

this construction. An order that a table should always be covered with a cloth surely does not imply that it shall always be covered with the same cloth, or with a cloth of the same colour or texture. The object of this canon seems to be to secure a cloth of a sufficiently handsome description, not to guard against too much splendour. In practice, as was justly observed at the bar, black cloths are in many churches used during Lent, and on the death of the Sovereign, and some other occasion, and there seems nothing objectionable in the practice. Whether the cloths so used are suitable or not is a matter to be left to the discretion of the Ordinary. In this case their lordships do not see any sufficient reason for interference, and they must therefore advise the reversal of the sentence as to the cloths used for the covering of the Lord's table during the time of divine service, both with respect to St. Paul's and to St. Barnabas'.

"A Fair White Linen Cloth, not embroidered Linen and Lace."

The last question is with respect to the embroidered linen and lace used on the communion table at the time of the ministration of the Holy Communion. The rubric and the canon prescribe the use of a fair white linen cloth, and both the learned Judges in the court below have been of opinion that embroidery and lace are not consistent with the meaning of that expression, having regard to the nature of the table upon which the cloth is to be used. Although their lordships are not disposed in any case to restrict within narrower limits than the law has imposed the discretion which, within those limits, is justly allowed to congregations by the rules both of the ecclesiastical and the common law courts, the directions of the rubric must be complied with; and, upon the whole, their lordships do not dissent from the construction of the rubric adopted by the present decree upon this point, and they must therefore advise her Majesty to affirm it.

"The Judgment as to Costs Reversed.—Conclusion"

As the judgments in these cases have been materially altered, and such alterations ought to have been made at the hearing in the Archdeacon's Court, so much of the sentence of that court on each case as awards costs against the appellants must of course be reserved; and in those proceedings as well as in the present appeals, each party must bear his own costs. In the case of *"Gorham v. Bishop of Exeter"* when a difference of opinion as to the judgment existed amongst the prelates who attended at the hearing, it was thought proper publicly to announce such difference. In the present case it is satisfactory to their lordships to be able to state that both the Archbishop of Canterbury and the Bishop of London fully concur in the judgment which has just been delivered.

The delivery of the judgment, says the *Times*, occupied about one hour and a half. As the several points of the case were disposed of there was an attempt to cheer, but it was instantly suppressed by the officers of the court."

Provincial Legislature.

LEGISLATIVE COUNCIL.

TUESDAY, April 7.

BILLS FORWARDED.

The bill to naturalize Seth Kimball, Chas. Lewis, John Sculte, Frederic G. d'Utassy, and others, was read a third time, and passed, and returned to the Assembly, with a message informing them that this house had agreed to the same, with an amendment, consisting of adding the names of James Farnham and Henry Hesselein, to which amendment their concurrence was desired.

MINES AND MINERALS.

Hon. Mr. Tobin, by command of his Excellency, laid on the table of the house copies of correspondence between the Provincial Government and the British Government, relative to the Mines and Minerals, between May 8th, 1856, and Feb. 6, 1857, which was read by the clerk. This correspondence consisted of the following despatches and letters:—

1st. A despatch, dated May 8, 1856, from the Lieut. Governor to the Colonial Secretary, enclosing a Minute in Council of the 18th April, 1856, on the claims of the General Mining Association, (explaining the opposition of the Government of Nova Scotia to the bill introduced by the Attorney General in compliance with instructions from the Col. Secretary;) together with the address from the assembly, and extracts from the Assembly Journals, and an extract from the proceedings of the Legislative Council on the same subject.

In the minutes in council referred to, while the council express their deep regret that it was impossible for them, with due respect to the opinions and feelings of those whom they represent, to carry out the wishes of the imperial government, as embodied in that bill, they assert that no authority, influence, or argument could have induced the representative body of Nova Scotia to pass that measure, and that an attempt to force it

on the assembly would only have had the effect of destroying their reputation and standing as public men. They further state that both the amendment and the resolutions which were introduced favorable to the bill, and which were rejected by a majority of 35 to 12, abstained from giving any pledge to pass the bill as it was transmitted from England, but merely proposed that the bill should be committed, for the purpose of ascertaining whether the indentures referred to are conformable to the spirit of the agreement, and if so, that the bill should pass.

The council further observe that men of all parties in Nova Scotia regard the execution of the original lease to the Duke of York as extremely impolitic and ill advised, and are convinced that such an act would not now be repeated. They also remark that this opinion has been frequently reiterated by the commons of Nova Scotia, and that though it is true that implied legislative confirmations of the act thus deprecated have been afforded, it is equally true that protests against the act have accompanied these confirmations.

The council further state that they think that her Majesty's ministers should have declined entering into an engagement with the mining association to execute, without the previous sanction of the Legislature, a new lease, involving a new exercise of prerogative so offensive, even though that instrument should not contain any provisions that would alter the relative positions and rights of the parties; that the deep seated reluctance of the people of this country to sanction the proposed lease, as manifested by their representatives, was neither unnatural nor unreasonable; and that it imposed upon the public men of the province an obligation to decline placing themselves in antagonism to that feeling. They conclude by observing that it will now be for the directors of the General Mining Association, and the representatives of the late Duke of York, to consider whether the time has not arrived when it is the true policy and the real interest of both to accept the highly favorable terms which are offered by the Assembly in their address, and that the Executive government are empowered to renew the negotiations formerly offered, which it would afford their sincere pleasure to see conducted to a successful issue.

This minute is signed "W. Young, James McNab, Lewis M. Wilkins, W. A. Henry, Samuel Chipman, B. Wier, John Locke."

2d. A despatch, dated Dec. 4, 1856, from the Lieut. Governor to the Colonial Secretary, enclosing a Minute in Council, dated Dec. 2, 1856. This despatch complains that no official answer to the despatch of 8th May, No. 54, beyond a mere acknowledgement of its receipt, has been received, and states that the Provincial Government would, did they not hope to be in possession of the intentions of the home government before the approaching session, feel it their imperative duty to represent their views by means of a delegation. The despatch concludes by urging a settlement of the question before the meeting of the Assembly.—The Minute alluded to in this despatch announces that the council deemed it expedient not to appoint a delegation till the necessity for it should be more apparent, and be approved of by the Legislature; and requests his Excellency to urge upon the Colonial Secretary a determination of the question before the meeting of the Assembly.

3d. A despatch dated 19th December, 1856, from the Colonial Secretary to the Lieutenant Governor, acknowledging the receipt of the Lt. Governor's despatch of the 4th December. This despatch states that the home government would be glad to come to a speedy decision upon the question of the claims of the General Mining Association, which, if it concerned the Province only, no doubt would have been done long ere this; but the immediate effect of the refusal of the legislature to execute the documents tendered to them, being to devolve on the crown a serious responsibility towards other parties, her Majesty's advisers cannot conclude the affair on such sums, or so speedily as they would have wished, had the question lain between him and the province alone.

4th. A despatch dated 6th February, 1857, from the Colonial Secretary to the Lieut. Governor, transmitting some correspondence, ending with a letter from the Secretary of the Mining Association to the Colonial Department, announcing the fact of a conditional agreement having been entered into between the Association and the Duke of York's representatives, for the surrender of the rights of the latter. This despatch states that if this agreement be completed, the association will be the only body with which the crown and the Province will then have to deal on the subject of these rights; and that the only motive of her Majesty's advisers in interfering in respect to those rights is to secure the crown from the loss which may be sustained by it, unless the Province fulfil the engagement of the crown to complete the lease to the Association, or an equitable arrangement is effected, superseding that engagement. The despatch concludes by stating that if such arrangement could be promoted by the visit of a delegate on the part of the province, every facility and assistance would be afforded him on the part of her Majesty's ministers.

The gist of the correspondence enclosed in this despatch may be briefly stated as follows:—

The Mining Association offer to buy up the whole of the interests, past and prospective, of the representatives of the Duke of York in the original grant from the crown of the mines of Nova Scotia for £12,000, contingent on the association being able to effect satisfactory arrangements with the home government or colonial authorities. The home government, in order to facilitate this arrangement, offer to give up their claim on the Duke of York's estate, to the extent of

£30,250, contingent on an arrangement being effected between the Duke of York's representatives and the Mining Association, and also on a further arrangement being effected between the association and the Provincial government, relieving her Majesty's government of all liability arising out of these transactions. The association recommend the sending of a person from Nova Scotia duly authorized and empowered to conclude a final arrangement between her Majesty's government, the province, and the association, in order to remove the difficulties which have been injurious not only to the interests of the Association, but also to the permanent prosperity of the Province, by discouraging the association from expending large sums of money in the extension of its mining operations.

Correspondence.

TRURO, April 13, 1857.

The Editor of the *Church Times* will oblige by inserting in his next issue the address by the Rector, Churchwardens, and Vestry of St. John's Church, Truro, to the Rev. H. H. Hamilton, and the reply of the Rev. Gentleman thereto. A SUBSCRIBER

ADDRESS.

TRURO, April 14, 1857.

To the Rev. H. H. Hamilton,—

We, the Rector, Churchwardens, and Vestry of St. John's Church, Truro, take the present opportunity afforded us by your removal from this to another Parish, to express our feelings upon such change.

During the short time you have been in our midst ministering to our spiritual wants, you have endeared yourself to the congregation among whom you have officiated, as well by the diligence and zeal with which you have discharged the duties of your holy calling, as the intercourse of the social circle.

In removing from Truro, to labor in another parish, you carry with you the good wishes of us all.

Apart from family ties and connections, perhaps none are more hallowed than those that bind Minister and People, and during the brief period you have been so placed toward us, your kindness and ministrations have won our gratitude and esteem.

We trust that in the field where you are now called to labor, you may be the means of increased usefulness and in your new sphere win many souls to God.

Be pleased to convey to Mrs. Hamilton our kindest regards, and with an earnest desire for the temporal and eternal welfare of you both and your family.

We are, Rev. and Dear Sir,

Sincerely yours,

Thomas C. Leaver, Rector,

John Burnyeat,

Jas. A. Hamilton, } Churchwardens.

George Reading, Hugh Snook, Samuel Brewer, Christopher Dillman, George Burgess, John Black, C. Burnyeat, John Goudge, W. G. Yuill, Robt. Watson, Rich'd Ambrose, Thomas Watson, Vestrymen.

REPLY.

To the Rector, Churchwardens, and Vestry of St. John's Church, Truro,—

My dear Brethren: I beg to thank you for the very kind Address which you have been pleased to present to me.

As the time I have been residing among you has not been very long, I hardly expected that you would be pleased to address me in such kind terms. You have, therefore, given me an agreeable surprise, as I did not know that I merited such expressions of kindness towards myself.

It is most gratifying to me to know that my labors, such as they have been, have given you satisfaction: and I sincerely hope and trust that they will not be without their fruits at the final day of account.

I beg to take this public opportunity of expressing the gratitude I feel to his lordship the Bishop for having appointed me to a mission in this my native land, after having labored for so many years in another Diocese; and it is my sincere wish that, in the new field of labor to which I have been appointed, I may, as you have expressed it, "be the means of increased usefulness, and may win many souls to God."

Permit me also to return my sincere thanks to you, the Rector, for your kindness in uniting in the sentiment of this Address, and to express the satisfaction I have felt for the Christian and gentlemanly manner in which you have always acted towards me during my short residence here.

I cannot omit the present opportunity of thanking you, my brethren, for your uniform kindness to me since I came amongst you; and I shall, no doubt, look back upon my brief residence in Truro with pleasure and regret. Mrs. Hamilton desires to return you her sincere thanks for your mention both of her and the family, and expresses her best wishes for your temporal and eternal prosperity. And now, in bidding you adieu, I sincerely pray that the ministrations of him who has come to labor among you may be abundantly blessed to the eternal welfare of you all, and I ask you to unite with me in prayer to the throne of Grace, that I may go to the field of labor to which I have been appointed in the fullness of the blessing of the Gospel of Christ.

I am, my dear brethren, your faithful friend in Christ, Jesus.

H. H. HAMILTON.

Truro, April 14, 1857.