

The Church Chronicle

FOR THE DIOCESES OF
SYDNEY, NEWCASTLE AND GOULBURN.

"SPEAKING THE TRUTH IN LOVE"

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To Correspondents.

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

We can pay no attention to anonymous
communications.

We have received more than one communi-
cation bearing upon the points raised in the
letter of a correspondent from Windsor, to
which we gave the substance of a reply by
the Rev. H. T. Stiles, in our last number:
but we cannot open our columns to further
controversy of this nature. It would answer
no good purpose to continue the discussion;
but would tend rather to strife and division,
which we are most anxious to avoid.

'Delta's' Original Poetry does not come
up to our standard.

Mr. O Dell's letter is declined.

Country Parson in our next.

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

[Correspondence 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.]

Diocese of Sydney.

THE PETITION OF THE NEW ZEALAND BISHOPS FOR PERMISSION TO SURREN- DER THEIR PATENTS.

"The petition of the Bishops of the
Anglican Church in New Zealand" has
excited considerable attention amongst
those persons at home who take an inter-
est in the Colonial Church.

The petitioners desire to surrender
their patents, not because they are im-
pediments in the way of Episcopal
duties, or of the working of their
Church Constitution, but for the some-
what speculative purpose of removing
"all doubts as to their *status* both
ecclesiastical and temporal," and being
"allowed to rely in future upon the
powers inherent in their office for per-
petuating the succession of their order
in New Zealand, and securing the due
exercise of their Episcopal functions
in conformity with their Church Con-
stitution."

It is not pretended that any evil has
yet arisen from the possession of these
Letters Patent.

The Bishop of New Zealand, in his
opening address at the third general
Synod, held at Christ Church, April 27,
1865, affirms that the only difficulty of
any serious kind which has occurred in
six years was the question of the legal-
ity of the second session of the first
Synod of Christ Church. But this
difficulty had no connection whatever
with the Letters Patent, and, of course,
could form no reason for surrendering
them.

Neither was there any apprehension
that by retaining their Letters Patent
any future difficulty would be expe-
rienced in working out their Church Con-
stitution. The petitioners are at pains
to shew how the Church Constitution
of New Zealand would be recognised
in the Supreme Court, and the autho-
rity of the General Synod be main-
tained. The Letters Patent would be
no obstruction to the future working
of the Church Constitution.

The reason assigned by the peti-
tioners for asking permission to surren-
der their Letters Patent at this parti-
cular juncture, is the recent decision of
the Judicial Committee of the Privy
Council, by which they affirm "their
Letters Patent are now declared to be
null and void," or, as the Bishop of
New Zealand expresses it in his address
to the Synod of the diocese of New
Zealand (page 9), "by the decision of
the Judicial Committee of the Privy
Council, Letters Patent and Ecclesiastical
Laws have been swept away." This
language is scarcely justified by the
facts of the case. It will be seen
on examination that the Letters Patent
are not absolutely null and void, and
that all ecclesiastical laws are not
swept away.

The Privy Council's judgment affirms
that in a colony possessed of an inde-
pendent legislature, the Letters Patent
cannot confer ecclesiastical jurisdic-
tion. This is no new information.
But it does not follow that ecclesiastical
jurisdiction cannot be exercised by a
bishop over a clergyman who has re-
ceived a license from him. On the
contrary, it is evident from the case of

Long v. the Bishop of Capetown, that ecclesiastical jurisdiction can be exercised, provided it is in accordance with the laws and usages of the Church of England. If in such a case the Letters Patent do not confer jurisdiction, they do not take it away or interfere with its exercise. Under these circumstances, no reason for the surrender of the Letters Patent arises.

In the case of a colony having an independent legislature which has conferred jurisdiction, the Letters Patent are equally innocuous.

In this diocese, the Supreme Court required the Bishop to exercise his authority in conformity with the law of the colony. In New Zealand we learn that "the Church Constitution has been recognised by an Act of the Colonial Legislature" (see petition), and by virtue of such recognition, ecclesiastical jurisdiction is conferred and can be exercised. The decision of the Privy Council has in no way interfered with that ecclesiastical jurisdiction which the Church in New Zealand relies upon. Ecclesiastical law, in this instance can hardly be said to have been swept away. While the judgment expressly names English Ecclesiastical Law as our guide in the Colonial Church, so far as it is applicable.

How then have the Letters Patent been declared null and void? They do not in certain colonies confer jurisdiction. This is a very different thing from declaring them null and void, or discussions them away. From documents printed by order of the Melbourne Church Assembly, and reprinted in *The Church Chronicle* of the 21st of last month, page 65, it will be seen that the letters patent are held to create a corporation sole with perpetual succession. They designate the person to be consecrated as Bishop; they assign the territory in which he is to exercise his office, and they confer a territorial title. With these and other effects of the Letters Patent the Judgment of the Privy Council does not interfere. It cannot, therefore, be said to have swept them away; nor can the Letters Patent, in these and other important particulars, be said to be null and void.

Why, then, are they to be surrendered? In the 10th clause of the Petition a further reason is assigned. The petitioners affirm their conviction that the right of appointment of Bishops in New Zealand is not part of the prerogative of the Crown, inasmuch as all the Bishoprics were founded by private efforts and endowed from private resources; and, further, that the assertion of any such claim may operate as a most serious discouragement to the clergy already in New Zealand, and tend to prevent other clergymen from England by cutting them off from all hope of election to the highest office in the Church."

If the petitioners had called to mind what has been done in Canada, they would hardly have penned the latter part of this paragraph.

The Canadian Church has obtained the privilege of electing its own Bishops, under a special arrangement with the Crown, and the three last appointments to the Episcopate have been made from the ranks of the Canadian clergy, elected by the Church to the highest office it can confer. But in order to obtain this privilege, the Canadian Bishops have not been obliged to surrender their Letters Patent.

In addition to the surrender of their Letters Patent, the petitioners desire that the Royal Mandate under which they were consecrated, shall be declared to be merely an authority given by the Crown for the act of consecration, and to have no further effect or legal consequence. The reading of the Queen's Mandate is part of the service of consecration of a Bishop required by the Book of Common Prayer. The Mandate designates the persons to be consecrated, and commands the Archbishop to consecrate him. The petitioners ask that the Mandate may be declared something which it is not. Can any declaration of the Crown cause a formal document prescribed by Act of Parliament to be held to be something different from that which was originally intended? This is indeed, to stretch the prerogative of the Crown beyond its due limits.*

* The language of the petition is as follows:—“(2.) By declaring the Royal Mandate

under which your Majesty's petitioners were consecrated, to be merely an authority given by the Crown for the act of consecration, and to have no further effect or legal consequence."

They enforce their prayer by reference to the consecration of Bishop Patteson.* They ask, that vacancies in their own order may be filled up "by the consecration of persons in conformity with the regulations of the General Synod, without Letters Patent, and without Royal Mandate in the same manner, as they have already consecrated a Missionary Bishop for the Islands in the Western Pacific, after communication with your Majesty's Principal Secretary of State for the colonies, and with the Attorney-General of New Zealand."

It is doubtful whether the consecration to which they here refer would be held to have legal effect if its validity should under any circumstances be brought before the Judicial Committee of the Privy Council. The sanction of her Majesty's Principal Secretary of State for the colonies, and the Attorney-General of New Zealand may have seemed to the consecrating Bishops to afford a sufficient justification of their procedure; but neither Bishop Staley nor (what is more to the point) the Missionary Bishops Tozer and Twells, were consecrated without Letters Patent, and the Queen's Mandate. The difficulty arising from the want of territorial jurisdiction on the part of the Crown, was overcome by having recourse to the Jerusalem Bishopric's Act.

A leading article, which appeared in the *Guardian*, on the subject of the New Zealand petition, is from its intrinsic merit, and from the quarter from which it proceeds, of such importance, that we print it entire, calling the attention of our readers to the passages which are placed in italics.

There are graver consequences involved in the surrender of Letters Patent than are at first sight apparent.

* In the last number of *The Church Chronicle* this excellent Missionary Bishop is called the "Bishop of Melanesia." This is a mistake. Bishop Patteson has no territorial title.

To comply with the prayer of the petition, would involve the necessity for an alteration of the rubric, and would require an act to place the New Zealand Clergy, and others ordained by Bishops, who have not been consecrated under Letters Patent in the same position as the Scottish Episcopal Clergy. If the petitioners surrender their Letters Patent without these securities, the Clergy ordained by them, will be placed in a very painful position.

The *Guardian* expresses a hope, that in this important matter, the Province of New Zealand will not act without due conference with other Colonial Churches—we are not aware that any communication has been made to them. We may possibly revert to the subject again.

COLONIAL BISHOPS.

The proposals contained in the petition, which we print elsewhere, from the Bishops of New Zealand, result very naturally from the feelings which the report of the decision of the Judicial Committee of the Privy Council in England must have excited in their minds. They must have felt, after reading the judgments in the Long and Colenso cases, that the Colonial Episcopate, though it might have had very good law, had received but a scanty measure of substantial justice, from the tribunal to which the South African appellants had betaken themselves. The Court had been clear enough indeed in its denial of all coercive jurisdiction to the office of a Bishop in the Colonies. It had noted with sufficient distinctness the illegality of certain pretensions put forward, or supported, by the letters patent of the Crown. But it had abstained—and probably was obliged to abstain—from giving any assistance to the Bishops in their natural desire to ascertain their true position. By allowing in the Colenso case a direct appeal from an ecclesiastical sentence in the Colonies, it had seemed to contradict the broad principle laid down in the former judgment, that the Church of England in the Colonies is in the same situation with any other religious body: for in the case of no other religious body could such an appeal possibly lie. It seemed, therefore, as if the result of the decisions was to deprive the Bishops of all the advantages their patents had been supposed to confer, while it failed to invest them with the freedom which a purely voluntary system enjoys. Above all, it left them in the dark on a number of important questions, and without any possibility of obtaining light. English ecclesiastical law, they were told, was to be their guide, as far as it was applicable; but how far it was applicable, with what limitations, and upon what precedents, no hint was given. It is the absence of anything like a precedent which has imparted obscurity to the language of the decisions, and cast such hopeless perplexity over the counsels of those whom they concern. A series of comprehensive judgments might indeed have done for this branch

of ecclesiastical law what Lord Mansfield's decisions are said to have effected for that secular department of law in which his great reputation as a Judge was achieved. But the shifting constitution of the Judicial Committee forbade such a hope, even if the acquirements of the majority of its members had admitted of it. The prospects of the Colonial Episcopate, if they depended on the Privy Council in England, certainly must have appeared gloomy in the extreme.

So the "Bishops of the Anglican Church in New Zealand" have been moved to take the bull by the horns, and to get rid, if they can, of the whole system from which their perplexities arise. They ask leave to surrender the patents they received from the Crown, and propose to fall back on the inherent powers of their office, and upon such voluntary recognition of those powers as their co-religionists may be minded to accord. It is not difficult to trace in such a resolve the strong will and practical energy which distinguish the character of the eminent man who will long be remembered as the first Primate of the New Zealand Church. Nor can it be doubted that he is fully prepared to go on with the hitherto untried work of establishing a constitution for a Colonial Church that shall be wholly independent of English tribunals and English ecclesiastical law. It will not be thought to derogate, we trust, from the respect in which we hold his manly earnestness and noble simplicity of character, if we express a hope that in this important matter the ecclesiastical province under his Primacy will not act without due conference with the other Colonial Churches: all have an equal interest in the right solution of the grave questions that have been raised; the stability of the fabric they may attempt to rear will depend in some measure on their mutual agreement as to the foundations on which it is to rest.

On the immediate question of policy raised by the New Zealand petition, opinion is not, we apprehend, at present at all unanimous. The Canadians appear to have considered the letters patent both valuable and valid for some purposes, though for others their validity may have been disproved. Australian documents before us appear to indicate a similar inclination of opinion on the part of Churchmen there. So much, at all events, is plain, that *English statutes have distinctly recognised the status of a Colonial Bishop consecrated according to letters patent issued by the Crown.* Until the passing of the Duke of Buccleuch's Act their legal superiority in some respects to the Scottish Bishops was notorious. By statute a clergyman ordained by a Colonial Bishop has long been capable of English preferment;—not so those who were of Scottish ordination. By statute, again, a *Colonial Bishop, regularly appointed, may perform Episcopal functions in England under commission from an English prelate.* Whatever legal privileges under these or other like statutes appertain to Colonial Episcopacy may be sacrificed if the patents are surrendered, in some cases with very serious consequences to clergymen and others concerned in the legal effect of Episcopal acts.

Further, it is by no means self-evident that the surrender of their patents would set the Bishops free from that interference on the part of the Privy Council from which they desire to escape. It was contended by Bishop Colenso's counsel that there is an appeal to the Crown under any circumstances from an ecclesiastical sentence, and that in this respect English and Colonial ecclesiastics stand on precisely the same footing. The Court did

not, indeed, adopt this view, but neither did it distinctly deny it; and in the somewhat hazy paragraph which closed the Judgment it seemed to be implied that "public inconvenience and mischief" might be a sufficient justification of a right of appeal from that which was nevertheless denied to be in any sense a legitimate jurisdiction or a real court. This reasoning would appear to bring any Bishop in her Majesty's dominions, however appointed, within the power of the Judicial Committee, as a court of direct appeal. We do not say that this is so; but it is obvious that the settlement of the point has an important bearing on the New Zealand petition. *It would be premature to surrender patents that may possibly be of advantage, until it is proved that their surrender would attain the desired end.*

In truth, we have not yet arrived at any certainty as to first principles of legal interpretation in this matter. In what sense is the Church in a colony "the Church of England" there? The expression seems to carry with it its own condemnation as a contradiction in terms. It may, indeed, fall in with the prejudices, or the affections, of the colonist to consider himself still subject to the laws and customs of the Church as he knew them at home; but nothing is more certain than that English Statute law is not identical with Colonial law, or that in matters ecclesiastical Colonial Legislatures have distinctly repudiated all legal recognition of any one religious body as privileged above the rest. The attempt which Bishop Colenso and his friends, for reasons of their own, have made to prove that all Episcopalians in British territory are united as one body by virtue of the Royal Supremacy in causes ecclesiastical, to which they must all submit, is as yet a theory destitute of proof. On the other hand, the Colenso Judgment distinctly asserts that those who bear office in the so-called Church of England in the Colonies are, in the eye of the law, but "members of a voluntary association." Unless an Ecumenical Patriarchate of Canterbury, or a no less universal jurisdiction of the British Crown, can be established, the notion of a world-wide ecclesiastical England must be given up. The several Colonial Churches are, indeed, in communion with the See of Canterbury, and may adopt, or have adopted, the laws and usages that prevail at home: their identity of doctrine and discipline with us may make them in all essential matters, from a spiritual point of view, one with ourselves. But this unity is something altogether different from that which Erastians are endeavoring to make out. Their desire is only to put down the liberties of the Church and to hinder the exercise of discipline among her members. Could they succeed in destroying the independent action of the Colonial Church, and in making her wholly dependent on English authority, patronage, and support, they would in truth have weakened England without strengthening the Colonial communities. A free and vigorous life, with brotherly concord and mutual good offices, must be the future condition of the Colonial Churches. If the surrender of Episcopal patents will promote the energy and the harmony of which we speak, then—and not otherwise—by all means let them go.—*The Guardian.*

Church Intelligence.

MEETING OF CONFERENCE.—The following letter was addressed by the Metropolitan, to the Bishop of Newcastle, with reference to the

proposed General Conference of the Bishops, and Clerical and Lay Representation of the three Dioceses:—

Bishopscourt, Sydney, 16th January, 1866.

My Dear Bishop of Newcastle,—In compliance with the request made to me by yourself, and the Clergy, and Lay Representatives of the Diocese of Newcastle, and by the Bishop of Goulburn, and the Clergy, and Lay Representatives of his Diocese, I write to inform you, that I have fixed Wednesday, the 11th day of April next, for the Meeting of the General Conference of the three Dioceses of Sydney, Newcastle, and Goulburn.

It is proposed to meet at Saint James's Church, at 11 o'clock, a.m., when Divine Service will be held, and the Sacrament of the Lord's Supper will be administered. Immediately after the Service, the Conference will meet in the Church Society's House.

I must request you to communicate these particulars to those of the Clergy and Laity, who have been elected as Representatives to the General Conference, and to add, that if any of them have no friends in Sydney, with whom they propose to remain during their stay, accommodation will be provided for them on application to the Dean of Sydney.

It is my earnest prayer, that the spirit of love and wisdom may preside over our Counsels, and that we may be led into that course, which shall most conduce to the Divine Glory, and the peace and edification of Christ's Church.

Believe me,
My Dear Bishop,
Faithfully and affectionately yours,
F. SYDNEY.

N.B.—The like communication was addressed to the Lord Bishop of Goulburn.

SYDNEY DIOCESAN COMMITTEE.—The Annual Meeting of this Society, was held on Monday Evening last, in the Infant School-room, Castlereagh-street. We are obliged for want of room, to withhold the report of proceedings till next number.

THANKSGIVING FOR RAIN.—A form of Thanksgiving for Rain to be used in addition to that in the Book of Common Prayer, at Morning and Evening Service, on Easter Sunday next, April 1st, 1866, has been drawn up, and will be sent during this week to the Clergy of the Diocese.

THE REV. P. P. AGNEW.—A Clergyman, who gives his name, writes thus:—"If Mr. Agnew denies that he was at 'the Feast,' he states what is not true. For I sat beside him there, and saw him drinking wine on the occasion. I am prepared to make a solemn declaration as to the truth of what I have stated."—(Communicated.)

RICHMOND.—The Annual Meeting of the Richmond Parochial Association, in connection with the Church Society, was held in the School-room, on Monday Evening, the 26th February. The chair was taken by W. Bowman, Esq., the Patron of the Association. There was a tolerably numerous attendance of the Parishioners. The Meeting having been opened with prayer by the Rev. John Elder, the Annual Report, and Treasurers' Statement, were read by Dr. Selkirk, the Secretary and Treasurer of the Association. The Chairman after a few introductory remarks, called on the Rev. C. F. Gamsey of Windsor, to move the first resolution adopting the report. The Rev. Gentleman warmly pressed on the members, not to take a gloomy view of the Church's work among them. Much had been done during the past year, considering the

unparalleled distress which had come over the district; and there was every inducement to strenuous exertion for the future, now that the distress was passing away. He concluded by strongly urging the claims of the Church Society upon the support of all members of the Church of England, and pointing out how, notwithstanding some discouragements, the work of a Clergyman was one which ought to be taken up by the young men of the rising generation. The resolution was seconded by Mr. Dark, the Catechist, at the Kurrajong, and carried. The second resolution, expressing thankfulness for past success, and prayerful hope for the future, and naming the officers for the ensuing year, was moved by Mr. Alexander Gordon, of Sydney, who pressed on the consideration of those present, the high position which the Church of England occupied in the colony, the work which devolved upon her in consequence of that position, and the way in which the Church Society was aiding in carrying out that work. He concluded by urging the active co-operation of all members of the Church, to enable the Society to meet the increasing calls made upon it. The Rev. J. Elder seconded the resolution, which was carried. A collection was then made, which amounted to above £6, and a hymn having been sung, the Meeting was closed with the Benediction, which was pronounced by the Rev. C. F. Gamsey.

IRONBARKS.—This gold-field has been without Sunday-school, Church, or Clergyman, in plain words, without religion for many a long weary day. We are thankful to say, that a change for the better has taken place. The Molong Catechist, holds service now on the second Sunday of each month. A large and comfortable room has been given up entirely to the use of the Sunday congregation, and the Sunday-school which has been also lately commenced. When we first saw this room some months ago, it was hung with banners and flags, kettle drums, and other musical instruments piled up in a corner, led us to the conclusion, that it was a common dancing casino. We objected to preach there, and were next conducted to a billiard-room. This very unpromising state of things, led many to see the necessity of building a place of worship, and in the meantime, we are thankful to say, the dancing has been given up, the drums have disappeared, and twenty-eight children assembled for the first time last Sunday week, under the superintendence of Mr. Souter. We promise that the number will soon increase to fifty. So far all is encouraging; but the inhabitants have set their minds on erecting one of those nondescript buildings, which belong to no Church, but are open to all. We have seen enough of these places to detest them. If two Ministers of different denominations arrive on the same day, and announce their intention to preach, which is to have the use of the building? We could fill pages with tales of strife, hatred, and uncharitableness, caused by the erection of these Chapels, or whatever you may please to call them. Twice we have known a certain denomination seize on such places, and claim them as their own, although not one-half of the money had been paid by members of their Church. Now, the Church of England with all her faults, can never stoop to meanness. As members of the Church, we cannot put up a Joint-Stock-Chapel at Ironbarks, and then seize it for ourselves. On the other hand, we really cannot raise more than £40. Who will double this sum for us? Then our Church could have her Sunday-school, and Services at Ironbarks under her own control, without fear or favour.

ST. PETER'S SUNDAY-SCHOOL, CAMPBELL-TOWN.—A treat was given to the children of the above school, on the 7th. of last month. They assembled in the school at an early hour, to the number of fifty. Where then conducted to the station by the teachers, two of the elder boys carrying a flag, and were conveyed by train to Menangle. This alone was treat, as many of them had never been in the train before. On arriving at Menangle, they were taken to a spot near the river, where they amused themselves with various games. There was an abundant supply of cakes and fruit for the children, and substantial and excellent fare for the visitors, of whom there was a considerable number. After all had partaken of the good things provided for them, as the time for leaving approached, the children were collected, and sung several hymns, concluding with "God Save the Queen," and then gave some hearty cheers for their friends. They then returned to Campbelltown, and were conducted to the school in the same order as they had left in the morning. When again assembled, the teachers and children were addressed by the Incumbent, and a few remarks were made by some of the teachers. The teachers had exerted themselves in a very praiseworthy manner in collecting the funds, and making some of the necessary preparations. The thanks of all are justly due to Mrs. Harrox, who took upon herself voluntarily, the labour by no means small, of providing, having conveyed to the spot, and superintending a plentiful repast, of which all partook evidently with no little relish. This is the first treat of the kind that has been given to the children of this school for many years; but it is to be hoped that the time will not be long before they have another. There is, no doubt, that such things have a beneficial effect upon the parents and friends of the children, as well as upon the children themselves.—Correspondent.

Correspondence.

WESTERN GOLD-FIELDS.

To the Editors of *The Church Chronicle*.

SIRS,—In compliance with the invitation issued generally to both clergy and laity at the commencement of the present new and improved series of *The Church Chronicle*, I venture to send a small contribution of news interesting to a few of us church people here. There is a locality, near the junction of the Turon with the Macquarie, inhabited by gold-miners and their families, whose dwellings would amount to more in number than those of many an up-country "township," if they were gathered together within a small compass; but instead of this, they are scattered about among the bushes and undulations of the country in a singular and rather amusing manner. They exhibit on the exterior a good deal of stringy-bark, and some calico—that favourite material on the "diggings." But many of them are comfortable enough, and some are even neatly built, where plaster and shingles are used.

It appeared, on visiting the place, that there were living in these dwellings more than the usual average of children of ages at which children in more favourable circumstances would be going to school. But here the rising generation seemed almost to be running wild. There have, however, been some attempts made, not very successful, to keep up a week-day school; and it is much to be hoped that the present arrangement will be fairly and sufficiently

supported. But there was no Sunday School. On the first Sunday when the present clergyman of the district held Divine Service, there was, at the very time he appeared in his surplice, a group of young men and boys on the green close to the Chapel-school, evidently not coming to service, but there for the purpose of cricketing! A Sunday School was much needed; but there were difficulties in the way of forming one and carrying on the teaching. The attempt was made by one of the well-disposed week-day teachers alluded to, but though well-meant, was unsuccessful.

However, about the commencement of the present year, the clergyman being very desirous of seeing a Sunday School at work, took opportunities of conversing on the subject with the most accessible and best fitted to teach of the residents, and the promise of three or four assistants in the work was readily obtained. The need of such an institution was admitted on all hands. Some of the Diocesan Committee's little books and lesson-sheets were sent over, and on Sunday, the 21st January, the much-desired Sunday School was opened. On the next occasion of the clergyman's visits, he was gratified by the sight of twenty-six scholars, quiet and orderly under their teachers. It is hoped that the number of scholars will increase, and that this humble attempt to sow seed in the Lord's vineyard will be blessed with some good fruit in the end, though it can be seen and known only "in part" by the human agents employed. True charity "hopeth all things;" but when so large a proportion of the adult population of our land are sunk deeply in the depravity of habitual vice, our hopes of improvement seem to lie especially in the religious training and instruction of the young. In such circumstances it affords some little encouragement to know that in this district, where there was only one Sunday School properly in connexion with our church, there are now five, with an average attendance of 123 scholars on Sunday, and the names of 216 on the rolls.

I am Sirs, yours very truly,

G.

February 19th, 1866.

To the Editors of *The Church Chronicle*.

SIRS,—Can any of your readers inform me on what *authority* the clergy, when officiating, wear the surplice and black scarf—the *stole*, I think, is the technical term—for I have been searching the Prayer Book from one end to the other and can't discover no mention of, much less *authority* for, the use of such attire.

Yours obediently,

ENQUIRER.

Sydney, February 20, 1866.

Diocese of Newcastle.

THE "SO-CALLED" FREE CHURCH OF ENGLAND.

OUR leading article on this subject, in the last number of *The Church Chronicle*, has produced its effect. We have received in reply a lengthy letter, which we cheerfully insert in this issue, because we wish our readers to hear both sides of the question, and not to rely

upon an ex-parte statement, however clear and accurate it may be.

The reply of the Rev. P. P. Agnew will be found among the Correspondence, and we commend it to the attention of our readers, with the following remarks upon it, which will conclude our notice on this subject:—

The letter of the Minister of the "so-called" Free Church of England, may be divided into three parts.

I.—The few opening paragraphs.

II.—The quotations from various authors respecting the Church of England, forming the body of the letter.

III.—The last concluding sentence.

I.—The few opening paragraphs, on which our remarks must be less brief than we could desire.

(a.) Mr. Agnew writes as if our previous leading article was an attempt to "gag the press," and deprive him and his congregation of their *civil privileges*, whereas we did not say a single word against the public papers inserting as many reports as they pleased respecting Mr. Agnew's congregation—we only objected to their false and deceptive heeding to such reports—*The Free Church of England*.

It is the boast of the present age that we are true and wise enough to call a *spade*, a *spade*. This congregation might be called from its Minister *Mr. Agnew's Congregation*—or from the place where its meetings are held, the *Woolloomooloo Church*—or from the office of Government Chaplain to the Gaol and Cockatoo, which its founder so pertinaciously retained with its emoluments, the *Gaol or Cockatoo Communion*. Why should there not be some reference, however slight, to facts, some semblance, however faint, of truth, in the title given to this new congregation, instead of its title being a mercenary fraud,—a false brand.

(b.) Mr. Agnew asks,—“Is the writer (of our last leading article) aware that the Church in America existed without Bishops till the war of Independence?” No! the writer is not aware of this pretended fact; but, on the contrary, knows well that the Church in America, till the war of Independence, was always under the

authority and control of the Bishop of London, who sent his commissioners to America to carry out his directions. The Church in America was left far too long without the privilege of a resident Bishop, but was from the first under the control of the Bishop of London; just as the Church of England in this colony was during the time of Archdeacon Scott and Archdeacon Broughton, under the control of the Bishop of Calcutta, until Archdeacon Broughton was consecrated Bishop of Australia. Is Mr. Agnew's congregation now under the authority of any Bishop of the Church of England in any part of the world however distant?

(c.) In Mr. Agnew's letter it is asserted that the Americans received their first Bishops from Scotland. This is incorrect. Of their first three Bishops (that number being considered necessary to hand down the Episcopal succession) *only one*, Bishop Seabury, was consecrated by Scottish Bishops, on 14th November, 1784; the *other two*, Bishop White and Bishop Provost, were consecrated at Lambeth, by English Bishops, on the 4th February, 1787.

(d.) Mr. Agnew asserts that the feelings entertained towards him and his congregation by the Bishops and Clergy of the Church of England are mere "envy and hatred." We can assure him this is not the case. The general feeling towards his congregation is one of sincere pity; while with respect to himself, this pity is mixed with something like thoughtfulness, that the movement for establishing a *so-called* Free Church of England has been made by a person of his peculiar character and attainments.

In a community so wilful and wayward as ours, with respect to religious faith and practice, it was to be expected that such a movement would at some time or other be made; and if a clergyman of high character and attainments had made the attempt, it might have become permanent, whereas now no one expects that Mr. Agnew and his congregation—even with the aid of his deceptive title—will con-

tinue their present union beyond a few months.

The qualifications required for success in such a work are—*high moral attainments, a holy life, separate from worldly vanities, and disinterested self-denial.* How far Mr. Agnew possesses these qualifications is shown in the pamphlet before alluded to, printed by the Bishop of Sydney.

As regards his *moral attainments*, when Mr. Agnew was ordained Deacon by the late Bishop of Sydney, on the understanding that he was to remain a Deacon, he was not considered qualified, and therefore was not to expect to be raised to the higher order of Priests; but, in 1855, his Lordship, the present Bishop of Sydney, with almost an excess of kindness, admitted Mr. Agnew to Priests orders. The fact is alluded to in p. 14 of the pamphlet, in the following terms:—

"In that year (1855), he (Mr. Agnew) was admitted to priest's orders. At the time he regarded this as a special act of kindness on my part—and had reason to do so, considering the condition upon which the late Bishop had admitted him to the Diaconate, and the *unsatisfactory examination* he passed before me. It was, in fact, only upon the ground of his long service as a deacon that he could be admitted at all."

As regards his *holy life*—keeping himself and family separate from *worldly vanities*—we have in the same pamphlet, p. 25, the following remarks:—

"On one of these interviews after my return, Mr. Agnew complained of his straitened circumstances. I remarked that if *unnecessary expenditure* was avoided, most people would be rich enough; and that I understood he was in the habit of attending the *theatre*, a practice which, on every ground, I condemned. His reply, at first, was a denial of the fact. I rejoined, that I considered my authority sufficient to warrant me in mentioning the subject to him. (I have since learned that my information was correct.) At a subsequent period of our interview, he recurred to my observation, and said that he had on two occasions been to the *Opera* to escort his *children home*—that *his daughter* had been invited to the manager's box—and that he had, on two occasions, taken them *home*."

As regards his *disinterestedness and self-denial*, it is stated in the same pamphlet, p. 26,—"*The whole question with Mr. Agnew is one of money.*" And Mr. Agnew, in his long letter does not attempt to contradict the statement in our previous leading article—that

"At the time he threw off the authority of his Bishop, and seceded from the Church of England, he held a Government post, the Church of England Chaplaincy to the Gao,

to which he had been appointed when a minister of the Church of England, and solely on account of his being a minister of the Church and yet would not resign that Government post, but tried to retain it, and the emoluments attached to it, which, in the opinion of most persons, common honesty required him to relinquish."

Surely it is a cause for thankfulness that the attempt to establish a Free Church of England should be made by a person of such peculiar character and attainments.

We will now advert very briefly to the two other parts of Mr. Agnew's letter.

II.—The quotations from various authors respecting the Church of England, forming the body of the letter.

Our readers must not suppose that these numerous quotations are any proof of Mr. Agnew's extensive reading: for it is the custom in England to collect passages from the whole range of Church Divines and other authors, on particular subjects, and publish them under the name of *Catana*, or *Chains*. Mr. Agnew has in his letter favoured us with extracts from one of these *Catana*; but, strange to say, either being mentally blind himself, or wishing to blind others, his long quotations are quite beside the subject under discussion.

It is well known that the large-minded and large-hearted Divines of the Church of England do not exclude non-episcopal communions from the Church of Christ. Their doctrine is that Episcopacy is not of the *essence* of a Christian Church, but of its *perfection*,—is not necessary to the *being* of a Church, but to its *well-being*; that is, Episcopacy is required for the *well-being* or *perfection* of a Church, not for its *being* or *essence*.

But what has this to do with the subject under discussion? We have exposed the *deception* and *fraud* practised by a congregation presided over by one who is only a *Presbyter*, and having no connexion with Episcopacy, when it calls itself an Episcopal Church—a part of the Episcopal Church of England. Does any one of these authors quoted by Mr. Agnew say that the Church of England is *not* an Episcopal Church, or that a congregation, under a *Presbyter* who has

thrown off the authority of his Bishop, can call itself, *with truth*, a part of the Church of England?

Far from it. These long quotations do not contain one word on this subject: they are quite beside the point under discussion, and do not in the slightest degree justify the deception of calling Mr. Agnew's congregation by the *fraudulent title*—the *false brand*—of the *Free Church of England*.

III. We proceed to the last part of Mr. Agnew's letter—the last *choice* concluding sentence, which we quote at length:—

¶ "Such an arbitrary exercise of power would never be submitted to, except by clergymen; and clergymen would never submit to such an arbitrary exercise of power, except they were paid to submit."

In these words Mr. Agnew accuses the whole body of the clergy of the Church of England in this colony of submitting to Episcopal authority from the low, degrading, mercenary motive—because *they are paid* to do so.

How singular is it that persons so often accuse others of acting from the base motives by which they are themselves most influenced!

We have already quoted from the Bishop of Sydney's Pamphlet, p. 26, the following words:—"The whole question with Mr. Agnew is one of money." The truth of this assertion is proved by many facts stated in the Pamphlet: as (p. 18). On March 21, 1860, Mr. Agnew made application for the Cure of St. Peter's, Cook's River (with the maximum Government stipend; but was refused.

P. 21.—"Early on the morning after the late Mr. Richardson's death, Mr. Agnew applied for Mr. Richardson's Cure, St. Mark's Alexandria, the wealthiest parish in Sydney, but was refused."

P. 21.—"On May 4th, 1864 (The Bishop of Sydney wishes the date to be remarked), Mr. Agnew applied for the Cure of Newtown, with a maximum Government stipend, when it should become vacant; but the Bishop of Sydney declined to pledge himself to appoint Mr. Agnew to that cure; and then on the 14th of the following month (14th June, 1864), Mr. Agnew sent to the Bishop the letter, since published by Mr. Agnew, in which he threatens to recede from the Church of England—"to work out he says, my own temporal (*i.e.*, pecuniary) deliverance, by removing your ecclesiastical authority, appealing to the people, and establishing a Free Church, according to the rites and ceremonies of the Church of England."

Doubtless, if Mr. Agnew had been appointed to the cure of either St.

Peter's, Cook's River, or St. Mark's, Alexandria, or the parish of Newtown, and received the maximum Government stipend attached to these cures; *he would* have continued to submit to his Bishop's authority, *because* he was paid to do so: and judging of others by himself, he accuses the whole body of the Clergy of the Church of England of being influenced by the same mercenary motives. Poor man—what a picture—what an exposure of his own feelings and principles.

When professing to order his congregation according to the rites and ceremonies of the Church of England, Mr. Agnew does not, we sincerely hope, use the entire Liturgy of the Church of England, for what profane mockery would it be for him, to offer up in his congregation the beautiful prayer "*For the Clergy and People*," and pray to Almighty God to send down upon our *Bishops* the healthful spirit of His Grace.

In concluding, these our last remarks on this painful subject, we once thought of appealing to Mr. Agnew to drop the *deceptive title*, the *false brand*, under which he has forced his congregation upon the notice of the public; but, alas! we feel such an appeal would be in vain.

In the pamphlet (from which we have so often quoted, it is shown to be his nature, or at all events his custom, which is second nature, to have recourse to this kind of deception to magnify himself.

1.—Thus, he having been educated at Oxford, and the being a student of that University, is a *good brand*, stamping a Clergyman with the credit of superior attainments. Mr. Agnew evidently tried to assume the credit of such an education, when in his published letter, he said—

"That he visited this colony on his way from Oxford to New Zealand; that the late Lord Bishop of Sydney examined him for several days on his *course of reading at Oxford*."

This would have been a very good brand, if true: but, alas! we are told (p. 4.), Mr. Agnew does not mean because the real facts will not allow

him, would not justify him to mean), that he either took a degree, or studied, at the University at Oxford.

2. Again, when a pastor has seceded from his Church, and boasted that all his flock would follow him—it is greatly to the credit of any Clergyman who may minister to the deserted congregation, if his wise teaching should retain them in their old communion. To have accomplished this would be a credit, a good brand. Mr. Agnew claims this credit for himself when placed in partial and temporary charge of St. Andrew's Parish, when its Clergyman, the Rev. Mr. Seonce, had seceded to the Church of Rome. His words (quoted, p. 5 of pamphlet)

"I am thankful to say that my services at St. Andrew's were satisfactory to the Bishop, and useful to the Church, as not a single member of that congregation was known to have followed the example of their late pastor, and the records will bear testimony to the general prosperity of the parish subsequent to the secession."

In this passage Mr. Agnew clearly assumes to himself the credit of having kept this congregation steadfast to the Church. Yet what are the facts of the case? Did Mr. Agnew often preach to those and teach those their duty in this respect? No. We read (p. 6, of pamphlet):

"The Church books of St. Andrew's show, that during the whole time that Mr. Agnew was at St. Andrew's, either the Bishop, or his chaplain the Rev. Canon Alwood, invariably preached in the morning, and that Mr. Agnew *only once* preached in the Church, and that one Sunday afternoon."

This habit of assuming credit to himself, in so deceptive a manner, assures us that it would be useless to appeal to Mr. Agnew to drop the *fraudulent title*, the *false brand*, which he has assumed for his congregation; we therefore only repeat the simple advice what we before gave to all who read or hear any articles in the public papers, headed *The Free Church of England*—that they should *pause* after reading in bearing this *deceptive title* and *recall to mind*,

THE TRADE MARKS BILL
FOR THE
PREVENTION OF FRAUD,
AND
PROTECTION FROM FALSE BRANDS.

THE CHURCH CONSTITUTION OF THE PROVINCE OF NEW ZEALAND.

WE desire to direct attention to the very valuable Church document, which follows this notice. The Church Constitution of the Province of New Zealand. It completes the documents of the New Zealand Church, which are now all inserted in the Newcastle portion of *The Church Chronicle*.

In No. 2 of *The Church Chronicle* was inserted the Religious, Charitable, and Educational Trusts' Act (of New Zealand) of 1856, with the amended Act of 1863.

In No. 4, was inserted the Bishop of New Zealand's Trusts' Act of 1858,

And in No. 5 (the present No.), is inserted the New Zealand Church Constitution, of 1856, as amended, and signed by all the Bishops of the Province at their last Provincial Synod in 1865.

These three documents will enable an attentive reader to understand all that has been done in New Zealand, with respect to the Constitution of the Church, and Synodical action, and Church Temporalities—they afford much valuable guidance as to the business to be transacted at our own General Conference, which is to assemble at Sydney, on the 11th of next month—more especially as our Metropolitan has stated in his address to the last Sydney Conference.—"We shall be quite content with such an amount of legislation as the Bishop of Newcastle declares to be necessary, and the *Bishop of New Zealand* has obtained."

To this subject, we hope to refer at length in future numbers of *The Church Chronicle*.

THE CONSTITUTION OF THE BRANCH OF THE UNITED CHURCH OF ENGLAND AND IRELAND IN NEW ZEALAND.

Preamble.

IN THE NAME OF GOD.—AMEN. Whereas it is desirable that the Members of the United Church of England and Ireland in the Colony of New Zealand, should be associated together by voluntary compact as a branch of the said United Church, for the ordering of the affairs, the management of the property, the promotion of the discipline of the Members thereof, and for the inculcation and maintenance of sound

Doctrine and true Religion throughout the Colony, to the Glory of Almighty God, and the edification and increase of the Church of Christ: And whereas at a General Conference held at Auckland on the thirteenth day of June, in the year of our Lord 1857, the Bishops, and certain of the Clergy and Laity representing a numerous body of the members of the said United Church, agreed to a Constitution for the purposes aforesaid: And whereas the said Constitution has now been revised at a Session of the General Synod, held at Christchurch, in the year of our Lord, 1865.

Now, therefore, the Bishops, Clergy, and Laity, in General Synod Assembled, do solemnly declare and establish as follows:—

I.—FUNDAMENTAL PROVISIONS.

Declaration of Doctrine.

1. This branch of the United Church of England and Ireland in New Zealand doth hold and maintain the Doctrine and Sacraments of Christ as the Lord hath commanded in His Holy Word, and as the United Church of England and Ireland hath received and explained the same in the Book of Common Prayer, in the form and manner of Making, Ordaining, and Consecrating of Bishops, Priests, and Deacons, and in the Thirty-nine Articles of Religion. And the General Synod hereinafter constituted for the government of this branch of the said Church shall also hold and maintain the said Doctrine and Sacraments of Christ, and shall have no power to make any alteration in the authorised version of the Holy Scriptures, or in the above-named formularies of the Church.

Power to accept alterations in formularies and Version of the Bible.

2. Provided that nothing herein contained shall prevent the General Synod from accepting any alteration of the above-named formularies, and version of the Bible, as may from time to time be adopted by the United Church of England and Ireland, with the consent of the Crown and of Convocation.

Power to act on Licence from the Crown to frame new rules.

3. Provided also that in case a licence be granted by the Crown to this branch of the Church of England to frame new and modify existing rules (not affecting doctrine) with the view of meeting the peculiar circumstances of this Colony and native people, it shall be lawful for this branch of the said Church to avail itself of that liberty.

Provision in case of separation.

4. And whereas opinions have been expressed by eminent legal authorities in England that the property of the Church in New Zealand might be placed in jeopardy, unless provision were made for the contingency of a separation of New Zealand from the mother country, and for that of an alteration in the existing relations between Church and State; it is hereby further declared, that in the event of a separation of the Colony of New Zealand from the mother country, or of a separation of the Church from the State in England and Ireland, the General Synod shall have full power to make such alterations in the Articles, Services, and Ceremonies of this branch of the United Church of England and Ireland in New Zealand, as its altered circumstances may require, or to make such alterations as it may think fit in the authorised version of the Bible.

And the said Bishops, Clergy, and Laity do further declare and establish as follows:—

Constitution of General Synod.

5. There shall be a Representative Governing Body for the management of the affairs of the

Church, to be called the General Synod of the Branch of the United Church of England and Ireland, in the Colony of New Zealand, which shall consist of three distinct Orders, viz.: the Bishops, the Clergy, and the Laity, the consent of all of which Orders shall be necessary to all acts binding upon the Synod, and upon all persons recognising its authority.

Above Provisions unalterable.

6. The above Provisions shall be deemed FUNDAMENTAL, and it shall not be within the power of the General Synod, or of any Diocesan Synod, to alter, revoke, add too, or diminish any of the same.

II.—PROVISIONS NOT FUNDAMENTAL.

Meetings of General Synod.

7. There shall be a meeting of the General Synod in every third year, dating from the year of our Lord 1859, at such time and place as shall from time to time be prescribed in that behalf by the said General Synod.

Election of Synod.

8. A fresh election shall take place before each triennial meeting of the General Synod in such manner as may be prescribed from time to time in that behalf by the General Synod.

Number of Representatives.

9. Every Diocese shall be entitled to an equal number of Clerical representatives, and an equal number of Lay representatives, all such representatives being communicants of the said Church; the numbers of each order to be determined from time to time by the General Synod.

Majority in each order necessary.

10. Every act of the General Synod shall be assented to by a majority of the members of each of the three Orders, present in person, at a duly constituted meeting.

Power to fix standard of qualification.

11. The General Synod shall fix the standard of qualification, and shall appoint the mode of registration, for the purpose of determining what persons are admissible to take part in the proceedings of any General or Diocesan Synod, or of any Archdeaconry or Rural Deanery Board, whether as Electors, Representatives, or Synodsmen or in any other manner whatsoever.

Provided that no person shall be qualified to be elected as a Lay representative for any district in any Diocese, or as a Synodsmen, or as a member of any Archdeaconry or Rural Deanery Board, unless he be a communicant, and of the age of 21 years or upwards.

Power to declare persons incompetent.

12. No person shall take any part in the proceedings of any General or Diocesan Synod, or of any Archdeaconry or Rural Deanery Board, or in the elections thereto, in any manner whatsoever, who shall have been declared incompetent by any tribunal acting under the authority of the General Synod, or who shall have declined, when required by the same authority, to sign a declaration of his adhesion and submission to the authority of the General Synod.

Power of Patronage, &c.

13. The General Synod shall have full power to determine how and by whom all Patronage shall be exercised, and generally to make all such regulations as shall be necessary for the order, good government, and efficiency of the said Branch of the United Church of England and Ireland.

Power to frame Regulations for property, &c.

14. The General Synod shall frame such regulations as shall be found necessary from time to time for the management of the pro-

perty held in trust for the General Synod, and for the government of all persons holding office under or receiving emolument from the General Synod, and shall determine in what manner and upon what conditions every Clergyman, Trustee, Catechist, Churchwarden, Schoolmaster, or other office-bearer or agent, whether Clerical or Lay, shall enter upon the use and occupation of any portion of the Church property held in trust for the General Synod, and in what manner, and upon what conditions, all such office-bearers, whether Clerical or Lay, shall receive their respective appointments, and the General Synod shall have full power to fix the amount of all salaries, dues, fees, and other emoluments payable to any person out of the proceeds of any property held in trust for the General Synod.

Power of Deposition.

15. All Clergymen, Trustees, Catechists, Churchwardens, Schoolmasters, or other office-bearers or agents, who shall be so appointed, or who shall receive any income or emolument from or out of the said Trust property, and all office-bearers, who whether receiving any emolument therefrom or not, shall have consented to hold their appointments under the General Synod, shall be liable to be deposed, removed, or suspended from their respective appointments by the General Synod, if from any cause whatever the General Synod shall deem it expedient and proper to exercise such power; and whenever any Clergyman, Trustee, Catechist, Churchwarden, Schoolmaster, or other office-bearer, or agent, whether Clerical or Lay, shall be deposed, removed, or suspended from his appointment, he shall *ipso facto* immediately cease to have or exercise any function or office under the General Synod, and shall be absolutely deprived of all the rights, emoluments, stipend, or salary to which by virtue of his appointment he would have been entitled, but for such deposition, removal, or suspension, and shall forthwith deliver up to the General Synod, or to Trustees appointed by them, all such trust property, and all such deeds, books, papers, money, and effects belonging and relating thereto, as may then be in his occupation, possession, or power.

Proviso.

Provided always, that whenever a competent Tribunal shall have been established in any Diocese, no such person shall be removed from his cure, charge, trust, or office, upon the ground of any offence alleged to have been committed by him, and cognisable by such Tribunal, except upon a decision of such Tribunal, unless it shall have been expressly provided that he may be so removed by the terms of his appointment.

Establishment of Tribunals.

16. The General Synod shall establish a Tribunal or Tribunals in New Zealand, for the purpose of deciding all questions of Doctrine and Discipline; and also may establish a Court or Courts of Appeal from the decision of any such Tribunal.

Power of Delegation.

17. The General Synod may delegate to any Synod, Board, or Commission, either specifically as the case may require, or under such general regulations as shall from time to time be laid down by the General Synod, any of the powers conferred upon the General Synod by these Presents.

Missionary Dioceses.

18. The General Synod of this branch of the United Church of England and Ireland may associate with itself any Missionary Dioceses which may be formed among the other Islands of the Pacific Ocean.

Diocesan Synod.

19. The Synod in each Diocese, shall consist of the Bishop, Clergy, and Laity, and shall be similar, as far as possible, to the General Synod in constitution and mode of procedure.

Powers of Diocesan Synod.

20. Every such Diocesan Synod may, within the limits of the Diocese, exercise all such powers, and make all such regulations (not repugnant to any regulation of the General Synod) as may be necessary for the order and good government of the Church in such Diocese.

Proviso: Right of appeal.

Provided always that any person or persons who may deem himself or themselves aggrieved by any act or decision of the Diocesan Synod either in the case of property held under or administered by the Diocesan Synod, or in any other matter, may appeal to the General Synod, or to any Board or Court of Appeal established by the General Synod in that behalf; and the General Synod or such Court of Appeal shall finally decide such appeals.

Force of a Regulation by all the Diocesan Synods.

21. Any regulation assented to by all the Diocesan Synods, with a view to its acquiring the force of a regulation of the General Synod, shall be taken and deemed to be, and shall have the force of, a regulation of the General Synod.

Proviso.

Provided always that no such regulation shall repeal or alter any of the Provisions of these Presents.

General Synod may control &c., Diocesan Synods.

22. The General Synod shall have power to make any regulation controlling, altering, repealing, or superseding any regulation which may have been made by any Diocesan Synod.

Nomination of Bishops.

23. The nomination of a Bishop shall proceed from the Diocesan Synod, and if such nomination be sanctioned by the General Synod, or, if the General Synod be not in Session, by the majority of the Standing Committees of the several Dioceses, the senior Bishop shall take the necessary steps for giving effect to the nomination.

Proviso.

Provided that every such nomination shall be made upon condition that the person so nominated shall, before accepting the nomination, declare in writing his assent to this Constitution.

Trusts of property conveyed to Synod.

24. All property, real or personal, to be conveyed to Trustees on behalf of the General Synod, shall be held upon Trust, that such Trustees shall and do stand seised and possessed of and interested in the same, or otherwise shall and do convey, settle, assure, or assign the same upon and for or according to such trusts, intents, and purposes, and under and subject to such powers, provisos, declarations, and agreements, and in such manner and for such objects and purposes, whether Religious, Missionary, Ecclesiastical, Collegiate, Scholastic, or Charitable, as the General Synod of this branch of the United Church of England and Ireland in New Zealand shall from time to time direct or appoint in writing under the hand of any person authorised by the General Synod in that behalf, subject, however, to any special covenants and declarations of Trust imposed by any Founder, Donor, Testator, or other Benefactor, attaching to any property, which property shall have been accepted by

the General Synod or by any Board or other person authorised by the General Synod in that behalf.

Board to represent General Synod.

25. The General Synod, or any Board or Commission constituted by the General Synod in that behalf, shall, for the purposes of "Religious, Charitable, and Educational Trusts Act, 1856," be deemed to be a body duly constituted to represent the branch of the United Church of England and Ireland referred to in these Presents.

Trustees to hold property with certain powers, &c.

26. Every Trustee in whom any property, real or personal, shall be vested, either solely or jointly with any other person or persons for or on behalf of the General Synod, shall hold the same with the powers and subject to the limitations, restrictions, declarations, and provisos contained in the several clauses of the Schedule hereunto annexed, and any Board or Commission appointed by the General Synod for that purpose shall possess and may exercise such of the powers vested in the General Synod as shall be by the General Synod in that behalf prescribed.

Doctrines to be taught.

27. No Doctrines which are repugnant to the Doctrines of the United Church of England and Ireland as the same are explained and contained in the Thirty-nine Articles and in the Book of Common Prayer, and in the Form and Manner of Ordaining Bishops, Priests, and Deacons, may be taught or inculcated by the Bishops, Clergy, Catechists, Schoolmasters, and others, wholly or partially endowed or maintained by the proceeds of property held in trust for the General Synod; nor may any such Doctrine so repugnant be taught or inculcated in any churches or chapels, whether cathedral, parochial, collegiate, or missionary, or in any colleges and schools, which shall be either wholly or partially built out of funds derived from the property held in trust for the General Synod, or upon sites held by Trustees appointed in the manner herein specified, and it shall be the duty of all such Trustees to obey all instructions issued to them by or on behalf of the General Synod, for the purpose of guarding, as far as possible, against any Trust property, or proceeds therefrom, being so applied or disposed of as to promote the teaching or inculcation of any Doctrine repugnant to that of the United Church of England and Ireland as so explained.

Declaration to be signed by Clergymen and others.

28. No Clergyman, Trustee, Catechist, Churchwarden, Schoolmaster, or other officer-bearer or Agent, shall be admitted to any office under the authority of the General Synod, or be entitled to receive any income, emolument, or benefit from or out of any property held under the same, unless and until he shall have signed a declaration of his adhesion and submission to the authority of the General Synod in the form following:—

Declaration.

I, A. B., do declare my submission to the Authority of the General Synod of the branch of the United Church of England and Ireland in New Zealand established by a Constitution agreed to on the 13th day of June, 1857, and to all provisions of the Constitution. And I further consent to be bound by all the regulations which may from time to time be issued by the authority of the said General Synod; and I hereby undertake in consideration of immediately to re-

sign my appointment, together with all the rights and emoluments appertaining thereto, whenever I shall be called on so to do by the General Synod, or by any person or persons lawfully acting under the authority of the General Synod in that behalf.

Given under my hand this _____ day of _____ 18 _____ in the presence of _____

Interpretation of these Presents.

29. Any doubt which shall arise in the interpretation of these Presents, or of the Constitution for the time being of this branch of the said Church, shall be submitted for final decision to the General Synod, or to some Tribunal to be established by the General Synod in that behalf.

Power to alter, &c. Provisions not Fundamental.

30. It shall be lawful for the General Synod to alter, amend, or repeal all or any of the Provisions of these Presents, save and except the Provisions which have been hereinbefore declared to be Fundamental.

Provided always that no such alteration shall be made until it shall have been first proposed in one General Synod, and made known to the several Diocesan Synods, and finally agreed to in the meeting of the General Synod next ensuing.

SCHEDULE ABOVE REFERRED TO.

1. The General Synod may from time to time, by writing under the hand of any person authorised by it in that behalf, appoint a Trustee or Trustees for the whole or any portion of the property held in Trust; and may from time to time, as often as it shall think proper, by any such writing, cancel and revoke every such appointment, and may appoint another Trustee, or other Trustees in the place of all or any one or more of the Trustees named in, or hereafter to be appointed by, or on behalf of the General Synod.

2. Any Trustees or Trustee may, by the direction of the General Synod, sell, and absolutely dispose of, either together or in parcels, and either by public sale or private contract, all or any part of the said Trust property in respect of which no Trust shall have been created inconsistent with the exercise of this present power; or by the like direction may exchange the said property, or any part thereof, for any other freehold hereditaments situate in the Colony of New Zealand; and give (out of any money in their hands applicable to such purpose) or receive any money by way of equality of exchange, and may execute all such conveyances as may be requisite for effectuating such sale or exchange.

3. Provided always that all money arising from such sale, or received by any Trustees or Trustee for equality of exchange as aforesaid, after payment of the costs and expenses payable by such Trustees or Trustee in relation to such sale or exchange, shall be expended in the absolute purchase of other freehold lands or hereditaments in New Zealand.

4. All property which shall be so purchased, or received in exchange as aforesaid, shall be held by the Trustees or Trustee in whom it shall become vested upon such Trusts as the property so to be sold or given in exchange was held subject to.

5. Any Trustees or Trustee may from time to time, by any deed, lease any portion of the Trust property vested in them or him, in respect of which no direction or appointment shall have been made by the General Synod, or no Trust created inconsistent with the exercise of this present power, to any person or persons, for any term not exceeding twenty-

one years in possession and not in reversion, at such rent, and subject to such covenants and provisos as they, the said Trustees or Trustee, may deem reasonable, and may apply the rents of the property so leased to the purposes to which the annual income or proceeds of the Trust property shall for the time being be properly applicable.

6. The receipt in writing of any Trustees or Trustee or of any Agent duly authorised in that behalf, shall be a good and effectual discharge for all money paid to them or him under or by virtue of these Presents, and shall exonerate the person or persons paying such money from all obligation of seeing to the application thereof, and from all liability on account of the loss, misapplication, or non-application thereof, and it shall not be incumbent on any purchaser or other person to or with whom such sale, exchange, or lease as aforesaid shall be made, to enquire as to the necessity for or propriety of such sale, exchange, or lease.

7. Every Trustee shall be chargeable for such money only as he shall actually have received, although he shall have joined in any receipt for money received by any co-Trustee, and shall not be answerable for the act of any co-Trustee, or for any loss which may arise by reason of any Trust money being deposited in the hands of any banker or agent, or from the insufficiency or deficiency of any security upon which the Trust money, or any part thereof, may be invested, nor for any loss in the execution of the Trust, unless the same shall happen through his own wilful neglect or default.

Signature of Members of the Third General Synod of the Branch of the United Church of England and Ireland in New Zealand.

BISHOPS.

G. A. New Zealand
H. J. C. Christchurch
C. J. Wellington,
W. Waiapu,
James C. Patteson, Bishop,
Edmund Nelson.

CLERGY.

Alfred N. Brown,
Henry Jacobs,
R. Maunsell,
John Frederic Lloyd,
Arthur Stock,
J. C. Bagshaw,
Francis Tripp,
Robert Burrows,
E. B. Clarke,
James Wilson,
Edward G. Edwards,
Richard Taylor.

LAITY.

Wm. Martin,
George Hart,
T. Roger Dutton,
Robert Stokes,
James E. Fitzgerald,
E. King,
Wm. Donald,
H. N. Hawkins,
H. McKellar,
Henry J. Tancred,
J. Kissling,
John Hall,
George A. E. Ross,
E. Quick,
W. Mason,
John Grigg.

arduous office, and these testimonials and characters have been most carefully considered. The long delay in appointing the first Bishop has mainly arisen from two clergymen, who were considered most eligible for the office, having felt themselves obliged, after long consideration, to decline the arduous post on account of delicate health. The qualification, however, of one clergyman, whose testimonials and character were brought under the notice of the Bishop of Newcastle some months ago, seemed to his Lordship so highly satisfactory that he decided to communicate with the Archbishop of Canterbury, and urge the appointment of this clergyman, if his Grace had not appointed any other person before our Bishop's letter reached him. His Lordship wrote to this effect by last January mail. The mail from England was late that month, and the Bishop received his letters from England two days after his letters for England were posted. We may judge of his Lordship's delight when one of his English letters informed him that this very clergyman, whom he had recommended so strongly for the office, had been brought under the notice of the Archbishop of Canterbury, who, after full inquiry, had offered him the Bishopric, and that the offer was accepted. The description given of the new Bishop is as follows:—"He has had charge of a difficult parish, and administered it with great success. He is an excellent preacher and speaker. He is forty years of age; a man of good health, and simple habits; tall, and of good presence; gentle, earnest, and devout." His name is the Rev. Samuel R. Waddelow.

THE REV. CANON GREAVES.—The departure of Canon Greaves for England has caused not merely general regret, but general sorrow throughout the Diocese. No clergyman has been more generally respected and beloved, not only by his clerical brothers, but by the laity, who in his various Cures have even been brought into contact with him. In his last Cure, of the Wollombi, amid a very poor scattered population, he laboured most earnestly as far as his failing health would permit, and most successfully, as was proved at the last confirmation, when, in a district which has usually produced about thirty candidates, he presented for confirmation 114 (one hundred and fourteen), not children, but mainly young men and young women from 16 to 23 or 24 years of age, whom he had sought out and prepared in all the little vales and creeks of his extensive parish. He heard that his poor parishioners were collecting a purse for him when his delicate health compelled him to make arrangements to return to England. He knew their poverty, and was afraid that the funds of the Church Society might suffer if any purse was collected for him. He therefore insisted that no offering for him should be accepted from any person who had not contributed his full annual amount to the Church Society. The full annual amount has been contributed for the Wollombi District to the Church Society, and his poor parishioners also presented to Mr. Canon Greaves at his departure a purse of more than £41, which through the earnest exertions of Mr. Day, of East Maitland, contributions arising mainly from East Maitland, and Muswellbrook—former Cures of Canon Greaves—was sent to him at Sydney in a draft for £233 10s. The simple touching observation of Canon Greaves respecting this parting gift, in his last letter to his Bishop, just as his ship (the "Nourmahal") was moving away, was as follows:—"The generosity of the people of this colony is

really astonishing and most affecting." The whole Diocese will rejoice to hear that from Canon Greaves' last letter to the Bishop, his Lordship entertains the confident expectation that his late chaplain will return to the Diocese very soon after he reaches England, and undertake the duties of the Cure of Christchurch, Newcastle.

DARKWATER CREEK, MACLEAY RIVER.—We often read in American literature of villages springing up in the midst of the forest, as it were by magic, but such instances are not altogether unknown amongst ourselves, and the relation of the exertions of pioneers of the woods is more pleasing when the first general movement is in the cause of religion and education. Such a case we have now before us, which we shall gladly lay before the readers of the *Chronicle*, if space can be afforded. To merit that space, the remarks shall be as concise as is consistent with explanation. Darkwater Creek is a branch of the Macleay River. There being plenty of land on the banks of the river until very lately, Darkwater was an unknown country, except to stockmen and explorers by boat. Taking advantage of the benefits which free selection, with all its drawbacks has in its power to bestow, many enterprising persons came from Sydney, and fifteen miles of the Creek were rapidly taken possession of, wherever the land sales by auction left room for the selector. It is not, therefore, to be wondered at that, after settlement made in comparative comfort, there was a want, and spiritually the farmers found themselves destitute, and their children beyond reach of a school-house. An application was made a short time ago to the clergyman of the district. This was responded to by a notice of Divine Service at 10 o'clock on the morning of the 6th February, and at a meeting after service, to be held for the purpose of considering the best mode of establishing a Sunday School and service on Sundays by a layman and the possibility of getting a Denominational School. Morning Service was held in Mr. Notley's barn, which the proprietor had kindly prepared. Service ended, a very spirited and cordial meeting was held, when it was agreed that a committee should be formed to carry out the wishes of the meeting, and to communicate with the Rev. F. R. Kemp, and report progress. Information has just been received that £30 is the sum now provided by the inhabitants, without asking subscriptions from any one out of the Creek, and £7 10s. towards the Stipend Fund of a resident clergyman at the Macleay. It is fully understood from the explanation made by the clergyman at the meeting, that he will do his best to obtain a grant from the Board, through the Bishop, though, to prevent disappointment, he urged them to self-reliance, as far as human self was concerned, and not trusting too much at present to assistance from without; to meet together, open a Sunday School and establish a Sunday Service, both of which would be, no doubt, well conducted by Mr. George Dunkley, who has offered his services, and whose letter had now brought about the visit of the minister. The hearty desire on the part of the community is deserving of encouragement; it is like the voice of the man of Macedonia, who "stood, saying, come over into Macedonia and help us." If any case can be cordially recommended, it is this; if true and heartfelt anxiety for the means of grace; if a pious and sincere spirit can merit success; and if an unanimous effort can avail, a school will soon be seen flourishing on the banks of the Darkwater Creek reserve, now

Church Intelligence.

THE BISHOPRIC OF GRAFTON AND ARMDALE.—It is with no common pleasure that we announce the selection of the first Bishop of this See, and his acceptance of the office. The responsibility of selecting the first Bishop of this See has rested with his Grace the Archbishop of Canterbury, who, however, most kindly intimated to the Bishop of Newcastle that he would be most happy to attend to his wishes in the matter. Our Diocesan's Commissioners and other clerical friends in England have, during the last three years, sent to him the testimonials and described to him the character and attainments of many eminent clergymen in England who were supposed to be eligible for this important and

being laid out by the District Surveyor. Space will not allow of any geographical description of the Creek, which, from the possible conjunction, by canal, of the Macleay with the Hastings, and from its probably having originally been the course of the Macleay River, possesses considerable interest. Having promised brevity at the outset of this communication, these remarks are brought to a close, wishing success to, and praying the Divine favour upon, the movement of the inhabitants in so worthy a cause.

Correspondence.

To the Editors of *The Church Chronicle*.

William-street, March 1st, 1866.

SIRS,—I beg, in all fairness, the insertion of this paper, in answer to the one you published in your last issue, against the Free Church of England.

Yours, respectfully,
P. P. AGNEW.

To the Editors of *The Church Chronicle*.

SIRS,—In one of the leading articles of your paper of the 21st February, under the head of "Diocese of Newcastle," there appears a most unchristian and scurrilous attack upon my character in particular, and on the members of the Free Church of England in general. The partial circulation of this paper, and the exclusive manner in which it is conducted, make it a fit vehicle for such a purpose; for the public exhibition of such an article would effectually show the intolerance, jealousy, and personal bitterness of the present authorities of the Church of England in this Diocese.

It appears that the pious rulers of the Church, whose motto is, "Speaking the truth in love," have exhausted their armoury of abuse, falsehood, and fiction, in Sydney, and have gone to Newcastle for coals to smudge my character, and to blacken the cause which they seem to fear may lead to some inquiry into their vast pecuniary resources, and promote a change in their happy and easy independence.

This writer, in the true spirit of his party, after he has branded us with *fraud* and *falsehood*, would bind us, like "the prostrate clergy," to perpetual silence, and gag the press, if inclined to speak on behalf of personal oppression or public rights, and ask, "Why do well-conducted papers abuse their influence by *abetting fraud*, and *not preventing it*—by imposing upon the public by a *false brand*, instead of protecting them from it,—by allowing news and reports respecting a single congregation, presided over by a presbyter, to appear in their columns under the title of the 'Free Church of England?'" He denounces the conduct of the press in this matter as an *imposition*, when in their columns they print intelligence of Mr. Agnew's congregation, under the head of the "Free Church of England," and concludes his Christian and gentlemanly production by advising the public, when they read any paragraph headed "Free Church of England," to pause, and repeat, *mentally* if they are reading to themselves, or *audibly* if they are reading to others, "REMEMBER THE TRADE MARKS BILL FOR THE PREVENTION OF FRAUD AND PROTECTION FROM FALSE BRANDS."

So much for our civil privileges and Christian liberty, if we are brought under the uncontrolled dominion of the Church of England in New South Wales, in the year of our Lord 1866.

This writer seems to ground his fatal objections against this infant Church principally upon the ground of its not being an Episcopal Church, but unwillingly establishes its claim to vitality by referring to, and approving of, the Episcopal Church in America. Is he aware that the Church of Christ existed in America, without Bishops, till the War of Independence, and that then the men elected by the congregations were denied consecration in England, and the Americans received their first Bishops from Scotch-consecration?

The most eminent Mr. Fyvie says that the Scottish Episcopal Church is the purest of all communions, and that he would prefer having his orders from the Scotch Bishops to any other.

Dr. Cumming says, in speaking of Scotch Bishops—"I do not use the word Bishop exactly in the sense conveyed by it in England—for the Scotch Bishops are very poor men, and ministers of little meeting-houses supported wholly on the voluntary principle; the Presbyterian clergy being the Established Church of Scotland." From such Apostolic men America received her first Bishops.

If English Episcopacy was anything like that which exists in America, there would be a nearer approach to Scripture rule, and far less "pride, vain glory, and hypocrisy, envy, hatred, and malice, and all uncharitableness." In the present communion of the Church of England in America, they have no Metropolitan, no Archbishop. Bishops there have their own parishes, but they have no irresponsible power, no princely incomes, no patronage, no palaces.

The leading feature of the Free Church of England is to carry out all its religious operations on the voluntary principle, with the right of choosing its own Ministers and Bishops. The rank and sacerdotal rights of the clergy of the Free Church of England will be just those of the Presbyters of the early Christian Church, when Bishops and Presbyters were identical.

It is a generally recognised belief that God in His wisdom has left the subject of ecclesiastical government only partially exhibited, and left the system to be carried out by the consent and prudence of Christians, according to the various circumstances of the Church. Our best writers believe Episcopacy to be a mere matter of convenience, prudence, or usefulness; and possesses no authority, except what arises from the consent and adoption of the people.

The Free Church of England stands for Episcopacy as it is found in the *Scriptures*, in the *early Churches' practice*, and in the *Thirty-nine Articles of the Church of England*. It is unnecessary, in this place, to show that the first Christian Churches were directed to choose their own Ministers, and that Bishops and Presbyters were one, having the same duties and the same responsibilities; and Timothy was consecrated, not by an Apostle or a Bishop, but by the "laying on of the hands of the Presbytery." (1 Tim. iv. 14.) It was the practice of some of the most eminent Churches, for the first three hundred years, for the Presbyters to choose one from among themselves as Chairman, Moderator, or Bishop.

Severus, one of the earliest Christian writers, says: "The Presbyters and people took Peter, a priest, and consecrated him Patriarch of Alexandria, in the tenth year of the Emperor Dioclesian."

St. Jerome, who lived in the fourth century, says the Presbyters always called one from

among themselves, and elected him to the highest rank as their Bishop.

Apostolic succession has been vitiated, and broken a hundred times; and Eusebius, who could not find the successors of the Apostles, says that "they who most imitate the Apostles are worthy to govern the Churches which they had planted."

Archbishop Bramhall says: "It is not at all material whether Episcopacy and Priesthood be two distinct orders, or distinct degrees of the same order."

Archbishop Wake writes: "I should be unwilling to affirm that where the Ministry is not Episcopal, there is no Church, nor any true administration of the Sacraments."

Bishop Tomline says: "I readily admit that there is no precept in the New Testament which commands that every Church should be governed by a Bishop; the Scriptures do not prescribe any definite form of Church government."

Crammer says: "Bishops and Priests were not two things, but both one office, in the beginning of Christ's religion."

Dean Sherlock says: "A Church may be a true Catholic Church without Bishops."

Dr. Claget, a famous writer against dissent, who died in 1727, says: "Some things are necessary to the being of a Church, and they are, the acknowledgment of the one Lord, the profession of one faith, and admission into the state of Christian duties and privileges by one baptism; and this is all that I can find absolutely necessary to the being of a Church. The Church of England has not unchurches those parts of Christendom that hold the unity of the faith. Hence the folly of that conceit, that in this divided state of Christendom there must be One Church which is the only Church of Christ, exclusive of all the rest that are not in communion with her."

The Rev. Gilbert Elliot, M.A., in a sermon preached in Trinity Church, Marylebone, London, 1850, in asserting the inherent rights of the Church of England, against the assertions and assumptions of the Church of Rome, whilst he proved too much (I should think, to please his own party), claims and grants to the Free Church of England all that is contended for, and proves our rights and privileges by the Thirty-nine Articles. He says: "Our Church answers, in the Nineteenth Article—'The visible Church of Christ is a congregation of faithful men, in the which the pure word of God is preached, and the Sacraments be duly administered according to Christ's ordinance, in all those things that of necessity are requisite to the same.' And in the Twenty-fifth Article, as I have already quoted to you, it denies that any peculiar form of ordination is necessary to any due ministry in the Church. Again, as to any necessary dependence on, or conformity with, any other Church, it thus speaks in the Thirty-fourth Article: 'Every particular or national Church hath authority to ordain, change, and abolish ceremonies or rites of the Church, ordained only by man's authority, so that all things be done to edifying.' And again, with respect to the authority of each particular Church within its own pale, it says in the Twentieth Article: 'The Church hath power to decree rites and ceremonies, and hath authority in controversies of faith; and yet it is not lawful for the Church to ordain anything that is contrary to God's word written, neither may it so expound one phrase of Scripture that it be repugnant to another.' And as to what a true and lawful Minister is, in the Twenty-third Article it answers very plainly to the Roman assumption of a Divine commission

being accorded to its orders: 'It is not lawful for any man to take upon him the office of preaching, or ministering the Sacraments in the congregation, before he be *lawfully called and sent* to execute the same; and those we ought to judge *lawfully called and sent* which be chosen and called to this work by men who have public authority, *given unto them in the congregation*, to call and send Ministers into the Lord's vineyard.'

The reverend preacher continues to his London congregation, without dreaming that he was advocating the rights of a Christian community in New South Wales, and says: "These words ought to be to you as words of gold. They will save you from much error. They will teach you charity. They cut up root and branch the claims of any body of men, because of some authority vested in them otherwise than by the congregation, to be peculiarly the servants and representatives of God, and the only channels of salvation. Our Church does not conceive that there can be a visible Church which shall not set apart a Ministry, nor may any doubt that God's blessing shall be richly given to those whom 'a congregation of faithful men' shall, with prayer, send into the Lord's vineyard. But as the Twenty-fifth Article of our Church denies that God has imposed any peculiar form of ordination as necessary to the validity of orders, so here, in perfect consistency with that language, it speaks of 'public authority,' and not Divine authority, as designating who should send Ministers into the Lord's vineyard. And thus it asserts for every national or particular Church the full and perfect right to give unto itself such laws as shall constitute and regulate its own Ministry."

Contrary to these high and enlightened opinions, this modern advocate for the present Anglican Episcopacy, whose production the Editor of *The Church Chronicle* has approved and published, would prop up and maintain the present Church policy in New South Wales in its entirety.

Episcopacy, in its appointments and expenditure, is one of the most lamentable evils in the present day; it has neither reason nor Scripture to support it, and stands directly opposed to progress and the religious liberty of the people.

A description of the manner in which Bishops are made in England may open the eyes of the community as to the spirituality of their appointment, and the ground on which their sacred authority rests. The Rev. Dr. Hook, in a sermon preached in Manchester Cathedral to the Church Congress (October 13th, 1863), at which many Bishops and hundreds of the clergy were present, says: "From the accession of the House of Brunswick to the present hour, it has been the misfortune of the Church of England that between the Bishops and the clergy a good understanding has never existed. Men have been appointed to the Episcopate generally from political considerations: before the passing of the Reform Bill, to purchase votes in the House of Commons; subsequently, to enable partisans to purchase the goodwill of their constituents; sometimes to conciliate one party, and then to disarm the hostility of another; and not unfrequently from personal friendship, or caprice; scarcely ever with a single view of benefiting the Church."

The clergy and laity of the Church of England can hardly be expected to acquiesce in the decisions of men in whose appointment they have had no share—not even a vote; and who, however much individual members may be revered, are, as a body, the repre-

sentatives, not of the Church, but of the Government; who are generally appointed, not from their efficiency of conduct in the affairs of the Church, but with a view to their vote in the House of Lords."

The Reverend Doctor then explains how Bishops are made:—

"When a Bishop is wanted, or a See vacant, the Prime Minister issues a document, called a *Compte d'Elter*, to the Dean and Chapter of that See, requiring them to elect a Bishop; but, at the same time, they are informed that, although the lying document gives them leave to elect, yet, if they do not elect the person named by the Prime Minister, the electors from that day forth will be put out from the protection of the Crown: their lands and their goods will be forfeited; and their bodies, wheresoever found, shall be taken and imprisoned; and if not found, they will be outlawed."

Such an arbitrary exercise of power would never be submitted to, except by clergymen; and clergymen would never submit to such an arbitrary exercise of power, except they were paid to submit.

Yours, respectfully,

P. P. AGNEW.

ERRATA.—In our last issue in letter signed 'Questor' at p. 72, line 26, for *branch read trench*: in last line for *action read imitation*.

Diocese of Goulburn.

THE CHURCH CONFERENCE.

In perusing the account of the Goulburn Conference in our first number, we could not but congratulate the Diocese upon the very satisfactory manner in which the various subjects submitted to its consideration were treated, and the correctness of the conclusions arrived at.

The Conference had rather a difficult task to perform. Two series of resolutions of a similar import, coming from the two neighboring Dioceses, had to be considered by a large body of clergy and laity, who, we may suppose, would differ very materially upon many points to be discussed.

The chief difficulties appeared to be these:—

1st. It would have been more than useless to summon gentlemen from the distant parts of the Diocese merely to register the decrees prepared by the Conferences of the other Dioceses.

2nd. On the other hand, had the Conference come to any important conclusion, opposed to the decision of the other two bodies, the success of the whole measure in contemplation might have been imperilled. Happily this result was avoided.

Whilst the members exercised full liberty of speech, and the sittings were protracted for three days, nothing was done calculated to cause the least regret to any true friend of the Church.

The most exciting question discussed was that of voting by orders. An amendment upon the resolution as it now stands, was moved by a reverend gentleman in a most able and eloquent speech, to the effect that the clergy and laity should always vote in the same house. At first it seemed as if this proposition would be carried; but when the tendency of such an amendment was clearly shown, it was negatived by a considerable majority.

A principal objection to this amendment was that it would have placed the clergy of the Diocese in a different position from that of the clergy of any Diocese under the British Crown. This, it was held, would be degrading to them. Besides the obvious advantage both to the clergy and the laity in thus voting when any *questio vexata* might arise on either side, was forcibly argued by the opponents of the amendment. Again, it was foreseen by some that if this amendment were carried, the Bishop's position in reference to the decisions of the other two bodies would be endangered, and that any interference with this inherent right of the Episcopal office would jeopardize the whole proceedings.

The question of the Bishop's modified veto was settled to the satisfaction of the great majority of the meeting, by the provision embraced in the Fundamental Constitution, No. 6.

It has over and over again been stated as an objection to synodical mode of action, that it will interfere with the rights of other religious bodies, and cause the Church of England to be a dominant Church in the colony. It was clearly shewn by the President that the members of the Church of England seek no more than the Presbyterians and Wesleyans already possess. Upon this subject, the speeches of Mr. BESNARD and the Rev. Mr. BROWNREG are also quite conclusive, and indeed one can scarcely imagine

that persons raising such objections can be in earnest, as there is not a word in the Bill itself that can bear any such construction. It is only doing an act of justice to the members of this Conference to state, that their proceedings were conducted in a manner that might have done credit to any deliberative assembly, and that questions embracing subjects of difficult ecclesiastical polity were most ably handled by the speakers.

This freedom of speech could not but have made an impression upon parties belonging to other churches, wherein nothing of the kind is permitted, but in which the members are expected to submit to decrees which they have no voice whatever in preparing.

One thing is very encouraging, and that is, that the ability and intelligence shown in this Conference would appear to be a guarantee, that were a Synod established with legal powers, the happiest results might be anticipated from its deliberations.

Another gratifying result has arisen from this question having been kept so long before the public without any definite action having been taken, that the members of the Church have had leisure to discuss the subject in all its bearings, that when Synods are really called into existence, their proceedings will probably be distinguished by that good sense and those clear views which ought to characterise such assemblies, rather than the unprofitable "much speaking" and crude decisions, which mark some bodies, whom we forbear to name.

According to the clear decisions of the Conference, the assent of each of the constituent portions of the Synod must be required before any important measure can become law in the Diocese. And this is reasonable. Heretofore, the laity had no voice in the management of the affairs of the Diocese. Upon their present admission to the important position assigned to them, it would have been very anomalous—indeed unreasonable and unjust—to transfer all power into their hands. Co-ordinate power with the clergy they

will now possess—less would have stultified the intention of the Bishop who summoned them—more would have destroyed the constitutional form of government which is the true ideal of an Episcopal Church.

S.

Church Intelligence.

GOULBURN CHURCH SOCIETY.

The Annual Meeting of the Church Society of the Diocese was held in Goulburn in the Hall of the School of Arts, on Wednesday evening, February 28th. The Lord Bishop who presided, and the Revds. W. Sowerby, P. Lamb, R. Leigh, D. P. M. Hulbert, and E. Percival, Messrs. Anderson, Belcher, Rossi, Conolly, Allman, A. Chisholm, F. Horn, and J. H. Thomas of Yass took part in the proceedings, of which we hope to submit a full report in a succeeding number. The attendance was good, and the proceedings, which deviated in some particulars from the ordinary routine, appeared to be very interesting to the audience.

THANKSGIVING FOR RAIN.

There appears to be a general desire for an opportunity of giving public expression to the gratitude which all feel for the late seasonable rain in the Colony. It will be satisfactory to many to learn that it is intended to fix an early day in the several dioceses for special thanksgiving on account of His great mercy.

LAYING OF THE FOUNDATION STONE OF ST. JOHN'S SCHOOL, YOUNG.

On Wednesday, January 24th, the Foundation Stone of the above School was laid. The ceremony was preceded by a Special service in St. John's Church, at 3 p.m., when an eloquent and impressive sermon, full of evangelical truth, was preached by the Rev. H. S. Seaborn, of Gundagai, from Phil. iii. 8. After the service, a procession was formed of the Clergy, the children attending the Sunday-school, and the members of the congregation. The children carried a number of artistic banners, bearing various devices—"St. John's School"—"God bless our School," "Feed my lambs," "God save the Queen," &c. On arriving at the site, the clergy, churchwardens and trustees, ascended a platform which was tastefully decorated with flags and banners, amongst which the British Ensign was conspicuous. The children being arranged at the foot of the platform, the service was commenced by their singing the hymn—

"Children of Jerusalem,
Sang the praise of Jesus' name."

After which the form of service used in the diocese for such purposes, was read by the Rev. W. H. Powmall. In presenting the Trowel to Mrs. Wilkie, who had kindly consented to lay the stone, he said, they all felt deeply indebted for the kind help and great interest which she had manifested in the temporal and spiritual interests of the people of Burrangong. Of the great importance and need of a school, where the children would be trained in the nurture and admonition of the Lord, he need not speak. He trusted that many of the little ones present, would not only be gathered within the walls of the school when erected, but that the instruction

received might be blessed of God, and bring forth, in after life, fruits of holiness. The Church was not complete without the school, and the school should ever be the nursery of the church. This was one of the warmest wishes of his heart, and he prayed that the Divine blessing might abundantly rest upon the undertaking. He then read the declaration, which, (with a copy of the *Burrangong Argus*) would be placed under the stone,

"Except the Lord build the house, their labour is but lost that build it."—Psa. cxvii. 1.

"This corner stone of St. John's School, Burrangong, to be erected as a school for the education of the young, according to the doctrines and principles of the United Church of England and Ireland, and in connexion with the Memorial Church of St. John, Young, was laid by Mrs. J. L. Wilkie, on the 24th day of January, in the year of our Lord one thousand eight hundred and sixty-six, in the presence of the Rev. W. H. Powmall, Incumbent of Young, Rev. F. A. C. Lillingston of Yass, Rev. H. S. Seaborn of Gundagai, J. Roberts, G. O. M. Clarke, and James Watson, Esqs., Trustees; A. G. Shadforth and William Bigg, Esqs., Churchwardens and the leading members of the Church of England, resident in the town and neighbourhood of Young."

He desired to state that no money would be placed under the stone, for they required all the money they could obtain to rear the building, and he hoped that many present would shower down their gold and silver on the stone, remembering that, "The Lord loveth a cheerful giver." The stone being duly placed, it was laid by Mrs. Wilkie, who made the usual declaration.

After the *Te Deum* had been said, the Rev. F. A. C. LILLINGSTON of Yass, remarked that he was glad to be with them. He remembered saying on a former occasion, that he hoped to be present at the laying of the foundation stone of that school. No object could be better than the commencement of a school in which children were to be trained in the ways of the Lord. There would be nothing now to retard the work of the minister, but the non-attendance of the children at the school. If the children were not punctual in their attendance, the parents would be to blame. Some people, he said, are frightened when they see a minister come to the door. If the people would only be glad on the appearance of the minister, it would be much better for all concerned. He had seen the magicians of India place a stone in the ground, and in a wonderfully short space of time, there would spring up from it a tree, which in an equally short time would develop itself in full-bearing luxuriance. Now, he did not know what magician had been at work here. It seemed but yesterday when the foundation stone of the Church was laid. Then followed the consecration, and now they would soon have a new school. He had no idea how it was all done. He hoped it was all right. But now that the foundation stone was laid, they wanted something to keep it down, and there was nothing better than crows and notes for that purpose.

The Rev. H. S. SEABORNE desired to congratulate the minister of this place, the lady who had so kindly and so well laid the foundation stone of the school, and the children and the people, on the great and important work they were that day commencing. He always felt sorry when a new prison was built: but he rejoiced when he heard of churches and schools being erected. Churches and schools were far

cheaper than gauls; and it would be a joyful day when the former would take the place of the latter. He (Mr. Seaborn) resided at one time on the Lachlan, and he remembered the riots and disturbances of the early days of Lambing Flat. At that time the people at Young were known by the name of the "Flats." But Lambing Flat, which now rejoices in the name of Young, is very much changed to what it was in those days. There may be less gold, but there is far more respectability about the place. He said he once preached here under great difficulties. The Church of England was then a bark building, with a calico ceiling full of holes—the rain came in above and below—things were floating about, and he appeared to be between water, not between heaven and earth, he thought at last that he had got to the Baptist Chapel instead of the Episcopal Church. They had now a very handsome church; he hoped the school would soon be finished, and prove a blessing to many children. After the children had sung the hymn—

"God bless our Sunday-school,
"Increase our Sunday-school."

The Benediction was pronounced by the Rev. W. H. Pownall, and the proceedings closed.

In the evening a Special-service was held in the Church, when the Rev. F. A. C. Lillingston preached to a large and attentive congregation, from John iv. 24, The collection during the day amounted to £12.

SCHOOL TREAT.—On Friday, January 26th, being the Anniversary of the Foundation of the Colony, the children belonging to the above school, assembled in the church-ground at 11:30 a.m., when after the singing of a hymn, they formed in procession and marched (carrying their flags and banners) through the principal streets of the town, to a beautiful and retired spot in the bush, about two miles distant from Young. There they were regaled with tea and plum-cake, to which they did ample justice. The day was spent in various recreations well adapted to amuse the young. The scene was also enlivened by the constant arrival of a large number of bugles, spring-carts, and other vehicles containing members of the congregation and the parents of the children. About 7 p.m., all returned to their homes, being highly gratified with the day's entertainment.

MULWALLA, ON THE RIVER MURRAY.

On Tuesday the 20th February the completion of the Church of England School-house, the first public building in this township, was celebrated by a Tea Meeting, which went off satisfactorily to all concerned. At 6 p.m. upwards of 100 guests sat down to bountifully supplied tables, kindly furnished by Mesdames Sloane, Crow and Ware who had spared themselves no trouble in providing fruit and other good things for the occasion. After tea a brief statement of the objects of the building and its financial position was made by the Rev. J. M. Ware of Corowa, in whose parochial district Mulwalla is situated. That gentleman said that the building in which the meeting was being held, a room built of pine slabs, and 30 feet long by 15 feet wide, with fireplace, &c., of brick, had cost £106; but that he required in addition £25 for a teacher's cottage, temporary of course, in all about £160. Towards this sum he was enabled, through the kindness of Christian friends at home, to contribute £50, while £20 had been subscribed in the neighbourhood. Mr. Gracey then kindly went round with a subscription list, which

speedily gave a total of £24 odd. The tickets sold will realise upwards of £11—so that there is every reasonable hope that very shortly the schoolmaster, as well as the scholars at Mulwalla, will have provision made for their accommodation. After some music, vocal and instrumental, the company joined in singing the Evening Hymn, when the benediction was pronounced by the Rev. Mr. Ware, and all departed well pleased with their evening's entertainment, and thankful that such steps had been taken towards educating the souls and minds of the residents of a most out of the way township. May God grant that the rising generation in Mulwalla may gain for it a more enviable reputation than it has hitherto possessed, and that the building now erected may be much blessed to the spreading of the message of "glad tidings of great joy" to the old bushmen as well as the youth of Mulwalla.

Miscellaneous.

THE BIBLE AND UNFLEDGED SCHOLARSHIP.—The annexed is a brief review of a searching critique upon the startling, but shallow volumes of the Arithmetical Bishop of Natal, by the Rev. E. Biley, A.M., late Fellow of Clare College, Cambridge. The title of Mr. Biley's book is "*The Elohistie and Jehonistic Theory minutely Examined: with some Remarks on Scripture and Science; having special Reference to the Fourth Part of 'The Pentateuch, &c., Critically Examined, by the Bishop of Natal.'*" It was published in London in 1865, by Bell and Daldy.

"This is a praiseworthy little volume. It goes into the minute details of Hebrew criticism, on which rests the Jehovistic and Elohistie theory, which, first propounded in Germany, was taken up and repeated by the Bishop of Natal. Into all the details does this author go, following the critic step by step, and criticizing him. The Bishop's Hebrew looks very small, mean, and contemptible, in the scholarly hands of Mr. Biley. The late Fellow of Clare gives the Bishop a lesson in Hebrew, which we hope he will not be slow to learn: we are sure enough that he stands in great need of it. In the second part of the volume the Bishop's geology is proved to be on a par with his Hebrew. He is but a smatterer in science, as in language: he retails false science and false criticism at second hand; and such an exposure as Mr. Biley's must be rather galling to one who makes so fair a show of "much learning," and who does really know a good deal of the science of quantity, at least."—*Record.*

SURVEY OF THE DEAD SEA.—"On the 12th September, 1864, a party of Royal Engineers from the Ordnance Survey left England under the command of Capt. Wilson, for the purpose of making a survey of Jerusalem and taking the levels from the Mediterranean to the Dead Sea. They have accomplished their task and returned to England on the 10th August, 1865. Colonel James published in the *London Times* a gratifying letter on the subject, and states that he has received the authority of the Lords of the Treasury to publish the plans, sections, &c. He hopes to be able to add photoincographic copies of about 100 photographs of the most interesting places, included within the area of the survey. The levelling from the Mediterranean to the Dead Sea has been performed with the greatest possible accuracy, and by two independent observers, using different instruments. The result may therefore

be relied upon as being absolutely true within three or four inches. It appears that the depression of the surface of the Dead Sea, between it and that of the Mediterranean, on March 12, 1865, was 1,292 feet;—but a line of drift wood was observed along the border of the Dead Sea, two feet six inches higher. Capt. Wilson also learnt from inquiry among the Bedouins, and from European residents in Palestine, that during the early summer the level of the Dead Sea is lower by at least six feet. This would make the greatest depression to be as nearly as possible 1,298 feet."—*Guardian.*

We learn from the Author of "Sinai and Palestine," that the Dead Sea viewed merely in a scientific point of view, is one of the most remarkable spots in the world. It may be regarded as one of the most curious of inland seas—being so many hundred feet below the level of the Mediterranean, and the most depressed sheet of water on the surface of the globe. It is a steaming cauldron, which from its peculiar temperature and deep cavity, can never be filled to overflowing. In contrast with the depression of this Sea is lake Sinkol (whence the river Oxus rises) which is the most elevated, being 15,000 feet above the sea level.

THE PORTRAIT OF A CLERGYMAN OF THE CHURCH OF ENGLAND.

Give me a Priest who, at judicious age
And duly call'd, in Priesthood shall engage,
With dispositions natural and acquir'd;
With strong propensities for the function fir'd;
Whom God by opportunity invites
To consecrate himself to sacred rites;
Who still keeps Jesus in his heart and head,
And strives in steps of our Arch-priest to tread,
Who can himself and all the world deny,
Lives pilgrim here, but denizen on high;
Whose business is, like Jesus', to save souls,
And with all ghostly miseries condole.

Give me the priest these graces shall possess,
Of an ambassador the just address:
A father's tenderness, a shepherd's care,
A leader's courage, which the cross can bear,
A ruler's awe, a watchman's wakeful eye,
A pilot's skill, the helm in storms to ply,
A fisher's patience, and a labourer's toil,
A guide's dexterity to disemboil,
A prophet's inspiration from above,
A teacher's knowledge, and a Saviour's love.

Give me the priest, a light upon a hill,
Whose rays his whole circumference can fill;
In God's own word and sacred learning vers'd;
Deep in the study of the heart immers'd;
Who in sick souls can the disease descry,
And wisely fit restoratives apply;
To beatific pastures leads his sheep,
Watchful from hellish wolves his fold to keep;
Who seeks not a convenience but a cure,
Would rather souls, than his own gain, ensure.
Instructive in his visits and converse,
Strives everywhere salvation to disperse;
Of a mild, humble, and obliging heart,
Who with his all, will to the needy part;
Distrustful of himself, in God confides,
Daily himself, among his flock, divides.
Of virtue uniform, and cheerful air,
Fix'd meditation, and incessant prayer,
Affections mortified, well guided zeal,
Of saving truth the relish wont to feel;
Whose province, heaven, all his endeavours
Who mixes with no secular affairs, [shares,
Oft on his pastoral accounts reflects;
By holiness, not riches, gains respects;
Who is all that he would have others be,
From wilful sin, though not from frailty free.

BISHOP KEN.

"THE SANCTIFICATION OF THE CHRISTIAN, LIKE HIS JUSTIFICATION, IS ENTIRELY DEPENDENT UPON OUR LORD JESUS CHRIST.—As regards our Justification, this is clearly seen, at least in the Reformed Churches, and generally admitted. That Christ alone can atone for sin; that His Blood and nothing else can procure the pardon for it, that on the ground of His merit exclusively we can find acceptance with God, re-instatement in His favour, and admission to His presence; that "all our righteousnesses are as filthy rags," and that therefore we must look out of ourselves for a righteousness which can stand the scrutiny of God's judgment, and that such a righteousness, white as the driven snow, is to be found in Christ only,—all this, whatever reception such a doctrine might have met with half a century ago, it is now so thoroughly established, and has gained such a footing in the minds of religious people, that to prove it from Holy Scripture to persons of ordinary religious acquirements would be altogether superfluous. But it is thought that, unlike justification, (which is something that passes on the sinner externally to him, a sentence of acquittal pronounced on him by God, in consideration of our Lord's merits.) Sanctification is a process within us (which no doubt is true); and hence it is erroneously inferred that it is carried on much more independently of Christ than Justification is; that human will, effort, and exertion contribute very mainly to it, and that Christ is not the all in all of it, not "our strength" in the same way and to the same extent as He is our "righteousness." And hence a false notion of holiness springs up in many minds, and finds such a lodgment that it is very difficult to dispossess it. Holiness is supposed to be an achievement mastered at length—much as a lesson is mastered—by a variety of exercises, prayers, fastings, meditations, alms-deeds, self-discipline, sacraments; and when mastered, a sort of permanent acquisition, which goes on increasing as the stock of these spiritual exercises accumulates. It is not regarded in its true light as a momentary receiving out of Christ's fulness grace for grace, as the result of His inworking in a heart, which finds the task of self-renewal hopeless, and makes itself over to Him, to be moulded by His plastic hands, resigning, of course, its will to Him in all things, without which resignation such a surrender would be horrible hypocrisy."—*The Rev. Dr. Goulburn on "Personal Religion."*

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BIRTH.

At St. Mathew's, Albany, N. S. W., on the 10th instant, the wife of the Rev. M. BLAKE BROWNrigg, of a Son.

DEATH.

Died at Mudgee, on the 6th February, aged 8 years and 9 months, of scarlet Fever, JOHN ALBERT, the beloved son and only child of JOHN and ELIZA KVOZ, deeply lamented by his bereaved parents and numerous friends, he having been a most interesting and promising child, of a truly pious disposition.

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