

I feel safe in declaring, as I feel called upon to declare that no plea has been afforded either in the administration of the Diocese, or the teaching, the proceedings or the practices of its Clergy, for any alarm to be sounded, for any agitation to be put in train, for any organised opposition—still less, of course, for any movement liable to be regarded as having any revolutionary aspect.

Most deeply is it, under these circumstances, to be deplored that any difficulties should have arisen from within, upon the invitation given to the Laity to co-operate in the management of matters ecclesiastical, with those who are set over them in the Lord, and that the invitation should in any instance have been so misapprehended as to cause their being met in a spirit of unkindness. We have difficulties enough with which to struggle, in planting and rearing up, in extending, directing and upholding the provisions of the Church for the scattered and widely severed population who belong to her within the Diocese; and a statistical exhibition of our progress which, together with a slight historical outline of the formation of our Church institutions within the Diocese, I had intended, if I had not judged that I should trespass too far upon your time, to put before this meeting, would serve to shew that, with miserably meagre resources and in the face of many disheartening obstacles, we have, by the good hand of our God upon us and his blessing upon the help of our friends at home, and upon the efforts of our labourers upon the spot, something more than kept our ground and laid some good foundation for those who will come after us. I had thought that a survey of such a nature (which I may possibly propose at some future opportunity) might encourage and interest us farther, in the work which we have now in hand, and aid us in appreciating as well as, if any where it be imperfectly or incorrectly understood, in understanding our task. The whole subject is practically new among us—but we shall remember that we have not *champ libre*, we have not a clear stage for creating a new system or trying experiments in the way of re-modelling the old one which we have received. We have to deal,—and we are thus brought to the second part of our subject according to the distribution of it which I proposed in the outset of these remarks,—we have to deal, under the two Provincial Statutes which provide for the case, with the system of the Church of England.

Now here there are two postulates to be assumed. First, that if the Legislature of a Country or Province concedes powers, of whatever kind, to a religious body, it must be understood, as a matter of course, that those powers are to be called into exercise according to the constitution, laws and usages of the body itself. And secondly, that if the body proceed to frame, under those powers, a representative constitution for certain deliberative, executive, and legislative purposes of its own, the enquiry presents itself, *in limine*, what that body is which is to be represented and how its original, essential and distinctive character is to be preserved.

The body to be represented in the present case in the Episcopal Church of England.

What, then, is Episcopacy?

We need not go to the schools of theology for an answer to this question, nor ransack the labours of learned divines. We have only to consult the most familiar repository of definitions in our own language.* We have only to look there for the word *Episcopacy* and we see it thus defined: *The government of the Church by Bishops, established by the Apostles.*

If we have to frame a Synodical constitution within the Episcopal Church of England, it is plain that we must frame it according to the

principles of *Episcopacy*. We are at liberty to repudiate Episcopacy if, in our consciences, we cannot be persuaded of its primitive and Apostolic origin, but can we, in that case be qualified to bear our part in acting for the Church of England?—And if we have never fathomed the subject,—perhaps, ever looked into it at all,—ought we not to endeavour to master it before we refuse to acquiesce in the received principle of the Church here considered, or conceive ourselves prepared to deal with a practical question which involves the recognition or the rejection of episcopacy as above defined? For if the order of Bishops, in their distinctive character, could be ignored in the Synod and they could merge simply in the General Order of the Clergy, though with a complimentary precedence allowed to them, and the place of *chairman* reserved for their occupancy, *this is not episcopacy*. The system would cease to be properly an episcopal system.

That the maintenance, as an inviolable principle of such a transmitted Episcopacy, is part and parcel of the Church of England, is what it is most abundantly easy to shew, but it is what I shall not take up your time by proving here—nor shall I labour to exhibit the law of the case—that latter question has been recently treated amongst us, by more competent hands. And with reference, in particular, to the construction, upon this point, of the permissive statute, (19, 20, Vic., ch. 141,) I have had the benefit of an opinion rendered to me by an authority entirely unaffected by our immediate local influences and agitations,—an authority which would be acknowledged by all parties whatever, to be as high as the Province of Canada can afford. The Act, according to this opinion, expressly recognizes the three distinct orders of Bishops, Clergy and Laity as three branches, the concurrence of each of which by itself, is necessary to give effect to legislation within the body. Each of the three branches alike therefore, has what, according to the popular rather than the correct phraseology of the day, is called in the case of the Bishops, a *veto* upon the other two.

There is, however, one point of enquiry upon which I shall in conclusion of this whole subject, enter a little more at large, because it is one upon which great misapprehensions are seen to prevail, and such as have great influence upon the judgments of men in the matters here considered. The remarks I have to offer upon it are, as well as a small portion of those already made, not altogether new to some few members of the Synod who are here present.

The enquiry is this—

What and where are the precedents to which we would have recourse if we could possibly establish a Synod which, in making laws for the Church, could dispense with the episcopal concurrence?

I answer, my brethren, that we should be doing what has not yet, under the same circumstances, been seen in the christian world. We should be inscribing a name upon this Diocese of Quebec which would be new in the history of our religion upon earth. We should be seeking our pattern—not from the precedents of the pure primitive Church in her unchallenged and invariable practice in this behalf—not from the declared principles and settled system of the Church of England or other reformed episcopal Churches—not from the proceedings of any one among all the Colonial Churches of our own Communion in different and far-divided quarters of the globe, who have thus far, whether upon a formally legalized basis or otherwise adopted a Synodical Constitution—not from the action of public authority or the

course taken in our own voluntary movement in Church matters, within our own Province, (for look at the original constitution of our Church Society subsequently incorporated by Provincial Statute which makes the Bishop's consent necessary to all changes,—or look at the Charter of Bishop's College, in all which instances men have not been afraid to put large authority, within an episcopal institution, into episcopal hands)—no—it would not be to any of these examples that we must have recourse, but to the semblance (as I shall shew) rather than the reality of a precedent in the introduction of the episcopate into the United States of America. And under what circumstances?—With the wounds yet raw and bleeding caused by the violent dismemberment of the territory from the Monarchy of England—with prejudice raging all round in exasperated minds, against those institutions of England in which the established Church is conspicuously prominent—with heightening effect added to this prejudice as well by the notorious fact that the people of the Church had been characteristically loyal in the great struggle which had been just brought to its close, as by the circumstance that the constitution of the Church itself is of a monarchical aspect—and, finally, with utter local inexperience of any episcopal supervision whatever, and habits of mind remaining altogether to be formed with respect to the relations between this new order of men brought into the country under all these circumstances of difficulty, and the flocks who were to receive them.† In this conjuncture of affairs the original Dioceses adopted a constitution in which the consent of the Bishop is not made essential in their ecclesiastical legislation, and the system once introduced into the republic, it has (with the exception of Vermont, the well known defence of whose particular constitution by the present Bishop of the Diocese, I do think to be a victorious performance, and one recent exception in a more qualified form) naturally been continued in the Dioceses which have been since created. Is this feature, then, of the American Church Convention, the special precedent which any of us can desire to single out for our own guidance?

But here it is not unimportant to observe that this supposed American precedent does not after all (as I have intimated) go the length of divesting the Church of the episcopal control in legislation. For the Church in the United States provides not only for the Annual Convention of each Diocese—but for the supreme authority of a triennial Convention of the whole Church throughout the Union. And in this *General Convention* NOTHING CAN PASS WITHOUT THE CONSENT OF THE HOUSE OF THE BISHOPS. It was not so originally: but it was made so even in that land of democratic predominance by subsequent legislation within the body, because, in the working of the system its necessity was seen and felt. The case, therefore of individual Dioceses there, even if they could, under any circumstances, be made a warrantable pattern for ourselves in the point at issue, is not parallel to our own case here. We are proceeding to act in Synod not as one out of many Dioceses which are all subject alike to the paramount authority of a General Convention (or according to older ecclesiastical language, of a

† So little in many quarters was the Church then understood by her own people in America, that when the body at large was in the process of organization in the country, the people professing to belong to her in one of the States, applied to be received into Convention, with the condition proposed that they should not have any Bishop.

‡ In the learned work of Judge Hoffman, of New York, on the Law of the Church, it will be seen that it was by the surrender from the force of circumstances, of an inherent right, that the Bishops became divested of what is called the Veto.