

## The Church Times.

HALIFAX, SATURDAY, MARCH 12, 1853.

## COLONIAL CHURCH LEGISLATION.

We find in the Canadian *Churchman* of 17th ult. a full expression of the opinion of the Bishop of Toronto in reference to the proposed Legislation for the Colonial Church, as he has communicated it to H. M. Government; and when we look at the position occupied by that Prelate, and his long experience in the Colonial field, we feel that we are doing an acceptable service, in presenting a large portion of the Bishop's communication to our readers.

It appears that his Lordship received Sir John Pakington's Circular in September, whereupon he addressed a letter to each of his Rural Deans with copies of Sir John's letter and of his Speech, "desiring them to consult the Clergy, and others of their respective Deaneries" and report the result to him. That upon receiving these reports the Bishop "consulted with some able friends, and particularly with the Chief Justice," and then conveyed to the Duke of Newcastle under date of 4th Feb'y, the result of their combined deliberations.

The Bishop arranges his observations under the heads of "CONVOCACTION," "CONSTITUTION" and "THE AMENDED BILL." On the first, he proceeds—

"It is now generally admitted that the rapid growth of the United Church of England and Ireland in the Colonies, and the great increase of the Clergy, present new and urgent arguments for some ruling power to enforce stricter discipline and greater efficiency and uniformity of action than she has yet enjoyed.

"When the lay members of the Church in the various dependencies of the British Empire are believed to exceed one million, and one diocese (Upper Canada) approaches one-fourth of that number, with several hundred clergymen scattered over vast regions and thus far separated one from another, it must needs be that grave difficulties and offences will arise, and how are they to be dealt with.

"The Bishops are in most cases powerless, having indeed jurisdiction by their Royal appointment and Divine Commission, but no tribunals to try cases, and to acquit or punish as the case may require.

"Hence they feel themselves frequently weak and unable to correct reckless insubordination, sullen contumacy, and even immoral conduct. At one time they are accused of feebleness and irresolution—at another, when acting with some rigour, they are denounced as tyrannical and despotic.

"On all such occasions they are without support or the refreshing counsel of their Brethren—nor have they any Constitutional way open to them by which they can devise and mature such measures as may be found necessary for the welfare and extension of the Church.

He then observes that this led to the Gladstone Bill.

"The Bill as amended, has not only been sent out to the different Colonies to be submitted to the judgment of the Bishops, Clergy and Laity, but one Bishop at least from the different groups of Colonial Dioceses has been invited to England to assist in its modification, so that it may meet the purpose for which it is intended,—or rather, to assist in framing a Constitution for the Colonial Church, which would ensure uniformity in all essentials to her efficiency within the Colony, and at the same time preserve harmony with the Mother Church.

"Besides the Bishops and such of their clergy as visit England on this important object, those who remain in their Dioceses are expected to give their own views, and in as far as may be those of their Clergy and Laity, so that the result may be justly considered the voice of the Colonial Church at large.

"Now, although we may not reckon very much upon the positive benefit to be derived from the multitude of suggestions which will be brought forward, yet there would be the advantage of considering beforehand, whatever would be likely to be urged in the Colonies for or against the act before it had passed. Besides, the moral effect would be of great value by showing the members of the Church in the Colonies, that a measure so important had not been agreed upon without due reference to their wishes and sentiments.—and in the next place it would be much more easy to support the system afterwards against any attempts to unsettle it, as being a system established on mature consideration, and with a desire to meet the views and opinions of the various Colonies.

"Even after all this previous care and deliberation, it might be wise to limit the continuance of the measure on its first enactment to four or five years, and in the meantime to invite an expression of opinion from the different Colonies as to the working of its various provisions so that it may be made as perfect as possible, before it becomes a permanent law.

After noticing some considerations which affected the settlement of the American Church—he says—

"With us there need not be, and is not in fact any jealousy of the kind, on the contrary I believe the general feeling of the Laity as well as the Clergy at present would be found to be in favour of seeking security against error and against rash changes by having all

material points subject to the control of the Mother Church, and not left to be debated or resolved upon by Colonial Conventions or convocations.

"Let us suppose that a Constitution framed in England under the best advice and upon mature consideration, the most desirable course would, I think, be to give that Church Constitution to the Colonies by an Imperial Statute.

"But, where we apprehend a difficulty will present itself if the Bill should go into such details in regard to Church government and discipline as it ought to do.

"If a Statute could be passed, approved of by the heads of the Church and placing the Church of England in the Colonies on firmer ground as to doctrine and discipline, a very great object would be gained, because then the Convocation or whatever it might be called, within each Diocese, not having these matters within their reach, (and I think they ought not) would be occupied only in such things as would not disturb the unity of the Church, that is, in enforcing the power given by the Constitution in regard to discipline and in regulating and advancing her temporal interests.

"If it should be found that the Government would decline attempting to procure from Parliament a measure which should go sufficiently into details, the next best thing would seem to be to proceed at any rate as has been suggested in devising a Constitution by consultation among Colonial Bishops, and with the Government and Spiritual Head of the Church of England, and then providing for a convention of the members of the Church of England, Lay and Clerical, in due form in each colony, and submitting the Constitution to their adoption. The great object would be to gain the assent of the Colonial Church to a Constitution settling all cardinal points and placing them beyond the influence of disturbing forces within the separate Dioceses, which might destroy the unity of the Church and impair its resemblance to the Church of England in England.

"We must all agree with Sir John Pakington in objecting to the plan of setting each Diocese separately to work to lay down a system for managing their Ecclesiastical affairs. Some points of vital importance to the Church might, I fear, be placed either at once or in time, under the influence of various causes, on so inconsistent a footing in the different Dioceses, that the Church of England would no longer seem to be one Church in the colonies, and we should have some crotchet established under peculiar circumstances in one Diocese which would tend to unsettle the Church in other quarters, when, without such example the proposition would have received no encouragement. Moreover, the preponderating element in the population of a particular Colony—the tone of public feeling on various questions—the accidental circumstances of the personal character of the Bishop who would first have to set the machinery in motion—his discretion, his firmness, and ability to resist pressure and various other circumstances, would be almost certain to bring about different results—and possibly, in some Colonies, results that would be much regretted, and ought to be deprecated in all.

"And besides, there may be differences in the present actual condition of the several Colonial Dioceses which could hardly fail to occasion a far greater diversity than ought to prevail in one Church in regard to matters of common interest."

## CONSTITUTION.

"The Members of the Church of England in the Colonies, desire in the first place, that the Constitution or Act for the better government of the Church in the Colonies, should acknowledge the Supremacy of Her Majesty over all persons in all causes Ecclesiastical as well as Civil, within her dominions. We are deeply sensible of the necessity of preserving that Supremacy unimpaired, and are determined, in so far as in us lies, to maintain and defend it."

"We desire, in the second place, that provision be made that the Church shall still continue, as we have ever been, an Integral portion of the United Church of England and Ireland—enjoying the true Canon of Holy Scripture as our Rule of Faith—acknowledging the three Orders as an authentic interpretation of Holy Scriptures as they are embodied in the Liturgy, maintaining the Apostolic Form of Church Government by Bishops, Priests and Deacons—and we declare our firm and unanimous resolution in dependence on the Divine aid, to maintain those benefits, and transmit them unimpaired to posterity."

"Hence we deprecate all attempts to tamper with the Doctrine of the Church, or any of her formularies. We deprecate any tendency to add to or diminish the deposit of Faith committed to the United Church of England and Ireland as a Branch of the Church Catholic—or to narrow her terms of communion as laid down in her Book of Common Prayer and Articles, for the preservation of which, we desire to express our deep thankfulness, and it is our earnest wish that Provincial and Diocesan Conventions in the Colonies, may be restrained from meddling with, much less from altering such high and weighty matters, and that they be confined to discipline and the temporalities of the Church, and such regulations of order and arrangement as may tend to her efficiency and extension."

"The Constitution having secured the acknowledgment of the Royal Supremacy—the Unity and sound teaching of the Colonial Church in all things essential, and her identity as an integral part of the Church of England might proceed."

1st. To restrict the Provincial or Diocesan Conventions of the Colonial Church from entertaining any proposition for any change of the articles, Doctrines, Lit-

urgy or offices in the United Church of England and Ireland.

2nd. To provide for the enforcing of proper discipline—and method of proceeding upon complaint against any clergyman,—for immoral conduct,—insubordination,—habits and pursuits inconsistent with their sacred calling, neglect of duty, unsound doctrine, breaches of orders &c. &c. The sentence that may be imposed and in certain cases the right of appeal.

3d. To provide for the appointment and removal by due authority, and after proper proceedings, of Bishops, Presbyters, and Deacons.

4th. To provide for dividing the Dioceses into Parishes with proper regulations in case of future subdivision, with a view to Church purposes only.

5th. To provide for the extension and temporal interests of the Church,—by the members assessing themselves to raise Funds for building, repairing Churches, Parsonages, School Houses, for the support of the Clergy and School Masters, and the maintenance of Public Worship.

6th. To provide for the regulations of fees for marriages, baptisms and burials.

These and various other matters affecting the welfare of the Church would require to be taken up one by one and provided for—the design being to have certain things fixed by superior authority so as to be subject to no change by any legislation within the diocese.

I would more briefly recapitulate what appears to me desirable.

1st. that one Constitution be framed for the government of the Church in all the Colonies.

2nd. That the Constitution should provide.

1. For the establishment in each Colonial Diocese, of an Assembly for managing so far as may be committed to it, the affairs of the Church.

2. For giving such assembly the most appropriate name.

3. For establishing how it shall be composed, as to the proportion of Clergy and Laity—what shall form a quorum—how questions are to be decided—what regulations as to times of session,—prorogation—adjournment &c.

4. Who shall preside—if the Bishop, shall he possess an absolute veto, or, one modified, or, merely the casting vote.

5. Shall there be a power in the Archbishop of Canterbury, or the Crown, to disallow, within a limited period, any law or regulation of the Convocation.

"From a review of these principles and details, two or three good men could, I think, in a single week, suggest a system for them all—not such as would satisfy and please every one, because that is not to be hoped for, but such as persons of good judgment and good intentions, and with some knowledge of Colonial feelings and prepossessions, would think reasonable and practicable."

WIDOWS AND ORPHANS' FUND.—We fear that the fact of such a fund being opened, as an additional object embraced by the D. C. Society, is not as generally known or regarded, as it ought to be. A mere trifle has as yet been contributed. In Canada, stated collections are annually made for this purpose, which have this year already amounted to nearly £300. In New Brunswick, also, additions are yearly made to a similar fund.—We commend the subject to the earnest attention of every member of the Church, and especially of those whom God has blessed with large means. There is no way in which they could more comfortably allay the anxieties of the poorly paid clergy, than by thus holding out the prospect of something to provide for their dear families after they have finished their course. It is entirely out of their own power to make any such provision for them; and despite their faith in the Providence of God, there will often arise the anxious thought,—"what will become of these dear ones when I am gone?"

It is in the power of the rich,—nay of all, to do much to quiet these anxieties, and remove those cares. We believe we speak the feelings of most of our brethren, who, like ourselves are blessed with a goodly number of olive branches around their tables, when we say, that to secure a help for our widow and orphans, would be a greater boon than to add to our own salaries. In the Wesleyan Body, a commendable attention has been given to this point. Among them, a family of a dozen far from creating pecuniary difficulty, adds to the means of subsistence. There is in fact a premium upon every little head that shows itself in the Mission House. A similar regulation would be hailed with satisfaction by many of our Clergy. But in default of that, we would earnestly direct attention to the enlargement of the particular fund already alluded to, so as to make it a hopeful dependence for the wives and children of those who are now spending their time, talents, and strength, in ministering to the souls of the members of our Church. If any of our wealthy friends would feel constrained to shew his regard for such labors, and for our common Lord, by laying a liberal foundation for such a fund, no doubt many would follow the example, and the Clergy, themselves, tho' now scarcely knowing how to meet other calls, would still strain a point to make some yearly contribution to it,