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VICTORIA.

In conclusion, your memorialist desires to observe, that the Bill does not, directly or indirectly, affect any member of any other religious body, and that it affects the members of the Church itself so far only as "concerns their position, rights, duties, and liabilities in regard of their ministry, membership, or communion, or the advowson or right of patronage, or management of the property of the Church," and imposes no penalty or disability other than a deprivation of such communion, patronage, or property. That the Bill does not confer upon the proposed assembly of the Church of England greater powers than those which are already, by the constitution of the Churches, and the local enactments recognising the same, enjoyed by the Synod of the Presbyterian Church, and by the Conference of the Wesleyan Methodists; or any powers which your memorialist, and the other members of the Church on behalf of which he pleads, would not gladly see granted to any other religious denomination. That the Bill is the result of a long and careful deliberation by the members of a conference of the clergy and laity of the Church of England in Victoria, convened by your memorialist for the express purpose, and that the provisions of such Bill have received the almost unanimous concurrence of the laity as well as of the clergy within the colony. That, consequently, the disallowance of such Bill, should it unhappily be disallowed (which your memorialist prays the Almighty it may not), in addition to the great inconvenience and prejudice necessarily consequent thereon, will very greatly discourage and depress the hearts of those Her Majesty's faithful subjects and fellow members of the Church of England within the colony, who would fain look up to Her Majesty as the great friend and nursing-mother, as well as the earthly head and governor of their common and most holy Church.

London, December 12, 1855.

And your Memorialist, &c.  
(signed) C. Melbourne.

— No. 3. —

(No. 14.)

COPY of a DESPATCH from the Right Honourable *H. Labouchere* to Governor *Sir Charles Hotham*.

No. 3.  
The Right Hon.  
*H. Labouchere*  
to Governor  
*Sir C. Hotham*,  
1 February 1856.

Sir,

Downing-street, 1 February 1856.

HER Majesty's Government have had for some time under their consideration the Bill of the Legislature of Victoria, intituled, "An Act to enable the Bishops, Clergy, and Laity of the United Church of England and Ireland in Victoria to provide for the regulation of the affairs of the said Church," transmitted with your despatch of January 8th, 1855, and they have had the advantage of communicating on the subject of it with the Bishop of Melbourne, during his recent visit to this country.

Some objections, directed, however, rather to its policy than its legality, have been raised to certain portions of the measure. But though not insensible to the force of those objections, Her Majesty's Government have deemed it their duty not to interfere with the operation of a measure intended to serve a purpose of which the importance and the exigency appear to be so fully recognised. Her Majesty has, consequently, been advised to give her assent to the Bill; and the necessary Order in Council will accordingly be transmitted without delay.

I will not at present dwell on some minor difficulties which appear not unlikely to arise on the wording of certain provisions of the Bill, having no doubt that if real they will be soon detected, and that the Legislature will apply the remedy. There is, however, one point on which it may be thought that the Bill, by implication, if not in positive words, goes beyond the powers of the Legislature. It is taken for granted, and I have no doubt rightly, that a certain appeal exists in colonies against any wrongful decision of a Bishop. Now, by section 5 of the Bill it is provided, that no regulation of a church assembly which shall affect any right of appeal shall be valid, unless with the consent of the Archbishop of Canterbury, and confirmed by his Grace's order. It may be argued that this, by implication, amounts to an enactment that, with such confirmation, a regulation taking away altogether the right of appeal shall be valid: an authority which I should greatly doubt its being within the power of the colonial Legislature to confer.

Still I do not think that a possible excess of jurisdiction on this or other points of an incidental character ought to prevent the Crown's assent from being given.

It is undoubtedly possible that in the operation of the Act, or in the proceedings of the synod under it, other and more serious difficulties may follow in