

EXPLANATORY STATEMENT

RESPECTING

THE RECENT PROCEEDINGS

OF THE

MISSIONARIES OF THE CHURCH OF SCOTLAND,

IN CALCUTTA.

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1843:

ADDRESSED
TO THE
MEMBERS OF ST. ANDREW'S KIRK
AND
ALL OTHERS CONCERNED.

BY

ALEXANDER DUFF.
W. S. MACKAY.
DAVID EWART.
J. MACDONALD.
THOMAS SMITH.



Calcutta, August, 1873

EXPLANATORY STATEMENT, &c.

1.—RELATION TO THE ESTABLISHED CHURCH, AS ORDAINED MINISTERS AND MISSIONARIES, &c. &c.

THE Missionaries of the Church of Scotland in India, being regularly ordained Ministers of the Established Church, are, as such, invested with a right and title to any or all of the benefits and privileges of the Scottish Establishment. Their immediate and specific vocation, however, is a peculiar one. They are not appointed to the pastoral charge of any already existing congregation of professing Christians;—but are sent forth primarily as Evangelists, to diffuse, by every legitimate means, the saving knowledge of Jesus Christ, among the Gentiles. If God bless their labours, in the planting of new churches, it is over these, more especially, that they are expected to exercise the pastoral functions. Their appointment does not depend on Lay Patrons or Lay Corporations of any kind. It is derived directly and exclusively from the Church herself, through her Supreme Judicatory the General Assembly. With the General Assembly, accordingly, through its own appointed organ, the Standing Committee on Foreign Missions, all their official communications are held. In like manner, their temporal support is derived, not from the revenue of any Society or State-endowment, but from a common fund, raised throughout the bounds of the Church, under authority of the General Assembly, and administered by the accredited agents of that Venerable Body.

The Missionaries being thus immediately appointed by, and immediately dependent on, the General Assembly of the Established Church, whenever a disruption in that Church seemed inevitable, or had already actually taken place, they were written to *officially* by both the great parties therein, in such a way as left them no alternative but to make their election of the one or the other. Up to May last, the great controversy which terminated in rending the Church asunder, never once was introduced into any official correspondence from home; and, till the despatch hence of the last overland (10th Au-

gust,) it was never once introduced into any official correspondence from Calcutta,—and then only, in obedience to an imperative necessity. It thus appears, that the Missionaries, as a body, made no movement whatever in the matter, until circumstances, over which they had no control, compelled them to do so.

In a letter, dated Edinburgh, 2d May, from the Rev. C. J. Brown, the Convener of “the Provisional Committee named at the Convocation of Ministers and Elders in November last,” after referring to “the disruption of the Church, as then apparently inevitable and very near at hand,” the author thus proceeds:—

“The Committee have had under their consideration the case of those of the General Assembly’s Missionaries who may feel themselves constrained to abandon their connexion with the Establishment, and to cast in their lot with the brethren who have refused to submit to the unconstitutional and Erastian encroachments of the Civil Courts.

“The Committee think it right to give to the Missionaries the fullest assurance, that it will still be one of the chief objects of the Church, when disestablished, to maintain the present Missions to the Jews and to the Gentiles in their full efficiency: and they cannot entertain a doubt that by God’s blessing and through the rapidly growing spirit of liberality among the people, the Free Church will be enabled not only to keep up the existing Missionary Stations on their present footing, but greatly to extend their operations in the Missionary field. But, at all events, the Committee are unanimously and decidedly of opinion that the Missionaries who adhere to the Church, in her state of separation from the Establishment, must be recognized as in all respects on the same footing with the Ministers in Scotland who lose their civil benefices, and they must be considered as equally to be provided for, by receiving their equal share of such allowance as is to be granted to these Ministers out of the common fund raised for that purpose.

“The Committee do not of course, presume to enter into discussion with you on the subject, or to say one word as to the course which you may feel it right to follow. But they deem it due to themselves, as well as to you, to communicate these resolutions.

“I am, &c.

“CHARLES J. BROWN, *Convener*.”

In a letter, dated Edinburgh, 29th May, from the Rev. Dr. Brunton, the Convener of the Foreign Mission Committee of the Established Church, after announcing, with expressions of great grief and sorrow, the actual fact of the disruption as then consummated, the author writes as follows:—

“In these circumstances we feel it our duty to announce to you that the Established Church is resolved to persevere in all her schemes, and particularly in her Missionary efforts. It is our wish to continue in the occupation of all the Stations which are at present ours, and to conduct our business every way as before. We are most anxious to retain the co-operation of those whom we have found experimentally so thoroughly qualified for their work, and so devoted to its prosecution. We earnestly hope, therefore, that you will see it to be consistent with your sense of duty, to remain

in that connection with us, which to us, in the past, has been a source of so much satisfaction and thankfulness.

"I write to you collectively, not individually; because we have no wish that personal considerations should influence your decision; nor will I add to my narrative one word of comment. May He, who can bring light out of darkness and good out of evil, counsel you, and guide you to what will promote His glory, your own usefulness, and the spread of Messiah's kingdom.

"I need not say that it is important for us to have as speedy an answer as the importance of the subject will permit.

"With respectful and kindest regards, I am, &c.

"ALEXANDER BRUNTON, *Convener*."

After the receipt of these communications the Missionaries held frequent consultations;—penetrated with a deep sense of the grave and solemn responsibility under which they were called to act. The sentiments which they unanimously held, on the momentous subject submitted to them, will best appear from the following Resolutions, in which they were embodied, and finally adopted on the 5th instant:—

In a matter which at home has been so thoroughly discussed, and in which all parties now so completely understand each other's views, as that which is at issue between the Church of Scotland presently established by law, and the Free Protestant Presbyterian Church of Scotland, it may seem unnecessary for us to do more than state that we deem it incumbent on us, as Christian men and Christian ministers, to adhere to the latter on the same general and special grounds on which the latter felt constrained to secede from the former;—grounds, most clearly set forth as to their basis, in the Church's "Claim of Rights*," prepared and adopted by the Assembly of 1842, and in their final issue, in the "Reasons of Protest and Separation†" read by the Moderator at the Meeting of Assembly, 1843. But, in addition to this general statement, we deem it right, in a matter of so practical and transcendent importance, to record the following specific resolutions:—viz.

I. Resolved unanimously, to declare and record our solemn conviction, that in this and every other great question appertaining to morals and religion, our duty is,—primarily, to consult the dictates of conscience, and the clear intimations of Jehovah's infallible oracles;—and secondarily, in an ecclesiastical question such as the present, to refer to those standards of the Church, founded on the basis of God's word, which have been declared and subscribed to by its office-bearers as containing their own sincere interpretation of that supreme and ultimate standard;—leaving to Him, who can bring light out of darkness and order out of confusion, all the prospective results and consequences, however apparently disastrous these may seem to the short-sighted eye of sense.

II. That the Church of Scotland has uniformly in its ecclesiastical constitution, as derived directly from the New Testament and explicated in all its accredited standards, held forth and embodied as its fundamental, ecclesiastical principle, that the Lord Jesus Christ, not only as the co-equal and co-eternal Son of the Father, hath a universal kingdom of which all created beings are subjects, but also as Messiah—the Mediator and Redeemer, the eternal Word become incarnate in order by His perfect obedience and

* See Appendix A.

† See Appendix B.

sufferings unto death to conquer sin, and death, and hell and the grave,—bath obtained, as the fruit and purchase of this mighty conquest, a kingdom concerning which He Himself testified, saying, “My kingdom is not of this world,”—a spiritual Kingdom or Church, of which, as redeemed by His own precious blood, and constituted by His express authority, He is the sole Head and Monarch, holding and exercising therein an exclusive Supremacy in all matters relating to doctrine, discipline and government,—the qualifications, functions and appointment of the office-bearers,—and the rights and liberties of its professing members.

III. That the contest, which for some time past has been carried on between the Ecclesiastical Establishment of Scotland on the one part, and the Civil Courts of the kingdom, whether subordinate or supreme, on the other part, has been one which directly and truly involved, in its fundamental principle and ultimate issues, the exclusive and supreme Headship of the Lord Jesus Christ over His Church in all things spiritual, as well as the rights and duties of His ministers and people with respect to all those acts and privileges which are purely ecclesiastical, or which belong to the internal economy and management of His House and Temple in the world.

IV. That the present subsisting Church Establishment of Scotland, by the part which it has taken in the last General Assembly (not to refer to any former proceedings of its leading members) has, in our clear though sorrowful conviction, unduly and unscripturally submitted itself to the unconstitutional dictation of the merely Civil power, in regard to acts and privileges purely spiritual and ecclesiastical,—and that, to such an extent, as injuriously to compromise and sadly to obscure both those glorious points, the supreme Headship of Christ, and the spiritual freedom of His body the Church, and thus to leave it almost entirely at the disposal of the State or secular power in many of its most vital and distinctive actings as a constituted branch of the Church Universal.

V. That, on the other hand, the Free Protestant Presbyterian Church of Scotland, as represented in the acts, declarations and resolutions of its first Assembly, (without referring to the course previously pursued by its leading members,) does fully sustain and carry out the faith which we now hold, and have heretofore held, during the painful contest which has now come to a close, on those grand and important articles already referred to, viz. the royal prerogatives of Christ's crown and covenant, and the dear-bought privileges of His Church, which may never be yielded up—however they may be resisted or gainsayed—in any circumstances, without sin,—without a virtual renunciation of the Great Head, and an actual surrender of the birth-right of His people.

VI. That being now, in the providence of God, and without any overt act or previous proceeding on our part, called on to make choice between those two bodies, whose spiritual and ecclesiastical claims are now submitted to our election, we feel, in deep and unfeigned sorrow, that we cannot by acceptance of jurisdiction, representation, or commission of ministry, remain incorporated with the present Established Church; although, as to the scriptural principle and duty of a national recognition and establishment of Christianity, our sentiments are altogether unchanged:—but must declare, as we hereby do, our deliberate purpose of adherence to the Free Protestant Presbyterian Church, as being, according to our understanding of the word of God, more purely a Church of Christ; and also as being, according to our interpretation of the Books of Discipline, the Confession of Faith, and other ratified Standards, together with the Act of Security and the

VII. That we cannot honestly or conscientiously refrain from coming to this practical conclusion, on the ground that at present we are not, in this land, practically affected by the specific modes of interference with the supreme Headship of Christ, and the rights and liberties of His ministers and people, which have led so unhappily to the disruption of the Church at home;—since, as members and office-bearers in the Church, ours is not a merely co-operative union (such as may exist between different Christian communities) but an essentially incorporative union, so that we are bound not only by the general obligations of Church-membership, but also, and more especially, by our ordination vows, to uphold in their integrity the whole of her avowed Doctrines, Discipline and Government, or views and principles of Ecclesiastical Polity generally :—and hence, if, in our deliberate judgment there be a departure on the part of the Established Church from any of the fundamental principles of God's word, and her own original standards, or any surrender, at the instigation of earthly Potentates, of the prerogatives of Zion's King, or the vital interests of Zion's cause and Scotland's covenanted Reformation, we have no alternative, in consistency and honor, but to protest, come out, and be separate.

VIII. That, while we most deeply regret the painful circumstances which led to the disruption of the Established Church, and which have imposed on us the necessity of making an election, and of emitting this declaration of our decision in the all-important matter before us; and while we retain strong and warm feelings of personal attachment and esteem towards not a few with whom we were officially and in many other ways connected, but from whom we must now be ecclesiastically separated;—we yet further feel that the crisis is one of a character altogether paramount and overwhelming, from which we cannot and dare not shrink; that the grand central principle involved in it, as an article of faith, is affected neither by lapse of time nor distance of place, nor difference of outward or worldly circumstances; and that Christ's Missions, which carry forward His embassy and great commission to proclaim the gospel to every creature, will best prosper when they stand most nearly related, in their agency at home and abroad, to a clear conscience, a consistent practice, and a Church in which the Head is most exalted, the body most pure, the members most free, and the entire energies of the regenerate nature most unshackled.

In forwarding the above resolutions to Dr. Brunton, the Convener of the Foreign Committee of the Established Church, and to Dr. Gordon, the Convener of the Foreign Mission Committee of the Free Church of Scotland, various explanations and suggestions were offered, in reference to past, present and future proceedings, which it is wholly unnecessary to introduce here. This much, however, it may be proper to state, that, in the mean while, for the sake of the hundreds of native youth committed to their charge, and in order to prevent the confusion and loss that would ensue from the sudden cessation of existing operations, they are resolved to go on with all their present labours in the Institution and Mission generally, without deviation or abatement, till such time as satisfactory arrange-

II.—RELATION TO THE CHURCH AS OFFICE-BEARERS AND MEMBERS IN THE CONGREGATION OF ST. ANDREW'S KIRK, CALCUTTA.

According to the ecclesiastical constitution of the Church of Scotland, there are three classes of office-bearers in every fully organized church. First, Ministers or Pastors, who are commissioned, in the name of the Lord Jesus Christ, to "labour in the word and doctrine," as well as to exercise the gifts of "order and government" in his church. Secondly, "Ruling Elders," because they are "joined with the ministers of the word, in the government of the church and exercise of discipline"—because, "to rule and govern the church is the chief part of their charge and employment therein; and although they may act as Deacons, yet their principal business is to rule well, and it belongs not to them to teach or to preach." Thirdly, Deacons, "to whom the collection and distribution of the alms of the faithful, and ecclesiastical goods, do belong." Each of these higher offices is regarded as including the subordinate ones. Thus,—while it is not lawful for a Deacon to assume or exercise the peculiar functions of an Elder or of a Minister, or for an Elder those of a Minister,—it is lawful for the Minister to exercise any of the functions of an Elder or a Deacon, and for an Elder those of a Deacon.

When the Missionaries of the Church of Scotland first reached this Presidency, they were duly warranted and authorized to organize, as circumstances might admit, a Church of their own. And, doubtless, had they been stationed any where in the interior, they might long ere now, in the providence of God, have constituted such a church. But, having resolved to settle in Calcutta, and having found there already existing a branch of their own National Church, they very naturally determined to join it as members. And in this church-membership they had purposed to abide, so long as a sense of duty and providential circumstances would seem to render it proper or morally expedient.

In the mean time, besides exercising, in virtue of their ordination, such of the functions of the Pastoral* office or Elder-

* It may still be in the remembrance of many that, besides occasional services rendered in common with their other Brethren, for about *ten* months—i. e. from the beginning of January to the end of October, 1832, when St. Andrew's Kirk was left without a Pastor by the death of the junior Chaplain (Dr. Brown,) and the return of the Senior (Dr. Bryce) to Scotland,—Dr. Duff and Mr. Mackay officiated in St. Andrew's Kirk—discharging all the duties

ship as we might, from time to time, be called on to discharge, four of our number had become, by special invitation and act of admission, regular or integral members of the Kirk Session in the capacity of Elders. Most of us, therefore, were thus related to St. Andrew's Church, not merely as members, but as duly appointed ecclesiastical office-bearers. And in this relationship, one of our number (Dr. Duff) has, in point of fact, twice represented the Scotch Church in India, as a commissioner to the General Assembly.

From all this, therefore, it must be obvious that when recently called on, as ordained Ministers, by the competent authorities at home, to make our election between the existing Establishment and the Free Church of Scotland, we were under a moral necessity to consider the bearings of the subject in our relation to St. Andrew's Kirk, both as members and as office-bearers. If our resolution had been to cleave to the Church Establishment of Scotland, our relations to the Church in Calcutta would in no way have been affected. But, as we felt under conscientious obligation to resign our connection with the Home Establishment, we felt at the same time, that we could not, in consistency or in honour, continue to be members, still less office-bearers in the Calcutta branch of that Establishment. This point must be regarded as conclusively settled by the following extracts from the Act of Parliament and the Act of Assembly, establishing and constituting the Kirk of St. Andrew's.

I. The Act 3 and 4, William IV. Chap. 85, Clause 102, runs thus:—"And be it enacted, that of the Establishment of Chaplains maintained by the said Company at each of the Presidencies of the said territories, two Chaplains shall always be members of the Church of Scotland, and shall have and receive from the said Company such salary as shall, from time to time, be allotted to the Military Chaplains at the several Presidencies; provided always, that the Ministers of the Church of Scotland to be appointed Chaplains at the said Presidencies as aforesaid, shall be ordained and inducted by the Presbytery of Edinburgh, according to the forms and solemnities used in the Church of Scotland, and shall be subject to the spiritual and ecclesiastical jurisdiction in all things of the Presbytery of Edinburgh, whose judgments shall be subject to dissent, protest and appeal to the Provincial Synod of Lothian and Tweeddale, and to the General Assembly of the Church of Scotland."

II. In the Act of the General Assembly, dated Edinburgh, May, 1814, it is "resolved to continue in full union and connection with the Church of Scotland," the "ministers of the Church of Scotland who may be permitted to proceed to act as

Chaplains" at the three Presidencies. It is "declared that the several Ministers and their Kirk Sessions are subject to the ecclesiastical jurisdiction of the Presbytery of Edinburgh, to whom they are directed to refer any difficulties which they find themselves unable to solve, or any disputes which may unfortunately arise amongst them." The "Chaplains and their Kirk Sessions," at the three Presidencies, are "empowered to unite in any manner that they may find expedient, in sending one Minister and one Elder as their representatives to the General Assembly of the Church of Scotland," &c.

From these extracts, it must be quite evident that the Chaplains, Kirk Sessions, and members of the Scottish Church at the three Indian Presidencies, are as much *integral* and *corporate* parts of the Established Church of Scotland, as the Ministers, Kirk Sessions, and members of St. Giles, or St. George's, Edinburgh.* Under this clear and well founded conviction, we felt that, in resolving—for the reasons already given—to withdraw from the present Established Church of Scotland, we had no alternative but to resort to constitutional means for dissolving our connection with St. Andrew's Kirk Session and congregation. For though, in our own purpose and intention, we virtually ceased to be Ministers of the Established Church, from the moment that we deliberately resolved to demit our status therein, yet, in the eye of the law and our own ecclesiastical constitution, we only cease to be Ministers of the Established Church, when our resignation is duly received and duly accepted, by the competent authorities at home. Entertaining such views, three of us (for one of our number had previously withdrawn for other and totally distinct reasons), constituting, in point of fact, the entire Session then in Calcutta, signed a requisition respectfully calling on the Moderator to summon a Meeting. And we did so, because—whatever differences of opinion might be found to exist between him and us, as to the proper course to be pursued by us as a subordinate Court, in an emergency like the present, whether in relation to the Superior Judicatories of the Church, or the congregation with which we were more immediately connected—we held it as the most open, honourable, and constitutional course, to have the whole matter freely, fully and amicably discussed, in a duly called and regularly constituted Meeting of the Court itself, of which we were corporate members. Besides,—however much the Moderator might have refused to implement or ratify any resolutions to which the Session might have come,—we held it as being strictly accordant with ecclesiastical law, as well as with the undeniable pre-

co-presbyters—those who were ruling Elders of the congregation together with him—the opportunity of regularly meeting and discussing the matter proposed. That matter, in our view, was a very grave one,—one arising out of an emergency the most extraordinary that has occurred since the Revolution Settlement,—and one, moreover, which has been fully discussed in almost every Session, Presbytery, and Synod of the Church of Scotland.*

The manner in which our requisition was received, and the subsequent result, will best appear from the following official correspondence which we subjoin, without note or comment, and solely for the sake of avoiding misconception or misrepresentation.

TO THE REV. DR. CHARLES,

Moderator of the Session of St. Andrew's Kirk.

REV. AND DEAR SIR,

We, the undersigned, members of the Kirk Session of St. Andrew's Church respectfully request that you be pleased, at your earliest convenience, to call a Meeting of Session for the purpose of considering how, or to what extent, the recent disruption in the Established Church of Scotland may affect us, as a subordinate Court of the same, formed and constituted in virtue of the Ecclesiastical Charter, bearing date Edinburgh, 30th May, 1814.

We remain, yours very truly,

ALEXANDER DUFF,
W. S. MACKAY.
DAVID EWART.

August 1st, 1843.

TO THE REV. DR. DUFF, THE REV. W. S. MACKAY, AND THE REV. D. EWART,
Members of the Kirk-Session of St. Andrew's Church.

REV. AND DEAR SIRS,

I have this afternoon had the honor to receive your letter, under date the 1st instant, in which you, as members of the Kirk-Session of St. Andrew's Church, respectfully request me to call a Meeting of Session at my earliest convenience, "for the purpose of considering how or to what extent the recent disruption of the Established Church of Scotland may affect us, as a subordinate Court of the same, formed and constituted in virtue of the Ecclesiastical Charter bearing date Edinburgh, 30th May, 1814." *

2. I beg with equal respect to intimate that I decline compliance with your request, because I do not see the shadow of a ground for convening a Meeting of the Kirk-Session for the purpose indicated by you, and more particularly because I consider such a Meeting to be, as far as you are concerned, wholly unnecessary, as I know that, at a Meeting held at the Institution on the 19th ultimo, you individually and collectively resolved to give in your formal adhesion to the body of Seceders from the Established Church

* See Appendix D.

of Scotland, and by necessary consequence to cease to be office-bearers in the said Established Church.

I have the honor to be,

Rev. and dear Sirs,

Your obedient Servant,

JAMES CHARLES,

Calcutta, August 2d, 1843.

Moderator of the Kirk-Session.

TO THE REV. DR. CHARLES,

Moderator of the Session of St. Andrew's Kirk, Calcutta.

REV. AND DEAR SIR,

We have the honour to acknowledge the receipt of your letter, dated the 2nd instant, in which you refuse to summon a Meeting of Session at our request for the following reasons :—

First. Because you “do not see the shadow of a ground for convening a Meeting of the Kirk-Session for the purpose indicated,” by us.

Second. Because you “consider such a meeting to be, as far as we are concerned, wholly unnecessary, as you know, that, at a Meeting held at the Institution on the 19th ultimo,* we individually and collectively resolved to give our formal adhesion to the body of Seceders from the Established Church of Scotland, and by necessary consequence to cease to be office-bearers in the said Established Church.”

1. We cannot admit that it is unnecessary to consider a question, which has convulsed our national Church, and rent it into two bodies, to one or other of which every one of its judicatories must practically adhere; and of which judicatories, by special act of the General Assembly, dated Edinburgh, May 1814, the Session of St. Andrew's Kirk, Calcutta, is undeniably one.

2. In regard to what reports of our acts and intentions, in another and distinct Ecclesiastical relationship, you, in your private capacity, may have gathered from private and unofficial information, we cannot allow your right to notice these officially in any other way than by calling a Meeting of Session, to inquire into their truth and proceed thereon, according to the rules of the Church.

3. But, apart altogether from the reasons of your refusal, we protest against that refusal itself, inasmuch as it is plainly and directly opposed to the laws, constitution and practice of the Church of Scotland.

From all this it is quite evident, that,—in the extraordinary circumstances, in which we find ourselves now placed, constituting as we do, with the exception of yourself, the whole of the Session of St. Andrew's Kirk, at present in Calcutta, and being refused the constitutional privilege of a regular Meeting,—we have no alternative but to demit, as we hereby do, our status as Ruling Elders, in the said Session and congregation of St. Andrew's Kirk. And this we do, on these two specific grounds, either of which would have operated without the other, but which are now combined :—

1. That you have most distinctly, in your official character, denied us our very first and most elementary right, as members of Session, the opportunity, in an extraordinary emergency like the present, of considering, discussing, reasoning and voting, relative to matters deeply affecting our rights and privileges as office-bearers, as well as the vital religious interests of the congregation.

* We held no such meeting on the 19th ultimo.

2. Because, by this very act of refusal, taken in conjunction with the ostensible reasons, and legitimate inferences therefrom, you virtually and plainly, in our judgment, declare your purpose, as Moderator of Session, to remain as you now are,—that is,—in connection with, and under the jurisdiction of, the Residuary Church Establishment of Scotland, and, therefore, ecclesiastically identified with principles and procedure, with which we feel that we can maintain no corporate communion.

In conclusion, seeing that we have also heretofore stood ecclesiastically related to the congregation, of which you are the senior minister, we reserve to ourselves the right of making known to it, these our resolutions, with their reasons, in such way as may appear to us most proper.

We write these things firmly yet respectfully, and now leave you, with feelings of deep regret, not only on account of the peculiar manner in which we have been compelled thus to withdraw, but also, and more particularly, on account of the position which you seem to have taken up, as to the present duty of the Church.

We have the honor to be,
Rev. and dear Sir,
Your obedient Servants,

ALEXANDER DUFF.
W. S. MACKAY.
DAVID EWART.

August 5th, 1843.

THE REV. DR. DUFF, THE REV. W. S. MACKAY, THE REV. DAVID EWART.
REV. AND DEAR SIRS,

I have the honor to acknowledge the receipt of your joint letter of the 5th instant, in which you acquaint me that you demit your status as Ruling Elders in the Session and congregation of St. Andrew's Church.

I content myself with this simple acknowledgment,—which the pressure of my official engagements has prevented me from making at an earlier period,—as no useful purpose would in my judgment be served by reviewing the specific reasons, which you have thought proper to assign for taking this step.

With every proper sentiment of respect, I have the honor to be,
Rev. and dear Sirs,

Your obedient Servant,

JAMES CHARLES,

Calcutta, August 8th, 1843.

Moderator of the Kirk-Session.

III.—PROVISIONAL CHURCH COMMITTEE.

From our statement of reasons, forwarded to the Home Committees, it must be obvious to every seriously reflecting mind, and especially to every spiritually enlightened understanding, that the points of controversy, the maintenance of which led so unhappily to the disruption of the Established Church of Scotland, are not subordinate ones, respecting forms and external observances, which do not directly affect or invalidate sound doctrine. On the contrary, the points at issue,

rightly and scripturally apprehended, do directly involve or seriously affect some of the most vital and fundamental doctrines of the Christian faith. They are not, as may be ignorantly and erroneously supposed, mere names, or abstractions, or theoretical principles. On the contrary, they are grave realities, weighty articles of faith, and powerfully operative practical principles. For, if that which truly is the grand and central point of the whole,—viz., the supreme and exclusive Headship of the Lord Jesus Christ, as the sole King and Head of His own Church, or ransomed and redeemed people,—be pronounced a subordinate, and not a vital, fundamental doctrine, yea rather, a name, an abstraction, or a mere theoretical principle;—then, must the glorious scriptural truths relative to the exclusive prerogatives of the Lord Jesus Christ, as the sole Prophet and High Priest of our profession, with all their most blessed fruits, be henceforward declared subordinate—yea, names, abstractions, and merely theoretical principles!

Believing, therefore, as we do, that the scripture doctrine of Christ's supremacy as sole Head of His body the Church, is an *essential* doctrine, whose practical fruits and consequences are of paramount importance to the essential well-being of God's professing people;—believing, as we cannot but do, that of this grand and fundamental Christian doctrine, with many of the most precious rights and privileges flowing therefrom, the Established Church of Scotland has recently made an unscriptural surrender, at the unconstitutional dictation of the merely Civil power;—believing, moreover, that we could not continue, either as ordained office-bearers or regular members, in full connexion and communion with that Church, without appearing, in the sight of God and man,—by connivance, or silence which is tacit approbation, or otherwise—to *approve* of its conduct in making the surrender, to *identify* ourselves with its unscriptural and unconstitutional proceedings, and to *homologate*, or adopt as our own, its distinguishing peculiarities and principles of action:—and being fully persuaded in our own minds that we could not do this without sin;—we at once resolved to adopt the only open, consistent, and Christian course of protest and separation from the Establishment.

This course we have adopted, not because we have changed, but because we will *not* change, our views of Christian doctrine—not because we have altered, but because we refuse to alter, any one of the great scriptural principles so clearly embodied in the Confession of faith and other ratified standards of the Church of Scotland. The change of view—the alteration of principle—has not been on our part;—it has been on the part of the present subsisting Church Establishment. It is because

that Church has changed its views and altered its principles, as interpreted by our fathers and understood by us when taking our ordination vows, that we can no longer adhere to it, but must wash our hands of the guilt of all sinful compromise, and maintain the rectitude and integrity of our principles inviolate, by entering into a free, spiritual, and separate communion.

Having been thus *necessitated*, under the alternative of relinquishing alike our principles and our convictions of duty to conscience and to God, to sever our connection, as ordained ministers, with the existing Church Establishment at home, and to demit our status as office-bearers or members in the Calcutta branch of the home Establishment, what course were we to follow? Were we to remain isolated and disjointed—wholly cut off from the enjoyment and privileges of Church fellowship and communion? This could not be. What, then, were we to do? Only one of two courses lay open to us. We must either unite ourselves in Church membership with one or other of the existing Christian communions in Calcutta; or, we must form ourselves into a branch of the Free Presbyterian Church of Scotland, with all whose fundamental principles we held ourselves as thoroughly identified. The former of these courses we could not conscientiously adopt; because, however ready we have been heretofore, and are still, to join with our fellow Christians of any orthodox denomination, in an occasional act of communion, on the broad common basis of Catholic principle and brotherly love, we are not yet prepared to *identify* and *incorporate* ourselves with them, by the more intimate ties and relationship of *full Church membership*. The reason is obvious. We could not unite ourselves, by such an act of incorporation, without *homologating* the *peculiar* and *distinctive tenets* or *principles* of the community with which such close and incorporative union had been formed. This, however, we could not possibly do. There plainly remained, therefore, no other consistent course for us to pursue, than at once to resolve to constitute ourselves into a Calcutta branch of the Free Presbyterian Church of Scotland.

This resolution we would have felt it to be our bounden duty to execute, even had there not been a single individual to join us beyond the members of our own families. In this case, we might have been satisfied, as was wont in primitive and apostolic times, to assemble for the purpose of Christian fellowship—worship and prayer and the breaking of bread—in one or other of our own private houses. But, certain Christian gentlemen, having voluntarily, and wholly unsolicited on our part, signified their earnest desire to be privileged to join with us, and thus bear public testimony to those great princi-

ples for the maintenance of which our fathers suffered, and bled, and died,—we resolved to hold our meetings for public worship in such central situation as might be most convenient for all parties concerned. Having, accordingly, formed ourselves into a “Provisional Church Committee,” to make all the requisite temporary arrangements, until such time as it might be known who the declared adherents would be, that might be expected to constitute the nucleus of a branch of the Free Church of Scotland, it was unanimously resolved to request the Rev. Mr. Macdonald to act, *temporarily* and *provisionally*, as Pastor. One of the first objects of the Committee was to provide a suitable place for the purposes of public worship—till plans might be matured for the erection of a proper edifice. On Sunday, 13th instant, the first public services, in connection with the Free Church of Scotland, were held in Free Mason’s Hall, which was kindly granted for that purpose. At the close of the exercises of the former part of the day, the following intimation was read:—

“The Provisional Committee,” in connexion with the “Free Presbyterian Church of Scotland,” who have already adopted those measures, through which we have been enabled to assemble in this place to-day, beg leave to intimate, that it is their purpose by the grace of their Lord, to render their services, for a time at least, until other and more permanent arrangements be made, for carrying on the public worship of God, as begun here this day:—

“And further, that being desirous of doing the work more effectively, by assigning the *chief* charge to *one* individual, with the promise of all needful aid from the other brethren, they have requested one of their number, Mr. Macdonald, who has already had the experience of some years of pastoral work elsewhere, to undertake *usually* the office of ministering in word and doctrine to those who may thus continue to assemble with them;—and that this work he has, for the present, consented to undertake; provided he shall not be expected to give up, on account of it, any part of his regular *Missionary* work—or be required to perform more of general pastoral duty than what may be found really necessary or desirable, in any special exigencies that may occur. All this, however, is to be considered only in the light of a *temporary* and *provisional* arrangement.”

At the close of the services of Sunday, the 20th instant, the following notice was read:—

August 20, 1843.

By request of the “Provisional Committee,” the following Intimation is made:—

‘It is the desire and purpose of the Committee, to adopt all their present measures, with a view to having all the adherents of the ‘Free Presbyterian Church in Calcutta,’ ultimately formed into a complete and regularly constituted Church of the LORD JESUS CHRIST having its own proper and Scriptural office-bearers, as Minister, Elders and Deacons, in due time, and administering all the peculiar ordinances of his house, as their God may prosper them.—It is further their intention, to present to the members of the congregation of which they were lately office-bearers or mem-

bers, and to others concerned, a full and public exposition and statement of those special grounds and principles, by which they have been actuated, or, would have others to be influenced, in separating from that body which they have left, or in joining that other body to which they now adhere, as being one more in conformity with the mind and will of Christ. This they will do, if the Lord permit, as soon as the discharge of other, very important and urgent duties will enable them. But, in the meanwhile, as there are not a few, whose minds are already well informed on the subject, and who have decided on adherence to our cause;—and as there are some circumstances, chiefly of a temporal character, which demand immediate consideration in our present position, it is intended to hold a meeting for such purposes, of those gentlemen who deem themselves adherents of the **FREE PRESBYTERIAN CHURCH**.—The meeting to be held at the **MECHANICS' INSTITUTE** on Thursday, 24th, at half past 7 o'clock P. M.

At a meeting of the adherents of the Free Church of Scotland, held, agreeably to notice, at the Mechanics' Institute, on Thursday, the 24th instant, it was unanimously Resolved—

I. That all those gentlemen present, who may now subscribe themselves "Adherents of the Free Presbyterian Church of Scotland," do form themselves into a **COMMITTEE**, under the name of "THE GENERAL PROVISIONAL COMMITTEE of the adherents of the Free Presbyterian Church of Scotland, in Calcutta," with power to add to their number, from the future adherents to the same.

II. That this General Committee, now formed, do embrace this present and earliest opportunity of expressing their entire and heartfelt concurrence in the measures which were temporarily adopted, for the ministration of the ordinances of God amongst them, by the former Provisional Committee—and their purpose, until more definite arrangements can be made, and a Church organized, of still committing to them, in their capacity of ordained Ministers and Elders of the Free Church of Scotland, to minister to their spiritual wants, and to suggest what may be further for their spiritual edification.

III. That there be now appointed, by this General Committee of adherents, a **SPECIAL SUB-COMMITTEE** for executive purposes, and which shall report from time to time, to the General Committee—to consist of the members of the former Provisional Committee, and others from the body of adherents to be now named, with Secretaries and a Treasurer—as follows:—

The Rev. Dr. Duff, W. S. Mackay, D. Ewart, J. Macdonald, T. Smith:—Simon Nicolson, Esq., James Calder Stewart, Esq., A. B. Mackintosh, Esq., R. J. Rose, Esq., D. Maccallum, Esq., Wm. Nichol, Esq., Malcolm Macleod, Esq.—The Rev. J. Macdonald, and J. C. Stewart, Esq., to be Joint-Secretaries, and Mr. Stewart to be also Treasurer.

IV. That, in our present circumstances, it is evidently necessary, that, as a congregation of adherents, however small in number, we be provided with a suitable and permanent place of worship, for our own special use; and that, therefore, the Provisional Sub-Committee be authorized and empowered to take such preparatory steps, as may to them seem best, for the attainment of this end, and to report thereon, at a future meeting of the General Committee.

V. That, as it is desirable that some public exposition of the principles and grounds of separation from the established Church of Scotland, and of adherence to the Free Church of Scotland, should be given, the Senior Missionary, the Rev. Dr. Duff, be requested to undertake this important duty, at such time and place as may be found most convenient.

A correspondence has already been *opened* with the proper Ecclesiastical Authorities in Edinburgh, which, it cannot be doubted, will eventually terminate in satisfactory and permanent arrangements—in strict accordance with the spirit and principles of the Free Presbyterian Church of Scotland.

IV.—PROVISIONAL MISSION COMMITTEE, OR FINANCIAL BOARD.

When the first Missionary from the General Assembly of the Church of Scotland arrived in Calcutta, in May, 1830, he was left free and unshackled in all his movements—being officially connected or associated with no man or body of men there whatsoever. There was one department, however, the management of which, from his own total inexperience, inaptitude, and distastefulness, he soon found troublesome and burdensome in a high degree;—and that was, the pecuniary or financial department of the Mission. He, accordingly, again and again besought the late Dr. Inglis, the Convener of the Home Committee, to relieve him of the onerous and responsible task which had been imposed upon him. The consequence was, that in March, 1832, the Home Committee addressed a letter to “The Rev. Chaplain or Chaplains for the time being of the Honorable East India Company, resident in Calcutta, and in communion with the Church of Scotland,” together with seven other lay gentlemen, constituting them into a Corresponding Board. The origin and main object of this Board, may be learnt from the preamble of the aforesaid letter, which is as follows:—

“The letter of a Committee of the General Assembly of the Church of Scotland for the Propagation of the Gospel in Foreign Parts.”

SIRS,

Having taken into serious consideration the inconveniences which may attend the management of the concerns of our Indian Mission, as presently established in the city of Calcutta, arising from the burden hitherto devolved on our Missionary the Reverend Alexander Duff, relative to the receipt and disbursement of money for the purposes of the Mission, and a variety of other business connected with it, which it is out of our power to transact personally, on account of our distance from Calcutta, and being extremely desirous to deliver Mr. Duff from this burden, of which he has justly complained, we do most earnestly desire to constitute you, and, with your consent, if obtained, do hereby constitute you, or any number of you, not less than five who may accept the charge, into a Board or Council for transacting, in our name, all the matters now referred to, as hereafter more particularly detailed, &c.”

On the receipt of this letter, the Corresponding Board or Council was regularly constituted—the ordained Missionaries from the first taking their seats in it as members, *ex-officio*,—a procedure which was duly ratified and confirmed by the Home Committee. From that time to the present, the financial and other secular affairs of the Mission have been faithfully and efficiently conducted by the Board—much to the relief of the Missionaries and much to the satisfaction of the Parent Committee.

After, however, the Missionaries had resolved to separate from the existing Church establishment of Scotland, they met and agreed to address the following letter to the Chairman and remaining members of the Board:—

GENTLEMEN,

Calcutta, 11th August, 1843.

We beg to intimate to you that for reasons which it is unnecessary to state here, we have come to the resolution to separate from the Established Church of Scotland and to adhere to the Free Church of Scotland, and that in consequence of this our resolution we now resign our seats as members of your Board.

We have further resolved and intimated our resolution to the Convener of the General Assembly's Committee for Foreign Missions, that in order to prevent the inconveniences that would arise from a sudden cessation of our labors in the Institution and Mission, we shall continue our usual operations until such time as satisfactory arrangements can be entered into by the competent parties in Scotland; and we expect that you will continue in the meantime to defray the current expenses of the Institution and Mission as usual.

On thus withdrawing from your Corresponding Board we beg leave to offer to you, the Chairman, and remanent members, our best thanks for all the attention and consideration that you have given to such of the affairs of our Mission as were entrusted to your superintendence, and are,

Gentlemen,

Your's obediently,

(Signed)

ALEXANDER DUFF.

W. S. MACKAY.

DAVID EWART.

J. MACDONALD.

T. SMITH.

The following was the reply:—

THE REV. DR. DUFF, W. S. MACKAY, DAVID EWART, J. MACDONALD, THOS. SMITH.

REV. AND DEAR SIRS,

I have the honor to acquaint you that your joint letter, under date the 11th instant, to the address of "the Chairman and Members of the Corresponding Board of the General Assembly's Committee for Foreign Missions" reached me on the 16th instant, and that it was laid before the Corresponding Board at a Meeting held yesterday forenoon.

I am directed to state in reply that, as you have resolved to "continue your usual operations until such time as satisfactory arrangements can be

entered into by the competent parties in Scotland," the Board will, agreeably to the expectation expressed by you, "continue in the meantime to defray the current expenses of the Institution and Mission as usual."

I have the honor to be,
Rev. and dear Sirs,
Your obedient Servant,
JAMES CHARLES.

Calcutta, August 23rd, 1843. Secy. to the Corresponding Board.

Thus, for the ensuing two or three months, the "current expenses" of the Institution are provided for; and then must its present conductors look mainly to the bounty and liberality of the Christian public.

Every thing connected with the disposal of the present Mission premises and all other property must be determined by the Committees of the Established and the Free Church in Edinburgh. But, whether the Missionaries be permitted to continue in the occupation of the present Institution and Mission-premises, or whether they may be obliged to rent or hire, or ultimately erect, suitable buildings elsewhere, it is their unanimous resolution, by the will of God, to remain in Calcutta and persevere in carrying forward to still greater maturity the varied operations in which for the last thirteen years they have been unremittingly engaged. It is clear, therefore, that, having been constrained to sever their connection with the Financial Board of the Established Church, they had no alternative but to constitute themselves into a "Provisional Mission Committee," with the view of seasonably providing not only for the necessary expenses of the Mission, as it will be carried on in connection with the Free Church of Scotland, but also and more especially for its prospective enlargement and extension.

When the plans now in progress for the organization of the Calcutta Branch of the Free Church of Scotland, are more advanced, the members of that Church will be expected to furnish permanently the principal constituents of an effective Financial Mission Board. For this end, it is proposed ere long to adopt appropriate measures. Such a Board, however, being totally unlike a Body or Society incorporated by the terms and conditions of full Church membership, may, it is obvious, admit of the friendly co-operation of Christian men of any denomination—on the broad Catholic basis of our common Christianity. In the present exigency every arrangement, from the very nature of the case, can only be regarded as *provisional* and *temporary*. With this explanation, it may be added that the following gentlemen have very kindly proffered their co-operation and assistance, in constituting a Pro-

visional Mission Committee or Board, for the express purpose of receiving donations and subscriptions, and regulating the subsequent appropriation and disbursement of the same :—

Simon Nicolson, Esq., J. F. Hawkins, Esq., McLeod Wylie, Esq., John Buchanan, Esq., J. C. Stewart, Esq.

These, together with the Missionaries constitute the present Provisional Mission Committee or Board—McLeod Wylie, Esq. and Dr. Duff acting as joint Secretaries, and J. C. Stewart, Esq., Treasurer;—by any of whom, subscriptions and donations will be thankfully received.

Here ends the “ Explanatory Statement of recent proceedings, &c.” It has purposely been restricted, as much as possible, to a simple narrative of *facts* and a simple exhibition of *documentary evidence*. These furnish ample materials for the formation of a rational judgment; and every reader is left, in the exercise of Christian candour, to form his own. That the Lord may graciously over-rule all the events of Providence, and all movements in the Christian Church, for the ultimate and speedy establishment of His kingdom of grace throughout the whole world, is the earnest prayer of those by whom the preceding Statement has been prepared !

APPENDIX.

A.—(See page 5.)

The "Claim of Right," prepared and adopted by the General Assembly of 1842, is a masterly document; but, extending as it does to *sixteen* closely printed octavo pages, it is of too great length to be inserted here. Besides, being purposely drawn up in legal and official form, it is rather stiff, artificial, and technical for ordinary popular reading. It clearly exhibits and proves, by specific reference to statutes and to facts, the following leading points:—1. The *recognition* by the statute law of Scotland of the exclusive jurisdiction of the Church in matters spiritual and ecclesiastical. 2. The absolute *exclusion* of the jurisdiction of the secular courts, or the interference of any secular power. 3. The *statutory injunctions* on civil courts and officers of justice to aid, *in their own province*, in carrying into execution the sentences of the Church courts. 4. The *securities* for the exclusive jurisdiction of the Church, contained in the act of security, the treaty of union, and the oath of the sovereign on accession to the throne. 5. The *infringements* on the rights by the act of Queen Anne, and the more recent and more daring invasions of the Court of Session.

From the first and second general heads of this authoritative document, the following clauses are extracted, with the view of furnishing a *specimen* of the *nature* of those *rights* which the Church of Scotland always possessed, not only in her primary capacity as a free Church of Christ, but also in her secondary capacity as the Established Church of the once independent kingdom of Scotland;—these rights having been repeatedly recognized, ratified, and guaranteed by the Scottish and united British Parliaments, and by these duly embodied in statutes of the realm.—

"WHEREAS it is an essential doctrine of this Church, and a fundamental principle in its constitution, as set forth in the Confession of Faith thereof, in accordance with the Word and law of the most holy God, that 'there is no other Head of the Church but the Lord Jesus Christ;' and that while 'God, the supreme Lord and King of all the world, hath ordained civil magistrates to be, under him, over the people for his own glory and the public good, and to this end, hath armed them with the power of the sword;' and while 'it is the duty of people to pray for magistrates, to honour their persons, to pay them tribute and other dues, to obey their lawful commands, and to be subject to their authority for conscience sake,' 'from which ecclesiastical persons are not exempted;' and while the magistrate hath authority, and it is his duty, in the exercise of that power which alone is committed to

him, namely, the 'power of the sword,' or civil rule, as distinct from the 'power of the keys' or spiritual authority, expressly denied to him to take order for the preservation of purity, peace, and unity in the Church, yet 'The Lord Jesus, as King and Head of his Church, hath therein appointed a government in the hand of Church officers distinct from the civil magistrate: which government is ministerial, not lordly, and to be exercised in consonance with the laws of Christ, and with the liberties of his people:'

"AND WHEREAS, according to the said Confession, and to the other standards of the Church, and agreeably to the Word of God, this government of the Church, thus appointed by the Lord Jesus, in the hand of Church officers, distinct from the civil magistrate, or supreme power of the State, and flowing directly from the Head of the Church to the office-bearers thereof, to the exclusion of the civil magistrate, comprehends, as the objects of it, the preaching of the Word, administration of the sacraments, correction of manners, the admission of the office-bearers of the Church to their offices, their suspension and deprivation therefrom, the infliction and removal of Church censures, and, generally, the whole 'power of the keys,' which by the said Confession, is declared, in conformity with Scripture, to have been 'committed' to Church officers, and which, as well as the preaching of the Word and the administration of the sacraments, it is likewise thereby declared, that 'the civil magistrate may not assume to himself:'

"AND WHEREAS this jurisdiction and government since it regards only spiritual condition, rights and privileges, doth not interfere with the jurisdiction of secular tribunals, whose determinations as to all temporalities, conferred by the State upon the Church, and as to all civil consequences attached by law to the decisions of Church courts in matters spiritual, this Church hath ever admitted, and doth admit, to be exclusive and ultimate, as she hath ever given and inculcated implicit obedience thereto:

"AND WHEREAS the above mentioned essential doctrine and fundamental principle in the constitution of the Church, and the Government and exclusive jurisdiction flowing therefrom, founded on God's Word, and set forth in the Confession of Faith and other standards of this Church, have been, by diverse and repeated acts of Parliament, recognised, ratified, and confirmed;—inasmuch as,—

"*First*, The said Confession itself, containing the doctrine and principles above set forth, was 'ratified and established, and voted and approved as the public and avowed Confession of this Church,' by the fifth act of the second session of the first Parliament of King William and Queen Mary, entituled, 'Act ratifying the Confession of Faith, and settling Presbyterian Church Government:'—to which act the said Confession is annexed, and with it incorporated in the statute law of this kingdom.

"*Third*, By an act passed in the same first Parliament, and renewed in the sixth Parliament of the said King James VI., entituled, 'Anent the jurisdiction of the Kirk,' the said Kirk is declared to have jurisdiction 'in the preaching of the true Word of Jesus Christ, correction of manners, and administration of the holy sacraments;' and it is farther

declared, 'that there be *no other jurisdiction ecclesiastical* acknowledged within this realm, other than that *which is and shall be within the same Kirk, or that flows therefrom, concerning the premises*;' which act, and that last before mentioned, were ratified and approved by another act passed in the year 1581, entituled, 'Ratification of the liberty of the true Kirk of God and religion, with confirmation of the laws and acts made to that effect of before;' which other act, and all the separate acts therein recited, were again revived, ratified, and confirmed, by an act of the twelfth Parliament of the said King James VI., entituled, 'Ratification of the liberty of the true Kirk,' &c.; which said act (having been repealed in 1662) was revived, renewed, and confirmed, by the before mentioned statute of King William and Queen Mary.

" *Sixth*, The aforesaid act of King William and Queen Mary,—on the narrative that their majesties and the estates of Parliament conceived 'it to be their bounden duty, after the great deliverance that God hath lately wrought for this Church and kingdom, *in the first place*, to settle and secure therein the true Protestant religion, according to the truth of God's Word, as it hath of a long time been professed within this land; as also the government of Christ's Church within this nation, agreeable to the Word of God, and most conducive to true piety and godliness, and the establishing of peace and tranquillity within this realm,'—besides ratifying and establishing as aforesaid the Confession of Faith, did also 'establish, ratify, and confirm the Presbyterian Church government and discipline; that is to say, *the government of the Church by Kirk-sessions, presbyteries, provincial synods, and general assemblies*, ratified and established by the 116 act James VI., parliament 12, anno 1592, entituled, 'Ratification of the liberty of the true Kirk,' &c., and thereafter 'received by the general consent of this nation, *to be the only government of Christ's Church within this kingdom*;' and revived and confirmed the said act of King James VI.

" AND WHEREAS, not only was the exclusive and ultimate jurisdiction of the Church courts, in the government of the Church, and especially in the particular matters, spiritual and ecclesiastical, above mentioned, recognised, ratified and confirmed,—thus necessarily implying the denial of power on the part of any secular tribunal, holding its authority from the sovereign, to review the sentences of the Church courts in regard to such matters, or coerce them in the exercise of such jurisdiction;—but all such power, and all claim on the part of the sovereign to be considered supreme governor over the subjects of this kingdom of Scotland, in causes *ecclesiastical and spiritual*, as he is in causes *civil and temporal*, was, after a long continued struggle, finally and *expressly repudiated and cast out of the constitution* of Scotland, *as inconsistent with the Presbyterian Church government*, established at the Revolution, and thereafter unalterably secured by the Treaty of Union with England; by the constitution of which latter kingdom, differing in this respect from that of Scotland, the sovereign is recognised to be supreme governor, 'as well in all *spiritual and ecclesiastical* things and causes as *temporal*.' Thus:—

" *First*, The General Assembly having, in the year 1582, proceeded to inflict the censures of the Church upon Robert Montgomery, minister

of Stirling, for seeking to force himself, under a presentation from the king, into the archbishopric of Glasgow, contrary to an act of the General Assembly discharging the office of Prelatic bishop in the Church, and for appealing to the secular tribunals against the infliction of Church censures by the Church courts, and seeking to have these suspended and interdicted,—and having deposed and excommunicated him, notwithstanding of an interdict pronounced by the privy council of Scotland, the then supreme secular court of the kingdom,—and having at the same time declared it to be part of the subsisting discipline of the Church, that any ministers thereof who ‘should seek any way by the civil power to exempt and withdraw themselves from the jurisdiction of the Kirk, or procure, obtain or use any letters or charges, &c., to impair, hurt, or stay the said jurisdiction, discipline, &c., or to make any appellation from the General Assembly to stop the discipline or order of the ecclesiastical policy or jurisdiction granted by God’s Word to the office-bearers within the said Kirk,’ were liable to the highest censures of the Church;—although their sentence of excommunication was declared by one of the acts of Parliament of the year 1584, commonly called the ‘Black Acts,’ to be void, yet ultimately the king and privy council abandoned their interference, Montgomery submitted to the Church courts, and the statute of the twelfth Parliament of King James VI., already mentioned, cassed and annulled ‘all and whatever acts, laws, and statutes made at any time before the day and date thereof, against the liberty of the true Kirk, jurisdiction and discipline thereof, *as the same is used and exercised within this realme;*’ since which enactment no similar interference with the discipline and censures of the Church was ever attempted till the year 1841.

“*Fifth*, In compliance with this claim, an act was immediately thereafter passed, of which the tenor follows: ‘Our sovereign lord and lady the king and queen’s majesties, taking into their consideration, that by the second article of the Grievances presented to their majesties by the estates of this kingdom, it is declared, that the first act of the second Parliament of King Charles the Second, entituled, ‘Act asserting his majesty’s supremacy over all persons and in all causes ecclesiastical,’ is inconsistent with the establishment of the Church government now desired, and ought to be abrogate: Therefore their majesties, with advice and consent of the estates of Parliament, do hereby abrogate, rescind, and annul the foresaid act, and declares the same in the whole heads, articles, and clauses thereof, to be of no force or effect in all time coming.’ In accordance also therewith, the oath of allegiance above mentioned, requiring an acknowledgment of the king’s sovereignty ‘in *all* causes,’ was done away, and that substituted which is now in use, simply requiring a promise to be ‘faithful, and bear true allegiance’ to the sovereign; and all preceding laws and acts of Parliament were rescinded, ‘in so far as they impose any other oaths of allegiance and supremacy, declarations and tests, excepting the oath *de fidei*.’ By the which enactments, any claim on the part of the sovereigns of Scotland to be supreme rulers in spiritual and ecclesiastical as well as in temporal and civil causes, or to possess any power, by themselves or their judges holding commission from them, to exercise jurisdiction in

matters or causes spiritual and ecclesiastical, was repudiated and excluded from the constitution, as inconsistent with the Presbyterian Church government then established, and secured under the statutes then and subsequently passed, 'to continue, without any alteration, to the people of this land, in all succeeding generations.' "

The various statutory securities for these rights having been clearly and specifically pointed out, and the successive infringements on these legally guaranteed rights by the civil courts having been exhibited at some length, the document concludes with the following CLAIM, DECLARATION and PROTEST :

" THEREFORE, the General Assembly, while, as above set forth, they fully recognise the absolute jurisdiction of the civil courts in relation to all matters whatsoever of a civil nature, and especially in relation to all the temporalities conferred by the State upon the Church, and the civil consequences attached by law to the decisions, in matters spiritual, of the Church courts—DO in name and on behalf of this Church, and of the nation and people of Scotland, and under the sanction of the several statutes, and the Treaty of Union herein before recited, CLAIM as of RIGHT, that she shall freely possess and enjoy her liberties, government, discipline, rights, and privileges, according to law, especially for the defence of the spiritual liberties of her people, and that she shall be protected therein from the foresaid unconstitutional and illegal encroachments of the said Court of Session, and her people secured in their Christian and constitutional rights and liberties.

" AND they DECLARE, that they cannot, in accordance with the Word of God, the authorised and ratified standards of this Church, and the dictates of their consciences, intrude ministers on reclaiming congregations, or carry on the government of Christ's Church, subject to the coercion attempted by the Court of Session as above set forth, and that, at the risk and hazard of suffering the loss of secular benefits conferred by the State, and the public advantages of an establishment, they must, as by God's grace they will, refuse so to do ; for, highly as they estimate these, they cannot put them in competition with the inalienable liberties of a Church of Christ, which, alike by their duty and allegiance to their Head and King, and by their ordination vows they are bound to maintain, ' notwithstanding of whatsoever trouble or persecution may arise,'

" AND they PROTEST, that all and whatsoever acts of the Parliament of Great Britain, passed without the consent of this Church and nation, in alteration of, or derogation to, the aforesaid government, discipline, right, and privileges of this Church (which were not allowed to be treated of by the commissioners for settling the terms of the union between the two kingdoms, but were secured by antecedent stipulation provided to be inserted, and inserted in the Treaty of Union, as an unalterable and fundamental condition thereof, and so reserved from the cognizance and power of the federal legislature created by the said Treaty,)—as also, all and whatsoever sentences of courts in contravention of the same government, discipline, right and privileges, are and shall be, in themselves, void and null, and of no legal force or effect, and that, while they will accord full submission to all such acts and

sentences, in so far—though in so far only—as these may regard rights and privileges, whatever may be their opinion of the justice or legality of the same, their said submission shall not be deemed an acquiescence therein, but that it shall be free to the members of this Church, or their successors, at any time hereafter, when there shall be a prospect of obtaining justice, to claim the restitution of all such civil rights and privileges, and temporal benefits and endowments, as for the present they may be compelled to yield up, in order to preserve to their office-bearers the free exercise of their spiritual government and discipline, and to the people the liberties, of which respectively it has been attempted, so contrary to law and justice, to deprive them.

“AND FINALLY, the General Assembly call the Christian people of this kingdom, and all the Churches of the Reformation throughout the world, who hold the great doctrine of the sole Headship of the Lord Jesus over his Church, to witness, that it is for their adherence to that doctrine, as set forth in their Confession of Faith, and ratified by the laws of this kingdom, and for the maintenance by them of the jurisdiction of the office-bearers, and the freedom and privileges of the members of the Church from that doctrine flowing, that this Church is subjected to hardship, and that the rights so sacredly pledged and secured to her are put in peril; and they especially invite all the office-bearers and members of this Church, who are willing to suffer for their allegiance to their adorable King and Head, to stand by the Church, and by each other, in defence of the doctrine aforesaid, and of the liberties and privileges, whether of office-bearers or people, which rest upon it; and to unite in supplication to Almighty God, that he would be pleased to turn the hearts of the rulers of this kingdom, to keep unbroken the faith pledged to this Church, in former days, by statutes and solemn treaty, and the obligations, come under to God himself, to preserve and maintain the government and discipline of this Church in accordance with His Word; or otherwise, that He would give strength to this Church—office-bearers and people—to endure resignedly the loss of the temporal benefits of an establishment, and the personal sufferings and sacrifices to which they may be called, and would also inspire them with zeal and energy to promote the advancement of His Son’s kingdom, in whatever condition it may be His will to place them; and that in His own good time, He would restore to them these benefits, the fruits of the struggles and sufferings of their fathers in times past in the same cause; and, thereafter, give them grace to employ them more effectually than hitherto they have done for the manifestation of His glory.”

B.—(See page 5.)

“Dr. Welsh, the Moderator, having constituted the Assembly by prayer, said,—According to the usual form of proceeding, this is the time to make up the roll; but in consequence of certain proceedings affecting our rights and privileges, and which, according to the usual form of proceeding, would have been done at this time, we have been obliged to postpone it until a more convenient season.”

sanctioned by Government and the Legislature, and more especially in respect that there has been an infringement on the liberties and constitution of the Church, so that we could not now constitute a court without a violation of the terms of the union between Church and State in this land, as now authoritatively declared, I must protest against our proceeding farther. The reasons that have led me to this conclusion are fully set forth in the document which I hold in my hand, and which, with your permission, I shall now proceed to read :—

REASONS OF PROTEST AND SEPARATION.

“ We, the undersigned ministers and elders, chosen as Commissioners to the General Assembly of the Church of Scotland, indicted to meet this day, but precluded from holding the said Assembly by reason of the circumstances hereinafter set forth, in consequence of which a free Assembly of the Church of Scotland, in accordance with the laws and constitution of the said Church, cannot at this time be holden—considering that the Legislature, by their rejection of the Claims of Right adopted by the last General Assembly of the said Church, and their refusal to give redress and protection against the jurisdiction assumed, and the coercion of late repeatedly attempted to be exercised over the Courts of the Church in matters spiritual by the Civil Courts, have recognised and fixed the conditions of the Church Establishment as henceforward to subsist in Scotland to be such as these have been pronounced and declared by the said Civil Courts in their several recent decisions, in regard to matters spiritual and ecclesiastical, whereby it has been *inter alia* declared :—

“ 1st. That the Courts of the Church as now established, and members thereof, are liable to be coerced by the Civil Courts in the exercise of their spiritual functions, and in particular in their admission to the office of the holy ministry, and the constitution of the pastoral relation, and that they are subject to be compelled to intrude ministers on reclaiming congregations in opposition to the fundamental principles of the Church and their views of the word of God, and to the liberties of Christ's people.

“ 2d. That the said Civil Courts have power to interfere with, and interdict the preaching of, the Gospel and administration of ordinances as authorized and enjoined by the Church Courts of the Establishment.

“ 3d. That the said Civil Courts have power to suspend spiritual censures pronounced by the Church Courts of the Establishment against ministers and probationers of the Church, and to interdict their execution as to spiritual effects, functions, and privileges.

“ 4th. That the said Civil Courts have power to reduce and set aside the sentences of the Church Courts of the Establishment, deposing ministers from the office of the holy ministry, and depriving probationers of their license to preach the Gospel, with reference to the spiritual status, functions, and privileges of such ministers and probationers—restoring them to the spiritual office and status of which the Church Courts have deprived them.

“ 5th. That the said Civil Courts have power to determine on the

right to sit as members of the Supreme and other Judicatories of the Church by law established, and to issue interdicts against sitting and voting therein, irrespective of the judgment and determination of the said Judicatories.

“ 6th. That the said Civil Courts have power to supersede the majority of a Church Court of the Establishment, in regard to the exercise of its spiritual functions as a Church Court, and to authorize the minority to exercise the said functions, in opposition to the Court itself, and to the superior Judicatories of the Establishment.

“ 7th. That the said Civil Courts have power to stay processes of *discipline pending* before Courts of the Church by law established, and to interdict such Courts from proceeding therein.

“ 8th. That no pastor of a congregation can be admitted into the Church Courts of the Establishment and allowed to rule, as well as to teach, agreeable to the institution of the office by the Head of the Church, nor to sit in any of the Judicatories of the Church, inferior or supreme, and that no additional provision can be made for the exercise of spiritual discipline among members of the Church, though not affecting any patrimonial interests, and no alteration introduced in the state of pastoral superintendence and spiritual discipline in any parish, without the coercion of a Civil Court.

“ All which jurisdiction and power on the part of the said Civil Courts severally above specified, whatever proceeding may have given occasion to its exercise, is, in our opinion, in itself inconsistent with Christian liberty, with the authority which the Head of the Church hath conferred on the Church alone.

“ And farther, considering that a General Assembly, composed in accordance with the laws and fundamental principles of the Church, in part of Commissioners themselves admitted without the sanction of the Civil Court, or chosen by Presbyteries, composed in part of members not having that sanction, cannot be constituted as an Assembly of the Establishment, without disregarding the law and the legal conditions of the same as now fixed and declared.

“ And farther, considering that such Commissioners as aforesaid would, as members of an Assembly of the Establishment, be liable to be interdicted from exercising their functions, and to be subjected to civil coercion at the instance of any individual having interest who might apply to the Civil Courts for that purpose.

“ And considering further, that civil coercion has already been in divers instances applied for and used, whereby certain Commissioners returned to the Assembly this day appointed to have been holden, have been interdicted from claiming their seats, and from sitting and voting therein, and certain Presbyteries have been by interdicts directed against the members prevented from freely choosing Commissioners to the said Assembly, whereby the freedom of such Assembly, and the liberty of election thereto, has been forcibly obstructed and taken away.

“ And further, considering that in these circumstances, a free Assembly of the Church of Scotland, by law established, cannot at this time be holden, and that any Assembly in accordance with the fundamental principles of the Church, cannot be constituted in connexion with the

State without violating the conditions which must now, since the rejection by the Legislature of the Church's Claim of Right, be held to be the conditions of the Establishment.

“ And considering that while heretofore as members of Church Judicatories, ratified by law and recognised by the constitution of the kingdom, we held ourselves entitled and bound to exercise and maintain the jurisdiction vested in these Judicatories with the sanction of the constitution, notwithstanding the decrees as to matters spiritual and ecclesiastical of the Civil Courts, because we could not see that the State had required submission thereto as a condition of the establishment, but, on the contrary, were satisfied that the State by the Acts of the Parliament of Scotland, for ever and unalterably secured to this nation by the Treaty of Union, had repudiated any power in the Civil Courts to pronounce such decrees, we are now constrained to acknowledge it to be the mind and will of the State, as recently declared, that such submission should and does form a condition of the Establishment, and of the possession of the benefits thereof, and that as we cannot, without committing what we believe to be sin—in opposition to God's law—in disregard of the honour and authority of Christ's Crown, and in violation of our own solemn vows, comply with this condition, we cannot in conscience continue connected with and retain the benefits of the Establishment,* to which such condition is attached.

“ We, therefore, the ministers and elders aforesaid, on this, the first occasion since the rejection by the Legislature of the Church's Claim of Right, when the Commissioners chosen from throughout the bounds of the Church to the General Assembly appointed to have been this day holden, are convened together, do protest that the conditions aforesaid, while we deem them contrary to and subversive of the settlement of Church Government, effected at the Revolution, and solemnly guaranteed by the Act of Security and Treaty of Union, are also at variance with God's word, in opposition to the doctrines and fundamental principles of the Church of Scotland, inconsistent with the freedom essential to the right constitution of a Church of Christ, and incompatible with the government which he, as the Head of his Church, hath therein appointed distinct from the civil magistrate.

“ And we further protest, that any Assembly constituted in submission to the conditions now declared to be law, and under the civil coercion which has been brought to bear in the election of Commissioners to the Assembly this day appointed to have been holden, and on the Commissioners chosen thereto, is not and shall not be deemed a free and lawful Assembly of the Church of Scotland, according to the original and fundamental principles thereof, and that the Claim, Declaration, and Protest of the General Assembly, which convened at Edinburgh in May, 1842, as the act of a free and lawful Assembly of the said Church, shall be holden as setting forth the true constitution of the said Church, and that the said Claim, along with the laws of the Church now subsisting, shall in nowise be affected by whatsoever acts and proceedings of any Assembly constituted under the conditions now declared to be the law, and in submission to the coercion now imposed on the Establishment.

" And finally, while firmly asserting the right and duty of the civil magistrate to maintain and support an establishment of religion in accordance with God's word, and reserving to ourselves and our successors to strive by all lawful means, as opportunity shall in God's good providence be offered, to secure the performance of this duty agreeably to the Scriptures, and in implement of the statutes of the kingdom of Scotland and the obligation of the Treaty of Union as understood by us and our ancestors, but acknowledging that we do not hold ourselves at liberty to retain the benefits of the Establishment while we cannot comply with the conditions now to be deemed thereto attached :

" We PROTEST that in the circumstances in which we are placed, it is and shall be lawful for us and such other Commissioners chosen to the Assembly appointed to have been this day holden, as may concur with us, to withdraw to a separate place of meeting, for the purpose of taking steps for ourselves and all who adhere to us—maintaining with us the Confession of Faith and Standards of the Church of Scotland, as heretofore understood—for separating in an orderly way from the Establishment; and thereupon adopting such measures as may be competent to us, in humble dependence on God's grace and the aid of the Holy Spirit, for the advancement of his glory, the extension of the Gospel of our Lord and Saviour, and the administration of the affairs of Christ's house, according to his holy word; and we do now withdraw accordingly, humbly and solemnly acknowledging the hand of the Lord in the things which have come upon us, because of our manifold sins, and the sins of this Church and nation; but at the same time with an assured conviction that we are not responsible for any consequences that may follow from this our enforced separation from an Establishment which we loved and prized—through interference with conscience, the dishonour done to Christ's Crown, and the rejection of his sole and supreme authority as King in his Church."

C.—(See page 10.)

If further proof were needed to establish a point so very clear and incontrovertible, it would be found in abundance in the whole history of the proceedings connected with the rise and progress of the Scottish Churches at Calcutta, Bombay and Madras.

From a very long and elaborate memorial of the Rev. Dr. Bryce to the very Reverend the Presbytery of Edinburgh, dated Calcutta, 1828, the following are extracts:—" In 1814, your memorialist, then an ordinary Clergyman of your Church, and Minister of the Parish of Strachan, was invited, &c.

" Your memorialist, on receiving this appointment (of Chaplain) being most anxious to preserve his relation to the Church of Scotland, applied by petition to the very Venerable Assembly in May, 1814."

" The very Venerable the General Assembly of May, 1814, was pleased to comply with the petition of your memorialist, and to grant ecclesiastical charter to him and his successors, and to the several

chaplains who might be appointed to Madras and Bombay, and to their successor conferring on the Indian branch of our National Church, certain rights and privileges therein enumerated, and retaining your memorialist in as full communion and connexion with the Church of Scotland, as when Minister of the Parish of Strachan."

"Your memorialist, and several members of our Church at this presidency, who had been appointed by Government in 1814, a committee, to take the necessary preliminary steps, towards carrying the orders of the Court of Directors into effect, were discharged from this duty, with thanks from Government; and your memorialist having by this time constituted a Kirk Session in terms of the Charter of 1814, Government was pleased to appoint the Session a committee in room of the other." "By one of their orders (from the Court of Directors) the government was directed, to make over the Building and property of the Scotch Church to the members of the Kirk Session for the time being, in trust, as a place for Presbyterian worship."

In a letter, dated 30th December, 1828, from Mr. Secretary Prinsep, the 4th clause is as follows:—"The existence of a Kirk Session being presumed to be essential to the performance of divine worship according to the forms of the Church of Scotland, Government have always recognized and corresponded with the body holding that designation and conducting in that capacity the affairs of St. Andrew's Church, without deeming it necessary to enquire under what constitution the function was exercised. The Session was in existence when, at the request of the Scottish congregation, a second chaplain was provided by the Court of Directors, and of course so long as the duties of the junior chaplain may have to be performed at the same Church in which its functions are in full exercise, it is incumbent on this gentleman to regard the body as the Session of the Church, and to act with them as such in all matters not inconsistent with his duty as a Government Chaplain."

The Records of the Kirk Session of St. Andrew's, the memorials and voluminous correspondence transmitted to the Presbytery of Edinburgh as the immediately superior Court of Review, and the multitudinous dealings between the Session and Government which always recognized it as the body entrusted with the management of the general ecclesiastical and temporal concerns of the Church,—all prove, with a redundancy of evidence, that the Kirk-Session of St. Andrew's was not only constituted as a dependent branch of the Scottish National Establishment and recognised as such by the Supreme authorities, Ecclesiastical and Civil, but that for several years it exercised its functions with an activity and variety which probably outstripped that of any other Session within the bounds of the Established Church.

D.—(See page 11.)

The *design* and *spirit* of our ecclesiastical constitution, in reference to the *office of Moderators of Church Judicatories*, may be gathered from the following brief extracts taken from, "the Compendium of Laws of the Church of Scotland."

“ Seeing the Moderator is frequently called to exercise the power of order, as solemn public ecclesiastic prayer, at least twice every Session, to wit, at its first opening, and then at its closing, authoritative exhortation, rebuke, direction, it is convenient the Moderator be always a Minister.”

“ The person chosen to be a Moderator should be of such abilities that he can discharge the following work, viz.—He is to look on himself as the mouth of the meeting; he is to take on him authority, yet looking on it as theirs, not his; he is to see all the rules for decency and order, prescribed by the Judicature, exactly kept and observed; he is to acquaint the Judicature with all the affairs that be before them, and may propose the most speedy method how to dispatch them; he is to keep the members from interrupting one another, and from speaking among themselves, or from directing their discourse to another than himself, &c.” “ Lastly, after the matter hath been fully reasoned on all hands, then he is briefly to resume the substance of what hath been spoke, and thereupon state the vote, and put the question. If the vote be equally carried, then the Moderator (who never votes but in that case) may cast it.” “ The Moderator may likewise, upon any extraordinary emergency, by his circular letters, convene presbyteries and synods, before their ordinary time of meeting.”

“ There is no constant Moderator but in Kirk-Sessions, where the Minister moderates *ex-officio*; and if there be colleagues they moderate by turns. Every Presbytery before they fall about business, choose one of their brethren to be Moderator, who continues for six months, from one provincial synod to another; but the Moderators of synods and assemblies are changed at every new synod or assembly.”

“ It is the privilege of all the members of any free Judicature to propose a vote, and have it put to the question, provided it be seconded by another member, and that although both the Moderator and other members should oppose the motion.”

“ Albeit in a Session the Minister is Moderator *ex-officio*, as hath been said, yet he hath by right no more power than the Moderators of other Church Judicatures. Ministers moderating therein are not to usurp a negative voice over the members of his Session; and where there are two or more Ministers in one congregation, that they have equal power in voting, that one of them hinder not the reasoning or voting of any thing being agreeable to the acts and practice of the Kirk; and even in that case, voting and reasoning on any subject can never be hindered, it being inconsistent with the liberty of a free court to be impeded or compelled.”

P. S. Though it did not fall in with the train of the preceding statement, it may be proper to state here that, Mr. William Fyfe, Head Master of the Taki Academy, who was appointed to that office by the Foreign Mission Committee of the Established Church, has given in his adherence to the Free Church of Scotland.