

No intelligent reader will mistake the foregoing argument for an attempt to nullify or evade the magisterial right of a Bishop, his office, and his duty under Christ, of awarding the distributive justice of Christ, in the Church on earth. The episcopal prerogative of judgment, founded on Scripture, covers only (beyond "receiving an accusation") the right of sentence of the final award upon the guilty. What actions are juridically guilt, is determined for the Bishop, by laws, by canons rubrics, &c., independently of his personal concurrence, perhaps against his personal volition. And the bench of triers is often, generally, among us, when a presbyter or deacon has been indicted, formed of presbyters only, without a bishop among them; and to this court are entrusted the meaning of the enactment, and the admission or rejection, the sifting, the weighing, the valuation, of the whole evidence,—the Bishop, throughout this important stage, of the proceeding, being entirely ignored. Now, all that is here maintained is, that the evidence be entrusted to more competent minds,—the evidence and interpretation of the law,—to minds that have been trained and inured to these departments of intellectual discriminativeness. That these functions are confided to presbyters, is the ruling of our Church that they vest not in Bishops exclusively; and our conventions may so vest them as to make our tribunals respectably skilful; it will do no wrong whatever to the apostolic office. Nor would it wrong our apostle-Bishop, to impose on them also, when convened for an episcopal trial, a large deference to cultivated judicial expertise; in all that bears to the statute and the testimony, including the recommendation of a sentence legally proper,—while the actual adopting of that sentence, or changing it to one of lighter penalty, and the final pronouncement of the judgment ultimately decreed, or else, the ordering of a new trial, shall pertain exclusively to the Bishops canonically assembled upon that cause. Such appears to be the theoretical basis of the English Church courts. Such, in the bearing on episcopal supremacy, is our own practice in trying presbyters and deacons. And so little, in the trial of Bishops, will the introduction into the court, and the predominance there, of accomplished judicial minds, be an encroachment on the spiritual prerogative of the apostolate.

I venture to subscribe myself, but in the humblest meaning of the appellation.

AMICUS CURLE

NOTE—The reader will, of course, bear in mind the following pertinent facts. 1. Jurymen, though entrusted with the law and the evidence, are under the guidance of a professional judge; and father, both judge and jury may be overruled by superior courts. 2. In courts martial, there are commonly officers of experience in that branch of judicature; and their finding and sentence are revised by the President, (or a Governor) who has official advisers of high legal skill. 3. In several Christian communities, there are lay functionaries in each grade of their ascending tribunals, affording them, first or last, a ready opportunity for professional aid and governance; and the frequency of trials among them gives a degree of expertise to their unprofessional judges, particularly in their ultimate courts of appeal.—None of these checks or advantages obtain in our Church.

Colonial.

CAPE OF GOOD HOPE.

The Royal mail steamer *Hellespont*, which left the Cape of Good Hope on the 2nd of May, had arrived at Plymouth. We have had later advices, but the following is interesting.

By this arrival we learn that the Kafirs had rallied throughout the Amatolas, and had gone back to the Waterkloof, where Macomo was in command, and had been joined by a large number of rebel Hottentots. The Kafirs are as much unsubdued as ever, and fight with as much fierceness and energy as ever. It was thought the policy of General Cathcart would soon tell powerfully upon them; he had directed that the cattle of the Kafirs should not be captured but destroyed.

One of the most important actions of the last few weeks had been the capture of two enclosures of the hostile chief Slook who were known to have sought to corrupt some of the friendly chiefs. They had been brought to King William's Town, and had been ordered to be hanged by General Cathcart, and the gallows for that purpose had been erected, and appeared to have been regarded with terror by the Kafirs. General Cathcart had met with an accident by a fall from his horse, and had injured his head, by which he was disabled for a few days. He had, however, recovered, and was able to join his forces. On the 26th of April he was to leave King William's Town for Fort Beaufort, and was to attack the Kafirs and Hottentots in the Waterkloof on the 26th, heading and directing the troops in person. As Macomo's force was very considerable, the action was expected to be a very severe one. The troops were generally healthy, and in high spirits.

One of the new Commander-in-Chief's first acts on assuming the command was to issue a notice, declaring his determination to expel the refractory Gaiha tribes for ever from the country, between the Keiskamma and Kei; at the same time promising protection to those who remained friendly and submitted to his authority. A general order was also issued to the troops, directing that in future all cattle taken by them from the enemy should be at once destroyed, reserving only what might be required for immediate supplies.—In order to avoid the harassing and danger us, of guarding and driving the captured herds, and at the same time to convince the Kafirs that the object of the war was not the acquisition of booty.

GENERAL CATHCART'S KAFIR POLICY.

Chiefs, Ampakati and People who dwell between the Rivers Kei and Keiskamma—

Our great and good Queen Victoria has sent me, George Cathcart, to be your great chief and governor. I come among you to do good to all those who are faithful and true to their word.

Therefore, Pato, Sewani, Taise, Umkai, and all those chief and men of the T'Slambies tribes who have been faithful during the war, I am your good friend so long as you, your ampakati, and people will allow me to be so. I will also be the friend of Umhala, provided that his future conduct be such as to acquire my good opinion.

But as for Sandilla, and all the Gaiha chiefs and people, also the T'Slambies, Seyolo and Umfundisi and their followers, they have rebelled against their sovereign Queen Victoria, and have suffered rebel Hottentots and others to join them in fighting against her soldiers.

That is a great crime, and cannot be forgotten;

therefore, though I wish for peace, and that all bloodshed should cease, Sandilla and all those who have taken part in this wicked rebellion, must go beyond the Kei, and none of them will ever be suffered to return and live in peace in the country they occupied before the war. (Signed) GEORGE CATHCART.

Lieu-General High Commissioner.

Dated at King William's Town, this 12th day of April, 1852.

THE CHURCH.

TORONTO, THURSDAY, JULY 1, 1852.

Toronto, June 28th. 1852.

MY DEAR BRETHREN RESIDING BETWEEN TORONTO AND KINGSTON.

It is my intention (D.V.) to visit, for the purpose of holding Confirmations, your several Parishes and Stations, in accordance with the following list.

I remain, &c.

JOHN TORONTO.

July, 1852.			
Tuesday,	13th	Christ Ch. Scarborough.	11 A.M.
		Duffin's Creek.....	3 P.M.
Wednesday,	14th	Norwood, Pickering....	11 A.M.
Thursday,	15th	Uxbridge Mills.....	11 A.M.
		Mr. Fairs.....	3 P.M.
Friday,	16th	Brock, West Church....	11 A.M.
		East Church.....	3 P.M.
Saturday,	17th	Beavertown.....	11 A.M.
Sunday,	18th	St. Paul's Whitby.....	10 A.M.
		St. John's Windsor.....	2 P.M.
		St. George's Oshawa....	5 P.M.
Monday,	19th	St. John's Bowmanville.	10 A.M.
		Clarke.....	2 P.M.
Tuesday,	20th	Cartwright.....	11 A.M.
		Preston, Manvers.....	4 P.M.
Wednesday,	21st	Cavan North Church....	11 A.M.
		Cavan South Church....	3 P.M.
Thursday,	22nd	Emily.....	10 A.M.
		Lindsay.....	3 P.M.
Friday,	23rd	Peterborough.....	11 A.M.
		Gore's Landing.....	5 P.M.
Saturday,	24th	Port Hope.....	11 A.M.
		Perrytown.....	3 P.M.
Sunday,	25th	Cobourg.....	11 A.M.
Monday,	26th	Grafton.....	11 A.M.
		Colborne.....	3 P.M.
Tuesday,	27th	Carrying Place.....	11 A.M.
		Hillier.....	3 P.M.
Wednesday,	28th	Pictou.....	11 A.M.
		Marysburgh.....	3 P.M.
Thursday,	29th	Marysburgh.....	10 A.M.
Friday,	30th	Aurwood, Tient.....	11 A.M.
		Frankford.....	3 P.M.
Saturday,	31st		
August 1852,			
Sunday,	1st	Belleville.....	11 A.M.
		Huntingford.....	3 P.M.
Monday,	2nd	Tyendinaga.....	11 A.M.
		Mohawk.....	3 P.M.
Tuesday,	3rd	Napanee.....	11 A.M.
		Carke's Mills.....	3 P.M.
Wednesday,	4th	Bath.....	11 A.M.
		Amberst Island.....	3 P.M.
Thursday,	5th	Fredericksburg.....	11 A.M.
		Adolphustown.....	3 P.M.

NOTE—Should there be any error or omission in this list, the Bishop requires the Clergyman interested, to notify him of the same in time to be corrected.

CHURCH ORGANIZATION.

Unfortunately the history of Colonial Church Government but too forcibly attests the evils which have resulted from the State *per se* attempting to do that which it ought to have done in connection with the spiritual rulers of the Church. A very slight acquaintance with the history of the Church in America bears painful witness to the awful neglect exhibited towards it in that and, when it was yet a Province of the Empire; and, if we were wise, its history ought to be a lesson to ourselves, not to delay using every Christian means to prevent kindred ills being entailed on us. Earnest and repeated demands were made for the establishment of the Episcopate in the Colonies, and individual exertion employed to plant the Church in its completeness amongst the people; but all remonstrance was useless. The Synodal powers of the mother Church being suppressed or in abeyance, no measures could be taken by Convocation to aid in the difficulty, and a Prime Minister and Privy Council undertook the responsibility of negating propositions for Church extension which would have materially influenced the destiny of the Colony. There can be no doubt now, however, that the result of the vicious system pursued towards the North American Provinces partially opened the eyes of the British Government, and induced them subsequently to erect Colonial Sees, thereby, in part, remedying the mischief which it had done. But was it comely in the Government?—was it consistent with the principles which governed the mother Church and State, for such a momentous step to have been taken without having the politeness—we will use no harsher term—to inform the Houses of

Convocation that the Colonial portion of the Empire was about to receive so inestimable a boon? Is the office of Prime Minister of that nation on which the sun never sets, one of so trivial and unimportant a character as to render him perfectly independent of advice and assistance, and on questions, too, requiring the forethought and prayerful attention of the purest and holiest minds? Did the step in no way concern Convocation itself?

The consequences of thus neglecting to take counsel of the Church in its collective capacity, are but now being too forcibly felt. This view of the case, however, only presents us with some of the lesser shadows of the picture;—there are sterner and darker spots but too prominently before us to escape the observation of the most careless. This Erastian system of government has so completely fettered the hands of the Church, that she has been withheld from exercising her missionary character or performing the responsible duties attaching to it. She has been chained, while her opponents of every shade of opinions have been allowed freely to roam over the wide fields of her domain and to usurp her very name and titles—and all this often at the risk of perjuring those who were office-holders under the Church and Government. Thus, a member of the Legislature, on taking the oath of allegiance, swears that no foreign Prince has, or ought to have jurisdiction in this realm; and yet in the next moment he may be called on officially to address a Romish Bishop by an English title, conferred on him by a foreign Potentate, or to subscribe the self-assumed prefix of some other Dissenter, who pleases to style himself by some fanciful appellation. Such pomposity serves but to place the Church in a cruel position and in unpleasant contrast to those who are in undisguised rebellion against her and the Crown. Let us take as an illustration the following specimen from the Romish sect. We shall there learn that the Roman Catholics in Ireland in no way connected with the Government, elect Bishops and submit the election to be ratified by him whom they believe to be head of the Church. They are not obliged to wait on the caprice of a Prime Minister or the unaided dictum of an Archbishop. When the rulers of the Roman Catholic body see a want they proceed to supply the necessary means of removing it;—and in the same way we find Presbyterians, Methodists, *et id omne genus*, exercising without

Private letters received from Rome, dated the 20th, mention the final decision of the Holy See with reference to the appointment of Dr. Cullen for Dublin.

According to these letters, three Bills had been issued by His Holiness, one severing the connection of Dr. Cullen with the Archdiocese of Armagh; another appointing him "Archbishop of Dublin;" and the third nominating him "Apostolic Administrator of Armagh." If such be the case, the fact will no doubt, be soon known in Ireland.

The communications referred to do not consider it probable that the letter said to be addressed by a political personage in England, and presented to the Pope by Dr. O'Toole, Vice-President of Galway College, will be productive of more effect than the representations alleged to be made by the same personage to the Pontifical Court on the subject of Dr. Cullen's appointment to the Roman Catholic See of Dublin.—*Mirror.*

The Anglican Church possesses *de jure* the same right of electing her Bishops; but that this right has been interfered with, a late case but too painfully proves. Still the arbitrary abuse of power cannot nullify a law—and we feel persuaded that no attempt will again be made to enact so solemn a mockery as that to which we have alluded. These grievances and manifest wrongs do harm to the minds of many well-intentioned men, and drive them into the commission of sins which they may deeply deplore. In old and well-ordered countries where people have grown up around the Church, the injuries inflicted are not so prominently felt; but how fares it with the emigrant, fleeing from the restraints of a crowded home to the new settlements of the distant West? How complete a revolution is wrought in his condition! All things are new there; there is nothing to recall the image of the old roof-tree—nothing to tell him that he is on Christian soil. His mind may become reconciled and familiar to change of climate and of scene; his industrious hands may soon plant the garden and entwine the creeping vine around the cottage door; but when the hour of rest has come, and he sees his unbaptized little ones about him; when festival after festival passes and he finds no altar-table spread, no heavenly bread to stay his famishing soul—how earnestly does he long for the presence of that Holy Mother which holds in her fond embrace the earthly tabernacle of a parent or child, brother or sister! What would he not give to worship at that holy altar at which a dying Saviour stoops to hold communion with him, and who might remind him of sorrows and grief patiently borne, of mockings and scourges meekly endured, of the unworthy severance of kindred and friends, His rejection by Church and nation. The heart of man is like the field on which he is doomed to toil; left to

itself, rank weeds spring up and choke the tender plant, and wild tares take the place of wheat. When Sunday comes—and with it nought but rest from toil, no church, no gathering of worshippers, no message of peace delivered, no declaration of forgiveness to penitent hearts, no means of grace, no school to nurse and train in holy ways the outcast lambs of the fold—the painful enquiry will arise, why a baptized son of England's Church should be left to perish in the howling wilderness. And as the eye of memory rolls its saddened glance back over the trackless waste, the vision of the old church spire and pointed roof, the churchyard flowers and neatly turfed graves, and the sweet music of the matin and vesper bell, teach him to feel more keenly the utter desolation of the settler's life. Dispirited and lonely, and but too often with a disturbed and troubled mind, he looks abroad day after day on the earthly labour freely spent on earthly meat to satiate the temporal man, while there are none to gather up even the very crumbs that may fall beneath their tables for the service of that God who sendeth both the former and the latter rain.

And what marvel if the soul, tempest-tossed in such a scene of physical and spiritual desolation, turn to the first shelter that offers to receive it. And here we see the unfortunate effects of solitary State action. Unaccustomed in the mother land to see or hear of the active exercise of the Church; tutored to believe that the Crown is the sole agent in its management; grieved at the neglect exhibited—the latent germ of discontent towards both Church and State is laid, which soon ripens into hate—that hate but too often fostered by the councils of designing or misguided minds. To prevent the recurrence or continuance of such crying evils the minds of earnest and sincere Christians are directed towards the energetic action of the Church itself. They feel and know that true religion cannot last unless there be unity of action and unless that action proceed from a legitimate and authorized source. They feel that the State acting too much by itself has failed to discharge the duties it has unadvisedly undertaken, and they aim at recovering to the Church her true position, under the Christian hope that the Church and State may retrieve together that which both have separately lost.

It must also be evident that the growth of the Colonial Church has also imparted important peculiarities to her history, inasmuch as it has added a large class of Missionary Bishops and Presbyters who as yet have no definite position assigned them in her Provincial assemblies, and who as yet are exercising purely missionary duties, having no ecclesiastical courts, and no well defined code of Church government. This condition of the Colonial portion of the Church seriously affects the constitution of the Provincial Synods at home, and hence, as we have in our first article observed, it becomes a matter of vital importance to reconsider carefully the whole Constitution of Church Government. At the present moment the Colonies are part of the Province of Canterbury; but we question very much whether the suffragan Bishops would be entitled to sit in the Provincial Synod of Canterbury. But even if this were lawful, there is but little difficulty in detecting the impracticability of carrying out the measure. The paramount interests of the Church require that the Houses of Convocation at home should be so far improved as to comprehend a National Synod, and that the Church be permitted to hold Synods in all her Provinces, as she has now the unquestioned right to do in Canterbury and York. In the next place, in all our future legislation the question of our sisterly intercourse with National and Missionary Churches must be seriously undertaken, and every effort used to produce unity and concord and to maintain love amongst the brethren.—With such liberty of action we should then find the great value of Diocesan Synods and Courts, which the interests of the Church as imperiously demands as any other re-establishment. In short, the time has at length arrived when the restoration of these Courts has become a great necessity, and it is in the reconstitution of them that the greatest care and caution is requisite.

We earnestly and most affectionately implore the brethren not to sanction individual legislation, we entreat our Fathers in England and Ireland to secure first the restoration of Convocation at home; we beseech the British Legislature to abstain from experimenting on the Church of Christ, and in mercy to leave her interests to be watched over and guarded by those to whom God has committed her. Nor would the State be exempt from the benefits resulting from such a procedure: freed from the immediate anxiety and responsibility of ecclesiastical affairs, it would not be brought into unpleasant collision with the Church, nor incur the sin of hindering her efforts; and, connected as the Crown would yet be with the Ecclesiastical