

Royal prerogative  
not interfered with.

18. Nothing herein contained shall effect the right to nominate or appoint any metropolitan or bishop of the said United Church in Victoria, or any other rights or prerogatives of Her Majesty, save so far as the advowson or right of patronage in Victoria (if any) now vested in Her Majesty may be hereby expressly impaired, diminished, or affected.

Interpretation.

19. In the construction and interpretation of the provisions of this Act the word "bishop" shall include the Metropolitan of the Province with reference to his metropolitan diocese.

### Enclosure 2, in No. 1.

#### OPINION OF LAW OFFICERS.

Encl. 2, in No. 1.

A BILL to enable the Bishops, Clergy, and Laity of the United Church of England and Ireland in Victoria, to provide for the regulation of the affairs of the said Church, has necessarily been reserved for the signification of Her Majesty's pleasure thereon.

The objects of this measure are, firstly, to relieve the clergy and laity resident in the colony from any disability as to their holding meetings; and, secondly, to confer on the assembly of bishops, clergy, and laity, according to a certain constitution, the power possessed by all other Christian denominations, of managing the affairs of their own Church.

An Act to regulate the affairs of that Church had been passed by the Legislature of New South Wales, and continued in force since its erection into a separate colony. Under the provisions of that enactment, clergymen were practically dependent upon the will of the bishop for their continuance in office—an arrangement obviously opposed to the discipline of the Church of England, and of a temporary and provisional character. The present measure, without taking away from the bishop the powers vested in him, gives to the Church herself the means of altering those powers, subject to Her Majesty's approval.

It is alleged, and justly, as it would seem, that the proposed law will merely place the Church in the same position as other communions unconnected with the State in Great Britain; the latter simply transplanting to the colonies a system of government already framed and adopted by them in their fatherland, and still appropriate to their unaltered position here.

But, in addition to being relieved from the disability alluded to, the Church of England in Victoria required some means of establishing courts similar to those provided for her government and discipline in Great Britain.

The present measure enables her so to do. It follows as closely as possible the Bill introduced by his Grace the Archbishop of Canterbury, and passed by the House of Lords. It has been submitted to, and received the approval of, the members of the Church in Victoria, and met with very slight opposition in the Legislative Council.

Any interference with questions of faith, or matters of doctrine, has been carefully guarded against; undiminished connection with the Church in Great Britain has been ensured; and the Supremacy and Royal Prerogative of Her Majesty, as well as the powers of the See of Canterbury, and of the Metropolitan, have been strictly protected.

The promoters of the measure propose to apply for a law to repeal so much of the local Act, previously referred to, as affects the government of the Church, so soon as the assent of Her Majesty to this Bill has been signified; and the remaining provisions of that and other laws relating to Ecclesiastical Courts, it is intended at the same time to consolidate.

### — No. 2. —

No. 2.  
Bishop of Mel-  
bourne to the  
Right Hon.  
H. Labouchere,  
12 December 1855.

COPY of a LETTER from the Bishop of Melbourne to the Right Honourable  
*H. Labouchere.*

18, Chester-terrace, Regent's Park,  
12 December 1855.

Sir,

IN the accompanying Memorial I have stated the grounds upon which I regard the confirmation of the Act of the Victoria Legislature as of the greatest importance to the permanent welfare of the Church of England in that province; and upon which I would venture most earnestly to beg of Her Majesty's Government that they would advise, and take such steps as may be requisite for enabling Her Majesty to give her assent to the Act.

I am sure that you will give this Memorial your careful consideration, and I trust that its statements and reasoning will produce in your mind the conviction, which I myself so strongly feel, of the justice of our cause.

You will observe that the Act does not interfere with any prerogative which the Queen now exercises as Head of the Church in the province of Victoria; nor invests the proposed church assembly with any "legislative" powers which would