

say that because the pew is his, he has a right to prescribe the manner in which the service shall, in any particular, be performed, or to insist upon dispensing, in any particular, with received practices.

From first to last there has been a spirit of accommodation and of all practicable concession on the part of the Church authority, in this affair. It was in this spirit that the plan was relinquished of having a separate cemetery, when it was found that the Directors of the Mount Hermon Cemetery would consent to set off a portion of the ground for the Church of England. It was in this spirit again, that the unusual course was taken of consecrating detached portions of the ground for private individuals and it was certainly in this spirit that the offer was made to Mr. Wurtele himself, and that pains were taken to obviate some particular apprehensions, (unfounded in themselves,) which he was understood to entertain respecting the effect of consecration.

Ex parte—CHRISTIAN WURTELE.

The Court having heard the petitioner, Christian Wurtele, upon his petition in this cause filed, praying for a Writ of *Mandamus* in this cause; and the Right Rev. George Jehoshaphat Mountain, Lord Bishop of the Diocese of Quebec, and Rector of the Parish of Quebec, in the same Diocese, by their counsel respectively, and having seen the affidavit of the said Christian Wurtele, in this cause filed, by which it appears that the said Christian Wurtele, on the twenty-sixth day of July last past, notified and required the said George Jehoshaphat Mountain, as such Rector of the Parish of Quebec, to open the Parish Church of the said Parish, at the hour of eight of the clock in the forenoon, on Monday, the twenty-eighth day of the said month of July, or at such hour as the said George Jehoshaphat Mountain might, at the time of the making of the said requisition indicate, and there read, or cause to be read, over the deceased infant child of him the said Christian Wurtele, the funeral service, as prescribed, by the Book of Common Prayer of the Church of England; and considering that the said George Jehoshaphat Mountain was not, and is not by law bound, to comply with the said request on the part of the said Christian Wurtele, it is ordered that the prayer of the said petition be, and the same is thereby dismissed with costs.—*Montreal Courier*.

TWO OPINIONS.

WHO IS THE GENUINE BISHOP OF TORONTO?

Can any Casuist, or any Ecclesiastical or Civil authority solve this question? As there cannot be two suns or two moons in the material world, no more can there be two "Bishops of Toronto." There are, without doubt, a Church of England Bishop of Toronto, and a Roman Catholic Bishop of Toronto; but that does not make either of them "Bishop of Toronto" any more than it would Mr. Barclay or Dr. Burns Bishops of any thing more than their own churches. We have noticed that the Roman Catholic Bishop here has, with much propriety, not assumed the title of "Bishop of Toronto" but connected it with the church to which he belongs. But his confrere of Montreal takes higher ground, as we learn from the following in the *Pilot*:—

"His Lordship the Bishop of Montreal to the Catholics of his Episcopal City.

"Dearly Beloved Brethren,—This is to inform you that his Lordship the Bishop of Toronto is now amongst us, for the purpose of receiving the offerings of the faithful of Montreal, in order to assist in liquidating the enormous debt wherewith his Church is encumbered, and for which, as Bishop, he is personally responsible. The illustrious Prelate has resolved to stand at the door of the Parish Church, on Sunday—the Feast of the Holy Name of Mary—from five in the morning, till the same hour in the evening, so as to gather in, with those hands so lately consecrated by our Holy Father the Pope, the pious offerings of the faithful.

"He will do the same on the following Sunday at St. Patrick's Church."

In this document, which is signed "Ignatius, Bishop of Montreal," and is addressed to the Catholics of his Episcopal City, the Bishop not only arrays himself in all the honours of territorial authority, but ascribes the same to his colleague in Toronto. The one is Lord Bishop of Montreal—the other Lord Bishop of Toronto. But as we have an English Church Lord Bishop of both these places, one in each place must be a pretender, and the other two the real *Simon-Pures*. One set of these Bishops was made by the Queen of England, and the other set by the Pope. If compelled to choose between the two, we would go dead for the Queen's Bishops, including "John Toronto," the first "Richmond" on the field, although the other set were recognized by the Home Government, though under foreign titles. State creation of ecclesiastical titles we consider an interference with the great interests of religious liberty, and a capital blunder when applied to the Colonies. But viewing the law as it now stands, the Popish Bishops either have rights in the Colonies beyond the Mother Country, or they violate the law when they assume the same titles as the English Bishops.—If both sets have equal rights, then do they neutralize each other, and become at once reduced to their proper dimensions, viz., heads of their own sects, and nothing more. How this will comport with the lawful Apostolical descent, we leave them to decide, as both claim it. That they are heads of sects, and nothing more, we trust will soon be the recognised principle both of British and Colonial legislation.—*Globe*.

"WHO IS THE GENUINE BISHOP OF TORONTO?"

This is the heading of a short article in yesterday's *Globe*, in which the writer indulges with his usual malice against Episcopal jurisdiction. The cause of his sneering attack in the present instance arises from an extract in a letter addressed by the Bishop of Montreal to the Catholics of that City, in which allusion is made to Mgr. DeCharbonnel as "Bishop of Toronto." This is a mortal offence in the estimation of our contemporary; he contends that it is a violation of the law, for which, as a matter of course, the offending Bishop should be duly prosecuted. He "goes dead for the Queen's Bishops," and would consign the others to the merciful operation of penal restrictions. We are glad to see the *Globe* come out so openly on this subject; an avowed enemy is better any day than one who conceals his hate and strikes in the dark. Henceforth the Catholics will understand what they may expect from certain parties, should they ever have the power to carry out their prosecuting designs. The *Globe* and the faction that support it, would establish a spiritual inquisition in Canada to-morrow—if they could. All men should bow to their decisions and implicitly obey their commands, or endure the alternative of fines and imprisonment. And these are the very men who incessantly cry out for religious freedom and equality!

The *Globe* seems to forget that there is such a document in existence as the treaty of Quebec, and that the free exercise of the Catholic religion, as existing at the time of the conquest, is provided for by that treaty.—

The *Globe* is not obliged to acknowledge Mgr. DeCharbonnel as Bishop of Toronto, but it is not preposterous for him to attempt prevent others from doing so? What right has he to dictate to any religious body as to the title by which it should address its ecclesiastical superior? We have not the slightest objection that the *Globe* should style Dr. Burns "Bishop of Toronto," or of all Canada, if it might afford him any satisfaction to do so. Or even should he go a step farther and call him Pope, it would not cause us the least annoyance.

As to the question proposed by the *Globe*, it appears to us quite easy of solution, though neither a casuist, nor an ecclesiastical or civil authority. Each is Bishop of Toronto, so far as it may affect the adherents of his Church, and no farther. This is well understood by all unprejudiced men; and it needed the malignity of the *Globe* to find an excuse for insulting religious bodies, towards which he has invariably shewn the bitterest hostility, in the assumption of the title by either of them. It is at the best but an empty title, so far as Mgr. DeCharbonnel is concerned, and so long as it does not interfere with the pockets or the consciences of Protestants, we cannot understand why they should object to it. We are in favour, for the sake of distinction, of having the titles of the Bishops of this city connected with the Churches to which they belong; at the same time there can be little difficulty in understanding that Catholics or Church of England men, in alluding to the "Bishop of Toronto," have reference solely to the Bishop of their own Church. Parties who do not acknowledge the ecclesiastical jurisdiction of either, will use their own discretion and be guided by the usages of society. Americans never object to Dr. Hughes signing himself Archbishop of New York.—Such of them as feel so inclined address him by this title, others adopt whatever form suits their inclination, but they all consent to its assumption by himself, because they know that it can only affect those who are willing to acknowledge it. And so it is in Canada. Every man is at perfect liberty to acknowledge Dr. Strachan, or Dr. DeCharbonnel, or neither of them, to be Bishop of Toronto, as suits his own peculiar views. The *Globe* might surely have found some more interesting subject to write upon; but Catholics will not forget the readiness with which he would introduce penal laws into Canada to restrict the Episcopal action of their Bishops.—*Mirror*.

THIRD RIDING ELECTION.—The election of a member to represent this county was held on Friday and Saturday. There were three candidates in the field—Mr. Michell of Pickering, and Mr. Reesor of Markham, on the Liberal side, and Mr. Birrell of Pickering on the Conservative, though by no means professing Conservative opinions. Never did election pass off with such perfect indifference—few knew that it was taking place although the polling was going on. Of course the contest was all for the honour of the thing—as the fortunate candidate will never have a chance of being sworn in. We have not heard what the numbers were at the close of the poll, but the vote cast must have been a very small one. Mr. Michell was, however, the successful competitor in the race.—*Globe*.

STEAMBOAT ACCIDENT.—On Saturday night, about 9 o'clock, as the *Ottawa* freight steamer, Capt. Wells, owned by Messrs. Torrance & Co., was leaving Kingston for Montreal, she was met by the *Reindeer* coming in. The pilot of the *Reindeer* saw the lights of the *Ottawa* and reversed the engine; but the *Ottawa* was under such headway that she struck the *Reindeer's* stem. The *Ottawa* sank in about half an hour. She had, including crew, 74 persons on board, but no lives were lost.

On Sunday night the *Ontario* ran-down a four-oared gig in Kingston harbour, and three men were drowned in consequence.

On Saturday night, a son of John Russell, Auctioneer, King Street, committed suicide by hanging himself. Disappointed love is the alleged cause.

The *Pilot* states that a public dinner is to be given to Mr. La Fontaine at Montreal, as a testimony of respect to him as a public man.

THE ASSIZES.—The *Canada Gazette* states that the sitting of the Court of Assize and *Nisi Prius* for the County of York, is fixed for Monday, the 13th October current, instead of Monday the 20th, as erroneously stated; and the sitting of the Court of *Oyer and Nisi Prius* for the united counties of Wentworth and Halton, is fixed for Thursday, the 6th November, instead of Wednesday the 6th November, as erroneously published.

EMIGRATION.—To the 20th September 34,030 emigrants had arrived at Quebec, being an increase of 6464 over the number that had arrived at the same date last year. The number of vessels that had arrived at Quebec, to the same date was 917, being an increase of 73 over the arrivals last year, at the corresponding point of time.

RENUNCIATION OF ROMANISM.—We learn from the *Churchman*, that at a recent Protestant Episcopal Convention, held at Pekin, Illinois, the Rev. Dr. Niglas renounced the doctrines of the Roman Catholic Church.

TO CORRESPONDENTS.

We have received the *Evangelical Catholic*, and shall be happy to exchange with our new and neatly got up contemporary.

The continuation of a visit to the Sault is unavoidably crowded out this week.

"A Priest" in our next.

ACKNOWLEDGMENTS.

LETTERS received to Wednesday, October 1, 1851.—Rev. E. G. Sutton, Norton Creek, rem.; Hy. Rowsell, Esq. rem. for Rev. P. M. Twells, England; Rev. R. Blakey, Prescott, rem. vol. 15.

THE CHURCH.

TORONTO, THURSDAY OCT. 2, 1851.

THE LORD BISHOP OF TORONTO will, with the Divine permission, hold his next GENERAL ORDINATION at Toronto on Sunday, the 26th of October. Candidates for Holy Orders, whether of Deacon or Priest, are requested to communicate without delay to the Rev. H. J. GRASSETT, Examining Chaplain, their intention to offer themselves; and to be present for

examination at the Rectory, Toronto, on the Wednesday previous to the day of Ordination, at Nine o'clock, A. M. They are required to be furnished with the usual testimonials, and the *Si Quis* attested in the ordinary manner.

1st October, 1851.

TRINITY COLLEGE.

Recent occurrences confirm the opinion we have all along entertained, and justify the conclusion, that the denial to grant the perfect Charter solicited for Trinity College by the members of the Church, arose from a hostile feeling of jealous opposition entertained against its establishment by the promoters and governing body of the University of Toronto—from gross and wilful misrepresentation to the Colonial office—and from a species of presumptuous casuistry on the part of the Provincial Executive and Ministry quite indefensible; contrary to the constitution under which we live, repugnant to the spirit of the age, and subversive of those principles of liberal government upon which the late administration obtained the public confidence.

Let any man of sound and unprejudiced mind, carefully review the evidence we can adduce in support of the position now assumed by us, and he must admit, that our complaint is well founded, when we state that the Established Church of England and Ireland in this Province has been most ignominiously treated. She has been deprived, by an arbitrary exercise of power, of those privileges which are shared in common by other denominations of Christians. Having in communion with her one fourth of the entire population, she has been excluded from holding that position which the number, intelligence, and status of her people justly entitle her to assume. It now becomes the sacred duty of those whose welfare, whose hopes, whose faith are interwoven with her destiny, to arouse themselves, and casting aside the character of meek and passive suppliance, to demand that this injustice shall cease, that this foul blot on the national character be wiped away, and that she be at once enabled to exercise all the powers possessed by other corporate bodies, so that she may sustain her proper place in the Commonwealth.

We have before us several documents, by which it is our present purpose, to substantiate the validity of the charges preferred by us at the commencement of these remarks.

Firstly we take up the question of the opposition maintained by, what we see now very significantly styled in the official announcements, *par excellence*, THE UNIVERSITY OF TORONTO; by others yclept the Creedless College. It is true that this Colonial Institution, fattening on an endowment of Royal bounty, did not as a body give to the public any statement of their views on the proposed Charter. It would have been better if they had openly and plainly done so, some painful discussion might thus have been avoided. But the Chancellor of that Institution has on more than one occasion uttered his denunciations against it. In one instance this was done in open Convocation, when he most ungraciously indulged in a strain of gentlemanly and Christian oratory with reference to his Diocesan, which has rendered his name famous in this community. Throughout the whole course of proceedings connected with this measure, he used all the influence with which his prominent position as Chancellor invested him in the Council Chamber to oppose it. And this has been done without explanation or contradiction from the other constituted authorities of THE UNIVERSITY. With the Chancellor individually we have nothing to do—he has been, apparently, silenced by the truthful eloquence and sound reasoning of three letters addressed to him through the columns of this journal. But as the exponent of the views of the Corporation over which he presides, we feel that we are justified in saying, he exhibited in the opposition offered to the Charter, a hostile and jealous feeling. Hostile it was from its nature and the pertinacity with which it was maintained,—jealous we consider it to have been from the absence of all other ground or motive. There was no desire manifested on the part of the Church to detract from the dignity or the integrity of that authority with which the Colonial Parliament had in its wisdom invested THE UNIVERSITY. There was no claim put in for a share of the £11,000 a year. There was not even a plea advanced for eleemosynary aid. All she asked was to be allowed to educate her own children in her own way, at her own cost. And that when their education was complete, she should be able to send them into life with the ratified assurance that they were capable to undertake and perform all the duties of enlightened citizens—to minister her holy offices and to heal the sick—that they were prepared to take their part in the councils of the land and to administer its laws. Here was no interference with vested interests—no infringement of prerogative—but a simple suit for the right of doing that which THE UNIVERSITY was permitted to do, with all the advantages of its priority, its accumulated property, its splendid endowment. And yet THE UNIVERSITY shrunk from admitting so open, so noble a rivalry in the field of educational labour.

Of what, is it asked, had that Institution to be jealous? Of the steady purpose, of the disinterested zeal, of the industry, of THE SUCCESS of men, who were about to labour for the love of God's holy religion—who were determined to keep their children stedfast in the faith of their fathers—to teach them the purity of Christian principles as governing influences in every relation of life—to maintain that wholesome discipline in youth, the plastic period of man's existence, without which he grows up as a weed—to combat bravely with the Demon Infidelity in all its hideous and demoralizing shapes, from tyrannical superstition to blasphemous socialism.

And still THE UNIVERSITY is at work—every means overt and covert are being employed to frustrate the wishes of the Church, the efforts of her people. How expedient or justifiable some of these means may be, we shall not now stay to discuss, but we warn the friends of that Institution that this factious opposition will be in vain. As surely as the walls of Trinity College, which are now conspicuous in our suburban landscape, exist, so surely will this great and holy work proceed and prosper; and the very means which are employed against it, will become the stumbling blocks of the pride of those who, now in the zenith of their power, know not how soon their feet may slip. Look well to your endowment; the great monster of progressive change by whose aid you have been lifted up on high, may soon turn upon you and spurn you to the dust.

We have charged the opponents of Trinity College Charter with gross and wilful misrepresentation. Let us endeavour to show how this grave accusation is to be sustained. At page 6, part 2 of the return to an address from the LEGISLATIVE COUNCIL to His Excellency the GOVERNOR GENERAL, praying that His Excellency would be pleased to cause to be laid before the House a copy of the "Charter applied for by the Right Reverend and Honourable the Bishop of Toronto for a University or College for members of the Church of England, together with a copy of the Petition accompanying the same and of the correspondence relating thereto, &c.," we find the copy of a despatch from Downing-street, under date March 11th, 1851, addressed by Lord Grey to the Earl of Elgin. And in that official document printed by order of the Legislative Council the following passages occur:—"But that it is considered advisable to endeavour to raise the value of degrees in arts, by confining the power of granting such degrees as nearly as possible to the University of Toronto, with which the separate Colleges of different denominations are in connexion, as King's College and University College are with the London University in this country." This impression Lord Grey tells us that he derives from Despatches, Nos. 20 and 29 received from Lord Elgin. On referring to these despatches bearing the respective dates, Feb. 3rd and 17th, 1851, printed in the same document, we discover the source of this impression. His Lordship, the Bishop having in a letter addressed to Lord Grey on the 18th June, 1850, urging the Government to grant a Royal Charter, thus speaks of it: "It is little more than a transcript of the Charter of the late King's College or of that of the Scotch College now in operation at Kingston, &c.;" and with reference to the subject of affiliation he says—"It is the avowed intention of the promoters of the Statute by which King's College has been superseded and its endowment devoted to the establishment of a new University from which religion is by enactment excluded, to make that University the only one in the Province; and for this purpose they have invited, THOUGH AS YET WITHOUT SUCCESS, those religious bodies who have Colleges of their own to surrender their Charters, and to affiliate themselves as 'Theological Seminaries around the new University.'" In a subsequent letter, dated July 27th, 1850, the Bishop further adds: "In regard to applications made from a Colony to the Imperial Government back to the authorities of that Colony, it may be convenient as a general rule when the subject matter is new, unknown, or not well understood. But I submit that the question of granting the Charter I desire is not exposed to any of these objections. It has been acted upon in the case of the Kirk of Scotland in Upper Canada, in that of the Methodist Body, who enjoy a Royal Charter for an Academy." It is clear from these explicit statements of the Lord Bishop, that Lord Grey must have known that there were two Institutions only in the Province who enjoyed the privilege of Royal Charter, and that they had been appealed to in vain to affiliate with THE UNIVERSITY. Now, as Lord Elgin's despatch is a commentary upon this correspondence of the Bishop with Lord Grey, we certainly are surprised to find him making use of the following language:—"The authority in question would not, it is believed, have been granted to the Denominational Colleges of Queen's and Victoria, which are referred to by the Bishop, if the Charter of King's College had been originally procured on a comprehensive principle, or if the provisions of the Provincial Act, 7 Wm. IV. cap. 18, under which that Institution came into operation, had been carried out according to its true intent and meaning. The Government still entertains the hope that THE MEMBERS OF THE CHURCH, AS WELL AS OF THOSE