOUGAL, Cartwright in Port-ElLEN, who, being solemnly sworn and examined in Gaelic, as a witness for the Objectors, depones, I am a native of this parish. I am about G forty years of age, and married. I am a member of the Parish Church of Kildalton, and have been a communicant for upwards of ten years. I belong to the Gaelic congregation, and have been in the habit of attending worship as often as I possibly could. I attended the Gaelic services in said church, on Sabbath first, and Sabbath eighth of August last, when Mr Macintyre officiated. I was not satisfied with the Presentee's manner of conducting the services of the church on these occasions, for I was not benefited by these services. My opinion is that his prayers were not very solemn, they produced no H devout impressaion upon me. He prayed with open eyes, and stared about, that is to say when the doors were open. I cannot say that his eyes were always open. His prayers were more like sermons than prayers. I did not receive much benefit from his discourses. My opinion is that he did not connect the subject with the texts. My opinion is that the discourses themselves were not connected, one part to another.

Interrogated.—What was the character of his delivery? Depones, Strong delivery, by which I mean that he spoke with a loud voice, and rapid utterance.

Interrogated.—Did you experience any difficulty in following the preacher? Depones, I could understand every word he said, but, from the rapidity of his utterance, I had a difficulty in following him.

Interrogated.—Did you lose any part of the sermon from the same cause? Depones, Yes.

Interrogated.—Speaking for yourself, would you make choice of the Presentee as your minister? K Depones, No, if I could help it. Depones, I know the most part of the Gaelic congregation.



- A** Interrogated.—Is it a matter of notoriety that the greater part of the Gaelic congregation are dissatisfied with Mr Macintyre? Depones, It is notorious enough.
- Being shown the objections, and interrogated if the Objectors are among the most regular attendants on divine worship in Kildalton Parish Church—My own opinion is that they are.
- Being shown the Call, and interrogated if the individuals whose names are adhibited thereto are regular in their attendance on divine worship at Kildalton Parish Church, depones, Some of them are
- B** as regular in their attendance as can be, and some of them I never saw there.
- Interrogated.—How many are regular in their attendance, and how many are not? Depones, It is too hard for me to answer that question, for this reason, that I would require to know to what families many of them belong; there are names there that I am not acquainted with. From the place where I sit in the church, I cannot see the faces of all the congregation. Depones, I am an objector, and signed the objections in the Parish Church on the day of moderating in the Call. Depones, The
- C** objections were read over by the Reverend Mr Macdonald, the Clerk of Presbytery, after they were signed.
- Being interrogated.—If a proposal was made in your hearing by Mr Hunter or any other party on the occasions referred to, that the objections should be read over before being signed, and was it suggested by any party in the church, and agreed to that it was not necessary to read them over till after they were signed, and was the reading accordingly deferred until the objections were signed.
- D** The Presbytery, after reasoning, unanimously refused to allow the question to be put; against which deliverance the agent for the Objectors protested, and appealed *ut supra*. Depones, I heard the objections read over before I signed them, they were read over to me by Mr Hunter, one of the Objectors, at the church door, on the day the Call was moderated in.
- Interrogated for the Presentee.—Interrogated, Do you remember telling Mr John Fraser, steamboat porter, and Mr John Macdonald, revenue officer, both residing in Port-Ellen, that you were going up to
- E** Lagavulin to sign the Call; and did you mention to them, or either of them, that your father had received a letter speaking favourably of the Presentee? Depones, I deny the first part of the question; but I admit the latter part, and this was near the church door, so far as I recollect.
- Interrogated.—Do you sufficiently know the English language to be able to understand what is read to you from a written document? Depones, there might be many things put down in English that I might not understand till I considered.
- F** Interrogated.—Whether you sufficiently understand the questions which are now put to you unless they are translated to you into Gaelic? Depones, I have a good idea of them, but that there may be no mistake, and that I may have the full and distinct knowledge of what is asked, I like to have them translated.
- Interrogated.—Whether the objections which you state were read to you by Mr Hunter, were translated into Gaelic, or did you request them to be translated to you? Depones, they were not
- G** translated to me by Mr Hunter, because he does not understand Gaelic; but they were translated to me by another, in my own shop. Depones, The latter occurrence took place between the time Mr Mackintyre preached and the time the Call was signed; but I cannot condescend upon the day.
- Interrogated.—Who was the party who so translated them to you? Depones, They were translated to me by my father, one of the elders, but I cannot tell whether it was the same paper which was read by Mr Hunter that was translated to me by my father. Depones, As far as I remember, the
- H** objections were five in number. No one has recently mentioned to me the number of the objections. Depones, I know nothing with regard to the correctness of any of the objections, except such as were founded upon his pulpit ministrations, as heard by me at Kildalton as aforesaid. I never heard or saw him before that occasion.
- Interrogated and desired to state the nature of the objections to which you have referred.
- Objected.—1st, That the objections is a written document, and can only be admitted to prove
- I** its own contents, and parole evidence thereof is incompetent.
- 2d, The nature of the objections is not now before the Court, and the only question before the Presbytery is, whether the allegations contained in the objections are true?
- 3d, In accordance with the deliverance of the Presbytery, admitting the allegations to probation, the Objectors are now engaged in proving their averments, and any question referring to the nature of the objections, which have been sustained by the Presbytery as relevant, is clearly incompetent at this
- K** stage of the proceedings.
- Answered.—The Presentee is not attempting to prove the contents of a written document, but merely the nature of objections which the witness has stated were read and translated to him by others,

and he is entitled to test the knowledge of the witness with regard to the nature of such objections, A independent of any written document; and a similar question was put to and answered by the previous witness.

Parties being removed, the Presbytery, after reasoning, finds it unnecessary to dispose of the question, as the procurator for the Presentee abandons it in the meantime.

Interrogated.—Will you swear that the paper which was read to you by Mr Hunter outside of the Church, was the same paper which you signed in the Church? Depones, it was not, but the B contents were the same.

Interrogated.—What was the nature of the objections stated to you by your father and by Mr Hunter?

Objected.—The witness has already deponed that the contents of the documents read to him by Mr Hunter were the same as those which he signed; and the latter are before the Court and speak for themselves; besides, the witness has not said that objections were stated to him by his father and Mr C Hunter, but that in the one case they were translated, and in the other read over to him.

Answered.—The objection which has been taken is, that the contents of a written document cannot be proved by parole, and that the objections being before the Presbytery, it is a written document, and the contents of it cannot be proved by witnesses. The Presentee is not wishing to prove the contents of that document, but merely to show the nature of certain statements made to the witness, purporting to be in the one case a Gaelic translation of an English document made *visu voce*, and which D translation, therefore, cannot be a document; and in the second place, statements purporting to be read from a paper by Mr Hunter, and which paper the witness distinctly states is not the paper of objections which he signed in the church, and which is now before the Presbytery. Both Mr Hunter's statement and the witness's father's alleged translation are not in the category of documents, but upon these statements he appears to have signed, without reading it himself, the objections now before the Presbytery. The Presentee is therefore clearly entitled to know the nature of the objections which E were so stated to him, verbally, by these parties. The rule of law alluded to by the Objectors, as to the incompetency of proving or disproving the contents of written documents, has no application whatever to the circumstances under which the question in dispute is put to this witness.

Parties being removed, the Presbytery, after reasoning, sustained the objection, and refused to allow the question to be put.

Whereupon the agent for the Presentee protested and appealed *ut supra*.

Being shown the objections, and having read over the same—I see these statements with regard F to the Presentee, as to the correctness of which I knew nothing at the time I signed the objections.

Interrogated and desired to state why you should have signed objections of which you admit you knew nothing, instead of confining yourself to what you state fall under your own observation?

Whereupon it was objected that the question is incompetent, in respect, first, it is too vaguely G stated; second, that it has a tendency to impugn the objections which have been sustained by the Court as relevant, and admitted to probation; third, that the witness being only called upon to prove so much of the objections as had fallen within his own observation, and as an objector he is entitled to bring forward other evidence in support of allegations, which although not falling within his own personal knowledge, are nevertheless true, and susceptible of proof.

Answered for the Presentee.—By the Benefices Act, the Presbytery are required, or at all events they are expected to take cognisance of the whole circumstances and condition of the pariah, and the H character and number of the parties by whom the objections are preferred; these matters include everything connected with the manner in which the objections have been got up, and the motives that may have induced parties to become objectors, otherwise it was impossible that the true character of the opposition can be ascertained; the present question has a direct bearing upon the subject, and the question is therefore clearly competent.

Parties being removed, the Presbytery sustained the objection, and refused to allow the question I to be put. Against which finding the procurator for the Presentee protested and appealed *ut supra*.

Interrogated, and desired to state the grounds upon which you say it is matter of notoriety that the greater part of the Gaelic congregation are dissatisfied with the Presentee. Depones, The names J appended to the objections will show it.

Being interrogated.—Have you no other answer to give to the preceding? Depones, That every K respectable person in the parish that I converse with is dissatisfied with the Presentee.

Interrogated, and desired to give the names of the parties to whom you refer. Depones, I may mention Colin Campbell, tenant, Kintour, his brother, Archibald Campbell, also a tenant there,

A Donald Jamieson, elder, and Archibald Campbell, also elder, my own father, Allan Macdougall, elder, and several others that I cannot recollect in the meantime.

Interrogated.—Have you at any time conversed with any of the parties whose names are adhibited to Mr Macintyre's Call regarding his preaching? Depones, If I did, I do not recollect it.

Interrogated and referred to your statement that every respectable person you conversed with in the parish, with reference to Mr Macintyre's ministrations, was dissatisfied therewith; you are requested B to state whether you mean that the parties whose names are attached to the Call are not respectable parties? Depones, I do not.

Re-interrogated for the Objectors.—If the feeling of dissatisfaction is general among the more respectable classes belonging to the Gaelic and English congregations of Kildalton Parish Church, so far as you have come in contact with them?

Objected for the Presentee.—That the witness is only entitled to speak for himself and in support C of his statements contained in the objections to the Presentee's settlement, but he is not entitled to speak for other parties, nor to make distinctions between the respectability of one class of the community and another; that the Church of Scotland is not intended to minister to the wants of any one class of people, however respectable; and every party who is a parishioner and a Protestant, is just as much entitled to have a voice in the selection of a minister, so far as he is entitled to do so by signing his Call, as another is entitled to object.

D Answered.—1st, That the question arises out of the cross-examination of the Presentee's agent.

2d, It does not refer to persons of respectability in regard to church-going habits; and

3d, The reason given as to the selection of a minister is erroneous.

4th, The witness is only required to speak for himself, having reference to the answer obtained from him in cross to the question where he was desired to give the names of the parties to whom he had referred in a previous answer.

E Parties being removed, the Presbytery, after reasoning, refuse to allow the question to be put as it now stands, but allow the same to be put as thus modified.

Interrogated if the feeling of dissatisfaction is general among the most regular attendants upon divine worship in Kildalton Church, in so far as you have come into contact with them? Depones, the greater portion of the parties described, so far as I have come in contact with them or know, are dissatisfied with the Presentee. Depones, I have lived in this parish from my birth, and I know the most of the F inhabitants by sight, and there are two or three whose names are appended to the Call whom I do not know.

Being referred to the Call, and interrogated how many of the parties whose names appear thereat are regular in their attendance on Divine worship in Kildalton Church, so far as you know? Depones, Without re-examining the Call, I could not undertake to specify the number.

At this stage of the proceedings, in consequence of the lateness of the hour, the agent for the G Objectors refrained from putting any farther questions to this witness at this diet, but reserved his right to recall him.—All which is truth, as I shall answer to God.

(Signed)

PETER MACDOUGALL  
JAMES DEWAR, Moderator.  
JAMES DEWAR, Clerk P.T.

H

At PORT-ELLEN, Twenty-first January, Eighteen Hundred and Fifty-nine.

Compeared JANET KEITH or MACDONALD, residing at Laphroig, who, being solemnly sworn and examined in Gaelic, for the Objectors, depones, I am a communicant in connection with the Kildalton congregation, and I have been so for the last twelve years. I am a member of the Gaelic congregation, I and I have been a regular attendant upon Divine worship at Kildalton Parish Church for the last seventeen years. I heard Mr Macintyre, the Presentee, preach in said church, in Gaelic, on Sabbath the eighth, and Tuesday the tenth days of August last. Depones, I was not satisfied with the Presentee's manner of conducting the services of the church on these occasions.

Interrogated.—Were his prayers offered up with any degree of earnestness and solemnity? Depones, No.

K Interrogated.—In what respect were his prayers not earnest or solemn? Because they were not put forth with earnestness and solemnity, so as to be of any benefit to my heart.

Interrogated.—Were his discourses edifying, or did they convey any useful instruction to you? A Depones, the discourses were not edifying, and did not convey any useful instruction.

Being interrogated if the subject for the most part was unconnected with the text?—Depones, he did not follow his text at all.

Interrogated if the discourses themselves were connected one part to another?—I am not aware that they were.

Interrogated.—Were they confused? Depones, they must have been so. B

Interrogated.—Were you able to follow the preacher so well as to comprehend his meaning? Depones, Yes, completely so.

Interrogated.—Were his prayers and sermons such as you have been accustomed to hear? Depones, Well, no.

Interrogated.—In what respect were they different? Depones, He did not give them out with earnestness, so as to suit me. C

Interrogated.—Did he jump from one topic to another? Depones, Yes.

Interrogated.—Did it, in consequence, require a strain of attention, on your part, to follow him? Depones, It required a considerable attention, on my part, to follow the preacher; but I could follow him so far as to understand when he hurriedly leapt from one topic to another.

Interrogated.—What was the character of the Presentee's delivery, or what sort of delivery had he? Depones, A light delivery—that is, want of earnestness. D

Interrogated.—Was his delivery hurried? Depones, Yes. The Presentee read no portion of the Scripture before giving out his text.

Interrogated.—Would you choose him as your minister? Depones, I would not.

Interrogated.—Is it a matter of notoriety that the Gaelic congregation is generally dissatisfied with the Presentee's ministrations, so far as regards his pulpit service? Depones, There are plenty of the church-going people that are dissatisfied with his pulpit services. E

Interrogated for the Presentee.—Depones, I am married. My husband is a ploughman with Mr Johnston, at Laphroig Distillery. I signed the objections.

Interrogated.—Did anybody ask you to sign the objections? Depones, Surely my own conscience should dictate to me what I should do in a matter of this kind; and the question being repeated, depones, I was left to the freedom of my own will in those matters. I saw Mr Johnston signing, and all others that signed against the Presentee. F

Interrogated.—Did you hear the objections read before you signed them in the church? Depones, I did not, but they were read in my heart from the time I heard the Presentee preach. I am not aware that I ever saw the Presentee or heard him before the time referred to.

Interrogated.—With reference to your statement as to the objections being read in your heart, do you refer to your objections to the discourses and prayers? Depones, Yes. I do not understand the questions that are put to me in English, unless they are translated to me in Gaelic.—All which is G truth, as I shall answer to God.

(Signed)

JANET MACDONALD.  
JAMES DEWAR, Moderator.  
JAMES DEWAR, Clerk P.T.

Compeared DUNCAN MACDOUGALL, Joiner, Port-Ellen, who being solemnly sworn and examined H as a witness for the Objectors, depones, I am an adherent of the Established Church, but I am not a communicant. I have been in use to attend divine worship in Kildalton Parish Church since I was able to go, excepting for a few years when I was absent from the parish. I heard the Presentee preach all his I trial discourses, both English and Gaelic. I understand both languages, but the Gaelic best. Depones, I was not satisfied with Mr Macintyre's manner of conducting the Church services. In my opinion his prayers were not offered up with earnestness or solemnity; they appeared to me to be more like sermons than prayers. Once or twice I saw the Presentee looking round the house during prayer. I

Interrogated.—Did his manner appear to you to be irreverent? Depones, Yes. And the question being repeated, depones, it did not appear to me as if he felt that he was in the presence of the Almighty.

Interrogated.—Were his discourses edifying? Depones, I thought not. It appeared to me that the subject was partly unconnected with the text. It appeared to me that some of the discourses were not connected in themselves. I sometimes experienced a difficulty in understanding him. He jumped K from one topic to another, and some of his discourses I thought confused; his delivery was very hurried. It did not appear to me that the preacher made any earnest and direct appeal to my understanding and

A heart. He spoke so hurriedly that I lost part of what he said. Mr Ramsay, the proprietor of the estate of Kildalton, is my principal employer. The only occasion on which the Presentee read any portion of the Scriptures before sermon was on Tuesday, tenth August, when he read the ninth Psalm in connection with the English service. It is my impression that he read a portion of Scripture on that day before the Gaelic service; but of this I am not sure.

B Interrogated for the Presentee.—I signed the objections, and I saw them in Mr Hunter's distillery before I signed them. I never saw or knew anything of Mr Macintyre before he preached at Kildalton on the occasions referred to.—All which is truth, as I shall answer to God.

(Signed)

DUNCAN MACDOUGALL

JAMES DEWAR, Modr.

JAMES DEWAR, Clerk P.T.

C

At PORT-ELLEN, Twenty-fourth January, Eighteen Hundred and Fifty-nine.

Compeared Mr ARCHIBALD CAMPBELL, Wright, Port-ElLEN, who being solemnly sworn and examined in Gaelic, depones, I am one of the elders in connection with the Established Church in Kildalton, and have been so for thirty-one years. I am connected with the Gaelic congregation. The D practice has always been during my experience to have a Gaelic and English service in said church each Sabbath. I cannot specify exactly the number of the English congregation; but so far as I know, it will average about sixty. I occasionally officiate as precentor for the English congregation, when Mr Gordon does not officiate. I am the appointed precentor for both congregations, but Mr Gordon, Inland Revenue Officer at Lagavulin, who understands sacred music, very often officiates for me. I cannot from the precentor's desk see the whole of the congregation when assembled; but the above is E the estimate I have formed of the number of the congregation. The average attendance of the Gaelic congregation will be between one hundred and one hundred and fifty. The other elders besides myself are Allan Macdougall, Donald Jamieson, and Malcolm Sinclair. I heard the Presentee preach the whole of his trial sermons, both in Gaelic and English. I never heard him preach either before or since. I officiated as precentor at the Gaelic services, but not at the English.

Interrogated.—Were you satisfied with the Presentee's manner of conducting the church services? F Depones, Scarcely, and I derived but little benefit from them.

Interrogated.—Were his prayers offered up with any degree of earnestness and solemnity? Depones, So far as I know, or comprehended, they were not.

Interrogated.—Were his discourses edifying? Depones, There were parts of his sermons that I could not take up, for he spoke so loud and so fast.

Interrogated.—Was the subject of the discourses connected with the texts? Depones, No.

G Interrogated.—Were the discourses themselves connected, one part to another? Depones, So far as I know, they were not.

Interrogated.—Did they convey any useful instruction to your mind? Depones, No, no, they conveyed no useful instruction to me.

Interrogated.—Had you a difficulty in understanding his meaning? Depones, He spoke so loud and rapidly, that at times I could not catch what he said.

H Interrogated.—Do these remarks apply to the whole of the services which you heard? Depones, They certainly do.

Interrogated.—Did he read any portion of the holy Scriptures before giving out the text? Depones, No, except on one occasion, which was on Tuesday, tenth August, when he read the ninth Psalm in connection, I think, with the Gaelic service; but I am not sure with which service. Depones, I found out the Psalms and text, but it required a good deal of attention, on my part, to enable me to I do so.

Interrogated.—Judging of the Presentee, from his trial services, would you have him for your minister? Depones, Indeed I would not.

Being interrogated.—Is it matter of notoriety that the congregations, both English and Gaelic, are dissatisfied with the Presentee? Depones, I cannot speak for any one but myself; but I believe it is.

K Interrogated.—Are the most regular church attendants with whom you have come in contact, and with whom you have conversed on the subject, dissatisfied with the Presentee? Depones, All that I have conversed with on the subject are dissatisfied.

Being interrogated.—Did you receive any edification or spiritual advantage from the services conducted by the Presentee? Depones, I could not say that I did. Depones, for the last forty years I have been a regular attendant on Divine worship in the Parish Church of Kildalton, when health permitted, and at both services. A

Being shown the Call, and requested to go over the names adhibited thereto, and to state how many of the individuals indicated by these names, are regular attendants on Divine worship at Kildalton Parish Church? Depones, I have gone over the list of names appended to the Call, and cannot B make out more than twenty or twenty-five names of persons who are regular attendants.

Being shown the objections, and requested to state whether the subscribers thereto are regular in their attendance on Divine worship at Kildalton Parish Church? Depones, I have gone over the list of subscribers to the objections, and the most of them are regular in their attendance.

Cross-interrogated for the Presentee.—Depones, I am about sixty-eight or sixty-nine years of age, and I am an ordained elder in the parish of Kildalton, I was ordained on the twenty-sixth of August, 1827. I had not the date in remembrance before the meeting of Presbytery at Bridgend on eighth September last. I do not sufficiently understand the questions put to me in English, till they are translated into Gaelic. I understand music a little, and I understand a little music from books. C

Being interrogated.—How often do you officiate as precentor at the English services in the course of the year? Depones, I only do so when Mr Gordon is absent, but I cannot condescend upon the number of times. Mr Gordon is not often absent from Church. D

Being interrogated.—Have you been present at any of the diets for leading proof in this case during part of examination of some of the witnesses, and have you been requested on several occasions to leave the Court? Depones, I was only present on one occasion at Lagavulin, when I was ordered out, and I accordingly retired, and was never present at any subsequent diet.

Being shown five executions of citation against witnesses for the Objectors, bearing to proceed in virtue of a warrant upon a petition at the instance of Archibald Campbell and others, and interrogated E whether you are the Archibald Campbell therein referred to?

Objected by the agent for the Objectors.—1st, That executions of citation bear internal evidence of their own authenticity, and are *probatio probata*.

2d, That the agent for the Objectors, in pursuance of his duty, has used the names of his clients in the presentation of petitions and other formal proceedings, in accordance with the mandate in his favour, and the undoubted privilege which he possesses, to take every step necessary in the conducting F of the Objectors' case without asking the special permission of any of them.

3d, The witness is an objector, and the only one of that name, and the tendency of the present question will be either to impeach the execution referred to, or the authority of the Objectors' agent, whose mandate has been already sustained, and on these grounds the question is incompetent.

The agent for the Presentee considers it unnecessary to answer the above objections.

Parties being removed, the Presbytery, after reasoning, unanimously sustained the objections, and G refused to allow the question to be put.

Interrogated.—Whether there is any other Archibald Campbell whose name is to the objections, except your own? depones, There is not.

Interrogated.—Have you taken a great interest, and exerted yourself individually in the opposition to the Presentee? Depones, Certainly I have taken a great interest in the case as an individual, but did not try to influence others in their opposition to him. H

Interrogated.—When did you first see the objections? depones, I had the objections in my mind.

Being interrogated, and desired to state what objections you had in your mind?

Objected for the Objectors.—1st, That the objections before the Court is a written document, and cannot be contradicted, modified, or explained by parole evidence. 2d, The witness cannot be I involved in any contradiction of his own written statements.

Answered.—It is the duty of the Presbytery to ascertain the whole circumstances connected with the present objections, as well as the proof adduced in support or in refutation of the objections; they are specially recommended to do so by the Act of Parliament under which the present proceedings are carried on; and should they refuse to permit the inquiry involved in the present question, one of the most important elements for adjudicating upon the case will be kept back.

Parties being removed, the Presbytery, after reasoning, repel the objection and allow the question K to be put, Mr Dewar, Kilchoman, and Mr Webster dissenting; whereupon the agent for the Objectors protested and appealed *ut supra*, for the following among other reasons to be urged at the bar of the

A Assembly at the discussion thereof:—1st, That the question is irrelevant. 2d, That it involves the contradiction of a written document. 3d, That the Presbytery ought to have put the objections, as found relevant, into the witness's hands, and ask if these were his objections, if any doubt existed on that subject. 4th, That the witness has identified his signature to the objections; and the question, as put, has a tendency to involve him in a contradiction of his own written allegations; and the witness being re-called and the question put, depones, His pulpit services did not please me.—All which is truth,  
B as I shall answer to God.

(Signed)

ARCHD. CAMPBELL.  
JAMES DEWAR, Modr.  
JAMES DEWAR, Clerk P.T.

C

At PORT-ELLEN, Twenty-fifth January, Eighteen Hundred and Fifty-nine.

Re-compeared Mr ARCHIBALD CAMPBELL, Wright, Port-ElLEN, the preceding witness, who being again solemnly sworn and examined in Gaelic, and cross-interrogated for the Presentee, depones, I first saw the paper of objections against the Presentee in the Church of Kildalton, on the day of moderating in the Call. I knew nothing about the Presentee previous to my hearing him on the occasions I referred to. Depones, I have often heard ministers speak rapidly, but I would like one to speak slowly, and explain as he went on, and not as if he were reading a newspaper.

Interrogated and desired to specify in what respect the prayers were not, in your opinion, offered up with any degree of earnestness and solemnity? depones, Because I received no benefit from them.

Interrogated, and desired to state in what respect the discourses were not, in your opinion, edifying? Depones, I have already stated that he spoke so rapidly that I could not get hold of his words.

Interrogated, and desired to give any instances where the subject of the discourses was not connected with the text? Depones, I do not recollect.

Interrogated, and desired to give any instances where the discourses themselves were not connected one part to another? Depones, I cannot; I have not kept it in memory.

Interrogated, and desired to state whether the answers which you have given in your examination-in-chief with regard to the Presentee's prayers and discourses, apply to all the services of the Presentee, on the three occasions you have referred to, both in English and Gaelic? Depones, I say nothing in regard to the English, but my answers, as already given in chief, apply to the whole Gaelic services.

Interrogated.—Did you advise any parties to withdraw their names from the Call? Depones, I did not; I have had nothing to do with any one but myself.

Interrogated, and referred to that part of your deposition in which you state that you believe it to be matter of notoriety that the congregation is dissatisfied with the Presentee's services, and also the most regular church attendants with whom you have come in contact, you are requested to state whether this statement applies to the parties who have signed the objections, or to what parties it does apply? Depones, I apply it chiefly to those who signed the objections. I spoke oftener to those who have signed the objections than to others regarding this matter.

Interrogated, and desired to state whether you have any knowledge whatever of the truth of the statements contained in the objections, as to the Presentee being a vigorous and energetic minister in his present parish?

Objected for the Objectors.—1st, That the question is not cross to any part of the examination-in-chief. 2d, That the allegation referred to in the question as to the Presentee's energy and activity, has been sustained by the Presbytery as relevant, and admitted to probation, but the Objectors have not attempted to prove that objection by the present witness, and it must fail to be proved *aliunde*.

3rd, That a similar question has been already put to the witness and answered, when he deponed that his objections referred to the Presentee's pulpit services. 4th, That the question is not fairly put, as it takes for granted that reference is made to the parish of Kinlochspelve, in the second objection, which is not the case, the words of the second objection being personal to the Presentee.

Answered.—The objection that the question is not cross to the proof-in-chief, is not, as the law of evidence now stands, a good objection; the other objections are entirely away from the point. It is the duty of the Presbytery to allow the fullest investigation with regard to the grounds upon which each individual objector who is brought forward as a witness had for objecting to the Presentee, and similar questions have been already put to previous witnesses.

K

Parties being removed, the Presbytery, after reasoning, sustained the objection, and refused the A question to be put in its present shape. Mr Macdonald dissenting.

Interrogated.—Whether you had any knowledge whatever of any of the objections against the Presentee, except such as was derived from your having heard him preach on the occasions you have referred to? Depones, No. I did not know that he was born, until I heard of him as Presentee to Kildalton. The objections were not read over to me before I signed them in the church.

Interrogated.—Whether you are prepared to state anything against the Presentee as a vigorous B and energetic minister, other than what you have already deponed to as a witness. Depones, I have nothing against the Presentee but that he did not please me in his preaching.

Interrogated.—If you have taken any steps with regard to scrutinising the Call? Depones, I did nothing of my own accord, but was called on by the Committee of Presbytery as a member of Session to assist in analysing the Call. I know all the parties whose names are to the objections, but some of those whose names are adhibited to the Call I would not know should I meet them on the public road. C With reference to my statement that the average English congregation is about sixty, and the Gaelic congregation between one hundred and one hundred and fifty, I mean that these parties are regular attendants in Kildalton Church. By regular attendants I mean parties who go to church every Sabbath. The Kildalton Church will be two miles, I dare say, from Port-Ellen.

Being interrogated, and referred to the names adhibited to the objections, and desired to state whether the great bulk of the parties whose names appear there, does not consist of people who are D themselves, or have friends, in the employment of Mr Graham, either in connection with the distillery at Lagavulin, or the farm there? depones, No.

Interrogated.—How many of the parties whose names appear at the objections which are now put into your hands, are in the employment of Mr Walter Graham, or are relatives of parties in his employ- ment, or are otherwise connected with the distillery and farm at Lagavulin?

Objected for the Objectors.—1st, That the question is irrelevant. 2d, That the status of the E Objectors, as being communicants, has been already ascertained and sustained by the Presbytery. 3d, That it is beside the question how or where these communicants are employed, and the Presentee has no right to point to any particular individual as the employer of these Objectors, for the purpose of insinuating motives which are as untrue as they are irrelevant, the true question before the Presbytery being whether the allegations in the objections are founded in fact, for by that they must stand or fall. F

Answered.—1st, That the question is perfectly competent, and has already been put to several previous witnesses. 2d, This objection has no bearing upon the competency of the question. 3d, It is within the matters which go to form this case to ascertain who and what the parties are whose names are attached to the objections, and the particular circumstances in which they may stand with regard to other Objectors. The question is put for the purpose of ascertaining facts, and if any particular objector feels himself actuated by motives darkly insinuated in this objection referred to, that is a G matter for which the Presentee may feel sorry, but which he cannot help.

Parties being removed, the Presbytery, after reasoning, repel the objection, and allow the question to be put.

Against which deliverance, the agent for the Objectors protested, and appealed *ut supra*, for the following among other reasons:—That the question is altogether irrelevant, and ought not to have been allowed. H

The witness being recalled, and the question been put, Depones, I see, from the objections, the names of twelve parties who are employed by Mr Graham in the distillery, farm, or vessels, inclusive of the wives or relatives of the men employed. There may be other parties whose names are at the objections, who are relatives of those I have mentioned, although I do not know the relationship. I have seen the printed ticket on the distillery at Lagavulin, and it bears the name of Mr Walter Graham as the distiller; but he is only the manager. I

Interrogated and desired to state upon what authority you state that he is only manager, when his name appears as the distiller?

Objected that the witness has only spoken to the fact, that a name appears on a ticket; but the question assumes matter which the witness has not spoken to, viz., the actual distiller.

Answered, the witness has made a statement that Mr Graham is the manager, and not the distiller in whose employment the parties are to whom he has referred, although the board expressly bears that Mr Graham is the distiller; and it is necessary to ascertain how he comes to make such a statement.

The Presbytery allowed the question to be put,



A Whereupon the witness depones, I decline to answer the question, as I have nothing to do with the arrangements between Mr Graham and Mrs Graham, his mother.

Re-interrogated for the Objectors.—Depones, Among the twelve individuals above referred to, there are six communicants. I don't think that there are any of Mr Graham's personal servants whose names are to the objections. Mr Graham is a large farmer.

B Being interrogated with reference to your answer, that you did not hear the objections read over before you signed, on the day the Call was moderated in, did you hear any one of the Objectors state to the Presbytery the propriety of having the objections read over before being signed, as the Presbytery would otherwise be obliged to take down *via voce* the objections which each objector had to prefer; and was it agreed that the reading of the objections should be deferred till after the signatures were adhibited, and were the objections accordingly read over, in the hearing of the Objectors assembled, by the Presbytery Clerk, immediately after they were signed? The Presbytery, after reasoning, without hearing parties, refused to allow the question to be put; whereupon the agent for the Objectors protested and appealed *ut supra*, for reasons to be given in due time.—All which is truth, as I shall answer to God.

(Signed)

ARCHD. CAMPBELL  
JAMES DEWAR, Modr.  
JAMES DEWAR, Clerk P.T.

D

At PORT-ELLEN, *Eodem die, Octavo hora.*

E At this stage of the proceedings, the agent for the Objectors moved the Presbytery to allow their Clerk to be examined as a Haver to the effect of producing as part of the Objectors' evidence the six trial sermons preached by the Presentee in Kildalton Parish Church, in conformity with the appointment of the Presbytery on Sabbath first, Sabbath eighth, and Tuesday the tenth days of August last. The Presbytery having considered the above motion, resolved to allow Mr Macdonald, Clerk, to produce said sermons.

F Compared the Reverend DONALD MACDONALD, Minister of Kilmeny, and Clerk to the Presbytery of Islay and Jura, who being solemnly sworn and examined as a Haver, depones, and produced the six trial sermons preached by the Presentee in Kildalton Parish Church, in conformity with the appointments of this Presbytery, and which were severally docketed and subscribed by the Haver, and Moderator, and Clerk, as relative hereto.

G At this stage of the examination, the agent for the Presentee admitted that the discourses produced by the Haver, are the identical discourses preached by the Presentee as his trial discourses on the occasions referred to in the Church of Kildalton, on first, eighth, and tenth days of August last. And which, on the Objectors' call, were produced by the Moderator, and received by the Presbytery as part of the Objectors' proof, and are in the Presbytery Minute of the 13th Oct. last mentioned, as received of consent of parties as part of the Objectors' proof.—All which is truth, as I shall answer to God.

(Signed)

DONALD MACDONALD.  
JAMES DEWAR, Modr.  
JAMES DEWAR, Clerk P.T.

H

I Compared DONALD JAMIESON, residing in the glebe of Kildalton, who being solemnly sworn and examined in Gaelic, as a witness for the Objectors, depones, I am an elder in the Parish Church of Kildalton, and have been so for the last fourteen years. I belong to the Gaelic congregation, but I have been in the habit of attending both the Gaelic and English services. From the office which I hold as beadle, I am, and must be, a regular attendant on divine worship in said church. I heard the Presentee deliver the whole of his trial services. Depones, I was not satisfied with his services; I derived no benefit from them. As to his prayers, it is not likely they were offered up with earnestness and solemnity, for he himself did not seem to be impressed with what he said. What does not come from the heart cannot reach the heart.

K Interrogated.—Were his sermons edifying? Depones, I derived no spiritual instruction and no life to my soul from them.

Interrogated.—Did the subject seem to you to be connected with the text? Depones, they were

not, for after he gave out his text he departed from it immediately, and he did not divide his subject A into heads, as other ministers are in the habit of doing.

Interrogated.—Were the discourses themselves connected one part to another? Depones, I went to hear the Presentee with the anxious desire to have my soul spiritually benefitted, but from the loudness and rapidity of his delivery I lost the connection and could not follow him.

Interrogated.—Is he qualified in your opinion to be your minister? Depones, if I thought so I would not be opposing him. B

Interrogated.—Is it matter of notoriety that the congregation are generally dissatisfied with the Presentee's pulpit services? Depones, yes, the most regular attendants are dissatisfied with him.

Cross-interrogated for the Presentee.—When did you see the objections first? Depones, I saw them in English and Gaelic before I signed them, and I also had them in my own heart. I had in my heart as many of them as were necessary for me. I have been in Court when witnesses were examined in English, but I could not understand what they said. I saw the objections in my own house, and I C was reading them there. They were written in English and in Gaelic, but I cannot say with certainty how long this was before I signed them in church.

Interrogated.—Who gave you the objections you refer to?

Objected for the Objectors, that the question is irrelevant.

Answered, the question is relevant.

The Presbytery allow the question to be put, on which the witness depones, that the objections D were in the hands of every one, and that he received them from Gilbert Carmichael, one of the Objectors. I cannot be sure whether it was the same paper that I received from Gilbert Carmichael that I signed in church, but it was the same in substance; and being shown the objections, and being asked whether that was the paper that Gilbert Carmichael gave him? depones, It is not like it; the one I saw was not so large, and the hand-writing was not like what I now see. The paper that I signed in church I heard read by Mr Hunter outside of the church before I signed it. It was read to myself and others E in English.—All which is truth, as I shall answer to God.

(Signed)

DONALD JAMIESON.  
JAMES DEWAR, Moderator.  
JAMES DEWAR, Clerk P.T.

F

At PORT-ELLEN, Twenty-sixth January, Eighteen Hundred and Fifty-nine.

Re-compeared DONALD JAMIESON, the preceding witness, who being again solemnly sworn and examined in Gaelic, and cross-interrogated for the Presentee, depones—My house is close to Lagavulin.

Interrogated, and referred to your statement, that it was not likely that the prayers were offered up with earnestness and solemnity, and that the Presentee did not seem to be impressed with what he G said, you are requested to state the grounds upon which you make these statements? Depones, They were dry, and my soul derived no benefit from them.

Interrogated, and desired to give any instances in which the prayers were defective, in any of the essential requisites for producing the effect to which you have referred, upon the mind of a party willing to be edified or affected by them, as compared with the prayers of other ministers? Depones, Other ministers pause at the end of sentences, and have a pious appearance; but Mr Macintyre did H not do so, but he went on continuously, without any pause, as if he had been lecturing.

Interrogated, and requested to state what you mean by having a pious appearance? Depones, He had not the appearance of piety, from the manner in which he delivered the word; and one who looked round the church, when engaged in prayer, had not the appearance of piety.

Interrogated, and desired to state the manner in which the word was delivered? Depones, He was not keeping slow or at ease, like godly ministers. I

Interrogated, and referred to your statements, that the sermons were not edifying, and that you received no spiritual instruction and no life to your soul from them, you are requested to give your grounds for making these statements, and to state in what respect the sermons failed to produce the effects referred to, as compared with the discourses of other ministers? Depones, With regard to other ministers, they divided their sermons into heads, 1st, 2d, 3d, &c. Mr Macintyre did not do so, but as soon as he gave out his text he departed from it, and did not follow it out; and there was neither K law nor Gospel in them. I sit in the elders' seat, on the left side of the pulpit. When the seat is full I sit elsewhere. I sat in the elders' seat on the occasions Mr Macintyre preached. I neither heard

F

A nor saw him before he came to the pariah as Presentee. I am an ordained elder, and my ordination is recorded in the Session Records.

Re-interrogated for the Objectors.—Depones, the elders' seat, in which I sat on the occasions when when Mr Macintyre preached, is near the pulpit, and a very good place for hearing. I did not experience any difficulty in finding out the Gaelic texts or psalms given out by Mr Macintyre; but I had a difficulty in finding out the English texts and psalms, for he spoke so low, I had to get these from others.

B There are three elders, besides myself, belonging to the congregation, and these are few enough.—All which is truth, as I shall answer to God.

(Signed)

DONALD JAMIESON.  
JAMES DEWAR, Modr.  
JAMES DEWAR, Clerk P. T.

C

Compared PETER REID, Crofter, Lotts, Kildalton Pariah, who refused to be sworn, and was therefore not examined at the present diet.

(Signed)

JAMES DEWAR, Modr.  
JAMES DEWAR, Clerk P. T.

D

At PORT-ELLEN, *Kodem die*, 7 o'clock P. M.

The agent for the Objectors proposed to lead evidence affecting the Call, and to adduce ARCHIBALD JOHNSTON, DUNCAN SINCLAIR, and other witnesses, in relation thereto, and moved the Court to allow such proof to be led. The Presbytery, in the meantime, postpone consideration of the preceding motion, E reserving the rights of parties *hinc inde*.

At this stage the agent for the Objectors moved the Presbytery to read the Presentee's trial discourses produced in evidence.

The agent for the Presentee represented to the Presbytery that such reading of the discourses, while the proof for the Objectors is going on in open Court, and while the same has not been closed, is incompetent and illegal. The discourses have been given in to the Presbytery, as productions by the intervention of the Moderator and Clerk as Havers, and they fall to be read over and considered by the Presbytery along with the written depositions of the witnesses examined on both sides—when the proofs for both parties are completed; and the Presbytery had no right, if they have done so, to open the sealed packet in which these discourses were contained, nor had they any right to read the same until the proofs for both parties were closed. The reasons which dictate such a course are too obvious to require illustration; but it is sufficient, it is hoped, to remind the Court that the Objectors' proof has not yet been G declared at an end; and the procurator for the Presentee farther stated, that in consequence of there being a great many contractions in the discourses, which would not be intelligible to a stranger, he craved that the Presentee should himself read the discourses to the Presbytery, or that he should be allowed to make full and extended copies thereof, at the sight of, and to be compared by, the Clerk of the Presbytery, or by any other member or members thereof that may be appointed for that purpose.

Answered by the agent for the Objectors, that while he holds his motion to be competent and H proper at this stage of the proceedings, yet, as the agent for the Presentee has objected to the discourses being read over in the meantime, he has no objection to the reading of the discourses being postponed; but he decidedly objects to the extraordinary suggestion made at the conclusion of his objection, that the Presentee should be allowed to copy out the discourses in the way proposed.

The Presbytery having considered the motion for the Objectors' objection stated for the Presentee and the answer thereto, resolved to defer the reading of the discourses to a future stage of the case, and I also reserve consideration of the craving by the Presentee's agent as to the reading and copying of the discourses.

(Signed)

JAMES DEWAR, Modr.  
JAMES DEWAR, Clerk P. T.

K

At PORT-ELLEN, Twenty-seventh January, Eighteen Hundred and Fifty-nine.

The agent for the Objectors declared the Objectors' proof-in-chief to be closed, except in so far as

additional evidence may be allowed, or ordered by the Superior Court, and under reservation of the A  
Objectors' right to lead proof in replication, and to have the sermons read.

(Signed)

H. DEMPSTER, Agent for the Objectors.

The agent for the Presentee represented to the Presbytery that the Objectors having now closed  
their proof-in-chief, by the above minute, and thereby exhausted all the proof that they are entitled to B  
lead, in terms of the Benefices Act, it is incompetent for them to lead any farther proof, except such as  
may be allowed by the judgment of the General Assembly, upon any of their appeals which may relate  
thereto; and it is to be understood that the Presentee does not consent to, but on the contrary denies  
any such right of reservation as applies to a proof on the part of the Objectors, in replication to the  
proof which now falls to be led on behalf of the Presentee.

(Signed)

A. MACDONALD, for Presentee.

C

JAMES DEWAR, Modr.

JAMES DEWAR, Clerk P.T.

Extracted from the Records of the Presbytery of Islay and Jura, on this and the 316 preceding  
pages, by me,

(Signed)

DONALD MACDONALD, Presbytery Clerk.

D



## PROOF FOR THE PRESENTEE.

At PORT-ELLEN, and within the School-House there, Twenty-third February,  
Eighteen Hundred and Fifty-nine, Seven o'clock P.M.

Compared JOHN MACINTYRE, Farmer, Ardtalla, parish of Kildalton, as a witness for the A  
resentee, who being solemnly sworn and examined, depones—I am tenant of the farms of Ardtalla  
and Claigean, in the parish of Kildalton, and I have been born and brought up in that parish. These  
are large farms, and my rent is £222. I attend the Parish Church of Kildalton, and my residence is  
about nine miles therefrom. I recollect of the Presentee preaching in the Parish Church on the  
occasion of his preaching his trial discourses. He preached on three separate occasions. I heard him  
preach on these three occasions, in Gaelic. I followed, and distinctly understood the Presentee on all B  
these occasions, both in the prayers and other services, and I received instruction and edification from  
the Presentee's prayers and discourses. And the Presentee conducted the services in a reverent and  
becoming manner on these occasions, and I consider the Presentee fitted and qualified to be my minister.  
I signed the Call in favour of the Presentee. It is matter of notoriety that, with the exception of the  
parties who have signed the objections, the great body of the people are in favour of the Presentee. I  
recollect of meeting Mr Walter Graham, one of the Objectors, in his office previous to the Presentee's C  
coming to Kildalton to preach his trial discourses.

Interrogated.—Whether on that occasion Mr Graham stated to you that he intended to oppose  
the Presentee, and that the Presentee should be kept out, and another person got?

Whereupon it was objected for the Objectors that the question is incompetent, in respect, 1st,  
that it does not fall within the questions admitted to probation. 2d, That it is not conjunct to any  
proof led for the Objectors. 3d, That the tendency of the question does not affect the merits, but D  
the credibility of one of the Objectors who has been examined as a witness; and no foundation  
is laid for such a question in the course of Mr Graham's examination, and no protest for repro-  
tations was taken, and therefore his testimony cannot be impugned in *loc statu*. 4th, That to  
limit the present question would inflict an act of injustice on Mr Graham, who, in the absence of  
probatory proof, is deprived of an opportunity of contradicting the witness, however mistaken the  
evidence may be. E

Answered for the Presentee.—Even were there nothing in the proof led for the Objectors to which  
the present question could be said to be conjunct, yet, by the third section of the Benefices Act of  
1743, any proof on the part of a Presentee tending to show, "That the objections and reasons stated  
are not truly founded on any objection personal to the Presentee, in regard to his ministerial gifts and  
abilities, either in general or with reference to that particular parish, or arise from causeless prejudice,"  
the question now put would be perfectly competent; but the question is conjunct, in the clearest possible F  
manner, to proof which has been adduced by the Objectors, and the Presentee must take leave to state  
that an objection on this point comes with singularly bad grace, and evinces a desire to smother the  
truth with regard to the manner in which the opposition in this case has been got up, and to prevent,  
if possible, the facts thereof from coming before the Church Courts. The Objectors have made a most  
erroneous statement in saying that there is nothing to which this question is conjunct in the evidence  
of Mr Graham. By referring to the testimony of that gentleman it will be found that he states, "Any G  
parties who talked to me on the subject I always told them that I was prepared to do my own duty,  
and that I thought every one ought to judge for himself in a case of this kind. I told these parties  
that I intended to oppose Mr Macintyre. This was after he preached." This evidence, given by Mr  
Graham in his initial examination, was, of consent of parties, held as part of the evidence *in causa*, as

**A** the discourse, but I will not do so in case I should go wrong. Depones, I do not recollect any of the Psalms that were given out on the first August. Depones, with regard to the eighth August, I will not enter upon any point of doctrine that the Presentee expounded or preached about, but I recollect that his text was taken from Acts xxi. 16 v.

Being interrogated.—Do you recollect the words of that text? Depones, I will not repeat them in case I should go wrong.

**B** Being shown the New Testament, and requested to read the last-mentioned text therefrom, depones, I have read the whole of the verse above cited, but it is such a long time since, I cannot tell whether the text of the 8th August was part or the whole of the verse. If I had taken notes I would have no difficulty; but having taken no notes, I have a difficulty in remembering. At the time I heard him I was highly satisfied, and upon my arrival home, his text was read over in my own house, and the subject of his discourse conversed upon.

**C** Being interrogated.—What was the subject of that discourse? Depones, I decline to answer so many repetitions. With reference to your answer-in-chief, that “you received from the Presentee’s discourses the usual amount of edification and instruction that you receive from the discourses of other ministers,” you are requested to state the edification and instruction that you refer to? Depones, I was highly edified, and satisfied, and received more instruction from his discourses than from any other parish minister I have heard in Islay.

**D** Being interrogated.—What instruction and edification do you refer to? Depones, my mind was instructed, and his discourses reached my heart.

Being interrogated.—What useful lesson did your mind receive from the Presentee’s discourses? and what was the nature of that lesson? Depones, I will not enter upon that at all, it is so long since. Depones, I do not recollect where I was on the 10th Feb. last, nor can I tell where I was on the night of that day.

**E** Being interrogated.—Have you been reported to the Board of Inland Revenue by your superior officer for any faulty conduct, and if so, what was the fault reported concerning you?

Objected.—The question is incompetent, and, like a great many of the previous questions to this and other witnesses adduced for the Presentee, is put for the purpose of annoyance, and the gratification of personal malice on the part of the Objectors, as well as for the purpose of delaying and obstructing the progress of the Presentee’s proof. The procurator for the Presentee has repeatedly

**F** remonstrated against the great waste of time which has occurred by the unnecessary and irrelevant line of cross-examination which has been adopted by the Objectors, and he now states judicially that whatever the object may be which the Objectors may have in view in thus protracting the case, that his client will not be responsible for the delay; and that whether the case will be ready or not to be taken up at the first meeting of the General Assembly, he will not close his proof until he has completed it satisfactorily; and that if the Court permits the time to be spent in inquiries with regard to

**G** matters which are not connected with the case, they must take the consequences upon themselves. The particular question now objected to is incompetent, because it is inadmissible in evidence to ask the witness what another party may have said against him. If there was, in point of fact, any such report in writing, it is incompetent to take any parole evidence with regard to it; and this principle has been held by the Court with regard to similar questions objected to by the Objectors.

Answered for the Objectors.—1st, That the allegation of motives against the Objectors is as **H** absurd as it is untrue. 2d, The question is competent to enable the Court to estimate the value of the witness’s testimony, and it is more especially so, having regard to the terms of the Benefices Act, which enjoins the Presbytery to have regard to the whole circumstances and condition of the parish, and the spiritual welfare and edification of the people. 3d, The long objection stated for the Presentee regarding delay is a practical refutation of itself. 4th, The question refers to a fact affecting the witness himself, and he is only called upon to speak to his own knowledge of it; and similar questions **I** were allowed in the course of the Objectors’ proof, and especially in the case of Donald Macpherson, who was asked whether he had been visited with church censure, and for what fault?

Parties being removed, the Presbytery, after reasoning, sustain the objection and disallow the question, against which deliverance the agent for the Objectors protested and appealed *ut supra*, for the following, among other reasons, to be urged at the discussion hereof:—1st, That the Court should have the means of ascertaining the character of the witness, and of thus forming an estimate of the value of **K** his evidence. 2d, Such forms a material element in the decision of the cases of this sort, under the Benefices Act. 3d, That the question is fairly and competently put.

Being interrogated.—With reference to your answer, that Mr Gordon, the officer of Inland

years of age. I am not married, and I am not a father. Depones, I have one maid-servant, and two men-servants just now. I had another servant lately whose name was Jane Macgillivray. She is a cousin of my own; but I cannot tell where she is just now. It is consistent with my knowledge that Jane Macgillivray lately bore a child, and since she left my service. She left my service I think in October last. I cannot tell whether she is a married woman or not. Depones, I do not know who the father of her child is. All that I know is that she has been living in Glasgow lately. I sent Jane Macgillivray no money since she left my service, and as far as I know, she is living on her own money. On the Sabbaths, and sometimes oftener, I have family worship. I heard the Presentee preach his trial discourses on the first, eighth, and tenth of August last. I did not hear any part of the English services. I understand parts of a sermon preached in English, but not sufficiently well.

Interrogated.—How often did you attend church from the time Mr Mactavish died till you heard the Presentee preach in August last? Depones, I kept no particular note of the times I attended church during the period referred to, but I went to the church on two Sundays when I expected there would be sermon, and found it shut, as there was no sermon on these occasions. I will not say how often I heard service during the period referred to.

Being interrogated.—Did you attend said church, once, twice, or thrice, or four times during the said period? Depones, I do not recollect how often.

Interrogated.—Since you cannot specify the number of times, can you give the text of any of the sermons during said period? Depones, No. Depones, for the twelve months previous to Mr Mactavish's death I attended the church as the weather and my health permitted, and I was surely there more than ten times. Depones, I have attended service in Kildalton Church since I heard Mr Macintyre preach, but how often I cannot tell, as I did not hear that there was sermon regularly in the said church.

Being interrogated.—Have you attended service in said church, once, twice, thrice, or four times since you heard Mr Macintyre preach? Depones, I cannot tell how many times. I was in church last Sunday, but I cannot tell what minister preached on the occasion previous to last Sunday; and the question being repeated, depones, I have no mind of what ministers I heard preach in said church since I heard the Presentee. Depones, I have attended no other church in this parish, for the last two years, than the Parish Church; but I think I attended, indeed I am sure I attended church in Glasgow six times during that period. Depones, Referring to the Presentee's trial discourses that I heard, viz., the Gaelic, I have no mind what he was preaching about on any occasion. I took no particular note. I have no mind of the text from which the Presentee preached on the first of August, nor of the text on the eighth August, nor the text on the tenth August.

Being interrogated.—Referring to your answer-in-chief, that you received instruction and edification from the Presentee's discourses, you are requested to state what instruction you received, or in what respect you were edified? Depones, He gave us instruction and enlightenment as to the way we should conduct ourselves, and explained to us the way of salvation.

Interrogated.—What did Mr Macintyre say in the way of instruction and enlightenment? Depones, In Gaelic, He told us to ask forgiveness of God, through the Lord Jesus.

Interrogated.—On which of the occasions the Presentee uttered these words? Depones, I have no particular mind. Depones, I did not keep in my memory the heads of any of the discourses the Presentee delivered, and therefore cannot state them now. Depones, the Presentee certainly did introduce passages from Scripture into the sermons which I heard him preach. Depones, I do not recollect any of these passages. Depones, The Presentee explained a portion of Scripture, but I do not mind what portion.

Being interrogated if the Presentee, in any of the sermons you heard him preach, expounded any point of doctrine, and if so, what that point was? Depones, I do not well remember.

Interrogated.—Did the Presentee, in the sermons you heard him preach, deliver any Gospel message, and if so what was that message? Depones, He did deliver a Gospel message, that Jesus Christ came to seek and to save that which was lost. Depones, I have no particular mind in what sermon that message was conveyed.

Interrogated.—Can you state any portion of the several sermons which you say you heard the Presentee preach? Depones, The time is so long that I cannot, and I took no particular note of the sermons, as I did not expect to be examined about them. Depones, I do not recollect any of the Psalms given out on the occasions that I heard the Presentee preach. Depones, I do not at present recollect whether the Presentee read any portion of Scripture before giving out the text. Depones, I



- A** Being interrogated.—What is the name of the elder? Depones, I decline to give his name, as the party whom I refer to may be adduced as a witness for the Presentee, and he may give his own name.
- Being interrogated to give the name of another person? Depones, You (Mr Dempster) would like to know who the parties are, but I am not disposed to tell who they are.
- Being interrogated, and requested to state if, within your own knowledge, any of the Objectors have intimidated any of the Callers, and induced them to withdraw their names from the Call? Depones,
- B** I have not seen any intimidation, but have heard that Mr Mackerrol, postmaster, sent the letter carrier to get some of the Callers to withdraw their names.
- Being interrogated, and requested to state the person's name who told you that? Depones, I decline to answer that question.
- Being interrogated, and requested to give the name of any other person who used intimidation? Depones, I heard that Macdougall, Portantruthan, a witness for the Objectors, wished a girl of the
- C** name of Macintyre, a servant, to withdraw her name from the Call, and sign another paper against the Presentee; her uncle told me so, but not herself. The uncle's name is Macintyre. I do not know his Christian name, but he is my next door neighbour. I do not know where the girl serves, but the uncle, who gave me the information, will come forward and satisfy you.
- Being interrogated, who were the parties whom Mackerrol sent his man to? Depones, I cannot specify their names, but I will bring a party who will do so; and, perhaps, Mr MacCuaig will be able to
- D** give some information. Depones, another party came to me this week, who told me that he was sent for to Mr Hunter's office, at the distillery, by Mr Mackenzie, gamekeeper, and Macdougall of Portantruthan, wishing him to withdraw his name, and he wished to give evidence in this case as regards that.
- Being interrogated.—What is that person's name? Depones, I got his name at the time, but I forget it; but perhaps the agent for the Presentee will remember it.
- E** Being interrogated, and referred to your previous answer, that "it is matter of notoriety that parties have been going through the parish intimidating the Callers, and trying to get them to withdraw their names from the Call;" you are requested to specify the parties referred to in that statement, and the kind of intimidation used. Depones, I refer to Allan Macdougall, one of the elders, who went to a party and told him that if he did not withdraw his name, he would be summoned before the Presbytery, and would be brought into expence. The individual I refer to went to Mr
- F** MacCuaig to ask his advice in the matter.
- Interrogated.—What is that individual's name? Depones, Mr MacCuaig will be able to give it.
- Being interrogated.—Who told you this? Depones, I decline to answer that question. Depones, I will give no further instances, as I cannot wait, having my duties to attend. Depones, Mr Macdougall is neither a Caller nor an Objector; but he has taken an active part against the Presentee. I have not seen him do so, but I have heard him speaking against the Presentee to several people.—All
- G** which is truth, as I shall answer to God.

(Signed)

JOHN MACDONALD.  
 JAMES DEWAR, Modr.  
 JAMES DEWAR, Clerk P.T.

**H**

At PORT-ELLEN, Third March, Eighteen Hundred and Fifty-nine.

- Compeared JOHN FRASER, Steamboat Porter in Port-Ellen, who, being solemnly sworn and examined as a witness for the Presentee, depones :—I attend the steamer Islay on her arrival and departure from and to Glasgow. I have been about twenty-four or twenty-five years in the parish of Kildalton, and I have been in the habit of attending regularly the Parish Church of Kildalton.
- I** Depones, I hold a certificate from Archibald Campbell, elder, of being a regular attendant, and of being sober, honest, and industrious, and which I am ready to produce if required.
- At this stage of the proceedings Mr Dewar, of Oa, the Moderator, and Mr Mackenzie entered, when the Moderator took the chair.
- Depones, I heard the Presentee preach his trial discourses at Kildalton on the 1st and 8th of August, and I heard him both in English and Gaelic on Sabbath the 1st. I heard him in Gaelic only
- K** on Sabbath the 8th. I followed and distinctly understood the Presentee on these occasions. I was edified and instructed by the discourses, and I was satisfied with his manner of conducting the Church services.

a one in Port-Ellen. When I used the expression "good number," and "many a one in Port-Ellen," I A referred to persons whom I have conversed with on the subject.

Being interrogated, and requested to specify their names, depones, I do not remember the whole of their names.

Being interrogated, and requested to specify the names of such persons as he recollects, belonging to Port-Ellen, who are in favour of the Presentee, depones, I do not recollect of them correct just now.

Being interrogated.—Were you in church on one single occasion from the last day the Presentee B preached till Sunday last? Depones, I have answered that question already, and if you are not satisfied, you may ask others.

Re-examined for the Presentee.—Depones, My house is nine miles from the Parish Church, and the roads are very bad. Since Mr Mactavish's death there has not been weekly preaching at Kildalton, so far as I know.

Interrogated by a Member of Court.—Are you aware that the pulpit of Kildalton, since the C death of the late Reverend Mr Mactavish, has been supplied by the members of Presbytery, as is usually done on the occasion of vacancies in parishes? Depones, I am aware that such was the case, but owing to the distance at which I am from the church, I was not always made aware of the day.—All which is truth, as I shall answer to God.

(Signed)

JOHN MACINTYRE  
JAMES DEWAR, Modr. D  
JAMES DEWAR, Clerk P.T.

AT PORT-ELLEN, Twenty-fifth February, Eighteen Hundred and Fifty-nine.

Compared ANDREW MACGIBBON, Slater, Port-Ellen, who being solemnly sworn and interrogated E in Gaelic, depones as follows :—I have resided at Port-Ellen, in the parish of Kildalton, for thirty-seven years. I have been a communicant in the Parish Church of Kildalton for twenty years and upwards. I heard the Presentee preach his trial discourses in Gaelic on three several occasions.

At this stage of the proceedings Mr Dewar, the Moderator, and the Reverend Mr Mackenzie, who had a considerable distance to travel unto the Court, arrived, and the Moderator took the chair.

Interrogated.—Did you, upon the occasions when you heard the Presentee preach, as above F. deponed to, distinctly follow and understand him through all the services? Depones, It was very easy for me to do so.

Interrogated.—Were you satisfied with the Presentee's manner of conducting the church services? Depones, I was coming home very well pleased after hearing him.

Interrogated.—Were the prayers offered up, in your opinion, with earnestness and solemnity? G Depones, They were that.

Interrogated.—Did the discourses and other services convey edification and instruction to your mind? Depones, They did that, for I paid particular attention to them. I followed him step by step as he proceeded, and they applied to my case.

Interrogated.—Did you observe anything in the Presentee's manner, in the pulpit, which you considered to be irreverent or unbecoming a clergyman? Depones, I saw nothing unbecoming or irreverent in the manner of conducting the Church services by Mr Macintyre. H

Interrogated.—Did the Presentee's delivery appear to you to show that the discourses and other services in which he was engaged came from his heart, and did they appeal to your understanding and heart? Depones, The Lord alone knows the heart; but so far as I could judge, what I heard came with earnestness from the heart, and reached my understanding and heart, and was as clear to me as the alphabet. Depones, The Presentee is suitable to be my minister, for after coming home my prayer was that I might hear more of such services. I told my household that he went on from strength to I strength. Depones, I signed the Call.

Cross-interrogated for the Objectors.—Depones, I signed the Call in the New Inn, Port-Ellen. I did not know to whom the inn belongs; there it sits. I went up to the Church on the day for moderating in the Call, with the intention of adhibiting my name to it, but some discussion having taken place, which occupied some time, I had to return to my work, thinking I could sign the Call at any other time. Depones, The New Inn I refer to, is situated between Archibald Brown's house K and the sea. Duncan MacCuiag's name is written on the sign-board. I did not read over the paper which I signed, for it was getting dark when I signed it, and there was no light. Depones, No G

**A** sentee considers to be most important circumstances connected with this case. 2d, That the statements contained in the second objection are totally denied. 3d, That the question is not palpably erroneous in itself, because, although the gentlemen referred to could not have been Objectors at the time in question, under Lord Aberdeen's Act, seeing that the period referred to was previous to the Presentee's preaching his trial discourses, yet they all subsequently signed the objections now before the Presbytery; and the statement with regard to Mr Colin Hay is entirely incorrect, as his name appears the fourth

**B** signed to the said objections, although he was found subsequently to be ineligible as such, in respect that he was not a communicant. 4th, The question is therefore clearly competent, and falls directly within the spirit and terms of the Act of Parliament already referred to.

Parties being removed, the Presbytery, after reasoning, sustained the objection, and refused to allow the question to be put. Mr Macdonald and Mr Dewar of Oa dissenting. The latter assigning as a reason that the parties whose names are implicated should have an opportunity allowed them of being relieved from the insinuation contained in the question; against which finding the agent for the Presentee protested and appealed *ut supra*; and also against the reason stated by the Rev. Mr Dewar of Oa, which he denies to be well-founded, for the previous, following, and other reasons to be stated at the discussion of this appeal:—1st, The question is not a leading question, but necessary in the first place to elicit the fact, generally, that statements of the nature referred to were made. 2d, On this fact being established, the question would then naturally follow, "what were the statements that were so made?" The

**D** authority referred to shows that it is quite competent to put the question in its present shape.—(*Dickson on the Law of Evidence*, p. 987, Sec. 1984.)

Interrogated.—Did you observe, on the day for moderating in the Call, any of the Objectors urging or pressing parties to go into the church to sign the objections?

Objected for the Objectors.—That the question is clearly incompetent, for the reasons above stated as to a question put to the witness as to the transactions which took place on the day for moderating

**E** in the Call; further, that the objections, as signed, having been formally received and sustained by the Presbytery, and cannot be impugned by parole evidence during the present proof. 2d, If the Presbytery have admitted the objections as part of the records of this Court, it is altogether beside the question, whether the Objectors were urged to sign them or not. Again, 3d, The question, as put, is vague and irrelevant, as it refers merely to parties who may have no standing in this Court; and the only parties who can be recognised, are the Objectors themselves and the Presentee.

**F** Answered.—The procurator for the Presentee holds as repeated the answers which he has given to the previous objections.

Parties being removed, the Presbytery, after reasoning, sustained the objection and refused to allow the question to be put, Mr Macdonald dissenting, and also Mr Dewar of Oa, for the reasons formerly assigned.

Whereupon the agent for the Presentee protested, and appealed *ut supra*, for the reasons previously stated, and others to be stated at the discussion hereof.

**G** Being shown the objections and the name "James Robertson, shepherd, Cornibus." Depones, I know that party.

Interrogated.—Whether Cornibus, the residence of the said James Robertson, is within the parish of Oa, and that he is not a parishioner of the parish of Kildalton?

The agent for the Objectors objected to the competency of the above question, because its object and tendency is to challenge the correctness of the procedure of this Presbytery in regard to the

**H** validity of the objections, which were sustained so far back as 8th Sept. last, when James Robertson was admitted as having the status of an objector without his right being called in question by the Presentee himself or his agent—who were at that diet afforded an opportunity of impugning the objections, and the right of the subscribers there to become Objectors—but who not only failed to object to said James Robertson, but expressly named all the subscribers to which the Presentee's right of challenge applied; but admitted the Roll of Communicants to be the correct roll for determining the

**I** status of the Objectors, and their right and title to object under the Benefices Act. Accordingly, an Interlocutor of relevancy was pronounced after the title of the Objectors had been sustained, and also an Interlocutor of proof pronounced, admitting to probation the objections proponed, *inter alia*, by Robertson; and it is utterly incompetent for the Presentee to attempt, at this stage of the proceedings, to vitiate the procedure of the Presbytery, or to challenge the title of any one of the Objectors who has been, with his own consent, admitted to possess the character and position of a *bona fide* objector.

**K** Answered for the Presentee:—1st, The Objectors are labouring under a misapprehension with regard to the object of the meeting at Bridgend on 8th Sept. last. The Minutes of that meeting sustained merely the relevancy, to a certain extent, of the objections themselves, but not the right or title of the parties who subscribed the same, to be considered as Objectors.

stated; and the question being put, the witness depones, Yes. Depones, It is possible, from the lapse of time, that I may not have given the texts in their order. A

Re-interrogated for the Objectors.—Depones, I do not recollect whether any one spoke to me regarding the texts of Mr Macintyre's sermons since the time I heard these sermons preached. Depones, No one spoke to me about these texts within the last eight days, or since the meeting of the Presbytery here in January.—All which is truth, as I shall answer to God.

(Signed)

ANDREW MACGIBBON.

JAMES DEWAR, Modr.

JAMES DEWAR, Clerk P.T.

At PORT-ELLEN, Twenty-eighth February, Eighteen Hundred and Fifty-nine.

Compeared DONALD BLACK, residing at Salen, in the island of Mull, who being solemnly sworn and examined as a witness for the Presentee, depones, I am at present studying at Salen; but I am not sure at present whether or not with a view to become a teacher. I taught a school for some time in the Parish of Kinlochspelve. It was a branch Gaelic school. It is going on to two years since I left the Parish of Kinlochspelve. The Presentee was minister of that parish during the time that I resided there, and I regularly attended his church, both at the English and Gaelic services; but not so often at the English, as I had far to travel, and there was no road at that time, but now there is. D

Interrogated.—Did Mr Macintyre conduct the English services with ease, and, so far as you are aware, to the advantage of that portion of the parishioners who did not fully understand the Gaelic language? Depones, Yes; and so far as I am able to judge, I do not know any one who is able to preach either English or Gaelic with greater ease or fluency. I am aware that at times Mr Macintyre had several English people, and their families and servants, attending his church; and although his English congregation was but small, they were well-educated people, and gentlemen of the highest rank. I know that Mrs Macintyre is an Englishwoman. E

Interrogated.—Are you aware whether or not Mr Macintyre discharged his ministerial and parochial duties in a faithful and efficient manner, depones, So far as I know he did during the time I was there, and I was there a year and a half; and I add of my own accord, that I do not know any other minister who took so much trouble in doing good and in instructing the people. Depones, he frequently visited the poor and the sick, and the school of which I had charge, and he took pains with the children in discoursing and explaining things to them. Depones, I am aware that Mr Macintyre translated several religious, moral, and other works from English into Gaelic, for the use of the people, which were printed; and I myself taught one of these books in the school. It was a catechism with regard to Baptism and the Lord's Supper. Depones, I know that Mr Macintyre is a vigorous and energetic man, and has undergone hardships for a long time; and I have known of him walking upwards of thirty-four miles in one day on ministerial duty in very bad weather. G

Interrogated.—Are you aware of any charge ever having been made of Mr Macintyre having neglected any of his duties as minister of the Parish of Kinlochspelve, or that he was not vigorous and energetic in the discharge of these duties? Depones, I am not aware, neither have I heard that he neglected any of his duties, or that he was not vigorous and energetic in the discharge of them.

Cross-interrogated for the Objectors.—My father is dead, but my mother is alive. My mother lives in Salen. My father died before I was born. I was born at Fishnish, in the parish of Salen. My father was a farmer, and I think he was an overseer before he died. I have heard that he had the charge of a farm belonging to an old lady who lived at a distance from Salen. It will be about twenty-three years since my father died, and I think I am about that age. My mother is a native of Salen, and she speaks the Gaelic language, and Gaelic is her native tongue. Gaelic is generally spoken in the district of Salen. Depones, I am not a teacher at Salen, but I am being taught at Salen by Mr Duff. Depones, I am studying navigation and Latin under Mr Duff. I am studying Howie's navigation, and in Latin I am as far as Cæsar, and have had lessons in Virgil. Depones, I commenced to learn navigation and the Latin language under Mr Duff, and I have been upwards of five years under his tuition. I was not under his tuition during the time I taught at Kinlochspelve, but I was so, both before and after that period. When I began with Mr Duff, I received lessons in the English language, but the particular book I do not remember, and I continued to be taught the English language till I went to Kinlochspelve, but not the Latin language, and I began with the rudiments of the Latin language about two years ago, but I have not been learning Latin during the whole of the last two years. Depones, I was K

**A** several months of that period in Glasgow attending the Normal School, and during which I received no instruction in Latin. Depones, I was taught arithmetic, practical mathematics, and algebra, by Mr Duff. I was taught arithmetic before going to Kinlochspelve, and it is since I left Kinlochspelve that I commenced practical mathematics and algebra. When I taught at Kinlochspelve the only languages that I knew were the Gaelic and the English. Depones, The branch school that I taught in the parish of Kinlochspelve was at Croggan, and it was a branch of the Gaelic School, and I received my salary

**B** through Mr Macintyre.

Being interrogated.—What was your salary? Depones, I refuse to answer that question. Depones, I had about fifty scholars at my school at Croggan—not in regular attendance, but on the roll. I taught English, Gaelic, and arithmetic, in that school. I resided in the immediate neighbourhood of the school, which was about six miles from the Parish Church. The manse is in the immediate neighbourhood of the Church. Depones, I do not know the extent of the parish of Kinlochspelve, but it is very extensive, and I think it is part of the old parish of Torosay; but I am not sure. Depones, I am sure that the parish of Kinlochspelve is ten miles in length, but I will not say that it is twelve. I do not know the breadth. Depones, I have been over the whole parish, and have visited most of the houses within it. Depones, There were not very many English families residing within said parish while I was there. Depones, The English families who were residing there are as follows:—the laird of Lochbuy, the proprietor. There was also an English gentleman, the mayor of an English city,

**D** whose name I do not now remember. There was also the family of the Grieve of Lochbuy. I have also seen a Captain in the Navy there, engaged in surveying the coast, whose name I do not remember. Depones, I do not remember any more English speaking people who were resident in the parish of Kinlochspelve during the time that I was there. Depones, I do not remember the population of the parish, but they are very many. Depones, I have not counted the parishioners of Kinlochspelve.

Being interrogated, what do you mean by the expression used by you in a previous answer that

**E** the population of Kinlochspelve are very many? depones, I use it as the opposite of very few.

Being interrogated, and requested to state with reference to the Parish of Kinlochspelve, what is the number of the inhabitants which you intend to convey by the expression very many, or very few? depones, I cannot form an estimate of the population of Kinlochspelve.

Being interrogated, if the number, according to your estimate, be under five hundred? depones, I think the number is under five hundred, but I am not quite sure. Depones, I do not remember at what

**F** period of the year the family of Lochbuy reside within the parish. Depones, I do not remember whether they were resident there during the whole year. Depones, I saw the family of Lochbuy regularly attending church during the time they were there, while I was residing at Croggan. I went to Croggan in the winter of 1855-56, and the family of Lochbuy were there at that time, and I am not sure when they went away, but they did not go in spring. I do not know whether they went during the summer, and I cannot say when they returned, or whether they returned again before I left

**G** Croggan. Lochbuy himself was there, but I do not remember how long he remained; his servants were there, but I do not remember whether they were Gaelic or English speaking. Depones, I do not remember during what period of the year the English gentleman was in the Parish of Kinlochspelve, nor do I remember how long he resided there.

Interrogated, did the English gentleman reside within the Parish of Kinlochspelve for a month to your knowledge? Depones, I think it was upwards of a month, but I do not know how long. I

**H** cannot tell how long the Captain in the Navy was residing within the Parish of Kinlochspelve during the eighteen months I was there. Depones, I did not communicate in the Church of Kinlochspelve, and I am not, and have never been, a communicant, but I attended church regularly. Depones, I did not hear the English service every Sabbath, because I had far to travel, and I understand the Gaelic better than the English. I do not remember the number of times I attended the English service during the time I was at Croggan. Depones, I heard the Presentee preach English upwards of six

**I** times during the time I was at Croggan, but how many more I will not say.

Being interrogated, have you heard the Presentee preach twelve times in English during said period? Depones, I refuse to answer that question. Depones, it was during the English services I saw the Lochbuy and the other English families I have referred to attending church. Depones, I do not remember whether I have heard the Presentee preach in English when the English families above referred to were not present.

**K** Being interrogated, if with the exception of the English speaking persons you have referred to, the congregation at Kinlochspelve were a Gaelic speaking people? Depones, They were. Depones, I do

not recollect of having heard the Presentee preach in English, except when the English speaking persons above referred to were present. Depones, I have visited the manse during the time I resided at Croggan, and that very often. I do not remember having stayed a night at the manse, nay, I am sure I did not. Depones, I do not remember whether it was on a Saturday or Monday, or what days of the week it was, that I called at the manse. I might have called in summer, on any day after school hours. Depones, I do not know John Maccallum, at present tenant at Dairnacuillean, and that man did not occupy the manse during the time I was at Croggan. I left Croggan at Whitsunday, B 1857. I do not remember whether I visited at the manse shortly before that period, or when I visited before leaving Croggan. Depones, I never visited the Presentee at Tobermory. Depones, Mr Macintyre gave me instructions in practical mathematics at the manse, and instructions regarding the children attending my school. Depones, Previous to the time that I left Croggan, Mr Macintyre constantly resided at the manse, except during certain times when he might be absent on Presbyterial duty, or visiting his family at Tobermory. C

Interrogated.—How do you know that this was the case, when your own residence was six miles from the manse? Depones, I saw him very often visiting the sick, and the school at Croggan. Depones, I do not remember how often I saw Mr Macintyre visiting the sick for six months before I left Croggan, nor do I remember the names of the parties he was visiting. Depones, I know that Mr Macintyre was four or five weeks at a time without ever seeing his family, being engaged in the discharge of his ministerial duties; during these four or five weeks his wife and family being resident D in Tobermory.—All which is truth, as I shall answer to God.

(Signed)

DONALD BLACK.  
JAMES DEWAR, Modr.  
JAMES DEWAR, Clerk P.T.

At PORT-ELLEN, and in the School-House there, Eighth February, 7 o'clock P.M. E

Re-compeared the said DONALD BLACK, who being again solemnly sworn and cross-examined for the Objectors—being interrogated, and referred to your last answer, and asked whether you refer to one or to several occasions? Depones, I refer to several occasions.

Interrogated.—How do you know this? By seeing him several times visiting the sick and F the school in that part of the parish in which I resided. Depones, I did not see him every day, neither do I remember the occasions when I saw him. Depones, I state that Mr Macintyre did not see his wife and family for a period of four or five weeks at a time, as before mentioned, from Mr Macintyre himself telling me a week before he did so. Depones, I speak of the period of four weeks, from the circumstance that he would tell me when leaving Kinlochapelvie for Tobermory, that he was going there, and that he would sometimes tell me when he would be back. Depones, He did not tell me very G often how long he would be absent. Depones, I do not remember how long he would remain absent, but sometimes he would return on the following Saturday; and I do not remember whether sometimes he would not return on the following Saturday. Depones, When he was so absent, he would be on Presbyterial business, and attending meetings of Presbytery.

Being interrogated if the Presentee was absent from the parish on Presbyterial business six times in the course of the year, or how often? Depones, In answer to both questions, I do not remember. H Depones, I do not mean by Presbyterial business, meetings of Presbytery alone, but also occasions when the Presentee would be preaching (I think) by order of the Presbytery in other parishes, and also examining schools in other parishes. Depones, The Parish of Ross, Mull, was vacant during part of the time I was at Croggan, and also, I think, Strontian; but of this last, I am not sure. I never heard that the Presentee had preached at Ross, but some one told me (but not the Presentee) that he had preached at Strontian. He very seldom told me when he intended to be absent on Presbyterial business. I He required to visit the school of Torosay, and that of Salen, once a year, and I have also to add the Fishnish school. The whole of these schools are very near the road on the way to Tobermory. Depones, I cannot say how often the Presentee was out of his parish, during the time I was at Croggan, besides the occasions on which he was engaged preaching at Strontian, and examining the schools.

Being interrogated, Is it consistent with your knowledge, or did the Presentee inform you that he was in the habit of being in Tobermory during part of the week, and coming to his parish in K the end of the week for the purpose of preaching on Sundays, and returning to Tobermory on the Monday or Tuesday following?—Depones, I think I answered that question in the negative already, when I

A stated that the Presentee would be sometimes for four or five weeks without seeing his family, who were residing in Tobermory.

Being interrogated how frequently those four or five weeks would occur in the course of the year, depones, I do not remember, but they were often during the period I was there, so far as I know.

Being interrogated if these instances occurred six or seven times, or oftener, during the time you were at Croggan, depones, I do not remember.

B Being interrogated if they occurred more than once during that period, depones, I do not state any number of times.

Being interrogated.—Do you know where the Presentee was during the rest of his time, excepting the four or five weeks referred to on the occasions when he was absent on Presbyterial business or examined schools? Depones, when the Presentee was not absent on any of the fore-mentioned businesses, he was engaged in ministerial duties of his own parish.

C Interrogated.—Do you mean within his own parish and during all the days of the week? Depones, I mean within his own parish, but I do not mean all the days in the week, as he might be in another part of the parish without my knowledge on other days of the week. When he was absent in other parts of the parish I might not see him, but I would hear of him from some of the parishioners after he had been there.

Being interrogated.—Was Mr Macintyre during any portion of the time you were in Croggan, in D use to be absent from his parish during Tuesdays, Wednesdays, and Thursdays, or any of these days. Depones, I have answered that question already. Depones, Tobermory is upwards of thirty-four miles from Kinlochspelve. Depones, I have seen the Presentee walking thirty-four miles on ministerial duty, and that was between Tobermory and Kinlochspelve. What I mean by having seen him, is that I accompanied him during a considerable piece of the road on a Saturday and other days nearer the beginning of the week, on the way from Tobermory to Kinlochspelve. Depones, when I accompanied

E the Presentee on the way from Tobermory to Kinlochspelve on a Saturday, he was going to preach in his own church on the following day. Depones, I may say that I have accompanied the Presentee on the way from Tobermory to Kinlochspelve more than once since I left Croggan, and these were when he was going from Tobermory to Kinlochspelve, to preach in his own Church. I do not remember if this was always on a Saturday. I do not remember how frequently I so accompanied the Presentee on his way from Tobermory to Kinlochspelve. Depones, the Presentee generally walked from F Tobermory to Kinlochspelve or rode on horseback. Depones, sometimes I accompanied the Presentee back from Kinlochspelve to Tobermory. I would fall in with him when he was passing Salen, going towards Tobermory; but I do not remember which days of the week, although they were in the beginning of the week after he had preached in his own church. Depones, I do not remember the period of the year when I accompanied the Presentee, but now on recollection I say it was this last winter.

G Being interrogated.—What month of this last winter it was? Depones, I do not state any time. Depones, I do not remember whether I so accompanied the Presentee, as above stated, during the month of January last. Depones, I decline to state at what particular time or times I accompanied the Presentee from Tobermory towards Kinlochspelve, because I do not remember. Depones, When I delivered the following answer-in-chief, "I have known of him walking thirty-four miles in one day, on ministerial duty, in very bad weather," I refer to an instance of his walking

H from Tobermory to Kinlochspelve last winter. Depones, there was a previous instance during some other winter, when he walked or rode from Tobermory to Kinlochspelve. This was the time I was at Croggan. I did not see him on this latter occasion, but I know that he was not at home on the previous Friday. Mr Macintyre is no relation of mine, so far as I know. I attend the Established Church at Salen, and I did so in Glasgow. I have sat under three ministers regularly during my lifetime, excepting the time I was in Glasgow. During the time I was at Kinlochspelve, prayer I meetings were held by the Presentee, both in the Church on Sundays, and in my school-house on week days. I do not remember which days of the week, nor at what seasons of the year.

Re-examined for the Presentee.—Depones, The reason why Mrs Macintyre and the family reside at Tobermory is, as I have been told, that she lost a boy at Kinlochspelve after three months' illness, and Mrs Macintyre fell into bad health herself, and the manse being very uncomfortable and unhealthy, it was necessary for her to go to a more comfortable place with the children. I recollect myself of one K of the daughters being also in bad health for a long time when I was in Croggan. And another reason is, that there was no school near hand, where the children could be educated. I think that the parish of Ahuracle was vacant during part of the time I was at Croggan, but I am not sure, but that was the

parish which I meant when I spoke about Strontian. I am not sure what the distance is between Kinlochspalvie and Strontian, but I think it may be about thirty-eight miles. In mentioning the occasions on which Mr Macintyre may have been engaged in presbyterial business, I have not taken into account occasions when he might be assisting at Sacraments, preaching for co-presbyters who might be sick, or his attendance at the General Assembly. At Lochbuy house there were, during my time, the members of the former and the present families of Lochbuy. There were very often visitors at Lochbuy's house, who attended church. I have not seen Lord St John there, but I heard that he was there and that he attended the church. I do not remember of the ex-governor of Java and his daughter having resided there, and having attended the church. Besides the names of the English speaking people I gave previously, I remember a person of the name of Oliver, who is a shepherd.

Re-interrogated for the Objectors.—Depones, I do not know when Mr Macintyre's family left the manse and went to Tobermory. It was before I went to Croggan the family had not resided regularly at Tobermory. The manse was not shut up during the time I was at Croggan, but Mr Macintyre was there himself, except when he was absent on the fore-mentioned businesses; and a servant girl was there. During the time I was at Croggan the manse was not occupied by any one except the Presentee. Depones, I was never at Kinlochspalvie since I left it at Whitsunday, eighteen hundred and fifty-seven; and I do not remember of the Presentee telling me that the manse had been occupied by any other person than himself. The manse might be occupied all the time since I left, for anything I know. I have heard that another person was residing in it for a time, but whether or not it was let to that person I cannot tell. I have heard that that person's name was Maccallum.

Re-interrogated.—I heard that Maccallum had the use of one room.

Re-interrogated for the Objectors.—I think the name of the person that I refer to is John Maccallum, and I have heard that he was to get the farm of Duirenancuilean.—All which is truth, as I shall answer to God.

(Signed)

DONALD BLACK.  
JAMES DEWAR, Modr.  
JAMES DEWAR, Clerk P.T.

At PORT-ELLEN, First March, 1859.

Compared JOHN MACDONALD, Officer of Inland Revenue, Port-Ellen, who, being solemnly sworn and examined as a witness for the Presentee—The agent for the Objectors protests for reprobators—depones :—I have been in the Island of Islay for about eleven months. I belong to the Established Church of Scotland, and I have been a communicant in that Church for upwards of twenty years. Depones, I have been educated at St Andrews, first at the Madras Institution, and I afterwards studied for four years at the University of St Andrews. I do not know the Gaelic language. Depones, I heard the Presentee deliver two of his discourses, in English, in Kildalton Church. I am rather dull of hearing. I had no difficulty whatever in clearly following and understanding the Presentee on these occasions. Depones, I was satisfied with the Presentee's manner of conducting the Church services, and I considered that the prayers were offered up with earnestness and solemnity.

Interrogated.—Did you observe any want of connexion between the subjects and the texts, or any want of connexion between the different parts of the discourses themselves? Depones, I did not, and I considered at the time that they were well connected, and I received from the discourses the usual amount of edification and instruction that I receive from the discourses of other ministers; and I considered them the best that I have heard delivered since I came to Islay.

Interrogated.—Did you observe any want of earnestness or fervour, on the part of the Presentee, in any of the services? Depones, No, I saw nothing irreverent or unbecoming in his manner. He has a good voice, and it is clear and distinct; so much so, that if I did not know that he was a Highlander, I would not have supposed it from his manner of speaking. Depones, None of the Officers of Excise with whom I am acquainted speak the Gaelic language.

Being shown the objections and interrogated.—How many names of parties, whom you know to speak or understand the English language, and not Gaelic, do you see adhibited to the objections? Depones, I only see six, viz., William Hunter, distiller, Laphroig; Dr Johnstone; Alexander Gordon, Excise Officer, Lagavulin; Mary Gordon and Agnes Gordon, his wife and daughter, and Peter Mackenzie, gamekeeper. Depones, I am not acquainted with Mr Hunter's wife and daughter, and I do not know whether they can speak Gaelic or not.



**A** Interrogated, and requested to state the number of officers of Inland Revenue who were resident within the parish of Kildalton, immediately previous to the objections to the Presentee being lodged? Depones, Eighteen, and these were all unacquainted with the Gaelic language.

Being shown the objections, and asked to state how many names of officers of Inland Revenue you see there, depones, One, viz., Mr Gordon, who is one of the officers at Mr Walter Graham's distillery at Lagavulin.

**B** Being shown the objections, and interrogated where does the majority of the Objectors reside? —Depones, at Lagavulin. I know the Distillery of Ardbeg. There are a great many people employed about that distillery.

And being interrogated if you see the names of any parties residing there at the objections, depones, I do not.

**C** Being shown the objections, and desired to state how many names of parties you see there who are residing at Port-Ellen, depones, 11. Depones, I consider the Presentee qualified to be my minister, and that he preaches the English language with ease and fluency.

Cross-interrogated for the Objectors, and shown the Call, depones, I recognise the first name to the left hand and the fourth in succession as my signature, as "John Macdonald, Inland Revenue officer;" and upon the last page of the same document I again recognise my signature as a witness, written as follows:—"John Macdonald, officer of Inland Revenue, witness to these names entered by

**D** the mandatory, Donald Macintyre, Lagavulin, 4th Sept., 1858." These words signify that I was present at Lagavulin on fourth September, and saw Donald Macintyre write upon the Call the 67 names which precede my signature as witness.

**E** Being shown the documents called Mandates, numbered 3, 4, 5, 6, depones, I observe that the docquets appended to each of these documents, stating that they were left with Mr Levack, are in my handwriting, and that the name, "John Macdonald, witness," subjoined to the docquets, is also in my handwriting. These words signify that I was present at Lagavulin when the documents were delivered to Mr Levack.

Being shown the document No. 7, called a Mandate, depones, that the following words, viz.:—"Those marked out have since signed personally," are in my handwriting, and Donald Macintyre attached his name to these words.

**F** Being shown the document purporting to be a Mandate in favour of Archibald Macarthur, Port-Ellen, and marked as No. 2, depones, I recognise my signature appended to said document in three different places, with the word "witness" attached thereto. The first signature signifies that I saw Duncan Sinclair, Lotts, subscribe said document. My first signature is meant to attest that I saw the subscription adhibited. Depones, the said Duncan Sinclair so subscribed the said document in my presence, in the house of Mr Duncan MacCuaig, Port-Ellen, which is called the Steamboat Tavern, and is a public-house. Depones, the said Duncan Sinclair did not subscribe by a mark, but by a full subscription wrote the

**G** words, "Duncan Sinclair," and he did so in my presence. Depones, I saw him write the words "Duncan Sinclair," and at the same time he asked me to become a witness to his subscription, and I accordingly, immediately after he had signed, attached my own name as witness in attestation of his subscription. Depones, On this occasion Mr Duncan MacCuaig was present, and two country people, whose names I did not know. This was done upon a table in the front room, or shop of the Steamboat Tavern. I cannot specify the date when this took place, nor can I say that it was upon the 25th day

**H** of August last, as the mandate bears, for I do not remember; but it was within the time allowed by the Presbytery, and I recollect that it was about 5 o'clock in the afternoon of one of the days the steamer left for Glasgow; and I recollect that Mr Dempster, the agent for the Objectors, left Port-Ellen for Glasgow with the steamer on the same afternoon. Depones, I had not seen Duncan Sinclair, Lotts, in the village in the previous part of that day, I recollect that he was standing at the door of the Steamboat Tavern, conversing with Mr Duncan MacCuaig, when I came forward accidentally, and was

**I** introduced to him by Mr MacCuaig. I did not know Duncan Sinclair before that time. It was at the door of the tavern that he expressed a wish to sign the Call; upon which the three of us went inside and found the mandate lying upon the table; the two countrymen I have referred to, were in that apartment. I do not know whether the countrymen had drink, but none of us three had any. Depones, My second signature to said document attests the signature of Agnes Macdonald, my wife, who is ready to come forward, if required. My third signature, as a witness to said document, attests the

**K** subscription, by mark, of Archibald Campbell. Archibald Campbell is a stranger to me, but Mr Duncan MacCuaig knows him. I do not know where he lives. I do not know what he does.

Being interrogated.—If Archibald Campbell had the appearance of being an old man or a young

man? Depones, He had not the appearance of being an old man, but I do not know his age. Depones, A The said Archibald Campbell appended his mark, in my presence, to said document within the Steam-boat Tavern. Depones, On further recollection, I remember that Archibald Campbell was a young man, and, at the time, in the employment of Mr Ramsay; but I cannot say where he is now. Depones, The name "Archibald Campbell," which follows the mark, is in my hand-writing, also the words, "his mark;" but the cross was made by himself. Depones, No one was present but Campbell and myself when this took place, so far as I remember, except the persons belonging to the house. I recollect of B meeting Campbell in the street, as he was coming from the pier with a horse and cart, and he asked me where the Call was, as he wished to sign it, and I took him to the Steamboat Tavern, where it was. When I speak of the Call I do not mean the Call itself, but the mandata. I had no copy of the Call. I forget whether I read over to Campbell any document. Mr MacCuaig had a copy of the Call, but I had none; and it may have been read over to Campbell, but I do not recollect. I add, of my own accord, that several people came to me complaining that they had called at Mr Levack's, for the purpose C of signing the Call, but could not find him, as he was always at Mr Graham's in the evening, acting as tutor; and these parties, whose names I might now specify, are as follows, viz.:—Mr Armstrong, who is an English shepherd to Mr Ramsay. I will not mention any more names in the meantime, but will reserve the rest, so as that they may have an opportunity of coming forward themselves.

Being interrogated.—Have you ever heard, read, or seen, the copy of the Call which you have stated Mr MacCuaig had? Depones, I decline to answer that question. I add, of my own accord, D that I heard the Call read over in the church on the day the Call was moderated in. Being referred to your previous answer, that MacCuaig had a copy of the Call, you are requested to state whether you ever saw that copy or heard it read. Depones, I have already given my answer.

Being interrogated, and requested to state on what grounds you deponed that Duncan MacCuaig had a copy of the Call? depones, I have no right to state my grounds here, and I decline giving an answer to that question. Depones, I will not swear whether the heading of the paper to which Archibald E Campbell's name is appended was written out at the time Campbell signed, as it is so long since. Depones, I cannot tell whether the sheet of paper which I put before Campbell for his mark was attached to any other sheet of paper. I observe that the document, No. 2, consists of five sheets of paper pasted together, and that Campbell's mark is on the last; and I do not recollect whether it was pasted to another sheet when Campbell's name was appended by mark. It might have been folded up at the time. Campbell can read writing, and I know this to be the fact, for I have seen him reading from F the notice book when he was stillman to Mr Ramsay. The notice book is partly in manuscript.

Being interrogated, and again referred to the name Duncan Sinclair, Lotts, appended to the said document, and to which your name is subscribed as the attesting witness, you are requested to explain the cross or mark that appears between the word "Duncan" and the word "Sinclair," and also to state whose mark that is? Depones, I cannot say whose mark that is, it is so long since.

Being interrogated if the said mark is Duncan Sinclair's mark? Depones, How can I tell? it is G so long since; and I add that I did not expect to be called as a witness here. Depones, I forget whether said mark was made in my presence, it is so long since.

Being interrogated.—Can Duncan Sinclair write? Depones, I recollect of his asking me to be a witness to his signature, and my name is there as a witness. Depones, I only think I saw Duncan Sinclair write the words "Duncan Sinclair;" it is so long since, that I do not recollect.

Being again interrogated, and referred to the said document, and asked who wrote the said name H "Duncan Sinclair, Lotts?" Depones, it is so long since, and being unacquainted with Sinclair's signature, never having seen him sign before or after, I do not recollect.

Being interrogated to reconcile your last answer with the answer you gave in a previous part of your deposition, to the following effect:—"The said Duncan Sinclair did not subscribe by a mark, but by a full subscription wrote the words 'Duncan Sinclair;' he did so in my presence. I saw him write the words 'Duncan Sinclair?'" Depones, I reconcile the time by seeing my name as a witness opposite I Duncan Sinclair's name, but it is so long since, that I do not recollect, not being accustomed to his signature. I cannot exactly say whether it was his signature or his mark, but it is either the one or the other.—All which is truth, as I shall answer to God.

(Signed)

JOHN MACDONALD.  
JAMES DEWAR, Modr.  
JAMES DEWAR, Clerk P.T.

K

A

At PORT-ELLEN, First March, 1859, and at 7 o'clock P.M.

Re-compeared, the foresaid JOHN MACDONALD, who being again solemnly sworn and cross-examined for the Objectors, depones, I was present at the meeting of Presbytery held at Bridgend on the 8th September last. Depones, The occasion on which I saw Mr Dempster, the Objectors' agent, leave Port-Ellen for Glasgow, by the steamer, was either before or after the 8th September, but I cannot specify the date. The first time I saw the Objectors' agent was, I think, on the 8th September last, when travelling towards Bridgend. Depones, I do not recollect whether it was before or after that occasion I saw Mr Dempster leaving Port-Ellen for Glasgow. Depones, I do not recollect whether any names were adhibited to said mandate after the meeting of Presbytery held at Bridgend on 8th September, but I should think not.

Being interrogated, and requested to reconcile your previous statement, that Duncan Sinclair signed the mandate "about five o'clock in the afternoon of one of the days the steamer left for Glasgow, and I recollect that Mr Dempster, the agent for the Objectors, left Port-Ellen for Glasgow with the steamer on the same afternoon," with your other statement, "that the first time I saw the Objectors' agent was, I think, on 8th September last, when travelling towards Bridgend;" and your further statement that you "should think that no names were adhibited to the mandate after that date." Depones, I kept no notes of dates at all, not expecting to have been called here. Depones, I belong to St Andrews in Fife. Depones, Since I entered the public service I have not always been an officer of Inland Revenue.

Being interrogated.—What were you before being an officer of Inland Revenue? Depones, you have nothing to do with that.

Being interrogated.—Were you formerly connected with the Customs, and why are you not connected with them now? Depones, I left for a better situation.

Being interrogated, with reference to your answer that you have been a communicant in the Church of Scotland for upwards of twenty years, you are requested to state when you last communicated. Depones, it might be two years ago. On recollection, I now state that I was for eighteen months in Coldstream, before coming to Islay.

Being interrogated.—When did you communicate before leaving Coldstream for Islay. Depones, I cannot tell the date, but I am willing to produce, if necessary, certificates from different clergymen under whom I sat. Depones, I came to Islay about the end of March last. Depones, I never heard the late Rev. Mr Mactavish preach. Depones, I do not recollect of having been in the Church of Kildalton from the time the late Rev. Mr Mactavish died, till I heard the Presentee preach. I might or I might not. Depones, as far as I recollect, the Presentee preached on the 1st and 8th of August. Depones, the first time I saw the Presentee was on the street of Port-Ellen, passing my house, when he was pointed out to me as the Presentee. Depones, I think I was first introduced to the Presentee on the day the Call was moderated in, but I am not sure, and I am not sure whether it was at the church or at Port-Ellen.

Interrogated.—Where did the Presentee put up? and have you met with him where he did put up? and have you been in conversation with him regarding the present case? Depones, He put up in the hotel at Port-Ellen, belonging to Mr Duncan MacCuaig. I met with him the day after the Call was moderated in with all the members of this Presbytery, which was the first time I met him, in the hotel; and I have been talking to him, and to a great many other people, regarding the case. Depones, That was not the first conversation, but it was one of the conversations I had with him. Depones, I have had several conversations with the Presentee, and one of the conversations was with regard to one of the elders, who had been going about inquiring at parties if they were communicants, as he did not appear to know himself; likewise about one of the elders wishing some of the Callers to withdraw their names from the Call; and I was also conversing with the Presentee as to the postmaster, Mackerrol, having sent a party through the pariah for the purpose of getting the people to withdraw their names from the Call; and the last conversation was relative to Mr Walter Graham and Mr Dempster having gone seven miles into the country, to the uncle of Mr Macintyre, a previous witness for the Presentee, about his having signed the Call.—All which is truth, as I shall answer to God.

K

(Signed)

JOHN MACDONALD.  
JAMES DEWAR, Modr.  
JAMES DEWAR, Clerk P.T.

At PORT-ELLEN, Second March, Eighteen Hundred and Fifty-nine. A

Re-compeared the foresaid JOHN MACDONALD, who, being again solemnly sworn and cross-examined for the Objectors, depones :—Being interrogated—I have not been in conversation with the Presentee relative to this case since I became a witness. Depones, I neither wrote to the Presentee, nor received letters from him, relative to this case, since I became a witness.

Being interrogated.—Have you had any written correspondence with the Presentee, relative to B this case, before you became a witness? Depones, I sent a letter to the Presentee, through the Port-Ellen Post-office, and I received a letter from him, stating that my letter had been opened. That letter which I posted I wafered it, and also sealed it. Depones, That was the only written correspondence I had with the Presentee that I recollect of at the present time.

Interrogated.—Were you present at several meetings of Presbytery when several of the witnesses for the Objectors were examined; and did you suggest interrogatories to be put to any of the witnesses? C Depones, I was present in Court when witnesses for the Objectors were examined. I was cited as a witness for the Objectors, and to appear, as I think, at the first diet and successive days. I had only one citation. I suggested a question to be put to Macdougall, Portantruthan, in consequence of having read a statement in the newspapers of Mr Walter Graham having deponed that he read the objections to several parties outside of the church, and among others to Macdougall, Portantruthan. I was present when Macdougall was under examination, when, to the best of my recollection, he deponed that he D never saw the objections, nor heard them read over to him, before he signed them. I then suggested to the agent for the Presentee as a question, Did Mr Graham read them over to him? which question, I think, was not put. Depones, I attended the first diet. I heard an intimation made in the Court, that all the witnesses were to retire. I did not retire, as I learned the citation was served upon me for the purpose of keeping me out of the Court, and that I was not intended to be brought forward as a witness for the Objectors. I told Mr Dempster that I could not attend from day to day, as I had other duties E to perform. This took place, I think, on 25th November. He asked who I was, and I told him. This took place in Kildalton Church. Mr Dempster told me that I was not required, and therefore I remained where I was. I was present during part of Mr Walter Graham's examination, and I think I was present each time he was examined partially. I was present in Court when Donald Macpherson, residing at Tobermory, was examined; but I did not hear his evidence, from my defective hearing and from his speaking so low. I heard Mr Colin Hay examined, but not the entire examination; but for F the above reasons I could not hear his examination. I was present when Miss Graham was examined, but did not hear her evidence for the above reasons. I heard part of James Mackerrol's evidence. I heard part of the examination of John Maclean, from Tobermory. I forget whether I heard his deposition from the commencement; and I waited at Lagavulin to the end of the proceedings that night. I spoke to the witness Maclean, but not relative to this case, at the church door. There were several people standing at the church door, and a general conversation was going on, and several of the indivi- G duals there were Objectors, and also Donald Macintyre, before referred to.

At this stage of the proceedings, Mr Dewar of Oa (the Moderator), Mr Mackenzie of Jura and Colonsay, and William Webster, Esq., elder, entered the Court. The Moderator took the chair.

Depones, The witness Maclean was standing at the door. Several of the Objectors were speaking to him, and he was giving Mr Macintyre a high character. Fraser, the baker, is the objector I refer to, and he was passing by carrying a bread-basket. I told the Presentee's agent that the witness H Maclean had spoken highly of Mr Macintyre. I did not hear Mr James Stuart examined, but I heard Dugald Macdougall partly examined. I also heard part of the examination of Mr Peter Macdougall. I was present in Court, for about five minutes, when Mrs Keith or Macdonald was under examination. I do not think, indeed I am almost sure, I was not present when Mr Duncan Macdougall was examined. I do not recollect of having been present when Archibald Campbell was examined. I now recollect that I did not hear any part of his examination. I did not hear Donald Jamieson examined. I read I reports of the proof in the public prints. Depones, I have occasionally attended the Free Church at Port-Ellen, since I came to Islay, because there was not regular service in the Parish Church. Depones, I heard both Psalms and texts given out by the Presentee on first and eighth August, quite distinctly. Depones, His text on the first August, so far as I can recollect, was from the 141st Psalm, 7 and 8 v. I will not enter upon the subject of the discourse, in case I should go wrong, having taken no notes at the time, and as it is so long since.

Being interrogated.—Do you know what he was preaching about on that day? Depones, I will K not enter upon the subject. Depones, I think I could charge my memory with some of the heads of

**A** the discourse, but I will not do so in case I should go wrong. Depones, I do not recollect any of the Psalms that were given out on the first August. Depones, with regard to the eighth August, I will not enter upon any point of doctrine that the Presentee expounded or preached about, but I recollect that his text was taken from Acts xxi. 16 v.

Being interrogated.—Do you recollect the words of that text? Depones, I will not repeat them in case I should go wrong.

**B** Being shown the New Testament, and requested to read the last-mentioned text therefrom, depones, I have read the whole of the verse above cited, but it is such a long time since, I cannot tell whether the text of the 8th August was part or the whole of the verse. If I had taken notes I would have no difficulty; but having taken no notes, I have a difficulty in remembering. At the time I heard him I was highly satisfied, and upon my arrival home, his text was read over in my own house, and the subject of his discourse conversed upon.

**C** Being interrogated.—What was the subject of that discourse? Depones, I decline to answer so many repetitions. With reference to your answer-in-chief, that “you received from the Presentee’s discourses the usual amount of edification and instruction that you receive from the discourses of other ministers,” you are requested to state the edification and instruction that you refer to? Depones, I was highly edified, and satisfied, and received more instruction from his discourses than from any other parish minister I have heard in Inlay.

**D** Being interrogated.—What instruction and edification do you refer to? Depones, my mind was instructed, and his discourses reached my heart.

Being interrogated.—What useful lesson did your mind receive from the Presentee’s discourses? and what was the nature of that lesson? Depones, I will not enter upon that at all, it is so long since. Depones, I do not recollect where I was on the 10th Feb. last, nor can I tell where I was on the night of that day.

**E** Being interrogated.—Have you been reported to the Board of Inland Revenue by your superior officer for any faulty conduct, and if so, what was the fault reported concerning you?

Objected.—The question is incompetent, and, like a great many of the previous questions to this and other witnesses adduced for the Presentee, is put for the purpose of annoyance, and the gratification of personal malice on the part of the Objectors, as well as for the purpose of delaying and obstructing the progress of the Presentee’s proof. The procurator for the Presentee has repeatedly

**F** remonstrated against the great waste of time which has occurred by the unnecessary and irrelevant line of cross-examination which has been adopted by the Objectors, and he now states judicially that whatever the object may be which the Objectors may have in view in thus protracting the case, that his client will not be responsible for the delay; and that whether the case will be ready or not to be taken up at the first meeting of the General Assembly, he will not close his proof until he has completed it satisfactorily; and that if the Court permits the time to be spent in inquiries with regard to

**G** matters which are not connected with the case, they must take the consequences upon themselves. The particular question now objected to is incompetent, because it is inadmissible in evidence to ask the witness what another party may have said against him. If there was, in point of fact, any such report in writing, it is incompetent to take any parole evidence with regard to it; and this principle has been held by the Court with regard to similar questions objected to by the Objectors.

Answered for the Objectors.—1st, That the allegation of motives against the Objectors is as **H** absurd as it is untrue. 2d, The question is competent to enable the Court to estimate the value of the witness’s testimony, and it is more especially so, having regard to the terms of the Benefices Act, which enjoins the Presbytery to have regard to the whole circumstances and condition of the parish, and the spiritual welfare and edification of the people. 3d, The long objection stated for the Presentee regarding delay is a practical refutation of itself. 4th, The question refers to a fact affecting the witness himself, and he is only called upon to speak to his own knowledge of it; and similar questions **I** were allowed in the course of the Objectors’ proof, and especially in the case of Donald Macpherson, who was asked whether he had been visited with church censure, and for what fault?

Parties being removed, the Presbytery, after reasoning, sustain the objection and disallow the question, against which deliverance the agent for the Objectors protested and appealed *ut supra*, for the following, among other reasons, to be urged at the discussion hereof:—1st, That the Court should have the means of ascertaining the character of the witness, and of thus forming an estimate of the value of **K** his evidence. 2d, Such forms a material element in the decision of the cases of this sort, under the Benefices Act. 3d, That the question is fairly and competently put.

Being interrogated.—With reference to your answer, that Mr Gordon, the officer of Inland

witness, whose evidence the Objectors are probably anxious to exclude from view, and as the Presbtery **A** may be called upon to adjudicate upon such objections, it is necessary that the circumstances connected with the presence in Court of witnesses on both sides should be ascertained.

And the question being again put to the witness, depones, I saw Mr Stuart taking down the evidence before he was examined himself. Depones, I did not remain in the Court for any improper purpose, nor at the desire of the Presentee or his agent. Depones, after I was precognosed by the agent for the Presentee, and told that it was intended that I was to be examined as a witness, I was not **B** within the Court, except upon the occasion already referred to. Depones, I had no ill intention in attending these diets of Court; but wished to hear the proceedings regarding the settlement of the Presentee, for which I am still anxious.

Being interrogated, and referred to your statement that you saw in Court parties who were afterwards examined as witnesses for the Objectors without any objection or remark, did you consider there was any harm, more particularly as you were not then aware that you were to become a witness, in **C** remaining in Court? Depones, No.

Interrogated, and referred to your statement that "you had some trifling communication with the Presentee's agent in suggesting questions," you are requested to state whether or not these communications were caused by your having observed a similar course of procedure on the part of individuals who had been examined as witnesses for the Objectors?

Whereupon it was objected by the Objectors:—1st, That the question is incompetent, 1st, Because **D** it is put in a leading form.

2d, Because it assumes a fact which has not been proved, and for the inquiry as to which no foundation has been laid.

3d, Because, if it refers to, or implies the supposition that any question was suggested by any witness for the Objectors before such witness was examined, it is untrue, and an affirmative answer would involve the witness in a mis-statement. **E**

4th, Although the fact assumed had actually taken place, if the practice were erroneous, it could form no valid excuse for the witness taking a part in the proceedings, which stamped him rather as a partizan than an impartial witness.

Answered.—The statements made in the objections are denied in point of fact, and the question is necessary and competent, because the drift of the Objectors' initial examination is to show that this witness is a partizan, whereas, if the term partizan is applicable to any parties connected with the **F** case, it is especially applicable to the Objectors, who, with the exception of three individuals, constitute the body of the witnesses adduced against the Presentee. The procurator for the Presentee is not aware that there is any legal distinction between the acts or deeds of parties who are Objectors and those who are Callers. On the contrary, such matters in both cases may be the subject of the fullest discussion and investigation.

Parties being removed, the Presbtery, after reasoning, sustained the objection, and refused to allow **G** the question to be put.

Depones, I saw some slips of paper written in pencil in Court, and handed to the Objectors' agent, by parties who were Objectors. Depones, I had no impure motives in any communications I had with the Presentee's agent, my object being to have the truth elicited. Depones, it was a matter of accident when I sat in Court. Depones, I understand that the agent for the Objectors resides with Mr Walter Graham, and that he came to, and retired from the Court in Mr Graham's carriage. Depones, in going **H** to Kildalton at the same time that the Presentee and his agent did, on some of the occasions on which proof was led there, I merely availed myself of a vacant seat in the dog-cart which conveyed them; but I charged the hire thereof in the usual way. Depones, with the exception of the occasions which my vehicle went to Kildalton Church as aforesaid, I have not accompanied the Presentee or his agent to or from the Court, unless to the meeting at Bridgend on 8th September last, to which meeting I was **I** summoned.

Being interrogated, were the Objectors whom you state you saw in Court previous to their giving evidence in this case, sitting in such a position as that they could have been perfectly well seen by the Objectors' agent or his clients? To which question it was objected by the agent for the Objectors, that the question is incompetent, 1st, Because it assumes that the witness has stated as matter of fact that he saw Objectors in Court previous to their giving evidence, which is a mis-statement.

2d, Because the Objectors are not in question at present, but only the witnesses for the Presentee. **K**

3d, Because the Objectors, who have a status under the statute as parties, do not occupy the same position as this witness, who is not an objector, and therefore not a party.

4th, Because the question is put in a leading form.

- A** Being interrogated.—What is the name of the elder? Depones, I decline to give his name, as the party whom I refer to may be adduced as a witness for the Presentee, and he may give his own name.
- Being interrogated to give the name of another person? Depones, You (Mr Dempster) would like to know who the parties are, but I am not disposed to tell who they are.
- Being interrogated, and requested to state if, within your own knowledge, any of the Objectors have intimidated any of the Callers, and induced them to withdraw their names from the Call? Depones,
- B** I have not seen any intimidation, but have heard that Mr Mackerrol, postmaster, sent the letter carrier to get some of the Callers to withdraw their names.
- Being interrogated, and requested to state the person's name who told you that? Depones, I decline to answer that question.
- Being interrogated, and requested to give the name of any other person who used intimidation? Depones, I heard that Macdougall, Portantrathan, a witness for the Objectors, wished a girl of the
- C** name of Macintyre, a servant, to withdraw her name from the Call, and sign another paper against the Presentee; her uncle told me so, but not herself. The uncle's name is Macintyre. I do not know his Christian name, but he is my next door neighbour. I do not know where the girl serves, but the uncle, who gave me the information, will come forward and satisfy you.
- Being interrogated, who were the parties whom Mackerrol sent his man to? Depones, I cannot specify their names, but I will bring a party who will do so; and, perhaps, Mr MacCuaig will be able to
- D** give some information. Depones, another party came to me this week, who told me that he was sent for to Mr Hunter's office, at the distillery, by Mr Mackenzie, gamekeeper, and Macdougall of Portantrathan, wishing him to withdraw his name, and he wished to give evidence in this case as regards that.
- Being interrogated.—What is that person's name? Depones, I got his name at the time, but I forget it; but perhaps the agent for the Presentee will remember it.
- E** Being interrogated, and referred to your previous answer, that "it is matter of notoriety that parties have been going through the parish intimidating the Callers, and trying to get them to withdraw their names from the Call;" you are requested to specify the parties referred to in that statement, and the kind of intimidation used. Depones, I refer to Allan Macdougall, one of the elders, who went to a party and told him that if he did not withdraw his name, he would be summoned before the Presbytery, and would be brought into expenses. The individual I refer to went to Mr
- F** MacCuaig to ask his advice in the matter.
- Interrogated.—What is that individual's name? Depones, Mr MacCuaig will be able to give it.
- Being interrogated.—Who told you this? Depones, I decline to answer that question. Depones, I will give no further instances, as I cannot wait, having my duties to attend. Depones, Mr Macdougall is neither a Caller nor an Objector; but he has taken an active part against the Presentee. I have not seen him do so, but I have heard him speaking against the Presentee to several people.—All
- G** which is truth, as I shall answer to God.

(Signed)

JOHN MACDONALD.  
 JAMES DEWAR, Modr.  
 JAMES DEWAR, Clerk P.T.

**H**

At PORT-ELLEN, Third March, Eighteen Hundred and Fifty-nine.

Compeared JOHN FRASER, Steamboat Porter in Port-ElLEN, who, being solemnly sworn and examined as a witness for the Presentee, depones :—I attend the steamer Ialay on her arrival and departure from and to Glasgow. I have been about twenty-four or twenty-five years in the parish Kildalton, and I have been in the habit of attending regularly the Parish Church of Kildalton

**I** Depones, I hold a certificate from Archibald Campbell, elder, of being a regular attendant, and being sober, honest, and industrious, and which I am ready to produce if required.

At this stage of the proceedings Mr Dewar, of Oa, the Moderator, and Mr Mackenzie entered when the Moderator took the chair.

Depones, I heard the Presentee preach his trial discourses at Kildalton on the 1st and 8 August, and I heard him both in English and Gaelic on Sabbath the 1st. I heard him in Gaelic

**K** on Sabbath the 8th. I followed and distinctly understood the Presentee on these occasions. edified and instructed by the discourses, and I was satisfied with his manner of conducting the C services.

Being interrogated, if the prayers were offered up with earnestness and solemnity? Depones, A They were.

Interrogated.—If the Presentee's manner in the pulpit was equally becoming and reverent with the manner and deportment of other ministers? Depones, Yes.

Interrogated.—Did you observe any want of fervour or earnestness on the part of the Presentee? Depones, I do not exactly understand the question, and would like it explained in some other way. B And the question being again put, depones, I did not.

Interrogated.—If the Presentee's discourses were sufficiently plain and clear, so as to be easily understood by you? Depones, Yes. Depones, I signed the Call in the Church.

Interrogated.—Did you, on that occasion, see any person or persons signing the objections under the influence of liquor? Depones, I cannot say that I did.

Interrogated.—Did you hear Mr Walter Graham, or any other objector, state publicly in the church that there was nobody to sign the Call, and that it would fall to the ground? C

To the competency of which question, it was objected 1st, That the Call itself, which is produced in process, signed by thirteen individuals, in presence of the Presbytery, is the evidence that it was so signed at the proper time, in presence of the Presbytery, and no extraneous evidence can be introduced in contradiction of a formal written document which forms an essential step of procedure in this case. 2d, That the Presbytery's minute is the only competent Record of the transactions which took place on the day referred to in the question. 3d, That Mr Graham's name is now, and has been, most unnecessarily and offensively introduced for a sinister purpose; but what he, or any other party may have said on the day in question, could not affect the proceedings which the Presbytery alone have had the superintendence of, and therefore, the question is irrelevant. 4th, That the Presbytery uniformly, in the course of the Objectors' proof, disallowed any question to be put, calculated to disclose the transactions of the day in question. D

Answered, 1st, That the question does not apply to the contents of a written document. 2d, E That the question does not relate to any transaction which could form part of the Presbytery Records, but to a statement made by an influential objector, addressed to other parties, and by which the number of parties who would otherwise have signed the Call on the day in question was materially affected. 3d, That Mr Graham's name is not now, and has not been introduced unnecessarily or offensively, nor for any sinister purpose; but solely for the purpose of establishing the part which he, who is both a witness and an objector against the Presentee, has taken in this matter. 4th, F The Presentee is entitled to prove all the facts and circumstances connected with the opposition which has been got up against him, and the question that is objected to, is one that is put for eliciting such facts, and is therefore competent.

Parties being removed, the Presbytery, after reasoning, sustained the objection, and disallowed the question to be put, Mr Macdonald and Mr Dewar, Oa, dissenting.

Against which finding, the agent for the Presentee protested, and appealed *ut supra*, for the previous, following, and other reasons to be stated at the discussion of this appeal:—1. The question has a most important bearing upon the case, in so far as it relates to facts and circumstances connected with the opposition to the Presentee. G

Interrogated.—Were you present at a meeting held within the parochial school-house of Port-Ellen shortly after it became known that a presentation had been issued to the parish of Kildalton, in favour of the Presentee, and before he had preached his trial discourses, as above deponed to? and did H you, upon that occasion, hear any of the Objectors, and particularly Mr William Hunter, Mr Colin Hay, and Mr Walter Graham, distillers, make statements to the meeting to the effect that they should oppose the Presentee, and not hear him preach?

Whereupon it was objected for the Objectors:—1st, That the question ought to be disallowed, in respect, first—That it is leading, and contains the precise circumstances which might be expected, and is not calculated to elicit the truth, as the witness might be disposed to deliberate according to his own I knowledge. 2d, That the question is, like many others, so framed as to contain rash insinuations against absent parties, who are *in hoc statu* deprived of an opportunity of defending themselves, but which insinuations are nevertheless false and calumnious. 3d, That the question, as put, is palpably erroneous in itself, as it refers to gentlemen by name, who did not possess the character of Objectors when the incident referred to took place; and one of them, viz., Mr Hay, is not an objector, as the Minutes of the Presbytery will show. And 4th, That the question is entirely irrelevant to the facts and circum- K tances admitted to probation.

Answered.—1st, That the question is competently framed, and calculated to elicit what the Pre-



**A** sentee considers to be most important circumstances connected with this case. 2d, That the statements contained in the second objection are totally denied. 3d, That the question is not palpably erroneous in itself, because, although the gentlemen referred to could not have been Objectors at the time in question, under Lord Aberdeen's Act, seeing that the period referred to was previous to the Presentee's preaching his trial discourses, yet they all subsequently signed the objections now before the Presbytery; and the statement with regard to Mr Colin Hay is entirely incorrect, as his name appears the fourth

**B** signed to the said objections, although he was found subsequently to be ineligible as such, in respect that he was not a communicant. 4th, The question is therefore clearly competent, and falls directly within the spirit and terms of the Act of Parliament already referred to.

Parties being removed, the Presbytery, after reasoning, sustained the objection, and refused to allow the question to be put. Mr Macdonald and Mr Dewar of Oa dissenting. The latter assigning as a reason that the parties whose names are implicated should have an opportunity allowed them of being relieved from

**C** the insinuation contained in the question; against which finding the agent for the Presentee protested and appealed *ut supra*; and also against the reason stated by the Rev. Mr Dewar of Oa, which he denies to be well-founded, for the previous, following, and other reasons to be stated at the discussion of this appeal:—1st, The question is not a leading question, but necessary in the first place to elicit the fact, generally, that statements of the nature referred to were made. 2d, On this fact being established, the question would then naturally follow, "what were the statements that were so made?" The

**D** authority referred to shows that it is quite competent to put the question in its present shape.—(*Dickson on the Law of Evidence*, p. 987, Sec. 1984.)

Interrogated.—Did you observe, on the day for moderating in the Call, any of the Objectors urging or pressing parties to go into the church to sign the objections?

Objected for the Objectors.—That the question is clearly incompetent, for the reasons above stated as to a question put to the witness as to the transactions which took place on the day for moderating

**E** in the Call; further, that the objections, as signed, having been formally received and sustained by the Presbytery, and cannot be impugned by parole evidence during the present proof. 2d, If the Presbytery have admitted the objections as part of the records of this Court, it is altogether beside the question, whether the Objectors were urged to sign them or not. Again, 3d, The question, as put, is vague and irrelevant, as it refers merely to parties who may have no standing in this Court; and the only parties who can be recognised, are the Objectors themselves and the Presentee.

**F** Answered.—The procurator for the Presentee holds as repeated the answers which he has given to the previous objections.

Parties being removed, the Presbytery, after reasoning, sustained the objection and refused to allow the question to be put, Mr Macdonald dissenting, and also Mr Dewar of Oa, for the reasons formerly assigned.

Whereupon the agent for the Presentee protested, and appealed *ut supra*, for the reasons previously stated, and others to be stated at the discussion hereof.

**G** Being shown the objections and the name "James Robertson, shepherd, Cornibus." Depones, I know that party.

Interrogated.—Whether Cornibus, the residence of the said James Robertson, is within the parish of Oa, and that he is not a parishioner of the parish of Kildalton?

The agent for the Objectors objected to the competency of the above question, because its object and tendency is to challenge the correctness of the procedure of this Presbytery in regard to the

**H** validity of the objections, which were sustained so far back as 8th Sept. last, when James Robertson was admitted as having the status of an objector without his right being called in question by the Presentee himself or his agent—who were at that diet afforded an opportunity of impugning the objections, and the right of the subscribers there to become Objectors—but who not only failed to object to said James Robertson, but expressly named all the subscribers to which the Presentee's right of challenge applied; but admitted the Roll of Communicants to be the correct roll for determining the

**I** status of the Objectors, and their right and title to object under the Benefices Act. Accordingly, an Interlocutor of relevancy was pronounced after the title of the Objectors had been sustained, and also an Interlocutor of proof pronounced, admitting to probation the objections proposed, *inter alia*, by Robertson; and it is utterly incompetent for the Presentee to attempt, at this stage of the proceedings, to vitiate the procedure of the Presbytery, or to challenge the title of any one of the Objectors who has been, with his own consent, admitted to possess the character and position of a *bona fide* objector.

**K** Answered for the Presentee:—1st, The Objectors are labouring under a misapprehension with regard to the object of the meeting at Bridgend on 8th Sept. last. The Minutes of that meeting sustained merely the relevancy, to a certain extent, of the objections themselves, but not the right or title of the parties who subscribed the same, to be considered as Objectors.

2d, With regard to the Communion Roll, all that the Presbytery did was to compare it with the A list of Objectors' names, and to "find the number of Objectors whose names are on the Roll is 34, and those whose names are not upon the Roll is 18;" but the Presbytery did not find, and could not legally do so, the title of even the parties whose names appeared upon the Roll to be Objectors, before any proof was led, because it is quite possible for a party to be a communicant in one parish and to be resident in another, in which case, although he may have the status of a communicant in that parish, he cannot have the right of a parishioner.

3d, The Presbytery found that the eighteen parties whose names were not on the Roll were not entitled to be Objectors, and they allowed a proof to both parties. There is no stage of such a case as the present at which the Presbytery or the Presentee require to maintain or object to the rights of parties to remain as Objectors. The only document which the Presbytery require to sustain is the Call; but the Presentee is entitled at any time to prove, by competent evidence, that the parties whose names are attached to the objections are not parishioners, just as much as the Objectors or the Presbytery may C inquire into the fact as to whether or not the Callers are extra-parochial.

4th, The procurator for the Presentee, at the time the relevancy was discussed as aforesaid, was entirely unacquainted with the localities referred to, where many of the parties whose names were at the objections resided, and therefore could not, even if it were incumbent upon him to do so, object to the individual in question remaining as an objector, on account of his not being a parishioner. He now, however, avers and offers to prove, as a fact which must be known to every member of this Pres- D bytery, that the said James Robertson was not at the time in question, and is not now, a parishioner of Kildalton, in which Cornibus is situated. By the first section of the Benefices Act, the parties who are entitled to state objections to a presentee are "parishioners being members of the congregation," and he therefore maintains that he is entitled now to prove that the individual in question is not a parishioner of the parish of Kildalton.

Parties being removed, the Presbytery, after reasoning, sustained the objection, and refused to E allow the question to be put.

Against which finding the agent for the Presentee protested and appealed *ut supra*, for the previous, following, and other reasons to be stated at the discussion of this appeal:—1st, The Presentee, upon the 24th August last, when the said objections were lodged, reserved his right "to impugn the same, and the right of the parties whose names are adhibited thereto to sign their names." 2d, The Presentee, in course of impugning the said objection, and as part of this reservation, he is also entitled F to show that any of the objectors are not entitled, from being non-parishioners or otherwise, to the character which they assumed to themselves. 3d, Although the Presbytery found, at their meeting at Bridgend, that eighteen parties were not entitled to the character of Objectors, because their names did not appear upon the communion roll, they did not find that those whose names were there were entitled to that character. 4th, The fact of a proof being allowed to those parties has nothing what- G ever to do with the competency of now entering upon the present question, because that very proof, instead of recognising their title, only gives them the opportunity of proving it, for they are allowed to prove that they are Objectors to the Presentee, and the truth of the objections themselves. 5th, The fact of a party's name being on the communion roll, and the communion roll itself, even when it is admitted to be correct, can only be maintained to go the length of proving that such party is a communicant in a particular parish, but not that he is entitled to the character of an Objector, which he can only acquire by being possessed of the qualifications of a communicant, and a parishioner in H the same parish.—All which is truth, as I shall answer to God.

(Signed)

JOHN FRASER.  
JAMES DEWAR, Modr.  
JAMES DEWAR, Clerk P.T.

I

At PORT-ELLEN, 3d March, 1859, 7 o'clock P.M.

Re-compeared the foresaid JOHN FRASER, who being solemnly sworn and examined as witness for the Presentee, interrogated, Is it matter of notoriety, that with the exception of the parties who have signed the objections, the great body of the people are favourable to the Presentee? Depones, yes.

Cross-interrogated for the Objectors.—Depones, I am not a communicant. I am a married man, K and a son-in-law of Mr Andrew Macgibbon, a preceding witness for the Presentee. The steamer arrives at Port-ElLEN on Tuesdays and Fridays; when not engaged about the steamer, I do anything

I

A I can get to do. I cannot specify the number of times I have attended church since I heard the Presentee preach in August last. I know that there has been service in that church once a fortnight, excepting once or twice, since Mr Macintyre preached. I attended service when I expected to hear a good sermon, and I attended with the exception of the times when two of the ministers appointed by the Presbytery preached.

Being interrogated.—What was the Presentee preaching about in Gaelic on the 1st August?  
B Depones, it is now upwards of half a year since I heard the Presentee preach, and not expecting to be called as a witness, I have forgotten. The same answer applies to the English sermon on that same day, and also to the Gaelic discourse I heard on 8th August. Depones, I do not recollect any part of the sermons, nor the several subjects of discourse. I have only retained one of the texts in my memory, but I have seen some of them published in the public newspapers.

Interrogated.—With reference to your answer, that you were edified and instructed by the discourses of the Presentee, you are requested to state what instruction you received, if you still remember it? Depones, I do not remember just now.

Interrogated.—With reference to your answer, that it is matter of notoriety that the great body of the people are favourable to the Presentee, you are requested to explain whether this feeling exists among parties you have been in the habit of coming in contact with, or how do you know that it is matter of notoriety? Depones, by hearing the people speak about these things, and it would take  
D me a long time to study or go over the people who have told me so. Depones, I do not mean the people of Port-Ellen, but partly so. Depones, I have not been very much out of the village of Port-Ellen since I heard the Presentee preach. Depones, I know none of the Callers, but these are not the people I refer to. Depones, I refer to people from the island of Jura, and through the whole country.

Being interrogated, and requested to state the names of the parties from Jura to whom you refer.  
E Depones, I cannot give their names.

Being interrogated, What do you mean by the expression, "the whole country?" depones, I mean the island of Islay. Depones, the following are the parishes in the island of Islay, viz. :— Kilchoman, Kilmeny, the Oa, Kildalton, and Kilarrow.

Being interrogated.—Can you specify the names of any parties from Kilchoman who have expressed themselves as favourable to the Presentee. Depones, I do not know the parties by their  
F names.

Being interrogated, when and where parties from the Parish of Kilchoman spoke to you on this subject, depones, I do not remember just now.

Interrogated, and requested to state if any party from the Parish of Kilchoman spoke to you on this subject, that is about the Presentee, depones, If the Rhins be in the Parish of Kilchoman, parties from the Rhins spoke to me. Depones, I cannot tell who these parties are, and a similar negative  
G answer applies to all the other parishes that I have referred to, excepting Kildalton.

Being interrogated, and requested to specify the names of the persons belonging to the Parish of Kildalton who have expressed themselves to you as favourably disposed to the Presentee, depones, It would take me a long time to study.

Interrogated.—Can you specify the names of any parties, who are not Callers, residing beyond Port-Ellen, who have expressed themselves as favourable to the Presentee? Depones, Duncan Cook is  
H one; but I do not know where that man resides, nor whether he resides in the Parish of Kildalton. Depones, I do not recollect of ever having seen Duncan Cook in Kildalton Church.

Being interrogated.—Can you give any other names? Depones, I would rather drop that just now, as I cannot remember.

Being interrogated, and requested to specify the names of any party or parties, resident within the village of Port-Ellen, and not Callers, who have expressed themselves favourable to the Presentee, depones,  
I I would rather drop that just now, as they are not in my memory.

Being shown the objections, and the subscription thereto of "Stewart Fraser, baker, Port-Ellen," and interrogated if that is your father's signature? Depones, I think it is.

Re-interrogated for the Presentee.—Being shown the objections, and interrogated if you see the names of any parties belonging to Ardbeg there? Depones, I do not. Depones, from my attendance  
K at the boat I am frequently in the habit of meeting with people whose names and residences I do not know. Depones, I was born on the 14th of October, 1831. Depones, the reason why I am not a

communicant is, that I never was asked to be one. I intend to become one the first opportunity. Depones, I was born in the Parish of Kilchoman.—All which is truth, as I shall answer to God.

(Signed)

JOHN FRASER.

JAMES DEWAR, Modr.

JAMES DEWAR, Clerk P.T.

At PORT-ELLEN, 7th March, 1859. B

Compeared ALEXANDER MACCUAIG, general merchant and farmer, Port-Ellen, who being solemnly sworn and examined in Gaelic, as a witness for the Presentee, depones, I understand English partially, but prefer to be examined in Gaelic. Depones, I am a communicant in the Parish Church of Kildalton, and I have been so for the last thirty-four years. I have been a regular attendant.

Interrogated.—Did you hear the Presentee deliver his trial discourses in Gaelic, in Kildalton Church? Depones, Yes, I heard him.

Interrogated.—Were you satisfied with his manner of conducting the church services? Depones, I was fully satisfied

Interrogated.—Were the prayers offered up with earnestness and solemnity? Depones, In my opinion they were.

Interrogated.—Was the Presentee's manner in the pulpit as reverend and becoming as that of other ministers, or did you observe anything in his manner which you felt indicated a want of fervour and earnestness? Depones, In my opinion his manner in the pulpit was more reverend and becoming than that of most ministers I have heard; and with regard to the latter part of the interrogatory, I depone, I felt nothing in his manner that indicated a want of fervour or earnestness.

Interrogated.—Had you any difficulty in following or understanding the Presentee, either with regard to the matter of the discourses or the delivery? Depones, I had no difficulty either in following or understanding the Presentee, he had language enough and it was easy to follow him.

Interrogated.—Did the discourses convey edification and instruction to your mind? Depones, If they did not, it was my own and not the Presentee's fault.

Interrogated.—How long have you been in the habit of hearing Gaelic sermons preached? Depones, For the last fifty-five years.

Interrogated.—Did you observe anything in the Presentee's discourses which led you to think F they were inferior in point of arrangement, or composition, or language, or practical application, to other discourses? Depones, I did not think them deficient in any of these respects, and I was thankful to God that such a minister was likely to be appointed.

Interrogated.—Is the parish of Kildalton a Gaelic speaking parish or an English speaking parish? It is more a Gaelic than an English speaking parish. Depones, I signed the Call, and am fully satisfied with the Presentee's qualifications to be my minister. Depones, I believe I am as long G connected with the Parish Church of Kildalton as any member thereof.

Interrogated.—Is it matter of notoriety that, with the exception of the parties that signed the objections, the great body of the people of the parish are favourable to the Presentee? Depones, Yes. Depones, In my opinion, and as far as I know, I never heard him preach in the Church of Kildalton before I heard him preach as Presentee. Depones, I went to hear the Presentee without any bias for or against him. H

Cross-interrogated for the Objectors.—Depones, It is thirty-one years since I came to reside in the village of Port-Ellen, and previous to that I was a farmer in the district of Oa, but attended church at Kildalton. Depones, I retail sugar, tea, clothes, ironmongery, etc., to the general public. I am a farmer sometimes, and a merchant at other times. As a farmer I pay from twenty-three pounds to twenty-four pounds of rent. Depones, I was never in Mull, but I know individuals who live there. Depones, I received no letter from any one in Mull until after I saw the Presentee. I Depones, I received a letter from Mr George Black, Tobermory, regarding him; I am not quite sure whether it was before or after I heard the Presentee preach his first trial sermon. Depones, I received no other letter from Mr Black but the one deponed to.

Interrogated.—Did you receive any communication, in writing, from any other party than Mr Black, regarding the Presentee? Depones, No.

Being interrogated.—Have you any objection to produce or exhibit Mr Black's letter? K

At the request of the Presbytery, this question was deferred in the meantime.

Depones, I cannot specify the day of the month when I heard the Presentee preach, but I heard

A his first trial sermon. I heard that he had been presented to the parish before I heard him preaching, but what day before I cannot say. Depones, Before the Presentee delivered his first sermon, he called upon me, and I called upon him at the house of Mr Duncan MacCuaig's, innkeeper, Port-Ellen, who is my brother. Depones, Mr Macintyre, on the occasion upon which he called upon me, delivered to me the letter from Mr Black, above referred to. I am not sure whether the letter was delivered to me before or after the Presentee preached. Depones, I did not see the Presentee when he first B arrived, and cannot tell on what day he did arrive at Port-Ellen. Depones, I met the Mr Black referred to once before in Glasgow. I think he is a merchant and farmer in Tobermory. Depones, I cannot tell what church Mr Black belongs to. I never asked him.

Being interrogated, whether you have preserved or destroyed the letter you have received from Mr Black? Depones, I cannot say whether I have kept or destroyed it.

C Being interrogated.—When Mr Macintyre called upon you, or you upon him, as above deponed to, did he show or read to you any certificates in his favour, or any other documents speaking of his qualifications?

Objected.—The procurator for the Presentee has no desire to prevent the Objectors from entering into the fullest investigation with regard to such of the objections as have been found relevant, and admitted to probation; but the present question, falling under, as it does, the last in the list of objections which the Presbytery found to be irrelevant, is clearly inadmissible.

D Answered by the agent for the Objectors.—Irrespective of the objections referred to, which the Presbytery is not entitled to take into account, it having been objected to as irrelevant, the Objectors are entitled to put the question, as being directly cross to the answer elicited from the witness, in that he went with an unbiassed mind to hear the Presentee. And, again, it is a relevant proper question, as it tends to test the value of the witness's evidence, and to state how far he might have been influenced by communications with the Presentee, before the witness had an opportunity of forming his judgment E from the Presentee's pulpit services, or from his personal knowledge and experience of his qualifications.

Parties being removed, the Presbytery, after reasoning, sustained the objection, and refused the question to be put.

Whereupon the agent for the Objectors protested and appealed against said deliverance to the ensuing meeting of the General Assembly, took instruments in the Clerk's hands, and craved extracts, which were allowed, for the following, among other reasons to be urged in support of said appeal:—1. Because F the question is directly cross to that part of the examination-in-chief which brings out in the witness's answer, that he went to hear the Presentee preach with an unbiassed mind. 2. Because the Presbytery are entitled, in estimating the value of the witness's evidence, to ascertain what means, if any, were used which might tend to produce an effect favourable or unfavourable, but not derived from the witness's experience of the Presentee's qualifications.—All which is truth, as deponent shall answer to God.

G

(Signed)

ALEX. MACCUAIG.

JAMES DEWAR, Modr.

JAMES DEWAR, Clerk P.T.

H

At PORT-ELLEN, Seventh March, Eighteen Hundred and Fifty-nine, Six o'clock P.M.

Re-compeared the foresaid ALEXANDER MACCUAIG, who, being again solemnly sworn and cross-examined in Gaelic, for the Objectors—Depones, I have not been present at any meeting with the Presentee, at which questions were suggested to be put to the Objectors' witnesses. Depones, I was present in Court during part of Mr Walter Graham's examination. I heard part of Mr Hay's examination. I heard part of James Mackerrol's examination. I heard part of James Stuart's examination, but from I my limited knowledge of the English language, I did not fully understand what he said. I could understand some parts, and some parts I cannot. I partly heard the deposition of Dugald Macdougall. I was for a short time in Court while Peter Macdougall was examined. I was present when Mrs Macdonald was examined. I heard very little of Duncan Macdougall's examination, and I heard people speaking about a part of it. Depones, Duncan Macdougall's deposition was the subject of conversation through the village. I heard the latter part of Donald Jamieson's examination. Depones, I did K not hear any of the Presentee's witnesses examined. Depones, I think the Presentee preached in August, but I am not sure. I kept no note of the time. Depones, I recollect some of the texts from which the Presentee preached. Depones, The text on the first Sabbath that I heard him

Interrogated.—Is it matter of notoriety that the great body of the people of the parish are A favourable to the Presentee? Depones, it is so. Depones, I recollect of seeing a man of the name of Duncan Sinclair sign one of the mandates at the Steamboat Tavern, which I think was by mark, and Mr John Macdonald, officer of Inland Revenue, was present on the occasion. It was signed at the Steamboat Tavern; but Sinclair had previously called at my house, and said that he wished to put his name to the Call; and he and I went together to the Steamboat Tavern where the mandate was lying publicly for signatures.

Interrogated.—Did any of the parties who are now Objectors state to you before the Presentee B preached his trial discourses, that they intended to oppose his settlement in the said parish, and particularly did Mr Walter Graham do so?

Whereupon it was objected to the competency of the question by the agent for the Objectors, for the reasons stated to a similar question put to the witness John Macintyre.

Answered.—The procurator for the Presentee holds his answer to the objections taken to a similar C question put to the said John Macintyre as repeated.

Parties being removed, the Presbytery, after reasoning, sustained the objection, and refuse to allow the question to be put, the Moderator dissenting for the reasons stated by him, when a question of a similar tendency was put to the witness John Frazer. Against which finding the procurator for the Presentee protested and appealed for the following and other reasons to be stated at the discussion of this appeal:—1st, That the question is competent, and has a material bearing upon the case, as tending D to instruct that opposition was intended to the Presentee previous to his preaching his trial discourses at Kildalton as aforesaid. Depones, I was present at a meeting held within the Parochial School-House at Port-Ellen, at which Mr Colin Hay, Mr Wm. Hunter, and Mr Walter Graham, and other Objectors were present. This was previous to the Presentee's preaching his trial discourses at Kildalton.

Interrogated.—Did you hear statements made at that meeting by any of the Objectors to the E effect that the settlement of the Presentee ought to be opposed? To the competency of which question it was objected by the agent for the Objectors, for the reasons stated to a similar question put to the witness John Frazer, and which are here held as repeated.

Answered.—The procurator for the Presentee holds his answer to the objection to the question put to the witness John Frazer as repeated.

Parties being removed, the Presbytery, after reasoning, sustained the objection, and refused to F allow the question to be put, the Moderator and Mr Mackenzie dissenting. Against which finding the procurator for the Presentee protested, and appealed *ut supra*, for the reasons stated against the deliverance pronounced upon the previous objection, and which he here holds as repeated.

Depones, I was present in the Church of Kildalton on the day on which the Call was moderated in.

Interrogated.—Did you hear Mr Walter Graham state publicly in the church, after the Call was read by the Clerk, that there was no person to sign it, and that it would fall to the ground? To the G competency of which question the agent for the Objectors objected, for the reasons stated to a similar question put to the witness John Frazer, which are here held as repeated.

The procurator for the Presentee holds his answer to a similar question in the case of the witness John Frazer as repeated.

Parties being removed, the Presbytery sustained the objection, and refused to allow the question to be put, the Moderator and Mr Macdonald dissenting.

Whereupon the procurator for the Presentee protested, and appealed *ut supra*, holding his reasons of protest and appeal against the deliverances pronounced upon the previous objections as repeated.

Interrogated.—Did you see any person sign the objections upon the day in question in a state of H intoxication?

To which question it was objected by the agent for the Objectors, that the question is incompetent, in respect it goes to impugn the integrity of the objections which have been sustained, and the trans- I actions at the time the objections were signed, and it has not been admitted to probation.

Answered.—The question is perfectly competent, and has been already put to two previous witnesses without any objection.

The parties being removed, the Presbytery, after reasoning, repel the objection, and allow the question to be put, against which deliverance the agent for the Objectors protested, and appealed *ut supra*, for the reasons above stated in the objection to the competency of the question, and for other K reasons to be urged at the bar of the General Assembly, in support of this appeal. And the question being put, depones, I saw a person signing the objections in a state of tipsiness, but I cannot say he

**A** Kintour's wife. Depones, there are plenty more, but I cannot name them; I do not think John Macmillan is a communicant of the Kildalton Church; Neil used to be. Depones, I have seen John Macmillan often in Kildalton Church. Depones, I have seen John Macmillan coming from church; but not within the church, as I sit in the gallery, and I do not know where he sits.

Being interrogated, can you, of your own knowledge, state that John Macmillan has been in Kildalton Church since Mr Macintyre preached? Depones, I did not see him in church when Mr Macintyre preached, but he told me himself that he had heard him, but he did not say on which of the days. I cannot say that I have seen John Macmillan in Kildalton Church since Mr Macintyre preached. Depones, the same answer applies to Neil Macmillan. The said Neil Macmillan and John Macmillan are brothers-in-law.

Being interrogated for the Presentee, and referred to that part of your cross-examination in which it is stated that you were sometimes a merchant and sometimes a farmer, you are requested to explain the meaning of that statement. Depones, that is a mistake. I am both a merchant and a farmer. I mean that I sometimes require to attend to both. I am also proprietor of some houses in Port-Ellen—that is to say, three.—All which is truth, as deponent shall answer to God.

(Signed)

ALEX. MACCUAIG.

JAMES DEWAR, Modr.

JAMES DEWAR, Clerk P.T.

**D**

At PORT-ELLEN, Eighth March, Eighteen Hundred and Fifty-nine.

Compeared NIEL BLACK, Labourer, residing at Port-Ellen, who, being solemnly sworn and examined, in Gaelic, as a witness for the Presentee, depones:—I am a communicant in the Parish Church of Kildalton, and I have been so for thirty years. I heard the Presentee preach, in Gaelic, his first two trial discourses in the Parish Church of Kildalton.

Interrogated.—Were you satisfied with the Presentee's manner of conducting the Church services, and with the said services themselves? Depones, With reference to the first part of the interrogatory, I was fully satisfied, and with reference to the latter part, the witness depones, I had reason to be satisfied, as also had many more that heard him. Depones, I signed the Call in the Church.

**F** Cross-interrogated for the Objectors.—Interrogated, Do you recollect any part of the discourses delivered by the Presentee on the first day you heard him? Depones, I recollect that his text on that day was the 66th Psalm and 6th verse. Depones, I do not recollect the subject of that discourse, it is so long since.

At this stage the Rev. Mr Dewar, of Oa, the Moderator, entered the Court, and took the chair.

Depones, I recollect no part of the discourses referred to, except the text. Depones, One of the Psalms given out to be sung was, so far as I recollect, the 118th, and I think the 9th verse thereof. I do not recollect any other Psalm (I mean by numbers) that was given out that day. Depones, I recollect no part of the discourse delivered by the Presentee on the second day I heard him, except the text, which was 1st Samuel x., 26 and 27 verses. Depones, I do not recollect what the Presentee was preaching about, nor can I explain the subject of discourse; but I was pleased with the way he said that God touched the hearts of men. Depones, I do not recollect any more of that discourse.

**H** Depones, I do not understand a sermon preached in English, and I have not been in the habit of attending church during the English service, and I did not hear the Presentee deliver any of his services in English.—All which is truth, as I shall answer to God.

(Signed)

NIEL BLACK.

JAMES DEWAR, Modr.

JAMES DEWAR, Clerk P.T.

**I**

Compeared DUNCAN MACCUAIG, Innkeeper and Farmer at Port-Ellen, who being solemnly sworn and examined, *in initialibus*, for the Objectors, depones, I am a brother of Alexander MacCuaig, a preceding witness. Depones, the Presentee has been staying at my hotel while at Port-Ellen. Depones, he first came to Port-Ellen as Presentee to Kildalton, so far as I recollect, in the month of July last. Depones, the Presentee brought to me from Mr Black, Tobermory, a few lines of introduction.

**K** Being interrogated, and requested to produce the letter referred to, the agent for the Objectors, at the request of the Presbytery, agreed to defer pressing said question in *hoc statu* as in the case of a similar question put to Alexander MacCuaig, a preceding witness.

Depones, There are four individuals who have been acting as elders in the Parish of Kildalton. A

Interrogated.—Are you aware that parties have been going among the Callers, endeavouring to prevail upon them to withdraw their names from the Call?

To which question it is objected, 1st, That the only persons who can be recognised as parties to the present proceedings, are the Objectors and the Presentee, and the Objectors are not responsible for the acts of any third party.

2d, That the Call does not, in *hoc statu*, form an element for the consideration of the Presbytery, B and can only be looked at, at a future stage of the proceedings, if it is to be looked at at all.

3d, That the only relevant inquiry, in terms of the Act of Parliament, is, whether the objections stated in virtue of that Act are true or untrue, and this is the only matter which has been admitted to probation by the interlocutor of proof pronounced by the Presbytery, and the present question regarding the Call is therefore altogether irrelevant.

Answered.—To save time, the procurator for the Presentee holds as repeated the answers made C by him to similar objections.

Parties being removed, the Presbytery, after reasoning, sustained the objection and disallowed the question, the Moderator, who left the chair, and the Rev. Mr Macdonald dissenting.

Whereupon the procurator for the Presentee protested and appealed *ut supra*, for the following and other reasons to be stated at the discussion of this appeal:—

1st, That the Presbytery are bound, by the terms of the Act referred to, not merely to take D cognisance of a proof which may be offered with regard to the objections urged against the Presentee, and also as to the whole circumstances and condition of the parish.

2d, The Call has been made the subject of proof by the Objectors, and it has also, for about five or six months, formed a subject of investigation by the Presbytery, who have made it the subject of two reports, in which it is stated that parties have come forward requesting their names to be withdrawn. E

3d, That although the Presentee has repeatedly insisted upon having a detailed and particular statement from the Committee of the data upon which these reports are based, so as to enable him to bring forward competent evidence to support the Call, and to show the manner in which the Callers have been tampered with; such information has not as yet been afforded to him, but he maintains that he is entitled to lead evidence so as fully to show how the matter stands.—All which is truth, as I shall answer to God. F

(Signed)

DUN. MACCUAIG.  
JAMES DEWAR, Modr.  
JAMES DEWAR, Clerk P.T.

At PORT-ELLEN, 22d of March, 1859, at half-past 6 o'clock P.M. G

Re-compeared the said DUNCAN MACCUAIG, who, being again solemnly sworn and cross-interrogated for the Objectors *in causa*, depones, *in omnibus*, in terms of my initial examination, which is here held as repeated.

Interrogated.—Have you been in the habit of attending both the Gaelic and English services during the last two years in the Church of Kildalton? Depones, Yes, I have; but I oftener attend the H Gaelic service. Depones, I communicate generally with the Gaelic congregation. Depones, I think that I have communicated a few times, during the time I attended Kildalton Church, with the English congregation, but as Mrs MacCuaig prefers the Gaelic, I go with her.

Interrogated.—Have you communicated with the English congregation during the last six years? Depones, I am not sure. Depones, I am not sure that I heard any English service delivered in Kildalton Church for twelve months previous to the death of the late Mr Mactavish; but I know when I I have gone to Glasgow I generally heard both Gaelic and English there. Depones, during the last thirty years there has been an English and Gaelic service in Kildalton Church, excepting an occasional interruption caused by the state of the weather or the minister's state of health. Depones, I am not so often in the habit of writing the Gaelic language as the English.

Being requested to translate the last answer given by him into Gaelic, and the witness having done so, the Presbytery approved of the rendering. Depones, the Presentee's trial discourses were delivered K on the 1st, 8th, and 10th August. Depones, I recollect a part of the discourses delivered.



- A** Being shown mandate No. 8, also in my favour, I depone that the heading thereto is in my handwriting. Depones, In the mandate last mentioned, I observe my signature as a witness to the names John Macarthur and Mary Black, and Archibald Macarthur, and to the marks of Anne Macarthur and John Campbell, and Margaret Mackerrol. Depones, I think the name "Anne Macarthur" is in my handwriting, but I am not quite sure. There may be other names written to said mandate in my handwriting, but I am not quite sure.
- B** Being shown the mandates No. 4 and 6—Depones, The headings of these mandates are in my handwriting. Depones, I do not recollect where the said mandates were all signed, but I recollect that the one in favour of Archibald Macarthur, and commencing with the signature of "James Livingston," lay in the Steamboat Tavern, belonging to me; but I know that it was, at least on one occasion, taken out to get signed by some parties. I think the said paper, or mandate in favour of Archibald Macarthur, was signed on detached sheets, which were afterwards pasted together. Depones, I had no written copy of the Call; and I neither asked nor got a copy of the Call from any one.—All which is truth, as I shall answer to God.

(Signed)

DUN. MACCUAIG.  
 JAMES DEWAR, Modr.  
 JAMES DEWAR, Clerk P.T.

**D**

At PORT-ELLEN, 8th March, 1859, Half-past Six o'Clock P.M.

Re-compeared the foresaid DUNCAN MACCUAIG, who being again solemnly sworn and examined *in initialibus* by the agent for the Objectors, depones, The Mandates before referred to, which I have identified as being in my handwriting, were composed by myself. I mean by this to say, that I had formerly seen or heard of similar Mandates, and I did frame the Mandates in question from my recollection of the terms of the Mandates referred to; but I was not supplied by any one with any special form with reference to the present proceedings.

Being interrogated.—Who supplied you with a form of Mandate from which the Mandates written by you were prepared? Depones, as far as I recollect, the agent for the Presentee directed the form of a Mandate.

**F** Being interrogated.—Did Archibald Macarthur, before referred to, proceed to any particular part of this parish for the purpose of procuring subscriptions to one or more of the Mandates to subscribe the Call, at your request, or acting under your authority, instructions, or permission? Depones, I did not accompany him to any part of the parish; but he had my permission to submit the Mandates to parties who could not conveniently go to Lagavulin, or to save them the trouble; and I accompanied Macarthur to Lagavulin to witness the adhibiting to the Call of the names contained in the Mandates in his favour; and I also adhibited the names contained in the Mandates in my own favour. Depones, I am not aware that I requested Donald Macintyre to go to any part of the parish to procure subscriptions to the Mandates in his favour; but I believe he volunteered to do so. Depones, I was present at the meeting of Presbytery, held at Bridgend, on the 8th September last. Depones, I was present throughout Mr Walter Graham's examination, and also throughout the examination of all the other witnesses examined for the Objectors, from beginning to end. Depones, I usually accompanied the Presentee and his agent to the meetings of Presbytery when the Objectors' proof was being led. Depones, It is my belief that the Presentee was personally present at the several meetings of Presbytery at which the Objectors' proof was led, except the diets held in January. Depones, I heard both the discussions and the evidence. Depones, I had some trifling communications with the Presentee's agent in suggesting questions to be put to some of the witnesses under examination.

Interrogated.—Did you usually take your seat in Court on the occasions referred to, close to, or near the Presentee's agent? Depones, I sat sometimes near him, and sometimes not. Depones, I sat so near him at the meetings held in Kildalton Church, that I might have communications with him if I felt inclined; and while the proof was going on at Port-Ellen, I was sometimes near him and sometimes at a distance; but at all times within the Court.

Being interrogated.—Were you in the habit of retiring from the Court along with the Presentee and his agent, and of accompanying them home? Depones, I generally left the Court along with them, and accompanied them home on the occasions when it was necessary to have a vehicle to carry ourselves and the books—I mean the agent's books.

Being interrogated.—Were the Presentee and his agent aware of your presence in Court on the

- A** connection between the first and the last part of the question, the former pointing offensively to Mr Graham, and the latter leaving it open for the witness to state generally his knowledge as to the Session-Clerk's absence from home. The first part of the question is not only unnecessary, but it is leading, and the latter part is so framed as to bring out hearsay evidence, and not the witness's own personal knowledge of the matter, sought to be inquired into; and, moreover, the tendency of the question is to impugn the conduct of the Presbytery in trusting the Call to Mr Levack.
- B** Answered.—The question is framed for the purpose of giving offence to no party, but simply for the purpose of eliciting the truth, and to show the reason why the Callers were driven to the necessity of using mandates, in order to enable the Call to be signed. That document was in the custody of a party and at a place hostile to the Presentee, at a distance from Port-Ellen, where the largest body of the parishioners (upwards of a thousand in number) reside. Many of the Port-Ellen people, from their avocations or other circumstances, could not conveniently, during the day, go a distance of three miles into the country for the purpose of signing the Call; and therefore considering the line of evidence which the Objectors have adopted, it becomes necessary to establish the circumstances in question. The statements contained in the objections above made are denied.
- Parties being removed, the Presbytery, after reasoning, repel the objection and allow the question to be put.
- D** Against which deliverance the agent for the Objectors protested and appealed *ut supra*, for the reasons stated in his objection, which are held as here repeated, and for this additional reason, that the answer to these objections shows that the question was put from an improper animus, not only as regards Mr Graham, but also as regards Mr Levack, the Session-Clerk, who has been accused of hostility towards the Presentee, although neither an objector nor a Caller, and who has been thus attacked in his absence and when he can be afforded no opportunity of defending himself against such aspersions.
- In which deliverance the procurator for the Presentee acquiesced, but denied in the most explicit terms the statements contained in the above reasons of protest; and the said procurator asked and took instruments in the Clerk's hands which were allowed; and the question being put to the witness, depones, It is my belief Mr Levack was tutoring Mr Graham's family before and after the time the Call was left with him. Depones, On two occasions when I went to Lagavulin, about the dusk of the evening, I did not find him at home, but I did not ask where he was. Depones, I saw Objectors in Court listening to the evidence of other parties before their own evidence was given.
- F** Being interrogated.—Do you recollect of seeing a witness for the Objectors, of the name of James Stuart, a divinity student from Glasgow, sitting in the Court and writing down the evidence for the Objectors, previous to his own examination?
- Whereupon the agent for the Objectors stated that, with reference to Mr Stuart, who is referred to in this question, he was undoubtedly in Court during the examination of John Maclean, shoemaker in Tobermory; but that a special request had been preferred by the agent for the Objectors to the agent for the Presentee, at the commencement of the proceedings of that day, that Mr Stuart should be permitted to remain in Court during Maclean's examination; and the agent for the Presentee expressly consented to grant this favour to Mr Stuart, otherwise the agent for the Objectors would have requested Mr Stuart to retire, in accordance with the intimation publicly made to witnesses by the agent for the Objectors that they should retire; and Mr Stuart was prepared to leave the Court and to remain absent till he was himself examined, had he not obtained the permission of the Presentee's agent to remain. The agent for the Objectors calls upon the agent for the Presentee to admit or deny whether he gave that permission, and that unconditionally and without qualification.
- H** The procurator for the Presentee stated that he at once admits that he was asked by the agent for the Objectors to consent to Mr Stuart remaining in Court for the purpose of writing down the evidence which was to be led, and that no condition was annexed to the consent which the agent for the Presentee gave to his remaining in Court; nor was this the only instance in the course of the Objectors' proof, upon which the agent for the Objectors stated to the agent for the Presentee, that with reference to witnesses being in Court, that he supposed there would be no objection stated on that ground. Had the agent for the Objectors observed any person whom he thought likely to become a witness, and stated that unless he was removed from the Court, he would object to his admissibility, the procurator for the Presentee would, had he intended to adduce that party as a witness, have ordered him to withdraw; but acting upon the impression made on his mind, that no objections of this description were to be taken, he did not object to any of the Objectors' witnesses, although almost every one of them was present in Court, more or less during the course of the Objectors' proof; but as now for the first time it seems than an objection is to be stated to the admissibility of the present
- I**
- K**

witness, whose evidence the Objectors are probably anxious to exclude from view, and as the Presbytery A may be called upon to adjudicate upon such objections, it is necessary that the circumstances connected with the presence in Court of witnesses on both sides should be ascertained.

And the question being again put to the witness, depones, I saw Mr Stuart taking down the evidence before he was examined himself. Depones, I did not remain in the Court for any improper purpose, nor at the desire of the Presentee or his agent. Depones, after I was precognosed by the agent for the Presentee, and told that it was intended that I was to be examined as a witness, I was not B within the Court, except upon the occasion already referred to. Depones, I had no ill intention in attending these diets of Court; but wished to hear the proceedings regarding the settlement of the Presentee, for which I am still anxious.

Being interrogated, and referred to your statement that you saw in Court parties who were afterwards examined as witnesses for the Objectors without any objection or remark, did you consider there was any harm, more particularly as you were not then aware that you were to become a witness, in C remaining in Court? Depones, No.

Interrogated, and referred to your statement that "you had some trifling communication with the Presentee's agent in suggesting questions," you are requested to state whether or not these communications were caused by your having observed a similar course of procedure on the part of individuals who had been examined as witnesses for the Objectors?

Whereupon it was objected by the Objectors:—1st, That the question is incompetent, 1st, Because D it is put in a leading form.

2d, Because it assumes a fact which has not been proved, and for the inquiry as to which no foundation has been laid.

3d, Because, if it refers to, or implies the supposition that any question was suggested by any witness for the Objectors before such witness was examined, it is untrue, and an affirmative answer would involve the witness in a mis-statement. E

4th, Although the fact assumed had actually taken place, if the practice were erroneous, it could form no valid excuse for the witness taking a part in the proceedings, which stamped him rather as a partizan than an impartial witness.

Answered.—The statements made in the objections are denied in point of fact, and the question is necessary and competent, because the drift of the Objectors' initial examination is to show that this witness is a partizan, whereas, if the term partizan is applicable to any parties connected with the F case, it is especially applicable to the Objectors, who, with the exception of three individuals, constitute the body of the witnesses adduced against the Presentee. The procurator for the Presentee is not aware that there is any legal distinction between the acts or deeds of parties who are Objectors and those who are Callers. On the contrary, such matters in both cases may be the subject of the fullest discussion and investigation.

Parties being removed, the Presbytery, after reasoning, sustained the objection, and refused to allow G the question to be put.

Depones, I saw some slips of paper written in pencil in Court, and handed to the Objectors' agent, by parties who were Objectors. Depones, I had no impure motives in any communications I had with the Presentee's agent, my object being to have the truth elicited. Depones, it was a matter of accident when I sat in Court. Depones, I understand that the agent for the Objectors resides with Mr Walter Graham, and that he came to, and retired from the Court in Mr Graham's carriage. Depones, in going H to Kildalton at the same time that the Presentee and his agent did, on some of the occasions on which proof was led there, I merely availed myself of a vacant seat in the dog-cart which conveyed them; but I charged the hire thereof in the usual way. Depones, with the exception of the occasions which my vehicle went to Kildalton Church as aforesaid, I have not accompanied the Presentee or his agent to or from the Court, unless to the meeting at Bridgend on 8th September last, to which meeting I was summoned. I

Being interrogated, were the Objectors whom you state you saw in Court previous to their giving evidence in this case, sitting in such a position as that they could have been perfectly well seen by the Objectors' agent or his clients? To which question it was objected by the agent for the Objectors, that the question is incompetent, 1st, Because it assumes that the witness has stated as matter of fact that he saw Objectors in Court previous to their giving evidence, which is a mis-statement.

2d, Because the Objectors are not in question at present, but only the witnesses for the Presentee. K

3d, Because the Objectors, who have a status under the statute as parties, do not occupy the same position as this witness, who is not an objector, and therefore not a party.

4th, Because the question is put in a leading form.

**A** Answered.—1st, The procurator for the Presentee is willing to put the question in the express terms of the witness's own statement as to who the parties were whom he saw in Court, as aforesaid.

2d, The Call and the Callers have a recognised standing by the laws and practice of the Church, although not referred to in Lord Aberdeen's Act; and that statute did not create Objectors, nor give them any peculiar status in contradistinction to Callers, but merely enacted a mode by which communicants, being parishioners, might state objections to a Presentee. There is no privilege given to **B** them by which they may remain in Court and hear the evidence led, without objection, any more than other individuals.

3d, The question is put for the same purpose as a similar question asked by the Objectors.

Parties being removed, the Presbytery, after reasoning, repel the objection, and allow the question to be put; and the question being put to the witness, he depones in the affirmative.

Re-interrogated for the Objectors.—Depones, I went twice to Lagavulin for the purpose of entering **C** names upon the Call. Depones, I cannot specify the date when I first called at Lagavulin, but it is likely that I entered the first forty-four names on pages 3 and 4 on the first occasion.

Being interrogated, on what date did you enter the forty-four names referred to? Depones, I do not recollect the exact date, but I recollect of entering them in Mr Levack's room within the period the Call was in his possession. Depones, I entered the last thirty-five names to the Call on 7th September last. Depones, I got access to the Call on both occasions when I called upon Mr Levack, for **D** the purpose of adhibiting names thereto; but I had to wait for a short time before he made his appearance at his house, and on one of the occasions I had a long argument with Mr Levack before he would allow me to make any entry upon the Call as mandatory, and he only did so on my threatening to leave the house without entering these names. Depones, Mr Levack's house adjoins the school-room. I do not know the hours at which his classes were taught in the month of August or September last.

Depones, On both occasions, when I called on Mr Levack, a message was sent for him, and on one **E** of the occasions he made his appearance in a few minutes, which indicated to me that he could not have been out of the village of Lagavulin. On the other occasion, I would require to wait about a quarter of an hour or more before he made his appearance. Depones, These were the only two occasions on which I called on Mr Levack anent the Call. Depones, Archibald Macarthur was with me on one or both occasions, and he wrote the names to the Call, which appear in his handwriting, on one or both of these occasions. Depones, Mr Levack gave us access to the Call within his own room.

**F** Depones, I drove from Port-Ellen to Lagavulin on both occasions.

Being interrogated.—What hour did you leave Port-Ellen on each occasion that you went to Lagavulin? Depones, It was in the dusk of the evening.

Interrogated.—Can you specify whether it was before or after nine o'clock at night when you reached Mr Levack's house on the occasions referred to? Depones, I had not a time-piece on me, and I cannot specify the hour when we reached Mr Levack's, but I know that some of the inmates had **G** gone to bed before we left, and it was midnight before we returned, in consequence of the delay occasioned by Mr Levack's absence, which only occupied a portion of the time, and partly by the time taken up with the argument before referred to, and partly by the time taken up in writing the names. Depones, I think the Presentee's agent directed the form of mandate after the day the Call was moderated in, but I am not sure on what day.

Interrogated.—Which of the Objectors did you see in Court listening to the evidence of other **H** parties, before their own evidence was given? Depones, I recollect of seeing Archibald Campbell, elder, in Court, before giving his evidence, also Mr Hay. Depones, I recollect of other parties, but I decline to say more.

Being again urged to specify the name of any other objector than the two already mentioned? Depones, I also add the name of Donald Jamieson. Depones, I do not remember seeing any of the parties I have named holding any communication with the Objectors' agent.

**I** Interrogated.—Did you suggest any question to the Presentee's agent, or make any communication to him regarding George Calder, as to the appearance made by him on the day the Call was moderated in? Depones, I do not recollect that I did, at any of the meetings in church, make any communication to the effect mentioned in the question, or that I did so in any other place. I do not recollect of hearing intimation given in Kildalton Church, that the witnesses were to retire, excepting hearing a member of the Court telling Archibald Campbell to leave the Court, if he was to be a witness. De-

**K** ponos, I was precognosed during the present sittings of the Presbytery, that is, since the Presentee's proof commenced.

Interrogated by the Court?—Depones, I am aware that the late Mr Mackay was teacher and

and of which they have been allowed a proof by the interlocutor of relevancy to which they now refer. **A**  
 In the first objection they state that the Presentee has rarely, if ever, an English service, "and that he is not qualified to conduct such service with ease."

2d, Their 5th objection is, "that his pronounciation is indistinct," and that objection also is involved in the present question.

3d, It is therefore clear that their objections are not confined to any particular time or place, and certainly not to the occasions on which the Presentee preached at Kildalton, but are, if true, applicable **B** to him at all times.

4th, The Objectors themselves have shown that they did not consider themselves limited to witnesses from the Parish of Kildalton, for they have brought a Free Church fisherman from Tobermory, and a Free Church cobbler from the same place, to establish their objections. And not contented with the valuable evidence of these parties, they have adduced a youthful student of divinity from Glasgow, who refused to state his age, and who never was a parishioner of the Parish of Kildalton. It is out of **C** the question, therefore, for the Objectors to raise this frivolous objection to the question put to the present witness, for although Mr Henderson does not reside in the Parish of Kildalton, his residence is in a parish immediately adjoining, and part of Mr Morrison's estate under Mr Henderson's charge is situated within the Parish of Kildalton, and he has therefore an interest in the parish which none of the extra-parochial witnesses adduced for the Objectors have; in any view, however, taking the terms of the objections as they stand, it is a matter of no earthly consequence whether the witness resides in **D** the Parish of Killarrow or in the Parish of Kilmarnock, or when or where he heard the Presentee preach; and if the Objectors are anxious to know these circumstances, they are quite entitled to bring them out in cross-examination; or if they choose, the procurator for the Presentee will follow up his question by others which will expiscate everything that they can desire.

Parties being removed, the Presbytery, after reasoning, sustain the objection, and refuse to allow the question to be put, the Rev. Mr Macdonald dissenting, and the Rev. Mr Mackenzie declining to **E** vote. Against which finding the agent for the Presentee protested and appealed to the ensuing meeting of the General Assembly, took instruments and craved extracts, which were allowed for reasons to be given in due time; and seeing that the procurator for the Presentee has been prevented by the above judgment from leading evidence of a most important character, in exactly the same circumstances as with regard to witnesses examined on the side of the Objectors, and to refute objections which have been sent to probation, he declines to put any further questions to the witness, or to adduce him *quoad* **F** *ultra*, and leaves the responsibility of the rejection of this competent evidence with the Presbytery. The agent for the Objectors proposed to cross-interrogate the witness with reference to his designation, and also with reference to the evidence elicited from him, when that course was objected to by the agent for the Presentee; and thereafter the following question was proposed to be put to the witness, viz, Where do you reside?

The procurator for the Presentee stated that since he has been shut out from leading any proof **G** to show the groundless nature of the general objection stated against the Presentee, which have been allowed to be supported by extra-parochial and other witnesses, on the part of the Objectors, to the fullest extent, and thereby the Presentee has suffered substantial injustice in the conduct of his proof, by the exclusion of Mr Henderson, who, although he is not acquainted with the Gaelic, is eminently qualified to speak to the objection urged against the Presentee's qualifications to preach in English. He declines to allow the witness to be adduced for the partial purposes of the Objectors. He, at the **H** same time, to remove any pretext, on their part, with regard to this declinature, admits Mr Henderson's residence is at Eallabus, near Bridgend, in the parish of Killarrow, and Island of Islay; and the said procurator also admitted that the witness never heard the Presentee preach within the parish of Kildalton, and that the occasion on which he heard him preach was subsequent to the period at which the Presentee preached his trial discourses.—All which is truth, as I shall answer to God.

(Signed)

JAMES HENDERSON. **I**

JAMES DEWAR, Modr.

JAMES DEWAR, Clerk P. T.

At PORT-ELLEN, Tenth March, Eighteen Hundred and Fifty-nine, Seven o'clock P.M.

Re-compeared the said DUNCAN MACCUAIG, who, being again solemnly sworn and examined as **K**  
 a witness for the Presentee, and the Call being again placed in his hands, and being again requested

**A** instruct your mind. Depones, as to their composition, I thought they were well composed, and I felt myself very much instructed by them. Depones, I was satisfied with the Presentee's manner of conducting the church services on all the occasions referred to. I observed no want of connection between the texts and the subjects of discourses, or between the subjects themselves. Depones, I could discover no want of seriousness in the offering up of the prayers, or in conducting the other services. Depones, I found the psalms and texts very easily, with the exception of one, and I blame myself for not being

**B** able to find it out, as my mind was not properly engaged at the time. I found no indistinctness in the Presentee's pronunciation, and I recollect the first time I heard him read English, I was struck with the pure pronunciation of his English.

Being interrogated, do you consider the Presentee qualified to be your minister? depones, I certainly do. I signed the Call. Mrs MacCuaig and two of my daughters are communicants, and they also have signed the Call. Depones, I know the parish of Kildalton pretty well. I have seen the

**C** Presentee frequently since he came to Islay, and I think he is a strong, vigorous man, in the prime of life. I have no doubt of it, and have no cause to doubt it. With reference to my signatures as witness to the mandates, I depone that the parties whose signatures I witnessed, whether by mark or by a full subscription, signed freely and voluntarily, and with the perfect knowledge of what they were signing for; and I depone that these mandates were publicly lying at the Steamboat Tavern for signatures in the same way as any other document of a public nature. The Steamboat Tavern is a

**D** distinct establishment from the Hotel, and situated in a different part and in a central situation of the town. It is under the charge of a person of the name of Archibald Macarthur.

Being shown the Call, and requested to go over the names of the parties thereto—

At this stage of the proceedings, it being half-past 11 o'clock P.M., the Court, which met at 11 o'clock A.M., resolved to adjourn till to-morrow.—All which is truth, as I shall answer to God.

**E** (Signed) DUN. MACCUAIG.  
JAMES DEWAR, Modr.  
JAMES DEWAR, Clerk P.T.

At PORT-ELLEN, 10th March, 1859.

**F** Compeared JAMES HENDERSON, Esq., Factor for Charles Morrison, Esq. of Islay, was being solemnly sworn and examined as a witness for the Presentee, depones, I have heard the Presentee preach in English on one occasion.

Interrogated.—Did he conduct the services on that occasion with ease, and did you distinctly understand and follow him? To which question the agent for the Objectors objected on the following

**G** grounds:—

1st, That the question is too vaguely stated, as neither time nor place is specified, when and where the services referred to took place, and the services referred to, for ought that is indicated in the question, may have taken place yesterday, or twenty years ago, or in any part of the country.

2d, That the objections referring to the services of the Presentee are confined to the three services which he conducted in the Kildalton Parish Church, on the occasions when he preached his trial

**H** courses, and are confined to the parishioners of the parish of Kildalton.

3rd, Because the question as put is an attempt to introduce evidence of an extrinsic nature, as clearly indicated by the concealment of Mr Henderson's residence in giving his designation, it being well known that he resides within the parish of Bowmore, or rather Killarrow, and that he is not a parishioner of Kildalton; and as further indicated by the absence of all mention of the place where the services referred to in the question were listened to, and also of the date when these services were

**I** heard.

4th, If the question refers to services which took place after the parties joined issue, or if they did not affect the parishioners of Kildalton, any evidence in regard to these is altogether irrelevant and improper.

5th, That the proposed question does not fall within the interlocutor of proof, and is not conjunct to any evidence led on behalf of the Objectors.

**K** Answered.—1st, The Objectors have shown, by the numerous attempts which they have made to exclude the most competent evidence, that they wish to object to everything tending to show the utter worthlessness of their objections. The question now put is in the precise terms of their own objections,

Interrogated.—Is it matter of notoriety that the great body of the people of the parish are A favourable to the Presentee? Depones, it is so. Depones, I recollect of seeing a man of the name of Duncan Sinclair sign one of the mandates at the Steamboat Tavern, which I think was by mark, and Mr John Macdonald, officer of Inland Revenue, was present on the occasion. It was signed at the Steamboat Tavern; but Sinclair had previously called at my house, and said that he wished to put his name to the Call; and he and I went together to the Steamboat Tavern where the mandate was lying publicly for signatures. B

Interrogated.—Did any of the parties who are now Objectors state to you before the Presentee preached his trial discourses, that they intended to oppose his settlement in the said parish, and particularly did Mr Walter Graham do so?

Whereupon it was objected to the competency of the question by the agent for the Objectors, for the reasons stated to a similar question put to the witness John Macintyre.

Answered.—The procurator for the Presentee holds his answer to the objections taken to a similar C question put to the said John Macintyre as repeated.

Parties being removed, the Presbytery, after reasoning, sustained the objection, and refuse to allow the question to be put, the Moderator dissenting for the reasons stated by him, when a question of a similar tendency was put to the witness John Frazer. Against which finding the procurator for the Presentee protested and appealed for the following and other reasons to be stated at the discussion of this appeal:—1st, That the question is competent, and has a material bearing upon the case, as tending D to instruct that opposition was intended to the Presentee previous to his preaching his trial discourses at Kildalton as aforesaid. Depones, I was present at a meeting held within the Parochial School-House at Port-Ellen, at which Mr Colin Hay, Mr Wm. Hunter, and Mr Walter Graham, and other Objectors were present. This was previous to the Presentee's preaching his trial discourses at Kildalton.

Interrogated.—Did you hear statements made at that meeting by any of the Objectors to the E effect that the settlement of the Presentee ought to be opposed? To the competency of which question it was objected by the agent for the Objectors, for the reasons stated to a similar question put to the witness John Frazer, and which are here held as repeated.

Answered.—The procurator for the Presentee holds his answer to the objection to the question put to the witness John Frazer as repeated.

Parties being removed, the Presbytery, after reasoning, sustained the objection, and refused to F allow the question to be put, the Moderator and Mr Mackenzie dissenting. Against which finding the procurator for the Presentee protested, and appealed *ut supra*, for the reasons stated against the deliverance pronounced upon the previous objection, and which he here holds as repeated.

Depones, I was present in the Church of Kildalton on the day on which the Call was moderated in.

Interrogated.—Did you hear Mr Walter Graham state publicly in the church, after the Call was read by the Clerk, that there was no person to sign it, and that it would fall to the ground? To the G competency of which question the agent for the Objectors objected, for the reasons stated to a similar question put to the witness John Frazer, which are here held as repeated.

The procurator for the Presentee holds his answer to a similar question in the case of the witness John Frazer as repeated.

Parties being removed, the Presbytery sustained the objection, and refused to allow the question to be put, the Moderator and Mr Macdonald dissenting. H

Whereupon the procurator for the Presentee protested, and appealed *ut supra*, holding his reasons of protest and appeal against the deliverances pronounced upon the previous objections as repeated.

Interrogated.—Did you see any person sign the objections upon the day in question in a state of I intoxication?

To which question it was objected by the agent for the Objectors, that the question is incompetent, in respect it goes to impugn the integrity of the objections which have been sustained, and the trans- I actions at the time the objections were signed, and it has not been admitted to probation.

Answered.—The question is perfectly competent, and has been already put to two previous witnesses without any objection.

The parties being removed, the Presbytery, after reasoning, repel the objection, and allow the question to be put, against which deliverance the agent for the Objectors protested, and appealed *ut supra*, for the reasons above stated in the objection to the competency of the question, and for other K reasons to be urged at the bar of the General Assembly, in support of this appeal. And the question being put, depones, I saw a person signing the objections in a state of tipsiness, but I cannot say he

A was intoxicated. The man was making gestures in the church, and withdrew himself, with the support of the seats, to the door, and Mr Hay assisted him out of the church.

Being shown the New Statistical Account of Scotland, by the Parochial Ministers of Scotland, published in 1845, and referred to the account given of the Parish of Kildalton, vol. 7, page 664, and referred to the following passage therein having reference to said parish, viz.:—"The language generally spoken is Gaelic, which does not appear to have gained or lost ground for the last forty years, as far as B can be ascertained. The customs and amusements of the people are similar to those which generally prevail in the Highlands;" and being asked whether he concurs in this statement, and whether the same holds true at the present time? Depones, it is all Gaelic in Oa; but there may be a little difference in the Parish of Kildalton. I concur in the statement contained in the Statistical Account. Depones, the Parish of Kildalton is principally a Gaelic speaking parish.

At this stage, and in consequence of the lateness of the hour, the Presbytery adjourn the further C examination of the witness till next diet.

The procurator for the Presentee reserves his right to conclude his examination of the witness.—All which is truth, as I shall answer to God.

(Signed)

DUN. MACCUAIG.  
JAMES DEWAR, Modr.  
JAMES DEWAR, Clerk P.T.

D

At PORT-ELLEN, Twenty-second day of March, Eighteen Hundred and Fifty-nine.

Re-compeared the said DUNCAN MACCUAIG, who, being again solemnly sworn and re-examined as a witness for the Presentee, and his former deposition both *in initialibus* and *in causa* having been E read over to him, he farther depones as follows:—I know James Robertson, shepherd, at Cornibus.

Interrogated.—Do you see the name of the said James Robertson subscribed to the objections? Depones, I saw him subscribe the objections in the Church.

Interrogated.—Are you aware that the said James Robertson was allowed to remain on the list of Objectors, and that he was not and has not become a parishioner of the parish of Kildalton?

Whereupon the agent for the Objectors objected to the competency of the question, in respect, F 1st, That on the face of the question itself, the party referred to was allowed to remain on the list of Objectors, thereby implying that the Presentee consented to his having him received as an objector by the Presbytery; and the Presentee is not now entitled to object to what he formerly allowed, or to take any advantage whatever of the course of conduct which he saw fit to pursue at the meetings of Presbytery, when the relevancy of the objections and the right and title of the Objectors fell to be considered and disposed of.

G 2d, That the tendency of this question is to disturb the deliverance of the Presbytery sustaining the relevancy of the objections, and the parties who were in right to object.

3d, The Presbytery are not entitled to review their own judgment, and Robertson's right to be an objector is *res judicata*. The Objectors hold, as repeated, the reasons stated by them in their objection to a question of a similar tendency and effect put to the witness John Frazer.

Answered, the deliverance of the Presbytery, referred to by the Objectors, merely fixed the relevancy of the objections themselves; but it did not, and could not sustain the right of any parties without proof to be objectors to the settlement of the Presentee. Neither the Presentee, nor his agent was aware that the individual in question was not a parishioner, and could not, therefore, at the time, even if it were necessary, state any objection against his remaining as an objector. The Presbytery only found that a certain number of parties, whose names appeared at the objections, were on the communion roll produced, but they did not find, and could not legally do so, that such parties were entitled I to the status of Objectors, that point being just as much a matter of proof as the truth of the objections themselves. The Presentee avers, and is ready to prove, that the said James Robertson is not a parishioner of the Parish of Kildalton, and never was so.

Parties being removed, the Presbytery, after reasoning, sustained the objection, and disallowed the question.

Whereupon the procurator for the Presentee protested and appealed *ut supra*, for the following K and other reasons to be stated at the discussion of this appeal:—

1st, That the Presentee is entitled, at any stage of the proof, to disprove the objections, as well as the right of any party to be considered as an objector.



Interrogated.—Is it matter of notoriety that the great body of the people of the parish are favourable to the Presentee? Depones, it is so. Depones, I recollect of seeing a man of the name of Duncan Sinclair sign one of the mandates at the Steamboat Tavern, which I think was by mark, and Mr John Macdonald, officer of Inland Revenue, was present on the occasion. It was signed at the Steamboat Tavern; but Sinclair had previously called at my house, and said that he wished to put his name to the Call; and he and I went together to the Steamboat Tavern where the mandate was lying publicly for signatures. A

Interrogated.—Did any of the parties who are now Objectors state to you before the Presentee preached his trial discourses, that they intended to oppose his settlement in the said parish, and particularly did Mr Walter Graham do so? B

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Parties being removed, the Presbytery, after reasoning, sustained the objection, and refuse to allow the question to be put, the Moderator dissenting for the reasons stated by him, when a question of a similar tendency was put to the witness John Frazer. Against which finding the procurator for the Presentee protested and appealed for the following and other reasons to be stated at the discussion of this appeal:—1st, That the question is competent, and has a material bearing upon the case, as tending to instruct that opposition was intended to the Presentee previous to his preaching his trial discourses at Kildalton as aforesaid. Depones, I was present at a meeting held within the Parochial School-House at Port-Ellen, at which Mr Colin Hay, Mr Wm. Hunter, and Mr Walter Graham, and other Objectors were present. This was previous to the Presentee's preaching his trial discourses at Kildalton. D

Interrogated.—Did you hear statements made at that meeting by any of the Objectors to the effect that the settlement of the Presentee ought to be opposed? To the competency of which question it was objected by the agent for the Objectors, for the reasons stated to a similar question put to the witness John Frazer, and which are here held as repeated.

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Depones, I was present in the Church of Kildalton on the day on which the Call was moderated in.

Interrogated.—Did you hear Mr Walter Graham state publicly in the church, after the Call was read by the Clerk, that there was no person to sign it, and that it would fall to the ground? To the competency of which question the agent for the Objectors objected, for the reasons stated to a similar question put to the witness John Frazer, which are here held as repeated. F

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To which question it was objected by the agent for the Objectors, that the question is incompetent, in respect it goes to impugn the integrity of the objections which have been sustained, and the transactions at the time the objections were signed, and it has not been admitted to probation. H

Answered.—The question is perfectly competent, and has been already put to two previous witnesses without any objection.

The parties being removed, the Presbytery, after reasoning, repel the objection, and allow the question to be put, against which deliverance the agent for the Objectors protested, and appealed *ut supra*, for the reasons above stated in the objection to the competency of the question, and for other reasons to be urged at the bar of the General Assembly, in support of this appeal. And the question being put, depones, I saw a person signing the objections in a state of tipsiness, but I cannot say he I

**A** was intoxicated. The man was making gestures in the church, and withdrew himself, with the support of the seats, to the door, and Mr Hay assisted him out of the church.

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At this stage, and in consequence of the lateness of the hour, the Presbytery adjourn the further **C** examination of the witness till next diet.

The procurator for the Presentee reserves his right to conclude his examination of the witness.—  
All which is truth, as I shall answer to God.

(Signed)

DUN. MACCUAIG.  
JAMES DEWAR, Modr.  
JAMES DEWAR, Clerk P.T.

**D**

At PORT-ELLEN, Twenty-second day of March, Eighteen Hundred and Fifty-nine.

Re-compeared the said DUNCAN MACCUAIG, who, being again solemnly sworn and re-examined as a witness for the Presentee, and his former deposition both *in initialibus* and *in causa* having been **E** read over to him, he farther depones as follows:—I know James Robertson, shepherd, at Cornibus.

Interrogated.—Do you see the name of the said James Robertson subscribed to the objections? Depones, I saw him subscribe the objections in the Church.

Interrogated.—Are you aware that the said James Robertson was allowed to remain on the list of Objectors, and that he was not and has not become a parishioner of the parish of Kildalton?

Whereupon the agent for the Objectors objected to the competency of the question, in respect, **F** 1st, That on the face of the question itself, the party referred to was allowed to remain on the list of Objectors, thereby implying that the Presentee consented to his having him received as an objector by the Presbytery; and the Presentee is not now entitled to object to what he formerly allowed, or to take any advantage whatever of the course of conduct which he saw fit to pursue at the meetings of Presbytery, when the relevancy of the objections and the right and title of the Objectors fell to be considered and disposed of.

**G** 2d, That the tendency of this question is to disturb the deliverance of the Presbytery sustaining the relevancy of the objections, and the parties who were in right to object.

3d, The Presbytery are not entitled to review their own judgment, and Robertson's right to be an objector is *res judicata*. The Objectors hold, as repeated, the reasons stated by them in their objection to a question of a similar tendency and effect put to the witness John Frazer.

Answered, the deliverance of the Presbytery, referred to by the Objectors, merely fixed the relevancy of the objections themselves; but it did not, and could not sustain the right of any parties without proof to be objectors to the settlement of the Presentee. Neither the Presentee, nor his agent was aware that the individual in question was not a parishioner, and could not, therefore, at the time, even if it were necessary, state any objection against his remaining as an objector. The Presbytery only found that a certain number of parties, whose names appeared at the objections, were on the communion roll produced, but they did not find, and could not legally do so, that such parties were entitled **I** to the status of Objectors, that point being just as much a matter of proof as the truth of the objections themselves. The Presentee avers, and is ready to prove, that the said James Robertson is not a parishioner of the Parish of Kildalton, and never was so.

Parties being removed, the Presbytery, after reasoning, sustained the objection, and disallowed the question.

Whereupon the procurator for the Presentee protested and appealed *ut supra*, for the following **K** and other reasons to be stated at the discussion of this appeal:—

1st, That the Presentee is entitled, at any stage of the proof, to disprove the objections, as well as the right of any party to be considered as an objector.

Being interrogated.—How do you know one of the English discourses was about death and A the resurrection? Depones, I know, because I heard it in the church.

Interrogated.—With reference to your previous answer, that you were present in Court when Mr James Stuart was examined, did you hear him describe one of the discourses as on “Death and the Resurrection,” and did you take any note of that subject of discourse, either by listening to the evidence or reading the report of it in the newspapers? Depones, With reference to the first part of the question, I have to say that I have no recollection, and I give the same answer with reference to B the second part.

Interrogated.—Do you recollect of the Presentee saying, in the course of any of the discourses, anything about the “shovelling of the bones of our forefathers to make room for our own?” Depones, I do not recollect it clearly.

Interrogated.—What precise meaning did you attach to your answer, that you considered the discourses were well composed, and in what respect were they so? Depones, The answer is within itself C “being well composed.” That is my answer to the first part of the interrogatory; and with reference to the second part, I have to say that they were composed of pure Scripture references or quotations. Depones, My answer as to the mandates, and the signing of them, as recorded on page 219 of the proof for the Presentee, applies to the names written on the mandate No. 2, that is, from the top down to my signature, beginning “James Livingston” and ending “John Macniven.” Depones, All D these names were adhibited in the Steamboat Tavern. Being shown the mandate marked No. 8, depones, The above answer-in-chief applies to the six names which precede my signature as witness; and I think these parties signed in my hotel, and I am sure I saw them all sign; and I make this statement from seeing my subscription there as a witness.

Being interrogated.—Do you know the “Margaret Mackerrol” whose name appeared at the last mentioned mandate on a parallel line with your signature? Depones, The person referred to is an unmarried woman residing in Port-Ellen, the daughter of Archibald Mackerrol, tailor, Bowmore. E Depones, The said Margaret Mackerrol is a pauper, and I do not know what church she attends, and I do not recollect whether I have seen her attending Kildalton Church or not. Depones, I think the mandate lay in the Steamboat Tavern from the day the Call was moderated in, or shortly thereafter, till the expiry of the period allowed by the Presbytery. Depones, I do not recollect whether any paper was read over to the parties who signed in my presence, but they knew very well what they F were signing.

Interrogated with reference to your answer that it is matter of notoriety that the great body of the people of the Parish are favourable to the Presentee, do you refer to parties you have yourself come in contact with? Depones, Yes.

Interrogated.—Are the parties whom you refer to among the names adhibited to the Call? Depones, I mean those who have signed the Call, and several others.

Interrogated and requested to specify the names of the parties whose names are not subscribed G to the Call, to whom you have referred as being favourable to the Presentee. Depones, Malcolm Sinclair, elder, and his son John, John Carmichael, Balvicar, Alexander Macdougall, steam-boat agent, Port-Ellen, also his wife and father, and others whose names I do not remember just now. Depones, with regard to Malcolm Sinclair, I had a meeting with him, when he declared that he was favourable to the Presentee. Depones, Malcolm Sinclair spoke to me on this subject on one of the days he was going to hear the Presentee preach one of his trial discourses, and this took place near to my own H house at Port-Ellen.

Interrogated.—Does Alexander Macdougall, steam-boat agent, attend the Free Church in Port-Ellen, and has he done so both before and since the Presentee preached? Depones, While he lived at Ardbeg he regularly attended the Established Church and has heard the trial discourses of the Presentee, but whether he had been in the Free Church or not since that time, I do not know. Depones, I think it will be about two years since Macdougall removed from Ardbeg to Port-Ellen. I

Interrogated.—Have you seen Macdougall once in Kildalton Church attending divine service, except on the occasions on which the Presentee preached his trial discourses, since the time he left Ardbeg? Depones, I do not remember whether I did or not.

Interrogated.—How many of the Presentee’s trial discourses did Macdougall hear to your knowledge? Depones, I do not know.

Interrogated.—Did you see Macdougall in church on any of the occasions on which the Presentee K preached his trial discourses? Depones, I do not remember that I saw him, but he himself told me

- A** Interrogated.—Do you recollect the subject of the discourses, both English and Gaelic, preached on the 1st of August. Depones, I will refer to notes which I now hold in my hand.
- Being interrogated, and requested to state when were these notes written and by whom, depones, They were written by me, but I cannot state the precise date when I wrote them. Depones, the notes I refer to were written by me since the Presentee preached his trial discourses. Depones, I am not sure whether these notes were written since the meeting of Presbytery of 8th September. Depones, I cannot say whether the said notes were written before or after the 15th October last, when Mr Graham was examined.
- B** Interrogated.—Were the notes referred to written since the meeting of Presbytery of 25th November? Depones, I really do not recollect the date on which they were written, and I will not swear whether they were written before or since the date last mentioned.
- Interrogated.—Are you prepared to state whether the notes referred to were written before or since James Mackerron was examined on the 1st December. Depones, I am not prepared to state that.
- C** Interrogated.—Were the notes referred to written since the meeting of Presbytery of 26th January last? Depones, I stated already that I do not remember the date on which the notes were written.
- Being interrogated, and requested to say yea or nay to the last question put. Depones, I rather think the notes regarding the Presentee's trial discourses were written before the 1st January last, but I am not quite sure.
- D** Interrogated.—Were the notes not written since the 26th of January last? Depones, I do not recollect.
- Being interrogated.—Were or were not the notes referred to taken from the published reports in the newspapers of the proof led in this case? Depones, I do not recollect whether said notes were or were not taken from the public prints. Depones, the said notes have been taken upon paper containing other memoranda referring to private affairs of my own, and I therefore cannot deliver them up.
- E** Being interrogated.—Can you, from your own unassisted memory, state what the Presentee was preaching about on the several occasions on which you heard him preach in Kildalton Church. Depones, I cannot speak to the whole of the discourses, as my memory is not capable of retaining so much after the lapse of so many months. Depones, I recollect of the first Gaelic sermon taken from the book of Psalms, and there the 66th Psalm. Depones, the subject of that discourse was the dividing of the waters, and bringing the people upon dry land. Depones, one of the English discourses was about death and the resurrection.
- F** Being interrogated.—Can you give the text from which that subject was preached? Depones, I cannot with certainty, the time being so long, and I decline to answer further upon that subject.
- Being interrogated.—Were these discourses preached on 1st, 2d, or 3d occasion you heard the Presentee? Depones, I decline to say. Depones, I recollect the subjects of some of the other four discourses preached. The text of one was taken from 1st Samuel, and if I recollect right, the chapter was the 10th, and the verses, the last two. I believe that was a Gaelic discourse, but I am not very sure. I think this last was preached on the Tuesday, so far as I recollect.
- G** Interrogated, and requested to state if you can, what were the subjects and texts of the other discourses? Depones, I decline to say.
- Being interrogated, and requested to state why you decline to answer the above question? Depones, I have already told you, that after six or seven months, I cannot speak clearly of sermons of which I took no notes at the time of hearing them.—All which is truth, as I shall answer to God.
- H**

(Signed)

DUN. MACCUAIG.

JAMES DEWAR, Modr.

JAMES DEWAR, Clerk P.T.

I

At PORT-ELLEN, Twenty-third March, Eighteen Hundred and Fifty-nine.

- Re-compeared the said DUNCAN MACCUAIG, who being again solemnly sworn and cross-examined for the Objectors, and interrogated.—With reference to your answer-in-chief, that you thought the discourses were very well composed, and that you felt yourself very much instructed by them, are you prepared to give any other illustrations than those deponed to already? Depones, I would rather not give any other illustration than what I have already given as to the composition of the discourses, or the instruction I received, owing to the length of time (upwards of seven months) that has elapsed since I heard them, and I refer to the discourses themselves.
- K**

Being shown the said book, and referred to page 664, and there to the following passage:—"A A number of people have also congregated in the village of Port-Ellen, which contains at present a population of 673; and interrogated, Do you concur in that statement? depones, according to my estimate, I think that the number 673 is rather under than above the mark. Depones, I think the present population of Port-Ellen and suburbs is about 1100. In the suburbs I include Mr Ramsay's distillery, and a family at Tyndrum. The number of individuals in the suburbs will not exceed 100.

Being interrogated, and requested to state what will be the increase of the population in Port- B Ellen since 1845. Depones, I do not think that the increase since 1845 will exceed two hundred or three hundred. Depones, I do not think there has been any increase in the rural parts of the parish since 1851; but it is possible that there has been an increase since 1845, but we have had emigrations several times since then, and the increase in the village chiefly consists of labourers and paupers.

Being shown the following passage at the foot of page 665 of the said book, which is as follows: "The Parish Church is built nearly in the centre of the parish, and is conveniently situated for the C greater number of the parishioners since the parish has been divided, but a good many of the inhabitants are from eight to ten miles from it;" and interrogated, Do you concur in the statements contained in the said passage? depones, Very few of the parishioners reside beyond five miles from the Parish Church, and the principal number is within three miles; and with that difference, I concur with the statements in said passage.—All which is truth, as I shall answer to God.

Further depones, In addition to the number of the population at Port-Ellen given by me, there D are a few shopkeepers now more than there were in 1845, and I consider the number "673" is more likely to have been taken from the census of 1841.—All which is truth, as I shall answer to God.

(Signed)

DUN. MACCUAIG.  
JAMES DEWAR, Modr.  
JAMES DEWAR, Clerk P.T. E

At PORT-ELLEN, 24th March, 1859.

Re-compeared the said DUNCAN MACCUAIG, who being again solemnly sworn and examined, and the following question with reference to a few lines of introduction which the witness stated the Pre- F sentee brought to him from Mr Black, Tobermory, being interrogated, and requested to produce the letter referred to having been repeated, the Presbytery having resumed consideration of the interroga- tory, after reasoning, refused to allow the same to be put, and of consent of parties this judgment is held to apply to a similar question put to Alexander MacCuaig, a witness examined for the Presentee.

Whereupon the agent for the Objectors protested and appealed *ut supra*, for the following among other reasons, to be plèd at the Bar of the General Assembly in support of said appeal:—1st, That G the production of the letters brought from Mr Black to the witnesses Alexander MacCuaig and Duncan MacCuaig, and delivered to these witnesses by the Presentee himself, is necessary in order to show how far their conduct and evidence delivered by them in connection with the case, may have been influenced, and it is necessary that the Court should be possessed of all documents and circumstances of a relevant nature affecting the witnesses, to enable them to judge how far their evidence may be the result of their own observations, unbiassed by any extraneous influences. H

The procurator for the Presentee, while acquiescing in the soundness of the judgment pronounced by the Presbytery, took no objection to the question, as it is a matter of perfect indifference whether the letters were produced or not, being mere notes of introduction, as stated by the witnesses themselves.—All which is truth, as I shall answer to God.

(Signed)

DUN. MACCUAIG.  
JAMES DEWAR, Modr. I  
JAMES DEWAR, Clerk P.T.

At PORT-ELLEN, 24th March, 1859, 8 o'clock P.M.

Compeared THOMAS ARMSTRONG, Shepherd to John Ramsay, Esq. of Kildalton, and residing at K Skye House, Parish of Kildalton, who being solemnly sworn and examined as a witness for the Presentee, depones, I came from the parish of Canobie, in the county of Dumfries, and I do not know

- A** he was there. Depones, There is a person named John Macmillan, Port-Ellen, who is included in my answer as to notoriety.
- Interrogated.—Does your deposition as to notoriety apply to any other individuals besides those you have referred to? Depones, I decline to add any more names just now.
- Have you had any transactions with Duncan Sinclair, referred to in page 237 of this proof, and do you know whether he can sign his name by full subscription? Depones, I have
- B** had no transactions of any consequence with him, and I do not know whether he can sign his name by full subscription.
- Interrogated.—On one of the days on which the Presentee preached, did you, or did you not inquire of any person what was the distinction between Saul of the New Testament and Saul of the Old Testament, the said question having reference to the subject of one of the Presentee's discourses? Depones, I did not.
- C** Interrogated.—If on the day the Call was moderated in, there was some degree of excitement in Kildalton Church, and did you yourself make any observations or exclamations in the hearing of the people assembled? Depones, The Call had been written in English by the Clerk, and read to the people in that language, upon which I made a request that it should be translated into Gaelic.
- Interrogated.—Did you, on the occasion referred to, speak aloud to the people assembled, to the following effect:—"That Mr Morrison was about to set work agoing in the parish, and that the people
- D** need not be afraid to sign the Call, as they would have plenty of work," or words to that effect? Depones, I never said that, nor used expressions of a similar tendency.
- Interrogated.—To whom do you refer in your answer that you saw a person signing the objections in a state of tipsiness? Depones, I refer to George Calder, one of Mr Graham's workmen. Depones, The objections were signed in presence of the Presbytery. Depones, I did not see George Calder partake of liquor on that day, but I saw him the worse of strong drink. Depones, I made no remark
- E** to the Presbytery, or to any member thereof, at the time, or during the meeting of that day, nor did take any means of drawing their attention to the circumstance.
- Interrogated.—Since you did not see Calder partake of liquor on the day in question, did he ever inform you that he had been drinking strong drink on that day? Depones, He did not.
- Being interrogated.—Did you smell strong drink off Calder on the occasion referred to? Depones, I did not, as he was on the one side of the communion table and I was on the other.
- F** Interrogated did you see George Calder while in the act of signing the objections? Depones, I do not recollect of having seen George Calder in the act of signing his name.
- Interrogated.—Did you see George Calder, on the occasion referred to, approach the place where the objections were being signed for the purpose of signing, and did he then and there require the support of the seats, or any other support? Depones, I did not observe him supporting himself by the seats, after he was leaving the church after he had signed.
- G** Interrogated.—Did the Moderator, Rev. Mr Macfie, immediately overlook the signing of the objections? Depones, I observed him watching the names subscribed to the Call; but I did not watch minutely while the objections were being signed.
- Being interrogated, and requested to reconcile your answer on page 243, viz, I saw a person signing the objections in a state of tipsiness, with your further answer-in-cross to this effect, "I do not recollect of having seen George Calder in the act of signing his name." Depones, I know that George
- H** Calder signed his name as an objector, and was under the influence of strong drink in the church about the same time.
- Interrogated.—How long have you known George Calder, and what is his trade? Depones, I have known him from his boyhood, and he is a cartwright to trade. Depones, I have known him for about 40 years.
- Interrogated.—Has George Calder borne the character of being a quiet and inoffensive man; and
- I** is it also consistent with your knowledge that he is a house proprietor in Port-Ellen? Depones, I never saw him quarrelsome, but whether or not he is a house proprietor at Port-Ellen I do not know. Depones, I never heard anything to the contrary of George Calder bearing the character of an honest man.
- Interrogated.—With reference to your statement on page 244 and 245 of this proof, you are requested to state whether the Parish of Kildalton contains a larger English speaking population now than it did in 1845, when the New Statistical Account of Scotland, which you refer to, was published?
- K** Depones, there may be a few more English speaking people now than there were in 1845. Depones, there are in the parish five English day schools, in which English and Gaelic are taught, and one Gaelic school.

Being shown the said book, and referred to page 664, and there to the following passage:—"A A number of people have also congregated in the village of Port-Ellen, which contains at present a population of 673; and interrogated, Do you concur in that statement? depones, according to my estimate, I think that the number 673 is rather under than above the mark. Depones, I think the present population of Port-Ellen and suburbs is about 1100. In the suburbs I include Mr Ramsay's distillery, and a family at Tyndrum. The number of individuals in the suburbs will not exceed 100.

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Being shown the following passage at the foot of page 665 of the said book, which is as follows: "The Parish Church is built nearly in the centre of the parish, and is conveniently situated for the C greater number of the parishioners since the parish has been divided, but a good many of the inhabitants are from eight to ten miles from it;" and interrogated, Do you concur in the statements contained in the said passage? depones, Very few of the parishioners reside beyond five miles from the Parish Church, and the principal number is within three miles; and with that difference, I concur with the statements in said passage.—All which is truth, as I shall answer to God.

Further depones, In addition to the number of the population at Port-Ellen given by me, there D are a few shopkeepers now more than there were in 1845, and I consider the number "673" is more likely to have been taken from the census of 1841.—All which is truth, as I shall answer to God.

(Signed)

DUN. MACCUAIG.  
JAMES DEWAR, Modr.  
JAMES DEWAR, Clerk P.T. E

At PORT-ELLEN, 24th March, 1859.

Re-compeared the said DUNCAN MACCUAIG, who being again solemnly sworn and examined, and the following question with reference to a few lines of introduction which the witness stated the Pre- F sentee brought to him from Mr Black, Tobermory, being interrogated, and requested to produce the letter referred to having been repeated, the Presbytery having resumed consideration of the interroga- tory, after reasoning, refused to allow the same to be put, and of consent of parties this judgment is held to apply to a similar question put to Alexander MacCuaig, a witness examined for the Presentee.

Whereupon the agent for the Objectors protested and appealed *ut supra*, for the following among other reasons, to be pled at the Bar of the General Assembly in support of said appeal:—1st, That G the production of the letters brought from Mr Black to the witnesses Alexander MacCuaig and Duncan MacCuaig, and delivered to these witnesses by the Presentee himself, is necessary in order to show how far their conduct and evidence delivered by them in connection with the case, may have been influenced, and it is necessary that the Court should be possessed of all documents and circumstances of a relevant nature affecting the witnesses, to enable them to judge how far their evidence may be the result of their own observations, unbiassed by any extraneous influences. H

The procurator for the Presentee, while acquiescing in the soundness of the judgment pronounced by the Presbytery, took no objection to the question, as it is a matter of perfect indifference whether the letters were produced or not, being mere notes of introduction, as stated by the witnesses themselves.—All which is truth, as I shall answer to God.

(Signed)

DUN. MACCUAIG.  
JAMES DEWAR, Modr. I  
JAMES DEWAR, Clerk P.T.

At PORT-ELLEN, 24th March, 1859, 8 o'clock P.M.

Compeared THOMAS ARMSTRONG, Shepherd to John Ramsay, Esq. of Kildalton, and residing at K Skye House, Parish of Kildalton, who being solemnly sworn and examined as a witness for the Presentee, depones, I came from the parish of Canobie, in the county of Dumfries, and I do not know

A Gaelic language, was there anything in his pronunciation or his delivery of the English language which would lead you to suppose that he was not accustomed to preach it with readiness and fluency? Depones, if I did not know that he could preach in Gaelic, I would not know that he could do so from his manner of preaching in English. Depones, with regard to the Gaelic, the Presentee preached with equal ease and fluency. Depones, I was well satisfied with the Gaelic discourses. I signed the Call, and I am quite satisfied that Mr Macintyre is qualified to be my minister, both as a Gaelic and English preacher.

B Being interrogated.—Is it matter of notoriety that the great body of the people of the parish are favourable to the Presentee. Depones, it is quite notorious.

C Cross-examined for the Objectors.—Depones, I have been in use to communicate with the Gaelic portion of the congregation of Kildalton. Depones, I recollect very little of the services delivered by the Presentee, on account of the length of time that has elapsed. Depones, I was present in Court during the examination of the Objectors' witnesses. Depones, I heard part of Mr Colin Hay's examination, also part of Miss Graham's examination, also part of Mr James Mackerrol's examination. Depones, I was present when Mr Dugald Macdougall was examined, but I do not remember whether I heard the whole of his deposition. I heard a part of Mr Duncan Macdougall's examination. I think I heard Donald Jamieson examined. Depones, I have read the evidence led in this case as reported in the newspapers.

D Re-examined for the Presentee.—Depones, my mother prefers to communicate with the Gaelic congregation, and that is the reason I communicate with that congregation. I understand both English and Gaelic equally well. Depones, I went to hear the proceedings in Court out of mere curiosity, and I had no idea that I would be made a witness, and all those that were with me had the same motives that I had. Depones, anything that I may have heard in the Court or read in the newspapers, has not influenced my mind to say anything, but what I believe to be true.—All which is truth, as I shall answer to God.

(Signed)

JESSIE MACCUAIG.  
DANL. MACFIE, Modr. P.T.  
JAMES DEWAR, Clerk P.T.

F

At PORT-ELLEN, 28th March, 1859.

Compeared DONALD MACPHERSON, residing in Port-ElLEN, who being solemnly sworn and examined as a witness for the Presentee, depones, I am a drainer to Mr Ramsay. I am a communicant in the Parish Church of Kildalton, and I am married. Depones, I heard the Presentee preach his trial discourses on two occasions in Gaelic in Kildalton Church on August last. Depones, I was very much satisfied with the Presentee's manner of conducting the church services.

G Interrogated.—Do you consider Mr Macintyre qualified to be your minister, and did you sign the Call? Depones, yes; and I signed the Call.

Interrogated.—Is it matter of notoriety that the great body of the people are in favour of Mr Macintyre? Depones, yes. Depones, I only attend the Gaelic services.

H Cross-interrogated for the Objectors.—Depones, It is three years since I came to this parish. Depones, I live in the flat above the Steamboat Tavern, and I am a tenant of Mr Duncan MacCuaig's. Depones, I have only communicated once in the parish of Kildalton, and that was on the last sacramental occasion. Depones, I have never attended the English service in Kildalton Church. Depones, I have attended service in Kildalton Church just now and then since Mr Macintyre preached his trial discourses. Depones, the sermons I heard preached were those of the 1st and 10th August. Depones, I have no particular recollection of what the Presentee was preaching about on either of the days above referred to. Depones, I cannot state any part of the services, whether psalms, texts, or subjects of discourse. Depones, I signed the Call in the church. Depones, I heard part of Archibald Campbell's examination. Depones, I have heard part of the evidence as published in the newspapers read over in my hearing, and it was read over to me in the house of David MacEachern, where I as well as others heard it read.

K Interrogated.—What do you mean by the word notoriety used by you in the previous part of your evidence? Depones, I would like the question repeated in Gaelic; and the question being repeated in Gaelic by the Moderator, depones in Gaelic, These are hard words.

Being interrogated, when you used the words, "the great body of the people," do you mean the



might be not one. Depones, I was quite sober when I called at Mr Levack's, on the day referred to. A Depones, I cannot recollect at what hour I left Port-Ellen on the day referred to, but I was home before sunset. I called at Mr Levack's house before six o'clock. Depones, I do not know the hours of the day when Mr Levack had his school open. Depones, to the best of my knowledge the time when I called at Mr Levack's was between four and five o'clock, but I cannot say. Depones, I saw Mrs Mackay, his landlady, when I called, and it was from the statement of Mrs Mackay that I learned that Mr Levack was at Mr Walter Graham's. Depones, On learning this, I left immediately, B and I did not ask Mrs Mackay to send for Mr Levack. Depones, I had no knowledge of Mr Levack's being at Walter Graham's on that occasion, except what I derived from Mrs Mackay's information. Depones, I never went back to Mr Levack's for the purpose of signing the Call, as I could not get.

Re-interrogated for the Presentee.—Depones, I live in a lonely place and a considerable distance from the church, and I did not know where the Call was until I was informed by Mr MacCuaig. Depones, There are only two houses between mine and Lagavulin, across the hill in a distance of six C miles. Depones, There is no other house farther from the church in that direction than my house. Ardbeg is more than a mile from Lagavulin, and the people there form the largest collection of parishioners in that direction. Depones, I think the population will be the most on the Port-Ellen side of the church. Depones, My duties as a shepherd render it impossible for me to attend church regularly.

Being interrogated.—Why did you not sign the Call in the church on the day of moderating in D the Call? Depones, I thought I would be too late and walked fast, so that I got over-heated; I afterwards felt cold and went away home.

Interrogated.—Are you aware that Mr Graham's house is at a distance from Lagavulin? Depones, Yes, it is more than a mile.

Re-interrogated for the Objectors.—Depones, Mr Levack's house is about a quarter of a mile from the Parish Church. The village of Lagavulin lies between the Parish Church and Mr Levack's house. E Depones, In the same neighbourhood, and surrounding Lagavulin, are Ardbeg, Callum Kill, Ardinistie, and Laphroig. Depones, In my opinion Ardbeg and Lagavulin contain the largest collection of inhabitants in the parish, next to Port-Ellen. Depones, On the day for moderating in the Call, the minister had left the pulpit before I left the church. Depones, I do not recollect of any intimation being made, that a Call would be produced for signature, but I recollect of the members of Presbytery being there and papers lying before them, after the minister left the pulpit, and I was in church a good F while after that. Depones, I saw people in church sign their names to papers, and I saw them signing the Call and objections both before I went away. Depones, My wish was to have signed for the minister. Depones, People were signing when I went away, but I do not know whether Callers or Objectors. Depones, I do not recollect of having been informed, on that day, that the Call was to be left at Mr Levack's for additional signature.—All which is truth, as I shall answer to God.

(Signed)

THOMAS ARMSTRONG. G  
JAMES DEWAR, Modr.  
JAMES DEWAR, Clerk P.T.

At PORT-ELLEN, 25th of March, 1859. H

Compeared Miss JESSIE MACCUAIG, residing in Port-Ellen, who being solemnly sworn and examined as a witness for the Presentee, depones, Mr Duncan MacCuaig, a preceding witness, is my father. I am a regular attendant of the Parish Church of Kildalton, and for the last five years I have been a communicant there. Depones, I heard the Presentee preach his trial discourses in the month of August last. I heard him preach on the 8th and 10th of August, in Gaelic and English; and I followed and understood him distinctly in both languages. Depones, I was quite satisfied with the Presentee's manner I of conducting the Church services. Depones, I thought the discourses were well connected, and I felt at the time edified and instructed by them. Depones, the Presentee's manner in the pulpit, both in the offering up of the prayers and in the delivery of the discourses, was reverent and becoming, and the impression on my mind was, that the preacher felt what he was addressing to the audience, and that it came from his heart. Depones, I had not the slightest difficulty in finding out the texts or psalms. Depones, with regard to the English discourses, Mr Macintyre preached with great K ease and fluency.

Being interrogated.—If you had not been aware that the Presentee could speak and preach the

A Gaelic language, was there anything in his pronunciation or his delivery of the English language which would lead you to suppose that he was not accustomed to preach it with readiness and fluency? Depones, if I did not know that he could preach in Gaelic, I would not know that he could do so from his manner of preaching in English. Depones, with regard to the Gaelic, the Presentee preached with equal ease and fluency. Depones, I was well satisfied with the Gaelic discourses. I signed the Call, and I am quite satisfied that Mr Macintyre is qualified to be my minister, both as a Gaelic and English preacher.

Being interrogated.—Is it matter of notoriety that the great body of the people of the parish are favourable to the Presentee. Depones, it is quite notorious.

Cross-examined for the Objectors.—Depones, I have been in use to communicate with the Gaelic portion of the congregation of Kildalton. Depones, I recollect very little of the services delivered by the Presentee, on account of the length of time that has elapsed. Depones, I was present in Court during the examination of the Objectors' witnesses. Depones, I heard part of Mr Colin Hay's examination, also part of Miss Graham's examination, also part of Mr James Mackerrol's examination. Depones, I was present when Mr Dugald Macdougall was examined, but I do not remember whether I heard the whole of his deposition. I heard a part of Mr Duncan Macdougall's examination. I think I heard Donald Jamieson examined. Depones, I have read the evidence led in this case as reported in the newspapers.

D Re-examined for the Presentee.—Depones, my mother prefers to communicate with the Gaelic congregation, and that is the reason I communicate with that congregation. I understand both English and Gaelic equally well. Depones, I went to hear the proceedings in Court out of mere curiosity, and I had no idea that I would be made a witness, and all those that were with me had the same motives that I had. Depones, anything that I may have heard in the Court or read in the newspapers, has not influenced my mind to say anything, but what I believe to be true.—All which is truth, as I shall answer to God.

(Signed)

JESSIE MACCUAIG.

DANL. MACFIE, Modr. P.T.

JAMES DEWAR, Clerk P.T.

F

At PORT-ELLEN, 28th March, 1859.

Compeared DONALD MACPHERSON, residing in Port-ElLEN, who being solemnly sworn and examined as a witness for the Presentee, depones, I am a drainer to Mr Ramsay. I am a communicant in the Parish Church of Kildalton, and I am married. Depones, I heard the Presentee preach his discourses on two occasions in Gaelic in Kildalton Church on August last. Depones, I was very much satisfied with the Presentee's manner of conducting the church services.

Interrogated.—Do you consider Mr Macintyre qualified to be your minister, and did you sign the Call? Depones, yes; and I signed the Call.

Interrogated.—Is it matter of notoriety that the great body of the people are in favour of Mr Macintyre? Depones, yes. Depones, I only attend the Gaelic services.

H Cross-interrogated for the Objectors.—Depones, It is three years since I came to this parish. Depones, I live in the flat above the Steamboat Tavern, and I am a tenant of Mr Duncan MacCuaig's. Depones, I have only communicated once in the parish of Kildalton, and that was on the last sacramental occasion. Depones, I have never attended the English service in Kildalton Church. Depones, I have attended service in Kildalton Church just now and then since Mr Macintyre preached his discourses. Depones, the sermons I heard preached were those of the 1st and 10th August. Depones, I have no particular recollection of what the Presentee was preaching about on either of the days above referred to. Depones, I cannot state any part of the services, whether psalms, texts, or subjects of discourse. Depones, I signed the Call in the church. Depones, I heard part of Archibald Campbell's examination. Depones, I have heard part of the evidence as published in the newspapers read over in my hearing, and it was read over to me in the house of David MacEachern, where I as well as others heard it read.

K Interrogated.—What do you mean by the word notoriety used by you in the previous part of your evidence? Depones, I would like the question repeated in Gaelic; and the question being repeated in Gaelic by the Moderator, depones in Gaelic, These are hard words.

Being interrogated, when you used the words, "the great body of the people," do you mean the

phrase to apply to such persons as you have come in contact with? Depones, I would like the question put in Gaelic; and the question being so put by the Moderator, depones, I mean by the phrase great body of the people such as I have come in contact with, and such as I have heard of.

Being interrogated.—Who are the parties you yourself have come in contact with? Depones, in Gaelic, There is a number of them I cannot name.

Interrogated.—Name all you possibly can? Depones, in Gaelic, Donald Macmillan, a man who does nothing, and is in bad health at present, but was formerly a drainer; David MacEachern, B above referred to; James MacCuaig, labourer in Port-Ellen. Depones, I do not recollect any others. Depones, I never saw Donald Macmillan in the Church of Kildalton. I have seen David MacEachern there. I am not sure that I have seen him twice in church. Depones, I did not see David MacEachern in church on either of the days I heard the Presentee preach. Depones, I have seen James MacCuaig in church. I have seen him once, at any rate.

Interrogated, and requested to state have you seen James MacCuaig twice in the Church of Kildalton? Depones, I cannot say.

Interrogated.—Who are the parties you have heard of as being favourable to the Presentee? Depones, in Gaelic, I heard of the people in the parish of Kilmeny, and people of the several parishes in Islay where the Presentee preached since he preached his trial sermons in the Church of Kildalton. Depones, I cannot say in what parishes the Presentee has been preaching. Depones, Different persons told me that the people of these other parishes were pleased with Mr Macintyre's D preaching. Depones, I may name Catherine Macnaughton, residing in Port-Ellen, and I can remember no other person. Depones, I never saw Catherine Macnaughton in the Parish Church of Kildalton, and I do not know that she attends any church. Catherine Macnaughton told me about the people of Kilmeny. She did not tell me about the people belonging to any other parish.

Interrogated.—Were you six times in the church of Kildalton during the twelve months preceding the time you heard Mr Macintyre preach there? Depones, Yes. E

Interrogated.—Have you been twelve times in the Church of Kildalton since you came to reside in this parish? Depones, Yes.

Re-interrogated for the Presentee.—Depones, I intend to leave my present residence, having received notice of my removal. Depones, Although I did not see in Kildalton Church, the parties to whom I have already referred, they might have been there without my knowledge. And the question with regard to notoriety being put to the witness in Gaelic, and he being asked whether he adheres to his former answer, depones, I do adhere to it.

Re-interrogated for the Objectors, and requested to state in Gaelic, whether you have any other definition to give of the word "notoriety," than what you have already deponed to? Depones, I do not understand the meaning of the word. I still say it is a hard word, but I understand the question, that is the question of notoriety.—All which is truth, as I shall answer to God. G

(Signed)

DONALD MACPHERSON.  
JAMES DEWAR, Modr.  
JAMES DEWAR, Clerk P.T.

Compeared GEORGE MACCALLUM, General Merchant in Port-Ellen, who, being solemnly sworn H and examined as a witness for the Presentee, Depones, I attend the Parish Church of Kildalton regularly. I heard the Presentee preach his trial services in Gaelic there, in August last. Depones, I was satisfied with the Presentee's manner of conducting the church services, and with the discourses which he delivered. I attend the Gaelic congregation.

Being interrogated.—Do you consider Mr Macintyre qualified to be your minister? Depones, I think so. I signed the Call, as also did my wife and servant. I

Cross-interrogated for the Objectors.—Depones, I am a butcher, and one part of my business is to sell butcher-meat, and the other parts the retailing of groceries, hardware, and other articles. Depones, I pay six pounds of rent in the year for the premises I occupy. It is nearly five years since I came to reside in this parish. Depones, I am not a communicant. I did not hear any of the English discourses. Depones I kept no note of the services, except of the first, and I recollect that the first text was the 66th Psalm, and 6th verse. I cannot state any other text, nor can I give the Psalms or the K subjects of the discourse. Depones, I can only give the text of the first sermon. Depones, I do not recollect what the Presentee was preaching about, as it is such a long time since I heard him. De-

A pones, I cannot tell how often I have been in Church since I heard Mr Macintyre preach, but I have been a good many times. Depones, I think I heard all the members of the Presbytery who have been supplying the pulpit.—All which is truth, as I shall answer to God.

(Signed)

GEORGE MACCALLUM.  
JAMES DEWAR, Modr.  
JAMES DEWAR, Clerk P.T.

B

At PORT-ELLEN, 28th March, 1859, half-past 6 o'clock P.M.

Compeared, Miss FLORA MACCUAIG, residing in Port-Ellen, who being solemnly sworn and examined as a witness for the Presentee, depones, I am the sister of Miss Jessie MacCuaig, the preceding witness. Depones, I am a regular attendant of the Parish Church of Kildalton, and a communicant there. Depones, I heard the Presentee preach his trial discourses in Kildalton Church in the month of August last, both in English and Gaelic. Depones, I had no difficulty in following and understanding him distinctly on these occasions; I found all the texts and psalms that were given out. Depones, I thought his English discourses were delivered with ease and fluency. Depones, I have been accustomed to hear English preaching in Glasgow and other places on the mainland.

D Interrogated.—Was there anything in the Presentee's pronunciation or delivery which struck you as showing any perceptible difference in these respects between him and other preachers in the places above referred to, with regard to English preaching? There was no difference. He preached with fluency and ease. Depones, In my opinion, Mr Macintyre preached with equal fluency and ease in the Gaelic language. Depones, I was highly satisfied with the Presentee's manner of conducting the church services, and with the discourses which he delivered. Depones, I observed no want of E arrangement or division into heads in the discourses.

Interrogated.—Did you observe any want of earnestness or solemnity in the offering up of the prayers, or in the delivery of the discourses? Depones, I thought the prayers were offered up with earnestness and fervour, and the same remark applies to the delivery of the discourses.

Interrogated.—Whether the discourses appeared to you to come from the heart, and did they appeal to your understanding and heart? Depones, So far as I could judge they did come from the heart, and they appealed to my understanding and heart. Depones, I was edified and instructed by these discourses in the same way as by the discourses of other clergymen. Depones, I consider the Presentee to be quite qualified to be my minister, both as an English and Gaelic preacher. Depones, I signed the Call.

Interrogated.—Is it matter of notoriety that the great body of the people of the parish are favourable to the Presentee, and wish his settlement in the parish? depones, It is perfectly notorious G depones, I am quite satisfied that the discourses which I heard were divided into heads.

Cross-interrogated for the Objectors.—Depones, my sister and I live with my father, Mr Duncan MacCuaig at the hotel. Depones, I have been in use to communicate with the Gaelic portion of the congregation. I have never communicated with the English congregation. Depones, I have been in use to attend the Gaelic service, and I have very seldom attended the English. Depones, I was present in Court while part of the proof was being led in this case, and heard Mr Walter Graham partly examined. I heard part of Mr Colin Hay's examination, and part of Miss Graham's examination, and part of James Mackerrol's examination, and the whole of Dugald Macdougall's examination. I heard part of Duncan Macdougall's examination, and part of Donald Jamieson's examination. Depones, either read or heard read the depositions of the witnesses in this case, as reported in the newspapers. Depones, I cannot now tell what psalms were given out by the Presentee, and of the texts, I only recollect the last, which is 1st Chronicles iv. 10th, and the words of another, viz, "Saul also went to I Gibeah, and there went with him a band of men whose hearts the Lord had touched." The former text was, I think, the text of an English discourse, and as to the latter, I am not sure whether the words were connected with a Gaelic or English discourse. Depones, I do not recollect any part of the discourses delivered on the 1st of August, nor do I recollect any part of the discourses delivered on the 8th of August. Depones, I cannot be sure whether the texts I have referred to were connected with the discourses delivered on the 10th of August. Depones, Those texts I have mentioned are the only two I recollect. The subject of the discourse from 1st Chronicles was, I think, the different petitions K in the prayer of Jabez. Depones, the divisions or heads in the discourse last referred to, were the divisions of Jabez's prayer. Depones, I do not recollect of the divisions or heads of the discourses

reached from the words before recited, nor of any of the other discourses. Depones, what I mean by A  
s being matter of notoriety, that the great body of the people are favourable to the Presentee, and  
ish his settlement in the parish, is that parties have spoken to me on that subject, to that effect, and  
so that there are parties whom I have not spoken to, but I have heard of as being favourable to the  
resentee, and the number who have signed the Call.

Being interrogated, and requested to state the names of the parties who have spoken to you on the B  
bject, depones, Mr and Mrs Alexander Macdougall and others; but I decline to give the names of any B  
her party. Depones, it consists with my knowledge that Mr and Mrs Alexander Macdougall now  
tend the Free Church. Depones, with reference to the second branch of my answer, as above given,  
e parties I refer to were different parties in different parishes, who had heard the Presentee preach.  
know not in what parish, and their names I do not remember. Depones, I never saw the Call, unless  
hen handed to witnesses in the course of their examination, and I never had it in my hand before this C  
ght. Depones, on being shown the mandate No. 2, I identify my signature as the 15th from the C  
ottom. Depones, I see the said document consists of several sheets of paper pasted together, but I  
a not sure whether they were so pasted when I signed them.

Interrogated.—Was there any heading on the paper you signed at the time you signed? Depones,  
did not read over the heading at the time; and the heading having been put into my hands, I depone  
at I have read over the same or something like it before. Depones, at the time I signed I knew I  
is signing a mandate in favour of Mr Macintyre, because I could not attend on the day the Call was D  
oderated in, and Archibald Macarthur was the witness.

Interrogated.—Did you intend, when you signed the said document, that Mr Macarthur should  
ve anything further to do with it than simply witnessing your signature? and the said document being  
t into the witness's hands, and read over by her, depones, He was authorised to act as our mandatory.

Being interrogated.—Are you prepared now to state that the first sheet of the said document, on  
hich the heading is written, was attached to the last sheet on which your signature is adhibited at the E  
ne you signed? Depones, I cannot be sure.

Interrogated.—When did you first read the heading referred to? Depones, I never read that head-  
g perhaps, but I read something to the same effect. What I did read was written on a paper similar  
that, but shorter; and when I read the heading referred to, there were no names subscribed to it.—  
I which is truth, as I shall answer to God.

(Signed)

FLORA MACCUAIG. F  
JAMES DEWAR, Modr.  
JAMES DEWAR, Clerk P.T.

At PORT-ELLEN, Twenty-ninth March, Eighteen Hundred and Fifty-nine.

Compeared JAMES MACDOUGALL, Teacher at Kintra, parish of Kildalton, who, being solemnly G  
orn and examined as a witness for the Presentee, depones :—The late Reverend Mr Mactavish left  
me for Glasgow a day or two after I came to the parish, and never returned, having died in Glas-  
w, and in consequence of his death I have had no opportunity of communicating in the parish of  
ldalton; but I have communicated in the parish of Oa, which is adjoining. Depones, My school H  
a General Assembly school. Depones, I have attended the literary classes in the University of  
asgow for two years. Depones, I heard the Presentee preach on the first and eighth of August last  
Kildalton Church, and I heard him both in English and Gaelic, but one of the Gaelic sermons I  
ly heard partially, as I had to come from a considerable distance, and was rather late in arriving.  
nderstand both the English and Gaelic languages.

Being interrogated.—Were you able to follow the Presentee distinctly in the delivering his dis-  
urses? Depones, Yes. I

Interrogated.—Were you satisfied with the Presentee's manner of conducting the church services,  
d with his discourses? Depones, I was on the whole. Depones, I afterwards signed a mandate in  
our of Mr Macarthur, authorising him to sign the Call for me. Depones, He explained to me what  
e mandate was for. Depones, He told me that the heading was attached to another part of the  
update, and that the part I signed was a portion of it. Depones, I fully understood what I was  
ing when I signed. Depones, I appear here to-day under a citation. K

Cross-interrogated for the Objectors.—Depones, I belong to the parish of Craignish, in Argyll-  
ire, and I never was in the parish of Kildalton before I came here under appointment of the Gene-

**A** expressed themselves to you as favourable to Mr Macintyre? depones, Although people speak to me about these matters, I cannot remember, as my memory is not good.

Interrogated.—Can you give the names of any one who has expressed himself or herself as above? depones, Mr Duncan MacCuaig, and Alexander MacCuaig, and George MacCallum, preceding witnesses; Miss Catherine MacCuaig and Miss Jessie MacCuaig, daughters of the foresaid Duncan MacCuaig, and these are enough for you.

**B** Interrogated.—Are the parties above named the whole you can mention by name to whom your answer applies, viz., “that it is matter of notoriety that the great body of the people are favourable to Mr Macintyre?” depones, I cannot give the names of any other parties, as I do not know them; depones, I have been in Mr MacCuaig’s service for the last thirteen years, and since my birth I have been residing in the parish; depones, I am middling well acquainted with the people of the parish, but in Port-Allen there are many that I am not well acquainted with that I know by sight.—All which **C** is truth, as I shall answer to God.

(Signed)

DONALD CAMPBELL.  
JAMES DEWAR, Modr.  
JAMES DEWAR, Clerk P.T.

**D**

At PORT-ELLEN, 30th March, 1859.

Compeared DUNCAN MACDOUGALL, residing at Ardbeg, who being solemnly sworn and examined in Gaelic, as a witness for the Presentee, depones, I understand English, but prefer being examined in Gaelic; depones, I am foreman over the farm of Ardbeg. I am in the habit of attending the church of Kildalton; I was born and brought up in the parish; depones, I heard Mr Macintyre preach in Gaelic on **E** the 1st and 8th of August last; depones, I was fully satisfied with the Presentee’s manner of conducting the church services on these occasions, and also with the discourses which were delivered; depones, I signed the Call during the time it was in Mr Levack’s possession; depones, There were other parties who went along with me; these were people from Ardbeg. The number was about twenty, and most of them were heads of families; depones, the village of Ardbeg contains the largest number of inhabitants, next to Port-Allen.

**F** Interrogated.—Is it matter of notoriety that the great body of the parishioners are favourable to Mr Macintyre? Depones, yes; depones, I know all the heads of families living at Ardbeg; depones, I know the following parties who are heads of families, viz., Mr MacCuaig, Alexander Head, Duncan Darroch, John Macmillan, Charles Black, Peter Macaffer, Murdoch Macdougall, Donald Macfadyen, Mr Mactaggart, Donald Currie, John Campbell, Neil Macduffie, Archibald MacIargan, Duncan Cameron, Donald Gilchrist, John Black, Donald Maclellan, William MacEwen, John Macalister; depones, I have **G** a wife and child; depones, The above are all the heads of families connected with the Established Church of Scotland, residing at Ardbeg; depones, I think the above parties and their families will number about 120 souls. There are just two families belonging to the Free Church, residing at Ardbeg.

Interrogated.—Is it matter of notoriety that the Ardbeg people, whose names you have given above, are favourable to the Presentee? depones, Yes.

**H** Interrogated.—Did you, and the parties you have above referred to, or the most of them, come down from Ardbeg to Port-Allen to state to the Presbytery that you had subscribed the Call?

Objected for the Objectors.—That the question is irrelevant in respect—

1st, That it affects matters which have not been admitted to probation, and which are not conjunct to any proof led on behalf of the Objectors.

2d, That the question has reference to an absurd demonstration which took place during the **I** leading of the proof for the Presentee, to which the Objectors were no parties, and was quite uncalled for.

3d, That the Call, being a written document, can only be referred to as containing the best evidence of the subscriptions of the parties appended to it, and as it does not bear the subscription of several of the persons referred to in the question, is inapplicable to the state of the fact.

4th, The subscriptions which were made to the Call in presence of Mr Levack, the session-clerk, **K** and reported by him to have been made in his presence, have not been called in question.

Answered.—1st, That the question is relevant, in respect it has a direct bearing upon the circumstances and condition of the parish.

2d, With regard to this objection, it may be convenient for the Objectors to designate the spon- A  
sorious appearance of the heads of families of the second largest village in the parish before the Pres-  
bytery to state their adherence to the Call, as an absurd demonstration, but as it is not denied that the  
it occurred, it is of little importance now whether the question is put or not, and it requires no  
assurance to believe that the Objectors were no parties to what they are pleased to call the absurd  
demonstration in question.

3d, The statements contained in this objection are denied. The Call is signed either personally B  
by mandate by the people of Ardbeg, and the parties in question appeared in consequence of doubts  
having been stated as to their having done so to satisfy the Presbytery upon the point.

4th, This article requires no answer.

Parties being removed, the Presbytery, after reasoning, sustain the objection and refuse to allow the  
question to be put; and with reference to the "demonstration" above alluded to, the Presbytery consider it  
necessary to record that they did not admit that the parties alluded to had any right to appear, nor did they C  
recognise any such right; against which judgment, and the note appended thereto, the procurator for the  
presentee protested and appealed *ut supra*, for the following and other reasons, to be stated at the dis-  
cussion of this appeal:—1st, A committee of Presbytery had been appointed for the purpose of  
discussing the Call, and it was stated that several parties belonging to Ardbeg had given no authority  
for signing, or had not themselves signed the Call, the procurator for the Presentee therefore considered  
necessary to bring these parties forward to speak for themselves, and it was as much the duty of the D  
committee or the Presbytery to investigate this matter as any of the other matters referred to in their  
report.

Cross-examined for the Objectors.—Depones, I am not a communicant. I am not sure what my  
age is, but I am above thirty years; depones, All residing at Ardbeg, are employed about the distillery  
on the farm connected therewith, with the exception of John Macallister, blacksmith. His son is  
employed at Ardbeg as a general workman; depones, I have been employed for about eight or nine E  
years, either about the distillery or farm; depones, Mrs Dill is my employer, and she resides at Ardbeg;  
depones, I know that Mrs Dill belongs to the Free Church; depones, Mrs Dill is my employer. Mr  
John Hay engages me, and settles with me, and is my master; depones, although I understood  
English a little, I could not understand a sermon preached in English; depones, as I did not expect  
to be called as a witness, I did not keep in my recollection any part of the sermon preached by Mr  
Macintyre on the 1st of August; depones, I remember no portion of the services of that day; depones, F  
I remember no portion of the services delivered upon the 8th of August, nor any part of the sermon;  
depones, All that I remember is, that he kept my mind engaged in a way that it did not use to be;  
depones, I cannot tell what the Presentee was preaching about on either of the days referred to.

Interrogated.—How often have you attended service in Kildalton Church since you heard  
Mr Macintyre preach there? depones, So far as I can recollect, I only missed one Sabbath on which  
there was service there. G

Being shown the Call, and requested to state if the parties, whose names appear on the second  
page, went in a body to the school-house to sign the Call, and did you go along with them? depones,  
so far as I see, they did go in a body, and I accompanied them. So far as I recollect, we were all in the  
school-house at the same time; depones, We went after six o'clock, and we had no meeting after we  
started; depones, I did not go among the people myself, but I sent notice or warning, to ask if they  
would go; depones, Our employment at the time was the repairing of the peat road, and as the H  
distillery operations were suspended at the time for the season, the distillery workmen were with us assist-  
ing, and when the labours of the day were over, I desired them to give intimation of our intention to  
go to the school-house to sign the Call; depones, my signature appears the first on the second page of  
the Call; depones, the whole of the parties, whose names appear on the second page of the Call, were  
in the employ of the Ardbeg Distillery Company when the Call was signed by them, and, with the  
exception of Malcolm Kennedy, they are still so; depones, Of these parties, the following are unmarried I  
men, viz.:—Duncan Macduffy, Dugald Mactaggart, Coll MacCuaig, Donald Macnab, Archibald Mac-  
lister, Donald Maclellan, Malcolm Maclellan, Neil Macduffie, James Cameron, Malcolm Kennedy.  
Mary Darroch is the wife of Duncan Darroch, who signs the Call, and Christina MacCuaig is a widow,  
and has two grown-up sons; depones, The population of Ardbeg will be about 150, so far as I can  
judge; depones, Mrs Dill belongs to the Free Church, and she would have Donald Macnab, whose  
mother is one of her domestic servants, to attend the Free Church, but he goes oftener to the Estab- K  
lished Church than he does to the Free, and his mind is towards the Established Church.

Being interrogated.—Are there any other persons than those you have named referred to in your

**A** expressed themselves to you as favourable to Mr Macintyre? depones, Although people speak to me about these matters, I cannot remember, as my memory is not good.

Interrogated.—Can you give the names of any one who has expressed himself or herself as above? depones, Mr Duncan MacCuaig, and Alexander MacCuaig, and George MacCallum, preceding witnesses; Miss Catherine MacCuaig and Miss Jessie MacCuaig, daughters of the foresaid Duncan MacCuaig, and these are enough for you.

**B** Interrogated.—Are the parties above named the whole you can mention by name to whom your answer applies, viz., “that it is matter of notoriety that the great body of the people are favourable to Mr Macintyre?” depones, I cannot give the names of any other parties, as I do not know them; depones, I have been in Mr MacCuaig’s service for the last thirteen years, and since my birth I have been residing in the parish; depones, I am middling well acquainted with the people of the parish, but in Port-Ellen there are many that I am not well acquainted with that I know by sight.—All which **C** is truth, as I shall answer to God.

(Signed)

DONALD CAMPBELL.  
JAMES DEWAR, Modr.  
JAMES DEWAR, Clerk P.T.

**D**

At PORT-ELLEN, 30th March, 1859.

Compeared DUNCAN MACDOUGALL, residing at Ardbeg, who being solemnly sworn and examined in Gaelic, as a witness for the Presentee, depones, I understand English, but prefer being examined in Gaelic; depones, I am foreman over the farm of Ardbeg. I am in the habit of attending the church of Kildalton; I was born and brought up in the parish; depones, I heard Mr Macintyre preach in Gaelic on **E** the 1st and 8th of August last; depones, I was fully satisfied with the Presentee’s manner of conducting the church services on these occasions, and also with the discourses which were delivered; depones, I signed the Call during the time it was in Mr Levack’s possession; depones, There were other parties who went along with me; these were people from Ardbeg. The number was about twenty, and most of them were heads of families; depones, the village of Ardbeg contains the largest number of inhabitants, next to Port-Ellen.

**F** Interrogated.—Is it matter of notoriety that the great body of the parishioners are favourable to Mr Macintyre? Depones, yes; depones, I know all the heads of families living at Ardbeg; depones, I know the following parties who are heads of families, viz., Mr MacCuaig, Alexander Head, Duncan Darroch, John Macmillan, Charles Black, Peter Macaffer, Murdoch Macdougall, Donald Macfadyen, Mr Mactaggart, Donald Currie, John Campbell, Neil Macduffie, Archibald Maclargan, Duncan Cameron, Donald Gilchrist, John Black, Donald Maclellan, William MacEwen, John Macalister; depones, I have **G** a wife and child; depones, The above are all the heads of families connected with the Established Church of Scotland, residing at Ardbeg; depones, I think the above parties and their families will number about 120 souls. There are just two families belonging to the Free Church, residing at Ardbeg.

Interrogated.—Is it matter of notoriety that the Ardbeg people, whose names you have given above, are favourable to the Presentee? depones, Yes.

**H** Interrogated.—Did you, and the parties you have above referred to, or the most of them, come down from Ardbeg to Port-Ellen to state to the Presbytery that you had subscribed the Call?

Objected for the Objectors.—That the question is irrelevant in respect—

1st, That it affects matters which have not been admitted to probation, and which are not conjunct to any proof led on behalf of the Objectors.

2d, That the question has reference to an absurd demonstration which took place during the **I** leading of the proof for the Presentee, to which the Objectors were no parties, and was quite uncalled for.

3d, That the Call, being a written document, can only be referred to as containing the best evidence of the subscriptions of the parties appended to it, and as it does not bear the subscription of several of the persons referred to in the question, is inapplicable to the state of the fact.

4th, The subscriptions which were made to the Call in presence of Mr Levack, the session-clerk, **K** and reported by him to have been made in his presence, have not been called in question.

Answered.—1st, That the question is relevant, in respect it has a direct bearing upon the circumstances and condition of the parish.



3d, With regard to this objection, it may be convenient for the Objectors to designate the spontaneous appearance of the heads of families of the second largest village in the parish before the Presbytery to state their adherence to the Call, as an absurd demonstration, but as it is not denied that the fact occurred, it is of little importance now whether the question is put or not, and it requires no assurance to believe that the Objectors were no parties to what they are pleased to call the absurd demonstration in question.

3d, The statements contained in this objection are denied. The Call is signed either personally or by mandate by the people of Ardbeg, and the parties in question appeared in consequence of doubts having been stated as to their having done so to satisfy the Presbytery upon the point.

4th, This article requires no answer.

Parties being removed, the Presbytery, after reasoning, sustain the objection and refuse to allow the question to be put; and with reference to the "demonstration" above alluded to, the Presbytery consider it necessary to record that they did not admit that the parties alluded to had any right to appear, nor did they recognise any such right; against which judgment, and the note appended thereto, the procurator for the Presentee protested and appealed *ut supra*, for the following and other reasons, to be stated at the discussion of this appeal:—1st, A committee of Presbytery had been appointed for the purpose of analysing the Call, and it was stated that several parties belonging to Ardbeg had given no authority for signing, or had not themselves signed the Call, the procurator for the Presentee therefore considered it necessary to bring these parties forward to speak for themselves, and it was as much the duty of the committee or the Presbytery to investigate this matter as any of the other matters referred to in their report.

Cross-examined for the Objectors.—Depones, I am not a communicant. I am not sure what my age is, but I am above thirty years; depones, All residing at Ardbeg, are employed about the distillery or the farm connected therewith, with the exception of John Macallister, blacksmith. His son is employed at Ardbeg as a general workman; depones, I have been employed for about eight or nine years, either about the distillery or farm; depones, Mrs Dill is my employer, and she resides at Ardbeg; depones, I know that Mrs Dill belongs to the Free Church; depones, Mrs Dill is my employer. Mr Colin Hay engages me, and settles with me, and is my master; depones, although I understood English a little, I could not understand a sermon preached in English; depones, as I did not expect to be called as a witness, I did not keep in my recollection any part of the sermon preached by Mr Macintyre on the 1st of August; depones, I remember no portion of the services of that day; depones, I remember no portion of the services delivered upon the 8th of August, nor any part of the sermon; depones, All that I remember is, that he kept my mind engaged in a way that it did not use to be; depones, I cannot tell what the Presentee was preaching about on either of the days referred to.

Interrogated.—How often have you attended service in Kildalton Church since you heard Mr Macintyre preach there? depones, So far as I can recollect, I only missed one Sabbath on which there was service there.

Being shown the Call, and requested to state if the parties, whose names appear on the second page, went in a body to the school-house to sign the Call, and did you go along with them? depones, So far as I see, they did go in a body, and I accompanied them. So far as I recollect, we were all in the school-house at the same time; depones, We went after six o'clock, and we had no meeting after we started; depones, I did not go among the people myself, but I sent notice or warning, to ask if they would go; depones, Our employment at the time was the repairing of the peat road, and as the distillery operations were suspended at the time for the season, the distillery workmen were with us assisting, and when the labours of the day were over, I desired them to give intimation of our intention to go to the school-house to sign the Call; depones, my signature appears the first on the second page of the Call; depones, the whole of the parties, whose names appear on the second page of the Call, were in the employ of the Ardbeg Distillery Company when the Call was signed by them, and, with the exception of Malcolm Kennedy, they are still so; depones, Of these parties, the following are unmarried men, viz.:—Duncan Macduffy, Dugald Mactaggart, Coll MacCuaig, Donald Macnab, Archibald Macallister, Donald Maclellan, Malcolm Maclellan, Neil Macduffie, James Cameron, Malcolm Kennedy. Mary Darroch is the wife of Duncan Darroch, who signs the Call, and Christina MacCuaig is a widow, and has two grown-up sons; depones, The population of Ardbeg will be about 150, so far as I can judge; depones, Mrs Dill belongs to the Free Church, and she would have Donald Macnab, whose mother is one of her domestic servants, to attend the Free Church, but he goes oftener to the Established Church than he does to the Free, and his mind is towards the Established Church.

Being interrogated.—Are there any other persons than those you have named referred to in your

A affirmative to the following question :—" Is it matter of notoriety that the great body of the parishioners are favourable to Mr Macintyre?" depones, it is notorious throughout the parish that the great body of the parishioners are favourable to Mr Macintyre.

Being interrogated.—Do you refer to parties who have spoken to yourself on the subject? depones, they have been talking to me about it, and I have been talking to them.

Interrogated.—Name the parties who have been talking to you about the matter? depones, many

B have been talking to me on the subject, but I cannot name them, neither will I try.

Being interrogated, and requested to give the name of one who has spoken to you on the subject? depones, I decline to give any name.

Interrogated.—To whom have you yourself been talking on the subject? depones, I will not state, for I do not remember.

Being interrogated.—Have you had any meeting with Mr MacCuaig or other parties favourable to C the Presentee with reference to the Presentee, and with reference to the present proceedings, and with reference to witnesses who were to be brought forward on behalf of the Presentee? depones, I have had no meetings with any parties with reference to the present proceedings; and with reference to witnesses who were to be brought forward, I had no conversation with any parties.

Being interrogated.—Were you, on a Sabbath within the last two months, near to the Church of Lagavulin, requested by Mr Duncan MacCuaig to attend a meeting, for the purpose of consulting as to D what should be done with reference to the present case? depones, No; depones, the Call was read by Mr Levack before I signed it.

Being interrogated.—Did you, or any of the parties who signed the Call along with you, remark, when it was read over, that it was a good character, or what remark was made on the occasion? depones, I know nothing about that. If it was the case I have no knowledge of it.

Re-interrogated for the Presentee.—With regard to what I have stated as to the giving notice to E the work-people about the signing of the Call, I depone that I used no influence with them to do so, but that they signed the same of their own accord.—All which is truth, as I shall answer to God.

(Signed)

DUNCAN MACDOUGALL

JAMES DEWAR, Modr.

JAMES DEWAR, Clerk P.T.

F

At PORT-ELLEN, Thirtieth March, Eighteen Hundred and Fifty-nine,  
Half-past Six o'clock P.M.

Compeared ARCHIBALD MACARTHUR, residing in Port-Allen.

The procurator for the Presentee stated that he only intended to examine this witness with refer- G rence to the Call, as he appears to have been one of the mandatories, and in some cases one of the witnesses; and he being solemnly sworn and examined as a witness to this effect for the Presentee, depones :—I take charge of the house called the New Inn or the Steamer Tavern, belonging to Mr Duncan MacCuaig; depones, There was a mandate lying there for signatures of parties desirous of signing the Call in favour of Presentee; depones, That document was lying there for signatures in the same way as any other document of a public description. Being shown the mandate No. 2, depones, H I identify that as one of the mandates that was lying for signature as aforesaid; depones, I observe my name as witness at four separate places of said mandate.

Being interrogated.—Do you see the names of other witnesses to said mandate, as well as your own?

Objected for the Objectors, 1st, That it is a well-known rule in law that a party cannot be a witness to the execution of an instrument in his own favour, and the document referred to bears to be I in favour of the witness under examination.

2d, That the document referred to is not entitled to receive any faith in judgment, or to be recognised, because it is neither holograph nor tested, nor entitled to the privilege of a mercantile document, nor is it otherwise authenticated in terms of law, so as to entitle this or any other Court to receive it in evidence.

3rd, That the mandates are not authorised by the laws of the Church, in regard to any signa- K tures except those adhibited in presence of the Presbytery, on the day of moderating in the Call; and as the mandates in question were confessedly not used on that occasion, but afterwards, when the Call lay in the hands of Mr Levack, session-clerk, for additional signatures, which, according to the

laws of the Church, ought to have been adhibited by the parties themselves, who might be desirous A to sign while the Call lay in the hands of the session-clerk.

4th, That the Call is an institution of the Church, and is not referred to in the Benefices Act, and it does not fall within the matters admitted to probation, and accordingly the Objectors were not allowed a proof in regard to it. It is a matter for the Presbytery to investigate, as affecting the purity of a part of the proceedings which is purely of an ecclesiastical nature, and the proposed evidence should have been adduced before a Committee of the Presbytery, or, at all events, it ought B not to be allowed to form part of the Presentee's proof, merely conjunct to that led for the Objectors.

Answered.—1st, Neither the Call nor the objections are documents which require the formalities of deeds requisite by the civil law, and therefore the mandates granted for the purpose of signing these documents do not require solemnities which are not requisite for the execution of the principal documents themselves. All that is necessary, more particularly in a remote district like this, where C the parties who have granted, as well as those who have obtained the mandates, are unacquainted with legal forms, is that there should be reasonable evidence produced to satisfy the Presbytery that the Call has been fairly and honestly signed, either personally or by a mandatory.

2d, But in any event, the Call along with the mandates was produced by Mr Levack, at the meeting of Presbytery, held<sup>d</sup> at Bridgend, on the eighth September last, and they were then received as a part of the present proceedings, without any objection on the part of the Objectors. It is there- D fore too late, even if it were competent otherwise, for the Objectors now, at the last stage of the case, to raise such objections as those now stated.

3d, The Objectors seem to imagine that they are dealing with a case in the Civil Courts, and with matters in *assibus juris*; but the rules of law, to which they have referred, while they may be very appropriate in regard to such cases, have no bearing whatever here. The position that the Presentee is not entitled to bring evidence to satisfy the Presbytery with regard to the manner in E which the Call has been signed, is one of those absurdities which only can be accounted for by presupposing a desire to withhold the truth, and keep out of view a matter which has been made one of the most important features of the case. The evidence is tendered precisely, because the Presbytery or their Committee desired to have the sworn testimony of parties with regard to the Call, and if it is rejected, the responsibility will of course be with them.

Parties being removed, the Presbytery, after reasoning in respect that they have not come to any F deliverance with reference to the documents bearing to be mandates, and produced while they have no desire to stand in the way of bringing out the facts calculated to bear upon the whole circumstances and condition of the parish, still they consider it necessary to guard against being committed, so far as they might be precluded at any future stage of the proceedings from taking any steps that they may consider necessary to enable them to come to a judgment with reference to said documents; and with this explanation and reservation they repel the objection, and allow the question to be put. G

Whereupon the agent for the Objectors protested and appealed *ut supra*, for the reasons contained in their objections to the question, and which are here held as repeated *brevitatis causa*, and for other reasons to be urged at the bar of the General Assembly in support of said appeal.

The procurator for the Presentee, while acquiescing in the judgment repelling the objection, does not acquiesce in the reservation and explanation made by the Presbytery, and denies that they have any right with reference to this matter, other than that involved in the ordinary and constitutional H course of ecclesiastical procedure warrants. Of consent of parties' procurators, the above objections, decisions, judgments, and reasons of appeal were held to apply to all similar questions put to this or any other witness regarding the whole mandates; and the question being repeated, depones, I observe the names of Dugald MacCuaig, James Livingston, Duncan MacCuaig, Sarah Shaw, John Macdonald, and John Macintyre, as witnesses to the subscriptions adhibited to said mandates; depones, I attested all the signatures to the said mandate, with the exception of those witnessed by the parties above I named; depones, The parties who signed in my presence signed freely and voluntarily; depones, The heading was prefixed to the mandate No. 2. That was lying at the Steamer Tavern, and the parties who subscribed knew that they were signing a mandate to subscribe the Call to Mr Macintyre.

Being shown mandate No. 8, and desired to say if you see your own name and that of Mr Duncan MacCuaig as witnesses? depones, Yes; depones, I witnessed the whole signatures, with the exception of those witnessed by Mr MacCuaig, including that of James Macdougall at the bottom of the first K page; depones, The heading was to that mandate before any of the signatures were adhibited, and it is in Mr MacCuaig's handwriting.

**A** Being shown the mandate No. 1, depones, it is in my handwriting, and I observe my own name and that of Thomas Macdonald as witnesses; and I witnessed the whole of the signatures, with the exception of four witnessed by him. Depones, the same statement made with regard to parties signing freely and voluntarily, and as to their knowing the purpose for which they signed, applies to the two last mandates as well as to the first; depones, The heading of mandate No. 1 had also been prefixed to it before there were any subscriptions adhibited to it; depones, I am not aware that I asked any person belonging to the Free Church—that is, any member of the Free Church, to sign any of the mandates; depones, I am aware that there are a number of people in Port-ElLEN belonging to the Established Church who go occasionally to the Free Church. The Free Church is situated close to the village; depones, I am not aware that John Macinnes, Isabella Clark, Angus Macinnes, and John Duncan Campbell belong to the Free Church; depones, Neil Darroch, whose name is adhibited to mandate No. 1, is, to my knowledge, in connection with the Established Church.

**C** Interrogated.—Are you aware that Neil Darroch's child was lately baptised by the Reverend Mr Dewar of Oa, the Moderator of the Presbytery?

**D** Objected.—That the witness has already stated, in answer to a similar question put to him, that he has only obtained this from the information of others, and this mode of putting the question is merely an attempt to introduce hearsay evidence. The best evidence on the point will be elicited from the person referred to, and if he is adduced it will be seen whether or not he was an adherent of the Free Church, or of any other church when the mandate was signed, and the reasons which existed for the Moderator baptising his child, if such was the case. Moreover, the circumstance referred to is of recent occurrence, and any question referring to the body he belonged to, ought to refer back to the time when Darroch signed the mandate.

**E** Answered.—The evidence which the Presentee is now in course of leading, is with reference to the statements contained in the reports of the Committee of Presbytery, with regard to the Call, in the last of which it is stated, with regard to the said Neil Darroch, that he "is said to belong to the Free Church," and evidence of a similar nature to that upon which that statement seems to be based, is competent in refutation thereof.

Parties being removed, the Presbytery, after reasoning, sustained the objection, and refused to allow the question to be put.

**F** Whereupon the agent for the Presentee protested and appealed *ut supra*, for the reason stated, that the question is perfectly competent; and before farther proceeding with this proof, the procurator for the Presentee proposes to examine the Rev. Mr Dewar of Oa, who is now present in Court, as to whether or not he baptised the child of the said Neil Darroch, and when he did so.

The procurator for the Presentee withdraws his motion in the meantime, in consequence of an objection taken that this is not the proper time to examine the Rev. Mr Dewar, reserving his right to do so at any future stage of the case.—All which is truth, as I shall answer to God.

**G** (Signed) ARCHD. MACARTHUR.  
JAMES DEWAR, Modr.  
JAMES DEWAR, Clerk P.T.

At PORT-ELLEN, 31st of March, 1859.

**H** Re-compeared the said ARCHIBALD MACARTHUR, who being again solemnly sworn and examined as a witness for the Presentee. Being interrogated.—Do you see the names of Peter Reid and Peter Clark subscribed to the mandate No. 8; and did you press these men to sign the same; and were they, or were they not under the influence of liquor when they so signed?

**I** Objected for the Objectors, in respect that the objections to the Presentee, as found relevant by the Presbytery, have only been admitted to probation, while the present question is not in any way connected with the objections, but affects the Call and the report made upon it by the Committee of Presbytery, in regard to which no proof has been allowed, and which is a matter falling within the prerogative of the Presbytery as a Court of the Church. The present line of examination has the effect of introducing new elements into the present proof, which the Objectors have not been allowed to enter into, and in regard to which they have been taken by surprise, and may suffer prejudice if it is allowed to be persevered in; at the same time the Objectors beg to state that, after the proof bearing upon the objections has been closed on both sides, they have no objection, if the Presbytery think proper, to join issue with the Presentee in regard to the Call, and to confront his witnesses with those who have ob-

jected to their names appearing at the Call; but the Objectors consider it necessary to record that such **A**  
 an investigation falls peculiarly within the province of the Presbytery, and that neither the Objectors  
 nor the Presentee have any right or interest to interfere therewith at the present stage of the proceedings.

Answered.—1st, The circumstances and condition of the parish, which include the manner in  
 which the objections have been got up, as well as the way in which the Call has been signed, are as  
 much matters which may be proved, in a case of this description, as the objections themselves. The  
 Presbytery is expressly enjoined, by the terms of the Benefices Act, to take cognizance of these **B**  
 matters, and the Objectors, in their proof, have not only led evidence in support of their objections,  
 but they have also attacked the Call. It is in vain for them to state that they have been taken by  
 surprise by what they call the present line of examination; for, in the first place, they brought forward  
 the very individual, Peter Reid, one of the parties referred to in the question to which they now  
 object, as a witness against the Presentee; but as that individual would not take the oath, he was not  
 examined. In the second place, they entered into an examination of the Presentee's witnesses with **C**  
 regard to the manner in which they had signed the Call, or, in the case of some, how they had wit-  
 nessed the signatures of others to the mandates. It is only necessary to refer to the evidence of  
 Andrew Macgibbon, John Macdonald, Duncan MacCuaig, Flora MacCuaig, and James Macdongall, to  
 show this. In the third place, several reports by a Committee of Presbytery have been made part  
 of the present proceedings, containing statements calculated to damage the Call. The Presentee has  
 no connection whatever with the manner in which the Call was signed, and is not responsible for any **D**  
 mistakes either in regard to legal forms or as to errors into which the mandatories, witnesses, or man-  
 dants may have fallen. The committee, in one of their reports given into the Presbytery, on 23d Feb.  
 last, state, "With reference to names adhibited to it (the Call) in virtue of headings bearing to be man-  
 dates, the committee, in examining them, after repeated meetings, have found themselves unable to come to  
 a satisfactory finding, and they are of opinion that the difficulties cannot be satisfactorily solved till  
 parties are examined upon oath." In the last report given in, the committee leave many things unde- **E**  
 termined, and several statements are made evidently upon mere reports or hearsay. The Presbytery  
 have adopted and approved of these reports, and the onus is clearly thrown upon the Presentee to  
 bring evidence to satisfy the Presbytery in these respects. The reports in question being engrossed in  
 the minutes, will form part of the proceedings before the Assembly, and will be founded upon as evi-  
 dence of the truth of the statements there set forth. There can be no better evidence with regard to  
 the manner in which the Call was subscribed than the evidence of the very parties who, as mandato- **F**  
 ries or witnesses, were connected with it. In the last place, it is out of the question for the Objectors  
 to start an objection now to evidence being led upon this point, because the witness, as appears  
 from the very beginning of his deposition, was adduced only to the extent of giving evidence with  
 regard to the Call, and no objection of any kind was then stated by the Objectors. It is only now,  
 in the middle of his examination, and when they begin to get tremulous with regard to the incorrect  
 statements which they would wish to be received as true with regard to the Call, that the Objectors **G**  
 endeavour to prevent evidence of an authentic nature from being received with regard to it.

Parties being removed, the Presbytery, after reasoning, repel the objection, and allow the question  
 to be put under the reservation and explanation contained in their deliverance of yesterday, with  
 regard to a similar question put to this witness, and with this additional explanation, that they do not  
 allow it to be consistent with fact that any statement has been entered into their Committee's Report,  
 and which Report has been approved of, on hearsay evidence. When there is matter of doubt, it is **H**  
 simply set forth for solution; but when a statement is made, that statement rests upon declarations  
 made by, or written documents given under the hands of the parties, with reference to whom the  
 statement is made; while the Presbytery allow the propriety of having every circumstance connected  
 with this case clearly brought out, they find parties whether as mandatories, mandants, or witnesses;  
 and as such connected placed in a very anomalous position, for where there is any discrepancy be-  
 tween the declaration of the one party, and the deposition of the other, it follows that there must be **I**  
 the impeachment of the veracity of one or other of the parties.

Whereupon the agent for the Objectors protested and appealed *ut supra*, for the reasons stated by  
 them in their objections to the question which has been allowed, and which are here held as repeated  
*brevitatis causa*; and for other reasons to be stated at the bar of the General Assembly, in support of  
 this protest and appeal.

The procurator for the Presentee stated, that, while he acquiesced in the judgment of the **K**  
 Presbytery in repelling the objection, he did not acquiesce in the reservation and explanation following  
 thereon, nor did he admit the statements contained therein. Of consent of parties' procurators, the

**A** objections, answers, deliverance, protest, appeal, and reasons of appeal, etc., were held as applicable to all similar questions that may be put to this witness, or other witnesses, and the question being put to the witness, he depones, I see the names of the said Peter Reid and Peter Clark subscribed to mandate No. 8. I did not press them to sign said mandate, and they did not appear to me to be under the influence of liquor at the time they signed; depones, I see the names of Archibald Mackay and Angus Macquanic subscribed to the mandate No. 2; depones, the same answer applies to the case of these

**B** individuals.

Being interrogated and asked if he sees the names of the following parties subscribed to the mandate, viz., Angus Brown, Donald Campbell, Anne Campbell, Margaret Currie, Dugald Carmichael, Alexander Macintyre, John Macintyre, Archibald Lindsay, Mary Campbell, and James Mackerrol? depones, I do; depones, I do not know Mary Campbell, but, with the exception of Angus Brown, the rest reside in Port-Ellen, or in the neighbourhood of Port-Ellen; depones, Angus Brown was residing

**C** in Port-Ellen, or at least within the parish, and was working with Mr Ramsay when he signed the mandate; depones, Archibald Lindsay was, at the time when he signed, and still is, shepherd with Mr Duncan MacCuaig in the parish; depones, Two parties of the names of Henry MacCuaig and Coll Macdonald signed the mandate; depones, Henry MacCuaig, at the time he signed the mandate, was in the employment, as a fisher, of John Macfarlane, Port-Ellen; depones, Coll Macdonald was a shepherd to Mr Archibald Crawford, cattle dealer within the parish at the time he

**D** signed the mandate; depones, the Duncan Macintyre who signed the mandate No. 2 is not the Duncan Macintyre who signed the Call in the church; depones, Duncan Macintyre who signs the mandate lives in Frederick Crescent, Port-Ellen, and I think he lives with his uncle of the same name, who signed the Call; depones, I know a lad of the name of Donald Mackerrol who signed the mandate No. 2; depones, at the time he signed he was a herd with Mr Alexander MacCuaig, brother of Mr Duncan MacCuaig; depones, so far as I know he will be about twelve years old; depones, I know Malcolm

**E** Macintyre and Duncan Mackay, who also signed; depones, Malcolm Macintyre was residing in Port-Ellen at the time he signed the mandate. He was fishing for a while, and was residing with his father. I would take him to have been above sixteen years of age at the time; depones, Duncan Mackay was backwards and forwards working I think with Mr Duncan Macarthur, baker, Port-Ellen; depones, I would take him to have been about fourteen years of age. I do not know what church he attends; depones, I think Malcolm Macintyre is not now resident in this parish.

**F** Interrogated.—Do you observe the name of Margaret Logan among those included in the mandates or at the Call? depones, he sees the name of Margaret Logan, on the fifth page of the Call, in my handwriting as mandatory, which I wrote by mistake for Mary, the corresponding name in the mandate No. 2. Mary is a grown-up woman.

Interrogated.—Do you see the names of Alexander Cameron, William MacCuaig, John Macinnes, Duncan Sinclair, Mary Sinclair, his wife, and Mary Sinclair, his daughter? depones, with regard to

**G** Mary Sinclair, the name appearing at mandate No. 1, it was written by me in mistake for Margaret, her sister, who was the party who made the mark, and Mary Sinclair was repeated by me when adhibiting the name to the Call; depones, I saw all the above parties, with the exception of Duncan Sinclair, subscribe the mandates; depones, I attend the Free Church, but I am not a member, and I have not signed the Call; depones, Duncan Macarthur and Archibald Brown, who signed the mandate No. 2, attend the Free Church, and also Samuel Macfarlane, who signed said mandate. With regard to William Gilchrist

**H** and Godfrey Livingstone, I have seen them in the Free Church, but I cannot say whether they belong to it.—All which is truth, as I shall answer to God.

(Signed)

ARCHD. MACARTHUR.  
JAMES DEWAR, Modr.  
JAMES DEWAR, Clerk P.T.

**I**

At PORT-ELLEN, 31st March, 1859, Half-past 6 o'clock P.M.

Re-compeared said ARCHIBALD MACARTHUR, who, being again solemnly sworn and examined as a witness for the Presentee.—Being interrogated and desired to explain how the names of the parties,

**K** who attend the Free Church, came to be adhibited to mandates? depones, I told them I had a paper for signatures to be adhibited to the Call in favour of Mr Macintyre, and if they wished to sign it that they would be accepted, and then they signed; depones, With the exception of the parties that I men-

tioned as having attended the Free Church, I do not know any other parties to the Call who do so; A  
depones, I did nothing to induce any person to sign the Call, by promising them, or giving them  
anything to induce them to do so; depones, I explained to any person who came to sign, or to  
whom I showed the mandates, the purpose for which they were to be signed; depones, In getting  
these mandates signed, I acted fairly and honestly towards the parties who signed the same, and to  
the best of my knowledge and ability.

Cross-interrogated for the Objectors.—Depones, I have been an adherent of the Free Church B  
since I commenced attending church; depones, I attended service in Kildalton Church on the first  
day Mr Macintyre preached, and I have attended service there once or twice besides, during the life-  
time of the late Reverend Mr Mactavish; depones, Since the month of July, 1857, I have been in the  
service of Mr Duncan MacCuaig; depones, My duties are to sell for Mr MacCuaig in the Steamboat  
Tavern; depones, The Steamboat Tavern is a public-house, different from the hotel, also belonging to  
Mr MacCuaig, and is situated in a different part of the village; depones, It consists of six apart- C  
ments. Two are used as a store, and the other four are for the use of the public; depones, The  
mandate I have referred to lay in one of the front apartments; depones, I do not recollect just now  
whether any document of a public description lay in the Steamer Tavern for subscription, since I  
entered Mr MacCuaig's service, excepting the mandate referred to; depones, I do not recollect of seeing  
any document of a public nature lying there before I went to Mr MacCuaig's service; depones, The  
heading of document No. 2, referred to by me, is in Mr MacCuaig's handwriting. I do not recollect D  
that I saw Mr MacCuaig write the same; depones, The said document is dated the 25th day of August  
last; depones, So far as I know, the said document was written on the date it bears; depones, I have  
read over the heading of the said mandate, and observe that it bears the words—"And we subscribe  
this twenty-fifth day of August, 1858;" depones, The said document was partly signed on the 25th  
August last, but all the signatures were not adhibited on that date; depones, I do not recollect on  
what date the said document was delivered to the Presbytery, nor do I recollect how long it lay in the E  
Steamboat Tavern; depones, I do not recollect the day the Call was moderated in, and I was not  
present in the church on that day; depones, I cannot specify any dates on which the said document  
was lying in the Steamer Tavern.

Being interrogated.—Can you, or can you not say whether it lay in the Steamboat Tavern for a  
day, a week, or a month? Depones, I cannot specify the number of days, but the Call bears the date  
on which the subscriptions in the mandate were subscribed to it. And the question being repeated as F  
to how long the mandate lay in the Steamer Tavern; depones, It was for several days; but I cannot  
specify the number of days.

Interrogated.—Did the said document receive signatures day after day while it lay in the  
Tavern?

Objected.—The procurator for the Presentee is reluctantly obliged to do what he has all along  
been very unwilling to do, to state an objection to questions put by the Objectors. He has allowed G  
them the fullest latitude in their cross-examination, even upon points involving matters of a most  
irrelevant description, that it might not afterwards be maintained that any obstructions were thrown  
in the way by the Presentee to even the most inquisitorial inquiry on the part of individuals who have  
used the license afforded them with no very delicate or sparing hand; but while, so far as the Presentee  
is concerned, the question is not of material importance, something is due to the observance of the rules  
of evidence, and also to the protection of the witness now under examination. The mandate itself H  
bears the dates upon which the subscriptions were adhibited; yet the Objectors withhold that  
document from the witness, and expect him to state, from his unaided memory, matters which took  
place some seven or eight months ago. If the document is put into the witness's hands, and he is  
perfectly entitled to ask, it should be so put; there can be no objection to the question being then  
asked, and in every instance in which the procurator for the Presentee required to put questions of this  
nature, the Presbytery invariably insisted on this course being followed. I

Answered for the Objectors.—That they deny the truth of the preliminary observations contained  
in the objections to the question put to the witness, and the Presentee has embraced every opportunity  
of interrupting their investigations, especially with regard to the authenticity of the Call. So far as  
the objection has been relevantly stated, the Objectors beg to answer that the document was put into  
the witness's hands for examination, and, as his deposition bears, he specified the date, and the only  
date which the document in question bears, as the date of subscription. But the witness has answered K  
that the document was only partially signed on that date, and the question is intended to expiscate  
the fact when it was signed, as an element of its authenticity, and the question is fairly and properly

**A** put for that purpose. And, moreover, it is strictly cross to the object of the Presentee's examination of the witness, which was to support the authenticity of the document.

Parties being removed, the Presbytery, after reasoning, repelled the objection and allowed the question to be put, the Rev. Mr Macdonald dissenting.

Whereupon the procurator for the Presentee protested and appealed *ut supra*, for the reasons stated in his objection, which are here held as repeated; and the question being again put, depones, **B** I decline to answer that question, unless the mandate is put into my hand. And the said document being put into the witness's hands, and he being requested to state whether it consists of several sheets of paper pasted together, and how many? depones, It consists of several sheets of paper pasted together, and the number is five.

Interrogated.—Did the whole of these sheets lie in the Steamer Tavern from the date of the heading, till they were taken away for the purpose of having the names transcribed to the Call? Some of the sheets were taken out by different parties to receive signatures and they were afterwards brought back; depones, Miss Sarah Shaw took one of the sheets, and other parties also took some; depones, I was from home when these sheets were taken away by the other parties, and they were returned with signatures before I came back, and I cannot specify the name of any one of the parties, but that of Miss Shaw; depones, I left home on the occasion referred to in the forenoon and returned at night; depones, During the period in question I might be from home oftener than once, but I do not recollect **D** how often; depones, I do not recollect whether any of the sheets had been taken away during my absence; depones, So far as I recollect I handed the sheets to Miss Shaw myself. I do not recollect of handing them to any other parties to be taken away from the tavern for the purpose of receiving signatures; depones, The third sheet was given to Miss Shaw.

Interrogated.—Was the first sheet handed to Miss Shaw, or was it retained in the tavern? depones, It might be handed to Miss Shaw to read the heading, but so far as I recollect it was retained **E** in the Steamer Tavern.

Interrogated.—When were these sheets of paper composing the mandate No. 2 pasted together? depones, To the best of my recollection, they were pasted together on the day the signatures were copied on the Call.

Being referred to the said document, depones, I see another piece of paper which had been pasted, or appears to have been pasted, to the sheet above referred to, and which had been pasted thereto **F** while in possession of Miss Shaw, and which I did not observe before, in consequence of the mandates being in two pieces at the time I stated that there were five; depones, the document is complete, although disjoined immediately above the signature of Sarah Shaw.—All which is truth, as I shall answer to God.

(Signed)

ARCHD. MACARTHUR.  
JAMES DEWAR, Modr.  
JAMES DEWAR, Clerk P.T.

**G**

At PORT-ELLEN, 1st April, 1859.

Re-compeared the said ARCHIBALD MACARTHUR, who being again solemnly sworn and cross-examined for the Objectors, and being interrogated, have you had any communication, verbally or in **H** writing, with any one with regard to this case since you left the Court last night? depones, I came here only to prove the mandates, and I decline to answer any such questions; and the question being repeated, depones, I was speaking to many a one regarding this case since I left the Court last night; depones, I cannot tell every one that I was speaking to; depones, I was speaking to James Livingstone, quarryman, Port-Ellen, whose name is the first name adhibited to document No. 2, also to Duncan Macalpine, teacher, Port-Ellen, who also signed mandate No. 2, and also to Mr Duncan **I** MacCuaig, and also to some members of Mr MacCuaig's family; also to Duncan Macintosh, presbytery officer, and there were a number of people in the Steamer Tavern to whom I might be speaking, but I do not just now recollect their names; depones, I have given the names of all the persons I recollect of; depones, I conversed with the parties referred to in the house of Mr Duncan MacCuaig, and also in the Steamer Tavern, and also in my own shop, which is separate from the tavern; depones, Mr MacCuaig, and also some of his family, were in conversation with me **K** on the subject in Mr MacCuaig's house; depones, I do not recollect what they said to me with reference to this case, and I do not recollect whether they spoke to me about the mandates; and I do not recollect whether they said anything to me about the signing of the mandates, or about the sheets



being taken from the tavern, or about those left in the tavern; depones, The conversation was, at least A some of it, about this case. I do not recollect whether it referred to every point that I had been examined upon; and I do not recollect whether it referred to any point I might likely be examined upon; depones, I do not recollect of any particular part of the conversation regarding this case; and I do not recollect of any part of the conversation; depones, I cannot say how long I might be in Mr MacCuaig's house in conversation about this case; depones, I cannot say whether I was for an hour; depones, The above answers with reference to my want of recollection of conversation I B had with regard to this case with parties in Mr MacCuaig's house, apply to the conversations which I have had with other parties in the Steamer Tavern and my own shop, that is, with regard to this case.

Being shown mandate No. 1, depones, I see it is dated the 28th of August last; and I see that a considerable number of the parties whose names appear thereat are mentioned as residing at Glen Lotts, one at Machrie, two at Glenegadale, and I also see the name of Hugh MacEachern, Port-Ellen, who also C signed at Glenegadale; depones, I cannot say how far Glen Lotts and Glenegadale are from Port-Ellen. I cannot say how far Glen Lotts is from Port-Ellen, and I cannot say that that locality is five miles from Port-Ellen; depones, I observe that said document consists of two sheets of paper pasted together; depones, I do not recollect when these two sheets were so pasted together; depones, there are 44 names at both sheets, and of these 33 appear as signed by mark; depones, the names of all who signed by mark were written by me, and I have subscribed on the margin as witness; depones, with the exception D of the five names signed at the bottom, beginning with Thomas Macdonald, all the names and marks were appended on the same day; and out of 39 names preceding the name of Thomas Macdonald, there are 33 subscriptions by mark, the names being written by me; depones, so far as I recollect the heading was written by me on 28th August, and the subscriptions were adhibited on the same date, so far as I remember; depones, so far as I recollect, the names Thomas Macdonald, Donald Macdonald, Jessie Macdonald, Anne Macdonald, and Margaret Macdonald, were not signed upon the 28th August; and E so far as I recollect, Thomas Macdonald took away the document on a subsequent day from Mr Duncan MacCuaig, and it was sent back with the said names adhibited to it. With regard to the said Thomas Macdonald, Donald Macdonald, Jessie Macdonald, Anne Macdonald, and Margaret Macdonald, all that I know is, that there is a family of the name of Macdonald, residing at a place called Avenbogie; depones, I cannot say whether the said place is situated within the Parish of Kilarrow; depones, I know Thomas Macdonald, whose name appears at said mandate, with the word Glen Lotts after his name, F and resides, so far as known to me, at Avenbogie; depones, I do not know the other four Macdonalds, either by name or by sight.

Interrogated.—Have you ever been at Avenboggie? depones, I was at Avenboggie before the Macdonalds came to reside there; depones, I have passed by that place once since then, on my way to Bridgend, and I do not remember whether I saw or spoke to any members of said family on that occasion; depones, I might and I might not have spoken to the said Thomas Macdonald about said G mandate, but I do not remember.

Interrogated, and requested to state whether Thomas Macdonald foresaid, ever mentioned to you that the said Donald, Jessie, Anne, and Margaret Macdonald were his (Thomas') relations? Depones, I do not recollect that he did.—All which is truth, as I shall answer to God.

(Signed)

ARCH. MACARTHUR.  
JAMES DEWAR, Modr. H  
JAMES DEWAR, Clerk P.T.

At PORT-ELLEN, Fourth April, Eighteen Hundred and Fifty-nine.

Re-compeared the said ARCHIBALD MACARTHUR, who being again solemnly sworn and cross-examined I for the Objectors, depones, I was not requested by any one to proceed to Glen Lotts; but I had Mr MacCuaig's permission. Depones, I took pen, ink, and paper along with me to be used in getting the mandate signed; depones, The first one that I called upon of those that signed was Alexander Darroch, and the first four names on the mandate were persons belonging to his household; depones, I did not go to every house in the district of Glen Lotts on the occasion referred to; depones, I know all the parties that I called upon; depones, I was not aware that any part of the "Glen Lotts" was K in the parish of Kilarrow; depones, When I called upon the different parties, I told them that my object was to give them an opportunity of getting their names to be signed to the Call in favour of Mr

A Macintyre ; depones, I did not tell them that I myself was a Free Churchman, and because they never asked me ; and I think I told some of them that I have permission from Mr Duncan MacCuaig to call upon them ; depones, I know that the Darroch family belong to the Established Church, and Neil Darroch, before mentioned, is a member of the same family ; depones, I have sometimes seen some members of the Darroch family who signed the said mandate in the Free Church, and I have seen the said Neil Darroch there ; depones, I have seen some of the Darrochs in the Established Church ; but I cannot specify their names ; depones, I do not recollect when I saw them there ; depones, I might have been another time in the Established Church of Kildalton, in addition to the three times already deponed to, since my childhood attending worship, but I do not recollect ; depones, Of the remaining parties at said document, I know that Mary Sinclair, and Mary Sinclair that follows, who, as I already stated, was marked down for Margaret by mistake. Alexander Johnstone, Catherine Johnstone, Ann Johnston, Hugh MacEachern, Mary Macintyre, Mary Robertson, Catherine Darroch, belong to the Established Church ; depones, I know this from their own statements when in conversation with them ; but I do not recollect whether I had any conversation with them on this subject upon the occasion referred to.

Interrogated.—Do you know anything about the religion of the other parties, whose names appear at the mandate No. 1 ? depones, So far as I know, the other parties belong to the Established Church ; but as to this I am not very sure, not being an adherent of the Established Church myself.

D Interrogated.—Have you seen these other parties attending Divine service in the Established Church, or any other church ? depones, I do not remember.

Interrogated.—Did you ask any of the parties referred to whether they had heard the Presentee preach, and if so, which of them ? depones, I asked some of them, but I do not recollect their names.

Interrogated.—Did any of them say to you that they had heard the Presentee preach, and if so, which of them ? depones, I do not recollect.

E Being interrogated.—Did you adhibit any of the marks on said mandate with your own hand ? depones, I helped some of them.

Interrogated.—In what way did you help them ? depones, By catching the pen after them, and sometimes I guided the hand in making the cross ; depones, I found three females in the house occupied by the Sinclairs, the names of whom were Mary, Margaret, and Mary. I found none of them in bed. The daughters' names are Margaret and Mary ; depones, I never was aware that any of the Sinclairs were weak in the mind, nor did I know they were paupers ; depones, I am not now aware that any of the Sinclairs are weak in mind ; depones, I do not recollect what I said to them when I called for the purpose already referred to, nor do I recollect what they said to me ; depones, It was the mother and Margaret that signed the mandate by mark.

Interrogated.—Do you say that the marks appearing on the paper were made by them ? depones, I told you already that I helped some of them, and among others the parties referred to ; depones, G Margaret Macfadyen, whose name appears below the Sinclairs' name, is an old woman, who was not in bed when I called. I do not recollect that she told me that she heard Mr Macintyre preach ; depones, I do not recollect of having seen Margaret Macfadyen, excepting in the house on the occasion referred to ; depones, I see the name Neil Bell following the name Mary Sinclair, and the names of said Margaret Macfadyen, and also Flora Bell and Flora Macfadyen follow ; depones, The whole of these parties were in the same house, and I suppose they are related to each other ; depones, I do not know

H how long these parties have been parishioners ; depones, I think I saw them all before that occasion, but I do not recollect having seen them in church or going to church ; depones, I think I assisted the said parties in adhibiting their marks, but I am not sure ; depones, I know Donald Gillies, who signs said document. I cannot say how long he has been in the parish. So far as I know he came from Oa, but I cannot say when he came to the parish ; depones, Hugh MacEachern signed the first time I called upon him, and I do not recollect of calling upon him more than once. I found him working at I Glenegadale ; depones, I do not recollect of having ever seen Alexander Macintyre in the Free Church ; depones, Mary Orr, who signs by mark, is an old woman. Coll Macdonald, referred to in my examination-in-chief, is, so far as I know, a brother of Thomas Macdonald, who signs mandate No. 1. I cannot say that he lives at Avenbogie, but he was at Port-Ellen at the time he signed the mandate ; depones, I cannot say whether Coll Macdonald is now shepherd with Archibald Crawford.

Interrogated.—Did you ever read the Call in favour of the Presentee, or did you hear it read ? depones, I do not recollect of reading the Call, but I think I heard it read ; depones, I was not in the church when the Call was moderated in ; depones, I do not recollect of hearing the Call read before my visit to Glen Lotts.

**Interrogated.**—Were you ever furnished with a copy of the Call? depones, I saw the Call in Mr A Levack's house, Lagavulin, where I called to copy the names, and I do not recollect of having seen it before that time.

**Interrogated.**—Do you know the contents of the Call? depones, I have a good idea of it.

**Interrogated.**—Had you any copy of the Call when you went to the Lotts to get the above mentioned document signed? depones, I had not a copy in my possession on that occasion.

**Interrogated.**—Did you make any explanation of it? depones, I told the parties I called upon all B about the Call to the best of my knowledge; depones, I do not recollect just now what I said to them.

**Being shown mandate No. 8,** depones, It is dated the 6th of September, 1858, and bears thirty-five names, out of these twenty-six signed by mark, and twenty-three of the names are in my handwriting; depones, I make the same answer respecting the adhibiting of crosses as I made regarding those adhibited to mandate No. 1, as to helping some of the parties; depones, I had Mr MacCuaig's permission to call upon the parties who signed the mandate No. 8. I had no copy of the Call C along with me on that occasion; depones, I was away from home part of the day above mentioned, viz, the 6th September last; depones, All the names adhibited to said mandate were so adhibited on that day.

**Being shown the Call,** depones, Of the names adhibited to said Call, there are a hundred and forty-one written by me, commencing with the name, James Livingstone, on the 4th page, and ending David MacEachern on the 6th page; depones, I have seen Alexander Livingstone in the Free Church, but I do not think that he belongs to the Free Church; depones, I do not recollect of seeing Ellen Campbell in the Free Church, nor Anne Mackerrol, nor can I say what church they belong to. I never saw Archibald Lindsay in the Free Church. I think he belongs to the Established Church; depones, I have seen Sarah Shaw in the Free Church, but do not recollect of having seen Flora Shaw there. I cannot say whether Sarah Shaw is a regular attendant of the Free Church; depones, William Gilchrist is not very regular in his attendance on the Free Church, at least I cannot say that he is; depones, Either Mary Macintyre, or Emily Macintyre belongs, I think, to the Free Church; depones, I have seen Agnes Macdonald in attendance at the Free Church, but I think she belongs to the Established Church. Duncan Campbell does not belong to the Free Church. I cannot say whether he belongs to the Established Church; depones, I would take George Anderson, whose name is written by me to the Call, to be above sixteen years of age; depones, The Angus Macinnes, whose name is signed by me to the Call, is a farmer in Port-Ellen, and I saw the F said Angus Macinnes adhibit his mark to mandate No. 2. I never saw him in the Free Church; depones, I do not know the age of Isabella MacCuaig, whose name I wrote to the Call, and who signs the mandate No. 2, but I think she attends school; depones, Archibald Macintosh, whose name is also written by me to the Call, is, I think, about fourteen years' of age; depones, I know John MacCallum, whose name is written to the Call. I cannot tell how old he is, but he is married, and has a grown-up family.—All which is truth, as I shall answer to God. G

(Signed)

ARCH. MACARTHUR.  
JAMES DEWAR, Modr.  
JAMES DEWAR, Clerk P.T.

At PORT-ELLEN, Fourth April, Eighteen Hundred and Fifty-nine, Half-past Six o'clock P.M. H

**Re-compeared said ARCHIBALD MACARTHUR,** who, being solemnly sworn and cross-examined for the Objectors, depones, I know Angus Brown, before referred to—he is now a married man; depones, I cannot say where he lives at the present time. He is a mason; depones, He was in lodgings when he signed the mandate, but I cannot say whether in Port-Ellen or Jomaramhail; depones, I am not very sure how long he had been in the parish when he signed the mandate, nor can I say how long I he was in the parish after he signed; depones, I know Henry MacCuaig personally, and he is a married man; depones, I cannot say where he lives, but I think he is in the Parish of Oa. He was married when he signed the mandate, and I cannot say whether he was living with his family there at the time; depones, I never knew of Henry MacCuaig living with his family in the Parish of Kildalton; depones, I know, but am not well acquainted with Emily Macintyre and Mary Macintyre, whose names appear at mandate No. 2. K

**Being interrogated.**—Do you know whether the parries referred to were parishioners of Kildalton at the time their names were adhibited to the said mandate; depones, so far as I know, they were

A parishioners; but one of them might be away on a visit about that time; depones, these parties told me that one of them had written her sister's name when her sister was from home, as she knew her sister's mind, that she was favourable to Mr Macintyre; depones, I do not know whether either of the parties referred to is known by the name of Mrs Bell.

Interrogated.—Which of the parties referred to told you that she had written her sister's name to the mandate; depones, Mrs Bell and her sister spoke to me at the same time, but I do not recollect B which of them told me she had written the name of the other; depones, I cannot say whether Mrs Bell's name is to the mandate; depones, I do not know where the absent sister was when her name was written to the mandate; depones, James Macfarlane, who signed the mandate, is not now in the parish, but his family are; depones, I do not know where he is; depones, I saw Donald Macmillan adhibit his mark to the mandate.

Being interrogated.—Did you make that mark; depones, I think he made it himself, but I do not C recollect whether I helped him or not.

Interrogated.—When did you see Donald Macmillan out of his own house? depones, I cannot be very pointed as to the day or date.

Interrogated.—Is it consistent with your knowledge that Donald Macmillan has been unable to leave his house from infirmity for several years; depones, I saw Donald Macmillan several times, about the time the mandate was signed, on the street, and I saw him in the Steamer Tavern; depones, I do D not recollect whether Macmillan had told me that he had heard Mr Macintyre preach; depones, I know Malcolm Macintyre, and I knew that he was working about Glasgow somewhere; depones, I know Samuel Johnston, but I do not know whether there be two of that name in the parish. I saw him adhibit his mark, and the said mark might be made between us; but I do not recollect. I do not know whether he can sign his name; and the witness's attention being directed to a similar name adhibited to the same mandate, and interrogated whether both names refer to the same person, depones, I can- E not say.

Interrogated.—What does Samuel Johnston do, and where does he reside? depones, I see him sometimes going with a horse and cart, and he resides at Port-Ellen, and I think he is both a labourer and a carter. I witnessed the name "Samuel Johnston" signed by mark, and Miss Sarah Shaw attests the other signature; depones, I know Anne Logan, and she is the wife of Hugh Logan; depones, I know Thomas Miller, and I cannot say whether he is now in the parish, but he was lately residing in F Port-Ellen.

Interrogated.—Are you the author of a letter signed Archibald Macarthur, Port-Ellen, and published in the *Glasgow Herald* of 7th March, 1859? depones, that letter will stand for itself, and I decline to give any further information regarding it.

Re-examined for the Presentee.—Depones, the conversations to which I have referred in my cross-examination were just the same general conversations that I have had with parties since this case G commenced. I take my meals at Mr MacCuaig's; depones, with regard to Miss Isabella MacCuaig, whom I mentioned, although I do not know her age, she is a grown-up girl. With regard to the Darrochs that I have spoken about, I recollect one of them telling me that he was glad to meet me, as he did not know where the Call was. I was not aware that there was any particular age at which only parties could sign a Call, but I had an idea that if they were about fourteen years of age, that they might sign; depones, the young people that have signed, came of their own accord, so far as I was con- H cerned, and they may have come by the desire of their parents.

Interrogated by the Court.—Do you know where Peter Clark and Marion Clark reside? depones, I know Peter Clark resides in the Lotts, and Marion Clark was residing at Port-Ellen when she signed the mandate.

Interrogated.—Are you aware that there are the Duich Lots, Glenegadale Lots, and Glen-Mackery Lots? depones, Yes.

I Interrogated.—In which of these Lots has Peter Clark his residence? depones, In Duich Lots.

Interrogated.—Are the Duich Lots the residence of Peter Clark, within the bounds of the parish of Kildalton? depones, My opinion is that Peter Clark's residence is within the bounds of the parish of Kildalton. Are you aware whether the Duich Lots are within the bounds of the parish of Kildalton or Kilarrow? depones, They are within the bounds of what I have always heard of as the boundaries K of Kildalton parish. These boundaries being Laggan River, and Torra River, and some other mark about or near Glen Churidale.

Interrogated with reference to your answer, "I explained to any person who came to sign, or to

whom I showed the mandates, the purpose for which they were to be signed;" and further, in getting **A** these mandates signed, "I acted fairly and honestly towards the parties who signed the same, and to the best of my knowledge and ability;" what explanation you gave, and you are requested to state what you mean by acting fairly and honestly in the case? depones, I told them that they were entitled to sign, being Protestants, members of the congregation, and parishioners from their own experience, or receiving good information from others regarding the Presentee's ministerial gifts and qualities.

Interrogated, with reference to these parties in connection with the Free Church who signed the **B** mandates, and whose names you afterwards wrote to the Call, you are requested to state whether at the time they were destitute of a fixed pastor, and did they express their desire to have the Presentee as their pastor? They were not destitute of a fixed pastor, nor did they express their desire to have the Presentee as their pastor; but I remember one man, viz., Samuel Macfarlane, who, when in the act of signing his name, told me that he was a Free Churchman, when I remarked that I was afraid that it would be wrong for him to sign, when he replied, that any one being a parishioner had a **C** right to sign, excepting Roman Catholics.

Interrogated.—Seeing the parties alluded to were not destitute of a fixed pastor, and that they did not desire the Presentee to be their pastor, what meaning did you attach to their signing the Call in favour of the Presentee? depones, I had nothing to do with other people's meanings.—All which is truth, as I shall answer to God.

(Signed)

ARCHD. MACARTHUR. **D**  
JAMES DEWAR, Modr.  
JAMES DEWAR, Clerk P.T.

At this stage the procurator for the Presentee proposed to recall the witness JAMES MACDOUGALL, **E** for the purpose of examining him with regard to two points which require further investigation:—

1st, As to whether the witness can state distinctly, that the mandate which he signed had the heading upon it when so signed by him; and whether his impression, that the mandate was in favour of the witness Macarthur, arose from the fact of his having been the party who called upon him.

2d, The witness was called upon to institute a comparison between the Presentee and other **F** ministers, but he has left that comparison incomplete, and it is necessary for the ends of justice that the said comparison should be exhausted.

To which motion it was objected for the Objectors, 1st, That the motion is irregular and incompetent, in respect that it proposes to examine the witness with the view to supply an alleged omission in his evidence, after the witness has been examined and discharged, and where it is not alleged that his deposition has been lost, or that any new facts have arisen in the examination of subsequent witnesses, having a tendency to impeach the credibility of the present witness; and to admit of such a course of procedure would be, in fact, to allow a witness to undo all that he had already deponed to on oath, and **G** to renew the proof on both sides. In point of fact, the witness's former evidence embraced the very points on which it is now proposed to re-examine him, and it is quite incompetent, either on the part of the witness to attempt to come forward for the purpose of amplifying his former testimony, which, upon second thoughts, he may think will give greater force to it, or for the party adducer to attempt to remove any difficulty in which he may suppose such deposition may have involved his interests. The deposition was taken in the usual manner by the party adducer leading-in-chief, and the opposite party **H** cross-examining, and an opportunity afforded to the adducer of re-examining the witness; and last of all, it was concluded by interrogatories from the Court, and read over and subscribed by the witness.

Upon the first point, in which it is proposed to re-examine the witness, and to show that nothing new has taken place to justify such course, the Court is referred to the witness's former deposition, where he depones fully in regard to the circumstances connected with the signing of the mandate, and to his knowledge, as at the time he emitted his deposition, which is the only evidence the **I** Court can take into account; and the Court is also referred, on the second point, to his deposition, in which he does enter into such a comparison as that referred to in the motion, and which he must be held to have given according to the best of his judgment at the time his evidence was delivered. The motion is, therefore, incompetent, as being unwarranted by any principle of law and being without any foundation in point of fact.

Answered.—The motion is perfectly competent and regular, and however applicable the objection now urged against it might have been previous to the 17th day of June, 1852, when the Law of Evidence Amendment Act was passed, they have no application now. By the fourth section of that

- A** Act (15 and 16 Vict., cap. 25 and 27), it is enacted—"It shall be competent to the presiding judge, or other person before whom any trial or proof shall proceed, on the motion of either party, to permit any witness who shall have been examined, in the course of such trial or proof, to be recalled." The only points on which the witness is to be examined are two, and it is necessary, for the ends of justice, that he should be examined thereon; the same being indistinct and being capable of being easily cleared up; but the Objectors seem to wish to keep matters as they are.
- B** Parties being removed, the Presbytery, after reasoning, refused the motion, the Rev. Mr Macdonald dissenting.
- Whereupon the agent for the Presentee protested and appealed *ut supra*, for the reasons stated in his answers to the objections, and for other reasons to be stated at the bar of the Assembly upon the discussion of this appeal.
- (Signed) JAMES DEWAR, Modr.  
JAMES DEWAR, Clerk P.T.
- C**

At PORT-ELLEN, Fifth April, Eighteen Hundred and Fifty-nine.

- D** At this stage, the procurator for the Presentee, in terms of the reservation made by him at a previous diet, proposed to examine the Reverend James Dewar, Minister of the parish of Oa, and Moderator of the Presbytery, as to his having baptised the child of Neil Darroch, said to be a Free Churchman.

The Presbytery having considered the motion, allowed the Reverend James Dewar to be examined upon the point referred to.

- Whereupon the Reverend James Dewar having left the chair, same was taken by the Reverend **E** Mr Macfie, the last Moderator.

- Compeared the said Reverend JAMES DEWAR, who, being solemnly sworn as a witness for the Presentee, depones:—I baptised the child of a man of the name of Darroch, who lives above Mr Ramsay's distillery, near Port-Ellen, but I do not know his Christian name, nor do I know that he is the individual referred to by the previous witness, of my own knowledge; but I have been informed by Mr Scott, land steward for Mr Ramsay, since the question was mooted, that he is the individual referred to; and before administering the ordinance, Mr Scott certified as to his character. I baptised the child upon the understanding that he (Darroch) belonged to the Established Church of Scotland, although he pretty frequently attended the Free Church. Depones, I think the ordinance was administered in the month of February last; depones, Mr Scott belongs to the Free Church.—All which is truth, as I shall answer to God.

- (Signed) JAMES DEWAR.  
DANIEL MACFIE, Modr. P.T.  
JAMES DEWAR, Clerk P.T.
- G**

- Compeared DONALD MACINTYRE, Shopkeeper in Port-Ellen, who being solemnly sworn and examined as a witness for the Presentee, and being shown the mandates Nos. 3, 4, 5, 6, and 7, **H** depones, These mandates were granted in my favour by the parties whose names appear thereto; depones, none of the parties' names who appear there belong to the Free Church, so far as I know.

Interrogated.—Did you go to Lagavulin in order to put upon the Call the names of the parties appearing at the mandates? depones, I did, and I went there for the purpose, so far as I can recollect, between four and five o'clock in the evening; depones, I did not find Mr Levack at home the first day. I waited an hour the first day; depones, I saw him the next day.

- I** Interrogated.—Did you see Mr Levack the next day, and did he assign to you any cause for his absence on the previous day?

Objected for the Objectors, that the Call bears the names adhibited to it by this witness, were written upon the fourth September, and any evidence as to what Mr Levack may have stated as to the cause of his absence on any other occasion, is extrusive, and cannot be admitted in contradiction of a written document. 2d, That the object of the question is to drag into evidence the name of a gentleman who is afforded no opportunity of defending himself against imputations affecting the present proceedings, and is clearly not the best evidence upon the point involved, although it were consistent with the fact, as Mr Levack is at hand, and can be called upon to bear evidence in regard to that fact. 3d,

- K**

That any conversation between the witness and Mr Levack as to the absence of the latter, is clearly **A** not evidence in this case.

Answered.—The object of the Presbytery ought to be to receive any competent evidence with regard to the manner in which the Call has been signed, and a similar course of examination has been gone into in the case of the witnesses Duncan MacCuaig and Thomas Armstrong, and it is out of the question for the Objectors to attempt, at this stage, to shut out an inquiry.

Parties being removed, the Presbytery, after reasoning, sustained the objections, and disallowed **B** the question to be put, and for this reason, that Mr Levack, who was in Edinburgh attending the classes when a similar question was put to the witnesses Mr Duncan MacCuaig and Thomas Armstrong, is now in the neighbourhood, and can be brought forward to answer for himself; against which finding the procurator for the Presentee protested and appealed *ut supra*, for the reasons stated in the answer to the objections.

Interrogated.—Did Mr Levack, on the occasion when you saw him, and when you adhibited the **C** names contained in the mandates to the Call, state to you that the reason of his absence was that he had been teaching in Mr Walter Graham's family?

Whereupon it was objected as above, and for this additional reason, that the present question is put in a more objectionable form than the preceding one, being leading. Answered as above. The Presbytery sustain the objection and disallowed the question, for the reason stated for refusing to allow the preceding question to be put. **D**

Whereupon the procurator for the Presentee protested and appealed *ut supra*, for the reasons above stated; depones, The parties who signed the mandates, or who gave me authority to sign them, knew that it was for the purpose of signing the Call in favour of Mr Macintyre; depones, the Steamer Tavern is the most central part of the village, and the highway from the pier from Lagavulin and Bowmore passes the door; depones, The parties who signed the mandates did so voluntarily; depones, None of the mandates identified by me were signed in the Steamboat Tavern. **E**

Cross-examined for the Objectors, and being shown an extract of summary conviction, dated at Inverary, the 28th day of January, 1856, and bearing to be extracted from the record of the Sheriff Court of Argyleshire, and signed by Peter Campbell, Depute Sheriff Clerk, at the instance of the Procurator Fiscal of Court, for the public interest, against Donald Macintyre, and now or lately dealer, and now or lately residing at Ardsheal or Port-Ellen, in the parish of Kildalton, island of Islay, and county of Argyle, for the crime of assault on an officer of the law, or police constable, to the injury of **F** his person, and interrogated, are you the Donald Macintyre mentioned in said extract; depones, I never saw such a place as Ardsheal in my life; depones, I cannot say whether I was residing at Port-Ellen in the year 1856.

Interrogated.—Are you the individual referred to, charged with the crime specified in the said extract? depones, I decline to answer that question, and I never lived at a place called Ardsheal.

Being shown the Call, depones, I see the name Archibald Macintyre written thereto; and being **G** shown the mandate No. 3, depones, the Archibald Macintyre written thereto represents the same individual; depones, The said Archibald Macintyre is my brother, and I think his age is between fourteen and fifteen.

Being shown an extract of entry of the birth of Archibald Macintyre, son of Donald Macintyre, Ardtalla, and Jane Campbell, under the hand of Duncan Blair, registrar, and bearing that the said Archibald Macintyre was born on 13th July, 1845, and interrogated if the said extract applies to the **H** said Archibald Macintyre whose name appears to the Call and mandate? depones, the names Donald Macintyre and Jane Campbell are those of my parents, and Archibald Macintyre, whose age is certified, is my brother, and the person referred to; depones, as far as I recollect, I saw my brother sign the name "Archibald Macintyre" appearing at said mandate. The initials A. M'N. on the margin represent Angus Macniven.

Being shown the Call and interrogated.—Do you see the name Ronald Campbell written thereto? **I** depones, Yes; and I think it was written by me to the Call. I know it was.

And being shown the name Ronald Campbell to the mandate No. 4, and interrogated.—Does that **J** name represent the Ronald Campbell in the Call? depones, it does.

Being shown an extract from the Register of Births and Baptisms, certifying that Ronald Campbell, son of Alexander Campbell, Laphroig, and Marion Macmillan, was born on 16th July, 1850, at Lagavulin, and interrogated.—Does that certificate apply to the Ronald Campbell whose name appears in **K** said mandate and Call; depones, I do not know; depones, I know that the father of Ronald Campbell is an Alexander Campbell, his mother's name is Marion Macmillan, and both of said names appear at

**A** said extract; depones, the said Ronald Campbell resides with my uncle, at Ardelistry; depones, the said Ronald Campbell is a boy, but I cannot state his age; depones, I cannot say that he is more than nine years of age; depones, I wrote the name Ronald Campbell to the mandate No. 4.

Being shown the Call, I see the name above Black written there; depones, I cannot say how old Anne Black is, I think she is the daughter of John Black, but I am not sure; depones, I cannot say whether the said Anne Black is more than ten years of age; depones, I know her by sight.

**B** Being shown the mandate No. 3, depones, I see that the names Archibald Macgill and John Mac-Cormick were first written in pencil, and the pencil writing was traced over in each by me. The said persons had been working in the field, and signed their names with a pencil, and after I returned home I traced the pencil writing in ink; depones, The foresaid A. M'N. was witness to the signatures of the said parties, and wrote these initials in pencil, and I traced them over in ink after I had returned home.—All which is truth, as I shall answer to God.

**C**

(Signed)

DONALD MACINTYRE.

JAMES DEWAR, Modr.

JAMES DEWAR, Clerk P.T.

At PORT-ELLEN, Sixth April, Eighteen Hundred and Fifty-nine.

**D**

Compeared THOMAS MACDONALD, residing at Avenboggie, who, being solemnly sworn and examined as a witness for the Presentee, and being shown mandate No. 1, depones, I see my signature at the bottom thereof, as witness to the signatures of Donald Macdonald, my father, Jessie Macdonald, my mother, and Anne and Margaret Macdonald, my sisters. My own name is also signed to the mandate; depones, I called for the mandate at the New Inn, Port-Ellen, and took it with me to Avenboggie, for

**E** the signatures of the parties above-mentioned; depones, I was led to believe that we were parishioners in the Parish of Kildalton, ever since I came to Islay, and it was under this belief that I and my relatives, already referred to, signed the mandate; depones, I signed the mandate of my own accord, and after having heard the Presentee preach; depones, I still consider that I am a parishioner; depones, I never made any inquiries whether I was a parishioner or not, because I never heard it questioned that I was a parishioner until now; depones, I have a brother of the name of Coll Macdonald. He goes **F** backward and forward to and from Islay, in the prosecution of his business, and he calls Islay his home. He is unmarried. He signed a mandate.

Cross-interrogated for the Objectors.—Depones, It is about ten months since I came to Islay from Mull, and my relatives above mentioned came at the same time, I include my brother Coll; depones, My father is related to the Presentee; but I cannot state in what degree. I and my relatives above mentioned came from Scallastle, near Craignure; depones, I cannot exactly say much about the

**G** boundaries between the parishes of Kildalton and Kilarrow; depones, I cannot define the boundaries of the parish, except as I was told; depones, I attend the church at Bowmore when I cannot get preaching at Kildalton; depones, I am not a communicant; depones, My father and mother are communicants, and they communicated at Bowmore church, because they could not communicate at Kildalton; depones, I heard the Presentee preach in August last in the church at Kildalton; depones, I, and our family came to reside at Avenboggie on the 26th of May last; depones, I did not attend

**H** divine service at Kildalton church from that date, till I heard Mr Macintyre preach, because Mr Macintyre was not there; depones, I have not attended divine service in Kildalton church since I heard Mr Macintyre preach; depones, None of our family attended service in Kildalton church, except on the first day that Mr Macintyre preached, when I and my two sisters, Anne and Margaret attended, and heard both services; depones, My father and mother did not attend; depones, Sometimes I knew, and sometimes I did not know that there was divine service in Kildalton church during the vacancy

**I** under the appointment of the Presbytery; depones, I am in the service of William Webster, residing at Dell, and I am a shepherd on the farm of Avenboggie. My father is also a shepherd in Mr Webster's service on the same farm; depones, I do not reside at Glen Lotts, nor have I any knowledge of a place called Glen Lotts.

Being shown the mandate No. 1, and your attention being directed to the words Glen Lotts written after your name, you are requested to state whether these words were written by you, or if

**K** you know who wrote them? depones, The words Glen Lotts, which appear after my signature, were not written by me, and I do not know by whom they were written; depones, I cannot mention the name of any one who mentioned to me, or told me that Avenboggie, my residence, is in the parish of



Kildalton; depones, I do not recollect of Mr Webster informing me that Avenboggie was within the parish of Killarrow; he might or he might not have done it; depones, My brother Coll is a general dealer. He deals in sheep and cattle, and for some time he had charge of a flock of sheep belonging to Archibald Crawford, cattle dealer, which were feeding on turnips within the bounds of the parish of Kildalton; depones, He is not in Mr Crawford's service now, so far as I know of, nor can I say when he left Crawford's service; but he was in his service for several months, from the beginning of August, till about the beginning of winter; depones, my brother Coll has been in Perthshire and other parts of the country since he left Mr Crawford's service; depones, I have got notice to quit Mr Webster's service in May next. B

Being shown the mandate and interrogated.—Who wrote the names of your relatives above-mentioned, which appear adhibited thereto? depones, my father, Donald Macdonald, wrote his own name, and I wrote the name of Jessie Macdonald, who is my mother, and my sister, Margaret, wrote her own name and that of my sister Anne; depones, it is the Established Church at Bowmore that our family attend. C

Re-interrogated for the Presentee.—Depones, although my father and mother did not hear Mr Macintyre preach at Kildalton, they had heard him preach in Mull and Morven; depones, so far as I know, the relationship between Mr Macintyre and my father is far removed; depones, although we came from Mull to Islay, our family belong to Glencoe.

Interrogated by the Court.—On what side of the Torra river is your residence? depones, on the north side. D

Interrogated.—Is Bowmore on the same side of the Torra? depones, Yes; it is on the north side; depones, I do not recollect whether any one told me that the Torra river is the boundary between the two parishes.—All which is truth, as I shall answer to God.

(Signed)

THOMAS MACDONALD.  
JAMES DEWAR, Modr.  
JAMES DEWAR, Clerk P.T. E

Re-compeared the said DONALD MACINTYRE, who being again solemnly sworn and cross-examined for the Objectors, and shown mandate No. 3, depones, The name Mrs Donald Macintyre, being the last name at the mandate, is in my handwriting, and she is my wife; depones, I am not sure whether the names "John Morrison," and "Archibald Macintyre," are in my handwriting. F

Being shown the mandate No. 4, depones, I cannot say who wrote the heading to it, but I got it at Mr Duncan MacCuaig's; depones, I see that it does not bear any date; depones, The name Peter Macintyre is in my handwriting, and I wrote said name because he could not see to write himself. The next name, "Mary Macintyre," is also in my handwriting, and I wrote it because she could not write herself; depones, The next name being Christy Campbell, is also in my handwriting, and the last name at the mandate in question is that of Ronald Campbell, which was also written by me; depones, There is no mark by cross, or otherwise, adhibited by any of the parties referred to; depones, I stated to the Presbytery that I thought the said Ronald Campbell was fourteen years of age, and such was my opinion at the time, but I was not sure, but since the certificate of his birth has been shown, I have no doubt that he is between eight and nine years old. H

Being shown the mandate No. 5, depones, I see my name written thereto as the attesting witness; depones, I did not see Margaret Mackay sign said document, but I saw her husband, Angus Macnicol, write his own and her name; depones, The heading of said mandate was not written by me, and I do not know who wrote it.

Being shown mandate No. 6, depones, I am not sure who wrote the heading of said mandate; depones, It bears to have been written in August, 1858, but the day is not specified; depones, I cannot say who wrote the names on the first page, because there were so many names written the same time; depones, I saw these names written; depones, They were written by different parties; depones, Some of the names written on the first page, were written by me, but I cannot say how many, as the time is so long since past; depones, I stated to the Committee of Presbytery that Duncan Macfie had written and witnessed some of the names; depones, There are some names written on the first page, but there are three scored out, because they afterwards signed the Call personally; depones, I see that one of the names scored out, is that of Mrs MacCuaig. I do not know what her husband's Christian name was, but I think it was "Duncan." K

**A** Being shown the Call, and interrogated, is the name "Christina MacCuaig," adhibited at the bottom of the second page, the same individual whose name is scored on the first page of said mandate? depones, I cannot say.

Being shown the Call, and your attention being directed to the name Mrs Dun. M'Cuaig written thereat, you are requested to state whether the same was written by you, and to point out the corresponding name in any of the mandates in your favour which remain unscored? depones, The name was written by me to the Call, but I cannot see a name corresponding among the unscored? depones, The mandates were left in their complete state with Mr Levack, and were scored when I got them back, after the names were written to the Call; by this I mean when I saw them on Mr Levack's table. Depones, The names were not scored out by me; depones, The Mrs Duncan M'Cuaig, written at the Call, resides at Ardbeg, but I cannot say whether she is the same person as Christina M'Cuaig, who signs the Call.

**C** Being shown the said mandate, No. 6, and your attention being directed to a docquet at the foot of the second page, to this effect, "Those scored out have since signed personally," you are requested to state if the docquet is signed by you, and whether it refers to the names scored in the said mandate? depones, The said docquet is signed by me, and it refers to the names therein scored, and it was written by some one, but whether by Mr Levack I cannot say; depones, It was Mr Levack that asked me to sign it, and when I signed it I considered that I was certifying that I was satisfied that **D** the docquet expressed the truth.

Being again shown the mandate and interrogated.—Who wrote the names on the second page? depones, the names were written by several parties; depones, I do not recollect whether Donald Macfadyen, who subscribes as a witness at the top of the second page, wrote any of the said names.

Being interrogated.—Did you state to a committee of Presbytery that the said Donald Macfadyen had written the names on second page of said document down to, but not inclusive of William Taylor? **E** depones, I have nothing to say to that question; depones, I saw these names written, and they were written at Ardbeg; depones, I do not know, for I do not recollect, whether they were written by the same hand; depones, I see my name adhibited as a witness, and it is intended to indicate that I witnessed the names written upon the second page down to the foot; depones, the name Hector Macallister was written by the said William A. Taylor; depones, the name Mrs MacEwen, on the second page, and the whole of the names on the third and fourth pages of mandate No. 6, were first written in pencil, and **F** thereafter traced over by me in ink; depones, I see the names of Margaret Macallister, Mary Macallister, and Mrs Macallister, written thereto; depones, the document was not in the hands of any of the persons referred to, but John Macallister authorised me to put their names down; depones, John Macallister is the father of Margaret and Mary, and the husband of Mrs Macallister; depones, I did not see nor speak to Mrs Macallister, nor to Margaret Macallister, nor to Mary Macallister, nor was I authorised by them to sign for them, nor did I read over the mandate, nor was I in the dwelling-house; but I went to the **G** smithy, and saw said John Macallister, and he told me to put down the names of his wife and two daughters; depones, Donald Morrison, who signs the last on page fourth, wrote his name in pencil, and it was afterwards inked over by me; depones, I do not think that Robert Weir and Alexander Weir, whose names appear on the third page of said mandate, ever had the document in their hands; depones, I met Robert Weir, Alexander Weir, and Duncan Lindsay, whose names also appear on the third page of said mandate, on the road between Ardernery and Ardbeg, when they were employed in leading home **H** peats; depones, I did not read over the mandate to them, but they knew for what I was asking their signatures; depones, I wrote down their names in pencil, with my own hand, on the road, and traced them over with ink after I got home; depones, I did not ask whether they could sign their own names. I do not recollect whether I asked them if they had heard the Presentee preach, nor do I know whether the said parties belong to the Free Church; depones, I do not think that I have seen Lindsay in the Established Church, but I think I have seen Robert Weir and Alexander Weir there. I do not recollect whether I have seen either of the Weirs in the church of Kildalton within the last twelve months.

Being shown the mandate No. 7, depones, I see it bears no date, and I cannot say who wrote the heading; depones, I see thirteen names scored out in said mandate, and a docquet signed by me to this effect—"Those marked out have since signed personally."

Being interrogated.—How many of the names remaining at said mandate were written by you? depones, I cannot recollect the whole, but I know I wrote the following names which appear at the **K** mandate, without any mark by the parties, viz., Mrs Macaffer, Mrs Macmillan, Mrs Black, and Bell Maclellan; depones, The person whose name is written "Thomas Calder" on said mandate, is the same as Thomas Mactaggart, and Mactaggart is his father's name; depones, Probably I wrote the names

Janet Calder and Thomas Calder on said mandate, but I do not recollect; depones, I do not rightly A recollect whether I wrote the names of Mrs Archibald Maclargan and Mrs Donald Maclargan, which appear on said mandate without any mark made by the parties.

Interrogated.—Did you state to the Committee of Presbytery that you had yourself written the names of Janet Calder, and Thomas Calder, and Mrs Archd. Maclargan, and Mrs Donald Maclargan on said mandate? depones, I do not say that I did not state to the Committee of Presbytery that I wrote these names; but it is so long since that I do not recollect, and I do not dispute but I stated so to the B Committee of Presbytery, on 27th January last, but I recollected then better than I do now.

Interrogated.—Do you or do you not know your own handwriting when you see it? depones, Had I signed last week, but I would know what was done six months ago.—All which is truth, as I shall answer to God.

(Signed)

DONALD MACINTYRE  
JAMES DEWAR, Modr.  
JAMES DEWAR, Clerk P.T.

C

At PORT-ELLEN, 6th April, 1859, 7 o'clock P.M.

Re-compeared, the said DONALD MACINTYRE, who being again solemnly sworn and interrogated D for the Presentee, depones, I had some business up the country when I got the mandates signed, and I went of my own accord to Mr MacCuaig and got forms of mandates from him; depones, The two Weirs and Lindsay, before mentioned, told me that they were quite willing to sign; depones, No name was put down without the authority of the parties themselves, or of their husbands or fathers, and I have stated all instances of this kind in my cross-examination; depones, So far as I recollect, the only instance in which I marked the names at the time in pencil, and wrote the same over in ink E afterwards, is in the case of the Weirs above mentioned, and also the names of Macallister's wife and two daughters; and as far as I recollect any other instance where a pencil subscription was afterwards written with ink, the pencil subscription was made by the parties themselves when they could write; depones, I am not acquainted with the way in which documents ought to be signed.

Interrogated.—In getting these mandates signed, did you act to the best of your knowledge, or had you any improper purpose in view in doing what you have above deponed to? F

Objected by the Objectors.—1st, That the purposes for which the mandates are signed are stated in the mandates themselves.

2d, That the witness must speak to facts and not to motives, and the extent of his knowledge or motives must be judged of by his actions. The question is one of law, whether the mandates have or have not been properly subscribed, which is not evidence, but a legal deduction from the facts deponed to, and want of knowledge is no excuse for a wrong perpetrated. G

Answered.—This witness, as well as the others who have been examined with regard to the Call, has been brought forward in deference to the opinion expressed by the Committee of Presbytery, that it would be expedient to have the evidence of parties on oath. So far as the Presentee is concerned, he has never had the slightest desire to withhold any evidence on the subject, and the parties have been brought forward in order that whatever mistakes or errors may have been committed should be fully and fairly brought out. There can be no reason, therefore, why such a question as that now put H should be objected to, as it is put precisely for the purpose of assisting the Court and enabling them to sift to the bottom the matters now under investigation.

Parties being removed, the Presbytery, after reasoning, sustain the objection, and disallow the question, for the reasons formerly assigned in disposing of questions of a similar tendency.

Whereupon the procurator for the Presentee protested and appealed *ut supra*, for the reason that the question is perfectly competent. I

Interrogated.—What was your motives or intentions with respect to the manner in which the mandates were signed as above deponed to?

The Presbytery, after reasoning, disallowed the question as incompetent, upon the grounds that that the Court has to do with facts, and not with motives.

Whereupon the agent for the Presentee protested and appealed *ut supra*, for the reason that it is manifestly unfair not to allow the witness any opportunity of explaining his views upon the matter in K question, so that it might be seen whether or not he was acting in good or bad faith in the part he

**A** took, and whether he acted to the best of his knowledge or information, in regard to the way in which some of the signatures were adhibited.

Being referred to that part of your deposition-in-cross, relative to Anne Black, and being shown extract of entry of birth of the said Anne Black, dated 6th April, 1859, you are requested to state whether you observe there that she was born in November, 1844, and whether the Anne Black referred to in said certificate, is the Anne Black with reference to whom you have deponed—"I cannot say whether the said Anne Black is more than ten years of age?" depones, I see from the certificate that Anne Black was born in Nov., 1844, and she is the Anne Black referred to in my answer above quoted.

Interrogated.—Are you aware that since the Call and mandates were signed, some of the Objectors have been going round endeavouring to get some of the Callers to withdraw their names from the Call?

**C** Objected.—That the question is incompetent, in respect, 1st, That although it were a proper question, it is not cross to the examination of the Objectors, such examination being cross to the Presentee's examination-in-chief, and it being clearly contrary to the rule observed in taking evidence for a party adducer to renew his examination upon fresh questions.

**D** 2d, Because the question refers to matters which have taken place (according to the way the question is put) after the parties have joined issue, and if it involves the conduct of any objector who has been examined as a witness, a foundation should have been laid for it by putting the question to him, in order to afford him an opportunity of rebutting the insinuations contained in the question, which, at this stage of the case, he is deprived of; and if it refers to any other party, the question is too vaguely stated, and it would be unfair, under any circumstances, to absent parties, to allow such a question.

**E** 3d, Because at the outset of the present line of examination, commencing with that of Archibald Macarthur, the Presentee stated that he intended it to refer to the Call, and he has accordingly been endeavouring to prove signatures to mandates, with a view to maintain the authenticity of these, and not with reference to the conduct of any third party in regard to the withdrawal of names; and, at all events, the best evidence is to bring forward either the party implicated or the person who, it is pretended, was tampered with, and not this witness, who, at best, could only have his information at second hand, or through the channel of hearsay evidence.

**F** Answered.—The procurator for the Presentee denies the statements contained in the preceding objections, and holds as repeated his answers to objections of a similar nature.

Parties being removed, the Presbytery, after reasoning, sustained the objection, and refused to allow the question to be put; the Moderator having left the chair, dissenting, for reasons formerly assigned in disposing of questions of a similar tendency.

**G** Against which finding the procurator for the Presentee protested, and appealed to the ensuing meeting of the General Assembly, for the following and other reasons to be stated at the discussion of this appeal—that the question involves a point of great importance as bearing upon the case.

Interrogated.—Did Mr Walter Graham and Mr Dempster, agent for the Objectors, go to your uncle's house at Ardelistry, with regard to his having signed the Call, when he was lying upon a bed of sickness, and has he suffered in consequence of said visit, and is he now considered to be upon his death-bed?

**H** Objected for the Objectors.—That the present question is characteristic of the malicious calumnies which the Presentee has thought proper to indulge in the conduct of his case, putting questions in an incompetent form, and utterly irrelevant, merely for the purpose of insinuating improper conduct and motives on the part of those who have in the exercise of their privileges considered it their duty to oppose his settlement. The fact is that Mr Graham is the tenant of Ardelistry, and this witness's uncle, Peter Macintyre, is a small cottar of his on the farm of Ardelistry, paying £3 of rent, and on the occasion referred to, Mr Graham and Mr Dempster drove to Ardelistry, **I** not for the purpose of even calling upon Mr Macintyre, but for the purpose of visiting Mr Graham's farm on one of the days the Presbytery did not happen to meet. Mr Graham did not call at Mr Macintyre's house at all, even for the purpose of inquiring after his health, although he had been long acquainted with Mr Macintyre, and it is believed held in some esteem by him. Mr Graham refrained from calling at some sacrifice to his own kindly feelings towards the old man, in consideration of the position which he held, and in case his calling might be misconstrued. Mr Dempster, however, when Mr Graham **K** was engaged with his business at the shepherd's house, did call upon Mr Macintyre, and found him in bed, and on inquiring after his health, he said he had been laid up for fifteen weeks, and was afraid he would never rise from the bed on which he lay. So far as Mr Dempster recollects, he never spoke

to Mr Macintyre about the Call, or the Presentee, or the present case; but merely spoke to him a few A words regarding the state of his health, and in this he (Mr Dempster) was imperfectly understood, as he did not understand Gaelic, and Mr Macintyre appeared to understand English imperfectly. Mr Dempster had, however, previously heard that the individual now under examination had written the names of Mr Macintyre and the other members of his household, including that of the boy Ronald Campbell, which the witness has confessed upon oath to-day that he has done; and he precognosed a female in the house upon that point in the prosecution of his duty as an agent, but this, it is believed, B was entirely out of the hearing of Mr Macintyre, and it is grossly false to state that such precognition could have had the slightest effect upon the health of Mr Macintyre. Mr Dempster offers to adduce before the Presbytery Mr Macintyre's medical attendant, Dr Johnston, in refutation of the base calumnies insinuated in the question. The Objectors' agent thinks it necessary to observe that this witness was not present on the occasion, nor did he see him upon that day, and the witness cannot, therefore, of his own knowledge, say anything about the circumstances. While the Objectors have considered it C necessary to record this explanation in regard to an occurrence which, by introducing it by a side wind into the present proceedings, the Presentee has endeavoured to make the most of, they object to the competency of the question—1st, Because it does not bear upon any point admitted to probation in the present case; and 2d, Because it has no bearing whatever upon any part of the previous examination; and 3d, Because the question is vague and absurd.

Answered.—The question neither involves a malicious calumny, nor is it irrelevant. The matter D was communicated to the Presentee's agent by the relatives of the party in question, who, although the Objectors appear to despise him as a poor cottar, from the statement which they make in the beginning of their objection, is in independent circumstances, having been tenant of the farm of Ballynaughtan-More till Whitsunday, 1857, when he retired to live at Ardelistry. The statement that the question is characteristic of the malicious calumnies which the Presentee has thought proper to indulge in, is entirely groundless, and must be known to be so; but if there have been any calumnies at all, they E belong to the other side. The Presentee has nothing whatever to do with this matter, and, although when communicated to his procurator, the latter did not intend, although it has a bearing upon the case, to bring it under the notice of the Presbytery, yet circumstances have occurred which obliged him unwillingly to do so. The Objectors should not be so very sore at having their acts in this case made a matter of evidence, when they go out of their way and attempt to blacken the character of witnesses who may be brought forward, with regard to matters which have not occurred F within the four corners of this case. If anything can be evidence of malice, some of the questions which have been put, even to the witness under examination, are surely evidence of its existence. The explanation which has been made, proves at least that the fact of the visit is true, and while the utmost credit may be given to the statement of Mr Graham's kindly feelings towards the old man, and to the sacrifice which he made in not calling himself, it does look strange that he should not have entertained any solicitude with regard to the state of his health, but that this friendly feeling should have been G expressed by an utter stranger paying a visit of this kind. The statement made to the procurator for the Presentee is somewhat different from that contained in the objection, and was decidedly to the effect, that the old man had suffered in consequence of the way in which the visit in question had been made.

The procurator for the Presentee, while he regrets that he has been obliged to introduce the matter, is satisfied that the procurator for the Objectors did nothing more than his duty, and was probably ignorant of the state of health in which Mr Macintyre was; at the same time, he does not see that the question furnishes the slightest occasion for the rather intemperate language which disfigures the otherwise highly interesting description of the drive to Ardelistry. In point of law, the question is competent, for the reason given with reference to questions of a similar nature, previously put.

Parties being removed, the Presbytery, after reasoning, sustained the objection, and refused to allow the question to be put. I

Whereupon the agent for the Presentee protested and appealed *ut supra*, for the reasons stated with reference to the deliverance pronounced upon the last objection.—All which is truth, as I shall answer to God.

(Signed)

DONALD MACINTYRE.  
JAMES DEWAR, Modr.  
JAMES DEWAR, Clerk P.T.

K

## PROOF FOR THE PRESENTEE.

A At PORT-ELLEN, Seventh April, Eighteen Hundred and Fifty-nine.

The procurator for the Presentee stated that he now closed the proof which he has been leading against that which has been led by the Objectors, under reservation of his right to lead any farther evidence which may be necessary, after the appeals taken by both parties are disposed of by the Assembly, and with the reservation of his right, *ànc inde*; and upon the understanding that the proofs of both parties are closed, the Presentee renounces all farther probation, except with regard to said appeals.—In respect whereof, &c.,

(Signed)

A. MACDONALD, Proc. for Presentee.

(Signed)

JAMES DEWAR, Modr.  
JAMES DEWAR, Clerk P.T.

C

Extracted from the Records of the Presbytery of Islay and Jura, on this and the 554 preceding pages, by me,

(Signed)

DONALD MACDONALD, Pres. Clk.

**APPENDIX.**

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## APPENDIX.

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### CERTIFICATES IN FAVOUR OF THE PRESENTEE.

The Presbytery of Mull do not meet till the 28th current, and Mr Macintyre is thus unable to procure, as he now desires, and otherwise might easily do, a Presbyterial certificate in usual form. At the request, however, of several of the members, and with willing assent on my own part, I take leave to certify, that since his appointment to his present charge—an appointment made in compliance with the unanimously expressed desire of the parishioners—Mr Macintyre has succeeded, under very great difficulties and disadvantages, in discharging his pastoral duties efficiently, and, as I have always understood, to the entire satisfaction of his people. I feel assured that it will give all the members of this Presbytery, as it will certainly afford me, much satisfaction to see Mr Macintyre inducted to the parish which he is now presented, where, with a large field of usefulness, he will enjoy for his family—in whose welfare, from my having made the acquaintance of their much-respected relatives elsewhere, I feel an additional interest—advantages and comforts which have hitherto been in a great measure denied them.

Given at Morven Manse, the 17th day of August, 1858.

(Signed)

JOHN MACLEOD, D.D.,  
Minister of Morven.

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At SALLEN, the fifth day of October, eighteen hundred and fifty-eight—

Which day the Presbytery of Mull being met and duly constituted, *inter alia*—

Mr Macintyre, minister of Kinlochspelve, who is a Presentee to the Parish of Kildalton in Islay, requested a certificate from the Presbytery, bearing that no complaint was brought before the Presbytery by any of the parishioners of Kinlochspelve, of his having neglected his duties as minister of that parish. It being a fact that no such complaint was ever made, the Presbytery unanimously agreed to grant the certificate required. And they further certify, that it consists with their knowledge that Mr Macintyre has been discharging his duties in the face of very great difficulties.

(Signed)

DUNCAN CLERK, Mod. P.T.  
MUNGO CAMPBELL, Clerk P.T.

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## SERMONS.

### FIRST GAELIC SERMON.

SALM lxxvi. 6.

Tha cumhachd creidimh 'ga nochdadh fhein—san làchairt 's anns a' bhothan bhoichd—ann an  
Dhi an Rìgh 's ann am Paul am prìosanach—ann an dochas daingean, 's an earbsa bhunaiteach ann  
Dia na slainte 'sann an gairdeachas a tha briseadh amach a measg nan amhghar as cruaidhe a  
fhaodas tachairt ann an crannchur an fhìrean.

Is ann ag amharc ri deuchainnean a luchd leanmhuinn a bha Crìosd 'n uair a thug e an seachad, "Deanaibh gairdeachas agus bithibh ro shubhach," etc. Ean a ghairm solas a' dot comasach reul-sòlais a lasadh 's an iarmailt spioradail, 'sa thug uisge o charraig an fhàsaich is na comhfhurtachdan sin a bhuileachadh a bheir solas d'on anam. Thugadh geill d'ora a' dhoimhneachdaibh amhghair oir cha b'ann o thobar talmhaidh a bha 'n gairdeachas aoh o Dhe ta lan do, etc., agus mar dhearbhadh air gairdeachas a Chrìosduigh, am builsgam: dh'fhaodamaid cuairt a chur air eachdraidh sluaigh an Tighearna 's gach linn; ach is leoir es Dhaibhi aig an robh statuin an Tighearna mar a cheol, etc., agus eachdraidh Phoil—a sheinn do Dhia maille ri Silas air a mheadhon oidhche 's a chuala, etc. Guth gairdeachais a's slai Salm cxviii.

I. Thionndaidh e, etc., a' mhuir ruadh—'s an sruth Iordan air an d'rinn an Tighearna mìo cumhachdach airson a shluaigh. Iordain c'arson a leum thu air t-ais, etc., c'arson, etc.? Le'r: coi dibli 'n coimeas ri cor a mharcaiche le each 's le carbad cogaidh. Cha robh Daibhi, etc., ach bha e ann doimhneachdan eile san d'fheum, 'san d'iarr, 's an dh'fhuair e còghnadh. Tha eile (Salm cxli.) sam bheil e 'labhairt mar gum biodh e lathair. "Tha ar cnamhan," etc. Bl spioradail aig na briathran, etc.

II. Tha air a chiallachadh leis na briathran so amhghair an fhìrean 's ainmichidh sinn an deuchainnean coitcheann a chrannchuir as ionann a thig a dh'ionnsaidh an fhìrean 's an aing cha do chuir Dia garadh mu thiomchioll a shluaigh nì's mo na mu thiomchioll Iob a chumad na h-amhghair aimsireil sin a tha 'n crannchur sluaigh ionmhuinn Dhe. Iob chaidh a smachda goirt le Dia—Fhuair dealanach nan speur, cuairt-ghaath an fhàsaich, 's claidheamh an nax phlaigh barantas gun a chaomhnadh ach a bheatha, 'sa bheatha sin air a deanamh truagh leis r ainibh bu ghabhaidh. Is lionmhoir trioblaid, etc., ach tha comhfhurtachdan, etc. Mu bha eamh loisgeach san fhasach bha tobraichean rì'm factuin ann an Elim 's craobhan pailm gu o'n ghrian loisgich.

1. Focal Dhe—"Fhuaradh t-fhocal leam," etc. Ged dh'fhuiling mi amhghair eadhon g libh cha-n'eil t-fhocalsa an ceangal. Tha t-fhocal bunaiteach, etc., 's na neamhaibh àrda Dh tha e cho furasda 'ghrian a thoirt anuas, etc., no 'n cumhachd iompaichaidh 's comhfhurtachd: an fhocal a thoirt air falbh 'n uair thig e 'n lamh an Spioraid Naoimh. Airson na nithe sin iarrar mi

2. Tha comhfhurtachd eile ann—a bhi toirt fainear curam Freasdail Dhe—Ghabh crìosd teagasg a leabhair nàduir gu tric. Faicibh no lilighean, etc. Aithnichear lamh an Tighearna a chàirdean agus a chorruih an aghaidh eascairdean. Aig an neul sin a bha treòrachadh Israeil bha taobh soillear a rinn soillse dhoibh agus taobh dorcha dùaichnidh a' bagairt b h-Ephitich a bh'air an tòir—nuair bha dorchadas, etc., san Eiphit bha solus an tìghean chloin 'N uair bha fras an teinnteach a teachd anuas air bailtean eile a chomhnaird bha 'ghrian a dea boisg-eil air Soar ionad fasgaidh Lot. Agus aig uaigh an Fhir-Shaoraidh far 'n do thilgead earan calma na Roimhe 'n riochd marbh cha chuala Muire, etc. Ach, na bitheadh eagal, etc sibh ag iarraidh, etc. Tha dìon ann a's dluithe na inneal sgrios naimhdean agus sgiath a's b sgiath aingeal a' bhais.

3. Is comhfhurtachd gu bheil amhghair chum buannachd do neach a tha 'gam fiosrachadh iad a' teagasg irisleachd—a' gairm ar peacanna gu'r cuimhne.

2. A fuadach gach meallaidh mar an stoirm a sgapas an ceo a tha còmhach na creige: na clàir bhrìste togail fianuis air an leir sgrios a rinn i.

An t-arbhar tha lubadh fo osna na stoirme gus an tionaillear e do na saibhlibh—agus a' buille ghoirt a gheibh e m'un glanar gu buileach an t-urular bualaidh. Tha saothair r'a dhean an talamh, naimhdean a chinneis r'an cìosnachadh san fhonn, 's anns an àile; 's tha 'n deala stoirm 's a chlach mhealain air an cur air an teachdaireachd mhathasaich fhein,—'s feum strìochdte ged ruisgteadh an doire sged thuiteadh an aitreabh, etc. Tha 'ghuit na laimh, etc.-fhocail an amhghair 's gu'n dean iad le cheile an obair mu'n tig e le ghit a Bhreitheamhna cannaich. Bheir amhghar dhuinn fiosrachadh air ar neart cuiridh e deuchainn air ar etc. Is maith fhios a bhi air neart ach 'se dol air adhart san turas a dh'fheumar a dheanamh 'n Tighearna na chobhair anns gach aimsir feun. "Tha sinn a deanamh uail ann an triot etc. "Naomhaich sinn leis an fhirinn."

4. Chum buannachd do mhuinntir eile. Bha Iob air a smachdachadh a chum a bhi na nachan maireannach air foighidinn fo na h-amhghair a's cruaidh a dh'fhaodas tachairt, etc. ] na phrìosunach ann am Philippi chum gu'm biodh fear-gleidhlibh a' phrìosuin air fhua gheimhlibh Shatàn—'s nach fiosraicheadh an duine sin le Dia plathadh do aoibhneas neim

dèanadh e am cinneach aineolach a' luidh air miorbhùilean Dhe 's a nigheadh 's a' ceangal nas fheàrr a rinn e mar fhear-gleidhidh a' phrìosun.

5. Ann an comain prìosun na Ròimhe a tha sinn air son litir mhaiseach an Abetoil a chum nam Philippeach; mar a tha sinn an comain prìosun ann an Sasgann air son Turas a' chrìosduigh, agus ann an tre bheannachadh Dhe air an obair sin iomadh fear turais gu Sion. Bha Ioseph san Eiphit ann an amannan chumail beò—'s bha e sa' phrìosun a tha 'na shamhladh air rioghachd cheann-sìrìch, chum gu'm foghlumadh e eòlas air riaghladh nach faigheadh e air atharrach. Is ann le a' chumail ann an dlùths cunnartach air an teine a bhios e 'nar comas a chumail fodha, agus is ann le oidh-arpeant a' thoirt air droch-dhaoine a bhios soirbheachadh 'nan toirt gu mothachadh air an seachran 'so fhorchadas gu solus, etc.

6. Ann an doimhneachdaibh amhghair gheibhear faireachadh air deuchainnean muintir eile. C'aite n' fàigh a bhantrach bhochd aogas a cridhe fhein ach ann an cridhe chaidh fhasgadh gu goirt le laimh nach fàghaidh Dhe. Bha 'n sìanughear fhein air a dheanamh foirfe tre fhulangas mar charaid, etc., mar chumadh an Crìosduigh tinn an solus fann chum a' maraiche threorachadh o chunnart 's ann air sin a' tha e strìochdte ri saothaireachadh chum focal na frinn a chumail amach na eisimpleir 's na chaithe-beatha.

7. III. Tha muir agus sruth eile ann—Peacanna 's truailleachd neach, etc. O na doimhneachdaibh ghlaodh mi riut, an t-anam fo mhothachadh air cunnart, etc., ga thilgeadh fhein le mhi-thoilteanas air fòcair Chrìosd—a thaobh Iacob chaidh aithneadh gu'm biodh a naimhdean ga chuartaichadh. Buidh-nachas do Dhis a tha toirt dhuinne na buadha. Beatha an fhìrean mar reis agus mar chath mar shamhnaich na maidne, etc., mar amhainn aig an doimhne sruth am fradharc a chuan. Ma tha namhaid uin a shaltras air t-uir nach iomchuidh gu'm biodh tu 'n ad earalas am feadh tha anam ann a dh'fhaodas a chradh—tha 'n t-anam air a chlaoidh san corp fhein air a thoirt gu dunsalach gu thruailleachd a chall 's a dheanamh air son trusgan na neo-bhasmhorachd 's oige shìorruidh air nach drùigh easlainte no aois.

8. Doimhneachd eile, etc., An aingidheachd a tha buadhachadh san t-saoghal. Mar an t-ard thagart a thug suas iobairt air a shon fhein an toiseach—'s ann nuair bheir am peacach a ni aithreachas iobairt a' chridhe bhriste air a shon fein—ni e caoidh airson seachrain an t-sluaigh, etc.—air son smal cloinne Dhe—Cha do dhealraich riamh grian na bliadhna san aon là—agus is ann uidh air n-uidh a tha 'n soisgeul a buadhachadh san t-saoghal 's ann an cridheachan sluaigh.

9. Tha doimhneachd eile ann—am bàs, etc., An crìosduigh 'n uair theid e thairis air a mhuir 's air an t-sruth so, their mar thubhairt Maois, na naimhdean ud, etc. Am bas "caraid grais" a chuireas an amh mu dheireadh ris an obair.

10. IV. Nadur a ghairdeachais. Tha e'g eiridh o chreidimh 'an lamh a tha glacadh na h-acrach Fear-gleidhidh a phrìosun rinn gairdeachas beothail agus Lidia, etc. Tha e o mhothachadh air tear-nimteachd fo fhasgadh na fola sin, etc.—'s air na bheil do ghras an seilbh—'s do ghloir san amharc, ach theagamh gu faodar a nadur a shoillearachadh le tharruing an coimeas ris a ghairdeachas a tha 'g eiridh o sheibh air.

1. Saibhreas, etc., a ni sgiathan, etc.

2. Cairdean a dh'fhaodas fas cealgach 's nach bi ann.

3. Cleachdadh peacaidh, etc., a tha mar a chuile bhriste.

4. On chruthachadh nach fhaicear le tlachd ach leis an ti sin aig am bheil an cruthachadh nuadh.

1. An feadh nach eil an t-suil riarichte, etc., an d'rinn sinne roghainn don chuibrinn as fhearr—mar ghaoth an fhasaich.

2. 'N uair tha sinn saor o àmhghair deanamaid feum do'r cothroman mar a chraobh a ncartaicheas i fein airson gleachd ris an stoirm. "Bithidh mi mar an driuchd do Israel," etc.

3. Thugaibh fairear na h-eisimpleirean air creidimh 's air faighdinn a th' againn 's na scrìobturaibh, Ioshua iii. 4, a' togail cuimhneachan air maithas Dhe: Cìod an t-eadar dhealachadh a th'eadar fear an amhghair 's an t-soirbheachaidh? Gu bheil "tuillidh do dheuchainnean aig an dara fear 's tuillidh do dhiomhanais aig an neach eile." Cìod as fearr tigh a bhroin no na cuirme 'n uair nach teid drughadh, etc.

## FIRST ENGLISH SERMON.

PSALM cxli. 7, 8.

AMONGST the sad memorials of our frailty and mortality, we are called to consider, there is none so humbling as the representation of death's ravages given in the passage before us; yet, as there is no possible painful condition of the soul without its comforts, its alleviations, and hopes to the Christian, to him the dark valley of the shadow of death is irradiated with a hope full of, etc., valley of Achor, etc. Samson's riddle is solved, "out of the eater," etc. Whether with refuge to the trying experiences of life—the destroyer death, and the devouring grave. Let us then consider—

I. The occasion of the words of the text, etc. The words will remind us of Ezekiel's valley of vision, "full of dry bones"—a spectacle which might be considered a strong emblem of the desolation which sin has effected in the world and in the human soul, while the reviving of those bones manifests the power of Christ's resurrection in raising the soul from the death of trespasses and sins, and, finally, the body from the dominion of death, the ghastly ruins of the grave. But the words have immediate reference to the slaughter of the eighty-five priests by Doeg the Edomite at Nob, where the bones of those martyred men lay on the scene of massacre like chips or fragments from the axe of the destroyer. They may have also application to every scene of suffering and death, the dying bed, the field of carnage, each opening grave.

"Our bones," etc. Those words are not literally true of us *now*, but soon they will be; and may we bear with us the thoughts they must inspire through every scene and stage of our existence, as if a trumpet sounded in our ears, "Prepare to meet thy God."

II. The words may be said to have application to every scene and stage of human existence. The Psalmist speaks as if he was not merely the recorder but a sympathiser—even a sharer in the fate of those men. Another instance of this we have in Ps. lxxvi. 6, where David speaks as if he had been present at the passage of the Red Sea, where we are assured he was not; yet was he "in depths" whence he sent the cry for help to heaven, and in which he could adore Jehovah's omnipotence to save. The cause of the faithful was his. He was a sharer in their sorrows and joys.

Christ is the head, etc., and the intensest sympathy pervades his members. A greater than David is here—the Saviour himself—who has said with reference to the favours done to, and the persecutions inflicted on his followers, "Inasmuch," etc.

"Our bones," etc. We must acknowledge kindred with the dust, the proudest prince with the bones of the beggar. And the patriot warrior, whom we have seen repairing to scenes of peril and death, saw his kindred not only in living friends on whose faces he was never again to gaze, but in the slumbering ashes of the dead as he glanced his last upon their graves, and that before the mechanism of his mortal frame was subjected to the mutilation of warfare, or left lifeless and uncoffined on scenes of carnage, and those fields of blood which our country has recently and so dearly bought for the burial of her slain.

1. The words may have application to infancy. How many the diseases that distress children and bring many of them to early graves! How many dangers and sicknesses have we ourselves escaped at that tender age!—and do not the *graves* of infancy and youth alternate with the *graves* of the aged?

The reaper reaches after the ripest ears. The tempest makes its sport of the sear and withered leaf; but Death delights in making the tenderest his victims, and sending the frail and the aged to minister at the death bed, and be the bearers of the youthful and once vigorous to their burial. Like other tyrant's Death smites where the stroke most proclaims his power.

2. To youth and manhood. How slender the tenure by which we hold the life that now is—its possessions and enjoyments! How frequent have been our escapes from dangers that shadowed death upon our souls, and how remarkable our recoveries from sicknesses that were fatal to others. How many have gone to their graves "in firmer health and at a greener age" than ours! and not a few have we seen following their off-spring to the house appointed, etc., the solitary survivors of families, and sad historians of desolate habitations, where they might discover the charms that sages say they have seen in, etc., but never found but where God speaks comfortable things to his children, and makes the valley of Achor a door of hope, Hos. ii. 14.

3. When we consider the cruelties tyrants inflict upon their fellow-men—the expenditure of bone and sinew they exact, etc., notwithstanding the protecting laws that have been dictated by the Gospel's good will to men.

4. The sacrifices of life and limb to our conquests and commerce—the victims that have been offered on altars of superstition.

5. The sufferings of the faithful in every age, etc., from the blood of Abel to the last drop that was shed by the sword of persecution.

6. How true the words in old age, when the pains and infirmities peculiar to that stage of existence batter down the frail house of our pilgrimage, while years place their furrowed impress on the brow!

7. How true the words, etc., at the hour of death and funeral solemnity, when the *tyrant* seeks the surrender of the soul—places his pale signet on the brow and consigns to corruption our inanimate dust; when the lustreless eye that once glanced from the windows of the immortal mind proclaims that, “the keepers of the house” have not only trembled, but abandoned the house of our short sojourn and suffering below!

8. And with what tremendous emphasis the words ought to fall upon our ears, when on the threshold is heard the tread of those that are to bear us to our burial, when comes the dismal preparation for the funeral solemnity!

9. And how fearfully true when, like fragments from the axe of the destroyer, the bones of departed kindred are shovelled forth to make room for successors in the dark prison-house of death.

10. How sadly true as we hear of thousands of our race being called to eternity by sword, pestilence, and the power of destruction which the elements possess; and even those luminaries of heaven have their own arrows of death; so that it is in heaven it may be said with the utmost truth, “The moon by night,” etc.

How many engines and agencies has death besides old age, whose work is anticipated by the other ills incident to humanity! Grey hairs are on the youthful head like autumn's earliest snows—and how many promising fields of life have been reaped but by the pestilence and sword! Nor does age plough deeper furrows on the brow than the griefs of a few short and evil days of man's pilgrimage on earth; our corporeal life is but a gradual death—a progressing towards decay. Yet with the natural and mental life the sinner may hear the call to repose, pray for strength to the withered hand to reach after eternal life. May the whole man be renewed, body, soul, and spirit—and may the spectacle of dust returning unto dust convince us how awful a thing it is to die, to be divested of “all but conscience in the sight of God,” etc. How much we are in danger of leaving scenes that mt. “startle madness into thought” without one salutary impression, as we have often left the house of prayer. The mind of the man that is ever learning, etc., like the sand which drinks in the dew and rain without yielding one fruit or flower—or like “the sexton who shovels the ashes of the dead without one pious thought of eternity, of the judgment to come, or the resurrection from the dead.”

II. Observe that the sufferings and death of mortal men are but symptoms of the moral maladies and death of the soul. “Our bones are,” etc., a melancholy spectacle, but where a sight so saddening as the soul allured to its ruin—shattered in its moral and intellectual constitution by “him who was a liar and,” etc.

The power of the resurrection inspires hope. Ezekl. cd. not prophesy in the valley of vision, nor encourage Israel under the oppressor's rod, if he knew not the power of the resurrection in his own soul. The death and resurrection of Jesus, prospective and past, are the pillars to which the soul confides its interests for eternity.

“And beginning at Moses and all the prophets, he expounded to them the things concerning himself,” etc., Luke xxiv. 27. If Moses cd. not speak of the Saviour's rising and reviving again, he might be silent as to his death; and the prophecies and prefigurations of Christ's death might be swept from the pages of the Bible as the vain things which can “neither profit nor deliver,” etc. The first fruits of the earth were offered and a sheaf waved, etc., as if in triumph over the enemies of vegetation in the atmosphere and earth—this pointed forward to the resurrection of Christ, and taught those doctrines of the resurrection so powerfully taught in Cor. by Paul, 1 Cor. xv.

At the purification of the leper two birds were taken—one killed over a running brook, and the other allowed to escape after having its wing dipt in the blood of the other; so here were the death and resurrection of Christ prefigured. He lives to make intercession, etc. Again, the ceremony of the scape-goat taught the same truth—a goat was slain, another allowed to escape to the wilderness after the sins of Israel were confessed over its head. In vain it would be to confess our sins over Christ's grave if he had not risen, but we know that our Redeemer ever liveth to make intercession, etc.

It is because we believe in Christ's reviving and rising again, we preach a resurrection of the soul from a death in trespasses and sins—the forgiveness and remission of sins—a resurrection of the body

from the ghastly ruins of the grave. "If the dead rise not, then Christ is not risen; and if Christ is not risen we are yet in our sins."

If Christ was not risen, in vain were it to preach to miserable sinners acceptance "through the Lord our Righteousness." In vain look for the missionary repairing to the dark regions of earth. In vain to comfort the parent as he tries to reclaim the child from the effects of Adam's apostacy from God—and of his own follies and infatuations; unless we could assure him that "he who converteth souls has his pulpit in heaven."

If in the garden of Eden the first Adam brot. death upon the world, in the garden of Joseph of Arimathea Jesus rose a conqueror of death. And the point upon which the Sun of Righteousness beams his brightest glory is his emptied grave. Here the fruits that cluster from Calvary's cross are made sure to souls that have risen from their grave of "trespasses and sins." "Come and see," etc. There angels appeared in youth, a pledge of immortal youth to such as shall be like angels in heaven. There they said unto the timid Marys, "Fear not," etc. There Christ himself appeared—and the sun of the firmament shone, as the Sun of Righteousness shall illumine the darkness of the grave and every depth of the believer's suffering. "My table thou hast furnished," etc., may every disciple say. In vain pardon to the prodigal without his father's favour and home. In vain a release or escape from prison without the reformation of the criminal. Human nature both body and soul must be sanctified and participate in the benefits of the salvation of Him who is our *Wisdom*, etc.

"If in this life alone we have hope, we are of all men," etc., not miserable in the practice of piety, etc.; but if the power of unbelief were to sway us into the assurance that Jesus is under the dominion of death, then like the disciples after Christ's death, and on the Sabbath that saw him lifeless in the grave, when, as it were, the spear that "inflicted the wound on his side, turned, as it were, to inflict upon the hearts of his followers the agony of doubt and dismay." But after forsaking all things, do not the disciples cling to the hope that it was he that should redeem Israel, and after human nature had been disciplined for eternity, it is to perish in time. "I know that my Redeemer liveth," etc.

1st. ....the utterance of a soul perplexed at the prospect of dissolution, when unbelief asks, "can those bones live?" faith answers, "I know whom," etc., and there is scarcely a song of Zion that like this turns not its sorrows into joy, "He who gave his only," etc. "The whole creation groaneth, but is waiting for the redemption," etc. The soul is immortal, its life does not depend on the skeleton that confines it; yet if Christ had not risen, there could be no expectation of the Christian's paradise. Jesus came not only that we might have life, but have it more abundantly, and there is the resurrection of the body, because Christ is the resurrection and the life. "Can those bones live?" we can direct you to consider the omnipotence of God, point you to a "sure word of prophecy," to "the moon that turns the ocean in its bed," to the wondrous transformation of insect, vegetable, animal, and human life. Behold! the insect with its treasures of honey from the fields of creation, the flower reviving at the voice of spring, with its colour and form from the earth, making strong but silent appeals to your heart as you tread upon it in your passage to the grave; and the power that summons vegetation from its wintry slumber—disencumbers earth of its wintry shroud; grasps the garments of mortality which the spirit drops in its flight to heaven, and breathes upon it immortal life.

See the cradled infant—the crowned monarch wielding the destiny of nations—the nursling in the arms—the armed veteran to whom our country has confided the defence of our national interests agt. barbarous foes—and to whom, under God, we look for the peace of the world, the comfort of families, the protection of our institutions, the prosperity of our commerce—and what change, or rather changes have passed upon the corporeal structure and mental powers of those men—others they are, but the same as they will be when the spirit has gone to the God that gave it, etc.—and in the face of those wondrous facts, is it a thing incredible that God should raise, etc.

Were it otherwise, the hope of the Christian would not be "hope deferred," etc.; but cast down, dissipated, destroyed as a delusion—and the votary of religion, pitiful almost as the devotee of superstition, if etc., hope—of all men most miserable. But in a state of grace—the believer's minority—there are glimpses of the future inheritance. "To such godlike hopes some souls have soared or martyrs ne'er had bled."

2. ....language of faith and hope is that of the text—yet will I look unto thy holy temple. From the depths I cried unto thee, Ps. cxxx.—yet will I look unto thee, O Lord, Ps. cxli.—The believer has a hope full of immortality—and exercises his faith in the darkest hours of desertion, trial, and death. It is expedient that those walls be battered down, that the soul may join the ransomed spirits of the *just*, and form a re-union with the departed who have slept in Jesus.

Verily we shall be changed, but the change destroys not our recognition of others nor of our former selves.

If we enjoy a short and shadowy bliss in conferring with the departed "in dreams and visions of the night," this takes a character of permanence and perfection when the house of our pilgrimage is levelled in dust, and especially when the soul unites with the body from which it parted amidst the agonies of dissolution.

The soul must be changed by repentance, sanctified by the Spirit.—There is a resurrection to grace, by that power which called Lazarus forth, and then.....walks in the liberty wherewith Christ sets his children free—and departs with a hope full of immortality—David after his child's death—"I will go where he is." Jesus said to the malefactor—"To day, etc., thou shalt," etc. Paul to the Colossians, Col. i. 28.

Yet there is a resurrection of the body—If the spirit of Him, etc., Rom. viii. 11. And why a thing incredible? The seed dies, etc., the power that calls forth the vegetation of the earth, gives the beauty of holiness to the heart and life—imparts to inanimate dust an imperishable existence, immortal youth which neither accident nor age can mar—nor the destroyers time and death destroy. The Rainbow around the throne assures us that tho' trials may assail us—and death devour the body, yet in our flesh we shall see God, and the last enemy Death shall be destroyed.

Such are the faith and hope that sustain the soul amidst the trials of time, the terrors and agonies of death, and make it like the beauteous rainbow—bright on the darkest clouds serene above the roaring ocean and the thundering cataract.

The emptied grave of Jesus is the point upon which the Sun of Righteousness directs its brightest radiance and glory. There, though the tyrant triumphed for a while; 'twas to manifest the power of Him who is the resurrection, etc. The sun sank but to rise and stretch its beams of salvation to the remotest corners and ages of the world. Jesus left the field but to seize the fortress of the foe—take the sting from death, etc.—disarm those tyrants of their terrors. From the depths into which Christ's human nature sank, faith raises its pearls of infinite price to the soul.

3.....the language of the Christian's RESIGNATION.—Death is the ordinance and appointment of Heaven—a part of the curse which is converted into a blessing—a part of the believer's discipline for eternity, to teach us humility and remind us our origin is earth. The heart bleeds and breaks beneath the blows of adversity, to divest it of the power and pollution of sin; the body is rendered into dust to have it freed from the pestilence that clings to its walls.

To what severe discipline do men subject the mind and mortal frame for the duties and business of life! The Christian has his heart melted in the furnace of fiery trial, before it can have a transcript of an afflicted soul, or learn sympathy for the sorrows of others. There is the discipline for time—there is also the discipline for eternity—to teach us humility, and remind us our origin is earth—by the body being dissolved in death.

The last enemy tho' allowed by sufferance to hold sway over the last spot of his empire—to teach us humility, and keep us mindful of the power and the danger from an enemy that seals the sepulchre and makes it sure—that we may pass the time of our sojourning here in fear. Moses must die, yet from Pisgah's top he views the promised land, and from the eminence on which faith places the soul he looks upon the vale of tears and death—and this mortal frame, shattered by sickness, sorrows, and age—yet with a sure hope of a blissful immortality—an imperishable existence, which neither accident, nor age, nor sickness can mar, nor time nor death destroy.

Christ sustains by his Spirit the weary soul—as he converts and saves it from sin—moves the repositories of death in earth and ocean.

The creating energy that first breathed a soul into one mass of earth, shall raise the countless millions of the dead; when the trumpet shall sound, and the Archangel's voice go forth to gather the scattered dust, and swear that time shall be no more—and Death, the destroyer, shall be himself destroyed.

Did Paul escape the perils of the deep, etc.—was his soul converted, and sustained for years of suffering to expire in agony, and make shipwreck of his hopes beneath the frowning shadow, instead of resting under shelter of the Rock of Ages?

Remember, that on the state of the soul at death will depend the condition of the body at the resurrection. Let us then seek to be renewed in the whole man. The redemption of the body was stipulated for in the new covenant, and may the corporeal powers be "auxiliaries to the soul." May the Sabbath-bell be heard as a summons for prayer; to meet our God—and may we, while we have strength, walk in all the commandments and ordinances, etc. As the hand turns the pages of the blessed Bible, may the

heart ponder the glorious truths of salvation—may memory store up those treasures of truth agt. the day of distress and death—and may the word be powerful as the voice that awakes from its slumbers the ashes of the dead.

We are left on earth to crucify sins—mortify the deeds of the body. The serpent dies not till sunset—so the old serpent dies not in the soul, until the sunset of life. The death of sin in the soul is but a tedious, slow, lingering death—as that of the cross.

May time not be the destroyer of the soul. May we use it as not abusing it. It is the talent of talents—it includes every blessing—as the ocean bears on its breast the wealth and commerce of a world.

(Signed)

DANIEL MACPHIE, Moderator.  
DONALD MACDONALD, Clerk.

PORT-ELLEN, Jany. 25, 1859.

Referred to in my deposition of this date in the Kildalton case.

(Signed)

DONALD MACDONALD, Pres. Clk.  
JAMES DEWAR, Modr.  
JAMES DEWAR, Clerk P.T.

## SECOND GAELIC SERMON.

### SALM x. 26.

Nach truagh an cor sin cridheachan a bhi annainn “socrachta chum uilc,” ’s nach e’n saoghal aingidheachd iad a bhi ’m boinn air son eucorach. “Ghuil Iosa,” etc., ach cha robh leir-sgrios Ierusalem ’n a shealladh cho truagh ri anamaibh cailte, etc. “Thigibh gu Iosa chum,” etc. Gu’m biodh ur cridheachan air an suidheachadh, etc., ni ’s e “obair an Spioraid Naoimh,” Mar tog, etc., Salm cxxvii. Is e ’mhain a ta comasach air a’ chraoibh, etc. Craobhan fireantachd, etc., buidheann, etc. Cha robh riabh armailtean no luchd-riaghlaidh ’nam buannachd cho mòr no ’n an dìon cho cumhachdach do rioghachd, etc. Dheanadh deichnear, etc. Laban, Gen. xxx. 7, “Oir dh’fhoghlaim mi o’m fhiosrachadh fhèin gu’n do bheannaich an Tighearn mi air do sgath-sa.” Ag oibreachadh a mach, etc, tha iad ag adhartachadh leas spioradail an coimhearsnach ’s mar is mò a gheibh, etc. Fialuidh, etc., ach an saibhreas ’s ann is mo a phairticheas iad. An diugh am bheil buidheann dhaoine ’nar measg aig an do-bhean Dia r’an cridheachan.

I. Bheir sinn faineas gu’n robh Saul air a shòrachadh ’n a Rìgh air Israeil—cha robh e do theaghlach àrd-inbheach ’s cha mhò b’e roghainn an t-sluaigh. Cosmhuil ri Daibhi ’n uair a bha e air a shòrachadh air son Rìoghachd a riaghladh bha e ’g iarraidh nan asal aig Athair—“an lathair dhaoine suar ach,” Gn. xxii. 29. Cha d’thug an àireamh mhòr do’n t-sluaigh ùmhachd dha ’n toiseach ach bha etc., 1 Sam. x. 26.

Mar shamhladh air Crìosd—an Rìgh, etc., a bha air a dhimeas, ach nach robh riabh gun fhianuis san uair bu duirche, etc., an gaduiche, etc. Bha ’m Messiah air a chumail amach san t-seann Tiomnadh le samhlaidhibh agus bha nithe samhlaich ann; am fàradh, etc., an t-uan, etc. Daoine samhlaich ail, etc. Adhamh, etc., ’s mar ann am fàisneachdaibh, etc., faileasan nithe maithe—’s cha robh faileas riabh air a thilgeadh air an talamh mar biodh grian ’s an iarmailt, etc. Adhamh, etc., bha na fhaileas—’n a shamhladh air Crìosd; o chùisibh san robh aogas aca ris ’s ams nach robh. An ceud Adhamh ect., an Tighearn, etc. An ceud, etc. Athair nan uile bheò—An dara, etc. An t-athair sìorruidh Tre’n cheud, etc., chaill an cinne daonna sonas, ach thainig Crìosd chum gu’m biodh beatha aca ’s gu’ biodh i aca ni bu phailte. Ionah, etc., tri làithean ’s an doimhne; Crìosd tri làithean ’s an uaigh. Teicheadh bha Ionah o dhleasnas, ach bha Crìosd a’ toirt aghaidh air mar aibhinn. Cha d’fholaich ’ghnùis o naire, etc.

Cha d’thug a’ mòr shluaigh ùmhachd do Shaul, .....’s air urram o choigrich. “Thig Bànrigh, etc.” Salm xlv., Tìodhlacan a dhiùltadh bha mar dhearbhadh air naimhdeas do’n Rìgh—’s b’iomchuidh gu’m biodh sluaigh ceannairceach air an toirt gu’n dleasnas mar bha iad so mu dheicheadh.”

Ar cridheacha-ne tha air an iarraidh air an ais gu bhi air an caochladh air an naombachadh ’s air



an saoradh o pheacaibh leis an Rìgh air Sìdn. Manasseh, etc. Mata, etc. Iasgairan, etc. Saul o Tharsus tha nan eisimpleirean air cumhachd gràis, etc. Ma chuunaic Iochdarain Shaul neo-iomlaineachd 'n an Rìgh talamhaidh. chithear ann an Iosa "iomhaidh," etc., Eabh. i. 3. "Glòir an Tighearna agus òrdheirceas ar Dè," Is. xxxv. 22. "Fosgail," etc., Salm cxix. Ann ad sholus chi, etc.

II. An *tiodhlac*, etc., oirne an cridhe chum a chaochladh—*aithreachas*, etc., *creidimh*, etc., air oibhreachadh 's air a ghintinn, etc., le cumhachd an Spioraid Naoimh—'s an feadh a tha beatha 'chuirp 's beatha na h-inntinne, etc., mar gu lighiche, etc. Iarramaid mothachadh air, etc. An Spiorad a mhàin, etc. Tha 'n cruthachadh uile 'g osnaich.....*cluarain*, etc., samhladh aige ris a chaochladh through, etc. Faic gach ionad 's na bhris an fhaige stigh feadh na talamhainn—cha-n'eil rudha nach faic thu mu'n coinneamh tolg, etc.—'s an fhearann a tha dearbhadh gu'n d'rinn a' chrith-thalamhainn a h-obair fhein ann 'bhi reubadh na talamhainn as a cheile 's a deanamh slighe do'n fhaige a bhris a stigh mar armailt o Dhia a ruigheachd air ionadan ceannaire dhaoine gus an do chuireadh dorsan, etc., leis an Tì sin a thubhairt, saor, etc." Am bogha froise, etc., "Gu ruig so thig thu agus cha tig nì's fhaide, agus 'an so coisgear do thonna uaibhreach," Iob, xxxviii. 2, samhladh tha 'n so air a' bhriseadh a rinn an duine o Dhia. Tha Dia firinneach—tha'n duine cealgach. Tha Dia naomh, etc. Air an toirt dlù le reite, etc., agus tha ionadh dearbhadh air teachd an t-soisgeil, le cumhachd, etc. Lebhi, etc., Saul o Tharsus. Na meallamaid sinn fein. Tha làmh chàrdeil feumail airson bhli leigheas eucailean cuirp 's cridhe. Feumaidh an cridhe 'bhi air a cheartachadh, air a leigheas o'n mhearachinn, do'n earrann naimhdeas an aghaidh a charaid a's fhearr. Am breugaire 's a' mortair o thùs tha "na chruaidh mhaighistir," etc., agus 'n uair tha'n Spioraid a' fosgladh nan sùl 's an cridhe air a chaochladh tha 'm peacach a' tilleadh "air fein 's a' bualadh," etc. "Na shuidhe aig, etc., 's na cheill fhein." A chlam bheag tha sibhse o Dhia, etc., 1 Eoin. xvi. 14. "Cionnus a dh'fhiosraich Dia na cinnich air tùs le pobull a ghabhail as am measg d'a ainm fein, Gen. xvi. 4.....ri ais-eirigh—mar tha'n corp air a bheothachadh o'n uaigh le cumhachd na, etc., tha'n cumhachd ceudna air a chleachdadh a thogail an anama o bhàs peacaidh agus euceartan 's gu cul-taice dheanamh dha ann an slighe 's an cogadh a chreidimh. "Is beannaichte 'n Tì sin," etc. 'Na beannuchadh dha fhein, etc. Anns an fhasach tha fhion-liosan 's gleann Achoir mar dhorus dòchais, Hos.

III. *Nàdur* a' chaochlaidh, etc. Tha'n caochla mòr so ri tachairt air a' chridhe. Cha 'n e caochla éididh ach cridhe. Tha trusgan na slàinte, etc., fireantachd Chrìosd—ach tha 'n cridhe cloiche r'a thoirt air falbh—cha bhui do'n chorp ach eideadh na h-uaghach, gus an uidheamaichear an cridhe air son dhleasnas na diadhachd le Spiorad Dhé. Gus a so cha 'n fhaicear beatha no maise na naomhachd—a tha crioslaichte le trusgan na slàinte. A mac stròghail tha 'faotuinn truscain—ach an deigh dha, etc. "Eiridh mi," etc.

Am bheil sùilean fosgailte—tionndaidh an naoidhean a's laige ris an t-solus—air arach le bainne fìor-ghlan an fhocail agus cuideachd le teagasg Freasdail Dhe ann an cùisibh cràiteach a chrannchuir. Gach nì tha 'g oibreachadh le chéile, etc., Rom. viii. 28. Am bheil saibhreas, etc., nochdaidh 'se e fein; am bheil maise aig neach cha cheilear i; 's nochdaidh an diadhachd i fein far am bheil i. An Spiorad Naomh, etc. Nan teannamaid ri ràdh nach 'eil an droch Spiorad ann, etc., co a chreideadh e? Cha-n'eil Saddusach ri 'faotuinn 's cha mhò a chreideadh tu nach 'eil olc 'sa chridhe air am bheil an droch spiorad ag oibreachadh—'s an tuillidh 's a' chòir iarraidh oirbh a chreidsinn gu bheil an Spiorad Naomh ann a tha 'bualadh aig dorus a' chridhe 'sa choinneis a tha 'caochladh an nàduir agus 'n uair a tha 'n caochladh so a' tachairt a tha 'toirt naomhachd air a h-aghaidh uigh air n-uigh gus an crìoch-naichear gràs ann an glòir.

IV. Aonaichte 's am boinn tha sluagh Dhé mar bhràithrean, etc. Is mòr son duine diadhaidh a bhi 'n ionad air bith,—ach is cunnartach an cor sam bheil e. Tha gach son 'na "fhear-gleidhidh do bhràthair" ameasg naimhdean, 's aingidheachd, 'na fhear-còghnaidh air a cheidimh 's aobhneas; ach 'n uair nach robh Ionatan an taice Dhaibhi, bha Daibhi 'g a neartachadh fhein 's an Tighearna: Ghairmeadh Cr. air tùs do na deisciobluibh ann an Antioch, Gni. xi. 26. Braithrean 's deisciobuil theirte riutha an toiseach. Nach truagh an sealladh tigh no Rìoghachd air a roinn, etc. "Is fearr dithis no h-aon. Air a sgeir no san fhàsach, nach bu luachmhor leinn companach ann an amhghar san saothair. Agus ann an iomadh dleasnas agus saothair thalamhaidh nach faoin 's nach neo-bhuannachdail oidhirpean an duine aonaraich. Is e àireamh sluaigh aig am bheil cridheachan calma, etc., a tha 'toirt misnìche do'n t-saighdeir 's a fuadach eagail 's a' cur cunnairt air astar. Labhraidh iad le cheile air an t-slighe, etc. Is aonadh ri Crìosd a bhann bhràithreachais a's fhearr 's a's maireannaiche. Agus is aobhar eagail gu tric gu'm faod samhladh an aonaidh so bhi ann, gun am fìor chàirdeas—oir choinnich Càn 's Abel a cheile aig aon altair 's bu bhràithrean iad—agus Iudas an Slànùighear 's a dheis-

ciobuil aig an aon bhòrd, etc. “An tì sinn a bheir fuath d’a bràthair, etc., ’s nach gràdhaich a bhràth-air a *chunnaic* e, etc.

Annas an t-seòmar uachdrach bha iasgaircan Ghalili agus Mata an cis-mhaor. Bha buidheann dhaoine, etc., ach nach feumail guidhe ’nuair tha sinn ’g ar cleachdadh fhein ann an dleasnais na diadhachd—’s ann an comunn sluagh an Tighearna. “Rannsaich,” etc. Shaoil Eliah gu’n robh e-féin air fhàgail ’na aonar—agus bu chianail an cor sin mur faodadh e ràdh. “Tha an t-athair maille rium.” Gheibhear cuideachd caraid far am beag a bhiodh sùil ria. Cha bhi Daibhi gun Ionatan, etc., na Paul gun Mnason—Onesiphorus a fhuair a mach e ’s a phriosun.

Dh’fhiosraich Eliah gu’n robh ann an Israeil, nach do lùb au glùn do Bhaal 7000, ’s mar gheur-aicheas iarunn iarunn, etc. ’A chual chonaidh, cha bu chomasach a briseadh ’n uair a bha i gu dìong-mholta air, etc., ach ’n uair a dh’fhuasgail iad i bha gach bior gu furasda air a bhriseadh. Mar sin cha seas rioghachd a th’air a roinn—agus Criosduighean a th’air an roinn—cha chomasach a bhi cho làidir an aghaidh naimhdean na firinn, ’s an aghaidh na h-aingidheachd a tha buadhachadh ’s an t-saoghal. “Chuidich gach fear a choimhearsnach ’s thubhairt e ri ’bhràthair, Bi misneachail, Mar sin thug an saor misneach do’n òr-cheard, esan a mhinicheas leis an òrd do’n fhear a bhuaileas air an innein, ag ràdh tha e ullamh chum a thàthadh agus dhaingnich e le tairrignibh e, air chor ’s nach gluasteadh e,” Isa. xli. 6, 7. “Tha clann an t-saoghail so ni’s glice,” etc.

Faicibh mar theid iad am boinn airson an innleachdam saoghalta adhartachadh ’nuair bhiodh oidhirpean an duine aonaraich faoin chum an toirt gu crìch; agus faicibh mar tha droch dhaoine ’dol am boinn air son an droch rùintean fein a thoirt gu crìch mar bhios iad air an ceangal ’nan ceanglaichibh, etc.

Is i’ bhann—càirdeis a’s mò aonadh ri Criosd ’sri teaghlach a’ chreidimh. Is e’n Criosduigh ’n caraid a’s fhearr d’a dhaoinibh ’s ’da dhùthaich, an maighistir a’s fhearr ’s an seirbhiseach a’s dillse. Ach feumaidh gu’mbean Dia ri’n cridheachaibh—agus mar nach sgaramaid làthaireachd no cumhachd Dhé o’n chusbaire a’s suaraich’sa chruthachadh, cha mhotha ’sgaramaid iad o’n neach no’n inbhe ’s dìbli air thalamh—o’n Rìgh no o lùchairt, o’n diòl-deirce no o bhothan suarach. Caitheamaid ar n-aimsir, saothaicheamaid ’s fuilingeamaid “mar a’ faicinn an Tì a ta neo fhaicsinneach.”

Ciod an carbsa ’s urrainn a bhi agad as an droch dhuine. Theirig am boinn leis ’na innleachd aibh aingidh agus is e cheud neach a bhrathas tu. Cha ’n eil fhios cia luath ’s a dh’fhaodas srad do’n droch nàdur tuiteam air na bannaibh brisge asgairt, etc., no ni neart sainnt ’s buannachd shalach shaoghalta na ceanglaichean truagha sin a bhriseadh a tha cumail nan aingidh, etc., airson an rùintean olca chur an gnìomh, “An tì sin, etc., ach sgriosar, etc., nan amadan.”—Gna. xiii. 20.

Ach tha aobhar taingeachd againn gu bheil blaithean cruadalach (fiadhaich) an achaidh, etc., mar Ròs Shàroin, etc., cruadalach, etc., Diadhachd abair, etc., ’s mar a rinn am fear saoraidh gluasad gun suim, etc., a luchd leanmhuim gu’n cliùthaichear leis na h-eucoraich a dh’iarr an toirt a thaobh ’nuair a thilg iad duais an uile air falbh ’sa shaltair iad i air an làr.

I. Iarr caochla cridhe—an t-aithreachas, etc. Tha ’n diadhachd buannachdail, etc., ’s an t-saoghal so fhein, gu d’ bhuanachd fhein ’sgu buannachd, etc., cha’n ann gu tighinn beò dhuinn fhein, etc. Na h-Abstoil “*dìlhis a’s dìlhis*.” Cuir meas air an Fhocal a tha labhairt mu ghòir neimh—smu dhleasnais an duine, suaimhneas fhilathanais agus sonas talambaidh, “Far am bi,” etc., Eoin xii. 26. Is e eagal an Tighearna tùs, etc., agus an neach sin a ta tighinn beò fo chumhachd is e’n caraid a’s dillse do dhaoinibh ’s do dhùthaich e, sa ’s fhearr anns gach cor, etc. Cha ’n e eagal na traille, etc., no chladhaire—cha ’n e eagal duine a bheir ribe, etc., ach eagal Dhia a sgriosas a h-uile eagal, etc., eagal faicill agus freiccadain, eagal diomb Dhia a chosnadh.

Bheir “eagal duine ribe” agus mar nach ’eil am fircan air a ghluasad no air a riaghladh leis—mar sin cha’n eil e air aomadh leis a chliù a thig o dhaoinibh—ma tha ’n cliù sin a’leanailt oibre cha’n eil e ’saothaireachadh air a shon.

Am bheil a’ ghrian gu bhi air a smaladh as an iarmailt a chionn gu bheil faileas a’ leanmhuinn gach cuspair air am bheil i’ dearsadh agus an dearmaid sinn dleasnais beatha na diadhachd air son a chliù a dh’fhaodas an leanmhuinn? In annas an t-saoghal so a th’ againn ri’r leas fhein, etc., ’sar coimhearsnaich a chur air aghaidh.

2. ....A’ bheatha ri teachd—a sheann duine cha’n fhada agus, etc.; an oigrìdh lìdnaidh na h-ionadan ’sna fàrdaichean....., agus sean agus òg gu leir aiticidh an uaigh—’s tha ’m breitheamhnas cho cinnteach ri’s a’ bhàs; ’s gu’n dednaichadh, etc., gu’n d’rinn na h-òrduighean, etc. Ciod an t-ullachadh a rinn sibh airson na sìorruidheachd. Is e ’n saoghal an t-achadh air an tionailcar an t-aran a theirgeas ’s an t-aran nach teirig—am bheil sibh a sgapadh an nì sin bu chòir dhuibh a bhi tional. Bha Saul air a thredrachadh seachad air uaigh ’nuair, etc., agus sibhse, etc., sagartan ’s ’nur righribn do Dhia—’s

rioghachadh air an talamh. Ioseph o Arimatea—dh'iarr esan *an corp*, etc., risaladh, etc., 'anuair tha 'n diadhachd fo dhi-meas cuiream a id meas oirre. "Is maith dhuinn bhi 'n so ach ma bha beinn, etc., bha gleann, etc., A choir, etc.

3. Amaideachd a bhi 'tighinn *beo*, etc., gun choir, etc. 'Nar turus gu uaigh cha'n urrainn sinn gun toirt fairear gu bheil an t-aingidh gun sith, 's "ann an ionadaibh sleamhna," 's nach comasach nithe 'n t-saoghail an t-anam a bheathachadh ni's mò na ghainneamh no'n lassair an corp, "Na h-earb a duine, etc.

Nochd Iochdrrain Shaul eas-umhlachd don Rìgh dligheach ach cha b'fhada gus an do theagaisg naimdean dhoibh an amaideachd; chaidh an toirt gu strìochdadh co dhiubh b' ann gu fìor dhilleachd no nach b'ann. 'Snach bu cheannairceach sinne 'n aghaidh, etc., ann an teinn dh'asluich sinn a choghnadh—agus 'nuair chunnaic sinn ar n-anmhuinneachd an do thilg sinn sinn fhein air gàirdean an Uile-chumhachdaich a bha cho treun, etc., agus gu dìon.

A chuing dhamh, etc., xi, 7, bagradh smachdachaidh nach.....ach faoin. Tha e gar teagasg le àithne air àithne—ach theagamh gun druigheadh so orra ni bu mhò na bagradh agrìos shìorruidh—call maoin talamhaidh ni 's mò na call an anama—agus an d'rinn gach call a dh'fhiosraich sinn riabh ar n-aomadh gu bhi càramh ar n-ionmhais air neamh.

Tha fulangas, etc., an Fhir-shaoraidh mar dhìean air a chur fa chomhair an aingidh—a nochdadh corruich Dhe an agaidh peacaidh, nach lugha uamhas idir gu'm bheil i air a nochdadh ann an ciuineas a' Bhreitheimh a dh'fhàgas aig na maoir a bhinn gu 'cur an gnìomh. "O Ierusalem," etc.

Cia tric a chunnaic sinn amhghar a briseadh a steach do fhàrdaichean ar coimhearsnach—a chuir ar peacadh an cuimhne. Far am faic thu maor tha'm bitheantas briseadh air an lagh. Is iomadh rabhadh a fhuair sinn—an iongantach ged smachdaicheadh Dia sinn nar pearsaidh'nar 'cairdibh 's 'nar maoin. Throm-smachdaich Dia mi, ach gu bàs cha d'thug, etc., S. cxviii.

Cìod an taobh air am bheil thu? an taobh sin ris am bheil thu 'n daimh an so, gabhaidh sealbh ort an deigh so. Gu'm beanadh Dia ris gach cridhe. Gu'm biodh an t-aingidh air a thilleadh o sheachran a shlighe, 's gu'm biodh na fireana a dlù-leantuinn ris an Tighearna. Fanaibh annam-sa, Eoin xv. 4. An duilleach cha-n'eil air iomain leis an stoirm gus an tuit e o'n chraibh.

Biomaid nar luchd-cuideachaidh do aoibhneas càch a cheile—ann an àite bhi nar luchd-bacaidh.

Biodh ar cridheachan air an caochladh. Gu'm biomaid 'n ar "aluagh toileach," etc.

Is beag feum a rinn e don chogal a bhi 'meas a chruithneachd, agus is beag feum a ni e dhuinne a bhi sealbhachadh orduighean—tròcairean, agus breitheamhnais Dhis mur 'eil drùghadh iomchuidh air a dheanamh.

(Signed)

DANIEL MACPHIE, Modr.  
DONALD MACDONALD, Clerk.

PORT-ELLEN, January 25, 1859.

Referred to in my deposition of this date as a haver in the Kildalton case.

(Signed)

DONALD MACDONALD, Pres. Clk.  
JAMES DEWAR, Modr.  
JAMES DEWAR, Clk. P.T.

## SECOND ENGLISH SERMON.

### ACTS xxi. 16.

If, after "knowing the heart of a stranger," the pilgrim of the desert rejoices at finding a Christian friend, so would the Apostle, who was susceptible of the warmest friendship, and grateful for the kind offices of this old disciple and helper of his joy.

Much did Paul appreciate the kindness of Onesiphorus, who sought him out and found him in

the prison-house, and "was not ashamed of his chain"—the chain of the prisoner—not the chain of office which Paul might have possessed, if the interests of eternity had not gained. Much would Paul value every act of friendship and the fellowship of the pious, when bent encountering bonds, imprisonment, and death, etc.—like the Christian patriot, whose courage experience of trial banish not from his breast the affections and tender sensibilities of humanity conversant with trials, Paul, this tree of knowledge and righteousness, enjoyed the fellowship Mnason—this planting of the Lord grew as the majestic cedar,.....flourishing in defiant desolating tempests, yet moistened by the dews of heaven, trembling to the gentlest breeze.

I. Consider the short *history* of this disciple. He was a Gentile, but converted to the Christian faith. He gives evidence of the change. He gives his hospitality to the Apostle, and being "to hospitality" in that age was no small proof of discipleship, when the practice of this virtue subject one to confiscation of property, and even to death. This was the first proof given by of her conversion, and by the Philippian jailor of his own conversion—"he washed the stripes Paul and Silas, set meat before them," and "rejoiced, believing in God." Acts xvi 32, etc. "not be ashamed when I have respect unto all thy commandments." Ps. cxix. This kindness from the love of Christ constraining him, as it does all the sincere converts to his faith, who, they pray for the pardon of all their iniquities, seek to make amends for injuries inflicted upon in the time of ignorance.

II. Here this man of God—this friend of the apostle is characterised as an *old* disciple—a honourable distinction.—"The disciples were first called Christians at Antioch"—before then they designated as "brethren;" disciples because they were taught "by Christ"—this "Teacher sent God." Both Paul and this disciple had the same Master. Paul was a Jew, and Mnason was a Gentile both were trophies to the triumphs of grace. Mnason was of the first fruits of the Gentiles, and in Christ *before*" Paul. By the Spirit, Word, Providences of God, those sinners were taught—eyes opened "to see, etc., wonderful things out of the law." "Good and upright is the Lord, Sinners, etc., and, doubtless, the disciple of Gamaliel—now "the disciple of the lowly Jesus"—profit by his intercourse with this old disciple as "they talked together of the way." Many an opportunities of religious improvement. May we have the humility to profit by them. The great minds are often the humblest, and for want of due condescension, no great cause, no important in will they allow to suffer.

"The lark that soars," etc.

One of the brightest ornaments of our literature acknowledged that he never took up a common paper without being instructed—and one of the greatest patriots that ever toiled and bled in our country's cause, thought it no useless expenditure of time to peruse the most trifling documents that found among the spoils of vanquished foes—in these he might find the secret of his noblest success "for no one ever sat down to write, without intending, etc., to communicate information, etc., as he had not."

Never was there a word written in the Bible in vain—"All Scripture is given by inspiration etc., and with babe-like lowliness may we ponder its hallowed pages, and be followers of the duty "even as they were followers of Christ." An eye *must* be cast from the splendid chariot upon the humblest mile-stone, or guiding post at the way side.—And the Assyrian general was directed the prophet that was in Israel," by the humblest of his captives. Naaman must go to the pro door; and Paul, who "sat at the feet of Gamaliel," sat at the feet of "the lowly Jesus," and would fail to learn lessons of Christian wisdom from "this old disciple."

III. *Point out* some features of the Christian character—That change he had experienced consists in repentance towards God—a change of heart—not another, but a new heart. He found place to weep, etc., when he saw his sinfulness," etc.—grief as for a first-born, and for an only Grief that is felt in the inmost recesses of the soul,—that one carries to the grave.

Repentance has constant exercise. There is a time when it begins, when the *angels*, etc., ends only with the last gasp of man's mortal existence. Patience, and all the graces of the Christian character, have their perfect work: there is the walk, the race, the warfare of the Christian's career and each grace grows as it is exercised by its peculiar trials. The young disciple is nourished by the milk, etc., grows thereby; and as he grows older is disciplined, by the providential dealings of God things working together for his good."

IV. Respect for the ordinances of *religion*. This David had, and a greater than David, etc. prayer. "Tho' I were innocent, yet would I supplicate of thee, my Judge," etc., Job. The Saviour pra

his Father in heaven. Word, etc., no vain thing because it is our life. And as the priests carried the ark containing the book of the law, so let us bear the word, etc., as a lamp.—Sacraments, etc. Baptism was received by Christ, and as to the last passover, etc., he said, With desire, etc. “A man of sorrows, but not a man of sins”—He required the comforting influences of the Spirit to sustain his holy human nature. The apostle with reference to Pentecost. He requires the purifying, etc., powers of the Spirit, as well as his comforting influence—and said, with reference to the feast of Pentecost, I must by all means, etc., Acts. Former associates and pursuits he abandons, but is a companion of all, etc.—*One thing he desires* etc., to live in the house of the Lord.

V. The disciple has much experience and observation.—He has experience of the trials of life—the temptations of Satan and wiles of wicked men. He knows the means of escape and safety. He grieves for “the spot of God’s *children*,” and laments his own imperfections—his coldness in duties of devotion to God and *charity* to man.

He rejoices that whatever befalls him happens for “the furtherance, etc.,” and that afflictions are beneficial not only to himself, but to others. Job was afflicted, not only for his own spiritual benefit, but for the benefit of his successors in tribulation. Paul was a prisoner that the Philippian jailor might be freed from the power of Satan. Having experience of afflictions himself, he seeks to comfort others with the comfort wherewith he himself, etc.

His observation assured him that here there is no perfect or permanent happiness on earth—“He saw the wicked flourishing like a green bay tree,” he looked and he was not to be found. His highest places of rank and power were “slippery places”—whence he might fall into poverty and disgrace, and if God prevented not, to eternal perdition. His experience and observation of life, by God’s blessing, reconcile him to the sphere which Providence assigned him—and his mission to earth may be as important as that of the mightiest monarch.—A living epistle—he is “*read of all men*”—full of the lessons of the Word and Providential dealings of God.

VI. Thankful for the watchful Providence of God—Jonathan went to David in the wood, and strengthened his heart in God—this old disciple encouraged himself in the Lord.....might well be so, for the preservation of his life amidst the persecutions that raged around him. And who is not an evidence of God’s sparing mercy? Will not the believer acknowledge, that if the power of destruction which the elements possess, was to be sent against him, death would sink him into eternal perdition? But the Providence of God sustained him until he became a subject of God’s grace, persevering in and pursuing the path to everlasting life.—The path,...as the light, shineth *more*, etc.

1. The life of this disciple long—but it came to an end. He parted with Paul, never to meet again on earth—but to meet in heaven—where sorrow and sighing shall be no more—Philip parted with the Ethiopian, etc., but the Spirit remained with him. The life of the aged disciple was useful, and his death might teach the careless and unthinking “how a Christian can die.”—1st, An old disciple, but not perfect; corruption still clung to him, and the “body of this death is not destroyed but with the death of the body,” and with every duty came a temptation to neglect it—he has need of watchfulness and prayer, “lest he enter into temptation.”

2. Let youth seek for “the hoary head in the ways of righteousness”—there is no other way but the new and “living way”—young many may be, but old in iniquity—pray...seek the honourable distinction of being a disciple of Jesus—wise unto salvation—that you may not, as an old transgressor—receive this reproachful appellation, that alarming summons, “Thou fool,” etc. The wisdom of the world...giving all its point and severity...to those alarming words.

### THIRD ENGLISH SERMON.

I CHRON. IV. 10.

As the pilgrim of the wilderness, when “loneliness has loaded his heart and desert tires his eye,” rejoices at meeting signs of cultivation, and the dwellings of Christian men, so the pious student of Scripture, as he ponders the pages of the Bible, and reads records of human folly and frailty, and of the abounding iniquity of every age, rejoices to find one who, like Enoch, walks with God, and whose life is a solemn protest against the sins of his day and generation. Such a man was Jabez, of whom honourable mention is here made. He was a Jew, but bears a family likeness to the household of the Christian faith.

## I. Consider the brief history and character of Jabez. II. His prayers.

1st, Jabez was a Jew, a true worshipper of the God of Israel. His name is not mentioned before or after this. His history is brief as that of Abel, and of others of whom the world was worthy, but long enough. He was more honourable than his brethren. Tho' their history is briefer than the shortest epitaph, it serves to show us that God is the God of salvation, in the archal and Jewish, as well as under...the Christian ages. The Gospel was preached unto Abraham to Adam, to Abel, and even to Cain—"If thou doest well," &c.

The name of Jabez signifies trouble, &c. The sinner feels the arrows of conviction that are in the heart. Sin became a trouble—conviction came before conversion. Sinai, with its light and darkness, and tempests, was in the way to Zion, and in the path of the believer's pilgrimage the same things akin to renewals of the wilderness scenes, ever until the believer enters the mansions of immortal bliss. Sin is a trouble both before and after conversion, for the Apostle has said "wretched man," &c.—and the bitter herbs partaken of with the Passover are significant emblems of grief for sin, and the sufferings of the mortal scene.

The believer's lot is to suffer without the camp, bearing his reproach unknown to the world, having his good evil spoken of—yet his witness is in heaven, his record is on high. Moses foretold the sufferings of the people of God, and preferred to endure affliction with the people of God. His grave was never known. The tendency to venerate departed worth, and worship the creature besides, or rather than the Creator, was known to the Searcher of hearts, and lest those that revered him when alive should forsake him when departed, his grave was not permitted to be known. There is the popery of the heart, which existed there before ever the Mystery of Iniquity became a published system of error. The illustrious Reformer sought with his latest breath that no memorial should be raised to his dust—his grave left unwept on but by the rains of heaven, and

"The willow that weeps o'er Calvin's grave."

No matter what our external condition is in the world, our history may be briefer than the shortest epitaph—our graves unfrequented as the beggar's, on which no tears are shed, if our witness is in heaven.....A man of prayer. And sure we may be that it was in answer to prayer that he opened his eyes—and in answer to prayer he received every blessing, and that this beautiful but comprehensive prayer was put into his heart and mouth by the Spirit of Christ, the Teacher sent of God, who taught his disciples the Lord's Prayer. Prayer is the hand which receives the daily blessing of the soul, knocks at the door of mercy, and asks for it; and you may as well expect health by neglecting the means of subsistence, as expect spiritual prosperity by neglecting prayer and the means of grace. The practice of prayer enlarges our acquaintance with God and ourselves—and that which know the Lord shall be strong. "Our conversation," saith the Apostle, "is in heaven." Phil. iii. 20. "If ye are risen with Christ, seek the things that are above," &c. Col. iii. 1. He prayed to the God of Israel, the God of Jacob, "the God of Bethel;" and the God of Israel is the God of the Christian. He delights more in the gates of Zion than in all the dwellings of Jacob. He is with... Jacob when the ground was his bed—and with those who delight in his ordinances, he is in every scene of suffering, &c.

And if his wondrous acts for his chosen Israel, Deut. xi. 32, gave Jabez lofty conceptions of the nature and character of Jehovah, have we not a larger record of mightier works than he had, to us that the gods of the heathen are not as our God, our enemies being judges? Let us remember the years of the right hand of the Most High—may the Spirit teach us by the Word and the eye of Providence.

If God did much for Israel, he has done more for those upon whom the latter days of Christ have come, and for us who enjoy Christian privileges—and to us this appeal ought to come with peculiar emphasis, "What more could I have done for Israel," etc., "acquaint yourselves with God, and live at peace," Job xxii. 21.

II. The prayer of Jabez, and the petition it contained. This prayer is a model for imitation, like the Lord's Prayer. He first seeks the kingdom of heaven—and as in that prayer is only one petition for temporal mercies—

1st, "That thou wouldst bless me indeed." Give the greatest blessing. The blessedness of a man who is blessed because his sins are pardoned—his transgressions covered—who has found safety and safety under the merits of a mediator, and having found that—received Christ by faith—can testify for himself the truth of Scripture. "There is now no condemnation to those who are in Christ Jesus, etc. He has a right to the sanctifying, guiding, and comforting influences of the good Spirit of God—He comforts others with the comforts, etc. His heart being right with God, is fixed upon one great

—and every blessing must be sought in prayer, for God honours his own ordinance—and are we despisers of it? “One thing I have desired, and that,” etc.—I am determined to know nothing but Christ Jesus, etc. He has an interest in the legacy Christ bequeathed to his followers—“My peace I leave with you, my peace I give unto you—not as the world giveth,” etc. Having our best and immortal interests committed to an everlasting arm—each may say for himself, “I know whom I have believed,” etc. This is being blest indeed, and without this blessing—what is the greatest and most illustrious of men, but miserable amidst the splendour of palaces? What is wealth, what are the possessions and enjoyments of time? etc.

2d, “Enlarge my coast,” is another petition in this prayer. This is a petition for temporal mercies; and it is lawful to pray for temporal....., that they may be the means of increasing our usefulness in the Christian life, walk, and warfare.....“He who provides not for his own house is worse than an infidel,” etc. “Give me neither poverty nor riches.” It is lawful to pray for “the increase of the field,” and every other temporal blessing.

It is to be remembered that at this time some parts of the land of Canaan were in possession of the enemies of Israel—and that the Israelites were commanded to root them out. It is lawful to pray for success to the commercial enterprise of our Empire, as the means of elevating our nation among the kingdoms of the world; and especially as the means of opening up paths for the messengers of the Gospel to the benighted regions of the earth—for the Gospel’s conquest and conversion of kingdoms of the world into kingdoms of the Lord:” “In all things, by prayer and supplication, let us make our requests known,” etc.—It is lawful to pray for success to our fleets and armies, and when fields of combat are whitening for the harvest of death, while our country inscribes fresh memorials of the prowess of her sons, may the sword of worldly warfare make openings for the sword of the Spirit, which is the Word of God—and may it penetrate the hearts of the votaries of a corrupted Christianity, and the devotees of degrading superstitious—and the dark regions, etc., full of habitations of cruelty. Jacob, at Bethel, said, “If, etc., to my father’s house, Gen. xxviii., then the Lord shall be my God.” Jacob was not so mercenary as to ask for this favour as the reward of his service; but the granting of his prayer was an additional motive to bind him to obedience—to renew his covenant with him, and live to his praise—to renew this obligation under which he came at a former period, when his heart was set right with God. If God were to deny him his request, this would only set him to the exercise of submission—and wanderer as he was, like his posterity, he would believe that God was bringing him “to a city of habitation.”

In the Lord’s Prayer, to which this has a striking similarity, there is a petition for our daily bread, as the provision for the way and warfare of the Christian pilgrim.

3d, “That thy hand may be with me.” That I may have the protection of Providence and guidance of grace. “If thy presence go not with us, carry us not up hence.” The believer knows his own weakness. The dangers by which he is beset, and seeks to lean upon an uncreated arm. Grace is analogous to Providence. As Providence sustains the natural so grace sustains the spiritual life. If the divine hand be with us, no matter what hand is against us. In the world ye shall have tribulation, but be of good cheer, I have overcome the world. Does the world mean the love of the world? “He overcomes it,” &c. They forsook all and followed Jesus. Does the world signify wicked men, enemies that plot against us—they also he overcometh. Esau’s enmity to Jacob is laid aside, and he meets him as a friend. Does the world mean the material universe? He commands the sea and winds, and there is a calm. He preserves the life that now is until our warfare is accomplished, our iniquity pardoned. David found a friend in Jonathan, and when Jonathan was not near him, he encouraged himself in the Lord.

“Take me not away in the midst of my days.” The Christian has the guidance of Providence, and the sustaining influences of the Spirit. “All things are yours, Paul or Cephas, life or death”—1 Cor. iii. 20.

4th, “That thou wouldst keep me from evil.” Sensible the believer is of God’s guidance in Providence and grace—he knows his constant need of it—he makes his requests known unto him.

That thou wouldst keep me from evil, natural and moral evil—“the evil one.” Here again is a similarity to the Lord’s Prayer—and Jabez, when he directed this prayer to heaven, was sensible of the power and policy of Satan, who was a murderer and a liar from the beginning. “The evil that is in the world—the common calamities of life—and the temptations of Satan, and wiles of the wicked.”

The calamities of life were easily borne if the gall and wormwood of sin were not mixed with them. That they may not grieve me—Jabez signifies trouble—he fears a renewal of the fiery serpent’s wounds when first he looked to Him whom he had pierced; remembering that to his people “God

speaketh peace, but let them not return again unto folly." If we shrink from the cup of suffering, let us shrink from the cup of trembling which sin puts into the hand of the transgressor.

In our experience of suffering may we be more and more like the Saviour, into whose bitter cup remorse for sin never wrung one drop of woe; but never will the best of men be in this world sufferers without sin, altho' some may have less of this gall and wormwood than others.

5th. And God granted his request. The prayer was answered. It was the prayer of faith. We have already observed its similarity to that prayer which Christ taught his disciples, and no other teacher but "the Teacher sent from God" taught this prayer to Jabez.

1. We may learn from the text that we are to seek for the Spirit of prayer and supplication—for the Spirit to make intercession for us—within our breasts, to teach us what to ask in prayer—and how we ought to pray—to represent within us the Intercessor at the right hand of God.

2. We are to pray to the God of Israel—the hearer and answerer of prayer—the God of Abraham, of Isaac, and of Jacob—the Father of every good and perfect gift. Pray through Christ on account of his merits—remembering the years of the right hand of the Most High; what he has done for his chosen Israel, and what he does for all such as seek him in sincerity.

3. We are to honour his own ordinance. "I will not be ashamed when I have respect to all thy commandments." It was said once that prayer was the key of Paradise. The key to Paradise are the merits of Jesus and hangs upon the "vesture dipt in blood"—but prayer may be said to be a weapon to be wielded in the warfare of faith; and if we could conceive David deprived of the power and privilege of prayer as he was of the privilege of worshipping in the sanctuary, we may be assured that he would lament with grief as sincere as over the slain of Gilboa, "That the weapons of war had perished, that the mighty had fallen." Those weapons of the warfare of faith are not to...cast aside "until our warfare is accomplished, our iniquity pardoned."

(Signed)

DANIEL MACPHIE, Modr.  
DONALD MACDONALD, Clerk.

PORT-ELLEN, Jany. 25, 1859.

Referred to in my deposition of this date in the Kildalton case.

(Signed)

DONALD MACDONALD, Pres. Clk.  
JAMES DEWAR, Modr.  
JAMES DEWAR, Clerk P.T.

### THIRD GAELIC SERMON.

LUCAS xii. 20, (a chend carran.)

Ged tha curam 's dichìoll iomchuidh ann an gnothaichibh saoghalta gun an cridhe a bhi air ath-nuadhachadh air a cheartachadh 's air a riaghladh tha 'n curam a ta ann fhein feumail ealamh gu fas na ghradh do' t-saoghàl a th' air a thoirmeasg leis an Fhear-shaoraich mar shannt. Chi sinn as' chaibideil so gun d' thàinig neach a dh'ionnsuidh Chrìosd mu oighreachd mu 'n robh connspoid 'n uair thubhairt e ris "co a rinn mise," etc. agus tha 'n so far comhair an duine saibhir a' gealltuinn mòran laithean dha fhein—nuair tha breitheamh na talmhainn, etc., a' nochdadh cho goirid neo-chinnteach 's a tha 'n aonta a th' air a bheatha so a ta latbair air gach ni a ta sinn a' seallbhachadh innte.

I. Tha 'n duine saibhir ag iarraidh foise. Cha b'ann le leis a fhuair e 'n soirbheachadh 'san saibhreachas saoghalta a bh' aige—Bha e smuaineachadh gu'n robh moran do nithe matha na beatha aige fa chomhair mhòran laithean—cha d'fhuair e fois ach bha e ga h-iarraidh; cha robh sonas aige ach bha e air a thòir—cha robh ni cearr ann a bhi 'g iarraidh sonais ach bha e cearr a bhi ga iarraidh anns an t-slighe dhocharaich—bha e 'g iarraidh fasgaidh ann an d'idean breige—ann am failcasan faoine—"nuair bha 'n lamh—sgriobhaidh air a bhalla a chuir ball-chrith air Belshassar a' cur uamhais air an anam, etc.—'n uair bha gach aising a le dochas na inntinn gu bhi air an smaladh as le aogas duaichnidh na h-uaghach 's a bhàis, mar g'um biodh fuaim chas na muinntir a bha gu ghiulan gu adhlacadh air an chunntinn air an stairsnich—nuair thainig a chaisneachd chruaidh sin, "Amadain air," etc. "Theid anail as pillidh e g'a air: san la sin fhein theid as d'a amuaintibh," Is sona 'n ti, etc., Salm cxlvi. 45.

II. An t-nim taireal maslach, etc. "Amadain," etc. Tha seadh farsuing aig an fhocal. Tha e ciallachadh tuillidh na neach aig nach eil an tomhas do thuigse a tha 'm bitheantas air a bhuileachadh air daoinibh no o'n da dheonaich Dia fhuadach le mearaichinn. Theirear amadan ri neach "a their na cridhe nach 'eil ann Dia," etc., Salm xiv. Ged nach abair e sin o chridhe 's coinnseas mar chathair Bhreitheamhnais na uchd—



gach cusair cruthaichte mu'n cuairt air—'s oibre iongantach an Fhreasdail a' togail fianuis air bith 's air buaidhibh Dhe. Agus faodar amadan a ràdh ri neach a tha glic 'n a bharrail fein—a dhiarras fhreantachd fein a chur air chois, a ni dimeas air an t-slaime, etc.: 'sa ni earbsa a' ghliocas 's a fhoghainnteachd fein ann an deuchainnibh 's an cunnartaibh an t-saoghail—'s air son comhfhurtachd an amhghar 's aig bruaich bàis agus breitheamhnais. Air chul t-fhireanteachd 's t-fhoghainteachd fein—Biodh Criosd air àrdachadh faic Criosd agus esan na aonar mar fhasgadh 's mar dhìdean o chorruich. "Is beannaichte iadsan a bhàsaicheas." etc.—'s tha 'n oibre gan leantuinn—cha teid iad a bhualadh aig doras fhlaithenais ach tha iad air an cuimhneachadh le Dia—'s ann d'an reir a tha 'n luigheachd shiorruidh air a toirt do shluagh saorta Dhe—Ma tha thu 'g iarraidh foghlum air d'leasnas cleachd saothair 's mar sin tha o iomchuidh a bhi tighinn beo ann a' seirbhis Dhe, etc., 's nan cuireadh tu meas air suaimhneas inntinne 's ann is mo bhios agad dheth mar is durachdaiche thu 'nad dhleasnas—'s nan cuireadh tu meas air cumbachd eisimpleir mar is mo leigeas tu do 'd sholus dealradh san t-saoghal 's ann is feumala bhios tu 'n ad latha 's nad linn 's is buadhraiche do bhàs. Iobair iobairtean fireanteachd ach, etc., Salm iv. An crochadh air an trusgan sin a tha tumta 'm fuil than iuchair a dh' fhoglas gu deadh-ghean 's gu flaithe canas Dhe. "An ti a dh'earbas 'na chridhe," etc., Gnà. xxviii. 26.

3. 'Na amadann a thaobh na siorruidheachd-Glic ann an gnothaichibh saoghalta ach b' e'n gliocas sin a thug an ruinn bu gheire do 'n ainm mhaslach thairil so 'thug uamhas do 'n chaismeachd chruaidh sin a fhuaire o Bhreitheamh na talamhainn, etc. Bha soirbheachadh aige san t-saoghal. Rinn lamh an dì-chiollaich beartach-ach cha robh e saibhir a thaobh Dhe. Fiath-bheathaichean na machrach dh' fhaodadh e' chiosnachadh, an toirt gu strìochdadh 's gu feum tigheadais gun e bhi 'n suidheachadh an tì sin a,ta riaghladh a spioraidh fein, etc., a rioghachadh air an talamh. Am fonn fas bu reasgaiche thug e fo bhàth mar an ròs-ach cha robh toradh na diadhachd ann, 'nuair...speal a' bhàis agus a' bhreitheamhnais gu bhi air a sathadh 'na bheatha. Bha nithe matha na beatha so a' dalladh a shùl chum 's nach faiceadh iad an lamh o'n robh gach sochair a' sruthadh—mar dhuilleach an doire nach leig gath greine air an fhonn gad's ann o'n ghrein a tha mhaise gu leir—'s an iognadh ged bhiodh froisendh air a dheanamh air soirbheachadh saoghalta 'n duine, chum gu 'n dluthaich-cadh Dia ris an trocair, etc., "Daoinne an t-saoghail so aig an bheil an cubhrionn sa bheatha so—ach air mo shon, ann am fireantachd chi mi do ghnùis, sassaichear mi 'nuair a dhuisgeas mi led chomhsamhlachd."—S. xvii. 14. 15. Is cunnartach an steigh a leagadh gu docharach no toiseachadh far am bu choir crìoch-nachadh—Iarraibh rioghachd Dhe maille r'a fireantachd agus cha toiseach thu ri togail ach aig an steigh, cha toiseachair idir air a' mhullach, etc., 's cha teannadh an duine saibhir ri 'shaibhlean ura thogail sa' mhullach, etc., na tòisich air sonas iarraidh le bhi g iarraidh nithe an t-saoghail so air thoiseach air rìoghachd neimh no sonas siorruidh gun suidheachadh air Càrraig nan linntean Criosd. Cha tug clann Israeil ceum air an turas gus an do phairtich iad do'n uan Chaisge—le'm brogan, etc., le'm bataichean nan lamh 'san cul ris an Eiphit, 's gus an tig am peacach le mhi-thoilteannas, le anmhuinneachd, etc., gu Criosd ag radh-thar mi steach am fianuis mo Rìgh; ach iarramaid gliocas neamhaidh. Theid mi 'm fianuis an Rìgh s mu bhàsaicheam, basaicheam—'sag iarraidh beatha spioradail le durachd anama air Criosd—cha bhi ceum air a thoirt air an turas, no san reis, etc.

4. B'amadan e anns gach ceum do'n turas. Nam b' amadan e na oige-nach freagrach an t-ainm air gu sonruichte mar ùine ghoirid do 'n t-siorruidheachd—s gu sonruichte 'n deigh do throcairean 's do bhreitheamhnais Dhia a bhi air an caitheadh air—'se criothnachadh roimh adhlacadh an dara bàis. An seann-duine a dhealaich ris a' charaid mu dheireadh aig an uagh air an d'fhag aimsir a h-aileachd fein 's amhghar a leoncau gun drùghadh slainteil fhiosrachadh 'na chridhe. An cridhe faoduidh gu tric a bhi mar a chreag nach gabh teagasg—ach tha iomadh cridhe mar ghainneamh na traghad a shuigheas gach uisge 'sa theasaichear leis gach grein ach air nach faicear toradh no blàth; mar sin tha luchd aidmheil "a tha do ghna a' foghlum ach," etc.

1. An rabhadh-cabhadh.

An roth, etc., Eccl. xii. 6, etc., mar gu'n spealgte le ord e s'e na shiubhal—au sin theid an corp, etc.—mineachadh soillear air na briathran sin—"Briear an roth," etc. Cha 'n e sleamhnachadh gu h-athaiseach an taobh—thall do na trì fichead bliadhna 's a deich a ni gach neach idir ach ann am priobadh nan sùl, etc. A bhi air an toirt air falbh, etc., an rabhadh tha do no h-uile. Do'n rìgh 's do 'n diol deirce—do 'n t-sean 's do 'n òg—Iarramaid foghlum anns a chunntas neamhaidh—a bhi 'g àireamh ar laithean, etc., foghlum a th'air a theagasg le spiorad Dhia—an cridhe air a cheartachadh chum 's nach mealar sinn.

A dhuine 'oig-tha uaignean do leithid cho tric sa' chladh 's a tha uaignean nan aosmhor—thoir fanear gun dearmad a dheanamh air ullachadh airson do crìche—iarr gun do theicheadh a bhi anns a gheamhradh oir ged gheibheadh tu aithreachas ann an aois nach fèarr ann an oige e—Manasseh rinn aithreachas ach cha d'rinn a mhac, etc., agus nach mor an doluidh a dh'fhaodas an duine caoin-shuarach a dheanamh dha fein 's do mhuinntir eile. Tha cinneas geamhraidh ann—ach an earbadh tu ris airson do mhàil no do bheo-shlaime, etc. Cha ghiorraich sinn idir lamh, etc., ach nach eil an seadh fein aig na briathran sin. "An ti a dh'iarras mi gu moch," etc. "Am faillean nach lub thu, etc.," ach an toiseach faodaidh tu a shionmh.

An neach sin nach 'eil ach na fhear-aidmheil amhain a chuireadh an latha samhraidh.....mar an ti 'sin a tha ni's trice an tigh a choimhearsnaich na 'na thigh fein—a ni gearan nach cluinn e teagasg—chual e tuilleadh sa' choir gu dhiteadh o'n cheud earail, etc. Fhuair e deuchainnean 'na chrannchur 's ciod an drughadh a rinn iad air—cha d'rinn focal no freasdal Dhia drughadh air a chridhe. Labhraidh e mu eaglaisean, cuiridh e suas air eaglais shonraichte agus ditidh e a h-uile aidmheil cile. Thugadh e 'n lamh—dheas da aidmheil

fhein ach nach coma sin esan a bhi deanamh uail a aidmheil 'nuair a tha e gun bhuannachd fhaotainn 's e na mhasladh. Eisdidh tu le tuillidh foighidinn ris a' chladhaire a' labhairt mu 'n armailt o na theich e.

4. Am firean fhein tha feumach air rabhadh—a chaismeachd a dhùisg na h-oighean amaideach 's i chliog na h-oighean glìce.

Thugadh gach aon fianear an cunnart san bheil e o'n bhias—'s gach innleachd a th'aig Rìgh nan uamhas, etc. An cumbachd agrìos a th'aig an àile 's aig a ghreìn 's aig a ghealaich.

Cha ne 'n cionta idir gun robh an duine saibhir ach gun d'rinn e Dhis do shaibhreas.

Ath-cheannaicheamaid an aimsir, etc. Cha-n'eil ach h-aon air ainmeachadh a rinn aithreachas crìche agus is e sin an gaduiche, etc. Cha robh an cothrom aige san a th'againne, cha chual e 'n soisgeul air a chur an ceill gus an do shearmonaich crann—ceusaidd Chrìosd dha losa agus esan air a cheusadh.

(Signed)

DANIEL MACPHIE, Moderator.

DONALD MACDONALD, Clerk.

PORT-ELLEN, January 25, 1859.

Referred to in my deposition of this date in the Kildalton case.

(Signed)

DONALD MACDONALD, Pres<sup>t</sup> Clk.

JAMES DEWAR, Modr.

JAMES DEWAR, Clerk P.T.

That the above is a full and correct copy of the Sermons preached by the Revd. Angus Macintyre, Presentee to the Church and Parish of Kildalton, on the 1st, 8th, and 10th days of August last, 1858 years, as enjoined upon him by the appointment of Presbytery, is attested by me at Kilmeny, Islay, this 9th day of May, 1859 years.

(Signed)

DONALD MACDONALD, Pres. Clk.

Extracted from the Records of the Presbytery of Islay and Jura, on this and the forty-eight preceding pages, this ninth day of May, eighteen hundred and fifty-nine years, at the Manse of Kilmeny, Islay, by

(Signed)

DONALD MACDONALD, Clerk of Presbytery.

In the General Assembly.

May 16, 1859.

38

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**PRINT FOR OBJECTORS**

IN APPEAL FOR

**REV. ANGUS MACINTYRE**

AGAINST

*Judgment of the Presbytery of Islay and Jura.*

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WM. MASON, S.S.C., *Agent.*

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**PRINT FOR OBJECTORS**

IN APPEAL FOR

**REVEREND ANGUS MACINTYRE, Presentee to the Parish  
of Kildalton,**

AGAINST

**JUDGMENT of the PRESBYTERY OF ISLAY AND JURA.**

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REPORTS by the COMMITTEE of PRESBYTERY appointed  
to analyse the CALL in FAVOUR of Mr. M'INTYRE.

## I.

*At the Parochial School-House of Kildalton, Port-Ellen,  
the 23d day of February 1859;*

Which day and place the Presbytery of Islay and Jura being met and constituted:—*Sederunt*,—Rev. James Dewar, of Oa, moderator; James Dewar, of Kilcho-man; Lachlan Mackenzie, Jura and Colonsay; Daniel MacPhie, Portnahaven; Donald M'Donald, Kilmeny, Pres. Clk., ministers; and William Webster, Esq., Dail, elder.

*Inter alia*,—The Committee appointed to analyse the Call, reported that thirteen signed it in presence of the Presbytery, six of whom are communicants, and two of whom signed by mark. That twenty-one signed in presence of the session-clerk, of whom none are communicants, and of whom eleven signed by mark.

With reference to names adhibited to it, in virtue of headings bearing to be mandates, the Committee on examining them, after repeated meetings (meetings attended at very great inconvenience to the members of the Committee), find themselves unable to come to a satisfactory finding, and they are of opinion that the difficulties cannot be satisfactorily solved till parties are examined. They also reported that various parties, whose names are adhibited to papers purporting to be mandates, voluntarily compeared, requesting the Committee to withdraw their names, assigning what to the Committee seemed satisfactory reasons for making such request.

(Signed) DONALD MACDONALD,  
*Convener.*

## II.

*At Port-Ellen, March 10, 1859, at 10 A.M.;*

The Committee formerly appointed to analyse the Call met here, in terms of the Presbytery's instructions. *Present*,—Rev.

Donald M'Donald, Presbytery clerk, convener; Rev. Jame Dewar, Kilchoman; and Rev. Lachlan M'Kenzie, Jura and Colonsay.

In the interim report, already given in, it was stated that the call in favour of Mr. M'Intyre was signed on the day of moderating in the call by 13 individuals—that two of these signed by marks, and that 6 of them were communicants,—that, when in possession of the session-clerk, 21 signed, of whom none were communicants, and that of these 11 signed by marks. Thus far your Committee found matters plain and easy. But in addition to the signatures above referred to, there were adhibited to the call names of individuals on behalf of whom the right was claimed in virtue of writings, bearing to be mandates granted by them to Mr. Duncan M'Cuaig, inn-keeper, Port Ellen; Mr. Archibald M'Arthur, said Mr. Duncan M'Cuaig's barman at Steamboat Tavern, and general servant; and Mr. Donald M'Intyre, residing at Port-Ellen. Before proceeding to explain the difficulties which your Committee have experienced in scrutinizing these documents, they state their contents simply as when laid before the Presbytery, viz., to No. 1, Duncan M'Cuaig, mandatory, there are 44 names appended. Of these 33 signed by marks, and 11 signed their own names, as attested by Archibald M'Arthur of the Steamboat Tavern, who stated that they signed there.

To Mandate No. 2, in favour of Archibald M'Arthur, containing 140 signatures, of which 78 signed their names in full, and 62 by marks. The signatures are attested by the mandatory himself, by Sarah Shaw, John M'Intyre, and John M'Donald.

To mandate No. 3, in favour of Donald M'Intyre, there are adhibited 12 signatures, all written in full, and attested by John M'Intyre and A. MacN.

To mandate No. 4, in favour of the said Donald M'Intyre, are adhibited 4 signatures, all apparently written in the same hand, but not attested.

To mandate No. 5, in favour of said Donald M'Intyre, 7 names are appended, 2 apparently written in the same hand, and 5 more in the same hand, but different from the first, two attested by mandatory.

To mandate No. 6, in favour of said Donald M'Intyre, are adhibited 31 signatures, 5 of these apparently in the same hand, 3 ditto, 20 ditto, attested by Duncan M'Fie, Donald M'Fadyen, and the mandatory.

fhein ach nach coma sin esan a bhi deanamh uail a aidmheil 'nuair a tha e gun bhuannachd fhaot  
mhasladh. Eisdidh tu le tuillidh foighidinn ris a' chladhaire a' labhairt mu 'n armailt o na theich

4. Am firean fhein tha feumach air rabhadh—a chaismeachd a dhùig na h-oighean amaideach  
na h-oighean glìce.

Thugadh gach aon fianear an cunuart sam bheil e o'n bhias—'s gach innleachd a th'aig Rìgh na  
etc. An cumhachd sgrìos a th'aig an àile 's aig a ghrein 's aig a ghealaich.

Cha ne 'n cionta idir gun robh an duine saibhir ach gun d'rinn e Dhia do shaibhreas.

Ath-cheannaicheadh an aimsir, etc. Cha-n'eil ach h-aon air ainmeachadh a rinn aithreas  
agus is e sin an gaduiche, etc. Cha robh an cothrom aige san a th'againne, cha chual e 'n soisgeul  
an ceill gus an do shearmonaich crann—censaidh Chrìosd dha Iosa agus esan air a cheusadh.

(Signed)

DANIEL MACPHIE, M.  
DONALD MACDONALD,

PORT-ELLEN, January 25, 1859.

Referred to in my deposition of this date in the Kildalton case.

(Signed)

DONALD MACDONALD, P.  
JAMES DEWAR, Modr.  
JAMES DEWAR, Clerk P.

That the above is a full and correct copy of the Sermons preached by the Revd. Angus Maci  
sentee to the Church and Parish of Kildalton, on the 1st, 8th, and 10th days of August last, 185  
enjoined upon him by the appointment of Presbytery, is attested by me at Kilmeny, Islay, this 9th d  
1859 years.

(Signed)

DONALD MACDONALD, I

Extracted from the Records of the Presbytery of Islay and Jura, on this and the forty-eight  
pages, this ninth day of May, eighteen hundred and fifty-nine years, at the Manse of Kilmeny, Islay

(Signed)

DONALD MACDONALD, Clerk of Pre

In the General Assembly.

May 16, 1859.

38

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WM. MASON, S.S.C., *Agent.*

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of Kildalton,

AGAINST

**JUDGMENT of the PRESBYTERY OF ISLAY AND JURA.**

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To mandate No. 7, in favour of said Donald M'Intyre, are appended 13 signatures, a number of them apparently in the same hand, attested by Donald M'Intyre, mandatory, and James Cameron.

To mandate No. 8, in favour of Duncan M'Cuaig, are appended 35 names, 9 of these written in full, and 26 by marks, attested by the mandatory, and by Archibald M'Arthur.

The Committee have further to report that various parties voluntarily compeared before them, requesting their names to be withdrawn from the call or mandates, for reasons which the Committee have not time to state, as the time for the meeting of Presbytery is now come, but which, along with other difficulties, they will lay before the Presbytery with the least possible delay, when required.

(Signed) DONALD MACDONALD,  
*Convener.*

The Committee have to report that they are satisfied that the word 'independent,' after the name of Duncan M'Intyre, the third name on the right hand side of the Call, was written *per incuriam* by the Moderator on the *day the Call* was moderated in, and they report the said Duncan M'Intyre has declared himself in their presence to be an adherent of the Established Church.

(Signed) A. MACDONALD.

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### III.

*At Port-Ellen, the 24th of March, 1859 ;*

On whi c h day the Committee appointed to analyse the Call met, terms of the Presbytery's injunction. *Present*,—The Rev. Lachlan M'Kenzie, Rev. James Dewar, Kilchoman, the Rev. Donald M'Donald, convener, also the Moderator, and Rev. Mr. M'Phie.

They report as follows :—

In the second report given in to the Presbytery, your Committee stated that their difficulties commencing with the examination of documents purporting to be mandates given by certain parties to Mr. Duncan M'Cuaig, innkeeper, Port-Ellen ; Archibald



M'Arthur, acting as barman for said Duncan M'Cuaig in the Steamboat Tavern ; and Donald M'Intyre, residing at Port-Ellen ; and your Committee are now to submit the result of their investigations with reference to said documents, as far as they have been able to investigate them.

Your Committee are at a loss how to designate the documents referred to. They are not, in the proper sense of the word *mandates*. A mandate your Committee consider to be authority given by one in the enjoyment of a privilege, but not in circumstances to exercise that privilege in person, to another person to act for him or her, and that authority accompanied with a request so to act. Such the documents referred to are not ; neither are they attested in a way and manner in which mandates ought to be attested. They seem to be, and are allowed to have been, written out by the individuals in whose favour they bear to have been granted, and these persons, or some of them, canvassed for mandants after they had got the headings written out. Another objection your Committee would point out, and it is this, that parties' names were put down either by full subscription or mark, while said parties never heard a mandate read, nor heard the presentee preach. Howsoever disagreeable it may be to make these statements, the Committee consider it their duty to do so.

With reference to the mandate No. 1, in favour of Mr. Duncan M'Cuaig, the heading seems to have been written out first by Archibald M'Arthur, who attests as witness the signatures, and who, as he stated to the Committee at a former meeting, then went round for signatures. There are adhibited the names of five persons, viz., Thomas M'Donald, Donald M'Donald, Jessie M'Donald, Ann M'Donald, and Margaret M'Donald, who are not parishioners, and Neil Darroch, who is said to belong to the Free Church.

With reference to mandate No. 2, bearing to be in favour of Archibald M'Arthur, your Committee have to report that they have gone over that document with great labour and care, and that, even with the assistance of the mandatory and elders, and others who ought to be well acquainted with the parish, they have had the utmost difficulty in ascertaining who some of the parties, whose names appear there, are, and where they reside. The mandatory, as we are given to understand, is an adherent of the Free Church, and his own name is not appended to the Call.

The document has 141 names adhibited. Among these are the names of not more than 14, if so many, who, on re to the roll of communicants, are found to be members of t gregation.

The following parties, viz., John M'Innes, Archibald Samuel M'Farlan, William Gilchrist, Godfrey Livingston, I Clark, Angus M'Innes, Duncan M'Arthur, and Duncan Ca are said to be adherents of the Free Church. The fol parties, viz., Mary M'Intyre and Emily M'Intyre, are ad of the Free Church ; and the signature of one of them, w attested in its genuineness by John M'Intyre, is declared sister, Mrs. Bell, not to have been in the island when he was adhibited.

The designations and places of residence of the following viz., Angus Brown, Donald Campbell, Ann Campbell, M Currie, Dugald Carmichael, Alexander M'Intyre, John M Archd. Lindsay, Mary Campbell, and James M'Kerrel, require to be correctly ascertained. Henry M'Cuaig an M'Donald are said not to be parishioners, at least the forn

Your Committee cannot state whether or not Duncan M signing the mandate, be the same that signed the Call church.

The Committee would suggest to the Presbytery the pr of ascertaining the ages of the following parties, viz., M M'Intyre, Margaret Logan, Donald M'Kerrell, and I M'Kay.

With reference to the mandates, Nos. 3, 4, 5, 6, and 7, t to be in favour of Donald M'Intyre, your Committee have t that difficulties of various kinds have met them in the ex tion of these documents ; as, for example, from the eras Nos. 6 and 7, it looks as if the names of the mandants w down anticipatively ; a number of names are put down same hand ; the mandatory is often himself the attesting v He has declared that certain names adhibited to some o mandates are in his own handwriting, which declarati Committee, on comparing these with his signature writ their presence, have a difficulty in admitting.

Mrs. M'Allister, Maolbhuy, and her two daughters, Ma Margaret, declare in writing, given under their hand: Donald M'Intyre had no authority from them to adhib names. Alexander Weir also declares that he is a Free C

at he never heard the presentee preach, that he never mandate or call read, and that he never signed.

Committee, with reference to parties appearing and their names to be withdrawn from the Call, have to state that Mr Reid and Peter Clark gave as their reasons, that they heard the presentee preach, that there was nothing but on the paper which they signed, and that they were pressed and obliged M'Arthur to sign when they were drinking in Duncan's. Archd. M'Kay assigned as his reason, that he had when he had been drinking. Angus M'Quarrie gave a reason. Duncan M'Kay stated that he does not belong to the Established Church. Duncan Logan stated that he had not heard the presentee preach nor the Call read. The other members who, besides the above, requested their names to be withdrawn are Alexander Cameron, William M'Cuaig, John M'Innes, James Sinclair, Mary Sinclair, his daughter, and Mary Sinclair, and Robert Campbell, Archibald M'Intyre, and Ronald M'Intyre, whose names are adhibited to Donald M'Intyre's mandate said to be under age. With regard to the exact number of communicants whose names are adhibited to the mandates as reported, your Committee, in concluding their report, leave that to be determined by the Presbytery if deemed necessary.

(Signed) DONALD MACDONALD, *Convener*.

First

Second

Third

Fourth

Fifth

Sixth

1	1	1	1	1	1	1	1	1	1
2	1	1	1	1	1	1	1	1	1
3	1	1	1	1	1	1	1	1	1
4	1	1	1	1	1	1	1	1	1
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6	1	1	1	1	1	1	1	1	1
7	1	1	1	1	1	1	1	1	1
8	1	1	1	1	1	1	1	1	1
9	1	1	1	1	1	1	1	1	1
10	20	30	40	50	60	70	80	90	100

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7	1	1	1	1	1	1	1	1	1
8	1	1	1	1	1	1	1	1	1
9	1	1	1	1	1	1	1	1	1
10	20	30	40	50	60	70	80	90	100

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39  
In the General Assembly.

May 16, 1859.

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P E T I T I O N

OF

ELDERS, COMMUNICANTS, AND SITTERS  
IN PARISH CHURCH OF KILDALTON,

*in support of Judgment of Presbytery of Islay and Jura,*

AGAINST

SETTLEMENT OF REV. ANGUS M'INTYRE

*as Minister of Parish of Kildalton.*

---

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UNTO THE VENERABLE THE

GENERAL ASSEMBLY OF THE CHURCH OF SCOTLAND,

THE

H U M B L E P E T I T I O N

OF THE UNDERSIGNED

ELDERS, COMMUNICANTS, and SITTERS in the PARISH  
CHURCH OF KILDALTON, in the Island of Islay, and County of  
Argyle ;

*Sheweth,*

**T**HAT the Reverend Archibald M'Tavish, minister of the  
Church and Parish of Kildalton, died in the month of  
April 1858 ; and, in the month of June following, a presentation  
to the vacant charge was issued in favour of the Reverend Angus  
M'Intyre, minister of Kinlochspelve, in the Island of Mull.

That the presentee preached his trial discourses, in accordance  
with the appointment of the Presbytery of Islay and Jura, on  
Sunday 1st, Sunday 8th, and Tuesday the 10th days of August

last ; and the petitioners were prepared to give him a fair impartial hearing, and also, if satisfied with his ministrations, a cordial and hearty welcome as their minister. Their experience of his gifts and qualities, however, produced the sincere conviction on their minds, that he is not qualified to exercise the functions of the ministry to their spiritual welfare and edification.

That the congregation who worship in the Parish Church of Kildalton, is composed partly of persons who understand or speak the Gaelic language, and partly of persons who understand or speak the English language, and some members of the congregation understand both. The practice, hitherto, has been to conduct the services in Gaelic in the forenoon, and in English in the afternoon. The average attendance at the forenoon service is 150, and at the afternoon service, about 60.

That your petitioners, who form the large majority of the congregation, both Gaelic and English, and who have remained faithful in their attachment to the Church of Scotland, have decidedly opposed to the settlement of Mr. M'Intyre as minister, believing, as they conscientiously do, that they can be benefited by his ministrations.

That your petitioners are satisfied that the judgment of the Presbytery of Islay and Jura, upon the objections stated against the presentee's settlement, is well founded in fact ; and they assure your Venerable Assembly, that that judgment has produced throughout the congregation a deep and lively feeling of respect and gratitude.

*Wherefore the petitioners respectfully but earnestly pray, may please the Venerable the General Assembly of the Church of Scotland to affirm the judgment of the Presbytery of Islay and Jura, sustaining the objections to the settlement of the Reverend Angus M'Intyre as minister of the Church and Parish of Kildalton, and finding that he is not a qualified and suitable person for the functions of the ministry in that parish, and ought not to be settled there.*

*And your petitioners, as in duty bound, will ever pray.*

(Signed) Allan M'Dougall, elder of the Church at Kildalton,  
Malcolm Sinclair, elder, do.  
C. Donald Campbell, Kentour, farmer.

- gned) C. Alex. Campbell, Kintour, farmer.  
 C. Colin Campbell, do. do.  
 C. Archibald Campbell, do. do.  
 Elizabeth M'Ewen, Troudenish. Her X mark.  
 Emily Cameron, do. Her X mark.  
 Duncan Carmichael, do. His X mark.  
 Catherine M'Dougall, Kintour. Her X mark.  
 Catherine Campbell, do. Her X mark. }  
 C. Ann Campbell, do. } Duncan Blair, witness.  
 C. Ann Campbell, do. } Colin Hay, witness.  
 Charles M'Kenzie, Ardimersay.  
 Alex. M'Kay, do.  
 C. Ann M'Dougald, Kintour.  
 William Campbell, do.  
 Peter Brown, do.  
 Mary M'Fadyen, Ardmore. Her X mark.  
 Jean M'Donald, do. Her X mark.  
 Jane M'Dougall, do. Her X mark. }  
 Ann M'Fadyen, Tallant.  
 John M'Fadyen, do.  
 Duncan Blair, Landly.  
 John M'Fadyen, Tallant.  
 Colin M'Eachern.  
 Mrs. M'Eachern. Her X mark, (Sd.) Colin Hay, witness.  
 Gilbert M'Eachern.  
 C. Isabella Campbell, Kintour.  
 William Reid, Ardimersay.  
 C. John M'Allister, Ardbeg.  
 C. Mrs. M'Allister, do. Her X mark. Colin Hay,  
*witness.*  
 Margaret M'Allister, Ardbeg.  
 Mary M'Allister, do.  
 Duncan M'Allister, do.  
 Colin Hay, distiller, do., and farmer, Callumkill.  
 Janet G. Hay, Callumkill.  
 Catherine M'Cuaig. Her X mark. Peter M'Dougall,  
*witness.*  
 Margaret M'Arthur.  
 Janet M'Arthur.  
 Margaret M'Arthur.  
 Mary M'Quilkin.

(Sd.) Duncan Blair, witness.  
Colin Hay, witness.

(Sd.) Duncan Blair, witness.  
Colin Hay, witness.

- (Signed) Janet Campbell.
- C. John M'Dougall.  
Mal<sup>c</sup>. M. M'Millan.  
Mary M'Dougall.
- C. Hugh M'Eachern.
- C. Niel Logan. His ✕ mark. William Campbell, *witness*.
- C. Mary Logan or M'Millan. Her ✕ mark.  
(Sd.) Peter M'Dougall, *witness*.  
Lachlan Cameron.
- C. John M'Dougall. His ✕ mark. } Archd. M'Dougall,  
C. Floray M'Dermaid. Her ✕ mark. } *witness*.  
Archibald M'Dougall, shipmaster.  
Margret M'Arthur. Her ✕ mark.  
(Sd.) James Robertson, *witness*.  
Margart Smith.  
Catherine Smith.  
Ronald M'Fadyen. His ✕ mark.  
(Sd.) Peter M'Dougall, *witness*.  
Betsy M'Nabb.  
Duncan M'Nabb.
- C. Niel M'Gibbon. His ✕ mark. } William M'Mil-  
C. Anne M'Gibbon or M'Lean Her ✕ mark. } lan, *witness*.  
Duncan M'Cuieg. His ✕ mark.  
(Sd.) James Robertson, *witness*.  
Malcolm M'Cuaig.  
Finlay Smith, shipmaster.  
Betty M'Cuaig.  
James Kelly.  
Peter Carmichall. His ✕ mark. James Robertson, *wit*.  
George Bowie.  
James Torrey. His ✕ mark.  
(Signed) William Campbell, *witness*.  
Floray Carmichal. Her ✕ mark.  
(Signed) James Robertson, *witness*.  
Margret Torrie or M'Kay. Her ✕ mark.  
(Signed) William Campbell, *witness*.
- C. Donald M'Gown, cartwright.  
Stewart M'Cuaig. His ✕ mark. } (Signed) William  
Jessie M'Cuaig. Her ✕ mark. } Campbell, *witness*.  
Eliza M'Cuaig.  
William M'Cuaig.



- (Signed) Bell M'Cuaig.  
Dugald M'Cuaig.
- C. Cathrine Cameron or M'Dougald. Her ✕ mark.  
(Signed) Peter M'Dougall, *witness*.  
William Campbell, C.M., surgeon.
- C. Lucy M'Dougall.
- C. Susan Shaw or M'Niven.
- C. John Shaw, Glenaigdale.
- C. Margeat Shaw, do.  
Janet Shaw, do.
- C. Peter Reid, Lotts.
- C. James Jackson, Lotts. His ✕ mark. } (Signed) Peter  
James Jackson, jun. } MacDougall,  
John Jackson. His ✕ mark. } *witness*.  
Easter Jackson.
- 'Thomas Jackson.
- C. Easter Hardie or Jackson.  
Alexander Sinclair, Glenmachrie.
- C. John Sinclair, do.
- C. Mary M'Cuaig, do.  
Alexander Fraser, Port Ellen.
- C. Jean Shaw, do.  
William M'Cuaig, wright, Pt. Ellen.  
Donald Murdoch, Torridale.  
Robert Martain, Pt. Ellen.  
Ronald Johnston. His ✕ mark. Pt. Ellen.  
(Signed) W. Campbell, *witness*.  
John Kerr, Port Ellen Distillery.  
John M'Gibbon. His ✕ mark. (Signed) J. Kerr, *witness*.  
Donald Kerr, slater.  
Alexander M'Dougall. His ✕ mark. } (Sd.) W. Camp-  
John M'Ewen. His ✕ mark. } bell, *witness*.  
William M'Millian.
- John M'Millan, Laphroaig.
- C. Archd. Johnstone, do.
- C. Mary Johnstone, do.
- C. Elizabeth J. Graham, Ardenisdale.  
James Hutson, Swinry.  
Elizabeth M'Arthur, Ardenistle.  
Margaret M'Fadyean, do.  
Dugald M'Taggart, do.

B

- (Signed) Dugald Carmichael.  
 Mrs. Jean Campbell or M'Kay.  
 Donald Carmichael, Pt. Ellen. His X mark. } (Signed) W. Campbell,  
 James Carmichael. } witness.  
 Ann Carmichael. Her X mark.
- C. Hugh M'Dougall, Pt. Ellen.  
 Anne M'Kerrell, do.  
 George M'Kerrell, Post-Office, Port Ellen.  
 Lachlan Kennedy, do.  
 John Campbell, do.  
 Margrat Kennedy, Port-Ellen.
- C. Ann Calder, do.  
 William Calder, do.  
 Neil M'Millan. His X mark, do. }  
 Angus M'Millan. His X mark, do. } (Sd.) W. Campbell,  
 Jannet M'Millan. Her X mark, do. } witness for the  
 Mary Johnston. Her X mark, do. } above number.  
 Archibald Kerr. His X mark, do. }
- Cathrine M'Nab, Port-Ellen.  
 John M'Nab, do.  
 Mary M'Nab. Her X mark, do. }  
 Duncan M'Nab. His X mark, do. } (Sd.) Peter  
 Widow Anne M'Dougall or Smyth. Her X mark, Port-Ellen. } M'Dougall,  
 } witness.
- Isabella Torrie. Her X mark. }  
 Angus M'Phie. } (Sd.) W. Campbell,  
 Mary M'Arthur. } witness to the  
 Isabella M'Phie. } above six.  
 Donald M'Kay. His X mark. }  
 Donald M'Fie. }
- A. Donald, Port Ellen.  
 Jannet Livingston, do. Her X mark. } (Sd.) Peter Mac-  
 Mary Livingston, do. Her X mark. } dougall, witness.  
 John Johnston, Port Ellen.
- Catherine Johnston, do. Her X mark. } (Sd.) W. Cam-  
 Ronald Johnston, do. His X mark. } bell, *Cl.*,  
 Mrs. Johnston, do. Her X mark. } witness.
- Catherine M'Fee, or M'Nabb, Port Ellen. Her X mark.  
 (Signed) Peter Macdougall, witness.
- Duncan M'Nab, jun., Port Ellen.
- C. Marrion M'Kay, do. Her X mark.  
 (Signed) Peter M'Dougall, witness.

- ned) C. Janet M. M'Dougall, Port-Ellen.  
 James Livingstone, do.  
 Martha Jamieson, do.
- C. Mary M'Taggart, do.  
 Allan M'Dougall, junr., do.  
 Jas. Calder, do.  
 Neil Fraser, do.  
 John Calder, do.  
 Margret Calder, do.  
 Dugald M'Kerrell, do.  
 Mary Johnston, do.
- C. Mary M'Tavish, do.
- C. Anne M'Tavish, do.  
 Duncan Currie, Lagavulin.  
 Gilbert M'Fayden, do.  
 Niel M'Lellan, do.  
 James Morrison, do.  
 John M'Eachern, Craignagore.  
 Mary M'Eachern, do.
- C. Lilly M'Millan, Lagavulin. Her ✕ mark.  
 (Signed) Gilbert M'Fayden, *witness*.  
 Mirren M'Millan, Lagavulin. Her ✕ mark.  
 (Signed) Duncan M'Millan, *witness*.
- C. Anne M'Lellan, Lagavulin. Her ✕ mark.  
 (Signed) Ann Jamieson, *witness*.  
 Mary Morrison, Lagavulin. Her ✕ mark.  
 (Signed) Gilbert M'Fadyen, *witness*.  
 Elizabeth Woodrow, do. Her ✕ mark.  
 (Signed) John Jamieson, *witness*.  
 Catherian M'Millan, do.  
 Bella M'Lellan, do.  
 Margret Morrison, do.  
 Eleanor M'Lellan, do.  
 Jean M'Millan, do.  
 Samuel M'Lellan, do.  
 Euphonia Kennedy, do.
- C. Donald Carmichael, Surnaig,  
 John Smith Lagavulin.
- C. James M'Lugish, Craignagorrie. His ✕ mark.  
 (Signed) William M'Millan, *witness*.

(Signed) Godfrey Livingston, Lagavulin. His ✕ mark.

(Signed) William M'Millan, *witness*.

Duncan Carmichael, Surnaig.

Hugh Carmichael, do.

Alexander Jamieson, do.

John Jamieson, do.

Archd. M'Millan, Lagavulin.

William M'Millan, Clerk, do.

Agnes Harriet Gordon, Lagavulin.

C. William Taylor, Lagavulin.

James Morrison, Lagavulin. His ✕ mark.

(Signed) William M'Millan, *witness*.

Donald M'Millan, do.

Duncan Woodrow, do.

John Campbell, Lagavulin.

Mary Livingston, Craignagorie. Her ✕ mark.

(Signed) William M'Millan, *witness*.

Elizabeth Livingston, do. Her ✕ mark.

(Signed) Wm. M'Millan, *witness*.

David Livingston, do.

Angus M'Caffre, Auchanacarnan.

Bella M'Caffre, do.

Finlay M'Caffre, do.

C. Angus M'Murdoch, Torridale.

C. Mrs. Murdoch, do. Her ✕ Mark.

(Signed) William M'Millan, *witness*.

C. Bella Murdoch, do.

John M'Dougald, Brachonasary.

Jenat M'Dougald, do.

C. Alexander M'Dougall, Kilbride.

C. Mary M'Dougall, do.

Marion M'Dougall, do.

Flora Sinclair, do.

C. Rond. M'Dougall, do.

C. Mary M'Dougall, do.

Sally Cameron, do.

C. Colin M'Dougall, Ballynaughton.

C. Marrion Campbell, do.

Collin M'Dougall, do.

Ronald M'Dougall, do.

Donald M'Dougall, do.

Ann M'Farlan, do.

- (Signed) Alexander M'Tagart, Ballynaughton.  
 Malcolm Mure, do.  
 Margret M'Caffre.  
 Andrew Hunter, Laphrvaig.  
 Anne Eliza Hunter, do.  
 Thomas Crawford, do.  
 Duncan M'Duffie, do.  
 Isabella M'Taggart, Ardenistle. Her ✂ mark.  
 (Signed) William M'Millan, *witness*.  
 Elizabeth Campbell, do. Her ✂ mark.  
 C. (Signed) William M'Millan, *witness*.  
 John Darrach, Port-Ellen.  
 C. Merran M'Dougall, do.  
 Duguld Johnstone, distiller, Laphrvaig.

We, the undersigned, Elders of the Church of Scotland in Kildalton, do hereby certify that the subscribers to the foregoing Petition, numbering *two hundred and thirty-seven*, of whom *fifty-seven* are *communicants*, and the remainder are adult sitters, are all parishioners of Kildalton, and belong to the congregation of said church; and we do further certify that they, with the objectors to the settlement of the Rev. Angus M'Intyre, form the great majority of the regular attendants on divine worship at said church. Given under our hands at Port-Ellen, parish of Kildalton, and county of Argyle, this thirteenth day of May, one thousand eight hundred and fifty-nine years.

(Signed) ALLAN M'DOUGALL, *Elder*.  
 DONALD JAMIESON, *Elder*.  
 ARCHD. CAMPBELL, *Elder*.



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# REPORT

OF THE

## COMMITTEE OF THE GENERAL ASSEMBLY OF THE CHURCH OF SCOTLAND

FOR

PROMOTING THE RELIGIOUS INTERESTS OF

## SCOTTISH PRESBYTERIANS IN THE COLONIES,

WITH

STATE OF ACCOUNTS, &c., APPENDED.

GIVEN IN BY

THE REV. DR FOWLER, CONVENER.

MAY 1859.

EDINBURGH:

PRINTED BY M. WALKER & CO.

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Assembly to allow him to produce documents and testimonials as  
to the correctness of his deportment for the last five years.

That your Petitioner humbly craves the Assembly to take these  
premises into consideration, and to adopt such steps for his re-  
stitution to the status of a Probationer, as in their wisdom they  
may see meet.

and your Petitioner  
y.

1859





# REPORT

OF THE

COMMITTEE OF THE GENERAL ASSEMBLY  
OF THE CHURCH OF SCOTLAND

FOR

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That your Petitioner humbly craves the Assembly to take these  
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## BRITISH AMERICA.

CANADA.—All the Missionaries—in number four—sent to the Presbytery of Montreal in 1857–8 have now been called to fixed charges, though many still look to the Committee for pecuniary aid. To one of the congregations, reorganised in consequence of the arrival of these Missionaries, the Committee have granted aid to the amount of L.50 per annum. To the congregation of Peterborough, Toronto, L.50 have also been voted to aid them in paying Ministers' stipends, while assistance has been given to the Church of Beauharnois. The Presbytery of Quebec has obtained the services of the Rev. A. Forbes, late of New Brunswick, and received from the Committee three Building Grants in aid of the Churches of Windsor, Brompton Gore, and Point Levi—the condition on which all such grants are paid being, that the Committee are satisfied that the churches are necessary to meet the wants of the population; that the buildings are inalienably attached to the Church of Scotland; and that all debt be defrayed except what will be liquidated by the Committee's grants. The Rev. F. Nicol has been appointed to labour in the Presbytery of London, and is prosecuting the missionary work there with zeal and success. The Presbytery of Hamilton has obtained the services of the Rev. J. Hay and the Rev. D. Stott, and pecuniary aid to the congregations of Simco and St John's, and to the Building Fund of the congregation of Paisley.

NEW BRUNSWICK.—To this field two Missionaries have been appointed, while grants have been made to the amount of L.150 in aid of the congregations of St Luke's and Restigouche. The character and efficiency of our Church in this Colony have been recognised in the following reply to an address from the Synod of New Brunswick to the Governor of the Colony:—

"I assure you, Gentlemen, of my perfect confidence in the sincerity of your endeavours to provide for the religious instruction of the members of your Church, and to foster among them a spirit of loyalty to the Crown, and of obedience to the law. It is my earnest prayer that Providence may bless your exertions."



and repeated disappointments, at length obtained a permanent pastor, who is in the prime of life, and willing and able to attend to their spiritual wants. After discharging the duties of a traveling Missionary in the Presbytery of Pictou for a considerable period, the Rev. James Christie received and accepted, last autumn, a unanimous call from that congregation, and has since been regularly inducted to that pastoral charge. The large and united Congregations of the West and Middle Rivers of Pictou have, after a vacancy of several years, presented a harmonious call to the Rev. Alex. Mackay, of Belfast, Prince Edward Island, to become their fixed pastor, and as he has since accepted their call, his induction is expected to take place early this summer. Here, however, as in Mr M'Rae's case, the removal of the Clergyman creates nearly as great a blank in one place as it supplies in another. Indeed, there is great reason to fear that, unless a Gaelic Missionary is sent to that Island on Mr Mackay's departure, our interests amongst the numerous Highlanders in that populous district will suffer very severely.

We are now left with only one Missionary in each of our Presbyteries—a very insufficient supply for the necessities of our people in these Provinces. In present circumstances, it is utterly impossible for us to attempt any aggressive movement or occupy any new ground, and we are often compelled to turn a deaf ear to the earnest entreaties of our attached friends calling for our assistance.

Mr Wilson's services in this Presbytery, as you have learned from previous communications, are most acceptable, and are attended with very beneficial results. He and I officiate regularly in seven or eight stations around the city, and occasionally in more remote districts, where we always meet with a most welcome reception. In our principal station at Musquedobit, the attendance is numerous and increasing, and a new church, capable of containing about 500 persons, is now in progress of erection.

Mr Talloch's missionary duties in the Presbytery of Pictou have become still more urgent and arduous since Mr Christie's induction at Wallace. Although his inability to preach in the Gaelic language necessarily limits and impairs his usefulness, his labours are profitable to the rising generation; and he is instrumental, in the meantime, in keeping together a number of Gaelic Congregations, who would otherwise be left in great destitution. It cannot, however, be too often reiterated in the hearing of your Committee, that our large Gaelic Congregations in the eastern parts of this Province must inevitably remain stationary, and perhaps diminish and break up altogether, if allowed to remain much longer destitute of fixed pastors.

In our *Record* of last month, we have a very gratifying account of Mr M'Laren's services as your missionary in Prince Edward Island. We believe, says a correspondent of that periodical, "That he has met with certain difficulties in his Missionary work, at which we are not at all surprised, but which, with great tact and assiduity, he has mostly overcome. The spirit with which he



East River, the church at Gairloch, which seats 1200 persons, has been lately finished, and churches are in progress of erection at Musquedobit, at Barney's River, Maclellan's Mountain, and, as already mentioned, at St Peter's Road and Little Sands, Prince Edward Island. It is highly creditable to the inhabitants of these districts that their churches have been commenced and completed with their own resources, that they are not only large and elegant buildings, but that they have been opened without the incumbrance of debt, leaving the funds of the congregations unfettered for the support of the ordinances of religion amongst them. I have always felt extremely desirous to lessen your expenditure within the bounds of our Synod, fully assured that there are many other fields of labour opening up for your sympathy and liberality. It is therefore, with much pleasure that I am enabled to make known to you that we have now two Missionary Associations in active operation—one in Halifax, and another in Pictou. These institutions have been formed by some of our warmest and most zealous friends, and in strict connection with our Church, and I have no doubt that, if encouraged and sustained as we expect, they will greatly aid our Home Missionary exertions. "With a promptitude," says the *Monthly Record*, "that does all concerned much credit the Association of Pictou, in connection with the vacant congregations, has guaranteed a salary of L.200 currency each for two Gaelic Missionaries for one year, both natives of the Province, who are expected from Canada. Our Association in this city has voted L.50 currency for our Missions in the neighbourhood for the present year, and guaranteed a like sum annually, for the next three years, to the Missionary labours within our bounds. A very excellent and liberal feeling appears to pervade the minds of our wealthy and intelligent citizens in favour of all our public and Missionary undertakings, and none have been more successful in drawing out the sympathy and liberality of our people than some of the zealous Missionaries you have lately sent to this Province.

This Report is respectfully submitted to your Committee by,

Rev. and Dear Sir,

Yours truly,

JOHN MARTIN,

*Superintendent of Missions  
for the Synod of Nova Scotia.*

To Rev. Dr FOWLER,  
22 Queen St., Edinburgh.

The efficiency and piety of our Clergymen in this important Colony have been adverted to in the most favourable terms by the Governor of Nova Scotia.

QUEEN'S COLLEGE, KINGSTON, continues to require and to receive the assistance of the Colonial Committee.



Students in Faculty of Arts, . . . . .	54
Do. do. Theology . . . . .	10
Do. do. Medicine, . . . . .	73

Total, . . . . . 137

Of students who have declared their intention to enter the Church, the number is as follows:—

Theological students as above, . . . . .	10
Students at present in the Arts, . . . . .	34

To which add—

Now studying in Queen's College School, . . . . .	3
And in the Medical Classes, . . . . .	1

Total, . . . . . 48

It is gratifying to find that Queen's College is receiving increased support from the Lower Provinces, and that the respective Synods of Nova Scotia and New Brunswick are encouraging young men within their bounds to complete the Theological studies at the University. The number of such on the roll is as follows:—

From Nova Scotia, . . . . .	8
„ New Brunswick, . . . . .	3
„ Prince Edward Island, . . . . .	1

Total, . . . . . 12

of whom all intend to study for the Ministry. Should the proposed scheme be carried out, of embracing the British North American Provinces as a Federal Union under one Colonial Government, still greater accession to our numbers from these Synods may be anticipated.

The Medical Department in the University is actively sustained and each year has witnessed an increase in the number of students. Aided by a small Government grant, this important Faculty can never be considered self-supporting. It may not be without interest to the Colonial Committee to state that the Rev. E. M. Epstein is now completing his Medical studies in this department, in order to qualify him for proceeding to the East as the first Foreign Missionary of the Presbyterian Church of Canada, in connection with the Church of Scotland. This gentleman is a convert from the Jewish faith, and was for some time a licentiate of the Presbyterian Church of the United States, from which body he was admitted into our Church at last Synod. It is proposed that Dr Epstein be sent in a few months to labour, for the conversion of his brethren after the flesh, as a Medical Missionary.

As a useful auxiliary to the College the Preparatory School maintains its position, and is nearly self-supporting. The number of students is forty-nine, of whom nineteen intend to enter college. Twenty of the present students were prepared for matriculation at the school.

The office of Principal continues to be held by the Rev.



the return of more prosperous times the work will be actively entered upon, and a large fund is confidently anticipated from this source. Congregational collections and individual subscriptions have last year placed at the disposal of the Trustees the sum of L.173, 16s 8d sterling, including your own grant, which has been of great benefit to a large number of our students. Our payments have exceeded the above sum by L.44, 7s 8d sterling. The Ladies of St Andrew's Church in Toronto having set the good example of raising a fund to endow a special Bursary, others are now engaged in similar efforts, that of St Andrew's Church, Kingston, being nearly completed.

The trustees having last year completed the payments on account of premises purchased, are now erecting a commodious building, containing much needed additional accommodation for the students. Those classes, which were overcrowded and unhealthy in the old building, will have ample space in the new, and, in addition, the College will enjoy the advantage of a large Hall for Divine service, examinations, &c., also of a good room in which to arrange the nucleus of a museum. This expense, however, could only be met by reducing the funded capital of the Institution, so that the need of aid is greater than before.

Having thus, at some length, stated the condition and prospects of the College, the Trustees would leave its claims to the kind consideration of the Colonial Committee, fully assured of the warm interest which they ever take in all that concerns the welfare of those branches of the Church of Scotland which are spread over the Colonial dependencies of the British Empire. To some extent the religious wants of Scotchmen connected with our Church in Canada may be met by Ministers sent out from home; but, were the supply equal to the demand, many a Scottish pulpit would be left vacant. Each year adds to the evidence of the past in proving that our chief reliance must be placed on the rising generation of this Province, educated in the class-rooms of our own University. Deeply sensible of this, our Ministers are pressing upon the attention of their congregations the claims of the College; and are especially endeavouring to draw out young men of piety for the service of the Church. Our Sabbath Schools have this continually before them, and are giving proof of increasing usefulness, by leading not a few to devote themselves to the preaching of the Gospel.

It must also be kept in view that Canadian Presbyterians claim a far higher standard of pulpit qualifications than the circumstances which surround them would seem to indicate, and that a pious and highly-educated Ministry is earnestly sought for, and thoroughly appreciated. Our congregations are in great measure composed of the intelligent peasantry of Scotland, trained in her parish schools, and accustomed to the services of her Sanctuaries. Planted though these may be in the backwoods and distant settlements, they are far from forgetting the value of their former religious privileges. As rugged nature around them is subdued by the labour of their hands, and the forest ground becomes the productive farm, the common school system of Canada extends to their children: the



best means of maintaining the authority of the Church over its Colonial Ministers. That Committee will report separately to the Assembly; but, notwithstanding its existence, your permanent Committee have unavoidably, in the discharge of their ordinary duties, been brought into correspondence regarding the affairs of the Church there. The first point to which they wish to direct the attention of the Assembly is the new Clergy Act for Guiana. The changes proposed to be introduced were brought under the attention of the Committee by her Majesty's Secretary for the Colonies in consequence of a despatch from his Excellency the Governor of British Guiana, and were regarded by them as in all respects satisfactory. As this Act is not yet passed, however, it would be improper, on this occasion, to make any detailed allusion to its provisions.

This official communication from his Excellency also contained the following animadversions on the conduct of the Scotch Clergy in the Colonies:—

“ My position would be much strengthened by the exhibition on the part of the General Assembly of the Church of Scotland of a determination to enforce upon their ministers the observance of habits of life more in unison with their calling. I can speak upon the subject without reserve, because I know that the General Assembly have had formally brought before them by members of their own Church the strifes, neglect of duty, and other irregularities on the part of these ministers which are here the fertile causes of scandal and reproach. I do not know whether the rules of the Church will admit of their Clergy being controlled by any other body than the local Presbyteries; but I do know that the authority of the local Presbyteries is as nothing for good; that any attempt which may be made by one of the bodies to enforce discipline resolves itself into a personal between some of its members; and that the minister against whom it may declare itself cares nothing for its decision. Very possibly he may be the most respectable of all the parties concerned.

“ This is a state of things forming a fair subject of re-



scandal any of its Ministers may be chargeable with in British Guiana. This the General Assembly has full power to do, and it assuredly will exercise its power.

"3rd. I am directed further to convey to you the gratification with which the Assembly's Committee have learned that increased provision is to be made for the Clergy in British Guiana, and its determination that this provision shall be enjoyed only by those who will faithfully supply religious ordinances to the members of the Church of Scotland in the Colony, and at the same time be exemplary in their own conduct.—I have the honour to be, SIR, your obedient Servant."

In order to carry out effectually the important object embodied in this letter, I am directed to state.—

I. That in the event of a Clergyman in British Guiana, or any other Colony, being suspended from his duties by the competent Church Courts in Scotland for misconduct, it would be desirable that his emoluments be also suspended, until he be reposed by the same Ecclesiastical authority.

II. That in the event of a Clergyman being deposed from the office of the Ministry by the competent Church Courts in Scotland for misconduct, it would be desirable that he be permanently deprived of all claim to the emoluments of the charge in which he was serving.

These provisions would greatly aid the Church in its determination to control its clergy in British Guiana; and secure that the salaries granted by the Colonial Legislature shall be enjoyed only by those who faithfully promote the religious and moral welfare of the people committed to their care.

Assured that you will sympathise with the important object which the General Assembly's Committee has in view, let me respectfully say that any measures which you may adopt in order to accomplish it will be gratifying to the Church of Scotland.

The Colonial Committee beg further to prefer a request that Church of Scotland Ministers in Ceylon receive the same amount of salary as is given to Ministers of the Church of England in that Colony.—I have the honour to be, SIR, your most obedient servant.

J. C. FOWLER,  
*Convener of the Colonial Committee.*

A favourable reply having been received to this communication, the following letter was addressed to Sir E. B. Lytton:—

11th March 1859.

SIR,—I have the honour to acknowledge receipt of your letter of date 25th February 1859, and, in name of the General Assembly's Colonial Committee, to express our gratification at your compliance with the request contained in my letter to you of date 3d February last.

In reply to your wish to be informed "before communicating with





## (ANSWER OF COMMITTEE.)

21 April 1850.

SIR,—I have the honour to receive your letter of the 28th March, and also "Draft Circular to Governors of Colonies," in reference to clergymen of the Church of Scotland occupying Colonial charges.

On the part of the General Assembly's Committee, I have to express our entire concurrence in everything contained in the "Draft Circular," as well as our respectful thanks for the efficient aid which its practical adoption will render to the Church in repressing the evils which it is our most earnest wish to remedy.

I have ventured, on the part of the Assembly's Committee, to offer some alterations in the terms of the Draft Circular for your consideration. The alterations suggested do not, in the slightest degree, affect the sense of the sentences to which they refer; the adoption of them, if they meet your approval, will only bring the phraseology into more harmony with that usually employed in the Church of Scotland.—I have, &c.,

J. C. FOWLER,  
Convener of Colonial Committee.

DOWNING STREET, 8th April 1850.

SIR,—I am directed by Secretary Sir E. B. Lytton to acknowledge the receipt of your letter of the 2d instant, and to acquaint you, for the information of the Colonial Committee of the Church of Scotland, that he has addressed a Circular despatch to the Governors of Her Majesty's Colonies in terms of the proposed Draft, with the alterations suggested by the Committee.

I am, Sir,

your most obedient servant,

HERMAN MERIVALE.

Rev. Dr FOWLER,  
Convener of the Colonial Committee.

COPY OF  
DRAFT CIRCULAR TO GOVERNORS OF COLONIES.

SIR,—It has been my painful duty to communicate to the General Assembly of the Church of Scotland, through the Colonial Committee, some instances of misconduct on the part of Ministers of that Church in the Colony of British Guiana.

The General Assembly, fully alive to the importance of maintaining authority and discipline over all its Ministers in Foreign charges, proposes at its approaching meeting in the month of May next, to take effectual measures for removing any reproach or scandal with which any of its Ministers in British Guiana may be chargeable. But, in the meantime, the Colonial Committee of the General Assembly has invited the co-operation of Her Majesty's Government in repressing the misconduct of Ministers of the



The Committee feel persuaded that the present position of the Colonial Mission, and the success which, by the Divine blessing, has attended their labours, will induce the General Assembly to give its earnest recommendation to the different flocks under its care to increase their liberality in carrying on this most important work. Without such increased liberality there can be no alternative but to contract the Committee's operations.

In name and by appointment of Committee,

J. C. FOWLER, LL.D., *Convener.*

May 1859.



DISCHARGE.

I.—Expenditure during the year ending 15th April 1859.

I. Payments to Missionaries and Catechists,—

1. SYNOD OF CANADA.

Presbyteries,—

(1.) <i>Montreal.</i>			
Rev. James Herald,	L.37 10 0		
Rev. J. Paterson,	109 11 10		
Rev. J. Rannie,	150 0 0		
Rev. J. Moffat,	125 0 0		
	L.422 1 10		
(2.) <i>Hamilton.</i>			
Rev. W. Massop,	L.118 0 0		
Rev. John Hay,	70 0 0		
	188 0 0		
(3.) <i>Kingston.</i>			
Rev. A. P. Marshall,	150 0 0		
(4.) <i>Toronto.</i>			
Rev. W. R. Ross,	47 15 6		
(5.) <i>Glengary.</i>			
Rev. Jas. S. Douglas,	50 0 0		
(6.) <i>London.</i>			
Rev. R. G. M'Laren,	L.150 0 0		
Rev. Chas. Campbell,	46 2 0		
Rev. Fras. Nicol,	34 18 7		
	231 0 7		
		L.1088 11	

2. SYNOD OF NOVA SCOTIA.

Presbyteries,—

(1.) <i>Halifax.</i>			
Rev. James Wilson,	L.135 0 0		
Rev. John Martin, Superintendent of Missions,	100 0 0		
	235 0 0		
(2.) <i>Pictou.</i>			
Rev. Jas. Mair,	L.70 0 0		
Rev. Jas. Christie,	87 10 0		
Rev. T. Talloch,	150 0 0		
Rev. Dr M'Gillivray,			
M'Lennan's Mount,	60 0 0		
Rev. Alex. M'Lean,	24 0 0		
	391 10 0		
(3.) <i>Prince Edward Island.</i>			
Rev. Wm. M'Laren,	L.137 10 0		
Rev. Andrew Lochhead,	100 0 0		
	237 10 0		

3. SYNOD OF NEW BRUNSWICK.

Presbyteries,—

(1.) <i>St John.</i>			
Rev. A. Forbes,	L.37 10 0		
Rev. Peter Keay,	46 15 6		
Rev. J. Ross,	75 0 0		
Rev. H. J. M'Lardy,	85 14 7		
Rev. D. Stott,	77 15 0		
Mr Æneas Macdonald, Catechist,	20 0 0		
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<b>XV. Schemes' Office ; Share of Expenses—</b>			
1. Of Collector's and Officers' Salaries,	L.27 6 8		
2. Of Taxes, Coals, Gas, &c.,	10 14 3		
3. Of Printing, Books, and Stationery,	3 6 3		
4. Of Despatching <i>Missionary Record</i> to Clergy and others Monthly,	2 11 6		
5. Of Postages and Incidents,	4 1 4		
			48 0
<b>XVI. Printing Annual Report, Notice of Annual Collection, Circulars, &amp;c.,</b>			67 5
<b>XVII. Advertising,</b>			12 15
<b>XVIII. Stationery,</b>			7 12
<b>XIX. Postages, Parcels, and Incidental Expenses,—</b>			
1. Postages, Parcels, &c., incurred in the General Management of the Scheme during the past year,	L.27 6 6		
2. Postages and Circulation of Notice of Annual Collection,	10 14 6		
3. Annual Allowance to Mr M'Callum, Glasgow, for Circulating Notices, &c.,	5 0 0		
4. Incidental Expenses,	3 18 2		
			46 19
<b>XX. Expenses of Management,—</b>			
1. Salary to Secretary and Treasurer a-year, to 31st December 1858,	L.45 0 0		
2. Salary to the Clerk to the Com- mittee a-year, to 31st December 1858,	20 0 0		
3. Allowance to Auditor and Accountant,— For Auditing, Framing, and Reporting upon the Accounts for the year ending April 15, 1858,	L.13 13 0		
Proportion of General Allowance for Superin- tending the Funds, Auditing Collector's Books, &c., during the past year,	2 12 6		
		16 5 6	
			81 5
			L.5229 0
<b>TOTAL EXPENDITURE, 1858-59,</b>			
			L.5229 0
<b>II. Funds on hand at 15th April 1859.</b>			
I. Balance in Bank (British Linen Com- pany),		L.4981 15 7	
II. Contribution from "Lay Association" for 1858-59,		L.296 6 0	
			L.5183 1
<b>SUM OF THE DISCHARGE,</b>			L.10,412 2





# SPECIAL REPORT

BY THE

COLONIAL COMMITTEE

OF THE

## CONSULAR ACT.

MAY 1859.

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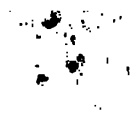
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to the correctness of his deposition

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tain all my former views as to the great benefit of the e, especially to many young Scotch people, and as a Christian ig point to the hundreds and thousands of our countrymen untrywomen who annually visit Paris. At the same time, I nfirm in my old opinion that there are no such numbers of nent Scotch residents here as to call for the Church, *merely r account*, instituting and maintaining such a service.

e Assembly have now before them a statement of the edings of the Committee, undertaken in consequence of eliverance of 1858. They take leave, however, before uding, to offer the following suggestions for considera-

If the Assembly resolve to continue their efforts to lish a congregation in Paris in connection with the ch of Scotland, and if these efforts are to be carried ough the Colonial Committe, it will be necessary to uch an alteration on the title of the Committee as licate the enlarged sphere of their operations, and also plain, in the Annual Appeal for a collection, the whole embraced by the Committee; otherwise the Church at will not be made fully acquainted with the purposes ich these contributions are to be applied.

It seems indispensable that, if the Mission is to be eded with, a more accessible place of worship be ob- l, in which Divine Service may be performed at the hours of worship observed in Paris. The Committee been repeatedly assured of the very great importance s arrangement to the success of the Mission, and would, ow, have selected one of the buildings suggested to , as in all respects suitable, had they not resolved to no pecuniary liability extending beyond the present ng of the General Assembly.

. Assuming that this Mission is to be prosecuted, next important step will be to obtain the services me influential gentlemen in Paris to act as a local nittee, to promote generally the welfare of the Mission, aid in bringing it as speedily as possible under the it of the Consular Act.

ie Committee respectfully submit these suggestions,

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although aware that the whole subject of the Paris Mission requires the gravest consideration. It may or it may not be the wish of the Assembly to renew their instructions of last year to the Committee: that point is, of course, left to the decision of your Venerable House.

In name and by appointment of Committee,

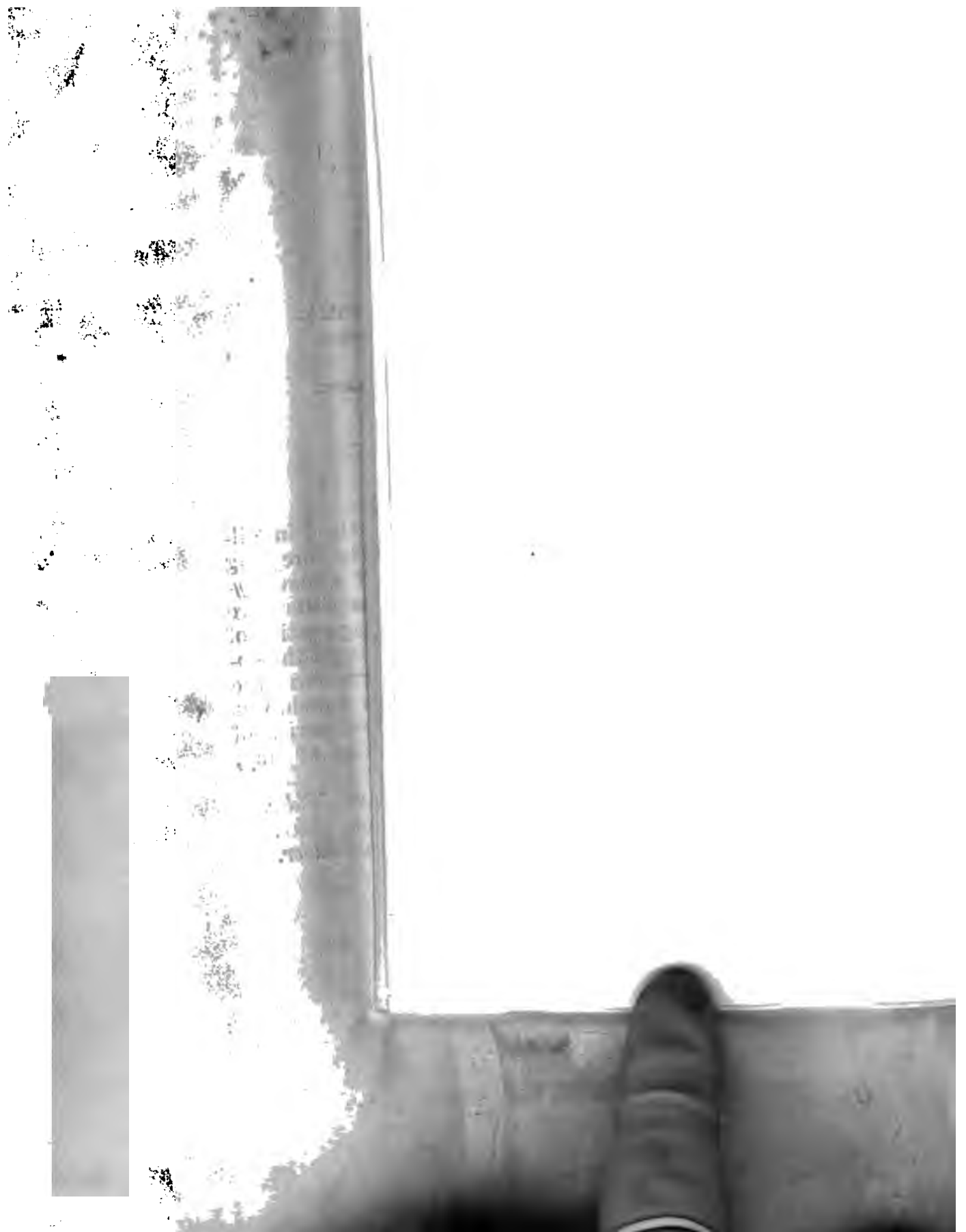
J. C. FOWLER, LL.D., *Convener.*

May 1859.



*Edinburgh: Printed by J. Thomson, Millne Square.*







conscientiously striving, and earnestly asking their aid, to remedy evils in a great measure caused by their own mismanagement, would have justified the immediate return of an indignant rejoinder. How different my spirit was, will appear by my next letter.

In passing, one or two remarks are suggested.

1st. They do not venture to give the sederunt. Let that be not published.

2d. They presume to arrogate a right belonging only to a judiciary; and, as an evidence of the danger of trusting a power of this sort in such hands, they pronounce a very serious sentence instantly in absence, and in secret conclave.

3d. With somewhat less ignorance of business than their Convention, they ground (apparently) their judgment upon the only document which could formally appear on their minute, and that document not containing a sentence to which their language could apply.

4th. When pushed to justify their conduct in their Report to the Assembly, they appeal to an expression in my unofficial communication.

#### IV.

*To Simon S. Laurie, Esq. Secretary of Col. Com.*

*Berbice, 13th August 1858.*

Sir,

I have the honour to acknowledge your letter communicating the Minute of the Colonial Committee, of date 13th July last. In respect to the tone and wording of that document, I feel that I have serious grounds of complaint. But cordial co-action is so important that I am most anxious, for the present at least, to convince myself that it was not intended by them to convey that meaning which, according to the usual construction of formal and official minutes, it certainly bears. I wish therefore to pass at once to its substance.

In the last clause, the Members of Committee seem to have had in their minds the off-sets of the Church of Scotland in British North America and Australia, to which it may probably be soon expedient to give a separate and independent existence. *Herr*, I beg to remi



bice, even when full, which it rarely can be, consists only of four ministers, and that of Demerara of five; that their conjunct action, especially in the intricate and tedious processes of an ecclesiastical trial is physically impossible; and that such a tribunal, from which no appeal is or could be made competent, could not for a single moment be tolerated. They could not be ignorant that the Home Presbyter of a minister's license or ordination, our only present resource, will (especially when a country presbytery) find insuperable difficulties in the very first steps of procedure. My suggestion was, by an express enactment, to give jurisdiction to the metropolitan presbytery. The surely must have given me credit for seeing the objections, in point both of law and convenience, to such an arrangement; and for foreseeing the many chances of a break down in the very first case that might be brought up. But two objects would be attained; first, that of giving some evidence that the Church felt and desired to remedy glaring evil; and, secondly, that of holding out the terror of publicity in even an abortive prosecution, to men disposed to tread in the steps of their predecessors.

To the reason urged for immediate action additional strength has been given. What was only my anticipation has become matter of public and accredited report. The government are understood to be prepared, in bringing forward the new clergy ordinance, to propose the transference of the Presbyterian parishes to the Church of England. The acceptability of such a proposition may be judged from the fact, that in St Saviour's, the parish in the colony most devoted to our church, one division has been already substantially given over to two chapels having been built, and an endowment provided for the curate, and that at present money is being collected for the erection of another chapel close to the parish church, and offers tendered contributions from the Estates and respectable inhabitants to make a salary until the law permits an endowment. In like manner, an English curate has been endowed for the upper district of St Clement (under Mr Graham, formerly also a strongly presbyterian parish), and under great difficulties an episcopal chapel has been pertinaciously maintained without endowment within a few hundred yards of the parish church. In St James' and St Luke's there are already episcopal establishments; in St Mary's the congregation is said to be at the lowest ebb. St Mark's parish, like my own, presents few attractions to the sister church;\* but I presume Mr Minnison will have

\* Here I find that I am wrong. There are, it seems, two English chapels in St. Mark's. One of them on ground belonging to the Church of Scotland.





upon to exercise the jurisdiction placed in their hands by the constitution of the church. The Rev. Geo. Macculloch, ordained by them to the chapel of Thornton in 1847, and since transported to the parish of St Saviour in this colony, is charged by arrant report with repeated and aggravated instances of intoxication, sufficient to prove a confirmed habit of intemperance. We are precluded from dealing with him here presbyterially, because, there being within our bounds no other ministers of the Church of Scotland but ourselves three; and no competent appeal from any sentence that might be pronounced, a process before us would be an intolerable hardship to him, and, in the eyes of the public, inconsistent with a fair dispensation of justice. We are equally prevented by distance from formally prosecuting the charge before your court. Our only resource, therefore, is to send you the detailed statement, accompanying this, of the most flagrant offences of which he is accused, with a list of witnesses able to substantiate the facts, in order that you may be enabled to proceed according to law.

It is quite clear that every step of the procedure will be attended with serious difficulties. In part of these you will probably be guided by the Procurator. In others aid may be obtained by application, direct or through the Colonial Committee, to Her Majesty's Secretary of State for the Colonies. The necessary citation can be served by us, guided by such directions as may be sent. As a security against informality, it would be desirable that these were very articulate, and that they were revised by the Procurator. Evidence would require to be taken under a Commission, issued by you, and addressed (we presume) to us, or (if you judged it better) to any other parties in the colony. We believe that, acting as a presbytery we could examine the witnesses on oath. But as such action would cut off your jurisdiction, and our right, as Commissioners, to administer an oath is doubtful, application to the Colonial Secretary might be necessary on this point. On his recommendation the necessary power would readily be granted by the Colonial Legislature. If he would consent to one of the stipendiary magistrates, or (still better) the resident judge of the Supreme Court, being added to the Commission, this would at once remove the difficulty, and relieve us in part from the very painful position in which we are placed.

In transmitting these charges, it is only equitable to Mr Macculloch to say distinctly, that his labours among the black people in his parish had been attended with much encouraging success.



believe) all or nearly all officials, whose attendance could be secured through the interposition of the Government.

I am, &c.

(Signed) THOMAS BELL.

### VIII.

*To the Rev. The CONVENER of Colonial Committee.*

*Barbice, 19th April 1858.*

Rev. Sir,

Notwithstanding the grounds of complaint which I have it may be as well to endeavour once more, through the Colonial Committee, to save the Church of Scotland the reproach which seems likely to be publicly thrown upon it.

This post carries to the address of your Secretary a series of papers affecting Mr Harper. A very painful impression has been made, not only in this community but throughout the colony. My main object being to shew the state of matters generally, I do not choose to enter upon details. I cannot, however, but advert to the impropriety of recommending a person in his peculiar position for appointment in a colony, where habits of concubinage and illicit connections have not only produced a hideous amount of moral degradation, but social evils of very serious import.

The minute of the Presbytery of Kirkcaldy suggesting, under the Procurator's advice, that in Mr Macculloch's case we should libel and proceed to probation, is what I certainly expected, but much to my regret. In drawing up the letter accompanying the charges, of which the Committee received a transcript, I put our situation in as distinct a light as I could; but it may easily be understood that there are objections to our proceeding which I could not then, and cannot even now, fully specify. The communications in regard to Mr Harper will indicate one. I have difficulty, but perhaps only do right, in specifying another. It came to my knowledge, while we were first meeting in the business, that he consulted a gentleman about an application for the prospective vacancy, and sent him a draught of his proposed letter, and on that gentleman sending back his letter with refusal to advise or interfere, that he applied—in general terms however—to the acting Governor, and received an unfavourable answer. The rest of us are equally disqualified to act as judges. Of Mr Macculloch's habits I knew nothing, and suspected nothing, until ju



in the approaching General Assembly. Again I would enforce indispensable necessity of something being arranged as to jurisdiction. Perhaps instead of what was before suggested, it would be better direct that all ministers named by the Committee should be ordained by the Edinburgh Presbytery. This would give the legal force without straining any previously admitted rule or practice.

Something of the kind is necessary in evidence of the Church's anxiety to remedy glaring evils. But the real cure must be sought in the original selection.

Why really useful men should not be found eager to come here is difficult to understand. The provision is liberal—better than in the great majority of home parishes; the climate can only be characterized by one word, *luxurious*. Of the many deaths that have occurred nine-tenths at least can be directly traced to habits of intemperance or to foolish exposure. It would be well that young men were impressed with the necessity of prudence in these respects before leaving Scotland. The medical rules propounded with regard to diet and mode of living here are erroneous, because they lose sight of one material fact, that the smaller expenditure of power and heat to be supplied by the lungs is more than counterbalanced by the greater amount of perspiration and other secretions. As a rule, the new-comer, especially after his seasoning fever, requires more generous and more abundant food than at home. A large quantity of spirituous liquors can be swallowed with apparent impunity that would be murderous in a colder country, and the languor caused by heat, as well as prevailing exanthemata, prompts many to have recourse to them with little restraint. Independently of the tendency to produce or aggravate liver disease, they forget their effect upon the nervous system, the part of man's frame which suffers most directly, and in the end most fatally, from the over-stimulating influences of the climate.

There is certainly a lack of suitable society, and the prudent plan would be, that which I have felt it my duty to follow, to dispense sparingly with what there is. But to a clergyman, who has the resources of a cultivated mind, and his parochial duties, this ought to be no objection. In a situation where I have often been without seeing a white person, I have in thirteen years scarcely known what it is to find an hour hang heavy on my hand.

The duty of the country parishes is laborious, as, with one exception, they are much too large, but, with proper management, it is



had attached nearly the whole population, excepting a few generally not of the best character. The communion season was to me then one of unmingled pain. I could not but doubt my right to distribute the bread of life to the handful of careless looking people who surrounded me; and my doubts were soon confirmed by the necessity of excluding from the table one half of the number, which poor Mr Anderson, in his short incumbency, had from good nature too readily admitted. Now I can look down upon about 150 communicants who have found too much difficulty to be received, lightly to sacrifice their privilege; and often as I am obliged to ascend the pulpit on a sacramental Sunday in a state of health which makes me uncertain how I shall get through, it rarely happens that some dark eye do not draw me in a few minutes to worthier and holier feelings. The earnest gaze of all, and the hushed silence which a slight motion of the hand will maintain through that whole long service would stir the coldest spirit. After a hard battle, the fondness for those demoralizing and noisy dances brought with them from Africa has apparently been conquered. In my own parish, and I believe throughout the Berbice River district, the night-long sound of the drum has scarcely been heard for the last two or three years. With a population of about 3000, we have not in the parish one policeman, one grog-shop, or one pauper supported by the public money. I never find difficulty in providing for a helpless creature among the neighbours; I never give a sixpence of my own without knowing (I fear intending) it to be merely a bait to draw ten times as much in food and care from my poor negroes.

Last year, when cholera prevailed, their conduct was exemplary to such a degree that the impression left on my mind can never be effaced. Unable as I was to obtain even one medical visit, and without a single white or educated coloured man to aid me in the whole stretch of the parish, the prospect seemed overwhelming. But the prompt docility, the ready helpfulness, and the composure of the people, at once did what no extraneous help could have effected. They bought medicines for themselves, and small stores for common use in every village; nearly forty persons agreed to act gratuitously as house-to-house visitors; the reports to me from every district were incessant; in many cases the hour when each dose was administered was carefully noted, that I might be satisfied all possible had been done; and in several I found the record kept in chalk on



To the Rev. The CONVENER of the Colonial Committee, &c. &c.  
*Berbice, 23d April 1858.*

Rev. Sir,

The day after I wrote my letter on the 19th current, on my return from a journey on parish duty, I found Mr Duff waiting for me with two letters from Mr Harper to Mr Macculloch (6 and 20 Feb.) which the latter gentleman had that forenoon placed in his hands. My first impulse was to decline reading them, as I had done in other cases; but being informed that they contained matter of grave importance, I changed my purpose, and it was well I did so.

No choice remains but to transmit copies of them, as well as previous letters from Mr Harper to Mr Duff, Mr Macculloch, and myself. To offer a single observation upon them would be an insult equally to the understandings and the moral principles of the members of Committee.

They justify me, however, in complaining that a person of his character should have been sent here, and in calling upon the Committee to take prompt steps for ridding us of such a nuisance, and the Church of such disgrace. I trust that, in the approaching General Assembly, measures will be adopted to that end, and that if any proceedings be thought necessary which they cannot bring to issue, authority will be given to the Commission finally to determine.

What may be done in Mr Macculloch's case cannot be in time for the Assembly, but means may be found to empower the Commission to deal also with that. In the letter addressed to the Presbytery of Kirkcaldy, of which the Committee have a transcript, and the list of charges, a copy of which may be obtained from that Presbytery, the Assembly will find grounds for action. A report of our proceedings if such be found possible, will be transmitted at the earliest moment. Prompt decisions are imperative.

The Committee must excuse me for throwing on them the responsibility of action. The forms of the Church render direct communication with the General Assembly difficult, and, in our case impossible; and I do not feel called upon, even if there were time to instruct counsel. The proper and obvious alternative is one which I am very unwilling to adopt, as it must lead to most serious and (fear) little anticipated consequences.

I am, &c.

(Signed) THOMAS BELL.

Harper gave me such a description of the scenes which had taken place during my absence, as convinced me that the interests of the Church and the life of the individual, both demanded immediate action.

Mr H. refers to these scenes in his letters to Mr Bell of the 18th Nov. and 5th Dec. 1857.—App. 2. 3. 4.

I have now been nearly eighteen years in the Colony, and have never known a confirmed drunkard permanently reform his habit and I fear there are no grounds for supposing that the present case will be an exception to the general rule. Were all the cases reported to the Presbytery of Kirkcaldy at once dropped, the well-authenticated cases which have taken place since, are more than sufficient to convict the accused of being a confirmed drunkard. Nothing could more clearly show the power which the habit has obtained over him, or be a more severe comment on the Report of the Committee, than the fact, that within forty-eight hours after the charges against him were signed, even before they were out of the Colony, he exhibited himself in his own parish, after performing professional duty, in a state of intoxication; and within a similar space of time after the copy of the Committee's Special Report reached us in Berhice, he was seen by numbers, in broad day light, at five o'clock in the afternoon, after staggering along the street in New Amsterdam, floundering in a ditch in front of his lodgings, out of which he was taken by a medical gentleman who was passing, assisted by the spectators of this degrading scene.

Several clergymen, in similar circumstances, have taken advantage and gone to a cold climate, in which there is neither the same craving for stimulants, nor the same temptations to indulgence, and have recovered their characters and usefulness. Others, like the subject of the present remarks, have turned a deaf ear to all remonstrance and advice, and in a few months or years have brought themselves to an untimely and disgraceful grave by dropsy or *delirium tremens*. If the members of the Colonial Committee, as often as I have done, witnessed the horrors experienced by men dying of *delirium tremens* they would have hesitated before they signed a report calculated to encourage the unfortunate man in his wretched course, and to give time for the awful but natural and certain consummation of the life which he has led for the last eighteen months.

By the admission to the communion table of drunkards; of a man newly released from jail for theft; by yielding to solicitation to administer the sacrament of the Lord's Supper in private to the dying by performing the rite of marriage without requiring the parties to comply with the provisions of the civil law regarding it,—the acc-



mittee,"—telling him that he has not half enough of "*the Devil*" in his composition, Mr Harper says, "I would have asked you to become the moderator of a new Presbytery, and let them join or not." "*But if you continue to fill your belly with that abominable stuff which you drink, I could not depend on you for a week.*"

The two last letters, 6th and 20th Feb., were written after Mr Harper had borne testimony to the efficiency of the accused as a minister. All the letters from which these quotations have been made and those in which he denies his mother, and repudiates her claim upon him, and the Negri correspondence, were in the hands of I Fowler when he laid the Special Report on the table of the Assembly. Will any one say that he was justified in making any statement whatever on Mr Harper's authority? Mr Harper was an apprentice the brother of the Convener, he had therefore ample means of ascertaining his character before he sent him to this country.

In 1857, the Committee anticipated the establishment of the electric telegraph across the Atlantic, and certified to the Assembly a fact connected with Mr Harper which could not have been known in Scotland sooner than the 18th of June, viz. that he was then performing the duties of St Clement's parish, the 15th of May being his first appearance in the district. In 1858 his letters, although in the Committee's hands, and urgently demanding attention, are unnoticed not even used to correct his own misrepresentations.

3d. The Special Report goes on,—"*This testimony was confirmed,*" &c. F. I.

This proves the *bad* effect of *bad* example. No one knows better all the circumstances of the case than the person who wrote the document alluded to. He knows that the people have applied to the Governor to assist them in getting an English minister settled among them, and that the Lieutenant-Governor promised to do so when the proper time arrives, viz. when the clergy bill is renewed. There is one English minister already, paid by the Government, in this parish. This will be the second. The arrangements for salary and building the chapel, are so far completed, that the Bishop has nominated a minister, and he is to be in the Colony in November this year. § App. No 11.

These things have been countenanced and asked for by men who are still members of the Church of Scotland. Do these facts prove that the people have confidence in their minister, or that the members of Presbytery have been precipitate in the steps taken by them?

4th. The names of different magistrates were given as witnesses of particular cases of drunkenness, but *none* of their signatures were



they refused to interfere with the arrangement. It is refreshing to see an old friend maintaining his *attachment* to the Church irrespective of the *parties* who compose it. The only draw-back to the pleasure arising from the spectacle is, that the same policy is still followed,—the people of Mara are still without a resident minister. During the seventeen years' vacancy service was performed by a minister of the church on an average of three Sundays each year.

Since the appointment of Mr Harper to St Clement's parish, the Sabbath services have been generally performed by a young man from eighteen to twenty years of age, who, immediately before his appointment to this duty, had been dismissed from communion in the London Missionary church in the same district for having seduced his own cousin, and become the father of an illegitimate child. Have the interests of religion been better promoted by the course pursued by the Committee for the last eighteen years than they would have been by the course which they condemn? And do the Committee intend to allow their nominee to outrage religion and morality, continuing the present state of matters till next Assembly? I trust the Committee will see that the state of matters above related "most unsatisfactory."

The Committee ignore the fact, that what they charge me with, viz. "negotiating to transfer *real property* from one party to another *secretly*," is, in this Colony, an utter impossibility. Such property can only be transferred from one party to another after having been the weeks advertised in the official gazette, and in at least one other newspaper in the Colony; and even should no party appear to object to the transference, the party transferring must still satisfy the judge that his title to the property which he intends to transfer is legal and valid. The Committee ought to have consulted their *Legal Society Committee*, to save them from making such a blunder.

III. The Report goes on—"Again, while the Committee were &c.—F. I.

The Committee ought to have given the date of the letter from which they quote, and how long the parish of St Clement's had been at the time vacant. These omissions are easily supplied.

The former minister of St Clement's had been unable to perform duty in his parish from the beginning of Nov. 1854 till April 1855 when he died. As soon as I was released from St Saviour's by the appointment of Mr McCulloch in Feb. 1855, I performed service at St Clement's in the afternoon, and visited the parish once a-week the performance of the private duties of the parish, until the date of my letter, viz. 23d Feb. 1857, performing four services every Sunday.





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# ANNUAL REPORT

TO

THE GENERAL ASSEMBLY OF THE  
CHURCH OF SCOTLAND

BY

THE COMMITTEE ON POPERY.

WITH APPENDICES.

GIVEN IN AND READ BY

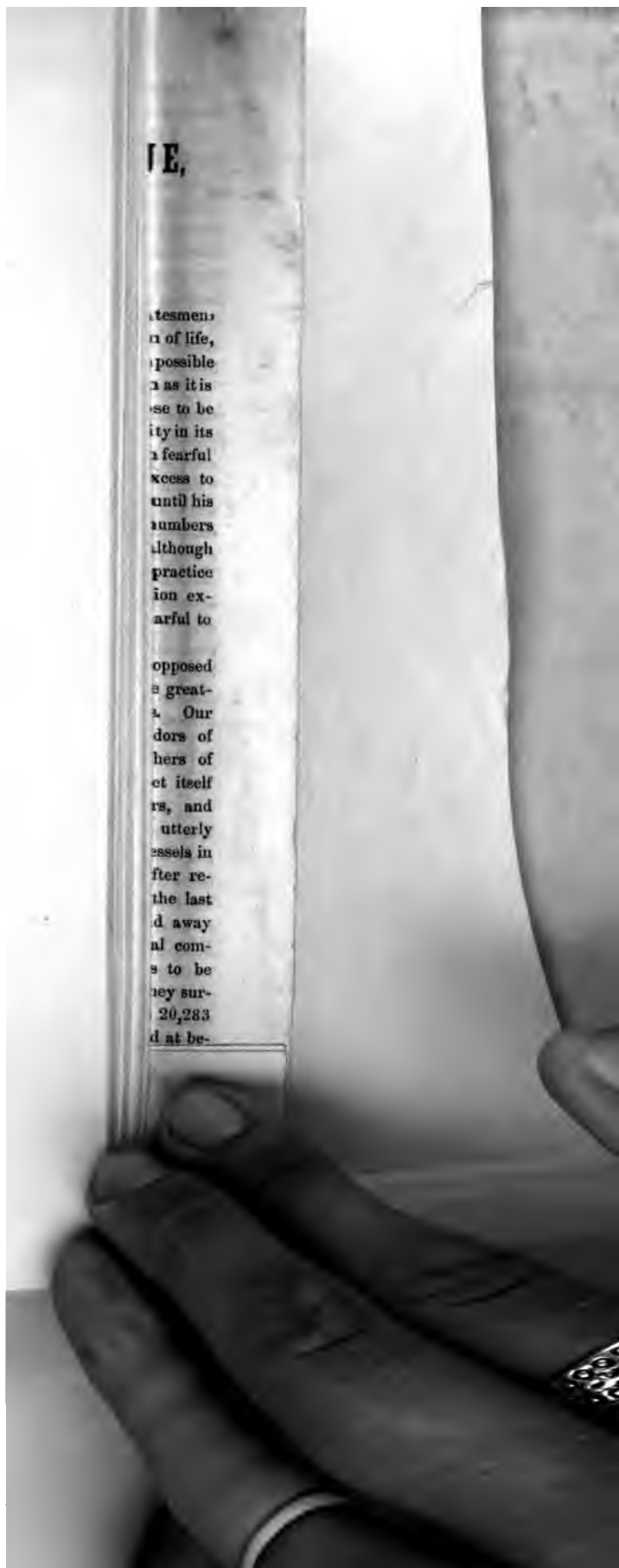
THE REV. WM. ROBERTSON, CONVENER.

MAY 1859.

EDINBURGH:

PRINTED BY PATON AND RITCHIE, 13 GEORGE STREET.

MDCCCLIX.



The total receipts of the Committee since last Assembly, not including the salaries of Agents paid by other parties, have been :—

Parishes Collections, . . . . .	£547 16 2
Subscriptions and Donations, &c.,	216 19 7

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£764 15 9

The total payments have been, . . . . . 504 6 3

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*Leaving* balance in hand, . . . . . £260 9 6

This balance has been received only lately.

The obligations undertaken by the Committee will exhaust a large portion of this balance.

Receipts by the Committee, as above, £764 15 9

Salaries of Agents superintended by the Committee, paid by other parties, . . . . . 529 0 0

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£1293 15 9

These are the leading operations of the Committee.

On presenting the Report on Saturday, 21st May 1859, the General Assembly pronounced the following deliverance :—

DELIVERANCE ON REPORT OF COMMITTEE ON POKERY  
to ASSEMBLY 1859.

‘ It was moved, seconded, and agreed to, that the General Assembly APPROVE OF THE REPORT OF THE COMMITTEE ON POKERY NOW READ—RECORD THE THANKS OF THE HOUSE TO THE CONVENER AND COMMITTEE FOR THE DILIGENCE AND ZEAL WITH WHICH THEY HAVE FOLLOWED OUT THE OBJECTS TO WHICH THEY WERE DIRECTED AND AUTHORIZED TO ATTEND; and also to Alexander T. Niven Esq., C.A., for the valuable assistance rendered by him in reference to the statistical returns; and considering that the respected Convener, whose services have been so valuable, has resigned, remit to the following members to consider the propriety of uniting the anti-Pokery Committee to the Home Mission Committee, and report to a future diet of the Assembly :—



3. He will not say he will continue the Training Institute and the instructions of the young men. The General Assembly thought otherwise in 1854 (see deliverance annexed).

4. He will not say he will have to do with lay agents; and if not, the agents would require to be licentiates of the Church.

*N.B.* The present agents of the Committee were examined by the Rev. Drs. Muir and Fowler, and held qualified.

5. He would employ no Popery agents unless funds for the purpose were separately provided to the Home Mission, which could not be, for where is the money to come from?

6. He specially objects to any Church collection for the Popery Committee, which is equivalent to the annihilation of the Committee.

7. In short, his proposal to unite the Popery Committee to the Home Mission, *with the view of advancing the cause of Protestantism*, is nothing but a pretence for strangling the Popery Committee and its collection. But as the Assembly have approved of the operations of the Committee, it is obvious that Mr. Phin, in moving to that effect, has over-reached himself; for surely he cannot suppose the General Assembly would so far stultify itself as first to approve of the operations of the Popery Committee, and then approve of a union with the Home Mission Committee, the effect of which is to put an end to these approved-of operations.

#### Understood Views of the Home Mission.

IV. The Home Mission Committee, *including the Conveners*, are understood to be opposed to the Union.

1. They have enough of work on their hands.

2. They do not look to such details as compose much of the work of the Popery Committee.

3. They do not superintend agents or examine the journals.

4. They do not pay lay agents, but only licentiates.

5. They do not select agents, but leave that for the Presbyteries.

6. They would not superintend the Training Institute

7. They are very harmonious and active in prosecuting their present work; but the addition of the Popery element might introduce discord into the Home Mission Committee





Your Committee cannot take leave of the important and onerous duty, to which, acting under your authority, they have been called, without adverting to the truly momentous and appalling events which, in Providence, have lately overtaken India, and marked the short period of their past labours. They entered on them at a time, when India presented a pleasing picture of peace and growing prosperity, and all changes, the most remarkable and extensive, in the relations of the British Government with many of the most powerful of its Native States, had been carried out—the fruit of wars and treaties, that had become the theme of a past history, and when everything indicated the permanence of a happy tranquillity, holding out every encouragement to the most important work, in which the Christian Church had been so long—and of late years, so zealously—engaged. A dark and threatening cloud has, indeed, been permitted by all-disposing Providence to come over the scene but lately bright; but even already is it the theme of the nation's gratitude to God, that the dangers, which so lately menaced the British Empire in the East, have been followed by the return of a state of peace and tranquillity over India, to which every succeeding despatch encourages us to look forward, as the dawning of a day of renovated progress in all that can promote the social and industrial prosperity, the intellectual, moral, and religious advancement of that mighty Empire, when, in the future administration of its interests, may we prove by our policy, civil and religious, that we have heard the voice of the Almighty speaking to us in the language of Holy Writ—"Them that honour me, I will honour; and they that despise me, shall be lightly esteemed."

In name and by authority of the Committee,

**JAMES BRYCE, D.D.,**

*Convener.*







From the very first the instrumentality of education has been adopted, but, in the words of Dr Inglis, "it is in subserviency to the su of preaching that we would in this case devote our labour to education of the young."

In compliance with the deliverance of the General Assembly, Committee have directed earnest consideration to the que brought before them by that deliverance. By examining va documents, some of which have been noticed in the *Missionary Re* by correspondence with the Missionaries at Calcutta and Madras by holding a conference with some gentlemen who have Chaplains or Missionaries in India, they have endeavoured to an opinion as to the matter to which their consideration has invited. Without attempting to define minutely the precise ir of the terms—"the altered circumstances of India,"—your mittee presume that there may be by this expression a referer those changes which occur with greater or less rapidity in country during the lapse of time. These must have been very siderable since the commencement of the Mission, in 1826, but are fitted, in the opinion of your Committee, to affect the car out of the principles on which your Mission has been hit conducted,—if at all, only to a very limited extent.

Agencies that  
have been em-  
ployed.

Your Mission has always been conducted according to the princi employing various agencies :—the education of the young ; the tr of native teachers, catechists, and ministers ; and the preaching- gospel to the adult population. The education of the young has bee ciently conducted. The work of training native teachers, catec and ministers, has been successfully prosecuted among those who been willing to be trained for such services ; but the number so tr has not been large. In the Institutions at Calcutta, Madras Bombay, the Gospel has been preached by your Missionaries t Teachers, the more advanced pupils, and other inquirers ;— principally through the labours of Preachers or Catechists conn with your Institutions, Gospel truth has been repeatedly, a various ways communicated to the natives. Your Mission has been conducted according to the principle of combining the educ of the young with the preaching of the Gospel to the adults. ] all the inquiries they have been able to make, your Committee satisfied that, could native preachers and teachers be sent out the Institution to villages in the country, great good might, thr the blessing of God, be effected. Native preachers, fully qual





it is affirmed, has given rise to much misconception, and is accepted as a pledge from the British Crown that there shall be no real toleration. It has also led to instances of persecution and intolerance by the opponents of Christianity.

The Committee are aware that very considerable caution, in drawing up the Proclamation, was, in the circumstances, imperatively required and this clause, as they understand it, refers to the exercise of authority with which, in virtue of his office, an individual is invested. It imposes, as they believe, no restraint on that course which every one may pursue in his private capacity, so as to prevent him from giving, in this capacity, countenance and aid to measures that may be adopted for enlightening the natives, and leading them to renounce their errors and embrace the Gospel of Christ. Unless the interpretation, now given by the Committee, be adopted, they would respectfully suggest that efforts be made for the purpose of securing to all who hold office under the Crown in India the utmost freedom of action which they may be desired to exercise, in their private capacity, with a view to counteract intolerance and bring all under the influence of the truth. They trust that this is already secured, from the tenor of a reply given by Lord Harris on March last, to a deputation from the religious societies in Madras. This deputation waited on his Lordship, at the Government House on occasion of his retirement; and, after recording their appreciation of his valuable services to the cause of religion and morality, said

Lord Harris's Reply to a deputation.

"While in your capacity as Governor in this Presidency, you have acted impartially, without regard to persons or to creeds, giving equal countenance to all right efforts for the social improvement of the people of the land; in your private relations you have ever proved yourself the friend of all who are labouring for their highest spiritual good, and we gratefully acknowledge the liberal support which our various Religious Societies have received at your hands.

"You take with you our best wishes and prayers. May the Head of the Church crown you with His blessings in time and through eternity."

To the address his Lordship replied as follows:—

"GENTLEMEN,—I am deeply sensible of this united expression of sympathy and respect which you now, on the eve of my departure, do me from the various Religious Societies of Madras.

"My earnest desire has been to order my conduct in the manner you describe, and this testimony of the impression made on you I most fully appreciate.



thoroughly satisfied as to their fitness for missionary labour. The names of the four Students referred to, are Mr Alexander Clark, Robert Paterson, Mr John Taylor, and Mr John Wells. They have delivered all their prescribed discourses, and the Committee are desirous to receive from the General Assembly authority to have these Students taken on trials by their respective Presbyteries with a view to receiving license and ordination; their attendance during the partial session, and the circular letters to the other Presbyteries within the bounds of their Synods, not being required. The other two Students having attended only during two sessions, such request is, in the meantime, made respecting them.

The Committee confidently trust that the resolution of the Students to devote themselves to missionary labour will be followed by examples of similar readiness, on the part of others, to enter the same most important duty, and that the prayers and contributions of the Church will be eagerly given in support of this glorious and incalculably beneficent undertaking. By means of that education, which, as time elapses, must spread more extensively in India the attachment of the natives to their erroneous systems of revolting idolatry, cannot fail to be eventually shaken. But the overthrow of error is not of necessity the erection of truth. Means must be employed for their religious instruction, and their conversion to the Christian faith. For this purpose there must be zeal, active liberal offerings, and persevering prayer by the members of our churches and of all other Christian churches.

It is true that the number is small who have yet been led on to renounce their foul superstitions. Millions are yet enslaved to the evil spirit of Hindooism and Mohammedanism, and so great would be the change produced by the wide diffusion of Christianity in India, that even the most sanguine may be unable to anticipate its actual occurrence. But let feelings of compassion for the sad condition of the natives, stimulate to vigorous exertions, this great change may be accomplished. They know not how to come before the Lord, and to bow themselves before the true God; and very decided must be the change in their condition, and their cumbrous systems,—so difficult to understand, so strangely complicated, and so closely inwoven with all their thoughts and feelings, shall have been abolished,—and, instead of worshipping their idols by a wild and cruel ceremonial, they shall have come, by a new and living way that has been opened to the Holiest of all.



to secure for that Revelation the fervent gratitude of convocations;—the universal reverence of an enlightened world!

**Other Missionary Societies.**

The Committee cannot close their Report without referring, in terms of cordial admiration, to the very great efforts that have recently been made for the evangelisation of India, by the Society for the Propagation of the Gospel in Foreign Parts, the Church Mission Society, and other associations connected with different denominations both here and in England. The Reports of the American Board of Commissioners for Foreign Missions attest, most emphatically, the ardent zeal and eminent success with which their extensive operations are conducted; while the vast expenditure of exertion, with the large contributions for the glorious object of Christianising India made by these and other bodies, are fitted to awaken feelings of deep humility and regret that by the Church of Scotland so much has been accomplished.

**Amount of Annual Collection, etc., etc., etc.**

The amount of the Annual Collection, made by appointment to the General Assembly, and reckoned up to the date at which the accounts are closed, is £3175 17s 4d; but contributions have since been received from 48 congregations, which properly belong to the collection for 1858-9. Up to the time of giving in the Report, collections thus been made by 910 congregations. The income of the Society derived from Collections, Parochial, Congregational, and Missionary Associations, Individuals, and Legacies, has thus been £3999 4s and if a sum equal to that received last year be obtained from the Lay Association, the income will be £4290 12s 5d.

The total general income for the last five years has been as follows:—

1854-5.	.	.	.	£3762	10	4
1855-6.	.	.	.	3827	16	1
1856-7.	.	.	.	3458	2	0
1857-8.	.	.	.	3843	9	0
1858-9.	.	.	.	4290	12	5

or thereby, according to the sum that may be received from the Association.\* The number of Parishes collecting has been as follows:—

\* Since this was prepared, it has been ascertained that, instead of £2000 received last year from the Lay Association, the contribution for this year has only £161.



combines *both* preaching to the adults, and also the instruction of young. On this ground, therefore, it may surely claim the concurrence and the support of *all* who approve of Missions to the heathen in any sense."

2. Respecting the account which the Catechist had furnished his proceedings during the past year, I said—

"I quite concur in the opinion expressed in the Report, that account is both interesting and satisfactory. Those of you who not have much acquaintance with the state of matters among Native Christians will, no doubt, be very much surprised when I tell that, apart altogether from any question as to the result of labours of your agent, the very circumstance that you have been able to secure the services of one who is willing to labour at all, is, in itself, a matter of no small satisfaction.

"The truth is, that *educated* Christians can now obtain appointments yielding them so very much higher emoluments than what Missions Societies seem disposed to allow, that, in Calcutta at any rate, it is next to impossible to find a really qualified person who is willing to devote himself heartily and *exclusively* to the work of instructing his fellow-countrymen.

"Such, then, being the case, it surely must be highly satisfactory to you to hear such an account as that which has just been read. I trust the agent you have employed is at least a diligent person, you will be already sufficiently convinced. How well directed his efforts have been, and how well calculated to instruct and improve this benighted people, I shall now proceed very briefly to show you.

"Of his duties as an instructor of youth, and also as a preacher to the adults, you are already sufficiently aware. There is no need, therefore, that I should dwell on these points.

"But there is one particular department of labour in which he has been much engaged, to some account of which I will now beg to request your attention. The department I allude to is one whose importance can scarcely be over-estimated, and yet it is one in which for many reasons, Missionaries have not been able to accomplish much; I mean the preparing of *Christian Vernacular Books*.

"In the course of the year, your agent has been able to prepare a Series of Tracts (copies of each of which he has here placed before you) relative to those deities which, for almost countless ages, have formed objects of worship to the Hindoos, and which, by the majority, continue to be held in just as much veneration as *Shiva, Krishna, Kali, Doorga, Jugannath, and Gunga*.

"Respecting the little works he has composed on these subjects, the author informs you that they have been very popular among his countrymen—that in the course of a few weeks the first edition, consisting of 2500 copies of each, was almost entirely sold. Connected with the sale of these works there is one circumstance well worth mentioning; and that is the fact (which the author





*Lastly*,—Whatever is bestowed, let it be done *freely*, wh  
it be pounds or pence. “Freely ye have received, freely g  
Shall “we give unto the Lord that which cost us nothir  
Shall we not rather delight to bring the “firstlings o  
flock” as a Thank-Offering to our God—we who can  
“Thanks be unto God for His unspeakable gift !”

It is proposed that the Thank-Offerings be specially de  
to the establishment of a new Orphanage in some favor  
locality in the North-west Provinces of India.

Contributions to the Fund may be paid to any mem  
the Committees and Auxiliaries in town or country, or  
direct to the Secretary or Treasurer in Edinburgh, speci  
“For Thank-Offering Fund.”

#### SUB-COMMITTEE.

Mrs. BELL, 22 Forth Street.	Mrs. PAUL, 13 George Square.
Mrs. BEATSON BELL, 20 Great King Street.	Mrs. STEVENSON, 17 Heriot Row.
Mrs. FORRESTER, 8 Drummond Place.	Mrs. TAWSE, 11 Royal Terrace.
Mrs. M'FARLAN, 17 Lynedoch Place.	Miss DIROM of Mount Annan.
Mrs. MACFARLANE, Manse, Duddingstone.	Miss ROSS of Woodburn, Mornie.
Mrs. MUIR, 13 Saxe-Coburg Place.	Miss SKELTON, 20 Alva Street.
Mrs. MURRAY, 4 Glenfinlas Street.	Miss SMITH, 15 Danube Street.
	Miss M. TULLOH, Beccworth Hill Greenhill.

#### ACTING (HONORARY) SECRETARY.

REV. MAXWELL NICHOLSON, 3 Regent Terrace.

#### TREASURER.

JOHN WRIGHT, W.S., 28 Forth Street.

#### BANKERS.

THE UNION BANK OF SCOTLAND.



## STATEMENT OF FACTS

RELATING TO

## BRITISH OPIUM TRADE AND REVENUE

BY THE

## EDINBURGH ANTI-OPIUM COMMITTEE.

EDINBURGH ANTI-OPIUM COMMITTEE, believe that there are few subjects of so great importance regarding which the public mind is not informed, as the Opium Trade and Revenue. We respectfully submit the following statement of the leading facts regarding them for the serious consideration of their country-

## OPIUM TRADE.

A vast importation of opium—prepared for the purpose of gratifying a vicious habit—being annually made into China from British India. This importation has increased forty-fold since the beginning of the present century from 2,000 to 80,000 chests. The means of this article has been created by shipping annually made by the East India Company in India since 1800, chiefly by British merchants, who succeeded in extending it, by experimental means, from time to time, into new parts of the first of a losing character, but profitable to the country, by creating a taste for the new vice. Opium forms the great bulk of the returns for tea and silk, amounting, as it does, to £10,000,000, while the export of all British produce to China averages little more than £1,000,000.

The use of this opium, so prepared, is productive of the most ruinous consequences to the population which consumes it. (b) These consequences are to be distinguished from those which result from the abuse of alcoholic beverages—the latter are—the former being, in the long run, not the exception, and the result of the abuse of the indulgence. (c) “The moralising influences of the opium trade” are not merely incidental to it, but, in the language of the Report of the Select Committee of the Commons, “are incontestable, and inseparable from its existence.”

According to the most unexceptionable testimony of merchants, travellers, physicians, Govern-

ment servants, missionaries, and Chinese statesmen, the vice, the misery, and even the destruction of life, resulting from this indulgence, it is almost impossible to estimate. (d) “The moderate use” of opium as it is prepared for the Chinese, which some suppose to be so harmless, tends to the practice of sensuality in its grossest forms. (e) “Moderation” leads, with fearful certainty and speed, to “excess;” (f) and excess to every crime of which its victim is capable, (g) until his career is ended in a premature grave. The numbers thus cut off are variously estimated; but although it is only along the sea-board that the practice prevails greatly as yet, the lowest calculation exhibits an amount of mortality which it is fearful to contemplate. (h)

4. Public sentiment in China is strongly opposed to this trade. On this account it is one of the greatest obstacles in the way of Christian missions. Our countrymen there are known only as vendors of opium—the curse of China—or as preachers of Christianity. The Imperial Government set itself against the trade for more than 60 years, and declared it contraband. It was, however, utterly unable to contend with the heavily armed vessels in which the opium is carried, but in 1839, after repeated warnings to the English residents (the last being addressed to them individually) to send away their opium then in Chinese waters, a special commissioner from Peking caused the owners to be confined within their own dwellings until they surrendered the entire quantity, amounting to 20,283 chests. He then destroyed the whole, valued at between one and two millions sterling, and took such measures as rendered it almost impossible to dispose of a chest along the coast. (i)

5. The British Government thereupon declared war against China; and after the slaughter (j) of nearly 40,000 of its subjects, dictated a treaty by which the Chinese were compelled to pay more than £4,000,000 for the opium destroyed, and for the expenses of the war, and also to give up the island of Hong-Kong on their coast. The English merchants had previously signed a pledge to discon-

ANDREW ELLIOT, 15, PRINCES STREET, EDINBURGH;  
THE RELIGIOUS TRACT AND BOOK SOCIETY OF SCOTLAND,  
13, ST. ANDREW STREET, EDINBURGH, AND 120, QUEEN STREET, GLASGOW.

Price 2s. 6d. per 100.

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RELATING TO

## BRITISH OPIUM TRADE AND REVENUE,

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RELATING TO

## BRITISH OPIUM TRADE AND REVENUE,

BY THE

EDINBURGH ANTI-OPIUM COMMITTEE.

OTLAND

THE ANTI-OPIUM COMMITTEE, believe there are few subjects of so great importance regarding which the public mind should be informed, as the Opium Trade and especially submit the following facts regarding them for the consideration of their country-

### OPIUM TRADE.

Since the commencement of the opium trade in British India, the importation of opium has increased annually into China. This importation has increased since the beginning of the present century from 2,000 to 30,000 chests. The opium has been created by shipping made by the East India Company in 1800, chiefly by British merchants, and extended in time, by experimental means, into new parts of the world, creating a taste for the new vice, and thus the great bulk of the returns for opium and silk, amounting, as it does, to the whole of the export of all British produce to China averages little more than

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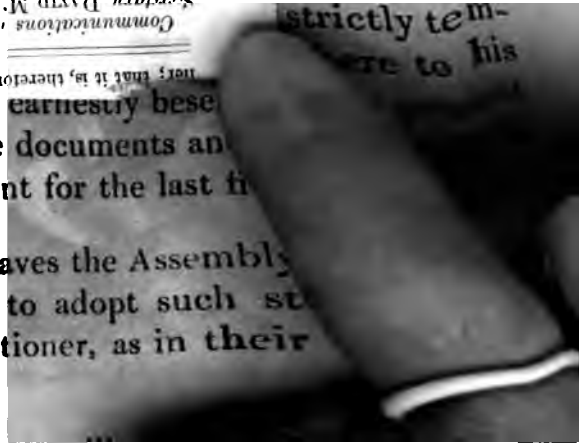
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Communications regarding the subject of the above Statement and Appeal may be sent to the Secretary, David McLaren, Esq., 2 Victoria Terrace, Edinburgh. Petitioners to assist in defining information on the subject of this paper, will be thankful by the Trustees, G. F. BARBER, Esq., 11 George Square, Edinburgh.

present habit of life; and he most earnestly beseeches the Assembly to allow him to produce documents and to the correctness of his department for the last time.

That your Petitioner humbly craves the Assembly to place the premises into consideration, and to adopt such a resolution to the status of a Probationer, as in their wisdom they may see meet.

And your Petitioner wishes



49

Proof.]

# REPORT

TO THE

GENERAL ASSEMBLY OF THE CHURCH OF SCOTLAND

BY THEIR

COMMITTEE FOR THE CONVERSION OF  
THE JEWS.

GIVEN IN AND READ BY

PROFESSOR ALEXANDER F. MITCHELL, CONVENER,

20th **MAY** 1859.

EDINBURGH:

PRINTED BY PATON AND RITCHIE, 18 GEORGE STREET.

MDCCCLIX.



in the Turkish field. In a letter very recently received from him, and which, it is hoped, may appear at full length in the *Missionary Record* for June, Mr. Sutter intimates that a Mohammedan convert, brought to the knowledge of the truth by the American missionaries at Constantinople, and obliged to escape thence on account of the persecution to which he was subjected, has been entrusted to his care, and that, having found this convert to be intelligent and truthful, he is desirous, with the aid of your Committee, to have him regularly trained for service among his former co-religionists.

## II.—TURKEY.

1. *Salonica*.—The work at this station has, during the past year, been prosecuted steadily, and not altogether without visible results; though it must ever be borne in mind that the good done, especially at a station so recently occupied, is not to be measured by the present and visible results, and that, independent of these, a great work is accomplished simply by the diffusion of the knowledge of pure Christian truth, and the exhibition of Christian kindness to those who, for so many ages, have been sitting in darkness and the shadow of death, hateful and hating one another.

From among God's ancient people, two proselytes, a father and his son, have, during the past year, been added to the Church. The number of inquirers among the Greeks has increased considerably, both in the villages in the more immediate neighbourhood of *Salonica*, and in those of *Cassandra*. The treatise entitled "The Sum of Saving Knowledge," usually bound up with the "Confession of Faith," has been translated into modern Greek by one of the proselytes, and is now being thoroughly revised by an accomplished Greek scholar in this country. Considerable progress has also been made in rendering into Judæo-Spanish the well-known work of Dr. M'Caul, termed "The Old Paths."

The English service on the Lord's day has been regularly continued, and has been well attended by the small resident English community. A Judæo-Spanish service has been regularly held for the benefit of converts and inquirers from



should, for a time, have charge of the Sabbath prayer-meeting, so that the Committee may be able to dispense with the services of other agents there.

Towards the close of December last, at the request of your Committee, Rev. J. W. Yule, your esteemed missionary at Alexandria, proceeded to visit this station; and, from the suggestions made by him, your Committee have been enabled to draw up further rules for the guidance of the missionaries, which they trust will tend much to the advancement of the work in which they are engaged. The missionaries have expressed to your Committee the gratification they received from Mr. Yule's visit and Christian counsel; and considering how very recently the brethren who have selected this station as their sphere of labour have entered on ministerial duty, how entirely they are cut off from intercourse with other Christian missionaries, and from all but the most limited Christian society, and how many are the difficulties and trials which in consequence they have to meet, your Committee cannot doubt that such visits, if not essential, are, from time to time, most expedient, and calculated to be the most beneficial, both for the spiritual refreshment of the missionaries and for the satisfaction of the Church at home.

2. *Smyrna*.—At this station also, the labours of your missionaries, during the past year, have not been left without visible tokens of success, in the conversion and baptism of some of the members of that ancient race whose good they chiefly seek. The Judæo-Spanish service on the Lord's day, and the meetings for discussion with Jewish inquirers on Saturday, have been regularly continued, and generally well attended. Sometimes as many as twenty-five have been present. Mr. Coull announces that he is now able to take his turn in the Judæo-Spanish service, which will henceforth be conducted alternately by him and Mr. Rosenberg. The English service, which, for the greater part of the year, has been conducted by Mr. Coull, has also been, in general, well attended, the numbers varying from thirty to fifty. In the course of the past year a new lease has been obtained of the chapel in which these services are held, and a house has been secured which contains accommodation for male and female schools, and for a Bible and tract depot.

Since the autumn, schools have been opened by Mr. and Mrs. Rosenberg, assisted by Ulysses Kynegos, a native Greek. A



operation, it is already attended by several young Jewesses, along with some Greeks and Roman Catholics, and in it the children are instructed in the knowledge that maketh wise unto salvation, as well as such other branches of female education as will enable them usefully to fill the stations in which Providence may afterwards place them. In London, the Association's zealous missionary, Mrs. Rosenfeldt—and in Germany, their no less zealous and tried missionaries, Miss Mittelbach at Karlsruhe, and Miss Huth at Darmstadt—have, during the past year, continued their labours with all their accustomed fidelity, and not without tokens of encouragement and success. Your Committee have most earnestly to recommend the Ladies' Association for the Christian Education of Jewish Females to the continued and increased support of all who are interested in the cause of Jewish Missions.

*Aid from other Societies.*—During the past year liberal grants of Bibles and tracts have been received by your Committee, for their Mission in Alexandria, from the Scottish Bible Society and the London Religious Tract Society, and for which they have to record their thanks. Their thanks are also due to the Tract Society for a large supply of books for a library; and to several publishers, for supplies of school-books, furnished to them for their Mission stations, at greatly reduced prices.

*Funds.*—It is with the deepest regret that your Committee have again to report a decrease in the amount of the funds placed at their disposal for the advancement of the truth among the dispersed of Israel; and that, for the efficient conducting of their Mission stations during the year, they have been obliged nearly to exhaust the whole sum in hand at the closing of last accounts, as well as the whole income for the year.

Collections have, during the past year, been made in behalf of the Mission in 818 Churches and Chapels, being an increase of 35 as compared with last year. The amount of these collections, however, is only £2043, 11s. 8d., being, as compared with last year, a decrease in their amount of £102, 10s. 4d. The number of *parishes* from which no collection has been received this year is 239.

Contributions have been received from 25 Parochial or Con-



# REPORT

OF THE

COMMITTEE OF THE GENERAL ASSEMBLY

FOR INCREASING THE MEANS OF

## EDUCATION IN SCOTLAND,

PARTICULARLY IN THE

### HIGHLANDS AND ISLANDS.

SUBMITTED TO THE GENERAL ASSEMBLY, MAY 1859.

EDINBURGH

PRINTED BY WILLIAM BLACKWOOD AND SONS

MDCCLIX



4. Arithmetic, including *Interest* [and *Vulgar and Decimal Fractions*].\*
5. [Euclid, three books; or Algebra to simple Equations, inclusive; or Mensuration and Mechanics.]†
6. Geography of the Four Quarters of the Globe, with the more special knowledge of the British *Empire* and the Historical Geography of *Great Britain*.‡ [Use of the Globes.]
7. Holy Scriptures § and Shorter Catechism.
8. History of Great Britain.||
9. Ability to give a [Gallery] Lesson, and to conduct the instruction of the First Class in any subject selected by the Inspector.

*N.B.—Female Candidates are not examined in the subjects printed in brackets; but on Sewing or Domestic Economy; and proficiency in either of these subjects, along with satisfactory attainment in other branches, will secure a place in the FIRST Class.*

Those of the specified age desirous of taking advantage of this Minute, in connection with the Church of Scotland Normal Schools, must forward their applications to the Secretary, 22 Queen Street, Edinburgh,—accompanied with a certificate of the date of their birth, and a testimonial as to religious and moral character from the minister of the parish in which they may reside,—on or before the 15th November 1859. They should also name the Normal School which they wish to attend in the event of their passing.

The following is the Rector's Report on the Edinburgh Normal School for the year ending May 14, 1859:—

From an alteration in the scholastic year lately sanctioned by the Education Committee, the Annual Session of the Normal School now commences in January and ends in December. The attendance of Students at the Institution for the past year may therefore be conve-

\* Thomson's, Cornwell and Fitch's, or Sang's Arithmetic (Blackwood--  
Edinburgh, 1856). † The Committee of Council prefer Euclid.  
‡ Dr Clyde's Geography. § Pinnock's Analysis.  
|| Corkran's History of England in Epochs.  
¶ Miss Brewster's Manual of Household Economy.



*St James Barclay*

# OUR PARISH SCHOOLS:

## WHAT IS TO BE DONE WITH THEM?

BY THE REV. JAMES COCHRANE, A.M.,

MINISTER OF THE FIRST CHARGE, CUPAR-FIFE.

CUPAR-FIFE: PRINTED IN THE FIFESHIRE JOURNAL OFFICE.



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There is, as it appears to me, but one thing needed to improve schools—that is, to improve the teachers' salaries. It would be no in my eyes, to alter the present mode of libelling and deposing a under the pretext of getting more easily quit of improper teachers. most valuable features, according to my view of things, in the syste prevails, is just the security which the schoolmaster has for his ten It is a lengthened, troublesome, and complicated affair to remove a from his office; and so, I humbly conceive, it ought to be. It is a far one or two worthless schoolmasters should retain their livings, even i efforts to turn them out, than that a thousand worthy men should h givings about the permanency of their status. By all means let the feel as independent on that score as the Parochial Minister, the County, or any other official whatsoever. But the present salaries are a disgrace to the country. What is more, I believe that the present ratepayers would never object to a material increase. What ought to make that augmented salary a legally exigible thing.

But here sectarianism steps in, and demands that the constitution school be altered, as the condition on which such augmented salary wi Free Church partizans, who, it is well known, once rode the very rigg istical intolerance in this identical matter of school tests, and who, in of the schools they themselves set agoing, do, at this very hour, ackno Churchism, and Free-Churchism alone; so much so, that I fear they have a Papist or a Mahommedan to teach one of their schools, than the Established Church; these Free Church partizans are actually clamour for Parochial Schools, without the slightest guarantee for a religious instruction in them. What do they mean by this? It is im, they can be the patrons of a godless and Christ-ignoring education. that they may have the opportunity afterwards, of disturbing the peac by struggles to settle their Free Church nominees in the parish scho the event of not succeeding, planting by the side of those parish sch Church rival, in the same way they have done in so many instances then saying to the locality—Behold the contrast betwixt the godless a school? As for the older dissenters of the U. P. connection, their remanding a change is chiefly this, that they may provide a possible livin tion of their young men; a very laudable object in itself, but surely every Christian man amongst them would pronounce to be bought at a f were it to be gained by the sacrifice of the religious character of our sch is really, after all, not so much difference betwixt the doctrine prea Parish Church and the U. P. Meeting House, that a young man belon latter should make a mountain out of a mole-hill, and refuse the appointm chial teacher because it requires his attendance at the former place of w these days of liberal religious sentiment, such a refusal ought to be a sanctimonious punctiliousness rather than to common sense. As for oth bodies, they constitute so small a portion of the community that, were it influence and representations of Free Churchmen and United Presbyte would carry no influence whatever in this matter. Nineteen-twentieths o are Presbyterians, and it is very much to be deplored that, for the sak porary triumph over the Established Church, to one or two of the other

on. Let some neutral but authoritative party determine whether the school, previously built and opened in avowed connection with one or other of these Presbyterian bodies, be in a locality standing in need of a school; and then, in point of endowments and other privileges, let it be assimilated to the schools in connection with the Established Church—the Established Presbyteries, however, having no more authority over it than the Dissenting Presbyteries have at present over the schools of the Established Church. This, I am persuaded, is the only way of settling this agitated question. Not otherwise, I believe, is it possible to secure our time-honoured school institutions, and averting that cloud of danger which now hangs over them.

It will be necessary, however, to explain my views at greater length. This I shall endeavour to do in another communication. I have indicated the principle; I shall now enter more minutely into detail.

D.



And just as a stranger, if he should enter into any of our churches on a Lord's Day—whether it be Parochial, Free, or U P.—cannot from the form of worship, or even the doctrines taught, gather with what sect of Presbyterians he is worshipping, so, on entering such a school, it will be impossible for any one to tell from what he witnesses there, to what denomination the children belong, and under whose superintendence the seminary has been placed. This is precisely what is wanted. In one word, and having regard to the present religious condition of the country, our educational state would be one of optimism.

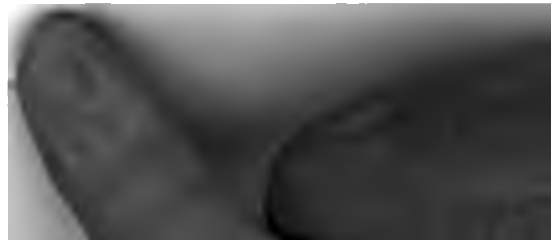
It will be noticed that, throughout these observations, I have said nothing about grants under the Privy Council Scheme of Education. The funds for the permanent support of the new as well as of the old Parochial Schools, I would draw from the localities which they are designed to benefit. There are very many objectionable things about that Privy Council Scheme, and certainly it is creating an enormous expense to the country—expense which seems to be far ahead of the benefits it is conferring, great although, in some respects, these benefits may be. For the sake of non-Presbyterian schools, normal schools, female schools, and others not strictly parochial; for the sake of furnishing building grants in special cases; and perhaps also, for maintaining the present system of allowances to pupil teachers—a system which, although liable to defects, has undeniably been productive of much benefit to society, and given an impulse to education;—for these causes, I would gladly see the present Privy Council Scheme, or a modification of it, continued. But whether this be done or not, the scheme which I have propounded will of itself be adequate to overtake the educational wants of the community, so far as any Parochial Schools can do it; and for generations to come, this question of education would be settled. In the eyes of some, amongst whom I beg to rank myself, I am sure that it will be one of the not smallest of its recommendations, that it will admirably prepare the way for that most desirable consummation—the re-union of Presbyterians in this land, when these very foolish distractions will be over, and Scotland has become itself again.

It will also be observed that I have said nothing about burgh, specially-endowed, and adventure schools. Of these the Legislature need take no notice. Private individuals, and various societies of persons, will, so long as teaching is reckoned a desirable thing, be ever opening, subscribing for, and even endowing, new schools—whether their object be emolument, sectarianism, or benevolence. The Legislature may very safely let such parties alone. Seminaries of this description may evidently, in a multitude of cases, be beneficial to society, and even render it unnecessary for the Sheriff Court to erect new Parochial Schools in many districts where otherwise they would be set up. Nor will it be necessary to introduce into the new enactment, as some have not scrupled to suggest, and as has been actually done in Prussia, any provision for the compulsory education of children. Such a provision is quite repugnant to British feelings, and not only would be a rude interference with the habitudes of this country, but totally unnecessary. Moral causes are in full and universal operation, over the length and breadth of the land, to supply a far better and more effectual compulsion. Let the Legislature by all means cheapen common education down to the very minimum, by providing endowments for the teachers; let it multiply schools, and so render such education accessible to every child in the country; and, its part in this great work having thus been accomplished, it may rest assured that there are and will be influences in operation which will accomplish all the rest.

I have thus propounded a scheme which I humbly conceive would, were it

COTLAND,

BY OF



BRIEF STATEMENT OF PROCEEDINGS

CONNECTED WITH THE PROPOSED

COLLEGE

FOR

EDUCATING THE DAUGHTERS OF THE CLERGY  
OF THE CHURCH OF SCOTLAND,

AND OF

PROFESSORS IN THE SCOTTISH UNIVERSITIES.



EDINBURGH :

JOHN BAXTER, PRINTER, JAMES COURT, HEAD OF MOUND.

1859.

COTLAND,

V

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~~XXXXXXXXXX~~ will ever pray,

JAMES WILSON.

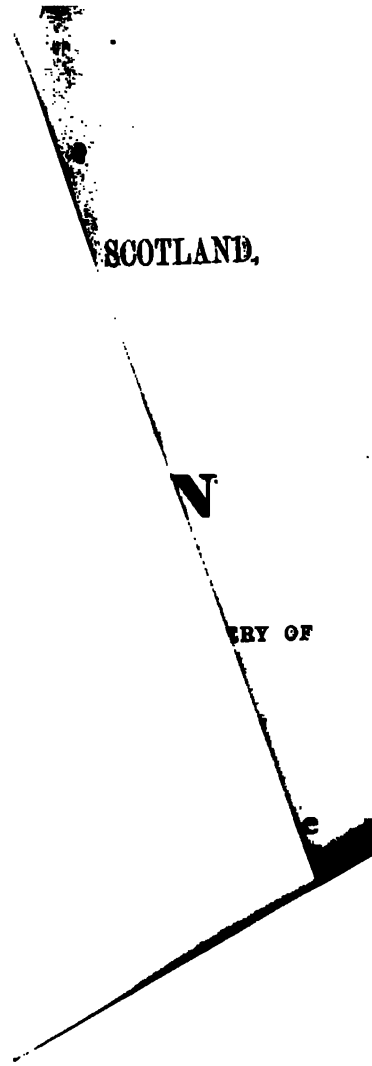
tion as they ought to receive. This is the truth ; and, knowing it so to be, it is hoped that the Clergy and their friends will listen with indulgence to a scheme, suggested by my late brother, Dr Esdaile, for procuring a superior education to the daughters of Scottish Ministers and Professors.

"The proposal is, that the Clergy and the Professors in the Scottish Universities shall combine their intelligence and their pecuniary resources for the formation of an Educational Institution of the highest class, with the view of giving their daughters the best useful and ornamental education at the smallest possible cost. While an ample educational staff will afford the means of such an education, it is not intended to send forth mere *fine* young ladies. A dressmaker is among the number of the teachers ; and it is proposed that every description of domestic economy (above menial work) shall be performed by the pupils in rotation, under skilful superintendence. The whole scope of the Institution will be to exalt useful labour, and show its compatibility with the highest refinement. The resident staff will be assisted by a competent number of Teachers, and, in special cases, by Artists, for the purpose of developing and rendering available any particular gift with which a pupil may be endowed ; so that, if obliged to live by her talents, she may be able to use them to the greatest advantage.

"Such are the important objects which I have taken the liberty of suggesting for the consideration of those interested in them. The idea which I wish to convey is simply this,—if we choose to combine, we may, forthwith almost, see in Scotland such an admirable institution as there is at Brighton, and which for about twenty years has been conferring the highest religious and educational advantages on the Daughters of Ministers of the Church of England. The truly benevolent founder of that institution—the Rev. H. V. Elliott—has favoured me with the following letter, in which he liberally offers to aid our efforts :—' St Mary's Hall, with its grounds and additions and furniture, has cost full £12,000. It is now free of debt and incumbrance, and rent free. Our staff of governesses is sixteen—five for music, two French ladies and one German amongst them ; besides masters and professors. The salaries of the governesses vary from £100 to £30. The servants are about eighteen in number. I have never regretted that a lady was at the head. I see great objection to any other plan. My experience is this :—The Lord hid from me the expenses and difficulties of the work. If I had known them, I should not have ventured on it. On the other hand, He did not leave me in the difficulties, but raised up friends, and patrons, and gifts far beyond what I had, even in my most sanguine mood, calculated upon, and this from the beginning. If you go on, and should please to inform me, I should like to have a brick in the building. May the Lord guide and bless you in the work !'

"Surely it is very encouraging to read of the blessing vouchsafed to Mr Elliott. The practicability of the project for the education of the daughters of Scottish Ministers and Professors is demonstrated by the experience of St Mary's Hall, the average attendance at which is four years ; the average cost for each pupil being, if I understand aright the annual report, £30. But if, after explanation, which has been requested, it turn out that the average cost is nearer £40, it is to be borne in mind that the pupils are provided with all their outer clothing.

"By a visit to St John's Wood, London, I have also ascertained that the Institution for the Orphan Daughters of the English Clergy wholly clothes and feeds, as well as thoroughly educates, its pupils, for £35 a-year. Without emulating the apparently superabundant educational



young women is superior to that of any number of young women of the same age in any part of London. I have no doubt that the most minute inquiry will establish this fact.'

"We may, therefore, confidently anticipate that, while attending our proposed Institution, the pupils will receive a far from stinted dietary at the charge of less than £20; and that when more than one pupil is furnished from the same family this may be reduced to £18. In order to compare this rate of board with what is demanded by money-making establishments, we need only point to the fact of an Edinburgh Institution charging £25 for day-board alone.

"The actual average cost of tuition for each of the 109 pupils at Whitelands was, in 1857, £12, 3s. 5½d.; so that the entire average cost of board and education for each of these trained female teachers was £26, 16s. 11½d.

"The average cost for tuition in the 11 female training colleges is £8, 1s. 8d., which being added to the average cost of housekeeping (£18, 6s. 1d.), makes the average cost for board and education £26, 7s. 9d.

"This average cost does not include house rent, which, in the case of Whitelands, is £415, 14s. 11d.

"In order to give an idea of the total expenditure on each pupil in such an institution, we add that at Cheltenham Female Training College, with 59 pupils, this amounts to £32, 17s. 5½d. The charge for rent, rates, taxes, insurance, garden, is, in this instance, £242, 1s. 10d.

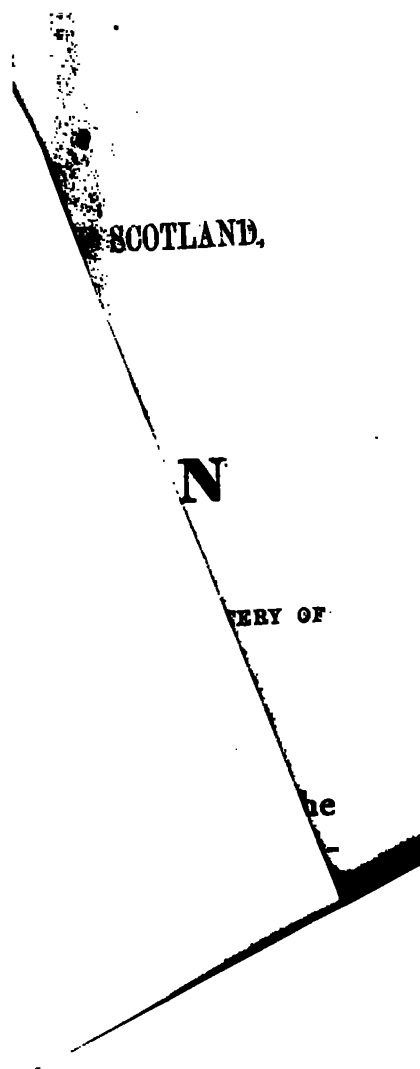
"As we contemplate founding an institution of the highest class, we direct attention to one of this kind—St Mary's Hall, Brighton. In this institution each young lady pays £20 a-year, which sum includes not only board, but also the more expensive part of the dress after the first year. She is also taught the usual branches of English and French education; the latter by French ladies living in the house. Music is an extra of £5 per annum; drawing, £4; German, £4; Exercises for Deportment, £4, 4s. The style of this institution for 100 pupils may be inferred from the employment of 16 resident governesses, of many non-resident teachers, and of 18 servants.

"Our knowledge of these facts justifies, we think, the belief that our daughters may receive a first rate education within an Institution founded by ourselves and our friends, and watched over by us with zealous and enlightened affection. We therefore recommend the immediate adoption of measures for the accomplishment of this truly important object.

"Our attention has been directed to the question, Where ought this Institution to be established? Strong representations have been made to us as to the eligibility of Peebles, and encouragements have been held out to us in the event of that locality being selected. Unless, however, these prove to be of the most substantial kind, the superior claims of the vicinity of Edinburgh must prevail.

"Our Secretary has made inquiries regarding the favourite locality of Morningside, and informs us that several portions of land are there procurable; and with regard to one of these, he has been furnished with the conditions of sale. A very suitable house, with a considerable portion of ground attached, has unfortunately been let for three years, and we do not know whether the occupant could be induced to resign possession.

"Our search after a suitable house may be facilitated by friends communicating to us any information which they may be able to procure; and as the suitability of the house depends on the number to be accommodated, the means of forming an opinion on this point must depend



of nomination in favour of their own daughters, that her admission shall be impracticable.

"By giving or raising £30, Ministers and Professors shall acquire the right of having their daughters educated in the College successively, on such conditions as may be finally agreed upon; it being understood that not more than two daughters from the same family shall be eligible during any year, unless under special circumstances, to be explained by the Directors in their Annual Report.

"We have been hitherto contemplating the Institution as restricted to the Daughters of Ministers and Professors. It has been pressed upon our attention that its interests would be promoted in various respects by the admission of a limited number of young ladies, daughters of private gentlemen. And being informed that we may expect that such parties will apply for admission, we recommend that they be admissible at the discretion of the Directors, to be hereafter appointed, and in such proportion as shall not interfere with the primary object of the Institution.

"In conclusion, we suggest the appointment of a Committee, on which shall devolve the task of devising active measures for raising funds and carrying into operation the resolutions come to at our previous meeting. And we are of opinion that the object contemplated may be essentially promoted by the co-operation of friendly laymen, one of whom should be solicited to be Convener of the proposed Committee."

One very encouraging portion of the proceedings connected with the contemplated College is the interest with which it is regarded by lay friends of the Church; among whom may be mentioned, Professors More, Swinton, Day, and Ferrier; Sheriff Arkley; Isaac Bayley, Esq.; J. Anderson, Esq. of Strichen; R. Scarth, Esq. of Binscarth (Orkney); Hugh Barclay, Esq., LL.D., Perth; A. S. Cook, Esq. (Procurator); Robert Cook, Esq. (Montrose); James Macintosh, Esq. of Lamancha; R. W. Anderson, Esq., Forfar; Alexander Dickson, Esq.; Dr Sibbald, Edinburgh; Mr Gordon, Dr Woodford, and Mr Middleton, Her Majesty's Inspectors of Schools; and many others. Influential ladies are also greatly interested in this effort to extend to the Daughters of Ministers and Professors those educational advantages which have long been enjoyed by their Sons; and already it has been proposed that in Edinburgh there shall be a Committee of Ladies to co-operate with the Committee of Gentlemen on whom has been devolved the task of raising funds for the speedy establishment, and at least partial endowment, of the proposed College. The friendly services of ladies in different parts of the country <sup>are</sup> most respectfully solicited; and Mr Esdaile will have much pleasure in aiding their exertions by furnishing copies of the Interim Report, or in any way which they may be pleased to suggest.

In regard to the mode in which a Right may be acquired to

OF SCOTLAND,

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GENERAL ASSEMBLY,

1859.

PETITION

OF

**JAMES WILSON.**

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# OVERTURE

ON

## Regulations to be observed in the Induction of Ministers.

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**W**HEREAS differences of opinion have arisen throughout the Church, with respect to the meaning and advantage of some of the Regulations in the Act passed by the General Assembly in 1856, intitled, "Act respecting the Induction of Ministers;" and whereas it is desirable that no unnecessary delay or expense should be incurred in the settlement of Ministers in vacant Parishes, it is Overtured, That the General Assembly, with the consent of a majority of the Presbyteries of the Church, do Rescind the said Act, and Enact and Ordain that the following Directions and Regulations for the Induction of Ministers, in accordance with the Word of God, and the Constitution and practice of this Church, shall be observed in its stead, in time coming :—

**Presentation  
to be lodged.**

I. That every Presentation, to a Vacant Charge shall be lodged in the hands of the Moderator or Clerk, for the time being, of the Presbytery of the bounds. When lodged with the Clerk, he shall immediately give notice thereof to the Moderator, and the Presentation shall be laid before the Presbytery, by the Moderator or Clerk as the case may be, at their next ordinary meeting, if such meeting has been previously fixed for a day distant not more than one calendar month from the time when such document was lodged. But if no ordinary meeting shall have been fixed to take place within that period, the Moderator shall, within three days after the Presentation has come into his hands, or of his receiving notice that it is in the hands of the Clerk, call a meeting of Presbytery, to be held on a day not less than ten, nor more than fourteen days after the date and despatch of the intimation by which it is called, for the purpose of receiving, examining, and judging of such Presentation.

Documents to be examined. II. That at the next ordinary meeting of Presbytery, or on the day of meeting specially called for that purpose, as the case may be, the Presbytery shall deliberately consider the said Presentation, and see that it is accompanied by the necessary relative documents, namely, a letter of acceptance from the person so presented or nominated, and a certificate that he has taken the usual oaths to Government, together with evidence that he is qualified to receive a Presentation, such evidence being, in the case of a Licentiate resident in this country, the production of an Extract of his License, with a Certificate of Character from the Presbytery within whose bounds he has last resided; and in the case of a Minister, or Licentiate, who has previously been residing furth of Scotland, sufficient proof that he still retains the *status* and character of a Minister, or Licentiate, in connection with the Church of Scotland; and, if satisfied on these points, the Presbytery shall pronounce a judgment sustaining the Presentation, and resolving to proceed towards the settlement of the Presentee.

In doubtful cases judgment to be deferred. III. That, if any of the documents so produced appear to the Presbytery to be invalid or insufficient, the consideration of them may be adjourned to a future day, due intimation of such meeting being given to the Presentee, and a reasonable time allowed to him to supply the defect, or obviate the difficulty; and if, at the said second meeting, the Presbytery shall be satisfied with the documents, they shall pronounce a judgment sustaining them, and resolving to proceed as before directed. But if, on the contrary, they find that these deeds and documents are invalid or insufficient, they shall refuse and reject them, specifying in their judgment the grounds of rejection, and causing their judgment rejecting the Presentation to be intimated without delay to the Patron; unless he, having sisted himself as a party, personally, or by his agent or mandatory, has heard such judgment publicly intimated to him.

Presentee to Preach in the vacant Church. IV. That when the Presbytery shall have sustained the Presentation, and relative documents, they shall appoint the Presentee to conduct public worship, and lecture and preach in the Church of the vacant Parish, on each of two consecutive Sabbaths, and that the Presentee on each occasion, immediately after the service, shall lodge the manuscripts of the discourses in a sealed envelope, with the Session-clerk, or, in his absence, with one of the Members of the Session, and failing these parties with some individual appointed by the Presbytery to receive the same, to be transmitted in course of post, to the Presbytery-clerk. that they may be laid by him upon the table of the Presbytery, of which discourses, the Presentee shall reserve copies for himself. It being provided that, in all cases, intimation of the days of such preaching shall be given to the Congregation, on the Lord's-day immediately preceding the first of them, by edictal notice, under authority of the Presbytery; it being also provided, that, in the case of a united parish having two Churches, the Presentee shall be appointed to conduct public worship, and to lecture and to preach

one Sabbath at least in each of those Churches, when the manuscripts of the discourses shall be disposed of in the manner before mentioned.

Moderation of  
Call to be in-  
timated.

V. That after providing that the Presentee shall lecture and preach, as in the preceding Regulation, the Presbytery shall, at the same time, appoint a Meeting to be held in the Church, or one of the Churches, of the vacant Parish, for the purpose of Moderating in a Call in favour of the Presentee, and of receiving Objections to his Settlement, if such shall be offered; such Meeting to be at the distance of at least ten free days from the second Sabbath on which the Presentee lectures and preaches, and to be intimated, under authority of the Presbytery, at the same time that the diets of the Presentee's preaching are intimated, in the form hereunto appended. (A.)

Appendix (A.)

Meeting for Mo-  
deration of Call.

VI. That on the day fixed for Moderating in the Call, the Presbytery shall meet in the vacant Church, and a Sermon shall be preached by the Moderator, or other Member specially appointed to perform that duty, who shall, after Divine Service, intimate from the Pulpit the object of the Meeting. A Call and Concurrence, drawn up in the form hereinafter prescribed (B) shall be publicly read, and the Heritors, Elders, and others, being Members of the Congregation, or Parishioners, being Protestants, invited to subscribe and concur in the same, adding to their names their designations. After the said Call and Concurrence has been subscribed by persons present, or by the representatives, duly authorized, of such as are absent, the Presbytery may, if they deem it expedient, leave it in the hands of the Session-clerk, or other responsible person in the Parish, to receive such additional signatures as may be tendered in his presence.

Appendix (B.)

VII. That after the Call and Concurrence has been subscribed by all persons who are entitled and willing to do so, or an opportunity for so doing afforded, intimation shall be made by the Moderator, that if any one or more Parishioners, being Members of the Congregation, have any objection to the individual so presented, in respect to his ministerial gifts and qualities, either in general, or with reference to that particular parish, or any reason to state against his settlement, in that parish, and which objections or reasons do not infer matter of charge against the Presentee to be prosecuted, and followed out according to the forms and discipline of the Church, the Presbytery are ready, either then, or at their next meeting, to receive the same in writing, or to write down the same in their minutes, in the form and manner which such Parishioners may desire. Should objections be given in, or an intention to object intimated, the same shall be recorded, and the Presbytery shall hold an adjourned meeting in the vacant Church,—the said meeting to take place not less than ten, nor more than fourteen days after that for Moderating in the Call, to cognosce and determine on the objections which have

Objections to be  
received.

been submitted to them, or to receive, cognosce, and determine on such objections as may be then offered. But if no objections or reasons shall be given in, either at the first or second meeting, the Presbytery shall proceed at said second meeting, to the settlement of the Presentee with all convenient speed, according the rules of the Church.

Presbytery to consider and dispose of objections.

VIII. That when objections or reasons have been offered and recorded, the Presbytery shall proceed to consider and dispose of them ; and in cognoscing and determining on the said objections or reasons judicially, they shall have regard only to such objections or reasons so stated, as are personal to the Presentee, in regard to his ministerial gifts and qualities, either in general, or with respect to that particular Parish ; but they shall at the same time have regard to the whole circumstances and condition of the Parish, to the spiritual welfare and edification of the people, and to the character and number of the persons by whom the said objections or reasons shall be preferred ; and in so proceeding, the Presbytery shall, in the first instance, dispose of the relevancy or admissibility of the objections or reasons so stated and recorded. And if the Presbytery shall be satisfied that the objections are not personal to the Presentee, in regard to his ministerial gifts and qualities, either in general, or with reference to that particular Parish, or that they are the expression of mere dissent or dislike, the declaration of such dissent or dislike not being accompanied by the statement of any reasons for it, to be fully cognosced and judged of, they shall pronounce a judgment, finding the objections irrelevant ; and they shall proceed, as if no such objections or reasons had been offered, to take the usual steps towards the trial and induction of the Presentee, according to the rules of the Church.

Presbytery to pronounce on admissibility of each objection separately, and to cognosce thereon.

IX. That the Presbytery, in the event of any of the said objections or reasons being found admissible, shall proceed to cognosce and determine thereon judicially. If any of the objections or reasons refer to the Pulpit services of the Presentee, whether as to the quality of his Discourses or Prayers, or as to his utterance or manner, on both or either of the days on which he preached in the Parish, by appointment of the Presbytery, he shall forthwith be appointed to conduct public worship again in the Parish Church on a week-day, suitable for the Parishioners ; or, in the event of there being two churches in the Parish, in that Church most suitable for the majority of the Parishioners ; of which appointment, due notice shall be given from the pulpit of the said Church or Churches, on the Lord's day immediately preceding the week-day fixed on. And the Presbytery shall meet in the vacant Church on said week-day ; and the Presentee shall go through the usual service of the Church in their presence, and shall preach, according as the Presbytery may direct, one or more of the Discourses which he has already preached before the people. Thereafter, at another meeting to be held not less than six, nor more than fourteen days subsequent to the said week-day, and of which due notice shall be given on the said week-day, from the

TO THE VENERABLE  
THE GENERAL ASSEMBLY OF THE CHURCH OF SCOTLAND

CONVENED

AT EDINBURGH, 19TH DAY OF MAY, 1859 :

**T H E P E T I T I O N**

OF

JAMES WILSON. LATE MINISTER OF IRONGRAY, IN THE PRESBYTERY OF  
DUMFRIES.

*Humbly Sheweth,—*

**T**HAT your Petitioner was deposed from the office of the holy Ministry, for the sin of intemperance, by the Assembly of 1853.

That your Petitioner did not resist the procedure of the Presbytery, but confessed that his conduct had not been such as became his position in life; and the case being referred to the Assembly, the supreme court held him confessed, and pronounced sentence of deposition accordingly.

That your Petitioner has always acknowledged the said sentence of the Assembly to be just, has been led seriously to consider his past conduct, and now begs to express the deepest penitence for his sin, and the scandal he has brought on the Church.

That your petitioner, for some years past, has been strictly temperate, and resolves, through the grace of God, to adhere to his present habit of life; and he most earnestly beseeches the present Assembly to allow him to produce documents and testimonials as to the correctness of his deportment for the last five years.

That your Petitioner humbly craves the Assembly to take these premises into consideration, and to adopt such steps for his restoration to the status of a Probationer, as in their wisdom they may see meet.

And your Petitioner will ever pray,



be competent for them, if they find difficulties in the case, to refer the questions that have been raised before them, either as to the relevancy, or admissibility, or as to the proof of the objections or reasons to the superior judicatories of the Church for decision. Provided always, that the Patron, the Presentee, the Objectors, and all others, who having interest in the said questions have been heard or admitted as parties before the Presbytery, shall have a right to bring any judgment of that Court, deciding on the relevancy or admissibility, or on the proof, or referring the same, under review of the Synod of the Bounds, and ultimately of the General Assembly, by protest and appeal taken and prosecuted in due form, according to the law and practice of the Church. Provided also that in every case, whether of reference or of appeal, all the documents which were before the Inferior Court, including any sermons or discourses delivered, to which objections have been made, shall be laid before the Courts of Review.

Process of Translation. XII. That in all cases where the person to be inducted is already an ordained Minister, and a Member of another Presbytery, a process of translation shall be instituted before that Presbytery, by presenting to them the Call which has been sustained, and a full Extract of the procedure with regard thereto, together with reasons setting forth the expediency of the translation; to which process the parishioners and congregation under his charge shall be made parties by citation from the pulpit, and their objections, if they compare and do object, heard and judged of along with the reasons of translation, by the Presbytery before whom the process is instituted. If they grant the translation, an Extract of their judgment shall be laid before the Presbytery into whose Bounds he is to be translated, as their warrant for fixing the day of his admission; and during the dependence of said process, the vacant congregation shall continue to be supplied with worship and ordinances by said Presbytery.

Process towards Ordination. XIII. That a Probationer, whose appointment and call to a Parish or Congregation have been finally sustained by the Ecclesiastical Courts, shall have prescribed to him the several pieces of trial appointed by the Laws of the Church, and these shall be heard and judged of by the Presbytery. If he be found qualified, either by the Presbytery, in the first instance, or by the Court of Review, his trials shall be sustained, and the Presbytery shall appoint a day for his admission; *it being understood that he may be required, if a probationer, to provide supply for the vacant Church, from and after the day on which his Call is sustained.*

Serving and Return of Edict. XIV. That in every case of admission, the Presbytery shall appoint one of their number to preach in the vacant Church on a Lord's day, at least ten free days before the day fixed for such admission, and to intimate the same from the Pulpit at the close of Divine Service, and before pronouncing the blessing, by reading an Edict in the

Appendix (C.) form hereto subjoined (C) ; which Edict bearing its being served before witnesses thereunto subscribing, and indorsed under the hand of the Minister serving the same, shall be laid before the Presbytery met for admission ; and the fact of its being so returned shall be recorded in their minutes, as part of the proceedings of the day.

Objections on Return of Edict. XV. That on the day appointed for admission, the Presbytery shall meet at the vacant Church, and call for the return of the Edict ; which being produced, and found to have been served regularly, they shall cause public proclamation to be made, at the most patent door of the Church, three several times, that any of the congregation or parishioners, having ought to object to the life or doctrine of the person to be admitted or ordained, may still state their objections to the Presbytery then met, and verify the same *instanter*. If no such objection be made, and at once established by proofs, the Presbytery shall proceed immediately to the admission of the Presentee.

Form of Admission. XVI. That at the admission of a Minister already ordained, the Member of Presbytery appointed to preside, after delivering an appropriate discourse, shall narrate the cause of the vacancy, and the steps which have been taken towards filling it up. He shall then read over to the Minister the Questions appointed by the Act of Assembly 1711 to be put to Ministers at their Ordination, and call on him to declare his adherence to, and renewal of, the Answers formerly given. On his making such declaration, the Minister presiding shall, in the name of the Lord Jesus Christ, the Great King and Head of the Church, and by authority of the Presbytery, solemnly admit him to the pastoral charge of that Parish, or Congregation, the Brethren present shall give him the right hand of fellowship, and suitable exhortations shall be addressed from the Pulpit to him and to the people.

Form of Ordination. XVII. That at the admission of a Preacher of the Gospel to a vacant parish, the Minister presiding, after having preached, shall narrate the cause of the vacancy, and the steps which have been taken towards filling it up, and shall then put the prescribed questions to the Candidate ; and, on receiving satisfactory answers, shall descend from the Pulpit, and shall, by solemn prayer, and imposition of hands, in which all the Ministers present are to join, ordain him and set him apart to the work of the Holy Ministry, and solemnly admit him to the pastoral charge of that Parish and Congregation ; after which the right hand of fellowship shall be given to him : and the remaining part of the service shall proceed and be concluded in all respects as in the case of admission of a Minister previously ordained.

Reception into the Presbytery. XVIII. That after the Congregation is dismissed, the Presbytery shall resume their sitting, at which the Minister so

admitted shall be required to subscribe anew the Confession of Faith, and Formula of this Church; and his name, if not already standing on the Roll of the Presbytery, shall be added thereto.

Chapels of Ease, and Congregational Charges. XIX. That the preceding Regulations shall be observed in the admission and settlement of Ministers of Chapels of Ease, and other Congregational charges, in so far as they may be found applicable in the circumstances of each such charge; it being specially required, that in every such case, full opportunity for the tendering of objections shall be given, as in Regulation VII. Intimation of the day of admission and settlement shall also, in every case, be made by Edict, of at least ten free days. In the event of the Minister of a Chapel of Ease in one Presbytery being presented to any charge within the bounds of another, notification shall be given by the said Minister to the Presbytery within the bounds of which his Chapel lies, of his having received said presentation, and the Presbytery to which the presentation is addressed, shall also notify to the Presbytery within whose bounds the Chapel lies, the different steps to be taken by them in order to his settlement, which communication must be duly acknowledged.

XX. That the word Presentation in the preceding Regulations, shall be understood to comprehend any recognised form of appointment to a vacant Church or Chapel.

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## APPENDIX OF FORMS.

### (A.)—INTIMATION OF MEETING FOR MODERATION OF THE CALL.

By appointment of the Presbytery of \_\_\_\_\_ I hereby intimate  
 that said Presbytery have resolved to meet in this place on \_\_\_\_\_ the  
 day of \_\_\_\_\_ for the purpose of Moderating in a  
 Call in favour of Mr \_\_\_\_\_ to be Minister of this Church and  
 Parish; and, also, that if any one or more of the Parishioners, being Members of  
 this Congregation, have any objection to the said Mr \_\_\_\_\_  
 in regard to his ministerial gifts and qualities, either in general or with reference to  
 this particular Parish, or any reason to state against his settlement in this Parish,  
 and which objections or reasons do not infer matter of charge against the pre-  
 sentee to be prosecuted and followed out according to the forms and discipline of  
 the Church, the Presbytery will be ready on that day, and in this place, or at their  
 next meeting, and in this place, to receive in writing, or to write down the same in  
 their minutes, as in the form and manner which such Parishioners may desire.

### (B.)—FORM OF CALL.

We, Heritors, Elders, Members of the Congregation of \_\_\_\_\_  
 and Parishioners of the Parish of \_\_\_\_\_, being Protestants,—desirous  
 of promoting the glory of God, and the good of His Church, being destitute of a  
 fixed Pastor; and being satisfied, by good information, and our own experience, of

the ministerial abilities, and of the suitableness to our capacities, of the gifts of you, Mr \_\_\_\_\_, have agreed to invite, as we hereby do invite and call you to undertake the office of Pastor among us, promising you all dutiful respect, encouragement, and obedience in the Lord. In witness whereof, we have subscribed this Call before the Presbytery of \_\_\_\_\_ on the \_\_\_\_\_ day of \_\_\_\_\_ years.

(C.)—EDICT FOR ADMISSION.

The Presbytery of \_\_\_\_\_ having completed all the necessary steps towards the \_\_\_\_\_ of Mr \_\_\_\_\_ to the Pastoral charge of this Parish, and resolved to proceed to his \_\_\_\_\_ on the \_\_\_\_\_ day of \_\_\_\_\_, I am instructed to make intimation of this Resolution ; and farther, to give notice to all concerned, especially the Members of the Congregation, that if any of them have anything to object to the life and doctrine of the said Mr \_\_\_\_\_ they may repair to the Presbytery, which is to meet in this place, on the said \_\_\_\_\_ day of \_\_\_\_\_ at \_\_\_\_\_ o'clock ; with certification, that if no such objection be offered and verified, the Presbytery will then forthwith proceed to the Induction of the said Mr \_\_\_\_\_ and admit him to the Pastoral charge of this Parish

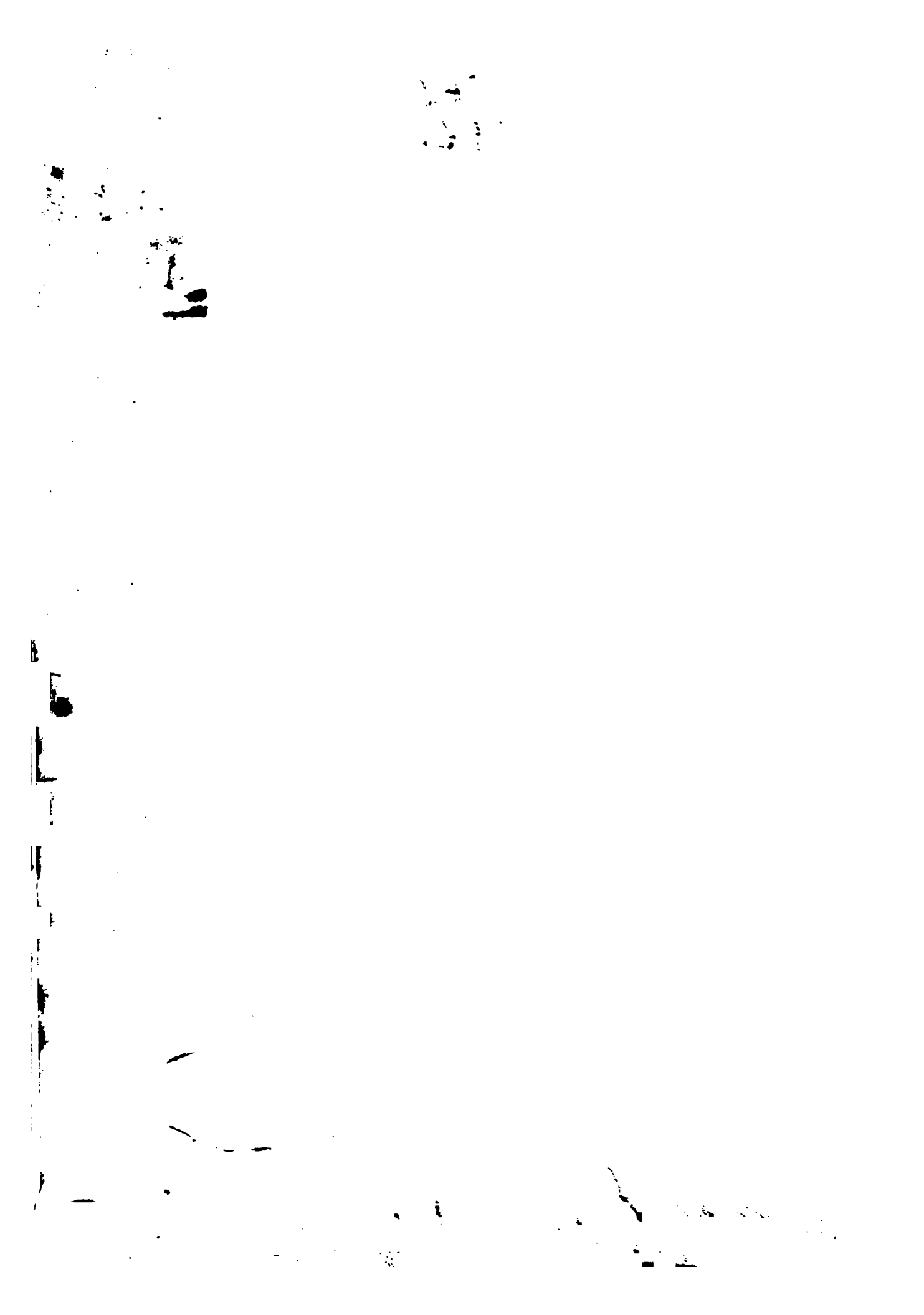
INDORSEMENT.

Church of \_\_\_\_\_ this \_\_\_\_\_ day of \_\_\_\_\_ years. The within Edict was this day duly served by me,

*C. D.*, witness.

*E. F.*, witness.

*A. B.*, Minister.



HOME AND FOREIGN MISSIONARY RECORD OF THE CHURCH OF SCOTLAND.—JULY 1, 1859.

	Males.	Females.	Total.
ance, having been pupil-teachers,	29	4	33
Queen's scholars, in the second year of their attendance, having been Queen's scholars during the first year of their attendance, but never having been pupil-teachers,	0	1	1
Queen's scholars, in the second year of their attendance, having during their first year been on the Free List of the Education Committee,	2	0	2
Students on the Free List of the Education Committee,	9	0	9
Students attending at their own expense,	0	34	34
Total,	67	71	138

RESULTS OF EXAMINATION FOR Certificates of Merit in December 1858.

	Students of the		Total.
	1st year.	2d year.	
Number rated in the First Class,	4	9	13
... Second do.,	88	7	45
... Third do.,	9	2	11
... Schedule,	0	0	0
... who failed,	2	0	2
Total number presented,	58	18	71

N.B.—Every student that had attended ten months was put forward for examination. Forty-five male students received prizes for excellence in singing.

	Students of the		Total
	1st year.	2d year.	
Number ranked in the First Class,	2	8	5
... Second do.,	7	7	14
... Third do.,	2	8	5
... Schedule,	7	0	7
... who failed,	1	0	1
Total number presented,	19	18	32

Results so satisfactory as those set forth in the two tables require no comment. They nevertheless call for renewed expression of my heartfelt obligation to the different teachers for the cordial and ability with which they discharge their respective duties; and to the Committee of Managers their uniform support and countenance in carrying into effect whatever seems fitted to promote the interests of the institution.\*

"JOS. DOUGLAS, Rector.

"GLASGOW, 6th May 1859.

'By authority of the Sub-Committee, the above report by the Rector has been approved of.

"JAS. CRAIK, D.D.,

Convener of the Sub-Committee."

Funds of the Scheme.

The Committee regret to be obliged to state, that there has this year been a falling off, to a large extent, in the income of the Scheme,—the deficiency affecting all the ordinary branches of revenue. The collection from 894 parishes and chapels amounts to £59, 6s. 9d., as against £3238, 8s. 6d. from 938 churches and chapels last year:—

Total Subscriptions this year,	L.2850	6	9
As against L.363, 8s. last year,	318	14	0
Contributions (Congregational) this year,	164	12	7
As against L.230, 0s. 5d. last year,	88	2	0
Contributions (Individual) this year,	88	2	0
As against (including £500 from Ferguson's Trustees) L.727, 18s. last year,			
Carry forward,	L.3430	15	4

A detailed and audited report of expenditure will be given up at the close of the financial year, in December next.

Brought forward,	L.8480	15	4
Legacies this year,	759	2	1
As against L.554, 16s. 2d. last year,			
Contribution from the Lay Association this year,	460	4	0
As against L.370, 15s. 6d. last year,			
Dividends on Government Stock this year,	188	4	10
As against L.131, 15s. 4d. last year,			
Annual Grants from the Duke of Sutherland,	150	1	6
As against L.150 last year,			
Books sold by teachers this year,	180	9	8
As against L.115 last year,			
Interest on Account,	10	10	1
	L.5079	7	6

It thus appears that while 938 parishes and chapels collected last year £3238, 8s. 6d. have collected this year £2859,—the falling short being £379; and that, while the revenue of last year from all sources amounted to £5888, 17s. 6d., this year it amounts only to £5079, 7s. 6d.—showing a falling off of £809, 10s., and that notwithstanding the receipt of a legacy of £500, which may be set off against the donation to a similar amount received last year from the Ferguson trustees.

While thus the income has so largely diminished, the ordinary expenditure has slightly increased, amounting in all to £4211, 2s. 3d., as against £4149, 16s. 9d., to which there fall to be added the two fixed sums of £200, payable by arrangement to the East and West India Fund, and £500 to the Normal schools—in all, £4911, 2s. 3d. In addition, however, to this sum of £500, payable by agreement to the Normal schools, there is this year a further payment of £391, 12s. 5d. It is necessary to explain that this does not arise from any extra demand on the funds of the Scheme this year for expenses connected with the Normal schools. The following is the explanation of the payment:—By agreement with Government, £500 has annually to be paid by the Church as a fixed sum, in support of the Normal schools,—Government paying a similar sum, irrespective of grants for certificated students. In the annual statement, hitherto submitted to Government in the month of June, it was necessary to show that this sum had been paid up. At the close of the financial year of the Church, April 15, 1858, there had been paid up only £108, 7s. 7d., leaving the above stated balance of £391, 12s. 5d. to be met before the end of June. Had no change of arrangement taken place, probably a similar balance might, at the same date this year, have remained unpaid; but the Committee have carried out a purpose which they had formed, calculated greatly to simplify their accounts—viz., to separate distinctly from each other the income and expenditure of the Scheme in its original constitution, and the income and expenditure of the Normal schools. Each has now its separate account in the bank, and if the Normal institutions continue to prosper as they have done for the last two or three years, they hope to be able so to arrange as to be able to carry them on without requiring a further allowance from the Church than the fixed payment of £500. In carrying out this separation, the Committee had of course to pay up all that was due by the Church to the schools at the date of entering on the new arrangement.

With this explanation, then, the following is the state of the funds at this date:—

Balance from last year,	L.3290	0	4
Income for the year,	5079	7	6
	L.8369	7	10
Expenditure—General Scheme	L.4211	2	3
East and West India Fund,	200	0	0
Paid to Normal Schools,	891	12	5
	5302	14	8

Balance in bank, . L.3066 13 2  
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dom, with fervent and persevering supplication and prayer. Farther, the General Assembly enjoin all the Presbyteries of the Church to hold a yearly meeting, of which due intimation shall be given in all the Parish Churches within their bounds, and which the public shall be invited to attend, in order to afford to every Minister of the Presbytery an opportunity of stating what has been done within his Parish in furtherance of the said objects; and to give to the persons present, by means of addresses by one or two of the Members, specially appointed for that purpose, such information as to the progress of Christianity at home and abroad as may be best calculated to arouse the benevolence of the Christian public, and to maintain their interest in the prosperity of the said objects. And particularly, the General Assembly enjoin the several Presbyteries to require of all the Ministers within their bounds a distinct and articulate account as to whether the aforesaid Collections have been made on the Sabbaths severally appointed for them, and to record the report of every Minister in their Presbytery Books; and likewise ordain the several Synods to take a similar account annually of the diligence of their respective Presbyteries in this matter, and to enter the same in their Synod Records. And the Assembly earnestly urge on their faithful people, seriously to consider the duty of contributing liberally towards the advancement of Christ's cause, according to the ability wherewith God has blessed them. The General Assembly further earnestly renew the authority and instruction formerly given to the Committees on the several Schemes, and more especially to the Joint Committee, to send, as they shall see cause, Deputations throughout the country, to explain and advocate the said Schemes; putting themselves, for this purpose, in communication with the Synods or Presbyteries. The General Assembly also enjoin the several Presbyteries to send up to the next General Assembly an exact report of the Collections made in each of the Parishes within their bounds. The General Assembly order this Act to be printed separately, and a copy to be transmitted to every Parish Minister, and to every Minister or Probationer officiating in a Chapel of Ease in connexion with the Church of Scotland, before the fourth Sabbath of June next; and they ordain the said Act to be read from the pulpit on the Sabbath immediately preceding that appointed for the first General Election.

Extracted from the Records of the General Assembly of the Church of Scotland, by  
A. L. SIMPSON, *Cl. Eccl. Scot.*

*Edinburgh, May 30, 1859. Sec. 14.*

The General Assembly of the Church of Scotland appoint a General Collection to be made throughout all the Churches within their bounds, on the third Sabbath of January, for the Extinction of the Debts affecting Chapels of Ease.

Extracted from the Records of the General Assembly of the Church of Scotland, by

A. L. SIMPSON, *Cl. Eccl. Scot.*

## COLONIAL CHURCHES.

*Annual Collection, on Sabbath, 10th July 1859.*

No fewer than ten ministers have, in the course of last year, been appointed to missionary and pastoral work in the Colonies. Of these, seven have been sent to British North America, two to Australia, and one to Ceylon. Aid has besides been given to thirty-three missionaries and ministers in various parts of the Colonial field; and numerous grants have been made to enable rising congregations to procure suitable places of worship.

This very gratifying increase of practical success, could not be attained without a corresponding increase of expenditure. Accordingly, the outlay for the year has exceeded the income by about L.2000. In consideration of this state of things, "the General Assembly remit to the Colonial Committee to make an earnest and urgent appeal to the members and friends of the Church, for increased liberality, not doubting that, with the urgency of the case is explained, the appeal will be cordially responded to."

The Committee, therefore, venture to implore that, in accordance with the generous spirit of this remit, the ministers and congregations of our Church would furnish them with the means, not of sustaining but even of extending their operations. The case is extremely pressing in a missionary point of view; and it appeals to our social, and often our kindred sympathies, no less than to our Christian liberality. Our fellow-subjects still and lately our countrymen, who have near relatives in every parish and in most of the families of Scotland, are the parties for whom the Committee earnestly solicit the means of providing religious teaching and ordinances.

In name and by appointment of the Committee,

WM. STEVENSON, D.D., *South W. Convener.*

## Schemes of the Church.

### EDUCATION SCHEME.

ANNUAL REPORT TO THE GENERAL ASSEMBLY BY THE COMMITTEE.—May 1859.

The Committee have pleasure in reporting that the position of the Assembly schools continues to be most respects satisfactory. The number of schools maintained on the Scheme is now 183, being two more than at this date last year. These have been increased by 20,525 children, including 2005 who attend the Sabbath schools, but are now enrolled as day pupils; the increase since last year being 500. This gives an average of 114 to each

school, containing detailed inquiries concerning the condition of each branch of instruction. The annual expenditure by the Committee on the salaries of teachers amounts to L.2689, 6s. 8d. on the first scheme; L.515, 10s. to those on the second, and L.136 to female teachers—making L.3328, 16s. 8d. The whole emoluments received by 169 of the teachers, including those derived from the other sources specified in the table, were £1; the average income of each of 112 teachers on the first scheme being L.50, 6s. 6d.; of each of 150 teachers on the second, L.63, 16s.; and of each of 136 female teachers, L.33, 13s. A female school in the parish of Lady, island of Sanday, has been added to the Scheme, and more recently a new school has been occupied in the parish of Harray, Orkney.

The subjects of instruction at one time regarded as peculiar to the remote and secluded High-schools, Geography, arithmetic, and grammar, are now taught to a large proportion of the pupils, while the elements of Latin, mathematics, and Greek are also in many of the schools. Singing from notation is slowly but steadily advancing to full perfection as an ordinary part of daily school-work. Religious instruction of the pupils in the Bible and catechism holds a prominent and leading place in the teaching of all the schools maintained on the Assembly's Scheme.

The reports on the efficiency of the schools are most valuable. The Secretary has, during the last year, inspected many remote portions of the field covered by the Scheme, which had not been visited for a very long period. His reports on the condition of each school are preserved by the Committee and are of great service, from time to time, in enabling them to judge of the special wants and of various localities. In a general summary of the present state of 174 of the schools, only nine were reported as indifferent, the others being classified as good or very satisfactory; the standard by which they are measured being of course slightly higher than that which would be adopted for parochial schools. Desirable as it may be thought that the Secretary should be required to examine and report not only on the Assembly schools, the pressure of his duties and the state of the funds render it necessary to limit the amount of inspection annually attended. With a view, therefore, to keep themselves more fully informed of the state of the schools, these cannot be officially visited, the Committee have this year issued a special schedule, to be filled up by the correspondent for the

exclusive of the attendance at the Normal schools, the average is 116—that is, of those who have attended for the whole length of time.

school, containing detailed inquiries concerning the condition of each branch of instruction.

Nearly one half of the teachers on the Scheme now hold Government certificates of merit. The Committee use every effort to fill up vacancies with none but certificated teachers; but the smallness of the fees connected with a large number of the more remote schools, renders it quite impossible for them always to succeed in their efforts. It is not to be inferred from this, however, that those teachers on the Scheme who do not hold certificates, have received no special professional training—all being sufficiently qualified, and the great majority having spent a considerable time at one or other of the Normal colleges.

The scarcity of good Gaelic-speaking teachers still continues, and the Committee wish it to be understood that they are prepared to give full consideration to the claims of any promising young men from the Highlands, who, having failed to take Queen's Scholarships, apply for admission on the Assembly's Free List.

With regard to school buildings, the Committee have to report, on the whole, favourably. A large proportion of the Assembly schools now fulfil the Government requirements in respect of accommodation. In Skye, Harris, Uist, and Islay, several new buildings have been completed, or are in process of erection; but the condition of many of the school-houses in these islands seems to be as hopeless as it is bad. The Committee had intended to memorialise the Privy Council on the importance of giving a larger proportion of aid to remote island parishes than what is allowed to districts more wealthy and populous. But, in a conversation which the Convener and Secretary had with Mr. Lingen on this subject, the proposal was not received in such a way as to lead them to expect any good results from a more formal representation. There can be no doubt, however, that one great defect of the present system of administering the public grants, is its want of elasticity. The most destitute localities are, in consequence of their very destitution, excluded from the benefits of the parliamentary grant. The number of parishes in Scotland which are quite unable, with any exertions they may make, to comply with the conditions of Government grants, either for building or for augmentation of salaries to the teachers, is very considerable.

In connexion with this subject, it is of importance that the Assembly should be informed that Capitation Grants will be extended to Scotland next year. By the Capitation Minute of 2d April 1853, the rate allowed to the school for each scholar who has attended 176 days during the year,\* is—

Number of Scholars.	Boy.	Girl.
Under 50, . . . . .	6s. 0d.	5s. 0d.
Above 50, under 100, . . . . .	5s. 0d.	4s. 0d.
Above 100, . . . . .	4s. 0d.	3s. 0d.

These allowances will be made on behalf of schools taught by certificated or registered teachers, even when the accommodations do not satisfy the present Government requirements. While grants administered on this principle cannot fail to improve the condition of a large number of poor schools, they will at the same time operate favourably in securing

\* Regular attendance is defined to be attendance for 192 whole days, subject to deduction of 16 days for illness or other sufficient causes, as attested by the school managers. The forenoon of one day and the afternoon of another count as one whole day.



Training, may be appropriately made on on.

Boarding-house is to be regarded in all respect of the Normal school itself. It has been instituted with a view to afford a comfortable and a certain amount of industrial training to female students. The Committee of the Council had been for some time urging strongly of industrial teaching as an indispensable part of the training of female teachers, embracing not only sewing and cutting-out—to which attention has hitherto been paid in the schools—but also cooking, ironing, and household work. The extent to which their Lordships disposed to press this subject may be seen in the following quotation from one of Mr. Galt's letters:—"The list of successful candidates for the Normal School differ materially in its order from the best workwomen, unless the latter are selected—much farther than they are likely to be—and their competitors in all other respects."

The Committee were not prepared to give prominence to such branches of cooking, ironing, and household work as to admit that, by promoting them, the classification of female teachers is to be regulated. They felt that if such were given to them, it might lower the standard which the female teachers were drawn, and materially the amount of literary and practical cultivation conveyed at the Training School. If a disproportionately large number of students were assigned to such branches, the inevitable result would be a diminution of the time set apart for literary cultivation—a relaxation of effort on the part of teachers and students—and of course a deterioration of the body of female teachers.

The Committee found also, in the circumstances and wants of this country, a practical objection to this conception of a female teacher's duties for they were well aware that while great to be attached to skill in sewing and cutting-out, inasmuch as every female teacher must devote a considerable portion of the school-day to instruction in these important subjects, practicing in the other departments of domestic economy would be of comparatively little value to students obtained the charge of schools. One or three schools, in point of fact, have establishments attached to them. Experience, moreover, seems to point to the conclusion that cooking and washing establishments are attached to the female schools of the country, and that of these schools must contemplate a much larger day than is generally supposed; and that, if this expense has been incurred, an industry is required, in addition to the ordinary duties of a teacher, whose time is fully occupied with the subjects of daily instruction.

It is not too strongly impressed on the Assembly that the character of the instruction to be given in Normal schools is determined by the course pursued at the Normal colleges of the country; and the necessity of attending carefully to these institutions, and of guarding against any modification of the course of training which might tend, in any way, to lower the character or status of the Normal School, or, on the other, be the means of sending forth teachers who failed to supply the requirements of the Normal School. It is in this spirit, and for the reasons stated above, that the Committee—while of great practical instruction in cooking and ironing, and essential to every young woman, and is to be regarded especially most important, as enabling her to perform her duties more efficiently, through book instruction, to influence the habits of the disaffected, which they may labour—have thought it to urge the necessity of maintaining in due

prominence the literary education of female teachers. The fact is, that the acquirements expected both in male and female teachers in England are much below what have been always found necessary in this country, where the labouring and middle classes of our rural parishes are taught together. Their Lordships' term of "schools for the poor," however applicable in England, both as a description of the elementary school, and as suggesting the principle on which instruction given in them is to be regulated, and the status of the teachers is to be fixed, has never been recognised among us. Accordingly, the principles of administration which may be found to suit the circumstances of England, may sometimes be found to require modification when applied to Scotland.

But, while thus the Committee felt it necessary to guard themselves against such a modification of the course of training as they felt would lower the class, character, and status of female teachers, and tend to disqualify them for meeting the requirements of the people of Scotland, they were most anxious, at the same time, to meet the views of the Privy Council Committee, and to provide for instruction in domestic arts—the importance of which they by no means undervalue—so far as they could consistently do so with a due regard to the general mental culture of their students. Accordingly, while sewing, cutting-out, and book-instruction in household economy, have for some time received great attention in both the Normal schools, in Edinburgh all the residents in the Boarding-house receive systematic instruction in cookery, ironing, and household work—this being one of the objects which the Committee had in view in instituting a new boarding establishment.

The principle of admission to the Boarding-house can be very shortly stated. All who seek admission being already members of the Normal school, have passed the necessary examinations in religious and literary knowledge, and have produced satisfactory testimonials of moral and religious character. As it is necessary, however, to exercise some check on those thus admitted, the Rector and Secretary are required, by a minute of the Committee, "when any applicant for admission to the Normal school is not certified to be connected with a Protestant evangelical denomination, or when they suppose him or her to hold opinions which the Church considers to be heterodox and unsound, not to grant him or her admission, but to notify the fact to the Committee, for the purpose of receiving their instructions." When those who have been enrolled as students in the Normal school further desire accommodation in the Boarding-house, they are required to make a special application to the Secretary, enclosing a testimonial from the minister whose church they have attended. If this is found to be satisfactory, the applicant is admitted, subject to the following rule:—"That in the event of the number of the female Queen's scholars, or other applicants for admission, exceeding the accommodation in the Industrial Boarding-house, a list for admission shall be prepared by the Convener and Secretary, in conjunction with the Ladies' Committee, which shall be laid before the Acting Committee, with the reasons for selection; it being understood that, *ceteris paribus*, girls belonging to the Church of Scotland shall be preferred." The following are the regulations put into the hands of the applicant, along with a schedule of queries to be answered:—

*Regulations of the Industrial Boarding-house in connexion with the Church of Scotland Normal School.*

1. The object of the Boarding-house is to afford to young females, while under training at the Normal Institution for the office of teacher, a respectable and comfortable home; the advantage to be

Wallacetown Church, Dundee, the forenoon attendance is between 600 and 700, and that in the afternoon ranges from 880 to 1000, and the communicants have increased from 318 to 360. At Sauchie, the communicants have increased from 181 to 258; in St. Mark's Church, Glasgow, from 345 to 373; at Woodside, Aberdeen, from 302 to 325; in the Gaelic Church, Perth, from 154 to 177; at Kinninmonth, Lonmay, from 377 to 398; in St. David's Church, Kirkintilloch, from 197 to 232; at Thornton, Markinch, from 140 to 174; and at Arnshean, Colmonell, from 149 to 185. At Calderwaterhead, in the parish of Shotts, where a temporary place of worship was opened in August last, there is now a congregation of upwards of 300. So successful have been the operations of the missionary, that he has recently received ordination. In the East Church of Brechin, the congregation has increased by 100, and now numbers 350. At the mission station of Lunastang, in Shetland, where the sacrament was lately dispensed, the communicants numbered 210; and at the station of Whalsay, in the same parish, the communicants at the last dispensation numbered 323, being 20 in excess of the number on the previous occasion. Other instances of steady progress and advancement might be cited.

In connexion with the chapels on the Committee's list, the establishment of Sabbath schools—which are greatly on the increase both as regards the number of schools and of the scholars in attendance—continues to give great satisfaction, and has been followed with the most beneficial results.

Your Committee have further to report that, as already indicated, they have recently visited, through deputations, most of the chapels and preaching stations receiving aid from their funds. This step was considered advisable several years ago, and on 13th February 1856, on the motion of the former Convener, "It was agreed, on the nomination of the deputation which it is proposed to appoint for visiting various chapel districts with the view of more satisfactorily ascertaining the present condition and prospects of several places of worship in receipt of assistance from the funds of the Committee, to call special attention to certain items of expenditure," and other particulars referred to in the Committee's minute of that date. Nothing further was done in the matter till June last, when circumstances forced on your Committee the necessity of commencing the visitations without delay. After due notice, a motion to that effect was made and unanimously agreed to, and a sub-committee appointed to mature the scheme for sending out the deputations. That Committee reported as follows:—

"That upon carefully examining the annual schedules at present in use, these seem so full as to render any further queries unnecessary. But it appears to the Sub-Committee, that each deputation should bring along with it a schedule for each chapel visited, and should have the answers filled up on the spot, in such a manner as it may deem satisfactory. The members of the deputation would thus be able to obtain distinct information on various points about which it cannot be so well procured through correspondence.

"The Sub-Committee would recommend, that the deputations should hold separate conferences with the ministers or missionaries, and with the chapel managers, that they may thus ascertain the views of each of these parties while unhampered by the presence of the other.

"It is the opinion of the Sub-Committee, that the deputations should in every case urge the absolute necessity of the utmost economy in all incidental expenditure connected with the payment of the preachers, leaders, &c., as such expenditure

must necessarily enter largely into the consideration of the Committee in fixing the amount of their grant.

"The Sub-Committee further think it requisite, that the deputations should, in as delicate a manner as possible, impress upon all parties responsible for the management of the chapels, that those who officiate in them must never be regarded in the light of assistants to the parish minister; that their spheres of exertion must be kept wholly distinct, with a view to the chapels being as speedily as possible converted into parish churches; that the Sabbath schools and district visitations superintended by the chapel minister, should not be amalgamated with those of the parish minister; and, in particular, that the supply of religious ordinances in the chapels should be quite as regular and unvarying as in any parish church.

"The Sub-Committee suggest, that the deputations should represent it as altogether inconsistent with the conditions on which grants are made from the fund, that a chapel should be thrown vacant on any occasion, in order that the church of the parish in which it is situated may not be without service.

"The Sub-Committee consider it extremely desirable, that the deputation should enforce upon those connected with the chapels, the great importance of accomplishing their endowment with the least delay practicable, and should point out and explain, that in the general case no chapel ought to be regarded as a permanent burden on the Home Mission: and that in the event of there being no prospect of its either ultimately proving self-supporting, or of its being endowed, the grant hitherto allowed may not be continued. The exceptional cases may be regarded as comparatively few in number.

"It occurs to the Sub-Committee, that much good may result from the deputations calling the attention, as they best can, of various presbyteries and parishes containing chapels for which large sums are annually voted, to the inadequacy of their contributions to this fund; and that more liberal collections for the Home Mission and the other schemes of the Church should be solicited from some of the chapels themselves."

In accordance with these instructions, deputations have already visited 75 chapels, upon each of which a very full and minute report has been given in. It is the intention of your Committee to complete the work with the least delay possible,—experience having confirmed their conviction that these visitations are productive of great benefit. While abstaining from specifying particular cases till the visitation has been concluded, they may class the results of the inquiries under the following heads:—

1. In a number of chapels which for a series of years have obtained grants towards the support of their ministers and missionaries, the Home Mission work is most vigorously and successfully prosecuted. Without the assistance of the funds dispensed by your Committee, religious ordinances could not have been maintained in these places, and for a time it may still be imperative upon the Church to continue, and in some instances even increase, its aid.

2. In the case of other chapels the incidental expenditure is larger than it ought to be, and nothing but strenuous local effort appears necessary to render them self-supporting. That effort has not yet been put forth, and your Committee feel assured that it would be greatly promoted by an intimation to the parties concerned, that the funds of the Committee were never designed to supersede their exertions, and that your grants are only to be expected where they are absolutely needed.

3. In not a few instances, chapels on their own account might be easily converted

**DELIVERANCE OF THE GENERAL ASSEMBLY  
ON THE FOREGOING REPORT.**

At Edinburgh, the Twenty-eighth day of May,  
Eighteen hundred and fifty-nine;

Which day the General Assembly of the Church of Scotland being met and constituted, *intra alia*, called for the Report of the Home Mission Committee, which was given in and read by Dr. Crawford, Convener, and several members were heard on the subject. It was moved by Mr. Gray, seconded by Major Baillie, and unanimously agreed to, that the Report be approved and adopted, and that, while the General Assembly, on the one hand, deeply lament the large deficiency of income to meet the required expenditure for the past year, they regard, on the other hand, with the highest satisfaction, the extension of the operations of the Committee. The General Assembly agree to record to the Convener and the Committee, the warmest thanks of the Assembly for the fidelity and ability with which they have discharged the highly onerous trust committed to them; re-appoint the Committee, with power to add to their number.—Dr. Crawford to be Convener; and as it is of paramount importance, not only to make proper provision for maintaining in full efficiency the numerous chapels and mission stations requiring, to that end, considerable assistance from the Church at large, but also to meet the applications for aid in new and clamant cases, and moreover to extend the operations under the Church Building Branch of the Scheme, in many necessitous districts in which such provision is urgently called for, involving an expenditure greatly beyond the ordinary income of the Scheme, the General Assembly most anxiously and affectionately recommend to all the ministers, members, and friends of the Church, to give to this great and important missionary enterprise, into which the strength and well-being of the Church, and the most momentous interests of the country, are so intimately united, their fervent prayers and largely increased support. It was further agreed, in order to meet the excess of expenditure during the past year, and to enable the Committee, in some measure, to provide for the extended operations which they are so pressingly required to undertake, to authorise an extra collection to be made in all the places of worship in connexion with the Church betwixt and the next sittings of the Assembly; and to remit to the Joint Committee on the Schemes to fix a convenient day for such extra collection.

Extracted from the Records of the General Assembly of the Church of Scotland, by  
(signed) A. L. SIMPSON, Cl. Eccl. Scot.

**FOREIGN CORRESPONDENCE COMMITTEE.**

*A Monsieur le Modérateur et à l'Assemblée Générale  
de l'Eglise Presbytérienne Etablie d'Ecosse.*

Chers et bien aimés frères en Jésus-Christ,—Au milieu des circonstances solennelles dans lesquelles se trouve notre Eglise, le Synode de l'Eglise Vaudoise, rassemblée à la Tour, sachant que votre Assemblée siège aussi en ce moment, éprouve le besoin de réclamer tout particulièrement le concours de vos prières.

Nous savons de quel amour vous êtes animés pour nous; en maintes occasions vous nous en avez donné des preuves, et cette affection née de la communauté de la foi entre votre Eglise et la nôtre, fortifiée par la communauté des principes et des formes ecclésiastiques, est réciproque; et, c'est parceque nous l'éprouvons vivement que dans nos moments les plus solennels et les plus critiques, après nous être tournés vers Dieu, nous nous tournons naturellement vers vous.

A l'heure où vous lisez ces lignes, nos villes et nos campagnes sont désolées par la guerre, et le sol de notre patrie est arrosé du sang de ses défenseurs. D'un moment à l'autre nous attendons une de ces grandes luttes, où des milliers d'hommes succombent. Quant à l'avenir, Dieu seul le connaît. Pour nous, sans nous laisser dominer par des considérations politiques, nous attendons avec confiance; et le cœur tressaillant d'espoir.

Juqu'à ce que notre Dieu, qui est l'Eternel des armées, nous eut révélé ses desseins à l'égard de notre patrie, nous nous sentons pressés de suivre en esprit par nos prières instantes notre Roi, notre armée, et nos alliés dans cette lutte, et de demander à nos frères de joindre leur prières aux nôtres pour que Dieu fasse triompher la justice et le droit en Italie.

Nous ne craignons pas, que nos frères du Roy-

chemes if the Provincial Endowment Scheme wrought out in the districts to which g, and the requisite supplement contri- those more immediately connected with time should be lost in conveying the that if such chapels be not speedily en- y cannot remain a burden on the Home

with deep regret, that your Committee overed various cases in which, from the ness of the chapel minister or mission- a a proper district not having been as- is labours; from public worship not being at the regular hours; or from no steps n taken towards ordination, or even the n of the communion, the grants hitherto failed to produce adequate results, and therefore, unless the evils complained of ately remedied, these grants should cease. ion of Presbyteries and Synods should be alled to these cases.

s come under the notice of your Com- it several chapels erected by the Church entirely shut, or occupied by other de- is, although situated in localities where pastoral superintendence is highly desir- he opinion of your Committee, this state should be no longer permitted.

deputations have reported, that several d in great need of church extension, and t applications have been made to them g grants in supplement of local contribu- ur Committee can scarcely overstate the some of these appeals, or their convic- if they be not responded to, the Church fall in her duty, and sustain serious in- population of Scotland, especially in the d manufacturing districts, is increasing ous rapidity; and in these circumstances al Church cannot but strongly feel, that a ate increase of her ministrations is impel- led for. That the funds of the Home ay be adequate to meet the call thus made, it appears indispensable that the list at present receiving aid should be purged icated, and that the contributions of the the Scheme should be greatly enlarged. s occurred to your Committee as deserv- uiry, whether the chapel at Lybster, t summer, the Gaelic chapel at Perth, two others, might not be transferred to Bounty Committee.

thus endeavoured to furnish your Vener- with a general view of what they learned deputations, your Committee would re- express their persuasion, that if the on which they have entered shall be fol- to its legitimate ends, the time is not en both Church Extension and Endow- receive an impetus in connexion with is which will greatly change the position / improve the efficiency of your Scheme. ependence, notes of information, copy- minutes connected with these deputations, red your Secretary in a very large amount al labour and trouble, which he has most undertaken, without any promise, either or implied, of increased remuneration. wever, demands, that for the perform- tra work not falling within the sphere / as Secretary, he should be fairly remu- d the Committee have accordingly made vance (fixed by the Sub-Committee on or such extra work.

and by appointment of the Committee,  
T. J. CRAWFORD,  
Convener.

unum Uni, et ceux de l'Eglise d'Ecosse en particulier, se déclarent neutres dans cette sainte cause. Ils prendront parti avec nous, nous en sommes assurés; ils approuveront nos desirs, ils partageront nos espérances, ils demanderont avec nous à Dieu que le résultat de cette crise terrible soit d'établir en Italie sa liberté civile et religieuse, et d'ouvrir de nouvelles portes à l'Évangile.

Bientôt notre Eglise, sollicitée par de nouveaux champs ouverts, s'effiera, nous l'espérons, d'y envoyer de nouveaux ouvriers pour proclamer la bonne nouvelle aux âmes jusqu'ici courbées sous le joug de Rome; nos frères d'Ecosse viendront alors à notre aide, nous en avons la confiance, et soutiendront de leurs sympathies et de leurs secours matériels nos cœurs et nos bras.

C'est cette assurance, chers et bien aimés frères, qui nous a portés à vous adresser ces quelques mots, en vous priant de nous croire dans les lieux de notre très-sainte foi.—Vos très-humbles et très-affectionnés frères,—Au nom du Synode,

Le Président, J. P. REVEL,  
Dr. et Prof. en Théologie.  
Le Secrétaire, D. B. MUSTON, Part.

LA TOUR, le 20 Mai 1859.

To the President of the Synod of the Vaudois Church, assembled at La Tour.

Honoured and beloved Brethren in Christ Jesus,—It is with feelings of the deepest interest and solemnity that, while gathered together in General Assembly, we have received the letter of your much esteemed President, written to us in the name of your Synod.

At any time, and under any circumstances, beloved brethren, a letter from you would have been dear to us; for if, on the one hand, we have to rejoice in the unity of our common faith, and in the likeness of those great principles of Ecclesiastical Constitution which distinguish our communions, so, on the other hand, we can never forget the witness which you have borne to that faith and to these principles with more than ordinary constancy, and amidst far greater than ordinary trials.

If we should thus have welcomed a letter from you at any time, how much more must we receive one with cordial interest now, when the horrors of war are again ravaging the fertile plains of your native land, and when, uncertain as to the events of the future, your hearts might be in danger of trembling for that ark of God which has been entrusted to your care.

But, brethren, be confident and fear not. That God who has often delivered you, and who always, and everywhere, makes the wrath of man to praise Him, will still maintain His own most holy cause. Through the dark clouds which now hang over your country, we trust that we can discern the approach of a brighter day than has ever yet dawned upon Italy. We venture to remind you of the struggles and the sufferings of your martyred forefathers, and we cherish the confident assurance that that unchangeable Jehovah who did great things for them in the days of old, will give you, their children, not less a noble spirit to persevere, and to His own cause a no less triumphant issue.

Animated by this assurance, we rejoice to learn that you are even now watching for the opening up of fresh fields of labour in the service of our divine Lord and Master, and that you are ready to embrace every opportunity of extending the blessings of His glorious kingdom among those of your fellow-countrymen who have been so long bowed beneath the yoke of Rome.

Believe us, dear brethren, that, enjoying, through the favour of Almighty God, so much security in our own island home, we feel the more bound to watch with anxious interest your progress through that momentous struggle in the midst of which you are at this moment placed, that we re-echo your desires and share your hopes, that we shall often and earnestly bear you upon our hearts before the throne of grace, and that we shall immediately and joyfully transmit to you whatever material aid we may obtain from our people on your behalf.

United to you in the bonds of our Lord Jesus Christ, your Lord and ours, we are, honoured and beloved brethren, yours in all affection and faithfulness.

JOHN COOK, D.D., Moderator.

ASBTRACTS of the ACCOUNTS of the SCHEMES of the CHURCH of SCOTLAND, for Year ending 15th April 1859.

I.—EDUCATION.

I. GENERAL FUND.

Charge.

I. Balance due to the Scheme at 15th April 1858—		
Sum, per Abstract of last Year, . . .	L.3290	0 4
II. Income of the Scheme for the Year ending 15th April 1859—		
I. Collections from 894 Parishes and Chapels—		
Sum, . . .	L.2850	6 9
Note.—From 179 Parishes no Contributions have been received.		
II. Annual Subscriptions, . . .	318	14 0
III. Donations—		
1. From Parochial, Congregational, and Missionary Associations, L.154 12 7		
2. From Individuals, . . .	88	2 0
IV. Legacies, . . .	252	14 7
V. Contribution from Lay Association, for the year 1858-59, . . .	759	2 1
VI. Dividends on L.4705, 17s. 8d. Government Stock (Dr. Bell's Legacy), for 1858-59, . . .	460	4 0
VII. Annual Grants from the Duke of Sutherland for Schools, . . .	138	4 10
VIII. Interest on Bank Account, . . .	150	1 6
	10	10 1
Carry forward, . . .	L.4948	17 10
	L.3290	0 4

160

Brought forward, . . .	L.4948	17 10
IX. Books sold by Teachers, . . .	151	9 4
TOTAL INCOME, 1858-59, . . .	5100	0 0

SUM OF THE CHARGE, L.4948 17 10

Discharge.

I. Expenditure on the General Scheme during the Year ending 15th April 1859—

I. Expenses relative to Schools—

1. Salaries—
  - To 162 Male Teachers, . . .
  - To 15 Female Teachers, . . .
2. Advances on account of next year's Salaries.
3. Grants to Widow of late Teacher at Laggetown.
4. Retired Allowances, . . .
5. Donations to Schools not on the Scheme.
6. Travelling Expenses of Teachers to their Stations, . . .
7. Books purchased for Schools (subject to repayment), . . .
8. Carriages of Books to Stations, . . .
9. Missionary Record to Teachers, . . .

II. Sums paid to Messrs. Paton and Ritchie for publishing copies of Missionary Record for gratuitous circulation, from June 1858 to June 1859—

Proportion chargeable upon the Education Scheme, . . .

Carry forward,

HOME AND FOREIGN MISSIONARY RECORD OF THE CHURCH OF SCOTLAND.—JULY 1, 1859.

	Males.	Females.	Total.
ance, having been pupil-teachers, . . . . .	29	4	33
Queen's scholars, in the second year of their attendance, having been Queen's scholars during the first year of their attendance, but never having been pupil-teachers, . . . . .	0	1	1
Queen's scholars, in the second year of their attendance, having during their first year been on the Free List of the Education Committee, . . . . .	2	0	2
Students on the Free List of the Education Committee, . . . . .	9	0	9
Students attending at their own expense, . . . . .	0	34	34
<b>Total,</b>	<b>67</b>	<b>71</b>	<b>138</b>

RESULTS of EXAMINATION for Certificates of Merit in December 1858.

MALES.	Students of the		Total.
	1st year.	2d year.	
Number ranked in the First Class, . . . . .	4	9	13
... Second do., . . . . .	38	7	45
... Third do., . . . . .	9	2	11
... Schedule, . . . . .	0	0	0
... who failed, . . . . .	2	0	2
<b>Total number presented,</b>	<b>53</b>	<b>18</b>	<b>71</b>

**F.B.**—Every student that had attended ten months was put forward for examination. Forty-five male students received prizes for excellence in writing.

FEMALES.	Students of the		Total.
	1st year.	2d year.	
Number ranked in the First Class, . . . . .	2	8	5
... Second do., . . . . .	7	7	14
... Third do., . . . . .	2	3	5
... Schedule, . . . . .	7	0	7
... who failed, . . . . .	1	0	1
<b>Total number presented,</b>	<b>19</b>	<b>13</b>	<b>32</b>

Results so satisfactory as those set forth in the two tables require no comment. They nevertheless call for renewed expression of my heartfelt gratification to the different teachers for the cordial and ability with which they discharge their respective duties; and to the Committee of Managers for their uniform support and countenance in carrying into effect whatever seems fitted to promote the interests of the institution.\*

"JOS. DOUGLAS, Rector.

"GLASGOW, 6th May 1859.

By authority of the Sub-Committee, the above report by the Rector has been approved of.

"JAS. CRAIK, D.D.,

Convener of the Sub-Committee."

Funds of the Scheme.

The Committee regret to be obliged to state, that there has this year been a falling off, to a large extent, in the income of the Scheme,—the deficiency being all the ordinary branches of revenue. The contribution from 894 parishes and chapels amounts to £59, 6s. 9d., as against £3238, 8s. 6d. from 938 parishes and chapels last year:—

Local Subscriptions this year, . . . . .	L.2859	6	9
As against L.363, 8s. last year, . . . . .	318	14	0
Donations (Congregational) this year, . . . . .	164	12	7
As against L.230, 0s. 5d. last year, . . . . .	88	2	0
Donations (Individual) this year, . . . . .			
As against (including L.500 from Ferguson's Trustees) L.727, 13s. last year, . . . . .			

Carry forward, L.3430 15 4

A detailed and audited report of expenditure will be laid up at the close of the financial year, in December next.

Brought forward, . . . . .	L.3430	15	4
Legacies this year, . . . . .	759	2	1
As against L.554, 16s. 2d. last year, . . . . .			
Contribution from the Lay Association this year, . . . . .	460	4	0
As against L.370, 15s. 6d. last year, . . . . .			
Dividends on Government Stock this year, . . . . .	138	4	10
As against L.131, 15s. 4d. last year, . . . . .			
Annual Grants from the Duke of Sutherland, . . . . .	150	1	6
As against L.150 last year, . . . . .			
Books sold by teachers this year, . . . . .	130	9	8
As against L.115 last year, . . . . .			
Interest on Account, . . . . .	10	10	1
<b>Total,</b>	<b>L.5079</b>	<b>7</b>	<b>6</b>

It thus appears that while 938 parishes and chapels collected last year £3238, 8s. 6d. have collected this year £2859,—the falling short being £379; and that, while the revenue of last year from all sources amounted to £5888, 17s. 6d., this year it amounts only to £5079, 7s. 6d.—showing a falling off of £809, 10s., and that notwithstanding the receipt of a legacy of £500, which may be set off against the donation to a similar amount received last year from the Ferguson trustees.

While thus the income has so largely diminished, the ordinary expenditure has slightly increased, amounting in all to £4211, 2s. 3d., as against £4149, 16s. 9d., to which there fall to be added the two fixed sums of £200, payable by arrangement to the East and West India Fund, and £500 to the Normal schools—in all, £4911, 2s. 3d. In addition, however, to this sum of £500, payable by agreement to the Normal schools, there is this year a further payment of £391, 12s. 5d. It is necessary to explain that this does not arise from any extra demand on the funds of the Scheme this year for expenses connected with the Normal schools. The following is the explanation of the payment:—By agreement with Government, £500 has annually to be paid by the Church as a fixed sum, in support of the Normal schools,—Government paying a similar sum, irrespective of grants for certificated students. In the annual statement, hitherto submitted to Government in the month of June, it was necessary to shew that this sum had been paid up. At the close of the financial year of the Church, April 15, 1858, there had been paid up only £108, 7s. 7d., leaving the above stated balance of £391, 12s. 5d. to be met before the end of June. Had no change of arrangement taken place, probably a similar balance might, at the same date this year, have remained unpaid; but the Committee have carried out a purpose which they had formed, calculated greatly to simplify their accounts—viz., to separate distinctly from each other the income and expenditure of the Scheme in its original constitution, and the income and expenditure of the Normal schools. Each has now its separate account in the bank, and if the Normal institutions continue to prosper as they have done for the last two or three years, they hope to be able so to arrange as to be able to carry them on without requiring a further allowance from the Church than the fixed payment of £500. In carrying out this separation, the Committee had of course to pay up all that was due by the Church to the schools at the date of entering on the new arrangement.

With this explanation, then, the following is the state of the funds at this date:—

Balance from last year, . . . . .	L.3290	0	4
Income for the year, . . . . .	5079	7	6
<b>Total,</b>	<b>L.8369</b>	<b>7</b>	<b>10</b>
Expenditure — General			
Scheme	L.4211	2	3
East and West India Fund,	200	0	0
Paid to Normal Schools, . . . . .	391	12	5
<b>Total Expenditure,</b>	<b>5302</b>	<b>14</b>	<b>8</b>

Balance in bank, . . . . . L.3066 13 2

	Brought forward,	L.448 2 4
V. Sums Borrowed from "Invalid Fund."	Amount	387 15 0
	<b>SUM OF THE CHARGE</b>	<b>L.835 17 4</b>

**Discharge.**

<b>I. Expenditure during the year ending 15th April 1859.</b>		
<b>I. Expenses of Missionary Establishments—</b>		
1. At Calcutta		L.1059 0 5
2. At Bombay		519 15 4
3. At Madras		942 10 0
		<b>L.2521 5 9</b>
II. Outfit and Passage-Money of Mr. Grant to Bombay		187 0 0
III. Grant by the Committee to the Rev. W. White on his return from India		59 0 0
IV. Expense of Stamped Records for India		15 6 0
V. Sums paid to Messrs. Paton and Ritchie for Copies of <i>Missionary Record</i> for gratuitous circulation among the Clergy, &c.—		
Proportion payable by this Scheme		32 9 10
<b>VI. Schemes' Office—Share of Expenses—</b>		
1. Of Collector's and Officer's Salaries	L.27 6 8	
2. Of Taxes, Coals, Gas, &c.	10 14 3	
3. Of Printing, Books, and Stationery	3 6 4	
4. Of despatching <i>Record</i> monthly to Clergy and others	2 11 6	
5. Of Postages and Incidents	4 1 3	
		<b>48 0 0</b>
VII. Printing Annual Report		10 9 7
VIII. Printing Notices of Annual Collection, &c.		33 13 9
IX. Advertising		9 0 0
X. Expense of Transfer of Royal Bank Stock		4 0 0
XI. Exchange and Bank Charges on Remittances		9 9 7
<b>XII. Postages and Incidents—</b>		
1. Postages and Incidents incurred in the general management of the Scheme (including Convener's Travelling Expenses, &c.)	L.41 16 5	
2. Expense of despatching Notices of Annual Collection	11 14 9	
3. Annual Allowance to Mr. McCallum, Glasgow, for despatching Circulars, &c.	5 0 0	
		<b>58 11 2</b>
<b>XIII. Expenses of Management—</b>		
1. Allowance to Financial Secretary for the year to 15th April 1859	L.63 0 0	
2. Allowance to Secretary to the Acting Committee for same period	25 0 0	
3. Allowance to Auditor and Accountant—		
For Auditing, Framing, and Reporting upon the Accounts for the year ending 15th April 1859	L.12 12 0	
Proportion of General Allowance for Auditing Collector's Books, &c., for the current year	2 12 6	
		<b>15 4 6</b>
		<b>103 4 6</b>
<b>TOTAL EXPENDITURE for 1858-59 L.3352 10 2</b>		
<b>II. Balances due to the Scheme at 15th April 1859.</b>		
I. Balance in Bank	L.2322 0 8	
II. Contribution from "Lay Association," for 1858-59	161 6 6	
		<b>2483 7 2</b>
<b>SUM OF THE DISCHARGE L.5635 17 4</b>		

**II.—INVALID FUND.**

**Charge.**

I. Balance in Bank at 15th April 1858, per Abstract of last year	L.208 2 0
II. Dividends on L.3000 Stock of the Royal Bank of Scotland—	
Due at Midsummer 1858	L.87 15 0
Due at Christmas 1858	88 2 6
	<b>175 17 6</b>
III. Interest on Bank Account at 15th April 1859	2 10 5
IV. Balance due to the Bank at 15th April 1859	1 5 1
	<b>Sum L.387 15 0</b>

**Discharge.**

<b>Loans to General Fund—</b>	
On 15th November 1858	L.300 0 0
On 15th January 1859	87 15 0
	<b>387 15 0</b>

Note.—The Advances to the General Fund now amount to L.537, 15s.

**STATE OF FUNDS.**

<b>I. General Funds—</b>	
Balance on hand as above	
<b>II. Invalid Fund—</b>	
Capital Stock of the Royal Bank	
Note.—The small Balance of L.1. 5s 1d. the Bank on this Fund will be future Dividends.	
<b>III. Murray Fund—</b>	
1. Capital Stock of the Royal Bank	L.5
2. Capital Stock of the British Linen Company	3
<b>IV. Crichton and Wilson Fund—</b>	
Amount invested in Railway Debenture.	

**III.—HOME MISSION**

**Charge.**

<b>I. Funds on hand at 15th April 1858.</b>	
Amount, per Abstract of last year	
<b>II. Income of the Scheme for the year ending 15th April 1859.</b>	
<b>I. Collections and Contributions—</b>	
From 967 Parishes and Chapels	L.58
Note.—No Contributions have been received from 148 Parishes.	
From Parochial, Congregational, and Missionary Associations	
From Individuals	L.58
<b>II. Legacies</b>	
<b>III. Contribution from "Lay Association," for the year 1858-59</b>	
<b>IV. Interest—</b>	
1. On Bond for L.3500—	
A year to Martinmas 1858 (less tax)	L.136 12 6
2. On Loan of L.160 to Presbytery of Kirkwall—	
To 22d Sept when principal sum paid up	7 0 10
3. On Bank Account—	
At 15th April 1859	58 3 7
	<b>TOTAL INCOME, 1858-59</b>
<b>III. Principal Sum in Bond by Presbytery of Kirkwall,</b>	
Received on 22d September 1858	

**SUM OF THE CHARGE.**

**Discharge.**

<b>I. Expenditure during the year ending 15th April 1859.</b>	
<b>I. Grants voted and paid by the Committee—</b>	
1. In aid of 64 Unendowed Churches	
2. Towards the support of Missionary Preaching Stations	
<b>II. Additional Grant in aid of Church at Net</b>	
<b>III. Donation to Missionary at New Street (Canongate)</b>	
<b>IV. Allowance to Missionary at South Row for Travelling Charges</b>	
<b>V. Travelling and other Expenses incurred by Deputations in visiting 75 Chapels and 8</b>	
<b>VI. Sums paid to Messrs. Paton and Ritchie for copies of <i>Missionary Record</i>, for gratuitous circulation among the Clergy, &amp;c.—</b>	
Proportion payable by the Home Miss	
<b>VII. Schemes' Office—Share of Expenses—</b>	
1. Of Collector's and Officer's Salaries	I
2. Of Taxes, Coals, Gas, &c.	I
3. Of Printing, Books, and Stationery	I
4. Of despatching <i>Missionary Record</i> monthly to Clergy and others	I
5. Of Postages and Incidents	I
<b>VIII. Expense of Printing Annual Report, Litho- ing Circulars, and General Printing</b>	
<b>IX. Expense of Printing Notices of Annual C</b>	
<b>X. Advertising Annual Collection, Meeti Committee, &amp;c.</b>	
<b>XI. Postages, Carriages, and Incidents—</b>	
1. Postages and Carriage of Packets with Collection Notices, &c.	L.1

Carry forward, L.1

10 FOREIGN MISSIONARY RECORD OF THE CHURCH OF SCOTLAND.—JULY 1, 1859.

Brought forward,	L.15	2	3	L.4568	0	11
and Petty Disbursements						
General Management of the						
<i>Sec.</i>	14	17	8			
<i>Advance to Mr. M'Callum,</i>	7	1	6			
<i>for despatching Circ.</i>	5	0	0			
				42	1	5
Management—						
<i>Secretary—</i>	L.100	0	0			
<i>to Secretary's Clerk, as</i>						
<i>Committee—</i>						
<i>Secy.</i>	35	0	0			
<i>and Accountant—</i>						
<i>Printing, Framing, and</i>						
<i>binding upon the Ac-</i>						
<i>count for the year to 15th</i>						
<i>1858</i>	L.17	17	0			
<i>Provision of General allow-</i>						
<i>ances for Superintending</i>						
<i>Auditing Colleges,</i>						
<i>Books, &amp;c., for the</i>						
<i>Year</i>	2	12	6			
				20	9	6
				155	9	6

DEBENT EXPENDITURE, 1858-59	L.4766	11	10
<i>of Church Extension</i>			
<i>and</i>			
<i>Ordinaries</i>	L.225	0	0
<i>Bridge of Allan</i>	283	10	0
<i>Tron</i>	140	0	0
<i>Iron</i>	140	0	0
<i>Deer</i>	50	0	0
			807
<i>paid at 15th April 1859.</i>			
<i>Bank (British Lines Com.)</i>	L.2194	12	9
<i>from "Lay Association,"</i>	382	16	6
			2577
			8
			3
SUM OF THE DISCHARGE	L.8150	10	1

unds belonging to the Committee there falls to be l, in terms of a resolution of the Committee, the to about L.1500, of Miss Campbell's Legacy, special purposes.

ANNUAL CHARGES.

Charge.			
<i>paid at 15th April 1859.</i>			
<i>Last Year</i>	L.7210	18	3
<i>Scheme for the Year ending</i>			
<i>11 1859.</i>			
<i>and Contributions—</i>			
<i>Parishes and Chapels</i>	L.2410	19	10
<i>from 214 Parishes no</i>			
<i>contributions have been re-</i>			
<i>ceived.</i>			
<i>Official, Congregational, and</i>			
<i>Voluntary Associations</i>	63	12	1
<i>Individuals</i>	31	0	0
	L.2545	11	11
<i>from "Lay Association,"</i>	201	6	0
<i>in 1858-59</i>			
<i>from British North</i>			
<i>American</i>	L.127	5	11
<i>of Montreal</i>	69	19	0
	227	4	11
<i>Bank Account</i>	117	17	7
<i>TOTAL INCOME, 1858-59</i>	3201	3	10
SUM OF THE CHARGE	L.10,412	2	1

Discharge.			
<i>during the Year ending 15th</i>			
<i>1859.</i>			
<i>Missionaries and Catechists,—</i>			
<i>CANADA.</i>			
<i>—</i>			
<i>the Herald</i>	L.37	10	0
<i>Person</i>	109	11	10
<i>Annals</i>	150	0	0
<i>of the</i>	125	0	0
	L.422	1	10
<i>Carry forward,</i>	L.422	1	10

Brought forward,	L.422	1	10
(2.) <i>Hamilton.</i>			
<i>Rev. W. Masson</i>	L.118	0	0
<i>Rev. John Hay</i>	70	0	0
	188	0	0
(3.) <i>Kingston.</i>			
<i>Rev. A. P. Marshall</i>	150	0	0
(4.) <i>Toronto.</i>			
<i>Rev. E. W. Ross</i>	47	15	6
(5.) <i>Glengarry.</i>			
<i>Rev. Jas. S. Douglas</i>	59	0	0
(6.) <i>London.</i>			
<i>Rev. R. G. M'Laren</i>	L.150	0	0
<i>Rev. Chas. Campbell</i>	45	2	0
<i>Rev. Fras. Nicol</i>	34	18	7
	231	0	7
	1788	17	11
2. <i>SYNOD OF NOVA SCOTIA.</i>			
<i>Presbyteries,—</i>			
(1.) <i>Halifax.</i>			
<i>Rev. James Wilson</i>	L.136	0	0
<i>Rev. John Martin, Sup-</i>	100	0	0
<i>erintendent of Missions</i>	236	0	0
(2.) <i>Pictou.</i>			
<i>Rev. James Mair</i>	L.70	0	0
<i>Rev. James Christie</i>	87	10	0
<i>Rev. T. Tulloch</i>	150	0	0
<i>Rev. Alex. M'Gillivray,</i>	60	0	0
<i>M'Lennan's Mount.</i>	34	0	0
<i>Rev. John M'Lean</i>	301	10	0
(3.) <i>Prince Edward Island.</i>			
<i>Rev. Wm. M'Laren</i>	L.137	10	0
<i>Rev. Andrew Lochhead</i>	100	0	0
	237	10	0
	864	0	0
3. <i>SYNOD OF NEW BRUNSWICK.</i>			
<i>Presbyteries,—</i>			
(1.) <i>St. John.</i>			
<i>Rev. A. Forbes</i>	L.37	10	0
<i>Rev. Peter Keay</i>	46	15	6
<i>Rev. J. Ross</i>	75	0	0
<i>Rev. H. J. M'Lardy</i>	85	14	7
<i>Rev. D. Stott</i>	77	15	0
<i>Mr. Aeneas Macdonald, Catechist</i>	20	0	0
	342	15	1
(2.) <i>Miramichi.</i>			
<i>Rev. William Murray,</i>	L.126	13	4
<i>Moncton</i>	50	0	0
<i>Rev. James Murray,</i>	100	0	0
<i>Bathurst</i>	100	0	0
<i>Rev. William Macrobie,</i>	50	0	0
<i>Tabusintac</i>	50	0	0
<i>Rev. J. Steven, Resti-</i>			
<i>gouche, arrears of sa-</i>			
<i>lary</i>	326	13	4
	669	8	5
4. <i>New Zealand.</i>			
<i>Rev. William Kirkton, Wellington</i>	154	2	8
5. <i>Synod of Australia.</i>			
<i>Sidney; Paddington.</i>	L.100	0	0
<i>Rev. James Milne</i>	129	0	0
<i>Maitland; Newcastle.</i>	229	0	0
<i>Rev. J. Nimmo</i>	229	0	0
6. <i>Jamaica; Kingston.</i>			
<i>Rev. A. J. Milne</i>	50	0	0
	L.3965	9	0
II. <i>Outfits and Passage Moneys,—</i>			
<i>To Canada, six Ministers</i>	L.333	7	9
<i>... Nova Scotia, two do.</i>	50	0	0
<i>... Australia, two do.</i>	173	0	0
<i>... Ceylon, one do.</i>	110	0	0
	666	7	9
III. <i>Grants to Churches,—</i>			
<i>To Georgetown Church, Prince Ed-</i>	L.50	0	0
<i>ward Island</i>	50	0	0
<i>... St. Andrew's Church, Newfound-</i>	100	0	0
<i>land</i>	100	0	0
<i>... Church at Point Levi, Quebec</i>	230	0	0
IV. <i>Grant for defraying Expenses relative to recovery</i>	75	0	0
<i>St. Mark's Manse, Demerara</i>	54	0	0
V. <i>Grant to Rev. Geo. Harper for travelling expenses</i>	10	0	0
<i>to Mara Berbice,</i>			
<i>VI. Grant to Rev. A. P. Marshall for passage home</i>			
<i>from Toronto</i>	10	0	0
VII. <i>Grant to Queen's College, Kingston, Canada,—</i>			
<i>For College</i>	L.300	0	0
<i>... Bursaries</i>	35	0	0
	335	0	0
VIII. <i>Donation to Student at Queen's College</i>	5	0	0
IX. <i>Travelling Expenses of Candidates</i>	14	2	0
X. <i>Expense of Missionary Record for the Colonies, to</i>	27	5	0
<i>April 1859</i>	3	3	0
XI. <i>Expense of Ordination of Missionary</i>	L.4445	6	9
	427	0	0
XII. <i>Expenses relative to Paris Mission</i>	60	6	6
XIII. <i>Expenses of Convener and Deputations to London</i>			
<i>Carry forward,</i>	L.4933	13	3
	163		

able connexion with the Church of Scotland, and that the power of contracting debt, or otherwise burdening the property of the chapels, should be expressly excluded. These conditions having been fully satisfied, the grants have been paid, and both chapels have recently been opened with the most encouraging prospects of success. It is due to the energetic parish minister to state that these chapels, as well as the chapel at Innellan, which was built a few years ago, were provided mainly through his personal exertions.

Your Committee have also during the past year had numerous applications for assistance out of the general fund of the Scheme, towards the building of new churches in necessitous districts. Several of these were of so urgent a nature, that your Committee felt constrained to take under their serious consideration the necessity of holding the general funds available for the assistance so anxiously sought. Accordingly, after earnest deliberation at successive sittings, a minute was passed, on 8th December last, in the following terms:—

"The meeting having again taken into consideration the expediency of resuming operations under the Church Building Branch of the Scheme, which has been for some years in abeyance, and having anxiously deliberated thereon, it was resolved to hold that Branch of the Scheme as revived, and available, to a limited extent, in truly necessitous cases, for aiding and promoting the erection of new places of worship, subject to such regulations as the Committee may, from time to time, with reference to the state of their funds, find it to be necessary to prescribe thereon, and subject also to such conditions, in each particular case, as the circumstances may appear to them to require; and with reference to the resolution now recorded, it was remitted to the following members as a Sub-Committee, to inquire into the state of the funds, and to report, viz., Messrs. Cheyne, Rutherford, Smith, and Bayley,—Mr. Cheyne to be Convener."

The more pressing of the applications thus made to the Committee were in the following cases:—

1. Skelmorlie, in the parish of Largs.—A chapel was erected a few years ago, but latterly it was found altogether insufficient for the accommodation of the largely increasing congregation, more particularly during the summer and autumn months, which bring numerous and stated visitors to the coast. It was therefore resolved to make a suitable extension of the former building, so as to give an addition of 380 sittings. Liberal subscriptions were procured from the more wealthy of the congregation, and from other parties connected with the district; and after mature consideration of all the circumstances, your Committee felt themselves called upon to contribute the usual allowance of 7s. 6d. a sitting, which will amount in all to L.136, 15s. They were the more induced to make this grant, in consideration of the generous offer of the chapel minister, to guarantee subscriptions to the amount of L.1000 towards the endowment and erection of the chapel and district into a church and parish *quoad sacra*. Under an arrangement with your Endowment Committee, the whole requirements of the statute have been provided, and the necessary proceedings are about to be instituted in the Court of Teinds for accomplishment of this desirable object.

2. Kelvinhaugh, in the Barony parish of Glasgow.—In this district, a mission has been for some years

tributed by persons not resident which is a very poor one; and as the resources open to him, he committed with an earnest application enable him to complete the work. This application your Committee constrained to concede, being that the circumstances fully justify it.

3. Springfield, Cupar.—Here a station has been established for a has progressed steadily and satisfaction station was a temporary building both unsuitable and insufficient to accommodation required. It has therefore to build a new place of worship adequate requirements of the district. The Rev. has made laudable exertions in nursing congregation to its present state of is now endeavouring to raise the need the new building. Your Committee in order to encourage local contributions secure the accomplishment of the plan in view, to give a conditional promise of the cost of the new place of worship.

4. Linwood, Kilbarchan.—Here also been for some time in operation. It is generally concerned being satisfied from all means should be employed for securing accommodation required for a permanent have recently been making large and exertions to provide the funds necessary. They have succeeded in procuring to the amount of about L.1000, and yet after full consideration of the facts and submitted to them, and having referred conditionally promised to the same years ago, agreed to contribute the towards the completion of the work. also great praise is due to the parish his unwearied labours in providing about to be bestowed upon the parish Linwood district of his parish.

Seven additional applications have your Committee, and are at present in consideration. The whole of these are supported by evidence that the places of worship built are urgently required. In the of the funds, however, your Committee could not meet these applications approaching to the amount of £5000 and it was therefore agreed that be allowed to stand over till the fifth the sittings of your Venerable Brethren that the Assembly may be able to discharge raising the additional funds required increasing demands under this branch.

The Convener of the Sub-Committee the Minute above quoted, proceeded to remit therein made, and after general search,—having thoroughly investigated operations of the Scheme from thencewards to the year 1858,—gave a distinct Report, shewing the annual amounts and expenditure on the growing decrease of the capital fund. This valuable Report was taken with much anxiety, and at a very Committee, held on 25th April Minute and relative resolutions



at it appears from the Report, that the ordinary revenue, have been subject to a less annual reduction since 1852;—the capital having been at the end of each of the years 1846-52 inclusive, nearly L.7000, & reduced in 1858 to L.3583, 18s. 4d.\* the Committee concur in the opinion of the Sub-Committee, that if the funds are reduced to the same extent as heretofore, in the support of ordinances in chapels Scheme, without an assured increase of revenue, cannot be efficiently conducted, if the caput sum at which it now stands.

the grants made to ministers of chapels & probationers supplying in part the place of the same, have latterly amounted, after deductions of management, to more than nine-tenths of the whole expenditure of the Scheme; the annual expenditure having been for the last year L.4639, 10s., and the average annual proportion of the said sum, paid as grants in aid, L.104d.

the objects of Church Extension, notwithstanding the many instances in which there has been an increase of population, and of missions for the consequent increase of spiritual ministrations have been thus for the most part neglected, as there is no other fund available for the Church for keeping her ministrations up to the wants of the community.

this abandonment of objects, the urgency of the year by year increasing, for which numerous applications are now on the table of the Committee for which applications yet more numerous certainly be made, were the Committee disposed to entertain them favourably,—the Church in the painful and disadvantageous position, unless an adequate remedy be appearing uncultivated many of the most fertile fields of the country, and thus virtually rendering her incapacity for one of the most essential wants of a National Church.

the proper remedy is obviously to be found in the supply of the chapels now dependent on the supply of ordinances, into parish churches, or, failing this, in such an exertion on the part of the congregations of those chapels, as shall render them self-sufficient—neither alternative involving any insuperable difficulties, provided always it be prosecuted with resolution and energy.

were the Provincial Branch of the General Assembly's Endowment Scheme, already commenced in one province, completed also for the others, which a really vigorous effort on the part of the whole Church would certainly accomplish in a period of six months,—sufficient funds being at the disposal of the Home Mission Society, to enable them to meet with encouragement all the Church Extension claims likely to be presented upon them, and to provide at the same time for such additional missions as are required.

the Committee, in these circumstances, are disposed to make any sudden change in the disposition of the funds of the Scheme, yet reserve a suspension for an indefinite period, of the Building Branch, &c., as a hurtful and unwise policy, will feel it to be their duty to refer the matter to the ensuing General Assembly to enable them, or their successors in office,—if, within a period of six months from Whitsunday next, the funds for church building purposes,

once was brought out, after taking into account the views of the Committee on the one hand, and the views of the other.

and the support of new missions where deemed necessary, shall not be set free by the progress of the Endowment Scheme, or an increase in the number of self-sustaining chapels—to allocate for the said objects such a proportion of the revenues, as, after due regard to an efficient maintenance of ordinances, they shall think themselves justified in withdrawing from the chapels now aided by them, whether by cancelling the grants in aid, or limiting them to a reduced amount.

"9. That the above resolutions be printed and extensively circulated throughout the Church, and, in particular, that copies of them be addressed by the Secretary to all ministers or probationers who are now in receipt of grants from the Scheme."

The instructions in the last of these resolutions were immediately implemented by the Secretary.

## II.—AIDING UNENDOWED CHURCHES:

AND

## III.—EMPLOYMENT OF PROBATIONERS AS MISSIONARIES.

Under these two branches of the Scheme, the principal part of the funds placed at the disposal of the Committee, continues, as heretofore, to be expended. It will be seen, on referring to the list appended to this Report, that during the year ending 15th April last, grants have been voted in aid of 66 unendowed churches, to the amount of L.2785; and towards the support of 47 mission stations, to the amount of L.1835.

At the close of the last financial year, there were thus in all 113 places of worship to which aid was allowed out of the funds of the Scheme, to the annual amount of L.4620.

It is proper here to mention, that during the past year, the liabilities of the Committee have been relieved to the extent of L.225 by the erection into parish churches of the chapels at Newington, in the parish of St. Cuthbert's; Cookney, Fetteresso; Pathhead, Dysart; Persie, Bendochy; and Stobhill, Temple, &c. It is fully expected that a still greater relief will be afforded during the present year—several chapels now on the Committee's list being about to enter the Court of Teinds, for erection, with suitable districts annexed, into churches and parishes *quoad sacra*, with the assistance, and under the auspices, of the Endowment Scheme.

For some years past, your Committee have, in their Annual Report, enumerated a few cases in evidence of the increase which has taken place, during the previous year, in the numbers, both of the communicants and of the congregations, connected with the chapels on the Committee's list. Following this plan, a few similar instances may be here cited:—

At Grangemouth, the congregation has increased from 300 to 450, and the communicants from 105 to 170. In Holburn Street Church, Aberdeen, the congregation has increased by fully 100, and now numbers 600, and the communicants have increased from 340 to 394. At Broughtly Ferry, the congregation has increased from 780 to 823, and the communicants from 610 to 632. At Carnoustie, the congregation has increased by 100, and the communicants by 46—the former being now 508, and the latter 196. At Methil, Wemyss, where the sacrament was lately dispensed for the first time since the re-opening of the chapel, the communicants numbered 138, and the congregation has increased from 108 to 249. In Portbrae Church, Kirkcaldy, the congregation has increased by 100, and the communicants by 50—the former now numbering 400, and the latter 180. In St. Luke's Church, Glasgow, there is an average congregation in the forenoon of 300 and in the afternoon of 600, and the communicants have increased from 110 to 200. In

## STATEMENT OF COLLECTIONS AND CONTRIBUTIONS

RECEIVED IN AID OF

The General Assembly's Six Schemes, for the Year 1858-59.

## I.—COLLECTIONS AT CHURCH DOORS.

No.	Presbyteries and Parishes	Education	India	Home	Colonies	Jews	Endowment	Total
<b>I. Edinburgh.</b>								
		L. s. d.	L. s. d.	L. s. d.	L. s. d.	L. s. d.	L. s. d.	L. s. d.
1	Bernard's, St.	...	8 0 0	8 0 0	4 0 0	4 0 0	10 0 0	34 0 0
2	Buccleuch . . .	7 14 0	15 11 0	1 17 0	2 15 10	4 18 0	14 6 0	45 1 10
3	Canongate . . .	0 17 4	2 1 8	1 10 7	0 15 2	0 17 6	0 16 4	6 18 0
4	New Street . q. s.	...	...	...	...	...	...	...
5	Colinton . . .	3 13 0	5 0 0	4 0 0	4 3 0	4 15 0	4 0 0	25 11 0
6	Corstorphine . . .	2 13 8	3 1 6	4 13 8	6 12 0	6 6 8	3 5 6	26 12 0
7	Cramond . . .	1 10 0	1 1 0	1 16 0	1 18 0	1 1 0	1 0 6	8 6 0
8	Currie . . .	...	1 12 0	5 0 0	2 0 0	...	3 6 0	11 18 0
9	Cuthbert's, St.	22 0 6	16 10 0	17 5 0	9 0 0	13 1 0	22 12 6	100 9 0
10	David's, St. . q. s.	0 7 2	0 12 0	...	...	...	0 11 3	7 10 0
11	Dean . . . q. s.	...	...	...	...	...	...	...
12	Lady Glenorchy's q. s.	...	...	...	...	...	...	...
13	Morningside . q. s.	1 5 6	1 9 2	1 0 0	...	1 0 0	1 5 4	6 0 0
14	Newington . . .	0 15 0	...	2 2 0	0 15 0	...	...	3 12 0
15	Duddingston . . .	2 0 0	2 0 0	4 0 0	5 10 0	2 0 0	2 0 0	17 10 0
16	Portobello . q. s.	...	...	...	...	...	...	...
<b>Edinburgh—</b>								
17	Andrew's, St. . .	36 0 0	43 5 0	22 10 0	9 10 0	10 15 0	47 0 0	170 0 0
18	Gaelic . . .	0 8 0	0 10 0	0 9 0	0 10 0	0 8 6	0 10 0	2 15 0
19	George's, St. . .	24 14 6	68 3 1	44 6 3	6 14 6	15 13 0	30 12 4	190 3 0
20	Luke's, St. . q. s.	10 3 6	9 6 7	3 11 9	3 3 8	5 0 9	11 0 0	42 8 0
21	Greenside . . .	27 0 0	38 10 0	25 0 0	8 0 0	15 0 0	36 0 0	141 10 0
22	Greyfriars', New	8 0 0	12 10 0	3 5 0	1 5 0	5 0 0	6 10 0	36 10 0
23	Greyfriars', Old	8 0 0	10 0 0	7 0 0	6 0 0	1 0 0	3 6 6	35 6 0
24	High Church . . .	5 4 4	4 0 0	5 0 0	3 0 0	3 10 0	8 10 0	24 4 0
25	John's, St. . .	1 0 0	0 15 0	0 16 0	0 11 0	0 10 0	1 2 2	4 14 0
26	Lady Yester's . . .	10 10 0	10 0 0	15 0 0	8 0 0	5 0 0	10 0 0	66 10 0
27	Mary's, St. . .	16 10 0	14 1 5	11 2 6	7 1 4	6 9 6	18 11 0	71 13 0
28	New North . . .	10 10 0	14 0 0	8 10 0	4 0 11	10 4 0	13 0 0	66 4 10
29	Old Church . . .	2 2 0	3 10 0	2 0 0	2 0 0	2 0 0	2 0 0	13 13 0
30	Stephen's, St. . .	33 18 0	43 0 0	32 0 0	12 11 0	22 6 0	74 9 8	218 4 0
31	Tolbooth Church	1 10 0	1 10 0	1 8 0	1 7 0	1 0 0	1 10 0	8 5 0
32	Trinity College	2 14 9	5 2 0	3 10 0	1 15 6	3 3 6	3 6 0	19 11 0
33	Tron Church . . .	13 0 0	16 16 0	10 10 0	4 10 0	8 0 0	19 10 0	72 0 0
34	Kirknewton . . .	4 0 0	5 0 0	6 1 0	3 0 0	1 11 0	6 0 0	26 1 0
<b>Leith—</b>								
35	North Leith . . .	4 0 0	7 0 0	7 10 0	4 0 0	3 10 0	6 6 0	26 0 0
36	Newhaven . q. s.	...	...	...	...	...	...	...
37	South Leith . . .	5 0 0	6 0 0	8 10 0	2 14 0	...	5 7 0	22 0 0
38	Restalrig . q. s.	...	...	...	...	...	0 6 1	0 6 1
39	Thomas's, St. . .	0 12 0	0 15 0	0 18 0	...	0 7 0	...	2 15 0
40	Liberton . . .	3 2 6	4 12 6	8 0 0	9 10 0	2 11 0	4 0 0	31 0 0
41	Gilmerton . q. s.	...	...	...	...	...	...	...
42	Ratho . . .	6 2 0	8 2 6	12 10 0	11 0 0	6 10 0	4 6 7	46 0 0
		276 17 4	383 7 5	285 11 9	147 12 6	165 8 5	372 6 9	1631 0 0
<b>2. Linlithgow.</b>								
43	Abercorn . . .	2 18 0	1 13 0	4 11 6	5 2 4	2 0 9	7 8 10	23 0 0
44	Bathgate . . .	2 12 6	...	2 12 11	2 16 11	2 5 6	4 0 6	14 0 0
45	Borrowstounness . . .	3 5 0	2 11 0	4 0 0	3 16 0	4 0 0	3 0 0	20 0 0
46	Calder, Mid . . .	3 6 0	2 9 0	6 0 0	4 10 9	2 0 0	4 0 0	20 0 0
47	Calder, West . . .	...	...	...	...	...	...	...
48	Camelon . . .	0 3 6	0 4 0	0 3 6	0 2 6	0 2 6	0 3 6	0 0 0
49	Carriden . . .	1 5 0	2 4 0	1 10 6	2 7 6	2 7 0	3 10 0	13 0 0
50	Dalmeny . . .	2 10 0	2 18 5	4 0 0	3 4 0	3 0 0	2 1 2	17 0 0

THE AND FOREIGN MISSIONARY RECORD OF THE CHURCH OF SCOTLAND JULY 1, 1856.

Synagogues and Parishes	Education			India			Home			Colonies			Jews			Total					
	L.	s.	d.	L.	s.	d.	L.	s.	d.	L.	s.	d.	L.	s.	d.	L.	s.	d.			
Ammachan . . .	1	0	0	1	3	0	1	13	0	1	9	0	1	0	0	1	6	0	7	11	0
Ark . . .	6	7	0	5	17	8	7	6	0	6	10	0	7	6	0	6	3	11	39	10	7
Angemouth . . . q. s.	...	...	...	2	0	0	...	...	...	...	...	...	...	...	...	...	...	...	2	0	0
Arleston . . .	3	0	0	0	12	0	3	7	0	3	15	0	3	15	0	2	10	0	16	19	0
Arthgow . . .	5	16	6	5	16	3	7	13	5	6	9	0	4	4	3	4	15	3	34	14	8
Arstone . . .	1	0	6	...	...	...	1	18	0	2	6	0	1	12	6	1	1	0	7	18	0
Aravonside . . .	0	15	6	1	7	0	1	18	0	1	13	0	0	13	3	4	0	6	10	7	3
Arson . . .	4	18	5	4	10	0	4	0	0	5	9	0	3	10	0	2	6	0	24	13	5
Arsferry . . .	2	1	4	2	0	0	3	1	9	3	1	9	2	1	7	1	16	3	14	2	8
Arshannan . . .	3	17	4	4	0	3	4	11	0	4	3	6	2	18	0	5	9	11	25	0	0
Arshichen . . .	0	12	0	0	7	0	0	16	0	1	2	0	0	5	0	0	19	0	4	1	0
Arshall . . .	2	3	4	1	10	0	1	10	0	0	16	0	1	5	0	1	4	0	8	8	4
Arstburn . . .	1	0	0	...	...	...	1	14	8	1	19	2	1	6	6	...	...	...	6	0	4
<b>3. Bigger.</b>	<b>48</b>	<b>11</b>	<b>11</b>	<b>41</b>	<b>2</b>	<b>7</b>	<b>62</b>	<b>7</b>	<b>3</b>	<b>60</b>	<b>15</b>	<b>5</b>	<b>45</b>	<b>12</b>	<b>10</b>	<b>55</b>	<b>15</b>	<b>10</b>	<b>314</b>	<b>5</b>	<b>10</b>
Ar . . .	...	...	...	...	...	...	4	12	0	...	...	...	1	15	0	2	0	0	8	7	0
Arighton, &c. . .	5	9	3	4	10	6	7	3	6	7	4	6	5	1	6	5	6	0	34	15	3
Arington and Thankton . . .	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...
Arer . . .	2	9	8	2	3	7	2	15	4	3	14	3	2	13	6	2	13	5	16	9	9
Arerhinton . . .	2	1	1	2	7	4	1	11	0	1	12	9	1	15	3	...	...	...	9	7	5
Arerlyre . . .	0	13	9	0	9	6	0	10	0	0	13	9	0	9	6	0	9	2	3	5	8
Arerton . . .	0	18	0	0	13	6	1	0	0	0	16	0	...	...	...	...	...	...	3	7	6
Arerling . . .	0	14	10	0	17	9	1	2	3	0	14	6	0	13	0	1	2	8	5	5	0
Arerlington . . .	1	0	2	1	4	0	...	...	...	1	2	8	1	0	5	...	...	...	4	6	10
Arerston . . .	0	15	6	...	...	...	1	2	0	1	2	0	...	...	...	...	...	...	2	19	6
Arerbell and Lamingune . . .	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...
<b>4. Peebles.</b>	<b>14</b>	<b>2</b>	<b>3</b>	<b>12</b>	<b>6</b>	<b>2</b>	<b>19</b>	<b>16</b>	<b>1</b>	<b>17</b>	<b>0</b>	<b>0</b>	<b>13</b>	<b>8</b>	<b>2</b>	<b>11</b>	<b>11</b>	<b>3</b>	<b>88</b>	<b>3</b>	<b>11</b>
Arermelzier . . .	2	0	0	1	4	6	1	19	6	2	5	0	1	5	6	2	1	0	10	15	6
Arerlestone . . .	3	6	8	3	1	6	3	3	0	2	9	10	2	12	7	4	12	2	19	5	9
Arerleithen . . .	2	11	1	5	0	0	7	8	0	7	14	6	3	11	3	2	14	4	28	19	2
Arerurd . . .	0	10	0	0	10	0	0	10	0	0	10	0	0	10	0	0	10	0	3	0	0
Areron, West . . .	4	9	0	4	7	0	4	0	0	3	10	6	3	7	6	4	6	0	24	0	0
Arer . . .	1	4	6	0	19	0	0	14	0	0	13	6	0	13	0	0	18	0	5	2	0
Areror . . .	5	1	0	2	1	0	2	12	6	1	9	6	1	17	6	1	10	0	14	11	6
Arerlands . . .	3	10	0	2	5	0	3	8	0	1	10	0	2	7	0	2	0	0	15	0	0
Arerlea . . .	3	15	9	2	14	6	3	10	0	3	10	0	1	12	0	1	12	0	16	13	6
Arer . . .	4	5	1	3	7	9	3	5	0	3	6	9	2	15	11	3	0	0	20	0	6
Arerpair . . .	5	5	6	4	16	6	5	1	6	4	10	6	4	7	0	5	2	6	29	3	6
Areredsmair . . .	5	16	8	5	16	8	5	16	8	5	16	8	5	16	8	5	16	8	35	0	0
<b>5. Dalkeith.</b>	<b>41</b>	<b>14</b>	<b>6</b>	<b>36</b>	<b>3</b>	<b>5</b>	<b>41</b>	<b>8</b>	<b>2</b>	<b>37</b>	<b>6</b>	<b>9</b>	<b>30</b>	<b>15</b>	<b>11</b>	<b>84</b>	<b>2</b>	<b>8</b>	<b>221</b>	<b>11</b>	<b>5</b>
Arerhwick . . .	...	...	...	3	5	0	3	14	8	3	8	1	2	1	8	4	11	0	17	0	5
Arerlington . . .	0	10	0	0	12	10	0	10	10	0	10	10	0	13	6	0	14	4	3	12	4
Arerpen . . .	2	14	0	2	15	0	2	10	0	2	5	0	2	6	0	2	5	0	14	15	0
Arerston . . .	1	0	0	...	...	...	2	15	0	3	8	0	2	6	0	...	...	...	9	9	0
Arerston . . .	0	8	6	0	10	0	0	8	6	0	12	0	0	12	0	0	8	0	2	19	0
Arerwith—	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...
Arerst Church . . .	5	10	3	7	15	0	4	16	7	3	15	10	3	17	4	5	4	8	30	19	8
Arerest Church . . .	2	10	0	2	0	0	1	13	0	0	14	0	1	10	0	1	8	0	9	15	0
Arerand Sontra . . .	0	8	6	0	7	0	0	6	6	1	1	6	0	7	6	0	8	0	2	19	0
Arerross . . .	1	13	0	...	...	...	5	0	0	2	0	0	1	10	0	0	10	0	10	13	0
Arer . . .	1	9	0	2	0	4	1	15	7	1	9	1	1	1	5	1	5	4	9	0	9
Arerresk . . .	10	10	7	7	1	9	6	18	10	6	10	0	3	13	0	...	...	...	34	14	2
Arerorthesk . . . q. s.	2	1	6	2	13	0	3	13	0	3	13	0	...	...	...	...	...	...	12	0	6
Arerwade . . .	6	0	0	7	0	0	6	0	0	4	0	0	3	10	0	6	10	0	33	0	0
Arer . . . q. s.	...	...	...	...	...	...	1	0	0	...	...	...	...	...	...	1	11	4	2	11	4
Arerbattle . . .	6	8	0	4	12	0	3	0	0	3	9	0	...	...	...	4	10	0	21	19	0
Arerhill . . .	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...
Arerton . . .	2	4	6	1	12	0	2	18	0	1	0	0	0	13	6	1	7	6	9	15	6
Areriston . . .	6	9	7	4	6	9	5	13	8	4	17	1	5	2	0	5	17	0	32	6	1
Arerycuik . . .	2	8	4	4	0	0	4	0	0	0	9	0	1	0	0	...	...	...	11	17	4
Arerple . . .	1	0	9	0	16	1	0	18	0	1	2	9	0	9	11	1	3	8	5	11	2
<b>Total</b>	<b>53</b>	<b>6</b>	<b>6</b>	<b>51</b>	<b>6</b>	<b>9</b>	<b>57</b>	<b>12</b>	<b>2</b>	<b>44</b>	<b>5</b>	<b>2</b>	<b>30</b>	<b>13</b>	<b>10</b>	<b>37</b>	<b>13</b>	<b>10</b>	<b>274</b>	<b>18</b>	<b>3</b>

HOME AND FOREIGN MISSIONARY RECORD OF THE CHURCH OF SCOTLAND.—JUL

No.	Presbyteries and Parishes	Education	India	Home	Colonies	Jews	Endo men
<b>6. Haddington.</b>							
		L. s. d.	L. s. d.	L. s. d.	L. s. d.	L. s. d.	L. s.
107	Aberlady . . .	...	...	...	...	...	...
108	Athelstaneford . . .	1 19 4	2 13 5	2 3 0	...	2 6 9	2 15
109	Berwick, North . . .	2 13 4	3 18 0	8 9 0	...	...	0 19
110	Bolton . . .	0 18 0	...	...	0 15 4	...	2 6
111	Dirleton . . .	2 8 2	2 15 2	1 8 3	1 18 6	1 9 0	...
112	Garvald . . .	1 2 0	...	1 1 0	...	...	1 4
113	Gladsmuir . . .	1 4 0	1 3 0	2 5 0	2 0 0	1 0 0	0 15
114	Haddington . . .	8 8 0	11 11 0	10 15 0	8 8 0	8 10 0	8 16
115	John's, St. . . q. s.	...	...	...	...	...	...
116	Humbie . . .	1 15 11	...	...	2 4 7	1 17 6	2 1
117	Morham . . .	0 19 7	0 18 9	0 12 6	0 15 0	0 12 6	1 1
118	Pencaitland . . .	4 7 6	4 9 6	6 1 4	5 8 7	4 13 10	...
119	Prestonpans . . .	2 10 0	2 9 0	1 15 0	1 1 0	1 6 0	1 12
120	Salton . . .	1 15 0	...	...	...	...	...
121	Tranent . . .	1 15 0	2 15 0	1 10 0	1 10 0	1 5 0	2 0
122	Cockenzie . . . q. s.	...	...	...	...	...	...
123	Yester . . .	3 5 0	2 17 0	...	2 16 0	2 10 0	3 5
		35 0 10	35 9 10	36 18 9	26 17 0	25 10 7	26 17 1
<b>7. Dunbar.</b>							
124	Cockburnspath . . .	1 0 0	1 0 0	2 1 6	2 2 0	...	1 0
125	Dunbar . . .	4 16 10	...	...	...	...	...
126	Innerwick . . .	4 10 7	4 12 5	4 2 0	3 15 0	1 6 0	...
127	Oldhamstocks . . .	2 2 0	2 3 6	1 16 0	1 18 0	1 4 0	2 0
128	Prestonkirk . . .	5 0 0	6 10 0	5 14 0	4 10 0	2 10 0	3 10
129	Spott . . .	1 14 6	...	2 7 4	3 0 0	...	1 14 6
130	Stenton . . .	3 10 0	1 15 5	1 15 9	1 10 4	1 5 4	3 9 6
131	Whitekirk and Tynninghame . . .	3 4 0	3 2 9	2 7 3	7 3 1	1 12 3	3 4
132	Whittinghame . . .	3 6 8	2 4 0	3 2 0	2 5 0	...	1 17
		29 4 7	21 8 1	23 5 10	26 3 5	7 17 7	16 15
<b>8. Dunse.</b>							
133	Abbey St. Bathans . . .	...	1 2 6	1 15 0	1 1 0	1 15 1	2 0
134	Bunkle and Preston . . .	1 3 4	1 1 3	1 0 0	...	0 16 2	...
135	Cranshaws . . .	2 1 10	1 0 8	1 2 10	1 0 0	0 14 8	2 4
136	Dunse . . .	6 19 0	7 9 6	6 13 4	6 15 2	7 5 0	7 6
137	Boston Church . . . q. s.	...	...	...	...	...	...
138	Eccles . . .	2 0 0	3 0 0	3 15 0	2 0 0	2 6 0	1 10 0
139	Fogo . . .	3 11 2	1 2 2	1 9 0	1 3 0	2 9 0	1 1 5
140	Greenlaw . . .	4 10 0	4 15 6	4 2 0	4 0 0	6 10 0	...
141	Langton . . .	2 5 0	1 3 6	1 4 0	1 6 6	1 0 0	1 5
142	Longformacus . . .	3 18 2	2 7 4	3 17 10	2 3 3	2 0 1	2 4
143	Polwarth . . .	5 18 9	6 0 0	12 3 6	6 1 3	5 16 8	5 15
		32 7 3	29 2 5	37 2 6	25 10 2	30 12 8	23 7
<b>9. Chirnside.</b>							
144	Ayton . . .	5 6 9	6 12 2	5 7 10	5 19 6	2 18 1	5 3 1
145	Chirnside . . .	1 18 0	3 7 8	3 8 4	2 12 9	1 16 4	1 18
146	Coldingham . . .	1 2 10	...	1 1 11	1 8 4	1 3 9	1 6
147	Coldstream . . .	2 14 0	4 10 0	3 10 0	5 0 0	...	3 0
148	Edrom . . .	3 3 5	3 16 7	3 0 0	8 4 10	3 6 7	4 12
149	Eyemouth . . .	1 10 0	1 0 0	1 0 0	0 15 0	0 10 0	1 0
150	Foulden . . .	...	...	...	...	...	...
151	Houndwood . . .	5 10 7	5 16 8	3 14 6	3 7 3	3 6 0	2 8
152	Hutton . . .	1 0 0	1 0 0	1 0 0	1 0 0	1 0 0	1 0
153	Ladykirk . . .	...	...	...	...	...	...
154	Mordington . . .	...	...	...	...	...	...
155	Swinton . . .	1 0 0	...	1 0 0	...	...	1 0
156	Whitson . . .	...	...	...	...	...	...
		23 5 7	26 3 1	23 2 7	28 7 8	14 0 9	21 9
<b>10. Kelso.</b>							
157	Ednam . . .	1 3 1	1 13 9	1 5 0	1 3 10	1 4 4	1 3
158	Kelso . . .	...	15 15 0	7 0 0	4 0 0	...	5 15
159	Linton . . .	2 13 6	2 16 0	2 9 0	5 7 0	2 5 0	2 6
160	Makerston . . .	0 12 0	1 7 0	0 16 0	0 16 0	...	...
161	Morebattle . . .	1 2 0	1 16 6	1 7 0	1 14 0	0 16 6	1 10

FOREIGN MISSIONARY RECORD OF THE CHURCH OF SCOTLAND. JULY 1, 1859.

Brought forward,	L.3112 11
Share of Expenses—	
Officers' Salaries for the	
Year, &c.	L.27 6 8
Printing and Stationery,	10 14 3
Missionary Record	3 6 3
Others monthly,	2 11 6
Incidents,	4 1 4
	48 0 0
Secretary in inspecting	
Highlands and Islands,	65 0 0
Incurred by Convener.	20 0 0
Print, Presbyterial Reports,	
of Annual Collection, Litho-	
&c.	97 6 7
Stationery,	18 18 3
and incidental Expenses—	
Printing Postages, Carriage of	
Books, and Stationery, Por-	
trayed in the General Man-	
agement Scheme.	L.30 19 0
Redeem on Subscrip-	
tion Edinburgh and	10 0 0
	40 19 0
Cont—	
Yearly, L.250 per annum—	
Chargeable upon the General	
Scheme,	L.187 10 0
of the Commit-	
Chargeable upon	
Scheme,	101 5 0
Auditor and Ac-	
counts, Framing, and	
upon the Accounts	
ending 15th April	
L.18 18 0	
of General	
for su-	
per Funds,	
Collector's	
for the	
15th April	2 12 6
	21 10 6
	310 5 6
Sum,	L.4211 2 3
Glasgow Normal	
Normal Schools at 15th	
April	L.391 12 5
Normal Schools	509 0 0
	891 12 5
East and West India	
Account, Charge, Branch III.	200 0 0
General Scheme at	
15th April	
Bank,	L.2606 9 2
Lay Association,	460 4 0
1859,	8066 13 2
Sum of Discharge,	L.8389 7 10
State of Funds.	
Dr Bell's Legacy),	L.8066 13 2
Rev. Dr Muir, Rev. Dr Grant,	4705 17 8
and Isaac Hayley, Esq.	
Fund—	
Invested in Schemes'	
Glasgow Normal	L.900 0 0
Accounts,	
and purchase of	
Books in Picardy	630 0 0
and	425 12 2
	1855 12 2
	L.9638 3 1
WEST INDIA FUND.	
Charge.	
15th April 1858—	
Sum,	L.678 2 3
Carry forward,	L.678 2 3

Brought forward,	L.678 2 3
II. Dividends on Government Stock re-	
covered—	
Amount,	175 15 0
Note.—These dividends due in 1848-4 were acci-	
dently omitted to be drawn when the	
Stock was sold out.	
III. Sum received from General Fund,	200 0 0
See General Abstract, Discharge, Branch III.	
IV. Interest on Bank Account,	1 15 0
Sum,	L.1658 12 3

Discharge.

I. Sum advanced towards Purchase of Board-	
ing-house in Picardy Place on 15th May	
1858.	L.630 0 0
Note.—The House was purchased by the	
Trustees of the late Dr Bell for	
the sum of L.2220, whereof	
L.1680 was borrowed on the	
security of the House, and the	
remainder advanced out of this	
fund as above.	
II. Balance in Bank at 15th April 1859.	425 12 3
Sum,	1055 19 3

III. NORMAL SCHOOL FUND.

Charge.

I. Sums received from General Funds—	
I. Balance due to Normal Schools at 15th April 1858,	L.301 12 5
II. Annual Sum payable to Normal Schools from Gen-	
eral Fund, for 1858-59,	500 0 0
	L.801 12 5
See preceding General Account, Discharge, Branch II.	
Government Grants and Allowances,	
and other Receipts—	
Year 1858-59,	8700 17 4
Sum of the Charge,	L.9592 0 0

Discharge.

I. Expenditure on Normal Schools during	
the year 1858-59—	
Amount,	L.7732 13 11
II. Balance in Bank at 15th April	
1859—	
Sum,	1859 14 10
Sum of the Discharge,	9592 0 0
Note.—As the Government School Year does not terminate until 1st	
July, the details of the Normal School Receipts and Expen-	
diture are not here given, but there will be exhibited to next	
year's Assembly a detailed statement brought down to 31st	
December 1859.	

II.—INDIA MISSION.

I.—GENERAL FUND.

Charge.

I. Balance due to the Scheme at 15th April	
1858.	
Per Abstract of last year	L.1297 17 11
II. General Income of the Scheme for the	
year ending 15th April 1859.	
I. Collections and Contributions—	
From 802 Parishes and Chapels	L.3175 17 4
Note.—From 206 Parishes no Con-	
tributions have been received.	
From Parochial, Congregational, and	
Missionary Associations	208 9 1
From Individuals	167 16 0
From the "Lay Association," for the	
Year 1858-59	161 6 6
	L.3703 8 11
II. Legacies	318 19 4
III. Interest on Bank Account (balance)	6 18 2
Total General Income, 1858-59	4028 4 5
III. Dividends and Interest of the "Murray	
Fund," set apart for Scholarships.	
Sum	64 14 8
IV. Interest of "Crichton and Wilson	
Funds," invested for Special Purposes.	
Sum	68 5 4
Carry forward,	L.5468 2 4
	161

Parishes	Educa- tion	India	Home	Colonies	Jews	Endow- ment	Total
	L. s. d.	L. s. d.	L. s. d.	L. s. d.	L. s. d.	L. s. d.	L. s. d.
<b>D. Stranraer.</b>							
intrac . . .	1 5 4	1 0 5	1 4 10	2 12 9	1 17 4	1 4 2	9 4 10
atter's Chapel, Glenapp . . . q. s.	...	...	...	...	...	...	...
onell . . .	3 2 7	4 14 6	3 9 0	5 10 11	4 2 7	5 2 6	26 2 1
nsbeen . . . q. s.	...	...	0 7 11	...	...	0 6 10	0 14 9
. . .	2 6 0	2 0 0	2 7 0	...	2 7 0	2 3 0	11 3 0
colm . . .	1 5 0	1 10 0	1 10 4	2 14 0	1 1 0	1 8 0	9 8 4
maiden . . .	1 0 0	1 0 0	2 0 0	1 10 0	1 10 0	1 0 0	8 0 0
alt . . .	...	...	...	...	...	...	...
uchan . . . q. s.	...	...	...	...	...	...	...
ryan . . .	2 0 0	0 10 0	1 10 0	1 18 0	1 4 9	1 10 6	8 13 3
, New . . .	0 17 0	0 18 0	0 17 0	0 16 0	0 14 6	1 0 0	5 2 6
, Old . . .	4 13 6	4 6 0	5 3 6	4 0 1	3 5 6	4 0 0	25 8 7
Patrick . . .	1 7 10	...	1 7 10	...	1 7 10	...	4 3 6
kirk . . .	1 0 0	1 10 0	...	...	2 0 0	3 0 0	7 10 0
raer . . .	1 1 0	3 3 0	2 0 0	1 1 0	1 0 0	1 10 0	9 15 0
	19 18 3	20 11 11	21 17 5	20 2 9	20 10 6	22 5 0	125 5 10
<b>O. Wigtown.</b>							
erton . . .	3 13 4	3 14 0	4 14 0	4 5 0	3 14 6	...	20 0 10
wen . . .	...	5 7 7	4 1 0	5 1 0	5 4 6	1 14 6	21 8 7
inner . . .	4 0 0	2 11 3	3 0 0	2 11 3	1 0 0	4 0 0	17 2 6
nabreck . . .	1 14 0	...	2 5 0	2 3 0	2 4 0	...	8 6 0
gaff . . .	3 0 0	3 10 0	3 3 0	2 2 0	3 10 0	8 0 0	23 5 0
rgrennan . . . q. s.	...	...	...	...	...	...	...
rum . . .	7 0 0	3 6 0	6 13 0	4 4 0	4 4 0	6 6 0	31 13 0
inghame . . .	...	...	...	...	...	4 6 2	4 6 2
. . .	2 0 0	1 6 6	2 0 0	1 6 9	1 10 0	2 10 0	10 13 3
horn . . .	4 0 0	4 0 0	4 0 0	2 6 0	...	8 6 0	22 12 0
own . . .	2 18 4	3 9 6	3 12 1	4 4 0	3 3 8	3 5 4	20 12 11
	28 5 8	27 4 10	33 8 1	28 3 0	24 10 8	38 8 0	180 0 3
<b>Kirkcubright.</b>							
orth . . .	2 2 4	5 10 0	4 0 0	3 0 0	3 0 0	4 9 0	22 1 4
encairn . . .	1 11 9	3 1 9	2 14 0	2 9 9	1 8 11	1 17 11	13 4 1
acellan . . .	2 0 0	2 6 0	2 14 0	2 12 9	1 17 6	1 16 0	13 6 3
aghie . . .	1 1 4	2 1 8	1 8 0	1 1 5	1 3 4	1 0 0	7 15 9
ie . . .	2 8 4	1 12 0	2 9 5	2 11 5	2 0 1	2 14 6	13 15 9
le . . .	3 10 0	1 16 0	3 0 0	2 10 0	1 15 0	...	12 11 0
hairn . . .	1 0 0	2 6 0	1 7 0	1 2 0	1 0 0	1 0 0	7 15 0
michael . . .	3 2 0	3 1 0	2 10 0	1 10 0	1 12 6	1 10 0	13 5 6
. . .	1 1 6	1 2 4	1 6 6	1 11 7	...	1 7 0	6 8 11
on . . .	1 2 6	1 1 0	1 0 6	1 0 0	1 0 0	2 1 6	7 5 6
. . .	3 2 6	5 5 0	3 7 6	5 0 0	2 10 6	2 3 6	21 9 0
n . . .	4 4 0	4 0 0	6 0 0	3 10 0	5 13 0	2 10 0	25 17 0
udbright . . .	12 15 0	10 12 6	12 10 0	11 10 0	10 0 0	10 0 0	67 7 6
n . . .	...	...	...	...	...	0 16 0	0 16 0
ck . . .	1 0 0	1 0 0	1 10 0	1 10 0	...	3 0 0	8 0 0
land . . .	...	...	...	...	...	...	...
holm . . .	...	1 0 0	1 5 0	1 1 0	1 0 0	1 10 0	5 16 0
	40 1 3	45 15 3	47 1 11	41 19 11	34 0 10	37 15 5	246 14 7
<b>22. Ayr.</b>							
inleck . . .	4 10 0	2 8 11	2 10 0	6 3 0	4 0 0	3 10 0	23 1 11
. . .	18 18 2	36 1 7	32 6 3	15 0 9	12 13 6	11 19 3	126 19 6
. . .	...	1 1 0	1 5 3	2 15 9	...	2 0 0	7 2 0
on . . .	2 5 10	3 2 0	3 5 0	1 5 0	3 14 9	2 10 0	16 2 7
ie . . .	...	...	1 7 8	1 11 0	1 0 6	...	3 19 2
hill . . .	0 12 0	0 12 6	0 15 1	0 11 6	0 10 5	0 11 8	3 13 2
ock, New . . .	1 10 0	1 7 6	1 8 6	1 16 0	1 16 6	1 14 6	9 13 0
ock, Old . . .	2 13 6	4 5 4	3 0 0	3 0 0	2 14 1	2 6 0	17 18 11
. . .	1 9 0	...	2 18 10	0 19 0	2 16 3	1 12 8	9 15 9
ellington . . .	2 0 0	6 15 0	6 10 0	6 6 0	...	7 16 3	29 7 3
mple . . .	0 13 0	1 14 0	0 14 6	2 13 0	...	1 14 0	7 8 6
onald . . .	2 12 0	1 0 0	4 10 0	2 0 0	1 0 0	1 15 0	12 17 0
larton . . . q. s.	...	...	0 15 0	0 7 0	0 5 0	...	1 7 0
on . . . q. s.	...	2 8 8	7 18 0	8 3 0	8 5 4	...	26 15 0
on . . .	6 6 0	6 16 0	12 10 0	6 10 0	...	10 10 0	42 12 0

HOME AND FOREIGN MISSIONARY RECORD OF THE CHURCH OF SCOTLAND.—JULY 1, 1889.

No.	Presbyteries and Parishes	Edno-	India	Home	Colonies	Jews	Endow-	Tot
		tion					ment	
		L. s. d.	L. s. d.	L. s. d.	L. s. d.	L. s. d.	L. s. d.	L. s.
327	Girvan . . . . .	1 0 0	1 1 6	1 13 0	1 3 0	1 7 6	1 10 0	7 15
328	Green . . . . . q. s.	...	...	...	...	...	...	...
329	Kirkmichael . . . . .	1 10 0	2 0 0	2 0 0	2 0 0	2 2 0	2 0 0	11 12
330	Kirkoswald . . . . .	2 14 0	2 10 0	3 0 0	2 16 0	2 4 0	3 0 0	16 4
331	Mauchline . . . . .	3 0 0	1 5 0	3 10 0	4 10 0	1 5 0	1 5 0	14 11
332	Maybole . . . . .	3 10 0	...	5 10 0	3 3 0	1 15 0	3 13 0	17 11
333	West Church . . . . . q. s.	...	...	0 15 0	...	...	1 3 10	1 11
334	Fisherton . . . . . q. s.	2 0 0	...	2 0 0	...	...	...	4 0
335	Monkton . . . . .	1 10 0	...	1 5 0	1 10 0	...	...	4 1
336	Muirkirk . . . . .	1 18 6	1 4 0	2 0 0	1 16 6	1 6 0	2 3 6	10 1
337	Newton-on-Ayr . . . . .	5 0 0	...	5 10 0	4 0 0	...	4 2 3	18 15
338	Ochiltree . . . . .	3 9 6	1 17 0	1 14 6	2 0 0	2 12 6	1 14 0	13 7
339	Quivox, St. . . . .	2 0 0	2 0 0	2 5 1	2 5 10	2 0 0	2 0 10	12 11
340	Wallacetown . . . . . q. s.	...	...	0 6 0	...	...	...	0 6
341	Riccarton . . . . .	4 0 0	3 10 0	7 15 3	5 17 0	3 0 0	4 11 6	28 11
342	Sorn . . . . .	6 1 5	6 3 9	8 6 0	6 6 0	6 2 5	5 5 3	38 4
343	Catrine . . . . . q. s.	...	1 0 0	1 7 10	1 0 0	1 2 5	1 6 0	5 16
344	Stair . . . . .	0 19 6	0 7 6	0 13 0	0 13 0	...	...	2 13
345	Straiton . . . . .	1 6 6	1 11 10	2 14 6	2 14 6	...	...	8 7
346	Patna . . . . . q. s.	...	...	4 0 0	...	...	...	4 0
347	Symington . . . . .	2 15 0	2 0 0	2 5 0	1 4 0	0 10 0	4 17 0	13 11
348	Tarbolton . . . . .	1 7 6	1 12 0	1 11 6	1 17 3	1 2 0	1 7 0	8 17
		87 11 5	95 15 1	141 15 9	103 17 1	65 5 2	87 18 6	582 3
<b>23. Irvine.</b>								
349	Ardrossan . . . . .	...	...	...	...	...	...	...
350	New Parish . . . . .	3 0 0	2 0 0	5 10 0	2 0 0	3 0 0	2 5 2	17 15
351	Beith . . . . .	2 14 6	3 16 4	5 2 5	4 6 7	3 6 7	5 0 5	24 6
352	Dalry . . . . .	7 9 9	5 0 0	7 3 10	35 10 10	5 7 3	7 13 4	68 5
353	Dreghorn . . . . .	1 4 9	1 1 0	1 5 5	1 1 8	1 0 0	1 6 1	6 11
354	Dunlop . . . . .	2 8 0	1 0 0	1 18 10	1 18 10	2 2 0	1 0 0	10 7
355	Fenwick . . . . .	0 16 2	...	1 0 6	0 17 4	1 10 10	0 18 2	5 1
356	Irvine . . . . .	8 0 0	8 0 0	10 6 4	7 15 6	6 12 7	7 11 2	48 1
357	Kilbirnie . . . . .	1 16 3	2 0 0	2 10 0	1 10 0	1 10 0	1 5 4	10 11
358	Kilbride, West . . . . .	2 15 0	2 15 0	2 10 0	3 0 0	2 0 0	3 16 0	16 16
Kilmarnock—								
359	Low Church . . . . .	13 5 6	8 15 0	7 3 8	7 19 3	6 0 0	8 14 0	51 11
360	High Church . . . . .	8 10 0	27 5 9	8 6 3	7 17 6	6 15 0	6 0 0	64 14
361	St. Andrew's . . . . . q. s.	1 2 6	3 5 0	1 10 0	2 0 0	1 5 0	2 0 0	11 2
362	St. Marnoch's . . . . . q. s.	...	1 16 0	...	...	...	2 6 0	4 2
363	Kilmaurs . . . . .	2 11 3	2 13 4	3 1 0	1 15 6	1 9 3	1 16 5	13 6
364	Kilwinning . . . . .	19 0 0	14 3 0	19 0 0	14 0 0	12 0 0	20 0 0	98 3
365	Loudoun . . . . .	4 1 6	2 10 0	4 13 0	4 14 6	4 8 6	2 1 0	22 8
366	Stevenston . . . . .	4 8 6	4 2 0	3 12 4	4 13 6	5 3 0	4 15 0	26 14
367	Stewarton . . . . .	2 4 0	2 3 1	2 1 5	2 15 9	1 15 9	2 3 4	13 3
		85 7 8	92 5 6	86 15 0	103 16 9	65 5 9	80 11 5	514 2
<b>24. Paisley.</b>								
368	Eastwood . . . . .	3 17 8	5 7 9	8 8 0	5 0 0	5 7 9	8 11 4	36 12
369	Auldfield . . . . . q. s.	...	...	...	...	...	...	...
370	Houston . . . . .	3 3 10	3 16 7	6 12 1	3 5 0	2 14 0	1 8 1	20 19
371	Inchinnan . . . . .	...	...	...	...	...	...	...
372	Kilbarchan . . . . .	3 0 0	6 0 0	6 12 6	...	2 15 0	3 1 6	21 9
373	Linewood Chapel . . . . .	...	...	5 0 0	...	...	...	5 0
374	Lochwinnoch . . . . .	2 3 0	3 0 0	3 10 8	1 8 4	1 0 0	11 12 0	22 14
375	Mearns . . . . .	3 10 0	3 15 0	2 10 0	1 11 0	2 10 0	1 10 0	15 6
376	Neilston . . . . .	4 0 0	3 0 0	5 0 0	...	...	5 0 0	17 0
377	Barrhead . . . . . q. s.	...	...	...	...	...	...	...
Paisley—								
378	Abbey . . . . .	7 10 0	12 5 0	8 0 0	3 0 0	3 0 0	16 0 0	49 15
379	Johnston . . . . . q. s.	...	...	...	...	...	...	...
380	Levern . . . . . q. s.	...	...	...	...	...	...	...
381	Elderslie . . . . . q. s.	...	...	5 0 0	...	...	...	5 0
382	High Church . . . . .	8 10 0	11 0 0	8 0 0	8 0 0	5 0 0	9 10 0	50 0
383	Martyrs' Church . . . . . q. s.	...	...	...	...	...	...	...
384	Gaelic Church . . . . .	...	...	1 10 0	...	...	...	1 10
385	Low Church . . . . .	3 0 0	4 0 0	6 0 0	2 10 0	1 5 0	5 15 0	22 10
386	South Church . . . . . q. s.	...	...	0 10 0	...	...	0 10 0	1 0
387	Middle Church . . . . .	7 13 0	8 10 0	4 14 0	1 16 0	...	...	22 13

D FOREIGN MISSIONARY RECORD OF THE CHURCH OF SCOTLAND.—JULY 1, 1859.

Brought forward, of the Scheme, Report, Notices of Collection, Ministry, &c., and incidental Expenses,— parcels, &c., during	L.3780 14 9	
Posting Notice of Collection, Advance to Mr. M'Callum, for Circulating	23 3 3	
Expenses, &c.	42 11 10	
Management,— and Treasurer,— up to 15th April 1859, L.50 0 0	14 3 7	
Accountant,— Reporting Accounts up to 15th April 1859, L.10 10 0	L.29 5 8	
of General for Super-Collector's c., for the	7 14 7	
	5 0 0	
	8 13 6	
	50 13 9	
	13 2 6	
TOTAL EXPENDITURE, 1858-59,	L.3074 9 8	

of the Scheme at 15th April

and, ad, Fund, Fund, from "Lay Association,"	L.635 15 11	
	159 11 2	
	L.794 7 1	
	L.18 19 9	
	8 11 0	
	27 10 9	
	L.821 17 10	
	133 6 0	
SUM OF THE DISCHARGE,	L.4979 13 6	

OWMENT SCHEME.

Charge, of the Scheme, up to 15th April 1858— year, and Collections received up to 15th April 1859— Donations—	L.4123 0 1	
	L.15,177 18 2	
Sub-Sub-Par-ces— General	L.2873 10 3	
Coll.	94 6 8	
Commission-Reg-ions,	2720 7 10	
	73 3 0	
	493 2 8	
	6354 10 5	
	21,432 8 7	
unt. Scheme Account—	L.40 2 0	
	L.5 15 9	
	11 4 6	
	60 17 10	
	6 4 6	
	10 3 2	
	94 5 9	
Scheme in regard to Dow-ived on 16th August 1858,	184 7 9	
u Account on 10th August	48 17 2	
	48 5 4	
SUM OF THE CHARGE,	L.25,796 18 11	

Discharge.

I. Price of Feu-duties purchased by the Committee, and Expenses— At Downhill—balance of price, Expenses,	L.5036 8 10	
	21 6 8	
II. Grants to Churches— 1. To St. Marnoch's Church, 2. To New Parish of Alloway, Ayr	L.86 9 2	L.6630 15 1
	1000 0 0	
		1686 9 2
III. Subscriptions, Donations, &c., repaid— 1. For Newhaven Chapel— Amount, with Interest, 2. For Largoward Chapel— Amount, with Interest, 3. For Sundries,	L.950 11 7	
	682 0 11	
	16 3 0	
		1629 15 6
IV. Sums paid to Messrs. Paton and Ritchie for copies of Missionary Record, for gratuitous circulation among the Clergy, &c.— Proportion payable by Endowment Scheme,		32 9 10
V. Schemes Office—Share of Expenses— 1. Of Collector's and Officer's Salaries, L.27 6 8 2. Of Taxes, Coals, Gas, &c., 10 14 8 3. Of Printing, Books, and Stationery, 3 6 3 4. Of Despatching Missionary Record to Clergy and others monthly, 2 11 6 5. Of Postages and Incidents, 4 1 4		48 0 0
VI. Sums advanced to Feu Account— Amount,		311 3 7
VII. Travelling and other Expenses incurred by the Convener in the Management of the Scheme— Sum,		50 0 0
VIII. Printing Annual Report, Collection Notices and Abstracts, Circulars, Notices, &c., with regard to Provincial Schemes— Amount,		202 5 10
IX. Expense of Advertising and of Posting Notices of Annual Collection, and of Advertisements in regard to the Provincial Scheme,		65 7 3
X. Stationery, Carriages, and incidental Expenses— 1. Postages of Circulars, Reports, &c., incurred in the General Management of the Scheme, L.23 13 6 2. Postages, Expense of Meetings, &c., in regard to the Provincial Scheme, 74 8 2 3. Annual Allowance to Mr M'Callum, Glasgow, for despatching Notices, &c., 5 0 0 4. Incidental Expenses, 1 3 6		103 5 2
XII. Expenses of Management— 1. Secretary and Clerks— A year, to February 27, 1859, L.120 0 0 2. Treasurer and Clerks— 1. Allowance for year to 15th April 1859, 35 0 0 2. Charge for Assistant Clerk's Salary, from 21st October 1858, to 30th April 1859, 32 9 0 3. Charge for Treasurer's Outlays for 1858-6, and 1858-7, 60 15 2		128 4 2
3. Auditor and Accountant— 1. For Auditing, Framing, and Reporting upon the Accounts, for the year to 15th April 1858, L.14 14 0 2. Proportion of General Allowance, and for Auditing Collector's Books for the current year, 2 12 6		17 6 6
		285 10 8
XIII. Balances due to the Scheme at 15th April 1859— 1. To the General Scheme— Balance in Bank, L.4153 7 0 2. To the Provincial Scheme— 1. Balances in Bank— Group I., L.751 12 9 Group II., 1575 13 6 Group III., 6733 8 3 Group IV., 979 12 11 Group V., 1846 13 5		11,886 0 10
2. Balance in hands of Treasurer, 7 17 10		11,893 18 8
		16,047 5 8
SUM OF THE DISCHARGE,	L.25,786 18 11	



HOME AND FOREIGN MISSIONARY RECORD OF THE CHURCH OF SCOTLAND.—JULY 1, 1859.

No.	Presbyteries and Parishes.	Educa- tion			India		Home		Colonies		Jews		Endow- ment		T		
		L.	s.	d.	L.	s.	d.	L.	s.	d.	L.	s.	d.	L.		s.	d.
444	Balfroon . . .	1	0	0	1	0	0	1	0	0	1	0	0	1	0	0	6
445	Bonhill . . .	6	8	5	10	6	10	7	1	6	6	9	7	5	14	1	40
446	Alexandria . . . <i>q. s.</i>	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...
447	Buchanan . . .	2	8	0	1	11	0	1	8	0	3	14	0	...	1	14	6
448	Cardross . . .	12	10	0	13	0	0	19	10	0	14	10	0	10	10	0	86
449	Renton . . . <i>q. s.</i>	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	0
450	Drymen . . .	...	...	...	3	5	0	3	5	0	4	5	0	1	0	0	14
451	Dumbarton . . .	3	10	0	3	0	0	4	12	8	3	11	0	2	18	0	20
452	Fintry . . .	...	...	...	6	0	0	1	11	6	3	0	0	3	3	0	13
453	Killearn . . .	1	0	0	1	0	0	1	0	0	1	0	0	1	0	0	6
454	Kilmaronock . . .	4	2	10	3	18	10	4	14	8	4	6	0	3	11	3	20
455	Kilpatrick, New . . .	6	0	0	6	10	0	5	2	6	5	5	0	3	0	0	30
456	Milngavie . . . <i>q. s.</i>	...	...	...	...	...	...	2	2	0	...	...	...	...	...	...	3
457	Kilpatrick, Old . . .	3	7	6	4	10	0	4	10	0	4	12	6	2	18	1	23
458	Duntocher . . . <i>q. s.</i>	...	...	...	...	...	...	1	10	0	...	...	...	...	...	...	2
459	Luss . . .	1	18	6	1	3	0	2	9	3	4	19	3	2	1	3	14
460	Roseneath . . .	3	5	0	4	7	0	2	15	0	3	0	0	2	10	0	18
461	Craigrownie . . . <i>q. s.</i>	...	...	...	2	3	0	...	...	...	6	18	0	...	...	...	11
462	Row . . .	8	10	0	7	0	0	9	0	0	5	10	0	4	10	0	43
463	Helensburgh . . . <i>q. s.</i>	...	...	...	7	15	0	...	...	...	...	...	...	5	5	0	18
464	Garelochhead . . . <i>q. s.</i>	1	15	1	2	10	0	2	4	1	2	5	0	1	1	2	11
465	Strathblane . . .	3	0	0	4	12	6	4	4	0	3	10	0	2	15	0	19
		65	18	0	84	5	2	85	2	10	84	18	3	53	8	10	444
<b>29. Glasgow.</b>																	
466	Barony . . .	47	0	8	76	17	0	57	2	1	23	17	0	29	0	0	270
467	Camlachie . . . <i>q. s.</i>	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...
468	St. Mark's . . . <i>q. s.</i>	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...
469	Well Park . . . <i>q. s.</i>	0	10	0	0	10	0	0	15	0	0	10	0	0	10	6	2
470	Martyrs' . . . <i>q. s.</i>	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...
471	Milton . . . <i>q. s.</i>	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...
473	Sandyford . . . <i>q. s.</i>	34	0	0	33	0	0	8	2	0	14	2	0	12	2	0	133
474	West Park . . . <i>q. s.</i>	60	0	0	44	0	0	64	0	0	...	...	...	...	...	...	224
475	Kelvinhaugh . . . <i>q. s.</i>	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...
476	Cadder . . .	3	10	0	3	8	0	2	0	0	3	3	0	2	0	0	14
477	Chryston . . . <i>q. s.</i>	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...
478	Calton . . .	...	...	...	...	...	...	3	10	0	...	...	...	...	...	...	3
479	Greenhead . . . <i>q. s.</i>	0	10	0	0	10	0	2	0	0	0	10	0	0	10	0	4
480	St. Luke's . . . <i>q. s.</i>	...	...	...	1	19	4	1	0	0	...	...	...	...	...	...	2
481	Campsie . . .	3	0	0	5	7	6	7	17	4	5	10	6	4	15	0	31
482	Carmunnoch . . .	3	4	0	3	2	0	1	18	0	3	0	0	2	14	0	17
483	Cathcart . . .	2	13	10	2	5	0	3	14	0	1	15	0	2	7	0	17
484	Cumbernauld . . .	1	16	0	1	3	3	1	3	10	1	1	0	1	1	0	7
485	Eaglesham . . .	...	...	...	2	0	0	3	0	0	...	...	...	...	...	...	5
<b>Glasgow—</b>																	
486	St. Mungo's . . .	7	10	0	10	0	0	6	0	0	7	10	0	4	0	0	46
487	College . . .	2	2	0	...	...	...	0	10	6	1	11	0	1	0	0	9
488	Tron . . .	10	0	0	...	...	...	5	10	0	8	10	0	4	5	0	38
489	St. David's . . .	4	0	0	6	6	0	3	10	0	2	4	6	2	5	0	24
490	St. Andrew's . . .	7	0	0	14	0	0	4	10	0	5	0	0	3	10	0	42
491	St. Enoch's . . .	14	10	0	12	0	0	5	10	0	5	5	0	2	17	3	56
492	St. George's . . .	32	0	6	71	10	0	19	0	0	12	0	0	10	15	0	170
493	St. John's . . .	7	4	0	9	0	0	5	0	0	6	16	0	2	0	0	37
494	St. James's . . .	12	10	0	13	0	0	11	15	0	8	0	0	6	10	0	61
495	St. Paul's . . .	15	0	0	15	0	0	4	0	0	5	0	0	7	0	0	58
496	St. Columba . . .	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	9
497	St. Matthew's . . .	32	7	0	61	0	0	36	0	0	13	0	0	12	0	0	178
498	St. Peter's . . .	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	6
499	St. Stephen's . . .	10	0	0	14	10	0	6	10	0	7	15	0	5	8	0	44
500	Chalmers' . . .	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	1
501	Bridgeton . . .	...	...	...	2	13	0	3	18	11	...	...	...	...	...	...	6
502	St. George's-in- the-Fields . . . <i>q. s.</i>	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...
503	Bridgegate . . . <i>q. s.</i>	...	...	...	...	...	...	1	7	0	...	...	...	...	...	...	1
504	Brownfield . . . <i>q. s.</i>	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...
505	Gorbals . . .	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...
506	Hutchesontown . . . <i>q. s.</i>	...	...	...	2	0	3	...	...	...	...	...	...	...	...	...	5
507	Kingston . . . <i>q. s.</i>	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...
508	Govan . . .	3	4	8	...	...	...	4	2	8	3	19	9	2	7	2	21
509	Partick . . . <i>q. s.</i>	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...
510	Strathbungo . . . <i>q. s.</i>	...	...	...	...	...	...	1	0	0	...	...	...	...	...	...	1

AND FOREIGN MISSIONARY RECORD OF THE CHURCH OF SCOTLAND.—JULY 1, 1862

Parishes and Districts	Education	India	Home	Colonies	Jews	Endowment	Total
	L. s. d.	L. s. d.	L. s. d.	L. s. d.	L. s. d.	L. s. d.	L. s. d.
Edinburgh	2 9 0	3 13 0	7 13 11	2 13 11	2 13 11	13 3 4	32 7 1
gh	1 9 6	1 14 2	1 2 2	1 6 4	0 18 2	1 6 2	7 16 6
ton	1 2 0	1 11 5	1 1 10	1 8 9	0 19 2	0 18 2	7 1 4
li	1 10 0	1 4 3	1 0 0	1 1 0	...	1 3 0	5 18 3
n	6 0 0	6 3 8	4 3 0	4 5 0	4 15 8	1 15 0	27 2 4
<b>Jedburgh.</b>	<b>18 1 1</b>	<b>37 14 9</b>	<b>27 17 11</b>	<b>23 15 10</b>	<b>13 12 9</b>	<b>29 0 2</b>	<b>150 2 6</b>
n	1 10 0	2 0 0	2 4 6	2 0 0	1 4 0	1 10 0	10 8 6
s	0 9 0	0 10 0	...	...	0 10 6	...	1 9 6
g	1 10 8	1 0 0	1 7 0	1 15 0	...	1 15 0	7 7 8
i	1 7 6	1 10 0	1 7 0	1 7 0	1 7 0	1 14 0	8 12 6
ton	0 15 0	...	0 9 7	0 10 10	...	0 17 1	2 12 6
: . . . . .	1 7 8	1 11 6	1 10 10	2 0 4	1 9 6	1 6 6	9 6 4
Church	6 4 6	13 8 0	6 3 1	...	6 13 6	6 13 11	39 3 0
rk . . . . .	...	...	0 13 7	...	...	1 17 0	2 10 7
m . . . . .	...	0 19 6	1 1 0	1 0 0	...	...	3 0 6
gh . . . . .	4 0 0	4 10 0	4 0 0	4 4 0	3 3 0	3 10 0	23 7 0
l . . . . .	...	...	1 1 4	0 12 8	0 14 2	...	2 8 2
. . . . .	2 6 0	2 7 6	2 5 0	2 10 0	1 9 6	2 10 0	13 8 0
san . . . . .	0 14 6	0 17 0	0 15 0	1 2 0	0 19 3	0 14 0	5 1 9
ead . . . . .	1 4 2	1 16 0	1 17 1	1 10 7	1 10 4	1 5 11	9 4 1
. . . . .	4 0 0	6 1 0	6 0 0	2 4 3	4 19 0	2 5 0	25 9 3
<b>Leander.</b>	<b>25 9 0</b>	<b>36 10 6</b>	<b>31 4 8</b>	<b>20 16 8</b>	<b>23 19 9</b>	<b>26 9 9</b>	<b>164 10 4</b>
kirk	1 0 0	1 6 0	1 0 0	1 0 0	1 0 0	1 0 0	6 6 0
n	1 13 6	1 13 6	1 13 6	1 13 6	1 13 6	1 13 6	10 1 0
. . . . .	4 14 9	4 16 6	4 1 0	4 7 2	...	2 16 4	20 15 9
. . . . .	12 0 0	22 5 0	18 10 0	17 5 0	...	...	70 0 0
ood . . . . .	1 13 0	...	1 6 9	1 17 0	...	...	4 16 9
n . . . . .	0 18 0	1 0 1	0 16 8	2 10 7	1 19 0	0 18 9	8 3 1
dm . . . . .	1 8 1	1 11 0	1 3 8	0 16 8	...	1 2 0	6 1 5
. . . . .	1 10 0	2 0 0	3 3 0	3 13 0	1 15 0	2 11 0	14 12 0
ther . . . . .	3 0 0	4 0 0	2 15 0	3 15 0	2 10 0	3 3 0	19 3 0
<b>Selkirk.</b>	<b>27 17 4</b>	<b>38 12 1</b>	<b>34 9 7</b>	<b>36 17 11</b>	<b>8 17 6</b>	<b>13 4 7</b>	<b>159 19 0</b>
k	1 1 0	1 0 0	1 1 0	1 1 0	1 1 0	1 0 0	6 4 0
s, St.	1 0 0	1 5 0	1 2 6	1 2 6	0 17 6	1 0 0	6 7 6
. . . . .	5 4 0	4 7 0	4 4 0	4 6 10	4 5 0	4 3 0	26 9 10
. . . . .	2 12 0	2 14 0	2 9 0	2 8 0	2 8 5	3 13 0	16 4 5
els . . . . .	4 15 0	6 10 0	7 5 0	5 1 0	5 10 0	2 12 0	31 13 0
pe . . . . .	...	1 4 3	1 4 3	1 1 9	1 1 9	2 1 0	6 13 0
e . . . . .	2 6 0	1 16 0	2 18 0	1 10 0	1 10 6	1 16 0	11 16 6
af . . . . .	0 17 6	0 18 6	2 7 0	2 5 6	1 8 6	1 0 0	8 17 0
. . . . .	0 11 3	0 9 10	...	0 7 6	...	0 6 5	1 15 0
. . . . .	8 5 0	8 12 0	9 16 0	9 12 0	7 17 0	9 0 0	53 2 0
m . . . . .	1 11 8	1 17 10	1 5 4	1 18 6	1 5 3	0 15 4	8 13 11
. . . . .	7 5 6	11 11 4	8 12 0	8 0 0	5 0 0	10 15 0	51 3 10
. . . . .	2 0 7	1 5 2	2 0 4	2 1 3	2 1 2	...	9 8 6
<b>Lochmaben.</b>	<b>37 9 6</b>	<b>43 10 11</b>	<b>44 4 5</b>	<b>40 15 10</b>	<b>34 6 1</b>	<b>38 1 9</b>	<b>238 8 6</b>
urth and Sibieside	2 5 0	...	2 10 0	2 0 0	2 0 0	2 5 0	11 0 0
ale . . . . .	9 6 3	5 1 2	9 13 1	9 14 0	9 11 7	5 10 0	48 16 1
. . . . .	2 7 0	2 10 0	5 5 6	2 13 0	4 2 6	2 7 6	19 5 6
ne . . . . .	1 17 7	5 11 8	4 18 7	4 0 11	1 17 11	1 18 8	20 5 4
chael . . . . .	3 10 9	4 2 6	2 15 6	3 9 4	3 4 2	2 16 7	19 18 10
rick-Juxta	6 4 0	5 15 11	6 17 0	5 11 3	5 11 0	4 1 8	34 0 10
ben . . . . .	1 5 0	2 0 0	2 0 0	1 10 0	1 5 0	2 5 0	10 5 0
. . . . .	4 17 6	4 5 0	6 6 0	10 10 0	2 15 0	2 16 0	31 9 6
ald . . . . .	1 0 0	1 5 0	1 7 6	1 0 0	1 0 0	1 10 0	7 2 6
St. . . . .	1 0 0	3 10 10	1 0 0	1 15 0	1 10 0	2 10 0	11 5 10

No.	Presbyteries and Parishes	Education			India			Home			Colonies			Jews			Endowment		
		L.	s.	d.	L.	s.	d.	L.	s.	d.	L.	s.	d.	L.	s.	d.	L.	s.	d.
<b>34. Lorn.</b>																			
565	Ardchattan . . .	4	12	1	0	7	5	0	6	8	0	3	10	0	8	6	0	11	6
566	Duror . . .	0	10	0	...	...	...	0	10	0	...	...	...	...	...	...	...	...	...
567	Glenorchy . . .	1	10	0	1	0	0	1	10	0	1	0	0	1	0	0	1	0	0
568	Kilbrandon . . .	0	8	0	0	15	6	0	6	0	...	...	...	0	7	0	0	11	0
569	Kilchrennan . . .	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...
570	Kilmore . . .	1	0	0	1	0	0	1	0	0	1	0	0	0	8	3	1	0	0
571	Kilniver . . .	...	...	...	2	0	0	1	2	0	...	...	...	...	...	...	...	...	...
572	Lismore . . .	0	10	5	...	...	...	0	12	0	0	10	3	0	9	7	0	13	0
573	Muckairn . . .	0	15	0	...	...	...	1	0	0	...	...	...	...	...	...	...	...	...
9		5	6		5	2	11	6	6	8	2	14	1	2	13	4	3	15	6
<b>35. Mull.</b>																			
574	Ardnamurchan . . .	2	10	0	0	10	0	0	10	0	0	10	0	0	10	0	0	15	0
575	Stronachan . . .	...	...	...	0	15	0	0	6	0	...	...	...	...	...	...	...	...	...
576	Aucharacle . . .	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...
577	Iona . . .	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...
578	Kilfinichen . . .	0	10	0	0	10	0	...	...	...	0	10	0	0	10	0	0	10	0
579	Kilninian . . .	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...
580	Kinlochapelvie . . .	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...
581	Morven . . .	1	5	0	1	0	0	0	15	0	1	3	0	1	0	0	1	1	6
582	Salen . . .	1	5	0	0	7	6	1	0	0	1	0	0	0	8	6	0	10	6
583	Fobermory . . .	...	...	...	...	...	...	1	10	0	1	10	0	1	15	0	...	...	...
584	Tyree . . .	1	10	0	0	16	0	0	18	0	0	16	0	0	15	0	0	16	0
585	Dorosa . . .	0	8	9	0	10	0	0	9	0	...	...	...	0	9	11	0	8	7
586	Uiva . . .	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...
7		8	9		4	8	6	5	8	0	5	9	0	5	8	5	4	1	7
<b>36. Dunkeld.</b>																			
587	Auchtergaven . . .	1	0	0	1	10	0	3	8	3	1	14	2	1	12	7	1	5	0
588	Blair-Atholl . . .	2	7	6	2	1	6	3	6	0	4	12	0	2	6	0	3	4	0
589	Caputh . . .	5	10	0	3	0	0	6	19	11	6	5	0	6	0	0	3	0	0
590	Cargill . . .	2	17	6	2	0	0	2	16	0	2	3	0	1	11	6	3	1	6
591	Clunie . . .	2	3	6	3	11	6	3	4	0	2	10	0	2	5	6	3	15	0
592	Dunkeld and Dowally . . .	2	10	0	4	5	6	3	9	6	2	12	0	3	5	0	3	10	0
593	Dunkeld, Little . . .	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...
594	Gilenshee . . .	0	7	10	0	12	0	0	15	0	1	2	0	0	12	0	0	14	0
595	Kinclaive . . .	1	3	0	1	5	6	1	2	0	1	1	0	1	0	0	1	5	0
596	Kirkmichael . . .	2	0	0	3	0	0	2	5	0	3	0	0	1	15	0	2	0	0
597	Lethendy and Kinloch . . .	2	2	6	4	12	0	2	12	0	3	15	0	1	3	0	2	0	0
598	Moulin . . .	10	0	0	5	5	0	4	0	0	5	0	0	4	3	7	7	0	0
599	Ratray . . .	3	6	0	5	3	0	3	9	0	3	8	6	2	0	0	2	11	0
600	Tenantry . . .	3	15	1	3	10	6	5	9	0	4	11	3	2	18	0	3	0	11
39		2	5		39	16	6	42	15	8	41	13	11	30	12	2	36	6	5
<b>37. Weem.</b>																			
601	Dull . . .	1	13	9	1	7	6	1	8	6	1	11	6	1	9	6	1	12	6
602	Grandtully Mission . . .	0	13	6	0	13	6	0	13	6	0	13	6	0	13	6	0	13	6
603	Foss . . .	0	11	4	...	...	...	0	17	6	0	15	2	0	10	10	0	7	0
604	Fertingall . . .	0	7	6	...	...	...	1	7	0	1	0	0	1	9	0	0	10	0
605	Innerwick in Glenlyon . . .	0	12	0	0	10	0	0	12	0	0	10	0	0	10	0	...	...	...
606	Amulree . . .	0	13	6	1	2	6	0	15	0	0	16	0	0	17	6	2	3	6
607	Kenmore . . .	1	14	6	1	8	0	1	12	0	1	10	6	1	0	0	1	3	0
608	Killin . . .	2	7	0	2	15	0	2	8	6	2	6	6	2	13	0	2	8	0
609	Kinloch-Rannoch . . .	1	7	0	1	0	0	1	0	0	1	0	6	1	1	0	0	10	6
610	Logierait . . .	1	3	5	2	4	3	2	0	2	2	3	8	0	19	2	1	7	1
611	Weem . . .	1	11	6	1	6	6	1	11	6	1	6	6	1	1	0	1	6	6
12		15	0		12	7	3	14	5	8	13	13	10	12	4	6	12	1	7
<b>38. Perth.</b>																			
612	Aberdalgie . . .	0	17	4	0	18	0	0	16	0	0	15	0	0	15	0	0	16	0
613	Abernethy . . .	1	16	9	2	0	0	1	6	6	1	7	0	1	12	0	1	12	0
614	Collace . . .	0	19	0	1	0	0	0	15	0	0	17	0	0	9	0	1	0	0
615	Iron . . .	0	10	0	0	10	6	0	11	6	0	14	8	0	10	7	0	10	0
616	Dunbarney . . .	0	11	6	0	18	0	1	5	0	3	17	0	0	16	0	1	14	6
617	Errol . . .	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...
618	Forgandenny . . .	1	8	0	2	0	2	1	3	6	2	0	1	1	5	3	1	17	0
619	Forteviot . . .	5	11	0	2	14	3	1	11	0	1	14	6	2	13	0	4	3	3

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Parishes and Districts	Educa- tion	India	Home	Colonies	Jews	Endow- ment	Total
	L. s. d.	L. s. d.	L. s. d.	L. s. d.	L. s. d.	L. s. d.	L. s. d.
Church . . . . .	6 10 0	5 0 0	5 5 0	3 9 0	4 0 0	3 2 0	27 6 0
<b>Greenock.</b>	52 17 6	67 14 4	77 14 9	30 5 4	27 19 9	67 7 11	323 19 7
Church . . . . .	4 6 0	3 13 0	3 12 0	3 0 0	2 9 6	3 13 6	20 14 0
do. . . . .	3 5 0	3 13 0	3 1 0	2 18 0	3 15 0	...	16 12 0
do. . . . .	4 0 0	5 0 0	8 0 0	4 0 0	3 10 0	...	24 10 0
Church . . . . .	23 0 0	42 0 0	21 0 0	18 0 0	19 0 0	18 0 0	141 0 0
do. . . . .	...	...	5 1 0	3 3 0	...	...	8 4 0
do. . . . .	2 0 11	...	2 0 0	1 19 6	...	...	6 0 5
do. . . . .	...	...	1 0 0	...	...	...	1 0 0
do. . . . .	1 2 0	1 3 0	1 15 0	2 5 0	...	1 2 0	7 7 0
do. . . . .	9 9 0	13 1 0	9 19 6	9 16 7	7 2 0	9 2 4	58 10 5
do. . . . .	...	...	5 0 0	5 0 0	2 8 0	...	12 8 0
do. . . . .	2 1 9	0 6 0	...	0 6 0	0 6 0	0 4 3	1 2 3
do. . . . .	3 7 0	1 18 10	2 19 6	1 17 5	2 15 2	1 0 0	12 12 8
do. . . . .	3 7 0	3 10 0	2 7 0	2 0 0	2 10 0	1 4 0	14 18 0
<b>Hamilton.</b>	52 11 8	74 4 10	65 15 0	54 5 6	43 15 8	34 6 1	324 18 9
do. . . . .	2 6 7	2 0 0	2 7 0	...	3 1 0	2 2 2	11 16 9
do. . . . .	18 2 0	5 10 0	19 3 0	3 8 0	1 6 0	3 8 0	50 17 0
do. . . . .	10 14 6	7 7 2	14 0 8	11 8 1	8 0 3	9 2 9	60 13 5
do. . . . .	3 0 0	2 0 0	5 10 0	7 0 0	4 0 0	2 0 0	23 10 0
do. . . . .	6 0 0	6 2 0	6 7 0	6 12 6	7 5 0	6 17 0	39 3 6
do. . . . .	1 10 0	1 12 0	1 17 10	1 0 0	2 2 6	2 0 0	10 2 4
do. . . . .	4 0 0	4 0 0	4 0 0	6 0 0	4 10 0	4 0 0	26 10 0
do. . . . .	3 9 1	2 0 0	3 16 6	3 12 0	...	3 0 0	15 17 7
do. . . . .	1 14 0	1 15 0	1 6 9	1 8 0	1 1 0	0 15 0	7 19 9
do. . . . .	11 5 0	13 8 0	9 17 6	9 0 0	8 7 0	9 0 0	60 17 6
do. . . . .	3 12 3	4 4 7	3 11 1	3 2 4	2 16 0	3 17 6	21 3 9
do. . . . .	2 18 6	5 14 0	...	4 4 0	2 5 6	2 5 0	17 7 0
do. . . . .	...	...	...	...	...	...	...
do. . . . .	...	...	...	...	...	...	...
do. . . . .	2 12 6	2 6 6	4 14 6	4 16 4	2 6 0	2 5 2	19 1 0
do. . . . .	1 6 0	...	1 10 0	1 4 0	1 7 6	1 8 7	6 16 1
do. . . . .	6 9 10	6 9 3	5 18 0	6 12 6	4 4 5	10 8 9	40 2 9
<b>Lanark.</b>	79 0 3	64 8 6	83 19 10	69 7 9	52 12 2	62 9 11	411 18 5
do. . . . .	3 10 0	2 10 0	3 0 0	2 10 0	2 0 0	...	13 10 0
do. . . . .	1 1 8	1 1 8	1 1 8	1 1 8	1 1 8	1 1 8	6 10 0
do. . . . .	1 5 0	1 1 0	1 4 6	1 1 6	0 18 0	...	5 10 0
do. . . . .	...	...	...	...	...	2 5 0	2 5 0
do. . . . .	0 16 8	0 16 8	0 15 0	2 16 0	1 18 0	1 14 0	8 19 0
do. . . . .	1 7 0	1 0 0	1 0 0	1 0 0	1 0 0	0 18 4	5 1 8
do. . . . .	2 2 0	2 15 10	2 8 2	5 5 7	2 2 0	...	14 13 7
do. . . . .	2 15 0	3 5 0	2 0 0	3 0 0	2 0 0	2 0 0	15 0 0
do. . . . .	2 10 0	2 10 0	2 11 0	1 1 0	0 17 2	4 5 6	13 14 8
do. . . . .	3 17 6	3 4 9	4 14 9	4 8 6	2 14 7	3 0 7	22 0 8
do. . . . .	0 11 6	0 11 0	0 12 6	0 10 6	...	...	2 5 6
do. . . . .	2 1 0	2 4 6	2 6 0	2 3 0	2 1 6	2 3 0	12 19 0
<b>Leith.</b>	21 17 4	21 16 5	23 10 3	25 14 5	17 9 7	17 8 1	127 16 1
do. . . . .	6 2 8	...	6 2 8	6 2 7	...	6 2 7	24 10 6
do. . . . .	1 0 0	0 13 0	1 0 0	0 15 0	0 12 0	1 0 0	5 0 0

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No.	Presbyteries and Parishes	Educa-	India	Home	Colonies	Jews	Endow-	T
		tion					ment	
		L. s. d.	L. s. d.	L. s. d.	L. s. d.	L. s. d.	L. s. d.	
679	Kippen . . .	0 11 0	0 6 6	1 1 0	0 16 0	0 6 0	0 19 0	3
680	Bucklyvie . . . q. s.	...	...	2 0 0	...	...	...	2
681	Leecroft . . .	2 10 3	2 10 2	2 10 2	2 10 2	2 10 2	2 10 2	15
682	Logie . . .	0 16 3	5 6 5	3 8 5	3 8 5	1 19 3	1 6 8	16
683	Bridge of Allan q. s.	...	...	...	...	...	...	...
684	Port of Menteith . . .	1 16 6	2 3 0	1 0 6	1 9 7	1 5 3	3 6 10	11
685	Gartmore . . . q. s.	...	...	1 13 4	...	...	...	1
686	Tillicoultry . . .	2 10 0	2 10 0	2 0 0	2 0 0	2 0 0	2 10 0	13
687	Tulliallan . . .	3 15 0	5 10 0	3 0 0	2 15 0	4 0 0	5 0 0	24
<b>42. Dunfermline.</b>		<b>30 15 0</b>	<b>33 17 7</b>	<b>38 0 7</b>	<b>34 18 9</b>	<b>23 10 10</b>	<b>29 16 5</b>	<b>194</b>
688	Aberdour . . .	1 2 0	2 0 0	2 0 0	3 0 0	0 18 0	1 10 0	10
689	Beath . . .	1 9 0	1 2 6	1 10 0	1 2 6	1 2 6	1 2 6	7
690	Carnock . . .	1 1 0	0 14 10	0 15 7	0 18 7	0 19 3	...	7
691	Culross . . .	2 18 6	6 15 6	3 8 0	4 2 6	4 0 0	3 8 0	2
692	Dalgaty . . .	0 17 4	0 12 4	0 15 0	0 13 6	0 12 4	1 2 0	4
693	Mossgreen . . . q. s.	...	...	0 18 0	...	...	...	0
<b>Dunfermline—</b>								
694	Abbey Church . . .	7 7 0	13 14 0	3 3 0	2 0 0	2 15 0	2 15 0	3
695	Andrew's, St. . .	...	0 10 6	1 19 10	...	0 13 7	3 14 0	1
696	North Church . . .	0 13 10	0 17 7	1 3 9	0 12 6	0 12 6	1 0 0	1
697	Inverkeithing . . .	...	...	8 8 0	7 10 0	7 7 6	...	2
698	Saline . . .	4 12 0	...	5 8 0	...	...	...	1
699	Torryburn . . .	1 10 8	2 1 9	4 0 0	3 10 3	1 9 8	2 8 1	1
<b>43. Kinross.</b>		<b>21 11 4</b>	<b>28 9 0</b>	<b>33 9 2</b>	<b>23 9 10</b>	<b>20 10 4</b>	<b>16 19 7</b>	<b>14</b>
700	Arngask . . .	1 11 6	1 10 6	1 8 4	1 12 9	1 6 6	1 7 6	1
701	Ballingry . . .	0 19 0	...	2 0 8	2 0 0	2 0 0	1 1 0	1
702	Cleish . . .	3 0 0	3 17 0	3 3 0	2 15 0	3 0 0	3 2 0	1
703	Fossway . . .	1 2 10	2 2 0	1 5 4	2 1 0	1 17 6	1 0 0	1
704	Blairingone . . . q. s.	...	...	3 3 0	...	...	...	1
705	Kinross . . .	2 0 7	2 8 0	2 8 6	2 8 10	2 13 2	2 6 0	14
706	Muckart . . .	1 0 0	...	1 1 0	1 0 0	0 15 0	1 0 0	1
707	Orwell . . .	1 10 0	1 15 0	1 15 0	1 15 0	1 5 0	...	1
708	Portmoak . . .	1 0 3	0 18 6	1 1 0	0 18 0	0 16 0	1 1 0	1
<b>44. Kirkcaldy.</b>		<b>12 4 2</b>	<b>12 11 0</b>	<b>17 4 9</b>	<b>14 10 7</b>	<b>13 13 2</b>	<b>9 17 6</b>	<b>80</b>
709	Abbotshall . . .	5 18 2	5 0 9	4 15 0	3 10 0	1 5 1	3 11 1	21
710	Auchterderran . . .	0 15 0	1 0 0	1 5 0	0 10 0	0 10 0	0 15 0	4
711	Lochgelly . . . q. s.	...	...	2 0 0	...	...	...	1
712	Auchtertool . . .	1 1 0	1 0 0	1 2 8	1 7 1	0 17 6	2 0 0	7
713	Burntisland . . .	3 7 7	3 8 0	7 10 0	13 1 0	3 8 0	2 0 0	21
714	Dysart . . .	1 0 0	1 15 0	1 10 0	1 10 0	1 5 0	1 1 0	8
715	Kennoway . . .	1 0 0	2 6 10	1 16 0	1 18 3	0 18 0	2 12 0	10
716	Kinghorn . . .	1 15 0	2 10 0	2 5 0	3 0 0	...	2 0 0	11
717	Inveriel . . . q. s.	...	1 0 0	2 10 0	...	...	1 0 0	4
718	Kinglassie . . .	0 15 6	0 19 6	0 15 0	1 2 6	0 13 0	0 19 0	5
719	Kirkcaldy . . .	3 9 0	4 4 0	5 13 0	2 4 0	1 10 0	3 5 0	20
720	Port Brae . . . q. s.	...	...	1 8 9	...	...	1 5 6	2
721	Lealie . . .	2 12 8	2 6 6	2 10 0	2 4 6	3 3 0	1 11 0	14
722	Markinch . . .	5 4 4	...	2 11 7	1 17 6	0 19 10	4 12 3	16
723	Milton . . . q. s.	...	...	...	...	...	...	0
724	Thornton . . . q. s.	...	0 16 9	...	...	...	...	0
725	Pathhead . . .	...	...	1 2 8	...	...	0 15 11	1
726	Scoonie . . .	3 0 0	...	6 5 0	5 3 6	3 15 0	...	18
727	Wemyss . . .	1 0 0	...	3 18 0	1 3 8	1 1 4	...	7
728	Methill . . . q. s.	...	...	...	...	...	1 0 0	1
<b>45. Cupar.</b>		<b>30 18 3</b>	<b>26 7 4</b>	<b>48 17 8</b>	<b>38 12 0</b>	<b>19 5 9</b>	<b>30 7 9</b>	<b>194</b>
729	Abdie . . .	1 6 0	2 8 0	1 2 0	2 4 0	1 0 0	1 12 0	9
730	Auchtermuchty . . .	1 7 0	2 0 9	1 8 2	...	...	1 14 11	6
731	Balmerino . . .	1 2 0	1 1 0	1 13 0	1 4 0	1 2 3	1 6 3	7
732	Ceres . . .	4 10 2	2 7 4	4 0 0	3 12 2	3 8 11	6 7 7	24
733	Collessie . . .	1 10 0	2 3 0	1 10 0	1 10 0	1 0 0	1 10 0	9
734	Creich . . .	3 10 0	2 8 0	1 14 6	1 11 7	1 11 7	1 5 3	15

18 AND FOREIGN MISSIONARY RECORD OF THE CHURCH OF SCOTLAND.—JULY 1, 1859.

Sbyteries and Parishes	Education			India			Home			Colonies			Jews			Endowment			Total					
	L.	s.	d.	L.	s.	d.	L.	s.	d.	L.	s.	d.	L.	s.	d.	L.	s.	d.	L.	s.	d.			
	0	9	0	0	9	0	0	9	0	0	9	0	0	9	0	0	9	0	0	9	0	2	14	0
rie	5	0	11	8	0	0	8	0	6	5	3	0	6	2	0	8	8	0	40	14	5			
rie	1	9	6	1	4	6	1	6	9	1	2	10	1	2	0	1	15	1	8	0	8			
bog	1	0	0	3	0	0	1	8	0	1	11	0	1	1	0	1	2	0	9	2	0			
land	2	8	3	4	5	0	5	2	7	3	0	6	4	5	9	3	17	0	22	19	1			
	0	11	0	0	10	0	0	13	6	0	9	6	0	12	0	0	10	0	3	6	0			
le	1	6	3	1	9	2	1	11	8	1	9	2	1	7	4	1	6	7	8	9	2			
many	1	16	0	1	16	0	1	16	0	1	16	0	1	16	0	...	...	...	9	0	0			
e	1	0	0	0	16	0	1	0	0	1	0	6	...	...	...	0	13	0	4	9	6			
email	4	3	0	6	5	0	2	5	0	2	12	0	1	10	1	2	0	0	18	15	1			
nzie	0	15	5	0	18	10	0	11	8	0	13	0	0	12	6	0	17	0	4	8	5			
burgh	1	8	0	1	8	0	1	8	0	...	...	...	1	8	0	1	8	0	7	0	0			
thmiglio	1	0	0	1	0	0	1	4	0	1	2	8	1	7	6	1	6	0	7	0	2			
<b>St. Andrews.</b>	<b>35</b>	<b>12</b>	<b>6</b>	<b>43</b>	<b>9</b>	<b>7</b>	<b>38</b>	<b>4</b>	<b>4</b>	<b>30</b>	<b>9</b>	<b>11</b>	<b>29</b>	<b>15</b>	<b>11</b>	<b>37</b>	<b>7</b>	<b>8</b>	<b>214</b>	<b>19</b>	<b>11</b>			
rcrombie	0	16	3	0	12	0	0	15	10	0	14	4	0	6	6	0	15	1	4	0	0			
rews, St.—	5	0	0	10	0	1	11	1	3	9	1	6	7	11	9	7	0	0	49	14	7			
sonard's, St.	3	10	0	3	13	0	4	0	0	2	0	0	2	4	6	2	2	6	17	10	0			
arhills . . . g. s.	0	2	6	0	9	0	1	2	4	1	1	3	0	18	6	0	4	0	3	17	7			
rathkines . . . g. s.	0	5	8	0	9	9	0	6	5	0	7	3	0	6	5	0	13	3	2	8	9			
ruther, Easter	4	5	0	3	12	0	4	0	0	2	5	0	2	10	0	3	5	0	19	17	0			
ruther, Wester	0	6	8	0	6	10	0	7	4	0	5	11	0	3	8	0	7	0	1	17	5			
eron	1	0	9	1	1	10	1	0	0	...	...	...	0	14	1	1	10	5	5	7	1			
ibee	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...			
l	2	8	6	2	7	0	3	5	0	2	5	0	2	10	9	3	3	0	15	19	3			
ino	1	0	0	1	2	0	1	0	0	1	0	0	1	4	2	1	3	0	6	9	2			
	...	...	...	2	10	0	4	0	0	...	...	...	...	...	...	...	...	...	6	10	0			
y-Port-on-Craig	1	8	0	2	0	0	2	0	0	1	1	0	1	1	0	1	10	0	9	0	0			
jan	2	0	0	2	15	0	3	0	0	1	0	0	2	10	0	2	2	6	13	7	6			
iback	3	3	6	3	9	8	3	3	0	3	2	4	4	1	10	3	18	5	20	18	9			
onquhar	...	...	...	4	7	2	3	17	3	3	4	6	3	3	6	3	13	6	18	5	11			
enny	1	1	10	...	...	...	1	11	0	3	14	0	3	1	6	3	3	0	12	11	4			
sbarns	...	...	...	5	18	6	...	...	...	...	...	...	...	...	...	...	...	...	5	18	6			
jo	1	19	1	2	12	11	3	8	7	4	14	10	2	0	0	4	9	0	19	4	5			
oward	...	...	...	3	0	0	...	...	...	...	...	...	...	...	...	...	...	...	3	0	0			
chars	1	8	0	4	0	0	3	5	0	4	0	0	3	0	0	5	9	0	21	2	0			
'burn	2	0	0	2	2	0	4	2	0	1	17	0	2	3	0	1	15	6	13	19	6			
anweem	2	4	5	1	15	0	1	19	0	2	0	7	2	1	0	2	0	0	12	0	0			
<b>47. Meigle.</b>	<b>34</b>	<b>0</b>	<b>2</b>	<b>52</b>	<b>13</b>	<b>9</b>	<b>58</b>	<b>14</b>	<b>0</b>	<b>47</b>	<b>14</b>	<b>6</b>	<b>41</b>	<b>12</b>	<b>2</b>	<b>48</b>	<b>4</b>	<b>2</b>	<b>282</b>	<b>18</b>	<b>9</b>			
ie	2	9	3	1	9	4	1	15	8	1	13	3	1	13	9	1	14	7	10	15	10			
th	7	0	0	5	0	0	6	0	0	4	0	0	3	0	0	3	0	0	28	0	0			
dochy	5	0	0	3	0	0	4	0	0	2	0	0	2	0	0	4	0	0	20	0	0			
arsie . . . g. s.	2	9	0	1	0	0	2	0	0	1	0	0	1	0	0	...	...	...	7	9	0			
rgowrie	5	14	2	7	2	3	6	4	6	5	13	9	5	6	10	10	13	0	40	14	6			
par-Angus	2	3	2	3	0	0	2	7	0	2	5	9	1	13	10	2	2	8	13	12	5			
de and Nevay	1	15	0	2	3	0	1	10	0	1	3	6	1	2	0	1	4	0	8	17	6			
niala	0	9	1	0	19	0	0	15	5	0	14	0	0	15	0	1	0	6	4	13	0			
tins	6	13	5	5	13	0	6	10	0	3	10	0	4	15	6	...	...	...	27	1	11			
goldrum	3	13	2	1	8	0	1	18	0	1	8	6	1	9	6	1	6	10	11	4	0			
trathen	1	15	10	1	15	10	1	15	10	1	15	10	1	15	10	1	15	10	10	15	0			
gle	2	3	0	3	10	6	1	17	0	1	10	0	1	8	0	...	...	...	10	8	6			
rtyle	1	17	6	2	12	5	1	14	0	1	16	6	1	7	6	1	9	5	10	17	4			
hven	1	0	0	1	0	0	1	0	0	...	...	...	...	...	...	...	...	...	3	0	0			
<b>48. Forfar.</b>	<b>44</b>	<b>2</b>	<b>7</b>	<b>39</b>	<b>13</b>	<b>4</b>	<b>39</b>	<b>7</b>	<b>5</b>	<b>28</b>	<b>11</b>	<b>1</b>	<b>27</b>	<b>7</b>	<b>9</b>	<b>28</b>	<b>6</b>	<b>10</b>	<b>207</b>	<b>9</b>	<b>0</b>			
riemno	1	0	0	2	0	0	2	0	0	...	...	...	...	...	...	1	0	0	6	0	0			
tachy	1	4	6	1	3	4	1	8	3	1	5	5	1	3	2	1	12	4	7	17	0			
nichen	1	9	8	1	9	7	1	11	9	1	5	9	...	...	...	1	7	9	7	4	6			
far	4	0	0	5	10	4	4	1	0	4	0	0	3	10	0	4	3	0	25	4	0			
t. James's . . . g. s.	...	...	...	0	10	0	0	16	0	0	15	0	...	...	...	1	5	0	3	6	0			
mmis	2	10	0	2	7	0	2	0	0	1	15	0	1	12	0	2	0	0	12	4	0			
erarity	1	0	0	1	0	0	1	5	0	1	1	0	1	1	0	1	0	0	6	7	0			
nettles	1	1	0	2	11	0	1	1	0	1	1	0	1	1	0	1	1	0	7	16	0			
riemuir	2	6	2	2	7	2	2	11	10	2	17	3	2	0	0	2	10	3	14	12	8			
outh Church . . . g. s.	1	0	0	1	0	0	2	0	0	1	0	0	1	0	0	2	0	0	8	0	0			

AND FOREIGN MISSIONARY RECORD OF THE CHURCH OF SCOTLAND.—JULY 1, 1859.

Dioceses and Parishes	Education			India			Home			Colonies			Jews			Endowment			Total		
	L.	s.	d.	L.	s.	d.	L.	s.	d.	L.	s.	d.	L.	s.	d.	L.	s.	d.	L.	s.	d.
<b>Fordoun.</b>																					
mot . . . . .	3	10	0	3	15	6	3	0	0	2	0	0	3	0	0	...	...	...	15	5	6
lme . . . . .	1	2	6	0	17	7	1	14	4	1	8	6	1	10	11	...	...	...	6	13	10
St. . . . .	1	0	0	0	10	0	0	10	0	...	...	0	10	0	0	0	14	0	3	4	0
tar . . . . .	3	8	3	3	13	6	3	14	6	3	14	6	3	1	0	...	...	...	17	11	9
airn . . . . .	2	10	0	2	10	0	2	17	6	2	3	0	2	13	6	2	12	0	15	6	0
esso . . . . .	5	10	0	3	18	4	2	3	9	...	...	5	0	0	3	8	9	...	20	0	10
ey . . . . .	6	6	0	16	8	6	8	10	7	6	10	9	12	4	6	...	...	...	50	0	4
in . . . . .	...	...	...	2	8	0	2	12	0	...	...	...	...	...	...	...	...	...	5	0	0
sk . . . . .	2	10	0	2	10	0	2	10	0	2	10	0	2	10	0	2	10	0	15	0	0
rvie . . . . .	1	0	0	1	0	0	1	0	0	1	0	0	1	0	0	1	0	0	6	0	0
and Caterline	...	...	...	...	...	...	1	12	6	...	...	...	...	...	...	1	6	2	2	18	8
ckirk . . . . .	2	0	0	2	10	0	2	2	0	2	5	0	1	12	0	...	...	...	10	9	0
irk . . . . .	2	6	0	2	17	0	3	5	0	3	14	0	3	1	0	3	0	0	18	3	0
	2	0	0	2	0	6	2	16	6	2	14	8	1	8	0	2	10	2	13	9	10
<b>Aberdeen.</b>																					
en—	33	2	9	44	18	11	38	8	8	28	0	5	37	10	11	17	1	1	199	2	9
Church . . . . .	16	7	7	28	14	7	11	0	7	5	1	0	5	16	5	12	1	9	79	1	11
t Church . . . . .	12	9	4	20	17	1	8	0	0	10	13	2	9	8	1	11	16	2	73	3	10
h Church . . . . .	3	13	1	5	4	1	3	17	1	1	19	10	3	7	10	3	19	7	22	1	6
h Church . . . . .	5	6	4	6	0	5	4	11	1	4	12	6	4	10	6	4	8	7	29	9	5
riars' . . . . .	6	4	11	7	12	6	5	11	7	5	10	3	8	15	9	7	1	6	40	16	6
ohn Knox's g. s.	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...
lement's . . . . .	4	5	8	5	10	5	4	2	3	3	5	6	3	14	3	5	7	8	26	5	7
Machar . . . . .	3	12	8	11	14	6	5	0	0	3	15	1	4	7	3	4	7	0	32	16	6
omston . . . . .	...	...	...	...	...	...	...	...	...	...	...	...	3	15	8	3	0	0	6	15	8
oodside g. s.	...	...	...	...	...	...	2	4	8	...	...	...	...	...	...	4	19	0	7	3	8
olburn g. s.	3	0	0	...	...	...	4	0	0	3	0	0	...	...	...	6	0	0	16	0	0
ory-Devenick . . . . .	1	0	0	1	0	0	3	13	6	1	13	6	1	3	0	2	3	0	10	10	0
vie . . . . .	2	5	3	1	13	8	2	3	1	2	8	10	3	7	8	1	14	6	13	13	0
ak . . . . .	1	11	2	2	0	1	2	0	1	1	11	2	1	3	8	1	3	8	9	9	10
. . . . .	...	...	...	...	...	...	1	0	0	1	0	0	...	...	...	...	...	...	2	0	0
. . . . .	1	0	0	1	0	0	1	0	0	1	0	0	...	...	...	...	...	...	4	0	0
y . . . . .	1	15	0	3	6	5	1	18	6	1	10	6	2	9	0	1	7	0	12	6	5
llar . . . . .	1	2	6	1	2	6	...	...	...	...	...	...	1	0	11	...	...	...	3	5	11
r, New . . . . .	2	10	3	2	11	9	4	18	5	2	2	8	2	9	4	3	4	11	17	17	4
alter . . . . .	1	0	0	1	7	6	1	10	0	0	15	0	0	15	0	1	0	0	6	7	6
lls . . . . .	2	0	0	2	0	0	2	0	0	2	0	0	2	0	0	...	...	...	10	0	0
. . . . .	1	1	0	1	3	0	...	...	...	1	0	0	1	0	0	1	1	0	5	5	0
alter . . . . .	2	12	3	1	3	8	3	0	1	...	...	3	12	11	1	6	0	...	11	14	11
then . . . . .	0	15	3	1	0	0	0	18	7	0	10	0	0	10	0	1	0	0	4	13	10
. . . . .	...	...	...	...	...	...	2	0	0	1	15	0	1	10	0	1	1	0	6	6	0
<b>Kincardine O'Neil.</b>																					
	73	12	3	105	2	2	74	6	6	55	4	0	64	17	3	78	2	2	451	4	4
ie, &c. . . . .	1	7	1	1	0	0	2	5	9	1	8	0	1	5	6	1	18	0	9	4	4
ory-Ternan . . . . .	6	6	2	7	3	0	7	2	5	9	3	4	4	10	2	5	4	6	39	9	7
. . . . .	1	11	4	2	0	0	3	18	2	3	12	11	2	14	1	1	17	4	15	13	10
. . . . .	1	8	0	1	0	0	1	6	0	1	5	0	1	10	0	1	5	0	7	14	0
. . . . .	1	6	10	1	10	0	1	7	9	1	11	0	1	6	0	1	10	0	8	11	7
e . . . . .	1	0	0	1	0	0	1	0	0	6	4	4	11	13	8	1	0	0	21	19	0
emar Mission . . . . .	1	6	0	...	...	...	3	6	0	4	5	0	1	3	0	...	...	...	10	0	0
igairn Mission . . . . .	0	13	0	0	11	6	...	...	...	...	...	...	...	...	...	0	11	6	1	16	0
. . . . .	3	0	0	3	11	6	3	0	0	2	11	6	2	12	0	2	5	6	17	0	6
uick . . . . .	2	3	8	2	1	4	2	17	0	4	19	6	2	8	6	1	12	0	16	2	0
oline O'Neil . . . . .	1	16	0	1	7	8	...	...	...	...	...	...	2	5	0	2	17	4	8	6	0
Coldstone . . . . .	1	10	0	1	10	0	1	10	0	1	3	6	1	17	9	3	6	4	10	17	7
anan . . . . .	4	0	0	4	0	0	4	0	0	4	0	0	4	0	0	4	0	0	24	0	0
ir . . . . .	...	...	...	0	17	2	...	...	...	...	...	...	...	...	...	...	...	...	0	17	2
an . . . . .	1	3	6	1	2	6	1	2	0	1	3	0	1	0	0	1	0	0	6	11	0
d and Migvie . . . . .	2	16	6	2	17	6	2	12	0	2	9	6	2	14	6	4	5	4	17	15	4
<b>B. Alford.</b>																					
	31	8	1	31	12	2	35	7	1	43	16	7	41	0	2	32	12	10	215	16	11
. . . . .	1	16	0	3	12	0	5	0	0	4	0	0	1	16	0	2	10	0	18	14	0
ndoir . . . . .	1	0	0	0	15	0	1	0	0	0	15	0	0	12	0	0	18	0	5	0	0
ch . . . . .	1	5	0	1	8	0	1	5	0	2	6	0	1	4	0	1	4	0	8	12	0
. . . . .	1	2	0	1	1	6	1	2	0	1	1	0	1	0	0	1	3	6	6	10	0
ucket . . . . .	...	...	...	0	12	0	1	0	0	0	14	10	0	10	1	0	16	5	3	13	4

HOME AND FOREIGN MISSIONARY RECORD OF THE CHURCH OF SCOTLAND.—JULY 1, 1883

Names of Associations.	Educa- tion			India			Home			Colonies			Jews			Endow- ment		
	L.	s.	d.	L.	s.	d.	L.	s.	d.	L.	s.	d.	L.	s.	d.	L.	s.	d.
Kelso Parochial Missionary Assoc.	5	0	0	8	0	0	5	10	0	5	8	3	5	10	0	5	0	0
Kilmarnock Parochial Association	3	0	0	5	0	0	5	0	0	3	0	0	2	12	10	3	0	0
Kinfauns Parochial Association	0	11	1	0	11	1	0	11	1	0	11	1	0	11	1	0	11	1
Kirkcubbin Parochial Association	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...
Kirkpatrick-Fleming Miss. Assoc.	...	...	...	...	...	...	1	0	0	...	...	...	...	...	...	...	...	...
London Crown Court Juv. Mis. Soc.	...	...	...	15	0	0	...	...	...	...	...	...	...	...	...	...	...	...
Lowick Church, Northumberland	...	...	...	1	8	0	...	...	...	1	0	0	1	0	0	...	...	...
Luss Parochial Association	2	0	0	2	0	0	2	0	0	2	0	0	2	0	0	2	0	0
Nairn, Presbytery of	3	0	0	3	0	0	...	...	...	...	...	...	...	...	...	...	...	...
Pencitland Parochial Association	2	0	0	...	...	...	1	10	0	2	0	0	2	0	0	...	...	...
Riccarton Parochial Association	4	10	0	4	0	0	4	10	0	3	0	0	2	10	0	4	10	0
<b>SABBATH SCHOOLS—</b>																		
Aberdour, Fife	...	...	...	...	...	...	...	...	...	0	8	0	...	...	...	...	...	...
Annan Parish Church	0	14	0	0	14	0	...	...	...	0	12	2	0	17	0	...	...	...
Falkirk	1	0	0	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...
Glasgow—Barony, Blue Vale	...	...	...	0	5	0	0	7	0	...	...	...	0	5	0	...	...	...
Calton	0	10	0	0	10	0	0	10	0	0	10	0	...	...	...	...	...	...
St. Andrew's	...	...	...	10	13	1	6	3	8	...	...	...	...	...	...	...	...	...
St. Columba	...	...	...	...	...	...	1	0	0	...	...	...	...	...	...	...	...	...
St. George's	...	...	...	1	9	4	...	...	...	...	...	...	...	...	...	...	...	...
St. John's	...	...	...	...	...	...	0	12	2	...	...	...	...	...	...	...	...	...
St. Matthew's	...	...	...	6	13	6	...	...	...	...	...	...	...	...	...	...	...	...
St. Mungo	...	...	...	...	...	...	1	0	0	...	...	...	...	...	...	...	...	...
Rutherslen	...	...	...	...	...	...	1	0	0	...	...	...	...	...	...	...	...	...
Shettleston, East Muir	0	9	0	...	...	...	...	...	...	0	6	0	...	...	...	...	...	...
Granton	...	...	...	1	3	0	...	...	...	...	...	...	...	...	...	...	...	...
Hamilton	...	...	...	1	0	0	2	0	0	...	...	...	...	...	...	...	...	...
Inchmarlo	...	...	...	...	...	...	0	13	7	...	...	...	...	...	...	...	...	...
Newburgh	...	...	...	0	18	8	...	...	...	...	...	...	0	18	8	...	...	...
Parkhill	...	...	...	0	6	6	...	...	...	...	...	...	...	...	...	...	...	...
St. Fergus	...	...	...	0	6	6	0	5	0	...	...	...	...	...	...	...	...	...
St. John's Church, Buenos Ayres	...	...	...	...	...	...	2	0	0	...	...	...	...	...	...	...	...	...
Stanley	0	5	0	0	5	0	0	5	0	...	...	...	0	5	0	...	...	...
Wiston and Robertson	0	1	6	0	1	6	0	2	0	...	...	...	...	...	...	0	3	6
St. Andrews and St. Leonard's Parishes' Association	8	2	4	7	4	8	11	4	9	6	15	7	6	13	1	...	...	...
St. Andrew's Church, Perth, Canada, Missionary Association	...	...	...	6	10	2	...	...	...	...	...	...	...	...	...	...	...	...
St. Andrew's and Mount Rose Churches, Granada	...	...	...	...	...	...	...	...	...	3	9	10	...	...	...	...	...	...
Scottish Missionary Society	...	...	...	50	0	0	...	...	...	...	...	...	...	...	...	...	...	...
Selkirk Parochial Association	4	0	0	4	0	0	5	0	0	3	10	0	2	0	0	4	0	0
Westerkirk Parochial Association	...	...	...	1	17	0	...	...	...	3	16	10	3	16	10	...	...	...
Colonial Scheme—	164	12	7	206	9	1	90	14	1	63	12	1	62	18	9	73	3	0
From British North America	...	...	...	...	...	...	...	...	...	227	4	11	...	...	...	...	...	...
Jews' Scheme—	...	...	...	...	...	...	...	...	...	...	...	...	142	0	0	...	...	...
From Alexandria	...	...	...	...	...	...	...	...	...	...	...	...	168	7	6	...	...	...
For Church, &c., at Cassandra	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...
Lay Association	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...
<b>TOTAL,</b>	164	12	7	206	9	1	90	14	1	290	17	0	373	6	3	73	3	0

III.—SUBSCRIPTIONS AND DONATIONS FROM INDIVIDUALS, AND MISCELLANEOUS COLLECTIONS.

Names	Educa- tion			India			Home			Colonies			Jews			Endow- ment		
	L.	s.	d.	L.	s.	d.	L.	s.	d.	L.	s.	d.	L.	s.	d.	L.	s.	d.
Anonymous Contributions	26	13	8	41	16	0	24	18	8	24	12	0	55	2	0	13	13	8
Anstruther, James, Esq., W.S.	1	1	0	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...
Balfour, James, Esq., W.S.	1	1	0	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...
Banks, Meyrick, Esq. of Letterewe	10	0	0	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...
Bayley, Isaac, Esq.	2	2	0	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...
Belhaven, The Right Hon. Lord	10	0	0	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...
Bell, Robert, Esq., Advocate	1	1	0	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...
Blackwood, Messrs., & Sons	1	9	10	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...
Boyd, John, Esq.	10	0	0	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...



FOREIGN MISSIONARY RECORD OF THE CHURCH OF SCOTLAND.—JULY 1, 1859.

Places	Education			India			Home			Colonies			Jews			Endowment			Total			
	L.	s.	d.	L.	s.	d.	L.	s.	d.	L.	s.	d.	L.	s.	d.	L.	s.	d.	L.	s.	d.	
Advocate	1	1	0	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...
of Balloch	2	0	0	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...
listing	0	10	0	0	10	0	0	10	0	0	10	0	0	10	0	0	10	0	0	10	0	0
sq. of Drumpellier	10	0	0	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...
of Gadgirth	5	0	0	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...
sq.	1	0	0	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...
N., Esq. of Balli-	1	1	0	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...
sq. of Colgrain	1	0	0	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...
Esq. of Stonefield	3	0	0	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...
Esq., W.S.	5	0	0	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...
Chibald Islay, of	1	1	0	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...
oreland	6	0	0	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...
sq. of Stronvar	...	...	...	0	13	0	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...
n., Esq., W.S.	2	0	0	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...
Esq. of Dormont	0	10	6	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...
, W.S.	1	0	0	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...
ertson, Esq. of	0	10	6	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...
or	50	0	0	...	...	...	50	0	0	...	...	...	...	...	...	...	...	...	...	...	...	...
. C.	1	1	0	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...
Lord Justice	1	1	0	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...
Esq., Seaside	...	...	...	1	0	0	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...
stery Butts	...	...	...	5	0	0	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...
Advocate	1	1	0	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...
l., W.S.	5	5	0	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...
, Edinburgh	5	0	0	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...
rtha, Mauchline	1	1	0	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...
Esq., W.S.	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...
Esq.	1	0	0	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...
rrres Street	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...
Co.	0	10	6	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...
torphine	0	7	0	0	7	0	0	7	0	0	7	0	0	7	0	0	7	0	0	7	0	0
sq. of St. Mungo	...	...	...	...	...	...	2	0	0	...	...	...	...	...	...	...	...	...	...	...	...	...
sq. of Cavers	...	...	...	5	0	0	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...
Vatten.	0	4	0	0	4	0	0	4	0	0	4	0	0	4	0	0	4	0	0	4	0	0
Esq., Longforgan	...	...	...	1	0	0	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...
Esq. of Eden	1	0	0	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...
sq. of Arniston	1	1	0	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...
das, Largo House	2	0	0	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...
sq.	1	1	0	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...
, Esq. of Lennox-	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...
of Finzean	2	0	0	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...
Trustees of	3	0	0	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...
Charles	1	1	0	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...
Esq. of Keirlaw	3	3	0	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...
Messrs.	1	0	0	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...
Messrs.	0	5	0	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...
ilston	5	0	0	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...
lice	1	1	0	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...
Esq., Ross-shire	...	...	...	1	1	0	1	1	0	...	...	...	...	...	...	...	...	...	...	...	...	...
Advocate	1	1	0	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...
of Parkhill	1	1	0	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...
f Swiney	5	0	0	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...
oll Crescent	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...
y. Esq., W.S.	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...
M'Pherson, Bart.,	1	1	0	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...
sq.	5	0	0	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...
sq.	1	1	0	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...
sq., W.S.	10	0	0	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...
sq. of Leny	1	0	0	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...
of Couligarton	1	0	0	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...
ankie Cottage	2	2	0	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...
q. of Colquhalzie	2	0	0	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...
of Wedderburn	1	1	0	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...

**GENERAL STATEMENT of CONTRIBUTIONS, COLLECT  
&c., raised in aid of the SCHEMES of the CHURCH OF  
LAND, and for Objects connected with the Church,**

**For the Year ending 15th April 1859.**

<b>I. PAROCHIAL COLLECTIONS at CHURCH DOORS,—</b>	
Amount, as on page 187, . . . . .	L.16,35
<b>PAROCHIAL, CONGREGATIONAL, MISSIONARY, and other ASSOCIATIONS,—</b>	
Amount, as on page 188, . . . . .	2,58
<b>III. SUBSCRIPTIONS and DONATIONS from INDIVIDUALS, and MISCELLANEOUS COLLECTIONS, &amp;c,—</b>	
Amount, as on page 191, . . . . .	33,33
<b>IV. LEGACIES,—</b>	
Amount, as on page 191, . . . . .	2,627
<b>SUM,</b>	<u>L.54,857</u>
 <b>V. CONTRIBUTIONS to CO-OPERATIVE ASSOCIATIONS,—</b>	
Ladies' Association for the Advancement of Female Education in India, . . . . .	2,055
Ladies' Association for Promoting the Christian Education of Jewish Females, . . . . .	465
Ladies' Association for Promoting Female Industrial Education in Scotland, . . . . .	176
Ladies' Gaelic School Association, . . . . .	292
Ghospara Mission of St. Stephen's Congregation, Edinburgh,	198
<b>TOTAL,</b>	<u>L.58,021</u>

EDINBURGH, 27th June 1859.—The preceding Abstracts and Statements prepared and submitted by

**GEORGE MURRAY,**

*General Auditor and Accountant for the Schemes of the Church*

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