

tion is incapable of occupying the whole? We have already observed, in establishing the obligation to cultivate the earth, that those nations cannot exclusively appropriate to themselves more land than they have occasion for; or more than they are able to settle and cultivate. Their unsettled habitation in those immense regions cannot be accounted a true and legal possession; and the people of Europe, too closely pent up at home, finding land of which the savages stood in no particular need, and of which they made no actual and constant use, were lawfully entitled to take possession of it, and settle it with colonists. The earth, as we have already observed, belongs to mankind in general, and was designed to furnish them with subsistence: if each nation had, from the beginning resolved to appropriate to itself a vast country, that the people might live only by hunting, fishing, and wild fruits, our globe would not be sufficient to maintain a tenth part of its present inhabitants. We do not, therefore, deviate from the views of nature in confining the Indians within narrower limits. However, we cannot help praising the moderation of the English puritans who first settled in New England; who, notwithstanding their being furnished with a charter from their sovereign, purchased of the Indians the land of which they intended to take possession. This laudable example was followed by William Penn, and the colony of Quakers that he conducted to Pennsylvania.

Men must live closer together as they increase and multiply. The hunter must be driven from his forests by the ploughman. Whole tracts of country cannot be wasted—for waste it is—for support of hordes of savages, when the God of Nations has allowed another race to rise up in civilisation and power, until their numbers trench upon the means of subsistence, and force them to emigrate. Heaven forbid. Once more we say, that these sons of harder birth and greater resources should bring the might of their civilisation to crush and trample under foot their weaker brethren. He is their kindred, black and savage though he be. He has their bones, and blood, and thews. He too has nerves to feel and a brain to think—he has his hopes and fears; joys and sorrows.

## Church Matters.

[We, without further comment, copy the following from the Courier of the 1st instant.]

St. Andrews, July 24.

Gentlemen,—In the intercourse of ordinary society, it is usual to ask your correspondent's permission before you publish his letters. I was not aware of your intention to publish mine before I saw them in print. As, however, you seem desirous of publicity, I think it right to correct one or two mis-statements, which are not the less injurious because they may be unintentional.

In your last letter to me, which I never received till after I had seen it in print, you state that "I purchased one hundred and fifty pounds worth of books from Mr Burns, for the Church Society of New Brunswick," adding very significantly that "it is the same source from which Mr Hudson has received the many improper and unscriptural books circulated by him." I beg to state first, that the amount of books ordered by me, from Mr Burns, was not one hundred and fifty, but fifty pounds, a discrepancy by no means immaterial, as the larger number is calculated to convey to the minds of others an exaggerated notion of a vast number of "improper and unscriptural" books which I was introducing into the colony.

But further, you had been informed by your Rector, as he tells me, of the circumstances under which these books were ordered. You knew that the list was sent to me from this country on the eve of my departure from England, at a time when it was utterly impossible to read over the books which had been already ordered in New Brunswick. To many of the books no man in his senses could object; others I had never read, and therefore could not reasonably reject them; but I contented myself with the general injunction to exclude from the list any works which entered into the controversy respecting the Oxford Tracts. Thus all that I did was to acquiesce in a list previously prepared by others, excluding from it controversial theology.

I think it also impossible you should not know, that at the general meeting of the Church Society, I intimated my intention of giving my sanction this year only to the books on the list of the Society for Promoting Christian Knowledge. At the same time I shall not shrink from the avowal that I know of nothing "unscriptural" in the "Tales of the Village," or the "Forest of Arden;" or of the other books which you mention I know nothing.

You complain, gentlemen, that you have not had justice done you at my hands. Your notions of justice and mine are, it must be confessed, widely different.

I bear towards Mr Hudson the relation not of brother only, but of judge; and according to common rules of justice, a judge is not to go about the streets to pick up evidence against the accused. He is to hear the evidence for as well as against, and decide after hearing. You brought forward charges indeed; you added violent language; but you produced not a particle of evidence. You condemned a Sermon, but you mentioned no passage which struck you as "offensive" or "heretical." You charged Mr Hudson with circulating "heretical books, from a polluted source," but you did not produce one book, one single tract, which it would have been perfectly easy

to do, and which, after publishing your accusations of my injustice, you say you could have done. But you called upon me to condemn and even remove Mr Hudson, without evidence, on your own testimony, itself contradicted by the testimony of the late Churchwarden and others, who had heard the same Sermon, and had read the same books. I gave no credence to Mr Wright, which I denied to you; but I could not condemn, and thereby publicly injure a laborious clergyman, on your representation only, without evidence. That evidence it was no place of mine to seek; it was your place to produce it, and you did not produce it. Your demand that I should furnish you with a copy of Mr Hudson's Sermon was, in fact, nothing less than that you should sit as an Ecclesiastical Court, at Miramichi, and should cite me as a witness before this tribunal against one of my own clergy. It will be an unhappy day for New Brunswick when a Court of "Triers" is fixed in every parish, and the Bishop goes round to each in its several turn, to bear witness against the Clergyman already condemned by anticipation.

You have endeavoured to establish a distinction between my attachment to the Bible and Prayer Book, as if I were afraid of the Holy Scriptures, or ashamed of them. I reply that I have examined the Prayer Book by the light of Scripture, believe it to be agreeable to God's Word, have no desire to see it mutilated, or its fulness abridged, recommend you to follow the same course, and sincerely trust you will come to the same conclusion. My reason for mentioning the Prayer Book as the test of Mr Hudson's doctrine was, that you had yourselves denounced his Sermon as "contrary to the doctrines of the Church," and the Prayer Book is the legitimate exponent of those doctrines.

Your chief displeasure, seems, however, to be excited by my calling the terms "exploded superstitions" and "Tractarian heresies," vague expressions. I must confess I still think them very vague indeed. To superstition I am as great an enemy as yourselves; but of "exploded superstitions," I confess, I am not much afraid. The superstition I fear is that which has as much truth in it as falsehood; which so far from being "exploded," has still the power to charm the most subtle intellects, and enchain large masses of the human race; but I am far from supposing that contemptuous speeches or hard names will put it down. "Tractarian heresy" may, however, mean anything, from the doctrine of purgatory to the wearing a surplice, from Papal supremacy to the simple reading of the Athanasian creed. It is one of those convenient phrases which form a substitute for sound argument. Had you undertaken to shew me that Mr Hudson held Mr Ward's "non-natural sense of the Articles," or Mr Newman's doctrine of developments, I should have agreed with you as to their erroneousness and their danger.

You tell me you have no wish "to condemn your own Pastor," Mr Bacon. And you may well say so. For twenty-five years he has served you with a fidelity, a piety and discretion which every one would do well to imitate. Yet of your late treatment of Mr Bacon I could say much, but for your own sakes I forbear.

I shall add no more, but that no person has a right to brand me with the title of a party-man. Since my arrival in this province, I have attached myself to no party; I have sought the interest of no party but the Church. I have not enquired who are high-churchmen and who are low-churchmen; I have taken every one by the hand who had any sincere love for the Church to which he belonged, without nicely calculating the shades of his belief. No man can with truth accuse me of unchristian and hard speeches towards Roman Catholics or Protestant Dissenters; and I have received from both those bodies marks of respect and good-will, which I am thankful for, and wish by all reasonable means to cultivate. But I must deeply deplore the existence of that intolerant spirit in our church, which, while it is content to see every part of our Prayer Book violated, makes no allowance for those who would act on their conscientious convictions in obeying it. I have now stated my sentiments, frankly and plainly, but I can assure you I am not the less disposed to do you justice in any real grievance, and to aid you in any cause which can promote general good, or the well being of the Church.

I am, Gentlemen, your obedient servant,  
J. FREDERICTON.

From the Halifax Times.

Messrs. GOSHIP & COADE,

Gentlemen,—As there appears to be much diversity of opinion in the Church as to the limit of the Wardens and Laity's power, and the extent of their authority; I think you would confer a benefit on the Members of the Church of England, and perhaps heal some of the existing divisions, if you would give a place in the Times, to the extracts marked in the accompanying Charge of Chancellor Raikes, from page 13 to page 22.

I would merely remark that Mr Raikes is a man of long standing in the Church, and looked up to by men of all parties, and anything coming from his pen cannot fail to do good.

I shall esteem it a favor if you will comply with my request, and I shall be happy to defray any expence. I am, your obdt servant,  
R. F. UNIAKE.

St. George's Rectory, July 17, 1846.

[EXTRACT.]

"Beyond this, I hardly know that I have anything to bring before you with regard to our ordinary duties. They have been repeatedly explained in charges.—They appear to be generally understood; and from the Parochial Clergy, or from your predecessors in office, you in most cases can obtain the information that you may need. I have taken occasion

myself on every preceding visitation to explain and to press upon you the character and the nature of your office. I have named the important services which it was in your power to render; and the real essential dignity of a charge, which, by connecting you with the services of the Church, admitted to share in the distribution of those blessings, which the church is intended to communicate to society. I have told you, that we regarded you likewise, not merely as protectors of the church's property; but as the friends, the supporters, and advisers of the Clergy themselves; that we looked to you not merely for the preservation of order during the time of public worship, but for the extension of the influence of Religion itself in your parishes; for the correction of scandalous immoralities; and for the prevention of everything which dishonours God, and by dishonoring God, injures man. All this has been required, and the articles of enquiry which you will be called upon to answer, will trace your duty in these respects. I might therefore here content myself with referring you to these as your guide and directory; if I were not conscious that the times require some additional notice, and justify my drawing your attention to some other particulars connected with your duty.

"You probably are aware, for in these days what happens in one part of the kingdom is soon made known in every other; you probably are aware, that in some parishes, chiefly in the south of England, contests have arisen, sometimes between the Clergy and the Churchwardens; and sometimes between the Churchwardens and the people; on the subject of certain novel usages introduced into our public worship; and as it is in the nature of such contests to spread, it is not impossible that even you may be drawn into similar discussions during the period of your office. It may be well to anticipate the possibility of such an occurrence, and to mark out the line which, under such circumstances, I conceive you are bound to follow; and this leads me naturally to take a view of your office and its character, which previously it did not seem necessary to dwell on.

"I have told you on this as well as on former occasions, that the church regarded you as the official friends, advisers and supporters of the parochial minister; and though I have likewise added that the part of friendship may sometimes be to remonstrate, to reprove, or even to accuse, if such painful necessity should exist; I still regarded your interference in these respects as grounded on the relation of your office to that of the minister himself. But I am now bound to remind you, that in another sense, your office implies relation with the people at large; and that it may happen, that the sense of the Laity and the feelings of the Laity are to be collected through you as their representatives. It has been a great error to suppose that the Clergy, and the Clergy alone, formed the Church. The Church, I may rather say, are ye. The Laity are the church, and the Clergy are nothing more than the ministers of the church; employed, as their name implies, in ministering to the wants of the people; Stewards of the mysteries of Christ; employed, under their divine Lord, to teach, to reprove, to rebuke, to exhort with all long-suffering and doctrine; but not as Lords over his heritage; not as exercising any power or authority of their own, not as forming a separate communion. The intercourse of the Clergy with their people, the sympathy which they are bound to have with every member of the body; that sympathy which led the Apostle to exclaim, "who is weak and I am not weak; who is offended and I burn not;" that sympathy which in general acts so happily and so powerfully among us, will in most cases, insure such a harmony of feeling, as shall prove that the parties are identified in sentiment as well as in interest, and that Clergy and people are merely different members of the same body.

"But it is impossible to deny, that the case may be altered; and that there may be an endeavour on the part of the Clergy to assume more than has been given, and to claim for themselves and their office, a character and privilege which the reformed Church of England has never required or asserted.

"There may be cases where, 'they would seem to exclude you, that you may affect them;' where an inclination may be manifested, to arrogate for the Minister what used to be claimed by the Priest; and to demand for the Church of England what she studiously declines. You may hear for instance a new tone of preaching from your pulpit. You may hear of the Church where you have been accustomed to hear of Christ. You may hear privileges or powers asserted as belonging to our ordinances which do not seem implied in the language of their services. You may hear that the act of supplication or intercession belongs to the minister, who prays for the people; instead of being, what is signified by the name of a form of common prayer, a joint and united service, in which the co-operation of both is expected and implied.

"You may hear all this from the pulpit, and you may be applied to in your official capacity, to provide articles which have not been previously used; such as Credence tables, lecterns, candlesticks, and ornaments for the Communion table; or you may be required to attend for the purpose of collecting the weekly alms of the congregation, while the offertory is being read; and you may feel that the people are surprised or offended by the introduction of these novelties, and grieved by the tone in which they are demanded, as essential to the service of the Church. I suppose these things as possible, though I do not think them probable in this Diocese; and I hope that they never may occur. But in the event of their occurring, I must remind you, that the

Laity form the Church; and that the Laity may find it expedient to make use of you as their representatives in protesting against any departure from the principles of the Church, or in resisting any novel and unauthorized introductions into our forms of public worship.

"If therefore you perceive that there is a departure in the tone of preaching from the standard of doctrine laid down in the articles; if the Liturgy is read by your minister in a way which defeats the ends of public worship, and contradicts the character of common prayer; if it ceases to be a reasonable service, in which all share, and in which all profit, and is perverted into the act of one who intercedes for others, instead of being an act of united supplication for all; then, I must feel, that the Laity are wronged, and the church is injured; and I must think that you are bound to interfere, in order to vindicate the rights of the Laity, and to maintain the integrity of the church. In order to do this effectually, it must be done discreetly; not with heat and passion, not with clamour and violence; but as becomes the servants of God, with meekness and deliberation; by remonstrances, respectfully addressed in the first place to the Minister, who appears to have lost sight of his duty; and if they fail, then by complaints carried to the proper quarter, to the Diocesan himself, and submitted with sufficient evidence and proof to his consideration and decision.

"And here let me say in vindication of the step which I recommend, and of the right of judgment which I advise you to exercise, that you are never to lose sight of the distinction that there is between the church of which you are members, and the ministry that officiate within it. To the church we do not hesitate to require your allegiance, and likewise the dutiful submission of your private opinion in doctrinal matters. And we feel that we are justified in requiring this, as due to the authority which the church possesses, as being by law established; and likewise to the character which it bears as a pillar and ground of the truth; a character which three centuries of controversy have only strengthened and confirmed.—But though we speak with this sort of confidence of the church, we use a very different language when we speak concerning her ministers. Her ministers are but men. As men they are fallible; fluctuating in sentiment with the age in which they live; open to error as individuals, and therefore liable to censure; and the authority of what they say, must be derived from its conformity with scripture, and with the principles of the Church itself.

"I must therefore beg you to bear in mind the distinction to be observed between the church and the minister, in all questions of doubt; and to remember that the respect which may be reasonably claimed for the one, can only be claimed conditionally and with reserve for the other. If any fresh doctrines therefore are brought forward in the church's name; if any new forms are pressed as belonging to the church's constitution, you must consider whether it is the Church that speaks, or the minister that requires; and suspend your assent till the authority is ascertained."

## Editor's Department.

MIRAMICHI:

CHATHAM, SATURDAY, AUGUST 8, 1846.

[COMMUNICATED.]

## SECOND BATTALION NORTHUMBERLAND MILITIA.

THE splendid set of Colours procured for this Battalion from its funds by its late Major, now Lieutenant Colonel Salter of the 3rd Battalion, were presented, on Saturday, the 25th July last by the lady of Lieutenant Colonel Davidson, at Fiddes's field, in Newcastle, where the Battalion had assembled for inspection.

About 1 o'clock, p. m. the Battalion were formed from line into three sides of a square, and the band placed in the centre. Within the area thus formed, Lieutenant Colonel Davidson, Mrs Davidson, the Rev. Samuel Bacon, and a number of ladies, and friends of the officers, and other visitors were placed. Captains Betts and Fraser brought forward the Colours, and consigned them to Lieutenant Colonel Davidson, who placed them on the drums. The Rev. Samuel Bacon then proceeded to the ceremony of consecration, in the most eloquent and impressive manner, on the conclusion of which, the Lieutenant Colonel raised the Colours, and handed them to Mrs Davidson, who addressed the Battalion in the following words:

"Officers, Non-Commissioned Officers, and Privates of the Second Battalion Northumberland Militia.

"It is with no ordinary feelings of pride and satisfaction I appear before you this day, selected as I have been as the honoured instrument of presenting to you a set of Colours.

"Although you are not soldiers by profession, but peaceful citizens, I need not, I am sure,