

The Presbyterian;

A MISSIONARY AND RELIGIOUS RECORD

OF THE

PRESBYTERIAN CHURCH OF CANADA IN CONNECTION WITH THE CHURCH OF SCOTLAND.

CONDUCTED BY A COMMITTEE OF THE LAY ASSOCIATION OF MONTREAL.

CONTENTS.

	Page		Page		Page
THE CHURCH IN CANADA.		THE CHURCH IN THE COLONIES.	71	Layard's Nineveh and its Remains	77
Incorporation of the Church	65	THE CHURCH IN SCOTLAND.		Scottish Ecclesiastical History	78
University Question, (U. C.) and Queen's College	66	India Mission	72	The Sabbath Morn	78
Historical Sketches of Beauharnois, Chateauguay and St. Louis Churches	67	Home Mission	73	The Fall of the Papacy	79
Mr. Lapelletrie's Visit to Gaspé	69	Church Intelligence	73	OBITUARY—(Sir Charles Fergusson)	79
St. Andrew's Church, Fergus	70	NATIONAL RELIGION THE BASIS OF NATIONAL SECURITY	74	MISCELLANEOUS	79
Presbytery of Hamilton	70	REVIEWS AND EXTRACTS		FRENCH Mission Fund	80
		Presbytery Examined, &c.	76	SUBSCRIPTIONS to the <i>Presbyterian</i>	80
				ADVERTISEMENTS	80

No. 5, May, 1849.

VOLUME II.

Price 2s. 6d. per annum.

The Presbyterian.

THE CHURCH IN CANADA.

INCORPORATION OF THE CHURCH.

It will be remembered by some of our readers, that, during the last session of the Synod of the Presbyterian Church of Canada in connection with the Church of Scotland, an overture was agreed to, to petition the Provincial Parliament to pass an Act incorporating the members of that Church, with power to hold the lands, tenements, and other property that now belong to, or may hereafter be acquired for the benefit of that Church. Two plans embodying the general principles on which the Bill was to be framed, were drafted, and sent down to Presbyteries for their consideration, with instructions to forward their views of the same to the next meeting of the Commission of Synod, specifying which of them met with their approval, and what modifications or alterations they might suggest. The second plan was generally approved by all the Presbyteries. Being more simple in its details, it was considered, that it would be found more practical in its operations, and with a judicious system of subordinate management, (to be provided for in the Bye-Laws,) it would secure most of the advantages that the other possessed.

The Commission accordingly adopted this second plan, and requested the Members of the Board of Managers of the Widow's and Orphan's Fund, chiefly composed of intelligent and practical Laymen, to prepare a Bill embodying the principles adopted, and to take such steps as they might deem expedient for introducing it into Parliament, and having it passed into a law.

A Bill, based on the scheme above alluded to, was accordingly drafted by Mr. Badgley, late Attorney General, C. E., and was carefully examined and approved by those to whose care the matter was intrusted. Mr. Badgley kindly undertook to introduce the Bill, and to attend to its various stages in its progress through the House of Assembly. The sole design of the measure is to secure the peaceful possession of the property, that *now indisputably* belongs, or may hereafter belong, to the members of the Church of Scotland; and to prevent any unpleasant contentions, such as have in some instances arisen about Church property, without infringing in any degree on the rights or privileges of any other denominations. In the case of any religious body apprehending (a contingency which the framers of the Bill, we believe, were anxious to guard against, though not considering it at all as a probable one) that in any of its clauses it intrenched on their privileges or interfered with their rights, Mr. Badgley, we are informed, was instructed that he might, at his discretion, so modify these clauses, as to meet their views, provided the fundamental principles on which the Bill was constructed were left intact. With reference especially to those properties that may be now in dispute, he was to be at liberty to give the most ample guarantee, if necessary in the Bill itself, that the powers of the corporation would not be construed to extend to the settlement of the points at issue, although we do not believe that, were it to pass into a law, it could convey such powers, but that, under any circumstances, such cases could only be determined by the competent courts.

After a careful examination of the Bill, we confess we cannot see any thing ma-

terially objectionable in it, either to those who hold with us the great distinctive principles of Presbyterianism, or to those who are willing to concede to others that freedom in the management of their own affairs, which all are ready to claim for themselves. There will be differences of opinion on such subjects, so long as there exists a variety of sentiments in relation to Church order and government; but we do not see any just cause for offence, except to those who may be actuated by denominational jealousy or party feelings.

We now proceed to give a sketch of the contents of the Bill, with a few remarks thereon, instead of inserting, at full length, the dry and uninteresting technicalities in which such documents are clothed.

The preamble of the Bill sets forth that it is "expedient to incorporate," &c., and provides, "that the now members of the Presbyterian Church in connection with the Church of Scotland, and their successors, who may be and become members of said Church, shall be and are declared to be a body corporate and politic, &c.; by the name of the Presbyterian Church of Canada in connection with the Church of Scotland, and by the same name shall have perpetual succession," &c., defining their powers by the usual phraseology.

The second clause defines, who shall be members of the corporation, viz., male persons, members of the said Church, of the full age of twenty-one years, and natural born or naturalized subjects of Her Majesty, &c., who shall be pew-holders, or holders of sittings, or regular attendants, or contributors to the maintenance of Divine Worship in a parish or congregation, according to the laws of said Church, and who shall be in full communion with said Church, and