

Rev Peter Findlay

Kirkcudbright Advertiser, Friday, May 29 1885, p.5

The General Assembly. Established Church.

The Carsphairn Case.

The Assembly took up with closed doors the Carsphairn Case. The case came before the Assembly on an appeal of Rev S. Cowan of Kelton, Rev J.R. Grant of Buittle, Rev T. Walker of Dalry, Rev W.W. Coats of Girthon, and Rev George Walker of Castle-Douglas against the deliverance of the Synod of Galloway, on 20th April, affirming the judgement of the Presbytery of Kirkcudbright of 14th February, finding the libel at the instance of the said Presbytery against the Rev Peter Charles Findlay, B.D., minister of Carsphairn, charging him with immoral offences not proven. The charge made against Mr Findlay was that he had been guilty of improper intimacy with the servant girl at Carsphairn in or about the months of May or June, 1882, the result being that the girl, Isabella S. Niven, gave birth to an illegitimate child in the Rotunda Maternity Hospital, Dublin, on the 7th February 1883. The Presbytery, after proof, acquitted Mr Findlay; and on their deliverance being appealed against to the Synod, the deliverance was sustained.

The appellants now appealed to the Assembly. It will be remembered that the charge against Mr Findlay gained considerable notoriety through an action in the civil court. In the Sheriff Court of Kirkcudbright the Sheriff Substitute found for the pursuer, but on appeal Sheriff Principal reversed that decision, and the Court of Session upheld the decision of the Sheriff Principal.

The parties who appeared in the case on Tuesday were:- Mr Andrew Jameson and Mr T.E. Salvesen, advocates, instructed by Mr Thomas McNaught, S.S.C., for the appellants; Mr J.P.B. Robertson and Mr Watt, advocates, instructed by Messrs Hunter, Blair and Cowan, W.S., and Mr Richard Hewat, Solicitor, Castle-Douglas, for Mr Findlay, and Mr Caden, Wigtown, and Mr Robertson, Leswalt, for the Synod of Galloway.

After counsel had been heard, the Procurator moved that the judgement of the Synod be affirmed. This motion was seconded by Mr James Wallace, advocate, and unanimously agreed to. Mr Findlay was accordingly acquitted of the offences with which he was charged. Mr Watt, on behalf of the Synod, acquiesced, and took instruments. The Presbytery of Kirkcudbright and the Synod of Galloway were authorised to expunge from their records all references to the case. The Presbytery were further authorised to meet this week and appoint one of their number to preach at Carsphairn on Sunday, and intimate the judgement of the Assembly. Mr Robertson, Leswalt, said that Carsphairn was some considerable distance from Edinburgh, and he thought it quite right and proper that due notice should be given, and that the meeting should be held on Wednesday. Professor Milligan said that Presbytery had authority to meet whenever they chose. They could meet that night if they liked. (laughter)