

undertaken, that the ordination service be occasionally read by the president, who shall open and close the meetings with PRAYER.

Resolved, fifthly—That our meetings be open to all our brethren of the Established Church, who may wish to attend.

Resolved, sixthly—That we occasionally communicate, by our secretary, with the Association for discountenancing Vice, and promoting the practice of Religion and Virtue, and with societies similar to our own in other parts of the kingdom, for mutual improvement and advantage.

[Here follow the names of twenty three Clergymen.]

The society thus formed was not only countenanced, but patronised by the Bishop of the diocese. One of the most active and influential persons engaged in the formation of it, was the Revd. Hans Hamilton, the Bishop's son, then prebendary of Kilmanagh; and an original member states, that the sermons preached were, "by Bishop Hamilton's desire, sent to him for his perusal." It appears also, that Bishop Hamilton continued to patronise the society to his death; and once, at least, at the meeting held in October, 1802, he was present in church, and afterwards sat some time with the clergy in the vestry-room. It is necessary to remind the reader of these particulars, as it has sometimes been asserted very strongly, that this meeting was antiepiscopeal in its very origin. That, in after times, the succeeding Bishop did not yield to it that fostering care and patronage which it received from Bishop Hamilton—yea, that he decidedly opposed it—is acknowledged; but the wisdom and prudence of such opposition—made too, as would appear, without examination or inquiry—to a society of Clergymen originally patronised by his predecessor, and who, as we have seen, had also the practice of a former Bishop of the See to plead in defence of their meetings, is rather difficult to be comprehended.—*Memoir of the Rev. Peter Roe, by the Rev. Prebendary Madden.*

The Berean.

QUEBEC, THURSDAY, FEB. 27, 1845.

Our readers are aware that in conducting this periodical, we consider ourselves quite free from any obligation of forming opinions and offering remarks upon the politics of the day. We have had the happiness to abstain from occupying our editorial columns with reflections upon the proceedings of the Provincial Legislature—and a great happiness it is, considering the manner in which on one or two occasions the time of the people's Representatives has been employed. But a measure is now under the consideration of that body, to which our vocation as Editor of the BEREAN requires our close attention, and we feel it our duty to utter a word of counsel on the measure before the House of Assembly, professing to have for its object the Instruction of Youth in Common Schools.

We have had the advantage of receiving a communication from a Correspondent who seems to have minutely examined the provisions of the proposed bill, and has sent us "Memoranda" which his modesty made him design as only materials for us to work into an article, while our sense of the importance of his aid makes us determine upon laying the draft before our readers as it is, with just this notice of its origin, which will explain every peculiarity in its composition, while it will not, we feel assured, detract from the value of its contents.

We have for a succession of years watched the attempts at legislation made in this Province for the establishment of Common Schools, and it does not escape us, that great difficulty exists in devising a plan both practicable and likely to meet with the approval of the population to a great extent. It has given us much satisfaction to find a sort of provision made, in the last, though a very insufficient, enactment, for the relief of those parties who might conscientiously dissent from the measures taken by the local School Commissioners. It was open to them to establish their own schools, and they were entitled to receive their portion of the school-fund. The bill now before the House professes to do the same thing, but, as our Correspondent clearly shows, in fact renders its apparent liberality worthless, for it only allows the parties to dissent from rules made by the School-Commissioners, while the most objectionable rules may be made by the Superintendent, from whose "orders" there is no liberty to dissent.

It may not be amiss to observe that, in the remarks made upon the enormous power committed to the Superintendent of Education, no reference whatever is intended by us nor, we believe, by our Correspondent, to the individual now filling that post. Supposing him to be of all men the most likely to use such power with discretion and integrity, he may be superseded any day by another not equally deserving of confidence; and it is not the part of wise legislators, to frame objectionable acts, under the persuasion that justice and wisdom in administering them will correct the vice and folly of the legislation.

The character of the measure in hand has forced our Correspondent to except against the prerogative here assigned to the R. Catholic portion of the population, while Protestants remain exposed to disabilities from which they must seek shelter under provisos separate from the main features of the bill. But this shelter itself proves deceitful, and leaves their sufferings unrelieved. It is evident that the principle of such unequal legislation might at some future time and in a different locality be applied as much to the disadvantage of R. Catholics as it is in this measure in the opposite direction.

We find that the space which we can devote to this subject is now so much filled up that we must abstain from extending our remarks. We do so with little regret, considering how fully the bill is brought under the notice of our readers by the memoranda which follow.

If, however, the course of proceedings in the Legislature should allow us time to recur to the measure before it shall have advanced to its completion, we shall probably do so, or we will look to our Correspondent for additional communications upon it.

Memoranda relative to the proposed "Act to make better provision for Elementary Instruction in Lower Canada"—1845.

1. Section III. provides that in case of failure to elect the requisite functionaries, the Governor shall appoint them at the instance of the Superintendent, and by their means carry the Act into effect; but Sec. XI. empowers the Superintendent *ex-officio* to appoint the Commissioners, &c.; and Sec. XII. allows certain persons, after 15 days' delay in the election, to submit names to the Superintendent—whose approval shall constitute such persons School Commissioners.

Secs. XI. & XII. require reconciliation with Sec. III.; but in all, great patronage centres in the Superintendent. According to III. the Governor cannot act without his "instance." According to XI. he can act without the Governor. The Governor is a Protestant; the Superintendent a Roman Catholic.

2. Again, "the School Visitors" are amongst "the certain persons" allowed by Sec. XII. to act as above; and Sec. XXXII. describing these visitors, includes "resident Clergymen of whatever denomination;" but Sec. XII. specifies "the Clergyman or Minister of the most numerous congregation." There is at least tautology here, if not something worse. Residence applies to the Romish Priesthood almost without exception, itinerancy more commonly to those who minister to the more scattered Protestants. Besides, in other parts of the Bill, it seems to be found convenient to consider the population as composed of two divisions, Roman Catholic and Protestant, whereas here and elsewhere it is expedient to break it up into congregations and religious persuasions. Thus, the Roman Catholics being always one, whilst the Protestants are several, the former may be greatly in the minority, and yet compose "the most numerous congregation." For instance, in a population of 4,001, there may be

Episcopalians	1000
Church of Scotland	500
Secession Church	250
Free Church	250
Wesleyans	500
Independents	250
Baptists	250
Protestants	3,000
Roman Catholics	1,001
	4,001

3. Nor is it only the Clergyman of the most numerous congregation; but the "Church Wardens or Trustees" of the same, though not "Visitors," are specially added to the "certain persons" allowed by Sec. XII. to name the parties who shall be Commissioners, if only approved by the Roman Catholic Superintendent;—the Church Officers of all the other Congregations, though making three-fourths of the population, having no voice in the matter. Thus, where Roman Catholics are the majority, preponderance is theirs, but it is made so even where they are a minority.

4. But further, not only where they are a minority of the population, but where they may even compose the least "numerous congregation," it is still competent to Roman Catholics, according to Sec. XXV. should the Law not do it gratis, to buy the rights of School Commissionership for their Clergymen and Church Wardens, whilst the same privilege is open to no other denomination: so that a Protestant majority of Commissioners elected by the people, may be turned into a minority, if any Fabrique choose, by paying a small sum annually (£6 5s. in a former Bill), to purchase seats and votes for their Priest and Churchwarden, as two extra members to turn the scale.

5. The weight of the foregoing remarks is increased when it is learnt that "all lands, school-houses, or other property, real or personal belonging to common schools," "acquired, given to or erected by School Trustees or Commissioners, or by the Royal Institution" under any Act for Education, "or under any law or by any title whatsoever," is to vest in, and be taken possession of by, the School Commissioners, who are to be erected into a Corporation with the perpetuity and other privileges of such a body.

6. Provision having been secured for the preponderance of Romish influence, it was natural to foresee that dissatisfaction would arise; and the Bill accordingly proceeds with much semblance of consideration, to meet anticipated scruples, but in a way which debars the very liberty which it professes to confer.

Should the regulations of the Commissioners not be agreeable to any persons professing a religious faith different from that of the majority of the inhabitants; then, according to Sec. XXVI., such dissentient persons may

choose Trustees and establish schools of their own. But it has been shewn how a Romish majority of the Commissioners, may consist with a Romish minority of the inhabitants; and now, should the rules of the Romish Commissioners be distasteful to the Protestant majority of the people, they may hug their scruples, but go without their schools,—for, to get them, they must be of a "faith different from that of the majority of the inhabitants;" but they are the majority. The Bill, therefore, generously grants them the liberty of having schools conducted according to their wishes, on condition of their professing a faith different from their own.

7. The Bill altogether overlooks the fact that persons of the same faith may entertain diverse views concerning the management of Schools, and denies to the people the privilege of dissent touching school management, unless they also labour under the additional unhappiness of variance touching Church government.

8. And when it speaks of the faith professed by the majority of the inhabitants, it describes what will in numerous instances prove a nonentity. In how many Districts will it be found that no single religious denomination comprises within its pale a majority of the inhabitants!

9. In alarming connection with the regulations of the Commissioners, are the powers entrusted to the Roman Catholic Superintendent.

- (1.) He is to have the superintendence and control of every Educational Institution receiving public monies. Sec. XXXV. 9.
- (2.) And also to have generally all such powers as, without being detailed, shall be adjudged useful to the working of this or other Acts directly or indirectly encouraging education. Sec. XXXV. 10.
- (3.) He is, moreover, to draft regulations for the Commissioners, Secretary-Treasurers, Trustees, Masters, Mistresses, Examiners, subject to approval by the Governor in Council. Sec. XXXV. 3.
- (4.) His recommendation of a sum for a superior School in the most thickly settled place, is to be binding on the Commissioners. Sec. XX. 7.
- (5.) School property may be alienated by the Commissioners, if authorized by him. Sec. XXIV.
- (6.) If the Commissioners deem an extra assessment necessary, and say on what property they think it ought to be levied, he may order it accordingly. Sec. XXXVIII.
- (7.) School Commissioners are to comply as regards the management and internal discipline of Schools, with his instructions, whether special or general, given from time to time. Sec. XX. 5.
- (8.) The Commissioners for Quebec and Montreal are to "be bound (as others are) to obey" his "orders." Sec. XLV.
- (9.) And they are to "report their doings" to him every year. Sec. XX. 5.

He is to be invested with other prerogatives, but these in addition to some already recited, may suffice to justify the above use of the word "alarming" in relation to the whole case, particularly when it is considered that, excepting as in item (3), these powers are to be accumulated upon the Superintendent without check and without appeal.

And lest the one case in which his powers are intended to be curbed by subjection to the approval of the Governor in Council, should seem sufficient to allay all fear, it may be shewn that the clause containing it only offers a theoretical security against abuse, whilst practically contravening in the strange way another professed object of the Bill, viz. provision for the scruples of dissenting minorities. Regulations for the Commissioners are to be drafted by the Superintendent, and approved by the Governor in Council, before being distributed, if distributed at all. The distribution of these identical regulations as instructions to the Commissioners is not made necessary. But the instructions, called "orders" of the Superintendent, whether special or general, are to be binding on the Commissioners, even though they should relate to the internal management and discipline of their Schools. However, whether the "approved" regulations which the Superintendent framed, or the spontaneous orders of that officer, be sent for the Commissioners to comply with, neither will have been "made by the Commissioners;" and it is only in case the regulations "made by the Commissioners" are not agreeable to a different-faith-minority, that other schools can be formed. The answer to "such dissent in writing" would therefore be, "The Governor in Council established these regulations according to the Act, and the law makes no provision for dissent in such a case."

The comprehensiveness of the terms—"special and general instructions for management and internal discipline," would make them include every one of the questions which have agitated the public mind relative to Education. The Superintendent may forbid the Scriptures, "order" the Irish extracts, command the use of the Romish Catechism, enforce the method pursued by the Freres de la doctrine Chretienne, make Romish fetes obligatory, favour pet localities with superior schools, and subvert Teachers with elevation to them, connive at the alienation of School property, and the additional and partial taxation of the people by Commissioners appointed by himself, control every publicly supported Educational Institution in the country, and, in short, play all such arbitrary pranks as "without being detailed, shall be" (by him) "adjudged useful to the working of this and every other Act directly or indirectly encouraging education."

The annals of enlightened legislation are challenged to produce a parallel to this.

10. The provisions of the Bill regarding the qualifications of Teachers, furnish further matter for particular consideration. The Commissioners are to have the power of engaging and removing Teachers of the Common Schools, but no person is to be one after 1st January, 1848, without a certificate of examination before one of the Boards of Examiners. Sec. XX. 4. These Examiners, appointed by the Governor, are to be fairly taken from the several religious persuasions, and they are to grant or refuse, as the case may require, certificates of ability and

fitness. But here again slips in the power of the Superintendent, by whose instructions the Boards are to be guided as regards the acquisitions which the candidates must possess, and the form of the certificate to be given to them. Sec. XXXIII. That officer may accordingly forbid enquiry touching Scriptural knowledge as an acquirement, declare acquaintance with the Romish Missal, &c. to be a requisite accomplishment, instruct the Boards to omit, or to insert, to be easy or severe, and yet to give to the candidates such form of certificate for ability and fitness as he may prescribe,—their convictions to the contrary notwithstanding.

11. The Teachers, however, are also to produce a sufficient certificate of moral conduct, signed at their place of residence during the six preceding months, by the Rector, or by the Minister of the most numerous congregation, and by three respectable persons. Sec. XX. 4. Why not let the certificate of his own Clergyman, or of any Clergyman, or even of others not clergymen, be a sufficient one? Because, throughout the French parishes, the Rector and the Minister of the most numerous congregation, will be the same person, so that every Teacher, but particularly every Protestant Teacher within the limits of a Romish parish, will be made to fear the frown and to court the favour of the man without whose certificate he must be six months without employment, if he seek a better school, or if he lose his own. A dangerous and most undue influence is conferred by this provision, on the Romish Priesthood.

12. But further, examination and certificate are both to be dispensed with if "such Master" be a Priest, Minister, or Ecclesiastic of some "religious denomination, or a member of some religious body devoting themselves to teaching." Sec. XX. 4. The real drift of this exemption does not escape the notice of any body at all conversant with the subject, and it should be tested by some member of the Legislature moving to add these words—"provided always that such excepted persons, and all other Teachers appointed under this Act, shall be SUBJECTS OF HER MAJESTY." British loyalty was awakened into loud expressions of indignation when a former Education Act was surreptitiously altered so as to confer on an unknown body of foreigners, immunities which were denied to British subjects. And now it is designed to retain the immunities by a sweeping ambiguous phraseology, and to mitigate the odiousness of the former Act, only by the more dangerous abolition of all restrictions. Surely allegiance to the British Crown is amongst the requisite qualifications of that class of persons, whose office it is to form the characters of British subjects.

13. In addition to the danger of the foregoing exemption, its ambiguity is a novelty even amongst the crudities of Colonial legislation. "Some religious body devoting themselves to teaching?" Is the British North America School Society and its 50 or 60 or more Teachers a religious body devoting themselves to teaching? Is the Canada Education Society, in connection with the Congregational Churches? Were the Church Authorities of the several religious denominations to form the School teachers belonging to their respective communions into bodies of persons devoting themselves to teaching;—nay, should the Teachers themselves of their own accord, in convenient dozens or half dozens here and there, choose to organize and denominate themselves, religious bodies devoting themselves to teaching; or if some Yankee Sympathisers, or French or Oregon revolutionists, were to do so;—in any or in all such cases, would a title be earned to the immunities intended to be bestowed by the unparliamentary and un-British vagueness of the Bill?

The want of definiteness indeed strikes one in other portions of the Bill, notwithstanding the length of the interpretation clause, Sec. I.II. For instance, "the terms Rector, Priest, Minister, Ecclesiastic, Religious persuasion, Faith, Parish, Churchwarden," and others, might be shewn to give rise to ambiguities from their convertible or varying use in different connections in the Bill.

But these memoranda are already copious and minute enough to prove that the Bill under review is more or less the offspring of imperfect, erroneous, or partial designs; that it has been drafted with a pervading view to its fitting in with Romish parochial institutions, and to its promoting the ascendancy of the Roman Catholic Church; that it is un-British as well as anti-Protestant, and is therefore not suited to, and will not satisfy, the loyal subjects of the Crown in Canada, and ought to be thoroughly revised.

His Excellency the Governor General has been raised to the Peerage under the title of Baron Metcalfe of Fern Hill in the County of Berks.

ECCLESIASTICAL.

The Lord Bishop of Montreal has received an announcement by the last mail from England, that an aged Churchman, a friend of the family from the early days of his Lordship's father, the first (Protestant) Bishop of Quebec, has placed at the unfettered discretion of the Bishop, for the advancement of the cause of the Gospel in this Diocese, the sum of Six Thousand Pounds Sterling. This reasonable act of Christian munificence will enable the Bishop to carry on with effect the College founded at Lennoxville, for which a Charter has been procured. The Societies for the Propagation of the Gospel and for the Promotion of Christian Knowledge have each given One Thousand Pounds Sterling towards that Institution, and several private individuals in the Province have endowed it with land which promises hereafter to be highly valuable; but the undertaking has been much retarded and impeded by the insufficiency of means, and matters began to wear a discouraging aspect, when it pleased God to put it into the heart of his servant here mentioned, to think of the wants of the Church in Canada. The local contributions thus far obtained will be fully absorbed in the erection of the buildings, of which, as our readers will remember, the first stone was laid by the Bishop in September last.

It may not be uninteresting to state, that the gentleman to whom the Church is indebted for this donation, and who himself lives in great privacy with an establishment upon the most

moderate and simple scale, a short time ago contributed Five Hundred Pounds towards the fund for endowing the new Bishopric of New Brunswick, and that his deceased wife and her brother, a country Clergyman also deceased, gave Six Thousand Pounds as their joint contribution towards the Bethnal-Green Churches erected by the zealous exertions of the Bishop of London. It is believed that one of those ten churches, together with its appendages of a parsonage house and a school house, was built exclusively by means of this contribution. The names of these parties are withheld from the public, in accordance with their own habits and sentiments in the appropriation of their bounty.

CHURCH EXTENSION FUND for New Churches, the patronage of which shall be vested in Trustees.—A Committee of Lay Gentlemen has been formed in London, with Lord Ashley at their head as Chairman, and a number of Clergymen, (well known for attachment to the principles of the Church as they were expressed by the reformers in the Articles, Liturgy, and Homilies,) as Corresponding Members, for the purpose of aiding in the building or endowment of new churches, with special regard to the securing of a faithful ministry for such churches, by having the patronage vested in trustees, to be appointed or approved by the Committee.

"The necessity for a separate fund to carry on this design," says the Primary Statement, "arises from the circumstance that most of the existing schemes and societies for promoting church-buildings are established on principles which lead to the refusal of all aid in cases where it is proposed to vest the patronage in trustees."

"Much encouragement to large and liberal exertions in this cause is afforded by the Act 6th and 7th Victoria, chapter 37, introduced into the House of Commons, by Sir Robert Peel, in May, 1843; whereby it is provided, that when it shall be made to appear to the Ecclesiastical Commissioners that it would promote the interests of religion that part of a large parish should be constituted a separate district for spiritual purposes, such separate district may be constituted accordingly, with a permanent endowment for the minister, of at least 150*l.* per annum, on the erection of a church. And the perpetual patronage of such district or church may be assigned to any person or persons who shall contribute to the permanent endowment of the minister, or towards providing the church, in such proportion and manner as shall be approved by the Commissioners."

Funds were coming in from all parts of the country, which amounted to £9000 at the commencement of the year.

LIBERAL BEQUESTS.—Mr. James Waterhouse Smith lately deceased, has bequeathed the following sums in the 3 per cent Consols to the undermentioned Religious and Charitable Institutions: they are to be paid over free and within three months of his death: British and Foreign Bible Society . £2,000 Society for Promoting Christian Knowledge . . . . . 2,000 Metropolitan Church Building Fund . 2,000 Middlesex Hospital . . . . . 2,000 National Society for promoting the Education of the poor in the principles of the Established Church . . 1,000 Society for Propagating the Gospel . 2,000

OBITUARY.—Died on Tuesday, the 7th of January, in the ninety-third year of his age, the Rev. Thomas Jones, nearly fifty years Curate and Rector of Creaton, Northamptonshire. This Clergyman was born in the reign of George the Second, and the period of his ministry comprises a highly interesting portion of the history of his country, and of that Church of which he was a devout and enlightened minister of extensive usefulness. It was not by genius and learning, nor by occupying conspicuous situations, that he made his influence to tell upon the religious movements of his day; his sphere of labour was a retired village, in which he acted the part of a laborious parish-priest, and acquired a surprising authority to the encouragement of good and the curing of evil among his parishioners; but he was the personal friend and correspondent of many of those Clergymen who, during the latter half of the last century, and down to the present day, were the honoured instruments of restoring the spiritual character of the Church; and the clear exhibition of gospel-truth made his writings both popular and profitable. He composed his last publication, "The Fountain of Life," when he had completed his eighty-seventh year. During the days of his vigour, the Creaton Meeting of the pious Clergy from many miles round, like the Kilkenny Meetings, of which some notice is given in our first page, a centre for the kindling and feeding of spiritual light, and for its diffusion through numerous parishes by the personal labours of the brethren who used to take sweet counsel there, and throughout the Church by their efforts of a more widely propagating tendency.

TO THE CLERGY OF THE DIOCESE OF EXETER.

Bishopstowe, Jan. 8, 1845.  
"Rev. and Dear Brethren,—I have this day had the gratification of receiving from his Grace the Archbishop a copy of his Letter to the Clergy and Laity of the Province of Canterbury." "That letter leaves me under no difficulty how to act. Not only in deference to his Grace's authority, but in most willing concurrence with the sentiments which he has expressed, I thankfully accept the prospect of an adjustment of our present diversities, by some general measure, which shall have the sanction of the whole Church. In truth, I feel that I could not more effectually labour for the great object which I have had at heart—the restoration of certainty and vigour to the law of the Church in all that relates to our public worship—than by now relinquishing my own separate endeavours, and merging them in that common effort, which his Grace has announced his intention to promote, when (the way shall be prepared for a final settlement.)"

"Meanwhile, I advise you all to act in conformity with the views so plainly set forth by the Archbishop; that is, to continue the services in your several churches as they now are, making no attempt to approach nearer to an exact observance of the Rubric, unless you shall, in any instance, ascertain that the wish of your people is clearly in favour of such an advance."

"One reservation I must, indeed, make, though I hope it is unnecessary. If the practice in any parish at present prevail (I know not that it does) of omitting or garbling portions of the offices of the Church—especially the offices of Baptism and Burial—by reason of objection to the doctrines

\* The "eternum" of days long passed may perhaps compare with it. EMMON.