

NEW ZEALAND.

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No. 1.

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COPY of a DESPATCH from Governor Sir G. GREY, K.C.B., to the Right Hon.
EDWARD CARDWELL, M.P.

(No. 101.)

Government House, Wellington, August 10, 1865.

(Received, Oct. 16, 1865.)

SIR,

I HAVE the honour herewith to transmit a petition, addressed to Her Majesty by the Bishops of the Church of England in the Colony of New Zealand, together with a Memorandum which my Responsible Advisers have prepared in relation to the enclosed petition, and which they have requested me to bring under your notice.

I have, &c.

The Right Hon. Edward Cardwell, M.P.,
&c. &c. &c.

(Signed) G. GREY.

Enclosure 1. in No. 1.

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PETITION from the Bishops of the Church of England in New Zealand.

To the Queen's Most Excellent Majesty,

The humble Petition of the undersigned Bishops of the Anglican Church in New Zealand,
Showeth,

1. That Your Majesty's petitioners were duly consecrated according to the form and manner of making, ordaining, and consecrating of bishops according to the order of the United Church of England and Ireland; and humbly express their conviction that all the powers necessary for the due administration of the office of a bishop in this Colony were conveyed to them by the ordinance of consecration.

2. That Your Majesty's petitioners accepted letters patent from the Crown, the validity of which has now been denied by the Judicial Committee of the Privy Council in the following words:—

"Although in a Crown Colony, properly so called . . . a bishopric may be constituted and ecclesiastical jurisdiction conferred by the sole authority of the Crown, yet the letters patent of the Crown will not have any such effect or operation in a Colony or Settlement which is possessed of an independent legislature."

On Petition of
the Bishop of
Natal,
March 20,
1865.

That the letters patent granted to Your Majesty's petitioners were issued after the colony of New Zealand had become possessed of an independent legislature.

3. That Your Majesty's petitioners, therefore, humbly crave permission to surrender their letters patent, and to be allowed to rely in future upon the powers inherent in their office for perpetuating the succession of their order within the colony of New Zealand, and securing the due exercise of their episcopal functions, in conformity with the Church constitution herein-after described.

4. That Your Majesty's petitioners, in conjunction with the representatives of the clergy and laity from all the dioceses in New Zealand, and with Bishop Patteson, have agreed upon a constitution for associating together the members of the United Church of England and Ireland in New Zealand, by voluntary compact, for the ordering the affairs, the management of the property, the promotion of the discipline of the members thereof, and for the inculcation and maintenance of sound doctrine and true religion throughout the Colony.

5. That this constitution has been recognized by an Act of the Colonial Legislature empowering the Bishop of New Zealand to convey to trustees appointed by the General Synod, as established under the provisions of the said constitution, numerous properties formerly held by him; and that at the present time the residences of four bishops and of many of the clergy, sites for churches and schools, burial grounds, lands for the endowment of bishoprics, parishes, schools, colleges, and of the Melanesian mission, are vested in trustees appointed under the authority of the said General Synod; and further, that regulations have been framed for the administration of the properties so held in trust for the General Synod, and a tribunal has been established for the decision of any doubts which may arise in the course of such administration; in agreement, as it is believed, with the decision of the Judicial Committee of the Privy Council in the case of *Rev. W. Long v. the Bishop of Cape Town*.

Bishop of New
Zealand's
Trusts Act,
1858.

6. That the General Synod, at its last meeting held at Christchurch in May 1865, framed rules for enforcing discipline within their body, and also established a tribunal to determine whether the rules so framed and assented to "have been violated or not, and what shall be the consequences of such violation;" and that all the bishops in New Zealand, together with Bishop Patteson, assented to the rules so framed, and to the establishment of the tribunal aforesaid; and are bound, in common

Judgment of
Judicial Com-
mittee of Privy
Council, *Long
v. Bishop of
Capetown*.