

"Laity to meet together from time to time in Synods or Conventions, &c."

Should not the words "Ecclesiastical affairs" be defined—what is understood by Ecclesiastical affairs—has the expression a reference to doctrine, or the form of prayer or the ceremonial of public worship—all these are Ecclesiastical affairs. It is not easy to foresee to what subjects and objects such Synods or Convocations might attempt to apply themselves as coming within the construction of Ecclesiastical affairs. Some Convocations might understand that there are limits to their power of regulation and management, which limits other Convocations might not acknowledge.

1st Clause. Instead of being a mere negative provision that no Laws shall be construed to prevent, &c., this clause should, I think, in a natural and plain manner authorize that to be done which it is intended should be done.

"Being declared bonâ fide members of the Church" seems not an accurate form of expression—for being disjunctive either of the requisites must be taken to be sufficient. What is a declared Member of the Church? Must any one be received as a Member of the Church who declares himself to be such—though he may never have attended one of her places of worship or joined in her service up to the moment that he declares himself a Member, and claims upon that declaration to have a vote in her Convocation. "Being regular communicants" better, that is, according to the 21st Canon, every person communicating thrice a year, a Canonical Test not unreasonable for those admitted to legislate for the Church.

A bonâ fide Member of the Church is not so definite as it appears to be—who is to pronounce upon two bonâ fides? And what shall be the criterion? Moreover this first clause makes no provision for calling the first meeting. When and how—or by whom, nor by any means clearly, who are to meet or who is to preside.

What does "by common consent" mean? If there is no dissentient voice, there would be common consent, but if all the Clergy vote one way or a majority of them, and all the Laity or a majority of them the other way, which opinion shall prevail for the better conduct of their Ecclesiastical affairs. The union of Dioceses should only be permitted under a Metropolitan, and include all under his jurisdiction.

The last three lines of the first clause, "subject as at this time in common with all other Religious Communions, to the authority of the Local Legislatures respectively, and to such Provisions as they may think proper to enact," are intended perhaps to meet Sir John Pakington's objections as tending to make the Church dominant to a greater degree than it has been hitherto—by giving to the regulations of the Colonial Synods an authority supported by Parliament and so beyond the control of Colonial Legislation. Now instead of these three lines it would be wiser, I think, to guard against any supposition that such dominancy was intended, by inserting in the middle of the clause some such words as these:—Nor repugnant to any Law passed or to be passed by the Parliament of the United Kingdom, or by the Legislature of the Colony within which such Dioceses are respectively situated.

2nd Clause. As it is here assumed that regulations will be made for the trial of offending Clerks,—it appears desirable that the Bill should contain a definite provision for the erection of a Court for the purpose of giving authority to the Bishops for suspension or deprivation of office on conviction of the offender.

3rd Clause. This Clause could be better framed I think, by providing that no regulation so to be made should have power to affect any person not being a Member of the Church of England.

4th Clause. I would certainly leave Bishops, as now, to be appointed by the Crown, or if any voice or control were intended to be given to any authority within the Colony, I would provide for it in the act. I mean as to the point of voting, by whom to be exercised, and how, and not leave it to be the

subject of a regulation by a Colonial Convocation—and for obvious reasons. Some concession may be made to the Colonies which provide for the becoming support of their own Bishops.

5th Clause. I would make the sanction of the Queen, through her Principal Secretary of State for the Colonies, or of the Archbishop of Canterbury, necessary to all regulations not clearly within the powers given by the Constitution, such sanction to be given or withheld within twelve months,—and this if it were only to preserve a wholesome link of unity and subordination, which Churchmen generally are not indisposed to entertain, and because of its tendency to produce uniformity.

6th Clause. I would provide that nothing should be dispensed with, which in England is indispensable for obtaining Ordination, unless it be something which is inapplicable to the case of Colonies.

Toronto, Canada, 4th Feb. 1853.

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For vol. 3.—Messrs. W. Andrew and E. Turner, Mrs. Pierce.

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