

The Church Chronicle

FOR THE DIOCESES OF
SYDNEY, NEWCASTLE AND GOULBURN.

"SPEAKING THE TRUTH IN LOVE."

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To Correspondents.

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The Editors are not responsible for the opinions expressed by Correspondents.

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Letters for *The Sydney Editor* may be addressed to the care of JOSEPH COOK and Co., 370, George-street, Sydney.

Correspondence and communications having reference to the Dioceses of Newcastle or Goulburn, should be addressed to the Newcastle or Goulburn Editors, as intimated in the first and second numbers of this publication:—

In the former case to THE DIOCESAN EDITOR of *The Church Chronicle*, MORPETH. In the latter case, to the GOULBURN EDITOR of *The Church Chronicle*, Office of the DIOCESAN DEPÔT, GOULBURN.

Diocese of Sydney.

Church Intelligence.

SYNOD

OF THE DIOCESE OF SYDNEY.

(*Abridged from the Empire.*)

The First Synod of the Sydney Diocese of the Church of England met on Wednesday, 5th December. The members of the Synod assembled in the morning at 11, with others, in St. James' Church, when morning prayers were read by the Rev. Canon Allwood, and the Lord's Supper was administered, the Right Rev. the Bishop of Sydney and the Very Rev. the Dean of Sydney officiating.

At 3 o'clock, the Synod met in the Church Society's Rooms, Phillip-street. There was a large attendance of clergymen and lay representatives.

The Bishop opened the proceedings with the form of prayer which had been used at the Conferences.

The Registrar of the Diocese, at the direction of the Bishop, called the roll of the Clergy, when the following gentlemen answered to their names:—

The Dean of Sydney, Rev. Canon Allwood, Reverends Messrs. R. L. King, Allworth, Geo. Barlow, Z. Barry, Britten, W. Byrnes, Carter, Cave, W. B. Clarke, Corlette, Donkin, Elder, Ewing, Fletcher, Gurney, Thos. Hassall, J. S. Hassall, Hayden, W. Hodgson, Horton, H. S. King, Lisle, Lumsdaine, Mayne, S. Mitchell, T. O'Reilly, Palmer, Priddle, Rogers, Saliniere, Schleicher, Scott, Sharpe, E. Smith, P. Smith, Thos. Smith, Stack, A. H. Stephen, Geo. Stiles, Tingeombe, G. E. Turner, Unwin, Geo. Vidal, Wilkinson, G. N. Woodd, and W. Wood.

The licenses of the above named clergymen were handed in.

The Chancellor of the Diocese then called the names of the lay representatives, when the following gentlemen answered to their names, and presented their commissions, and signed the declaration of membership of the United Church of England and Ireland:—

Messrs. J. M. Antill, Wm. Barker, Barnett, Barton, J. A. Bird, Blacket, Brocklehurst, F. Borton, Breillat, Buchanan, J. F. Castle, Thos. Chippendale, Dr. Clarke, R. Coley, Joseph Cook, Alfred Cook, Hon. Charles Cowper, Hon. G. H. Cox, George Cox, Hon. Edw. Cox, E. K. Cox, Cruikshank, Cummins, John Dawson, James Dunstan, Joseph Dunster, O. B. Ebsworth, E. R. Evans, William Farmer, John Flavelle, Fleming, William Foster, W. Fowler, Frazer, Dr. Gerard, James Gordon, George Griffiths, Dr. Hansard, Elisha Hayes, G. M. Holden, Joseph Holland, George R. Hirst, T. J. Jaques, Richard Jones, J. F. Josephson, M.L.A. Fred. King, Edward Knox, C. Lester, Robert Lowe, J. P. Luke, Henry Lumsdaine, A.K. Mackenzie, A. L. McDougall, W. D. Meares, M. Metcalfe, J. F. Miller, G. Mullen, James Norton, Wm. Owen, S. H. Pearce, W. T. Pinhey, James Powell, James Powell (Berrima) E. H. Pollard, J. J. Riley, G. H. Rowley, William Russell, B. Samuda, T. W. Smart, M.L.A. Shepherd Smith, J. B. Smithers, J. Spurway, Statham, M. Consett Stephen, F. M. Stokes, J. R. Street, Alexander Stuart, Rev. R. Taylor, S. H. Terry, M.L.A., D. A. Thomas, G. C. Watson, George F. Wise, William Wools, Rev. R. W. Young.

The Bishop explained the proposed order of proceedings. His address would follow the calling of the roll of members; then the Synod would elect two secretaries, one clerical and one lay; then they would elect a chairman of committees; then the committee of elections, and the committee of standing orders, which committee would have to report to the evening sitting.

The Bishop then read the following Address:—

My Reverend Brethren of the Clergy, my Brethren of the Laity, I congratulate you on the occasion of our assembling for the first time in a diocesan Synod constituted in a manner satisfactory to us all. After waiting ten years, we are thus permitted to meet, and though the delay has been trying and disappointing to some, I trust it has not been wholly without use, and that we are now in a position to undertake the management of our temporal affairs with a reasonable expectation that, under the Divine blessing, we shall build up the Church of God committed to our care. These feelings of thankfulness and hope are, however, tinged with sadness when we recall the names of some who have shared our labours, and would have rejoiced in our success, but whom our Heavenly Father has seen fit to remove from this earthly scene, and take unto Himself. The Church in this colony

is largely indebted to one long identified with its interests, and among its early and liberal supporters—the late Charles Kemp, Esq. He, together with Judge Wise and Mr. Ingelow, was a member of our first Conference in 1858, and to all of them the subject of our Synod was one of great interest, to which they gave valuable time, and the benefit of their sound judgment. More recently we, in common with the whole Church, have been called to lament the death of the Hon. Robert Johnson. To us the loss of such a friend is at any time great. With him the thoughts of a clear and logical mind, and the results of a large experience, found appropriate expression in eloquent speech; and these gifts, combined with a candid spirit, an admirable temper, and an untiring interest in the Churches well being, were ever placed at its service with a cheerfulness and disinterestedness which greatly augmented their value. His death is at the present juncture, for many reasons, a great trial. We were deeply indebted to him for the form in which our desire for legislative sanction was expressed. The subject of the present Synod was one which occupied some of his latest thoughts, and valuable suggestions for the conduct of its business were made by him but a few days before his death. These removals are to be received by us with humble submission to the Divine will. They are also loud calls to us individually to prepare for our own great change, and to ask that the great Head of the Church would graciously supply our need, and would impart to us who survive the grace and wisdom required for our present work. I take this opportunity of offering our thanks to those gentlemen who assisted in carrying our bill through the Parliament. We received valuable aid in quarters to which we had no special right to look, while to Mr. Cowper who took charge of the bill in the Assembly, and to Mr. Barker as the solicitor engaged to obtain the passing of the Act, I feel that we under peculiar obligations. The constitutions have since been registered in the Supreme Court in compliance with the requirements of the Act. I have already spoken of our Synod as constituted in a manner satisfactory to us all. No right or privilege of the Church has been surrendered, and no precaution necessary to give legal validity to our acts has been neglected. If it is contended that the Church's synodical action must be based upon the voluntary compact of its members, we affirm that this is precisely what we have done. We unanimously agree to apply to the Legislature in the form which our bill and constitutions assumed, and our application has been granted. Some were apprehensive that the independent action of the Church would be interfered with by such application. These apprehensions are allayed. Others feared that without this legislative sanction our future labours would be futile; that we should be framing regulations which would have no binding force upon the members of the Church, and these fears are now removed. Thanks to the discussions which have been carried on for some years past, and the continually increasing experience which has been acquired; thanks to the temper and moderation displayed, above all, with grateful acknowledgments of the overruling providence of God, we now meet a united body, with no parties or party feeling, but actuated, as I firmly believe, with a desire to carry on our Master's work in this field of labour which He has called upon us to occupy. This is at the same time a subject of sincere congratulation, and an omen of future success. It seemed to me desirable, for several reasons, to summon this meeting of the Synod before

the close of the year. No action of the Synod can take place until the machinery by which it is to work has been called into existence. It is necessary that officers and committees should be appointed, that the subjects for our consideration should be selected, and the mode in which our deliberations are to be carried on should be laid down. It may not be wise to proceed to actual legislation at present, but the materials for future legislation should be collected and arranged without further delay. There is also at least one general question upon which, if our opinion is to be expressed at all, no time should be lost in doing it. I will now proceed to state what has been done in order to bring certain subjects before the Synod. As no standing committee could be appointed until the meeting of the Synod, I summoned a few of the clergy and laity residing in Sydney to consult with me as to the matters to be brought before the Synod, and the mode of effecting this. After some deliberation the order of business was agreed upon. It will be necessary first to elect secretaries, a chairman of committees, an election committee, a committee for standing orders, and a standing committee. To the election committee will be referred any questions arising out of the returns, and the standing orders for the management of our proceedings, and the conduct of debates, must be settled before other business can begin. The first matter to engage our attention is the election of the standing committee, *i.e.*, a committee of clergymen and laymen who will be the executive of the Synod and the council of the bishop. When these preliminaries are duly arranged the Synod will be in a position to enter upon the consideration of the subjects set down for discussion, and upon any others which individual members may bring forward, and which the Synod may desire to discuss. Of the questions of general interest the first in importance is the relation of the Church in the colony to the Church at home. We have been accustomed to regard ourselves as members of the United Church of England and Ireland, we are so styled in legislative enactments, we are governed by a bishop appointed by the Crown, which, by letters patent, has assigned to him a territory and a designation. If it has been assumed by some that the Crown by letters patent conferred ecclesiastical jurisdiction, this mistake has not been made here. The relation of the clergy to the bishop is laid down with sufficient clearness in the Church Temporalities Act, and the Supreme Court of the colony has given its decision upon this point. If elsewhere the mistake has been made, it surely is not necessary, in order to correct it, that the tie which binds us to the Church of our fathers should be dissolved. This, however, is the tendency (in my opinion at least of a bill introduced by Mr. Cardwell, and apparently sanctioned by the Secretary of State for the Colonies. It seems to me that it is preparing the way towards a separation from the Church at home, and for internal divisions among the members of the Church in the colonies. Having these views, I cannot but desire an opportunity of expressing them, and consider that we should be wanting in due care for the welfare of the Church, and in consideration for our friends at home, if we withheld our opinions from those who are about to legislate on a subject in which we are so intimately concerned. I agree with the Church Assembly in Victoria, which has petitioned the Crown and the Parliament, that in any legislation upon this subject there may be kept in view the perfect identity of the Church here with the United Church of England and

Ireland in the United Kingdom in all but its connection with the State as an Established Church; the appointment of Bishops according to a uniform rule as heretofore to the United Church of England and Ireland in Victoria; and an appeal in all ecclesiastical causes to the supreme ecclesiastical tribunal of the United Church of England and Ireland. I do not suppose that in this colony the status of the Bishop or his relation to the Clergy would, in the first instance, be interfered with by Mr. Cardwell's Bill, inasmuch as we have obtained by legislation "that coercive jurisdiction which cannot be obtained by mutual consent,"* and Colonial Acts have recognised the existence and authority of the Bishop as a Bishop of the Church of England, and enable him to exercise discipline. But it is impossible to say what ill effects might not in time flow from a measure which, while professedly intended to remove some doubts, creates others of graver import, makes it questionable whether there can be a branch of the United Church of England and Ireland in a colony, and leaves the Colonial Church at liberty to consecrate Bishops out of the United Kingdom for the benefit of such Clergy, congregations, and persons as may voluntarily submit themselves thereto, and no royal mandate or license shall be necessary for any such consecration elsewhere than in the United Kingdom. We are not disposed to set an exaggerated value on letters patent; as proceeding from the Crown they are entitled to be spoken of with respect, but we have a value for order, union, and even for precedent, which is often but another term for the testimony of antiquity, and while we do not overlook or neglect the tendencies of modern political thought, we do earnestly desire to preserve with the Church of our fathers that kind of union which some have called identity, which others liken to a branch, and which we mean when we say that although residing in New South Wales we are members of the United Church of England and Ireland. Another subject of general importance is the relation of the diocesan to the provincial synod, *i.e.*, to the Synod of three dioceses of New South Wales. The power of the provincial Synod generally is defined in the 24th Constitution:—"The Provincial Synod may make ordinances and determinations upon and in respect of all such matters and things concerning the order and good government of the United Church of England and Ireland in the colony, and the regulation of its affairs, as may be the subject of joint reference to such provincial Synod by all the diocesan Synods then existing in the colony, or may be the subject of reference to such provincial Synod from any diocesan Synod under the provision herein before in that behalf contained." On this point I retain the opinion I have before expressed, that our diocesan independence may, by careful deliberation and prudent action, lead to provincial uniformity. The property of each diocese may assuredly be better managed by its own Synod than by a Provincial Synod, even though the latter should delegate large powers to the former. In most other matters the united action of the three dioceses is no doubt to be desired. It would be well to have a uniform rule respecting marriages and patronage, and as the provincial Synod is to be an appellate tribunal it would seem necessary that the course of procedure in cases of discipline should be the same in each diocese. How this joint action is brought about is a subject upon which some difference of opinion obtains. To subordinate the dio-

* Address of the Bishop of Grahamstown at the Oxford Conference.

cesan to the Provincial Synod would be to cut the knot. We have not chosen to do this, and have, I think, acted wisely in declining to place the control of all matters and things connected with our own diocese in the power of those who do not belong to the diocese. If in doing this, we are so unfortunate as to differ from New Zealand, we may console ourselves with the reflection that we follow the example of Canada.[†] However, what all desire may in the end be obtained. If the three dioceses agree to refer certain questions to the provincial Synod, and to abide by its decision, we shall attain to such a measure of uniformity as may be practically useful. The first subject of special interest which will be discussed is the Marriage question. Since the alteration in the marriage law of the colony, the number of marriages in the Church of England has greatly diminished and appears to be still decreasing. One, and with some persons the only reason for this diminution is to be found in the high rate of fees charged for a marriage by license; and the demand is very generally made that this fee shall be greatly reduced, if not wholly abolished. I do not myself believe that the fees are the sole cause of the evil of which we complain; there are many other circumstances to be taken into account in considering this matter. A resolution upon the subject will be brought forward by the Dean, and after the discussion of this and of a kindred question, that of the Registers, I trust the Synod will agree to the proposal to appoint a select committee to consider and report upon them both. A similar course may, with advantage, be pursued in dealing with the other subjects set down for discussion. After opinions have been elicited from the Synod, there should follow careful inquiry by a committee, and the result be reported at the next session of Synod. We shall then be in a position to pass such resolutions as may give effect to the decisions of the Synod. The question of Patronage for example is one, which, from its importance, requires very careful consideration, and in the consideration of which the experience of other colonial churches may be advantageously obtained. In the Church at home patronage is exercised in a variety of ways, and this advantage has arisen that a large number of persons have become interested in the well-being of the Church, and that it has not been in the power of any one class of persons or opinion to obtain predominance in the government of the Church and the direction of public opinion. If any particular mode of Church patronage could afford ground for believing that in the majority of cases the best appointments would be made by means of it, that mode we should be bound as we are at liberty to adopt. No unexceptionable plan of exercising patronage has been discovered, or ever will be discovered, because human nature will abuse the best devised scheme. There will always be the evil mingled with the good, and neither official nor private patronage, the patronage of bishops, collegiate bodies, parishes or trustees, will be administered by men who are always actuated by the purest motives, or guided by the highest wisdom. A system of patronage which gives a voice to all parties interested in its proper exercise, or at least offers some check to its improper exercise, and which also admits of such variety as to be applicable to the

circumstances of different parishes, or the desires of different individuals and communities, may, I think, be framed. I shall have much satisfaction in giving my assistance in devising and carrying out such a scheme. It will be a great relief to myself, and a means, I trust, of maintaining amongst us a desire for the faithful and efficient ministrations of the Word of God. The subject is one which may be very properly remitted to the standing committee for consideration and report. The constitution of a tribunal for the trial of offences may be similarly dealt with. There are certain great principles of justice to be observed, and with the experience of the Church at home, and of different colonial churches to guide us, I do not apprehend that there will be much difficulty in framing suitable regulations. The subject is one which, with the concurrence of the other dioceses, we might advantageously refer to the other provincial synod. The opinion and advice of the Synod will be sought in considering the question of the constitution of the Cathedral body, by which the affairs of the Cathedral are to be managed and its services conducted. The rules of the Church Society will now require revision, and its future relation to the Synod must be settled. Since its formation the Society has collected and distributed a large part of the Church offerings, and has proved itself worthy of the confidence reposed in it. I trust that it will still be retained as the channel through which the contributions of the Church may flow into every part of the diocese. The Australasian Board of Missions will be formally taken into connection with the Church through the action of the Synod, and I hope that increased assistance to the Melanesian Mission, under Bishop Patteson, as well as additional efforts on behalf of our own Aborigines and the Chinese, will be the result of this act of adoption. Statistical returns of the diocese and a return of the property of the Church, will probably be called for by the Synod, to be laid before it at its next session. All questions of expenditure and finance will be within the province of the Standing Committee which will also be entrusted with the disposal of that part of the revenues arising from the Church and Schools estate appropriated to the use of the Church of England. The repeal of the Church Temporalities Act, or of certain portions of it, is a question which must, for the present stand over. As we proceed to frame regulations for our good government, we shall discover where the Act interferes with our powers, and where it requires alteration, and when the measures we have agreed upon are ready for formal adoption as constitutions or regulations of the Synod, we may seek the repeal of the Church Act. These are, I believe, the principal subjects which will occupy our attention on the present occasion. They are sufficiently numerous, and I should not have named so many did I not hope that the Synod would act upon the suggestions I have already thrown out, and refer most of them to committees. Even if we do confine ourselves to this mode of dealing with them, we shall find that the discussion of these subjects, and of others which individual members may desire to bring forward, will occupy a considerable time. These works, if somewhat secular, are yet necessary and valuable, and as means to a higher end deserve a portion of our time, and of our careful consideration. Yet are they but the means—the scaffolding of the temple. We may frame an orderly system of government; patronage, discipline, and endowments

may be wisely arranged; yet is this the machinery, we want the motive power. We may by the liberality of our gifts, by prudence and diligence in labour, become prosperous outwardly, may have a name to live, and yet before God be dead. A Church does not live by external acts, but by the indwelling Spirit, animating, informing, quickening, and enlightening its members; without this it is dead. "A Church dies when it does not testify for God, does not maintain Christ's truth, is not insistent with the Spirit." Then let us, my Reverend brethren, keep ever in view the great end of our ministry, which is the salvation of souls. Suffer me to remind you of your ordination engagements, of your promises to be diligent in prayer and in the reading of the Holy Scriptures, laying aside the study of the world and of the flesh, to be in yourselves and in your families wholesome examples and patterns to the flock of Christ, that thus giving yourselves wholly to these things, you may be enabled so to seek for Christ's sheep that are scattered abroad, that they may be saved through Christ for ever. And from you, my brethren of the laity, we look for much. We look for your forbearance, for we often need it. We look for your prayers that our hands may be upheld. We look for your co-operation, that you would willingly take upon yourselves those secular duties which occasionally press too heavily on the pastor, and that in all matters of finance you would leave him without carefulness by your care on his behalf. We desire for you that, as fathers in the family, masters among your servants, and members of the community, you would help forward the work of the ministry. If in this Synod we meet as a united and praying body, I have no fear for the result. The advantages we enjoy as members of the Church of England supply great additional means for usefulness. Our Apostolic order and descent, our Scriptural ordinances, and the strong hold our beloved Church maintains over the affections of her members, are a vantage ground from which we may hope to wage successful war against ignorance, irreligion, and vice. But in order to this success we must be united, sympathising, prayerful. Let us be so, and the work of the Lord will go on. And let me remind you, my brethren, that the progress of the work is one chief thing to be kept in view. A very few years and the greater part of this assembly will have passed away, but their work will abide. Let us meet and labour, then, under the deep conviction that we are working for eternal interests, and we may hope that our work will abide. We shall thus be delivered from undue anxiety, shall be raised above worldly motives, shall be released from petty jealousies; a united and spiritual body, we shall "arise and build." And while in humble dependence we acknowledge "Except the Lord keep the house they labour in vain that build it," we shall confidently ask, "Prosper Thou the work of our hands upon us! O prosper Thou our handy work."

At the mention in the above address of Mr. Charles Cowper's services some applause was manifested. On which his Lordship said it was not usual to indicate a feeling of approbation—or the contrary—during the reading of the Bishop's address. After this intimation there was no further expression of the kind.

Mr. George Cox moved a vote of thanks to the Metropolitan for his able and interesting address.

Mr. Alexander Stuart seconded the motion. He (Mr. Stuart) took the place of the Hon. James Macarthur (who was necessarily absent in

[†] Notwithstanding what has been stated, it is evident that the diocesan Synods in Canada are in no sense under the control of or subject to the directions of the provincial Synod. The requirement that a clergyman shall submit to the canons of both is no proof that one is subject to the other.

another place) in so doing. They were greatly indebted to His Lordship also for having conducted the proceedings which led to the formation of this Synod.

The Bishop acknowledged the kindness of the mover and seconder and members of Synod, and added that if his address proved in any way satisfactory to all members of the Synod, and aided in the completion of the work before them, he would be abundantly rewarded.

The Dean moved the election of two secretaries. He proposed one who had acted with great success at their conference, the Rev. R. L. King, as the Clerical Secretary. As Lay Secretary he proposed W. Owen, Esq., barrister-at-law, who had consented, as far as his professional duties would allow, to discharge the office of secretary.

Rev. Canon Allwood seconded the motion. The Bishop put the names separately, and the Rev. R. L. King and W. Owen, Esq., barrister-at-law, were unanimously elected as the secretaries of the Synod.

Rev. R. L. King thanked his Lordship and the Synod for the honour conferred upon him.

Mr. King and Mr. Owen then took their seats at the table as clerical and lay secretaries to the conference.

The Bishop called on the Synod to elect a chairman of committees.

Alexander Stuart, Esq., proposed as chairman of committees, William Barker, Esq., solicitor, whose experience and tact would be of invaluable service to them.

Alex. Gordon, Esq., seconded the nomination, and Mr. W. Barker was unanimously chosen. He acknowledged the honour conferred upon him, and said he placed his reliance on the kind assistance and forbearance of the Synod.

The Bishop next called on the Synod to elect a committee of elections.

Rev. Hulton S. King moved the appointment of Messrs. Knox, Breillat, and Consett Stephen, with the Rev. Percy J. Smith and the mover, to be the committee on elections.

Mr. M. Metcalfe seconded the motion.

Mr. G. F. Wise suggested that committees should generally be nominated by ballot. The gentlemen who proposed a committee might be supposed best qualified to nominate the members of that committee. But there might be other members of Synod equally well, or even better qualified to serve a committee.

The Bishop said these committees were purely of a formal character. When the standing orders committee brought up their report this evening, it would be found that there was provision made for voting by ballot whenever required. On the present occasion this committee would have only business of a very limited and formal character. Ballot papers would be found prepared when ready.

Dr. Clarke asked what rule this committee had to guide them.

The Bishop said the existing constitutions would be the guide of the committee.

The resolution was carried unanimously.

The next business was the appointment of the committee on standing orders.

The Bishop said they were much indebted to Mr. Stuart; he therefore called on Mr. Stuart to propose a motion on this subject.

Mr. Alexander Stuart moved—That a committee be appointed to draw up the standing orders and rules for the conduct of the business of the Synod; and that such committee consist of the Rev. Messrs. E. Rogers, Thomas Smith, H. A. Palmer, Percy J. Smith, and E. M. Saliniere; also, Messrs. Wm. Barker, Wm. Foster, Richard Jones, Shepherd Smith, T. C. Breillat, and Alexander Stuart.

The Dean seconded the motion, which was carried unanimously.

The Rev. Canon Allwood, with the sanction of the Synod, gave notice that he would move the appointment of a standing committee to represent the Synod during its adjournment, and to assist the Bishop in the regulation of the affairs of the Church.

The Bishop announced that on the re-assembling of the Synod, the report of the standing orders committee would be received and considered, and then the motion of the Rev. Canon Allwood would be considered.

The Synod adjourned at ten minutes to 5, until half-past 7. At that hour the Synod again met, and

Mr. A. Stuart, as the chairman of the committee on standing orders, brought up their report, comprising fifty standing orders.

The Bishop then put to the Synod the question, whether these standing orders be considered in committee, or by the Synod in session. He recommended that the President should read each of the standing orders, and submit it separately to the Synod for consideration and adoption, alteration, or rejection.

This course was agreed to.

The Bishop then read the orders accordingly. The first of these, "That the members of the Synod shall meet for the discussion of business in one chamber," was carried unanimously. The second fixed the hour of meeting at 3.30 p.m. To this hour some objection was made. The rule was, however, carried. The third order, making eight clerical and sixteen lay members a quorum, was carried.

No. 4.—"In the absence of the Bishop and his commissary as President, the Synod shall stand adjourned, &c." being proposed,

Rev. Percy J. Smith said it would be possible, if this order was passed, for the Bishop and his commissary to put an end to the Synod by absenting themselves.

The order was carried.

No. 5—Directing minutes to be taken and preserved by the secretaries—was carried. No. 6—Directing the order of proceedings (prayer, minutes, and thereafter (1) petitions, (2) notices of motions, (3) motions and orders of the day)—being proposed.

Mr. Consett Stephen suggested that it would be convenient to have some time fixed for asking questions. He moved to insert the words "questions to be asked" before the word "petitions."

Mr. A. Stuart said this matter was considered by the committee. It was decidedly objectionable that questions should be asked without notice. A member giving notice of a question, that question was tabled, and became one of the "orders of the day."

Mr. Richard Jones said a question did not, when notice of it was given, become an order of the day. In Parliament questions might be asked at any time before the orders of the day came on. He thought that was a prudent rule.

The Bishop said he understood that, when notice was given of a question, it became an order of the day.

The Rev. G. E. Turner concurred in the view of Mr. Jones.

Mr. W. Barker thought this matter had been overlooked. It should be considered.

Mr. Jones said in Parliament no Minister of the Crown was obliged to answer a question.

Rev. Thomas Smith said the forty-ninth order provided for this case. Where there was no rule to the contrary, they were to follow the practice of the Parliament.

Mr. W. Foster said his attention had not

been drawn to this subject, but he thought the forty-ninth rule provided for this matter.

Mr. Priddle seconded Mr. C. Stephen's amendment.

Mr. Jaques said it was necessary to insert a proviso for notice of questions.

The Bishop said he supposed no one would answer a question without notice. That would be his rule, at any rate.

Mr. M. Metcalfe objected to the phrase "reading prayers." He suggested the phrase "saying prayers."

Mr. Shepherd Smith objected strongly to the word "saying," as suggesting the use of impromptu prayers.

Mr. Metcalfe said the words "reading prayers," were not used in the prayer-book.

Mr. Wilkinson said in the forms used by other synods the phrase was, "say prayers."

Mr. Consett Stephen's amendment was then carried—putting in "questions" before "petitions."

Mr. Metcalfe moved, and Rev. J. C. Corlette seconded, the substitution of the word "saying" for "reading."

Mr. Shepherd Smith said if this amendment did not import a power to indulge in impromptu prayer, he would not object to it; in that case he saw no difference between the words "saying" and "reading."

The Rev. Wm. Hodgson proposed to insert the word "pray," instead of either "say" or "read."

Mr. Rowley contended for retaining the word "read."

The Rev. Stanley Mitchell moved, and Mr. Pinney seconded, another amendment, to omit the words "reading prayers," and substitute "with prayer."

Mr. A. Stuart said the committee had committed the practice of different Synods. He thought they (the Synod) were splitting hairs.

The Bishop said he preferred the order as it stood. If altered, there might be some discussion as to whether the President ought not to "intone" the prayer.

The Dean said that in the order for Morning Prayer he found the direction.—Prayers to be read here, except when the Litany is read.

The amendment of Mr. Metcalfe was thereupon rejected, and the retention of the word "reading" was agreed to by a large majority. The order was then passed as amended by the insertion of the words "1 Questions."

Orders 7 to 14 relating to the order of debate and coinciding in substance with the rules of debate observed in the Houses of Parliament, were adopted without discussion.

On order 15, upon the form of petitions.

Mr. Shepherd Smith said this order made interlineations fatal to petitions; and the next order required that any member of the Synod presenting a petition must have made himself acquainted with it. Interlineations and erasures often occurred in petitions, and did not destroy the character of the petition. He thought they might omit the words "or which have been altered by erasure or interlineation." The only object of these words was to protect the Synod against having a false petition presented to it. Now in the fact of the member presenting a petition stating that it was correct, they had a guarantee for the petition not having been tampered with.

The Rev. Thomas Smith said the statement of the member presenting a petition ought not to be held a sufficient guarantee.

Mr. W. Bowman and Mr. A. Stuart contended for retaining the order as it stood. It was necessary to guard the petitioners by such a regulation against having their petitions tampered with.

Mr. Wilkinson submitted that the insertion of the word "material" before the word "interlinations" would improve the rule. The insertion of a letter or the word "and" would not invalidate the petition. Petitions might be sent down a long distance, with some trivial interlination or erasure.

Mr. Jacques said this would be a good amendment, if they were agreed to what the word "material" meant. But he thought it would lead to much discussion.

Mr. Rowley thought it would be very inconvenient if a trivial interlination was held to invalidate a petition.

Rev. G. Vidal recommended to members not unnecessarily to propose amendments and take up time.

The Bishop thought they had better leave the clause as it stood. If it were known, parties would be specially careful to avoid all interlinations or erasures.

Mr. Shepherd Smith's amendment was negatived, and the order was passed without amendment.

Orders 16 to 50, also coinciding in substance with the rules observed in Parliament, were carried without discussion. These orders relate to debates, adjournments, amendments, divisions, select committees, balloting, quorum, counting out, and proceedings in committee. In No. 21 an amendment, consequential on Mr. C. Stephen's amendment in the 6th order, was made, requiring notice to be given in writing of any question to be asked. A similar amendment was made in No. 22.

The previous question is to be put in the following words:—"Shall the question be now entertained?"

It is provided by implication in No. 28, that voting may be "collectively or by orders." By No. 44 select committees have power to sit during the recess of the Synod.

The two last orders are as follows:—"49. In the mode of bringing forward and conducting ordinances of the Synod the same rules shall be followed, so far as applicable, which appertain to the introduction and passing of public bills in the Legislative Council of New South Wales. 50. In all cases not herein provided for, resort shall be had to the rules, forms, and practice of the Legislative Council of New South Wales, so far as they can be applied.

The orders having been severally approved, but not carried as a whole.

Mr. Consett Stephen moved as an additional order—That the Synod adjourn every day at 5 p.m., and meet again at 7 p.m.

Mr. Christopher Rolleston said they should adjourn at 6, and meet again at half-past 7.

Mr. R. Jones said it would be very inconvenient to make a rule on the subject.

The Bishop thought it would be best not to have a rule, but for the President to act on the wish of the Synod.

The motion was withdrawn.

Mr. W. Foster called attention to the 23rd rule, as worded, and said that "Any member may move an amendment unless the previous question shall have been moved." Now the previous question might have been moved and negatived. It would be very inconvenient to debar the Synod from making amendments in such a case.

Mr. R. Jones said the order expressed exactly what was intended. When the previous question was decided, the motion must be at once disposed of. No inconvenience would follow. After the putting of the previous question no amendment ought to be moved.

Mr. Jacques seconded the motion of Mr.

Foster, for the re-committal of the orders, with a view to the omission of the words "have been moved," and the insertion of the words "be the motion."

Mr. Rolleston protested against their being called upon to go back in what had been considered and decided. These were frivolous motions.

Mr. Foster said the motion was not a frivolous one; his object was to prevent a rule being adopted, which would prejudice the discussion of any matter that might come before them. The 26th rule required the President to put this previous question—"Shall the question be now entertained?" When the House had agreed that the question be entertained, it would be exceedingly inconvenient to be bound to carry the question as it stood, without possibility of amendment.

Mr. A. Stuart agreed with Mr. Foster that this was not a frivolous motion. The clause as originally put, had not the phrase, "unless the previous question shall have been moved." These words were proposed by Mr. Richard Jones, as in accordance with the practice of the Legislative Council.

Mr. Rolleston rose to order. Their standing orders were now passed, and by those orders no motion could be entertained without notice.

Mr. R. Jones said they were practically in committee; and any motion to amend the orders, could be put.

Mr. Riley said they had passed the rules, and it was out of order to reconsider them.

The Bishop concurred in the view of Mr. Jones; it was competent to them to review and alter the rules. They were virtually in committee. The Synod was much obliged to Mr. Foster. The view he had taken was correct.

Mr. A. Stuart said there was now no occasion for any reference to the previous question. He recommended that these words be left out.

Mr. Foster said their object was that when the previous question was moved, there should be no amendment moved on that question.

Mr. Josephson said in no case could the previous question be "the motion." It was always an amendment.

Mr. Foster admitted this, and withdrew his amendment, and moved instead thereof, the omission of the words "unless the previous question shall have been moved."

This amendment was carried.

Rev. Percy J. Smith referred to the 37th order—that no Select committee shall have less than five or more than nine members. He proposed, as necessary, to insert the words "other than the standing committee."

The Bishop said the term "select committee" did not, he thought, include the standing committee; but to prevent mistake he had no objection to the amendment.

The amendment was seconded by Mr. Stuart, and carried.

Mr. Shepherd Smith objected to their going back on these rules after passing them.

The Bishop said they had now done the work. He put the question that these standing orders, in number 50, now read, be the standing orders of the Synod.

The motion was carried unanimously.

On the motion of Mr. Stuart, seconded by the Dean, it was ordered that the standing orders, as now adopted, be printed, and circulated among the members.

The Bishop then called on any member who wished to introduce motions at future sittings, to give notice thereof.

A number of notices of motions and questions were then given by the Dean, the Rev. W. Stack, Mr. A. Gordon, Rev. A. Stephen, Rev. T. Ewing, Rev. Canon Allwood, Rev. G. Vidal and Dr. Clarke.

The Synod adjourned at twelve minutes to 10 p.m., to meet again at 3.30 p.m., to-day. Canon Allwood's motion for the appointment of the standing committee, &c., the Executive Council of the Bishop, has precedence. The next motion for consideration is one by Dean Cowper, on the subject of marriage; then follows one of the Rev. W. Stack, in reference to the registers of the Church; and then a motion of Mr. Alexander Gordon, on the relation of members of this Church to the United Church of England and Ireland.

SECOND DAY—Thursday, 6th December, 1866.

The Synod resumed its sittings at half-past 3 this day. The Bishop, as before, opened the proceedings with prayer.

QUESTIONS.

Rev. T. C. Ewing asked what was the exact meaning of the words in the 10th constitution—"Being a communicant of the Church." Was a person who had at any time in his life communicated a communicant? Should not some time, as eighteen months, be defined, in reference to this question as bearing on the election of lay representatives?

The Bishop said, as this question involved a point of law—the interpretation of the 10th article of the constitution of the Church—he had referred it to the Chancellor of the diocese (Mr. A. Gordon.)

Mr. Alexander Gordon said he would be ready to-morrow to answer this question.

Dr. Clarke asked what was the number of marriage licenses issued since 1856, when they became unnecessary.

The Bishop declined to answer the question, as it contained a statement with which he could not be expected to agree. If the question were put to-morrow, without the addition, he would answer it.

MOTIONS—I. THE STANDING COMMITTEE.

The Rev. Canon Allwood moved—"That a standing committee of the Synod, consisting of the Bishop and seven clerical and seven lay members, be appointed for the following purposes:—First, to make arrangements for the meeting of the Synod, and to prepare such business as may appear to the committee necessary to be brought before the Synod. Second, to make provision for the discharge of all expenses connected with the meeting of the Synod. Third, to consider and report upon any matters which the Synod may see fit to refer to it. Fourth, to be the representative of the Synod during its adjournment as a standing committee or council of advice to the Bishop, that is to assist the Bishop in any matter on which he may desire its advice. That the following be the clerical and lay members of such committee: The Very Rev. the Dean of Sydney, the Revs. Canon Allwood, William Stack, Hulton S. King, Edward Rogers, George Vidal, A. H. Stephen, Mr. Alexander Gordon, Honorable James Mitchell, Honorable James Macarthur, Messrs Michael Metcalfe, Christopher Rolleston, Alexander Stuart, and M. H. Stephen." He said as among them were many little acquainted with the modes of transacting business in deliberate assemblies, it was of great moment to avail themselves of every arrangement that would give order to their proceedings. As a step in this direction he proposed the

adoption of a Standing Committee of the Diocese. This was a measure copied from a sister Church in America. The resolution had been drawn up from precedents of other Dioceses. The first object of the Committee was to make arrangements for the meeting of the Synod; secondly, to prepare business to be brought before the Synod—to provide for the discharge of expenses incurred in connection with the meeting of the Synod; thirdly, to report on any matters the Synod might refer to it; and fourthly, to be the representative of the Synod during adjournment as a standing council of the Bishop. In reference to preparing the business of the Synod, the business would not be limited to that which was prepared by the committee. Other business could be brought forward by members of the Synod. Some important business might have escaped the notice of the standing committee. But it was very desirable that there should be some responsible body, by whom all subjects that appeared of moment to be brought before the Synod, should be first considered, and then brought forward in a well arranged manner. Then as to reports, it was not designed that all questions should be referred to the standing committee. Many questions would be referred to select committees. The more widely they could interest the lay friends, the more would they advance the good of the Church. With regard to the last proposition, that the Committee should act as standing council with the Bishop, they owed their thanks to his lordship for his kind and willing acquiescence in this proposition, which divested him of that irresponsibility which attached to his position in the absence of the Synod. He (Mr. Allwood) felt assured that the members of the committee would defer to his lordship's mature judgment, and assist him in all matters that came before them. He (Mr. Allwood) felt deep satisfaction at seeing so large and intelligent a body of the members of the Church of England met in Synod. He was glad to be permitted to move this motion, which put the laymen in their proper position; and illustrated the great truth that the laity and the clergy together constituted the Church, and not the clergy alone. The lay members included in this motion were all well known and long tried members of the Church; and the clergymen were the seven senior incumbents in Sydney, whose experience might be supposed to qualify them for such a work.

Rev. H. A. Palmer seconded the motion. He asked whether a new Synod would have power to elect another standing committee.

The Bishop said a standing committee would have to be elected by each new Synod. He had, on this question, consulted the Chancellor and the Dean, who were of opinion that each Synod would elect its own standing committee.

The Rev. W. Stack said he found his name on the committee, which he felt to be a great honour. But it was well known that he was to leave the colony in a month or two, and he therefore could not fulfil the duties.

The Bishop said the committee would be incomplete without Mr. Stack's name. And it was probable that the Rev. Canon Walsh would soon return to the colony, and fill up the vacancy caused by Mr. Stack's retirement. The committee on their appointment would proceed to draw up rules for their guidance, which would include the appointment of successors in place of any who might resign or be removed.

Mr. W. Barker said that unless power were now given to the standing committee to fill up a vacancy, they could not do so.

The Bishop said the rules drawn up by the committee would afterwards have to be sanctioned by the Synod.

Mr. Shepherd Smith said he understood this committee was to be, in fact, the ministry. It ought, therefore, he imagined, to be removable by the vote of the assembly at any time. Without any intention of proposing an amendment on the motion as it stood, he asked whether the placing of the same number of lay representatives as of clergymen on the committee, and not two to one, as in the general body, was in accordance with their constitution.

The Bishop said if the Synod passed a vote removing the committee, the committee could not help itself, but would be obliged to go. As to equality of clerical and lay members, the effect of swelling the committee to an unwieldy size would be to make it useless. If they had more than fourteen they would find it difficult to work. For that reason the number was fixed at fourteen. It was also intended that any persons wishing to move on any subjects in this Synod might require to have those subjects referred to special committees. This was another reason for not having the standing committee too large.

The Rev. W. Lumsdaine supported the motion of Mr. Allwood. There could be no doubt as to the necessity for such a standing committee. He thought for his Lordship to have a standing council would be a safeguard against hasty legislation. They might congratulate themselves on being met as a duly constituted Synod, able to give validity to their acts; and they should proceed with caution in legislation. That was one of the objects of the appointment of the standing committee. The members of Synod were deeply indebted to the Rev. Canon Allwood for the lucid manner in which he had explained the intention of the resolution. Among other matters, the marriage question was one which called for immediate attention. This was a question which would doubtless be dealt with by the standing committee. As to the constitution of the committee, the doctrine of seniority had been wisely carried out. They would find in the members nominated that experience and judgment which long standing in the Church gave them. They had but one end and aim—the glory of God, and the salvation of souls. Their great end could not be accomplished without a baptism of the Holy Ghost. That blessing he trusted they would receive in answer to prayer. With synodical action, their Church would now become much more popular than it had been, and could accomplish more good.

Rev. Thomas Smith, adverted to the marriage question, said it would be unwise to defer—

The Bishop ruled that Mr. Lumsdaine and Mr. Smith were both out of order in referring to the marriage question.

Mr. Smith asked whether the executive—the standing committee—would have power to carry out its laws without their having been first approved by the Synod?

The Bishop: Certainly not. The standing committee was to take into consideration matters referred to it by the Synod; and to report thereon. As to the marriage question, the Dean of Sydney was about to propose the appointment of a select committee to consider that.

Dr. Clarke moved an amendment which was inaudible to the reporters, and which was not seconded.

Mr. Gordon suggested that it be an instruction to the standing committee to draw up a

set of rules for their guidance, and to submit them to the Synod for its sanction.

Mr. Geo. F. Wise did not think that the numbers of lay and clerical members should be equal. There would be, as the resolution stood, fifteen members, including his lordship: eight clerical and seven lay. He moved, as an amendment, that there be twelve laymen to seven clergymen. It was very desirable that the laymen should be able to attend, and express their voice on the affairs of the Church.

Mr. Consett Stephen seconded the amendment of Mr. Wise. To this committee would be delegated many of the functions of the Synod. They would not be a mere executive, but would stand in the synod's place. Such a committee was admirably devised for developing and perfecting their Church government. But representing this Synod, the component parts of it, as proposed in the resolution, were in different proportions. It had been their struggle for years past to obtain for the laity a part in the affairs of the Church. They had succeeded in getting two lay members to one clergyman in the Synod; and there might be three to one; for the Bishop might, in the exercise of his prerogative, appoint other laymen. Now in the formation of the committee they ought to adhere to the principle laid down in their constitutions. This committee represented the Synod, and ought to be composed of the same materials, in the same proportion. The Church had attained its present position in England through the efforts of the laity. Its laws had been framed by the Parliament of England, by the House of Commons where all were laymen, and the House of Lords where the clerical element was very small. But now they were by this motion inaugurating a system of Government in which, compared with that, the clerical element was very large.

The Bishop, in stating the amendment proposed by Mr. Wise, seconded by Mr. Consett Stephen, said he, as Bishop, did not consider himself one of the seven clergy.

Mr. Pinhey said it was evident that the duties of the standing committee were most multifarious and weighty. This standing committee would form the executive. He would prefer to elect this committee by ballot. As a very old resident, all the gentlemen proposed were personally known to himself; and he had no objection to any of them. But proposing a number of gentlemen *en masse*, some good men might have been omitted. And some of these seven clergymen might possess minds not altogether moulded for the work before them. He would, therefore, propose an amendment.

The Bishop said they must dispose of the amendment already proposed first.

The Rev. G. N. Wood proposed that they should vote by orders, as the statement of Mr. Consett Stephen was quite erroneous.

Mr. William Russell proposed that the names of the Rev. G. E. Turner and the Rev. Thomas Smith be added.

Mr. R. Jones suggested that it would be necessary for Mr. Russell to move that the word "seven" before the word clergymen be omitted, and the word "nine" substituted.

The amendment proposed by Mr. G. F. Wise was withdrawn, to allow Mr. Russell moving an amendment on a previous part of the motion.

Mr. Russell then moved the omission of the word "seven" before the word "clergymen," with a view of inserting the word "nine."

Mr. J. J. Riley had promised to second this amendment, but he thought the committee quite large enough. He thought the numbers of lay and clerical members should be equal.

The Honourable G. H. Cox, thereupon, seconded the amendment. He did so, however, with a view of proposing that there be only five clergymen and ten laymen.

The question that the word "seven" be retained was carried, in the affirmative, by 80 to 36. Mr. Russell's amendment was therefore lost.

Mr. G. F. Wise moved an amendment, the omission of the word "seven" before "lay members," and the insertion of the word "twelve." He agreed that a small committee was better than an unwieldy number.

Mr. Consett Stephen seconded the amendment.

The question that the word "seven" be retained was negated by a considerable majority. The insertion of the word "twelve" was carried by a large majority.

The motion of Canon Allwood having been put from the chair, as amended,

The Bishop said that five names must now be added. Before adding these names, he would take the sense of the committee on the resolution.

The resolution, as amended, was so far carried unanimously.

Mr. Pinhey called for a ballot for the nineteen members of this committee.

The Bishop accordingly directed a ballot to be taken.

Rev. Percy J. Smith questioned whether they could vote by ballot for the standing committee. It was undesirable that the Bishop's standing council of advice should be chosen in this way. Each name should be freely canvassed.

The Rev. T. C. Ewing concurred in the views of Mr. Percy Smith. He objected to the ballot in this case. He, as a country clergyman, if chosen, would be unable to attend and to act. Besides, the time of the Synod was valuable.

Rev. Percy J. Smith said he spoke on the matter as a point of order.

Rev. T. C. Ewing continued on the point of order. The 37th standing order, which authorized the use of the ballot, referred only to "select" committees, not to the standing committee. The member who had called for the ballot, therefore, had no right to do so.

Mr. Richard Jones said the question was not the desirability of vote by ballot, but simply what the orders determined. He took it that every committee chosen by the Synod was a select committee, and this order gave every member the right to call for a ballot.

Mr. W. Foster said this matter could easily be determined if they construed the 37th rule grammatically. They found there the words "no select committee other than the standing committee." They were, therefore, precluded by their own standing order, from arguing that the standing committee was not a select committee.

The Rev. H. A. Palmer said, according to the grammatical construction, clearly the standing committee was not a select committee.

Rev. Thomas Smith said the exemption of the standing committee only referred to numbers, and not to choosing by ballot. This committee, therefore, must be chosen by ballot on the demand of any member.

The Honourable G. E. Cox said the point was perfectly clear. They must vote by ballot.

Rev. W. Hodgson said these words were introduced into the 37th order to exempt the standing committee, and the exemption applied to the whole of this order, and not merely to the first part.

Mr. A. Stuart fully concurred in the views of Mr. Hodgson. This clause "other than the

standing committee" was inserted by the Synod itself. Consequently the words "such committee" must mean "select committee other than the standing committee."

Mr. Wilkinson said it seemed to be assumed here that other than select committees could not be chosen by ballot. But there was nothing to show that the standing committee so excepted, should not be chosen by ballot. There was nothing in this standing order which took away the privilege of ballot.

Mr. Rolleston requested the President to prevent further loss of time.

The Bishop said he had no doubt whatever on the matter. The standing committee was not a select committee. It would be best, that instead of testing the President's judgment, they should decide by show of hands whether they proceed by ballot or not.

The question was decided by show of hands: That the standing committee shall not be chosen by ballot.

The Rev. Canon Allwood then moved—That the following be the names of the lay and clerical members of the standing committee:—Hon. Charles Cowper, Hon. E. Cox, Messrs. Ed. Knox, Shepherd Smith, Richard Jones, Alexander Gordon, Hon. James Mitchell, Hon. James Macarthur, M. Metcalfe, Christopher Rolleston, Alexander Stuart, M. H. Stephen, and the very Rev. the Dean of Sydney and Rev. Messrs. Allwood, W. Stack, H. S. King, E. Rogers, G. Vidal, and A. H. Stephen.

Rev. H. A. Palmer seconded the motion, which was carried unanimously.

Mr. W. Foster moved to add to the resolution the following words:—"That the duration of this committee be twelve months from this day, or until the next meeting of the Synod." He did this because the duties of the committee were of so arduous a nature that it was hardly fair or prudent to commit themselves to an appointment that would last three years or the whole duration of the Synod. If the committee were in any way chosen by the majority of the representatives, he believed the same names would have been chosen. As that was not done he asked whether it was desirable to continue in this office those whom they have now chosen. It might be that the members now chosen would be found unsuitable. They might have to re-arrange them.

The Bishop observed that the next meeting of this Synod might be early next year.

Mr. Statham said that might be too short a period. If the recess were short the committee might not be able to draw up reports.

Mr. Wilkinson seconded the amendment.

The Bishop said he considered that the standing committee should begin and end with the Synod itself. This was the rule with every other Synod. If the committee misbehaves itself the Synod could dismiss it. It would be far better if they left the matter till the rules drawn up by the standing committee were before them. For the standing committee to continue as long as the Synod was a fundamental principle of diocesan Synods.

Rev. W. Stack said the Synod might not be sitting at the end of the twelve month; and when the Synod met, the standing committee would have several important duties to perform. The amendment was negated by a large majority.

The amended resolution of Canon Allwood, as a whole, including the nineteen names, was then read by the Bishop, and adopted.

Mr. Gordon moved, with the concurrence of the Synod—"That it be an instruction to the standing committee, to draw up rules for their

guidance, and to lay the same before the Synod at the earliest possible moment."

The motion was seconded by the Dean, and carried *nem. con.*

At twenty-five minutes to 6, the Synod adjourned for an hour.

MINUTES.

On re-assembling, the minutes of the meeting of the former day were read, and after a slight alteration, confirmed. They were then signed by the Bishop as President of the Synod.

MARRIAGE REGULATIONS.

The Dean of Sydney moved—"That considering the large diminution of the number of marriages celebrated by the clergy of the Church of England in this diocese, and the serious evils arising from the members of our Church deserting their own communion and resorting to ministers of other denominations to be married; a committee of this Synod be appointed, to inquire into the causes which have operated to bring about such results, and to consider and report what measures it is advisable to adopt with a view to remedy those evils. That such committee consist of the following members of Synod, viz.—Revs. Canon Allwood, W. Stack, H. S. King, Thomas Smith, Messrs. W. Barker, M. C. Stephen, R. Jones, T. J. Jaques, and the mover." He said, having settled their formal business, they might now address themselves to those practical questions which had been referred to by the Bishop in his opening address. He (the Dean) trusted the grave question now brought before them—a question much interwoven with the welfare of the Church and colony—would be discussed with that calmness, fairness, candour, and consideration for each other which ought to mark such a proceeding, and by which members of the Church of England were generally distinguished. He trusted he would have dealt to him that kindness and consideration which he required. He felt that there were others better able to deal with this subject than himself, but, at the request of others he had undertaken the question. The Church of England in this colony had a great work before her. It was for them to consider her wants; to devise means for the removal of those wants, so as to render her more useful and more influential as an agent for promoting truth and righteousness in the land. He trusted synodical action might draw them together in brotherly conference for the advancement of their Church in the diocese. The subject he had to bring before the Synod, was the question of the diminution of the number of marriages celebrated by the clergy of their Church. This was a serious evil. The first point was the fact of the large diminution in the number of marriages celebrated by the clergy of the Church of England in this diocese. The clergy complained that such was the case, and if they turned to public documents, they found it was so. By the tenth report of the Registrar-General of the colony, he found there were 3578 marriages in 1865, of which the Church of England celebrated only 886; the Church of Rome, 934; the Presbyterian Church, 935; the Methodists, 403; the Congregationalists, 97; the Baptists, 34; the Hebrews, 11; other denominations, 26; and the Registrars, 252. With a view to judge correctly of this question, they must consider the amount of the population. From the same source he learned that in 1861, the population consisted of 151,958 members of the Church of England; 99,193 of the Church of Rome; 34,692 Presbyterians; 23,682 Methodists; 5,411 Congre-

gationalists; 1,750 Hebrews; 9,863 of other bodies; 12,909 Mahometans and Pagans; and 3,393 unspecified; making 350,860. Taking this as the basis of calculation, the Church of England ought to have celebrated 1631 marriages instead of 886; The Church of Rome, 1010, instead of 934; the Presbyterians, 353, instead of 935—and the Methodists, 241 instead of 349. Still further, there had been a decrease in the marriages celebrated by their Church since 1856. In the third table of this annual report, he found the number of marriages by each Church since the 1st March, 1856. And the Church of England had fallen off in the marriages, while other denominations had increased theirs. In 1856 the Church of England marriages were 911; in 1865 only 886. Whereas, the Presbyterian marriages in 1856 were 471, and in 1865 they were 935; though the population of that denomination did not increase in anything like the same proportion. This diminution in their marriages had taken place, notwithstanding the clergy had been increased in number. The number of young persons confirmed was greater in 1865, than in previous years. The Church exhibited more vitality and energy. He had a return of marriages in Sydney and suburbs, where there was a greater diminution than in the colony at large. It would have been interesting if they would have compared the number of marriages with that of baptisms. He believed they would find the reverse there. People resorted to their own Church for the sacrament of baptism, but went off to other Churches for the purpose of marriage. He had now proved the point on which his motion was founded. Now their Church sought to encompass her members from the time they entered the world with the sanctities of religion in every part of their progress from their baptism to the grave. If they lost their hold of their people at that important period when they were united for life, this might break their association with the church that sought their spiritual welfare. There was a tendency to other more serious evils. Not only was the hold of the Church on her people weakened; but when persons entered on the important step of marriage in a light manner, they inflicted great injury on themselves and upon society. There were many in this city and colony who had taken this step rashly, through facilities afforded them; who had to repent of it, and society is now suffering from such conduct. Another evil was that many marriages were improperly celebrated. Many had been celebrated where one of the persons concerned had been already married. It was but yesterday that such a case came under his notice. And very often young persons were tampered with and ruined. The facilities afforded for unlawful marriages produced such evils. And worst of all, young persons undertaking these engagements lost sight altogether of the grave responsibilities and important duties lying before them; and thus gradually a demoralised tone was spreading, and the burdens on charitable institutions were greatly increased. There was therefore sufficient ground for his motion asking a committee to investigate this subject. First, they were to inquire what were the causes which have led to these results. Some were of opinion that the fees had a great deal to do with it. He thought other causes had much to do with it. The limitation of the hours had something to do with the matter though that moreover rectified. Lately his lordship had allowed the celebration of marriage between the hours of sunrise and sunset. There were other causes of the evil. Into these they would look, if the committee were appointed. He only hoped the committee would go into the matter fully. There should

be some alteration in the present Marriage Act of the Colony. Marriages ought not to be allowed to be celebrated without previous notice. If such an amendment were made in the law, a great benefit would be conferred on society. At present, persons might go from a house at 7 o'clock in the evening, and be married before 8. He knew the case of a girl under sixteen, who absconded at 7 p.m. and was married before 8. The Church of England required a sifting inquiry to secure society from hasty and improper marriages. He hoped the Synod, the subject being one of such grave importance, would grant the committee, and instruct them to use all diligence and earnestness. But he warned his brethren against expecting that they could deal with so grave a question in a very short time. He now left the question with the Synod.

Mr. M. Metcalfe seconded the motion. He said they were such a law loving people, that they could not depart from what was ancient and respectable. But he thought the insisting on the publications of the banns three times was a regulation of an oppressive nature. He did not wonder at the people going elsewhere. In this colony they ought to offer all possible encouragement. In his humble opinion the services of the clergy should be rendered in this matter without fee at all. He believed the clergy would be gainers by this. If the fee were made a nominal one, they would no longer have to complain of their people going elsewhere to get married. He hoped the committee would speedily report on this matter. They might do so in the course of a week.

The Rev. W. Stack said he would not be able to act after another month. On this subject he was well acquainted with the feeling of his parishioners; and felt it due to himself not to allow the matter to pass without expressing his well considered and he believed well founded convictions on the subject. The Dean had pointed to several causes of the state of things they regretted. Some of these causes were beyond their control. They could not alter Acts of Parliament. In this colony, and especially in Sydney, their people were seeking the sanction of the most solemn tie in other denominations. If people entered into that solemn contract without those sacred services which they were accustomed to regard; if they went for that object to a minister whose instructions they never attended, it would weaken their sense of the importance of the marriage tie. And when they found a Divorce Bill under consideration, they knew not what might be the state of society in the next generation. But they, as members of the Church of England, had to enquire whether there was anything in their proceedings which contributed to the evil. His friend, Mr. Metcalfe, had said they should marry without any fee. Now he (Mr. Stack) had lately celebrated four marriages, and only in one case did he receive a fee for himself; but in every case he was obliged to take £2 16s. for other people. In one case, a young man was engaged to be married to a Roman Catholic girl. He went to the young man's mother, and offered to make no charge for himself, but said £2 16s. must be paid. The priest married them for nothing. He had no doubt that the expenses laid on marriage tended to drive people away from their Church. This was a matter they could remedy. There was one argument which he hesitated to urge before the Synod. He was prepared to accept the Dean's appearance in bringing this subject before the committee; but with all deference, he asked his lordship to consider how they were to meet this very great evil. Their existing customs of marriage could not easily be altered. He

believed no blame attached to any one at present. But if the system continued from this time onward, he could not say they would be free from blame. He had been obliged in the discharge of his duties to administer exactly the same oath twice to the same person. Considering the solemnity of an oath, this had long hurt his instinctive feelings. And he was not sure that it was not against law to administer the same oath to the same person twice. He questioned whether his lordship had the right by law to call upon the clergy to administer the same oath twice. The time was come for them to look fairly into the difficulties. The real difficulty was, they would be obliged to find a salary for a Registrar in this diocese. But this could be worked. The law of the Church required the publication of banns. It would be well to return to that practice; but it would be impossible to do so. For the future they might be required to administer the oath twenty-four hours before the parties were married. That would meet that difficulty. As to the salary for a Registrar of the diocese, the parishes should consent to provide a proper pension or stipend to one who had long served the Church. In every case when a marriage was solemnised £1 should be demanded of the parties. Out of that a fee should be given to the sexton, and the rest should go to the parish fund, and might form the foundation of a stipend to the registrar of the diocese. As for the clergymen, they would be satisfied that if the parties wished to give them a fee, they should do so; if not, they would do without it.

Mr. Rowley said this was a matter he had given much consideration to. The question might have been settled at once. The root of the evil was the heavy fees. He was registrar of the district of Berrima. People often came to him to be married. He told them it was far more respectable to be married by the clergyman. But they said they could not afford the fees, and they disliked to be called in church, though they much preferred to be married by a clergyman. It was disgraceful, and the root of the evil was the fee. Let the fee be done away with, and people would be married in a decent and proper manner at church.

The Rev. Thomas Smith could not altogether agree with the Dean as to this select committee. The committee could bring up their report without leaving it to the next session. The matter was of vital consequence, and any delay would be injurious to the Church. The select committee might report to the Synod during the present session. This matter had caused more heartburning and unhappiness in the Church, than any other subject. He must say, for the Registrar of this diocese (Mr. James), that whenever he (Mr. Smith) urged a reason for it, he gave up the fee. He had often to ask himself, when a man came to be married—"Can this man afford to pay this five guineas?" Some had said to him, "I can go and get married for two—or even for a pound." The clergy had no right to be oppressed by a question of this kind, which drove from the Church many persons who would otherwise be attached to her communion. There ought to be an alteration in the Act of Parliament. The true way to obtain more marriages was to extend the hours during which marriage might be performed. As for the antiquity of marriages, they knew that in the ancient Church marriages were celebrated at night. It would promote temperance, if they invited a couple who were about to get married to a cup of tea, and to be married afterwards. They invited people to church at 7 o'clock. Baptisms, and sometimes, in England, the Lord's Supper, were celebrated in the evening. He saw no harm in the performance of marriages as late

as 8 p.m. If they did not allow this, no other alteration would remedy this evil. Persons in humble life often wished to be married in the evening, because they did not like to go through the street in the day time without such dress &c. as their neighbours could afford. He had during the year had 15 marriages, and 350 baptisms. And in the case of some of these 15 marriages, he had to give credit, and people had not paid him yet. In one case he happened to marry a person under twenty-one. Well, how could a person know that a solemn declaration was false. The mother of the young man threatened to summon him to the Supreme Court. He replied by threatening to proceed against the young man for perjury, when the mother said she had witnesses to prove that he only kissed his thumb in the vestry. There were a great many marriages performed by gentlemen who came other the border. They (the Clergy of the Church of England) were to blame in the matter. Considering the immense importance of this matter, and the position their Church occupied in this country, they ought not to perpetuate for one day a system which would cramp and warp the energies of that Church. Marriage was one of the most sacred of all services. He hoped the select committee would recommend the taking away of the fee. He earnestly urged that this select committee should be asked to enter at once on this matter. There were gentlemen on this committee who had made this subject a study for years. He moved as an amendment to add the words, "and that the committee be requested to bring up their report during the present session of the Synod."

The Rev. A. H. Stephen said that some of the questions which he did not deal with. He recommended the insertion of the word "progress" before "report." There were some matters on which they should act on the good old rule "*festina lente*." Other points might be decided at once. He objected to the rule that one party must reside in the parish. This rule often worked extremely ill. The fees had very much to do with the evil complained of. He related a case in which a couple declined to be married by him on account of the fee. Under certain restrictions he did not see why marriages should not take place after an evening service at half-past 8 o'clock. The clergyman ought occasionally to preach a sermon on the text "Marriage is honorable in all." Lately one of his Sunday-school teachers was married in her own home by a reverend doctor, who was brought out in a cab from Sydney. He thought a law should be passed requiring all persons to be married in some place of worship, unless they lived at too great a distance. As for the amendment, it was left an open question in the motion when the committee should report. They might report as soon as they thought proper.

Mr. Rowley seconded the amendment of Mr. Smith.

The Rev. John Elder said he thought the reduction of fees would operate to a certain extent. An appeal to the Legislature was necessary.

Mr. Rolleston thought the provision of a salary for the Registrar of the diocese had nothing to do with the question. There could be no doubt as to the fact that there had been a great diminution in the proportion of marriages. The marriages in the Church of England were 40 per cent. in 1856; only 36 per cent. in 1857; in 1862 only 31 per cent.; in 1863 they were 25 per cent.; and in 1865, only 24 per cent. This diminution was not due to fees alone, for the fees were the same in 1856

as now. The diminution dated from the passing of the Marriage Act of 1855. That Act was the source of the evil. No doubt the fees were one cause of the diminution of their marriages. He hoped no delay would take place. The present state of things was injurious to the Church and to society at large.

Rev. Thomas Hayden thought it most important that this matter should be well considered. As the evil had continued so long a time, to let it remain as it is for a few months longer would not augment the evil very much. They had appointed a select committee for the purpose of full inquiry. He trusted the committee would take evidence on the subject, and that that evidence would be laid before the Synod. He hoped the matter would be considered very deliberately. The fees had everything to do with this matter. He did not think the question of hours had much to do with it. He thought 6 o'clock was quite late enough.

The Rev. W. Scott (Warden of St. Paul's College) said he thought it necessary for them to know whether a progress report could be acted upon.

The Bishop said if a progress report were brought up, and a resolution founded on the report were passed by the Synod, that resolution would be carried out.

Mr. Jacques bore testimony to the necessity of the present marriage law being taken under the consideration of this Synod, with a view to an amendment of that law. That law had been in great degree the cause of the diminution of marriages in their Church. If they were at the requisition of a few individuals calling themselves a congregation to be required to register as a minister entitled to marry, it would be a serious blow to the solemnity of the marriage contract.

(To be Continued.)

English Church News.

MISS BURDETT COUTTS has written to the Bishop of Capetown, expressing her strong disapproval of the course which he proposes to take in consecrating a new Bishop of Natal. Miss Coutts considers that such a step will be a departure from the understanding entered into at a meeting of the Bishops at Lambeth in Whitsun-week, 1841, for the formation of the Colonial Bishops' Fund, and she entreats Bishop Gray to pause before he commits himself to such a course.

THE KEBLE MEMORIAL.—The subscription for the Keble Memorial now amounts to £23,324. Some of the American dioceses are taking part in this good work. The Archbishop of York writes thus to a member of the Committee:—"In my opinion, the Church of England owes a great debt of gratitude to the author of the *Christian Year*. That beautiful book has done so much for the cause of true spiritual religion amongst us, that probably only three or four works in the whole history of the Church could be compared with it. A mere monument to Keble would be a waste of money and pains; his book is his monument. But a college for the education of young men now debarred from University education may well be erected to his memory, for it would have had his support and his prayers if he had remained amongst us. Such a college might be made useful to the sons of clergymen, of whom there are very many who desire to serve God in the ministry, but who have no hope of passing through a University because of their poverty. From this class the alleged deficiency of candidates for holy orders might be most fitly supplied."

Diocese of Newcastle.

Church Intelligence.

EXTRACTS FROM THE ADDRESS OF THE BISHOP OF WELLINGTON, DELIVERED AT THE OPENING OF HIS DIOCESAN SYNOD.

SEPTEMBER 25TH, 1866.

You will remember that last year I stated that five Bishops of this Ecclesiastical Province in New Zealand had petitioned Her Gracious Majesty to be allowed to resign their letters patent, and to be freed, both in respect of themselves and their successors, from the effects of the royal mandate, whatever they might be. By the judgement of the Privy Council in the case of the Bishop of Natal *v.* the Bishop of Cape Town, one effect of the royal mandate for consecration was stated to be that the patronage of the see, to which the Bishop was consecrated by royal mandate, belonged thereby to the Crown, and so the nomination of their own Bishop by the founders, as represented by the Diocesan and General Synods, was questioned, and colonial Bishops were further inhibited by the same judgment from submitting themselves to any other jurisdiction but the Crown, because of the letters patent, which were at the same time declared to be null and void, so far as they proposed to grant any jurisdiction to the Bishops, but were supposed to be valid for imposing a jurisdiction on the holders of those letters patent. Accordingly, the Bishops, having just seen the temper and mind of the General Synod as indirectly expressed on these subjects, felt that it was due to their clergy and laity to carry out the objects they had mutually agreed upon, and formally confirmed in the constitution deed. The members of the Church of England in the colonies had been recommended by Her Majesty's Principal Secretary of State for the Colonies, the Right Hon. H. Labouchere, to establish for themselves a system of Church Government on the principle of voluntary compact. Furthermore, the Judicial Committee of the Privy Council, in the case of the Rev. W. Long *v.* the Bishop of Cape Town, had stated that "the Church of England in a colony is in the same situation with any other religious body, in no better but in no worse position, and the members may adopt, as the members of any other communion may adopt, rules for enforcing discipline within their body, which will be binding on those who expressly, or by implication, have assented to them." They then proceed to say,—"It may be further laid down that where any religious or other lawful association has not only agreed on the terms of its union, but has also constituted a tribunal to determine whether the rules of the association have been violated by any of its members or not, and what shall be the consequence of such violation, then the decision of the tribunal will be binding, when it has acted within the scope of its authority, has observed such forms as the rules require, if any forms be prescribed, and, if not, has proceeded in a manner consonant with the principles of justice. In such cases the tribunals so constituted are not in any sense Courts; they derive no authority from the Crown; they have no power of their own to enforce their sentences. They must apply for that purpose to the Courts established by law, and such Courts will give effect to their decisions, as they give effect to the decisions of arbitrators,

whose jurisdiction rests entirely upon the agreement of the parties." It is plain, then that voluntary self-government, subject to the revision of the Supreme Courts of the colonies, was the principle recommended to us by the Chief Executive, and the Chief Judicial authorities and officers of the Crown. Accordingly, the members of the Church of England in the colony had, many of them, taken the course so recommended. The Bishops, the Clergy, and a numerous body of Laymen in the colony, had framed and accepted a Church constitution, binding themselves to adhere to the doctrine and ritual of the Church at home, and calling themselves a branch of that Church—just as this colony is a part and parcel of the Empire of Great Britain, and is subject to the Crown, though it has an independent legislature, and need not accept all the present and future legislation of the mother country. We bound ourselves together on the basis of a voluntary compact—we framed and subscribed to "terms of union"—we further established tribunals to act as arbitrators, and decide whether the terms of union had or had not been violated in any particular case. But suddenly appears the Privy Council judgment in the case of the Bishop of Natal v. the Bishop of Cape Town, and denies the power of any Bishop holding letters patent to submit himself to such a voluntary tribunal; and, further, claiming for the Crown, by virtue of the royal mandate for consecration, the right of patronage to the See to which any Bishop had been appointed by such royal mandate. Surely, then, the Bishops were acting for their brethren of the clergy and of the laity, and in full accordance with the constitution deed, and the mind of the General Synod, which had just (in 1865) discussed and revised that constitution deed, when they petitioned the Crown to set them free from the effects of the letters patent, and of the royal mandate, and so enable the Church in this colony to carry out the objects recommended to them by Her Majesty's own chief officials and advisers, and to which we had voluntarily bound ourselves. * * * *

Recurring to what I said about your own letter to the Secretary of State not having been noticed in the Blue Book, I regret it the more because the publication of the document would have prevented Lord St. Leonards falling into the grave error he committed in the House of Lords, (as reported in the *Times* of the 19th July, when he charged the Bishops of New Zealand with virtually defrauding donors resident in England of large sums of money subscribed by them for the foundation of Sees in this colony, and making over such funds to colonial trustees without the sanction of the donors. The Bishop of Oxford explained that the noble lord was mistaken; but the dicta of such a learned ex-Chancellor have, and ought to have, much weight in the country; and many persons will suppose that such a man could not have spoken without taking pains to inform himself aright. The real fact is, that there are only £1,000 of endowment for the Bishopric of New Zealand, and that sum has been collected exclusively in the colony. There is no endowment for the Bishopric of Waipapa beyond the small sum which the Maoria of the district and the Church Missionary Society have given. The endowments for the Sees of Nelson and Wellington were subscribed partly by the New Zealand Company, partly by the Society for the Propagation of the Gospel; and the Society for the Propagation of the Gospel is the trustee—the exact reverse of Lord St. Leonards' statement being the fact. The Canterbury Association subscribed the funds for the See of Christchurch, and their representatives are the

trustees. These facts are interesting of themselves, and worth recording. I will conclude this part of my subject by a quotation from the writings of that wise man, the Rev. John Davison (of Oriel)—"All accuracy belongs to the sacred family of truth." You may, perhaps, think it desirable to address the new Secretary of State for the Colonies, and I am disposed to think that it would be well if we formed a Committee of the Synod, to take into consideration the Colonial Bishops Bill that Mr. Cardwell and Sir Roundell Palmer brought forward during this session of Parliament, but which seems to have lapsed with their Ministry. That Bill was avowedly framed on the principle so clearly seen and stated by Mr. Sewell, the Attorney-General of Mr. Weld's Ministry, in the memorandum appended to our petition. I think that Mr. Weld's Ministry, and especially their Attorney-General, are entitled to great credit for their clear perception of a constitutional principle, which had only to be broached in order to be accepted—namely, that Her Majesty's Privy Council has no original jurisdiction, but only *appellate*, in a colony where there is an independent Legislature, and consequently that all ecclesiastical questions of doctrine or discipline belong to the *forum domesticum*—our own tribunals, in short—which the Privy Council, in the case of Long v. Bishop of Cape Town, compared to arbitrators in civil matters, and from which some sort of appeal would lie, as in civil cases, to the Supreme Court of the colony, and so reach, if required, the Privy Council on appeal. It is a great pity that the Bishop of Cape Town's legal advisers did not take up that constitutional ground in the case when the Bishop of Natal applied to the Judicial Committee of the Privy Council to interfere between him and the Bishop of Cape Town, without any intervention of the Supreme Court of the Cape Colony.

THE CHURCH IN NEW SOUTH WALES.

The importance of a native Church organization for the consolidation and extension of missionary efforts has been prominently brought forward in a review of the work of Dr. Todd on St. Patrick and the Irish Church, in a recent number of the *Quarterly*. In every people which possesses the elements of progress there must be a national spirit, and this spirit must either be identified with the implanted Church, or remain external and hostile to it. The same principle applies to colonies, though in them it acts through different channels. The pioneers of civilization, who subdue wildernesses and lay the foundation of empires, are little likely to distrust their own creative power, or have faith in institutions planted and nurtured among them without effort of their own. They have civil governments, substantially independent, which, whatever faults may be found with them, seem to satisfy their wants and aspirations; and any self-acting self-supporting scheme of ecclesiastical polity will necessarily be that most likely to commend itself to their feelings and prejudices.

For some time the colonial clergy were slow to realise this idea. Generally indefatigable in their spiritual labours, they often failed to appreciate the necessity of securing a basis for their operations. Most of them had been born and educated in England, under the influence of an Establishment regulated in all its details by law. They had, therefore, the less inclination to grapple with difficulties of which they had no previous experience. Their business, they thought, was the preaching of the Word, not the serving tables; and reliance on aid from home took the place of the old habit of

dependence on an Establishment. It was a short-sighted policy, for the hard-headed, hard-fisted emigrant class, though loving their money exceedingly, love position and influence still more; and have proved it by contributing freely to the support of sectarian congregations, in the management of whose affairs they took part. About thirty years ago the discontinuance of the triennial "Queen's Letters" caused the Society for the Propagation of the Gospel to revise its arrangements, and intimate to the older Missions the necessity of seriously looking about them for the means of providing for their own maintenance. Soon afterwards the secularisation of the Canadian Clergy Reserves took away the faint shadow of an Establishment in those provinces; and still more recently the aid once given from the colonial funds has been discontinued by the Australian Legislatures. Happily, teachers had arisen to dissipate the once common delusion that the Church was identical with the Establishment, and the idea began to dawn on Colonial Churchmen of a branch of the Church organised and regulated by their own action and supported by their own funds. One by one the Colonial Bishops exchanged the position of Anglican missionaries for that of Presidents of native Synods. By these providential workings the Church in many of the colonies had been wrought into form before the legal status of the Bishops was obscured by the Judgment of the Privy Council in the case of the Bishop of Capetown.

Among the last of the self-governing colonies to organise synodical action was New South Wales, containing the three dioceses of Sydney, Newcastle, and Goulburn, for which a set of draft constitutions was agreed on at a conference held at Sydney in April last, and attended by the three Bishops, and by four clerical and four lay representatives from each diocese. We are indebted to a correspondent for a full narrative of the proceedings. Newcastle had in the previous year held a Synod and agreed to constitutions of its own, and at conferences held in the other dioceses draft constitutions were approved, which are incorporated in the general code. The joint constitutions provide for the holding of Diocesan Synods, including lay representatives elected by "seat-holders," or in Newcastle by "residents," of full age, who shall sign a declaration that they are "members of the United Church of England and Ireland," and the representatives elected are to declare that they are "communicants" of the same Church. These Synods are to make "ordinances" for the conduct of the affairs of the Church and the disposal of property not specially appropriated, which are to "be binding on the Bishop and his successors and all other members of the Church within the diocese, but only so far as the same may concern their respective rights, duties, and liabilities as holding any office in the said Church within the diocese." The votes of the members of the Synods are to be taken collectively, unless a vote by orders is required by a certain number of members; and a proposition stopped by the Bishop's veto may be referred to the Provincial Synod. Among the powers of the Diocesan Synods is one to establish tribunals for the trial of the clergy on charges in respect of doctrine or discipline. These tribunals are to be invested only with power of suspension and deprivation. Nothing is said about a Court of Appeal. A Provincial Synod consisting of the members of the Diocesan Synods of the colony sitting collectively, is to meet once in three years, in two houses, the lower house voting both by dioceses and by orders; and to determine such questions only as may be referred to it by any Diocesan

Synod, with power to limit the number and regulate the future appointment of its own members. All these powers are overridden by a proviso that "no rule, ordinance, or determination of any Diocesan or Provincial Synod shall make any alteration in the Articles, Liturgy, or Formularies of the Church, except in conformity with any alteration which may be made therein by any competent authority of the United Church of England and Ireland in the United Kingdom." It is also provided that a copy of all ordinances of any Diocesan or Provincial Synod shall be sent to the Archbishop of Canterbury.

These are the proposed constitutional securities for the continued connection of the Church in the three dioceses of New South Wales with the Church of England; and they are sufficiently ample to reassure any alarmist who is able to realise the essential difference between established and unestablished Churches. Nothing is said in the constitutions about their future amendment, but the power which imposes will of course be competent to alter them, and no verbal restrictions on this power can be of any practical value. The folly of reliance on what is called a "fundamental part" has been fully exposed in the case of the Irish Church Establishment, which will not probably, by reason of the securities in the Act of Union, gain one more vote in Parliament, or a single day's respite after its assaults can muster a majority. Neither if coercive means could be devised would it be expedient for the Church of England to attempt to carry out a policy which the genius and resources of the Papacy vainly tried to realise. The "constitutions" passed at Sydney have at present no apparent solidity except as articles of agreement between the twenty-seven individuals who formed the Colonial Conference. But, as they are formed by the amalgamation of separate constitutions previously approved in the several dioceses, it seems likely that their ratification by the Synods convoked under them by the Bishop's authority will be a matter of course. What will be their practical efficacy when so ratified is another and a most important question. They were accepted unanimously, but they were founded on resolutions which for six successive days had been debated with great animation and considerable differences of opinion. The questions involved in the debate, and which we hope to refer to on a future occasion, were whether the governing powers should in the first instance be vested in the Diocesan or in the Provincial Synod; and what sanction or recognition of the constitutions should be sought for from the Colonial Legislature. Passing by these for the present, it will be obvious that the constitutions are inconsistent with whatever claim the Bishop of Sydney may have under his patent or otherwise to the title usually borne by him of "Metropolitan of Australia and Tasmania." For this reason, apparently, the powers of the Provincial Synod are narrowly restricted. Provision is made for the admission of new dioceses to the Provincial Synod, but only of such as, like that of Grafton and Armidale, shall be created within the bounds of the colony of New South Wales, which thus becomes an ecclesiastical province of itself to the exclusion of the other sees heretofore considered to be suffragan of Sydney. If Australia should be parcelled into as many provinces as there are colonies, an important safeguard of the unity of the faith will have been lost. Small isolated communities left without external control may tend to drift further and further from the standard. Frequent assemblages of representatives from

all parts of Australia may be, if not impossible, exceedingly inconvenient; but the habit of united action ought to be maintained; at stated intervals the Churches of the whole continent should assemble; and to the Synod so convened all questions which might affect their intercommunion should be referred. To the neglect of such an arrangement in the Churches of Europe we may ascribe the Papal usurpation on the one hand, and on the other the lapse into separation, perhaps into heresy, of so many portions in a once united Christendom.

SCONE.

On Thursday October 4th, the annual Church School festival took place. The weather looked very threatening in the early part of the morning and before noon steady rain commenced, which postponed the out-door games, a disappointment which was borne with much patience, as rain was so much needed. About 11 o'clock the procession of children was formed headed by the Reverends W. E. White, J. J. Nash and C. Child, and preceded by a lad bearing an handsome silk banner, presented to the School for this occasion by a lady. Morning service was held in the Church and a very suitable address made to the children by the Reverend W. E. White. The procession from Church was much spoiled by the rain which came down steadily, the children, to the number of 120, however, were all soon safely housed and seated at the feast-tables which were filled with an abundance of cakes, tarts, and puddings. The School-rooms were very nicely decorated, and were crowded with visitors, friends of the children or of the school. After the feast, the prizes were given away to the successful competitors in reading, writing, and general attainments, as well as good conduct during the past year. While the prizes were being given, and the cheering going on, it was raining steadily, and appeared likely to continue: it was therefore deemed advisable to postpone the games until another day. The following Tuesday saw this carried out, with much gratification to all who joined in it, both young and old. In the evening a tree was lighted up, and a large number of presents hanging on it were distributed—one to each child attending the Day and Sunday Schools—a matter which seemed to give general satisfaction to all. On Thursday, October 11th, we had a visit from our Bishop, when twenty-five persons took on themselves the solemn vows of the Christian life, and had hands laid on them by their Chief Pastor. St. Luke's Church was well filled, chiefly by the friends of the candidates. The Offertory was devoted to the Sunday School library. It is to be hoped that the impression made by so solemn a scene will not soon be effaced from the minds of all then present.

JERRY'S PLAINS.

On Tuesday, October 9th, the Lord Bishop held a Confirmation, when nineteen young persons were admitted to that Holy Rite. The Service commenced at 2.30, when Evening Prayers were said by the Incumbent. The "Veni Creator" was sung before the Service of Confirmation, and before and after the Sermons Hymn 181 and 11 in "Hymns Ancient and Modern." The Bishop addressed the candidates before confirming them, and preached afterwards; and it is needless to say that in both instances his Lordship's remarks were most impressive and interesting. The candidates were evidently

much touched by the admirable and fatherly advice of their beloved Diocesan, and, we may hope and pray, were led to resolve to walk in that high and holy pathway which was then pointed out to them. The administration of the sacred rite was witnessed by a large and reverent congregation.

MERRIWA AND CASSILIS.

On Sunday, September 23, the new School, which is also used as a Church, was opened at Cassilis. The Service commenced with the hymn 244, (Hymns Ancient and Modern.) "CHRIST is made the sure foundation," to "Oriel." The Rev. W. E. White was preacher. The Offertory, amounting to £11 7s., went to aid the building fund. There still remains some deficiency, which it is hoped may be made up before the end of the year.—On the following day was held, most successfully, the first School feast. In the morning rain threatened, and fell for a while, but not so as to damp the young folks' spirits, for bush fires are not easily put out. The Parsonage verandah afforded space for the tables, and sixty-four children sat down to the very abundant dainties which all the neighbourhood had shared in preparing. Games followed, and then a second time old and young did ample justice to the good things; and a magic lantern, and after that fireworks, concluded a very happy day. At Merriwa, on the 26th, the Sunday School feast took place, in which the Roman Catholic Sunday scholars joined. Service at the Church of the Holy Trinity was held at 12; the Rev. Canon Child, and the Rev. W. E. White assisting. The two schools together marched under flying banners to the cricket ground, where the tables groaned, some said with the high wind, others under the heavy spread which covered them. About ninety-five children shared in the feast, and the games which followed, in which the Reverend visitors achieved wonders in keeping up the fun. The exhibition of the magic lantern concluded a day which Merriwa will not soon forget, and which may we take as an earnest of the time when the one flock shall be gathered in unceasing joy into the one Fold and under the one Shepherd. The Lord Bishop of the Diocese visited this district, and confirmed thirteen candidates at Merriwa, on the 12th October—nine at Cassilis, on the 14th—and seven at Collaroy, also on the 14th: large and very attentive congregations assembling on each occasion to witness the Holy Rite, and to receive encouragement from the Bishop's most earnest and stirring exhortation.

MERTON AND MOUNT DANGAR.

The Lord Bishop of the Diocese held a Confirmation at St. Matthias' Church, Merton, on Wednesday, the 10th October, at half-past two p.m., when eleven candidates were presented by the Reverend W. E. White; five males and six females.

On the following Tuesday, October 16th, his Lordship visited the little Church of St. Matthew, at Mount Dangar, accompanied by the Reverend W. S. Wilson of Cassilis. This little Church, which has been recently built of sawn pine, is prettily situated on a plain surrounded by an amphitheatre of hills, of which the most prominent is Worond, or Mount Dangar. The building is now fenced in and out of debt. A little font and reading desk had been brought out from Muswell Brook the day previously. Here one female and seven male candidates were confirmed.

MUSWELLBROOK.

After the service at St. Matthew's Church, Mount Dargar, the Bishop proceeded to Muswell Brook, attended by the Reverends W. E. White and W. S. Wilson, and remained at the Parsonage all Wednesday, holding a meeting of the District Association of the Newcastle Church Society on Wednesday evening in St. Alban's School-room. The meeting was of a very influential one, and listened with great interest to his Lordship's address on the education question. The Reverends W. S. Wilson and W. E. White also spoke on the same subject. His Lordship proceeded the following morning on his journey northwards and returned on Sunday evening to Muswell Brook, where he preached to a crowded congregation.

Th next day, Monday the 22nd October, the Bishop held a Confirmation, in S. Alban's Church. Notwithstanding the very heavy rain which poured down all the morning, all the candidates were present; forty-seven in number (twenty-two male and twenty-five females) some of them having to come a distance of seven or eight miles; amongst the latter were twelve from the Railway line. The total number confirmed in the whole district was sixty-six—thirty-four male and thirty-two female candidates.

FALBROOK.

The Lord Bishop having left Muswell Brook early on the 23rd of October, was met, near Ravensworth, by John Lethbridge, Esq. and the Rev. W. W. Dove and conducted by them to Bridgman, the residence of the former. There, after resting a short time, his Lordship held a confirmation in the woolshed. Evensong was said by the Reverend W. W. Dove, who then presented to his Lordship four male and seven female candidates. The Confirmation ended, the Bishop addressed both candidates and congregation in words of solemn and affectionate counsel. The "Veni Creator" was sung before the service of Confirmation and a portion of the 119th Psalm after. The congregation was very large and was gathered from many distant cottages and homesteads, some present having come more than twenty miles.

SINGLETON.

On Wednesday, the 24th, the Lord Bishop left Bridgman and proceeded to Singleton, accompanied by the Reverend W. W. Dove. His Lordship held a meeting of the District Association that evening in the All Saint's Schoolroom, and gave an interesting account of his visits to other parishes. On Thursday, October the 25th, a Confirmation was held in All Saints' Church, when thirty-two young persons were presented to the Bishop by the Reverend J. Blackwood, and two by the Reverend W. W. Dove. The service was most solemn and impressive, and the effect was deepened by the very admirable addresses which his Lordship delivered both before and after the Confirmation.

On Wednesday, November 7th, the All Saints' Church and School Fete was held. The Holy Communion was celebrated at 7.45 a.m., by the Reverend J. Blackwood, when upwards of thirty received, two of the newly confirmed making their First Communion on that occasion. The Litany followed at 11 a.m., and Evensong at 2.30 p.m., the last being the children's service. All the Services were choral, and in the last the responses and the hymn "Jerusalem the Golden," were very creditably sung by the children. After Even-

song, the children, nearly 230 in number, walked to the School-room and were feasted with tea and cake. They then joined in various games, whilst the visitors also partook of refreshments, after which they were called together to scramble for cakes, sweetmeats, &c., and to finish their day's pleasure with hearty cheers for Queen, Bishop, Clergy, School, Master, Friends and Visitors. The Reverends L. Tyrrell and W. W. Dove were present and assisted in the Services.

The following is a summary of the numbers confirmed in the various Districts during the late tour of the Lord Bishop.

Scone	25
Cassilis	29
Muswell Brook	66
Falbrook and Jerry's Plains	32
Singleton	32

Total 184

Diocese of Goulburn.

Church Intelligence.

The following is a copy of an Act of Parliament which has recently passed both houses of Legislature, and which substitutes the name of the Bishop of Goulburn for that of the Bishop of Sydney, or of the late Bishop of Australia, in certain trusts within the Diocese of Goulburn, and in Act of Council and statutes in force within the Colony of New South Wales.

AN ACT.

30th VICTORIA, 1865.

To transfer to the Bishop of Goulburn certain Lands situate within the Diocese of Goulburn and to extend the Acts in which the Bishop of Australia is mentioned to the Bishop of Goulburn.

Preamble.

WHEREAS Her Majesty Queen Victoria did by Letters Patent under the Great Seal of the United Kingdom of Great Britain and Ireland bearing date the twenty-fifth day of June in the year of our Lord one thousand eight hundred and forty-seven and in the eleventh year of Her Majesty's reign erect found ordain make and constitute all those parts or portions of the Colony of New South Wales known or called by the names of the counties of Wellington Roxburgh Cook Cumberland Camden Westmoreland Bathurst King Murray Argyle Auckland with the territory to the west bounded by the parallel of south latitude thirty-two degrees thirty minutes and the one hundred and forty-first degree of east longitude together with all those parts of the Continent of Australia not comprised within the limits of any other See or Diocese to be a Bishop's See and Diocese and to be called from thenceforth the Bishopric of Sydney saving nevertheless to Her Majesty Her Heirs and Successors the power of altering from time to time with the consent of the Archbishop of Canterbury for the time being if the said See be vacant or otherwise of the said Archbishop and the Bishop of the said See for the time being the limits of the said Diocese or of the jurisdiction of the Bishop thereof And whereas by certain other Letters Patent

under the Great Seal of the United Kingdom of Great Britain and Ireland bearing date at Westminster the nineteenth day of October one thousand eight hundred and fifty-four in the eighteenth year of Her Majesty's reign Her Majesty did constitute and appoint the Right Reverend Frederic Barker Doctor in Divinity to the said See and Diocese of Sydney And whereas the said Frederic Barker being first duly consecrated became and was Lord Bishop of the said See And whereas by reason of the great extent and of the increased population of the said See or Diocese it was deemed expedient by Her said Majesty to alter the limits thereof and the jurisdiction of the Bishop thereof by separating therefrom all those parts or portions of the Colony of New South Wales which are bounded as follows that is to say—to the north by the thirty-fourth parallel of south latitude to the west by the one hundred and forty-first meridian of east longitude being the boundary of the Colony of South Australia to the south and south-west from the last-mentioned meridian to Cape Howe by the boundary of the Colony of Victoria and to the east and north-east as follows that is to say—from Cape Howe to Point Upright by the sea then from Point Upright northwards by a line which divides the Registry Districts of Ulladulla and Shoalhaven in the county of St. Vincent from those of Broulee and Braidwood in the same county until the said line falls on the boundary of the Registry District of Goulburn in the county of Argyle then by a line which divides the counties of Argyle and Georgiana from those of Saint Vincent Camden and Westmoreland until the said line reaches the aforesaid thirty-fourth parallel of south latitude and whereas the said Lord Archbishop of Canterbury and the said Lord Bishop of Sydney by instruments under their respective hands and seals dated respectively the fourth day of March one thousand eight hundred and sixty-three and the twenty-eighth of February one thousand eight hundred and sixty-three duly signified their consents to such alteration of the limits of the said Diocese of Sydney and of the jurisdiction of the said Bishop thereof and whereas Her Majesty did by certain other Letters Patent under the Great Seal of the United Kingdom of Great Britain and Ireland bearing date the fourteenth day of March one thousand eight hundred and sixty-three separate from the said See and Diocese of Sydney all those parts of the said Colony which are contained within the boundaries lastly hereinbefore described and did erect found ordain and constitute the same to be a Bishop's See and Diocese and to be called thenceforth the Bishopric of Goulburn and whereas Her Majesty did by the said last-mentioned Letters Patent name and appoint Messrs Thomas Doctor of Divinity to be ordained and consecrated Bishop of the said See of Goulburn and did will and grant by the said Letters Patent that the said Bishop of Goulburn should be a body corporate and did make ordain and constitute him to be a perpetual corporation and to have perpetual succession and that he and his successors should be for ever thereafter called or known by the name or title of the "Lord Bishop of Goulburn" and whereas certain lands which are situate within the limits of the Bishopric of Goulburn were devised granted conveyed or otherwise assured unto and are now vested in the said Bishop of Sydney either solely or jointly with other persons for religious and educational and other purposes and it is expedient that all such lands should be vested in the Bishop of the Diocese in which the same are situated upon and for the like trusts and purposes as the same are

now held by the Bishop of Sydney. Be it therefore enacted by the Queen's Most Excellent Majesty by and with the advice and consent of the Legislative Council and Legislative Assembly of New South Wales in Parliament assembled and by the authority of the same as follows:—

Lands situate within the Diocese of Goulburn formerly vested in the Bishop of Sydney to be vested in the Bishop of Goulburn.

1. All lands tenements and hereditaments situate within the limits of the Bishopric of Goulburn as described in Her Majesty's Letters Patent under the Great Seal of the United Kingdom of Great Britain and Ireland bearing date the fourteenth day of March one thousand eight hundred and sixty-three which at the time of the passing of this Act are vested in the Bishop of Sydney shall be and be deemed and taken to have been from that date vested in the Bishop of Goulburn and his successors by whatever name he shall be called or known either solely or jointly with the other persons associated with the Bishop of Sydney as the case may be and shall be held by said Bishop and his successors either solely or jointly with such other persons upon and for the like trusts and purposes as the same are now held by the said Bishop of Sydney.

Acts to extend to the Bishop of Goulburn.

2. And whereas doubts may arise respecting the powers rights and privileges of the said Bishop of Goulburn and his successors under the Acts of Council or Statutes in force in this Colony in which the Bishop of Australia is particularly mentioned. Be it therefore enacted that in all Acts or Statutes now in force in this Colony the Bishop of Australia shall in all matters connected with the Diocese of Goulburn be taken to mean the Bishop of Goulburn who shall have the same powers rights and privileges within his Diocese as if such Bishop were expressly mentioned in such Acts.

ADAMINABY.

The School recently formed in this locality was visited on Monday, November 12th, by the Diocesan Inspector, who was accompanied by the Rev. T. Druitt and Dr. Mould. The School is for the present kept in the temporary wooden Church, which stands upon a good stone foundation. It was very evident from the scanty attainments of the children that a School was very greatly needed in Adaminaby, for all were equally ignorant, and had only attended School since the opening of the present one on October 14th. The master, Mr. M. Mackay, was trained at the Model School, St. James, Sydney, where he won for himself a high character as a person likely to become a successful teacher. The local board consists of the Rev. T. Druitt, Messrs. G. Barrett, Thomas Locker, Archibald Reynolds, and G. Y. Mould. Some of the children travel four and half miles to reach the School. They are taught singing by Mr. Mackay.

BOMBALA.

Bombala is nearly 180 miles south of Goulburn, and 50 west of Eden. The School at this place, which is conducted by Mrs. Benjamin, was inspected by the Rev. D. E. Jones, on November 19th. The local board are the Rev. S. Percival, Messrs. J. Boucher, J. Nicholson, E. Hyde, and H. Hogarth. The first named teaches singing by note to 18 of the

children on Hullah's system. There are 44 children on the roll, and of these 41 attended the examination. In the Sunday School there are 93 children, and only 16 were absent on Sunday, the 18th November.

Correspondence.

NON VESTED SCHOOLS.

The following letter was addressed to the National School authorities, by a teacher, who had been nominated to a Non-vested National School—though his appointment does not appear to have completed. The teacher objected to be debarred from the use of the Holy Scriptures at any time in the discharge of his duties as teacher. He accordingly declined the appointment.

National School, Dec. 9, 1865.

Sir,—I have the honor to forward you the enclosed return of Children present on the 8th November last, and beg to state that it may be taken as a full average of the daily attendance of Scholars during the quarter.

As the School and my appointment as teacher were merely probationary, I beg now respectfully to resign my situation for the following reasons, viz.

1st. The improbability of the Board granting a salary for so small a number of pupils.

2nd. As I cannot afford to be at any greater loss than what I have already sustained, which is at a moderate calculation about £6.

3rd. As there is no reasonable hope that the building will be put in the state the Board require by the coming winter, if dependent upon the voluntary contributions of the inhabitants, as with the exception of ———, who have already done as much as could be reasonably expected, I do not think there is a single individual who would contribute a sixpence.

And last, but not least, I cannot conscientiously be Teacher of a School, in which the whole of the protestant version of the Bible is not allowed to be used, and the inculcating of religious truths is not considered to be a most important part of a teacher's duty.

The books being the only property I have in charge belonging to the Board, shall be forwarded to you the first proper opportunity.

I have the honor to be Sir,

Your most obedient Servant,

Miscellaneous.

RETURN OF A ROMISH PERVERT.

The conversion to Romanism of Mr. Charles Hemans, son of the celebrated poetess Mrs. Hemans, was announced many years ago. The Paris Correspondent of the *London Guardian* states that Mr. Hemans has recently returned to the English Church, for reasons stated in the following private letter:—

"Rev. and dear Sir,—In reference to the step I have lately taken in leaving the communion of the Roman Catholic Church, it has seemed to me that, as in regard to such solemn questions the experiences of every mind may be worthy of attention, a simple statement of my motives may not be uninteresting. Having been induced during the many years spent by me at Rome to examine into the evidences of Christian antiquity in the range of catacomb monuments, and having approached that study with a strong sense of the value of those

primitive records as the incorruptible and pure expression of the mind of the ancient Church, I have been finally led to see that presented, and the actual religious practice of Rome exists an opposition affecting essentials, an irreconcilability, in short, which I believe no amount of ingenious erudition, no argumentation of sophistry, can either explain away or harmonise. Without entering into controversy, for which I have neither taste nor vocation, I may indicate two points especially which I believe to be condemned, in their Roman Catholic acceptance, by the testimony of those ancient monuments, the idea of an absolute earthly headship to which all rights and prerogatives converge in the succession of St. Peter; and the worship, under whatever modification, of creatures, implying, of course, that, so prominent in the Romish system, of which the Blessed Virgin is the object—totally wanting the support, and repugnant to the sense, of the evidences deducible from the range of catacomb, art, and epigraphy. I must own that other considerations, for instance, a regard to the Papacy as an institution of government, spiritual and temporal, and the principles lately avowed by it, in a manner so emphatic, have had their weight with me in leading to a decision so important; but it is, above all, that body of monumental proofs so strikingly illustrative of the past, and which Rome herself is so wisely careful to preserve, and studious to investigate, that has so influenced me as to cause my abandonment of a religious profession in which I no longer found peace of mind or intellectual satisfaction. Not the less do I still appreciate and value much that is beautiful, holy and useful in the system I have thus declared myself against, and I must continue to believe that Rome has a great task assigned to her for the furtherance of Christian civilization. Much, however, that presents itself to the attention in the course of long residence at that centre, leads—at least has led me, to the painful conviction, that it is rather the zeal for the interests of a potent system, than the pure uncompromising love of truth, by which her ecclesiastical policy is animated, though assuredly many pure and truth-loving minds are, and perhaps ever will be, found among her adherents.

CHARLES J. HEMANS."

Poetry.

WRITTEN ON READING MEMOIRS OF THE REV. R. M.

His faithful work is o'er,
His toil now at an end;
Sorrow shall never more
That happy spirit rend.
On earth he passed his days
In secret walk with God;
And now he's gone to trace
The wondrous paths he trod.
Temptation's fiery darts,
Were hurled, but all in vain;
The strength that grace imparts
Secures from every stain.
Though brittle was the thread,
That did his life sustain;
Christ was his daily bread,
To die his endless gain.
And now among the blest,
Exempt from fear and pain;
He waits in peaceful rest,
Till all shall rise again.

P. L.

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SUBSCRIPTIONS.	£	s.	d.
Rev. R. L. King	5	5	0
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Mr. Layman Harrison	1	0	0
E. H. H.	0	12	0
G. R. H.	0	12	0
L. M. H.	0	12	0
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John Alger, Esq.	5	0	0
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COLLECTIONS.

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St. Paul's, Canterbury	1	17	0
Petersham	3	3	6
St. Jude's, Randwick, after Confirmation	3	2	0
St. James', on 5th December	14	7	8

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