

COLOMBO. any dangerous liberty for ourselves. We have, I think, fairly shown in our first meeting that we disclaim any such kind or degree of power as would either place us in collision with the temporal power, or separate us, in any important matters, from the great Anglican Church of which we are a part. Most carefully have we avoided making any claim above or inconsistent with the lawful diocesan rights which we maintain.

We kept to the letter of the late Duke of Newcastle's Despatch, which, in distinct contradiction to expressions in the letter of the Society, admits the legality of such an Assembly. And, as I have already assured his Excellency the Governor, if, ignorantly, we have in any matter exceeded our powers, we are ready and willing to reconsider and amend our action in such particulars.

I have, &c.

The Right Hon. E. Cardwell,
Secretary of State for the Colonies, &c. &c.

PIERS COLOMBO.

No. 14.

No. 14.

COPY of a DESPATCH from the Right Honorable EDWARD CARDWELL, M.P.,
to Governor Sir HERCULES ROBINSON.

(No. 126.)

SIR,

Downing Street, 8th May 1866.

I HAVE to acknowledge your Despatches No. 233*, of the 14th of December, and No. 240†, of the 30th of December, the first enclosing, with other documents, the copy of a paper entitled the Acts and Resolutions of the First Synod of the Diocese of Colombo, the second enclosing a letter from certain members of the Church of England, recording their desire not to be identified with the Synod.

I have also received a letter from the Secretary of the Church Missionary Society, of which I enclose a copy, and your further Despatch, No. 55‡, of the 25th of March, enclosing a second letter addressed to me by the Bishop of Colombo.

I can only at present receive the Resolutions enclosed in your Despatch of the 14th of December as embodying the opinion of those who either have already, or may hereafter, express their concurrence in the views which they convey. It is necessary to be careful in the present unsettled state of the law that such an Assembly does not assume to exercise powers which may prove to have been inconsistent with the law. I have, therefore, referred your Despatch to the Law Officers of the Crown, a copy of whose opinion I enclose to you, confidentially, for your guidance.

You will observe that in one particular the Law Officers are of opinion that the Assembly has assumed to exercise powers which do not belong to them.

The Law Officers are of opinion that, as Ceylon is a Crown Colony, the Letters Patent constituting the Bishopric of Colombo are valid in law, and it is not legally competent to the Bishop of Colombo, even with the consent of a Synod of clergy and laity, to make or act upon any regulation which is either directly or virtually in conflict with the Ecclesiastical Law of the Church of England, and that on this ground the imposition of any new form of test for the Colonial Clergy is inadmissible.

You will call the Bishop's attention to this circumstance; and I request you will inform his Lordship that I cannot comply with the request conveyed in the 6th Resolution.

I have, &c.,

Governor

(Signed)

EDWARD CARDWELL.

Sir Hercules Robinson,
&c. &c. &c.

Encl. in No. 14.

Enclosure in No. 14.

To the Right Honourable EDWARD CARDWELL, M.P., Her Majesty's Secretary of State for the Colonies, &c., &c., &c.

Church Missionary House,

January 18, 1866.

SIR,

1. THE Church Missionary Society have received from the Bishop of Colombo an account of a Diocesan Synod held in Ceylon, September 20; and his Lordship informs them that it is his intention to apply to Her Majesty's Government, as well as to the Archbishop of Canterbury, to give effect to certain recommendations of the Synod.

2. The Committee beg leave, therefore, to lay before you the following statement respecting the effect which the recommendations of the Synod will have upon the Clergy of the United Church of England and Ireland employed in the operations of the Society in Ceylon.

3. The Church Missionary Society is conducted in all respects in conformity with the principles and discipline of the United Church of England and Ireland. One of its standing regulations is, that "Every congregation gathered from the Heathen is to be settled and governed according to the constitution and discipline of the Church of England."