

the Church, under the designation of Provincial or Diocesan Synods, or any other designation for the purpose of deliberating on matters concerning the welfare of the Church. The powers of such a meeting may be gathered from the following extract from the Judgment of the Judicial Committee :—

“The Church of England, in places where there is no Church established by law, is in the same situation with any other religious body, in no better, but in no worse position, and the members may adopt, as the members of any other communion may adopt, rules for enforcing discipline within their body which will be binding on those who expressly, or by implication, have assented to them.”

“It follows that the rules passed by such an assembly as I have described (unless in themselves contrary to law) are binding, not indeed on all professed members of the Church over whom the Bishop has been appointed to preside, but on all those who expressly, or by implication, have assented to these rules.

“So long, therefore, as the action of the Synod is confined within these limits, I should wish you to recognise it officially—to treat it as being what it virtually is, the representative of the Anglican Church, and to place at its disposal, without enquiring into its internal relations or disagreements, the funds which may be voted from time to time by the Legislature in aid of the Anglican Communion.

“For the present, however, I have instructed you not to ‘take official cognizance’ of the Acts of the Assembly, ‘until steps have been taken to clear it from the imputation of illegality, which at present attaches to it.’

“When I gave you these instructions, I supposed that the Bishop could have little real difficulty in ascertaining how far the proceedings of the Synod had violated or had appeared to violate the principles laid down by the Court of Appeal, and I hoped (as indeed I still hope) that the members of the Church of England would be wise enough to cancel all such proceedings, and by so doing to place their institutions on a footing which would enable the Government to countenance them, and to abandon a position which must obstruct their relations with the Civil Power, and expose them to continual collision with the law of the Colony, to disastrous litigation, and perhaps to embarrassing defeat.

“With these feelings and wishes, I considered that it would be most convenient for the Bishop and the Church that I should leave them at liberty, in the first instance, to place their own construction on the Judgment, and to submit for my consideration such amendments of their existing rules as, with least detriment to their own position, would enable the civil power to give them its cordial co-operation. The Bishop, however, professes his inability to understand me, and, I assume, desires me to explain myself with more fulness. His principal difficulty is, I suppose, to ascertain what measures I hold requisite to remove the imputa-