fewer than twelve cases of appeals on the part of congrega­tions against the intrusion of obnoxious ministers ; but the dominant party were so determined to crush all opposition to their enactments, that they not only dismissed these ap­peals, but solemnly enacted, at this meeting of the Assembly, that henceforward no reasons of dissent “ against the deter­mination of church judicatures” should be entered on the record. The Assembly of 1781 followed closely in the foot­steps of its predecessor. By the law of patronage it was provided, that if the patron suffered six months to elapse without exercising his right of presentation, the presbytery to which the vacant parish belonged was empowered to take steps for its settlement. The presbyteries in these cases frequently gave the people the right of ch∞sing their mi­nisters ; and with the view of destroying this last remnant of popular election, an overture was laid before the Assembly of 1731, proposing, that when the right of appointment de­volved upon presbyteries, the power of election in vacant parishes should belong only to the elders and Protestant heritors, and, in royal burghs, to the elders, magistrates, and town-council. This overture was transmitted to the dif­ferent presbyteries, that, according to the regulations of the barrier act, their opinion respecting it might be given at next meeting of the Assembly ; and though a great majority of those presbyteries from whom reports were received, ex­pressed disapprobation of the measure, the supporters of the overture obtained a majority of the Assembly of 1782 in its favour.@@1

Among the opponents of the measures of the Assembly in 1732, Mr Ebenezer Erskine, minister at Stirling, held a prominent place. His talents and learning, his faithfulness in the discharge of his ministerial duties, and his intrepidi­ty and zeal in the popular cause, had secured to him the respect and esteem of his brethren, as well as extensive in­fluence among the people. In the various important ques­tions which had been agitated after his entrance into the ministry, the abjuration oath, the controversy respecting the Marrow of Divinity, and the process carried on against Professor Simpson, he had shown himself an active and fearless opponent of the measures pursued by the ruling party in the church. He was not only one of those who signed the representation of grievances laid before the As­sembly in 1732, but being a member of Assembly that year, he spoke and protested against its rejection. Being at that time moderator of the synod of Perth and Stirling, he opened the meeting at Perth, on the 10th of October following, with a sermon from Psalm cxviii. 22, in the course of which he remonstrated against the act of the pre­ceding Assembly with regard to the settlement of ministers, alleging that it was contrary to the word of God and the established constitution of the church. These statements gave great offence to several members of synod, and after the court was constituted, and a new moderator chosen, a formal complaint was lodged against him, for uttering seve­ral offensive expressions in his sermon.@@8 Many of the mem­bers declared that they heard him utter nothing but sound and seasonable doctrine ; but his accusers insisting on their complaint, obtained the appointment of a committee of sy­nod, to collect what were called the offensive expressions, and to lay them before the next diet in writing. This was done accordingly, and Mr Erskine having been heard in re­ply to the charges made against him, a keen debate of three days ensued, and at last the synod, by a majority of six votes, found Mr Erskine censurable for some expressions

in his sermon, “ tending to disquiet the peace of the church, and impugning several acts of Assembly, and proceedings of church judicatories.” Against this sentence Mr Erskine protested and appealed to the General Assembly. But in spite of his protest and appeal, the synod proceeded in the cause, and agreed to “ rebuke Mr Erskine, and admonish him to behave orderly for the future and they at the same time appointed the “ presbytery of Stirling to inquire anent his after behaviour at their privy censures, and report to the next synod.” Mr Erskine not appearing when called upon, the synod resolved that he should be rebuked at their next meeting in April. All attempts at accommodation proving fruitless, the Assembly which met in May 1733 affirmed the sentence of the synod, and appointed Mr Erskine to be rebuked and admonished at the bar of the Assembly. Mr Erskine, however, declared that he could not submit in si­lence to the rebuke and admonition, and presented a writ­ten protest, to the effect, that as the Assembly had found him censurable, and had rebuked him for doing what he conceived to be agreeable to the word of God and the standards of the church, he should be at liberty to teach the same truths, and to testify against the same or similar evils, on every proper occasion. To this protest Messrs William Wilson, minister at Perth, Alexander Moncrieff, minister at Abernethy, and James Fisher, minister at Kin- claven, gave in *a* written adherence, under the form of in­strument. The Assembly having refused to permit the pro­test to be read, the four protesters left the paper on the table and withdrew, intending to return to their respective charges, and act agreeably to their protest, as circumstances might require. Here the matter would in all probability have terminated, as at this period none of the four enter­tained any intention of a formal separation from the na­tional church. But an overruling Providence had order­ed it otherwise. The court had proceeded to a different business, when the protest, which had fallen from the table, was accidentally picked up by a minister, who, perusing the contents of it, rose with great indignation, and call­ed the attention of the Assembly to the insult which had been offered to their authority.@@3 The protest being read, a great uproar ensued, and the Assembly ordered their offi­cer to summon the four brethren to appear at the bar of the court next day. They obeyed the citation, and a committee was appointed to retire with them in order to persuade them to withdraw their paper. The committee having reported that their persuasions had produced no ef­fect on the minds of the brethren, the Assembly ordered them to appear before the Commission in August follow­ing, and retract their protest : and if they should not com­ply, and testify their sorrow for their conduct, the Commis­sion was empowered to suspend them from the exercise of their ministry, and in case of their acting contrary to the sentence of suspension, the Commission should proceed to a higher censure.

The Commission met in August accordingly, and the four ministers still adhering to their protest, were suspended from the exercise of their office. At the meeting in November, addresses were received from a number of presbyteries and synods, recommending lenity and forbearance towards the suspended ministers, and many members of the Commission strenuously supported the same view. The question, how­ever, was put, “ Proceed immediately to inflict a higher censure,” or “ Delay the same till March and the votes being equal on both sides, Mr John Gowdie, the modera­

@@@1 Reports were received from forty-nine presbyteries ; six approved of the overture without alteration, twelve on condition that certain important amendments were introduced, while thirty-one gave it their unqualified condemnation. Eighteen presbyteries gave in no report.

@@@s The persons who took the lead in moving for investigation were. Messrs Adam Ferguson, minister at Logiernit ; James Mercer, mi­nister at Aberdalgie ; James Mackie, minister at Forteviot, afterwards at St Ninians ; and the Laird of Glendoig, ruling elder.

@@@’ It is stated by Mr Adam Gibb, that the person who picked up Mr Erskine's protest was Mr James Nasmith, minister at Dalmeny.