

PETITION OF THE N. S. BAPTIST
H. MISSIONARY BOARD.

The following is a copy of the Petition presented to the House of Assembly on Saturday, 22nd Instant:

To the Honorable the Members of the Legislature of Nova Scotia now convened.

The Petition of the Board of Management of the Nova Scotia Baptist Home Missionary Society, duly incorporated by Chap. 68, 28 Vict. Acts 1865, Page 153.

HUMBLY SHEWETH That this Society was formed in the year 1857, in connection with, and under the auspices of the Central Association of Nova Scotia Baptists,—that the Eastern Association of Nova Scotia Baptists shortly after and during the same year adopted the Constitution, and from that period to the present, the Society has been in successful operation conjointly sustained by the Baptists of these two Associations, representing thirteen of the nineteen counties, into which the province is divided; and one hundred Baptist Churches, with between nine and ten thousand members.

That during the year 1872, at a "Convention" so designated, held at Berwick in June, called by the Western Association of Nova Scotia, at which six delegates from churches of the Central Association reported themselves, one from a church in the Eastern Association, and nine from churches of the Western Association, (of which there are in all sixty three, with eight thousand six hundred and twelve members—sixteen delegates all told)—this so-called Convention having invited some persons happening to be present to join them, but who from the reported proceedings were not delegates from any churches—after organizing by appointment from their number a Chairman and Secretary, proceeded to business.

The result was, resolutions adopted having for their object the consolidation of Home Missionary Associations—English and French—for the entire Province, and a Society to be called the "Nova Scotia Baptist Home Missionary Union." The objects of this Society are set forth in that Report and Constitution. Its duties were assigned, and times, and places of meetings arranged forthwith and other details.

Officers were appointed, and the location of the Board of Managers fixed at Yarmouth.

This subject being brought under consideration of the Central Association, Resolutions passed favoring a principle of consolidation of Home Missionary operations, but giving no sanction whatever to the operations of this Berwick Convention, or its Constitution, (which materially differs from that adopted by the Baptist Home Missionary Society in 1857) to the appointment of the Officers and Board nominated at Berwick, nor to its location at Yarmouth. This resolution is as follows:—

Resolved, That in the judgment of this Association the consolidation of Home Missionary operations of this Province in one institution, is very desirable; and that this Association will co-operate in such movement when the organization shall be perfected to the satisfaction of the Eastern Association, and of the members of the Nova Scotia Baptist Home Missionary Society.

At the Eastern Association, the Baptist Home Missionary Society

Resolved, That the officers and Board of the past year be re-appointed, substituting the name of B. H. Eaton for that of T. H. Rand, and that the Board be instructed to confer with the Board of the Nova Scotia Baptist Home Missionary Union with a view to such an arrangement of measures as may lead to the consolidation of our Home Missionary efforts in one institution, on just principles and in a safe and satisfactory manner.

The undersigned Petitioners being "the Board" referred to in this latter resolution, have not seen their way clear to take action in reference to the Constitution referred to, principally because they soon discovered, First—That there was a diversity of sentiment among the community of Baptists as to the principles upon which any Union should take place. 2nd. Because the "Convention" so-called, lacked the necessary authority, in the opinion of some, to deal with a question of such importance. 3rd. Because it was not called, as others thought, by proper authority, only sixteen delegates attending, representing sixteen out of one hundred and sixty-three Baptist Churches in Nova Scotia, with over eighteen thousand members,—which is less than one delegate to a thousand members, and therefore was not such a Convention as to command the confidence of the denomination.

For these reasons and others, not

necessary to be detailed, the undersigned would respectfully ask, that until the several Associations of Baptists, shall have an opportunity at their ensuing annual meetings in 1873, to consider the whole matter, and the Home Missionary Society, duly incorporated, at its annual meeting, have an opportunity to express its views, the Act now before the Legislature to incorporate a Nova Scotia Home Missionary Union, having in view the absorption of all the Baptist Home Missionary Societies, of which there are three—two English and one French—be deferred, or its provisions modified.

The undersigned representing a body duly incorporated by Act of Parliament, further respectfully urge that until this body itself, asks to resign its Charter, said Charter ought not to be made the subject of legislation by any number of persons outside, associating themselves together, with a view of absorbing them and their revenues by action not emanating from the Society itself, and not promoted by it, or its officers.

The Society whom your Petitioners represent, by their Constitution, usually meets annually, and as the guardians of its interests in the mean time, this Board respectfully suggests that no legislation should take place by which their Chartered rights and interests should be directly or indirectly, conditionally or provisionally, affected without their consent.

The undersigned therefore respectfully ask that this Bill to incorporate the Nova Scotia Home Missionary Union may not pass into law unless modified, so as to be unexceptionable to the Nova Scotia Home Missionary Society as represented by your Petitioners.

And they as in duty bound will ever pray.

By order of the Board, on behalf of the Society,

S. SELDEN.
J. McCULLY.
J. E. GOUCHER. } Committee.

Correspondence.

For the Christian Messenger.

THE COMMON SCHOOL ACT OF
NEW BRUNSWICK.

From 1858 until the enactment of the present School Law, New Brunswick had a system of public or Parish Schools which might have been quite efficient in communities that were desirous of the benefits of education, and willing to bear a reasonable portion of the necessary expense. The new Law, enacted in 1871, differs from the previous Act, chiefly in making assessment for the support of schools compulsory, instead of leaving it optional with the rate-payers. The schools under the Act of 1858 were public, and only by an evident violation of the spirit of the Act could they have been made denominational. But we learn that under that law "schools were established in certain localities, where all, or a large majority of the rate payers happened to belong to one particular persuasion, in which the catechisms of particular churches were taught, prayers peculiar to a religious body were used, and books inculcating the doctrines, views and practices of a particular denomination were used as class-books."

Under the present law the friends of these schools find it impossible to use public funds as they had formerly, as it is specifically required that all schools receiving aid by the provisions of the law must be non-sectarian. Though these parties had no legal sanction for such appropriation of public funds, they complained that by the new law their rights had been invaded, and they endeavored to have the statute set aside by the Dominion Government on the ground that it was inconsistent with the Imperial Act of Confederation.

But the section of this Act applicable to the case declares that the Provincial Legislature shall have exclusive power of legislation in relation to education, but "no law shall prejudicially affect any right or privilege with respect to denominational schools which any class of persons have by law in the province at the Union." As the practices which were obstructed by the new law, had no legal sanction, the parties asking for redress should have seen that there could be no proper appeal to the British North America Act. The Minister of Justice declared it to be a case in which the Governor General had no right to intervene. But the persevering opponents of the new order of things succeeded in drawing the attention of the House of Commons to the subject, and that body strangely allowed no solution to be

placed on its records declaring judgment on an act of the Provincial Legislature on a subject reserved especially for its control, and with which the Dominion Parliament can have nothing to do, except in a limited class of contingencies that are still in the future and that cannot often occur. And, what is more astonishing, the resolution advising that the case be referred to the Law Officers of the Crown in England for decision, assumes that the allegations of the complainants are correct and thus by inference decides the case in their favor.

This action naturally roused the spirit of the Executive Council of New Brunswick, and they have put forth at different times statements of their views and arguments for the same, which are lucid and vigorous expositions of constitutional principles. They will unquestionably have much historical interest and value in the future.

The Supreme Court of the province has affirmed, in a recent decision, the constitutionality of the new School Law. Opposition to it must cease for the present, or be directed to some different point of attack. But the case is not closed. We have called attention to the facts connected with it up to the present time, because we believe that they constitute an important chapter in the history of Education in this country and on this continent. Some of the *obiter dicta* of the Chief Justice in his judgment on the constitutionality of the law can be defended as in any way pertinent to the case in hand, only on the ground that he felt that there were difficulties connected with the subject and adverse elements associated with it, that will continue to threaten the public peace. The opponents of the law belong to a class who regard "mixed or common schools dangerous to faith and morals."

They are taught to make opposition to such schools a matter of conscience. They belong to an ecclesiastical organization which, whenever it has had power, has shown very little regard for the rights or the consciences of individuals preferring not to accept their dictation; but they have learned to plead their own consciences as a bar to any public measure that does not suit their supposed interests while in the minority. Political opposition assuming to rest on convictions of conscience is a formidable element in civil affairs. If it is associated with any clear perception of moral principles, it will be persevering; if it is only the effect of blind adhesion to religious traditions, it will be obstinate. We have just had an exhibition of its power in the arrest which for a time it has laid on both the great parties of England. Between the secularist, who will be inclined to demand such a complete elimination of the religious element from the public schools that they would become an establishment of irreligion, and the Romanist who insists that the child must be taught his rosary and the invocation of saints by teachers sustained by public funds, the true friends of education will find difficulties enough in their way. Nevertheless we believe that there is a basis of truth on which all good citizens can practically agree in uniting moral with intellectual culture; and consequently we hold that laws effecting this union should be maintained with discreet moderation and firmness and impartially applied.

DYKMAN.

For the Christian Messenger.

MARRIAGE WITH A DECEASED
WIFE'S SISTER.

Mr. Editor,—

It seems that the question relative to "Marriage with a deceased wife's sister" has been again before the British Parliament, as has been the case periodically almost every year for the last two or three decades. And as before, on different occasions, the House of Commons has voted for the removal of the restrictions on such marriages, whilst the House of Lords, true to their hereditary instincts, has, by a large majority, once more defeated the measure.

The Peers, under the leadership of the dignitaries of the church, appeal to the scriptures in justification of their action, professing to find in the xviii chap. of Lev. a prohibition of such unions. This is, as far as I know, the only portion of Holy Writ which is adduced in favour of their views. Verily they are easily satisfied, if they ask no more. But in this they are at least consistent, for some of the very "Articles" of the church, the one for instance which enjoins the baptism of infants, rests on no better foundation.

Fortunately, in this part of the Empire, there is no need of discussing the question. As scripture is silent on the subject, rea-

son and common sense have been allowed to settle the point. The mother country will yet be compelled, and that probably before long, to follow the example of her youthful offspring.

It has been well remarked, in view of the tardiness of legislation in the British Parliament, that "a generation is sometimes allowed to pass before a law, of which the principle has been favourably received, is perfected;" or, in the words of Lord John Russell, "such is about the ordinary period for bringing any considerable measure to maturity" by legislative enactment.

But while dismissing the subject in this rather unceremonious manner, I feel inclined to dwell upon a kindred topic, and to inquire of you, or any of you correspondents, learned in common or other law, whether the cases specified in the chapter cited embody all the "degrees" of consanguinity and affinity forbidden or whether, calling in the aid of analogy, or parity of reason, we are authorized to increase the list? Would such a course expose us to the penalty threatened in the last chapter of the Apocalypse against those who "add to" the Word of God? It is true that the distinguished ritualist, Mr. Wheatly, apprehends no danger of this kind. His doctrine is that "the passage in Leviticus only mentions those relations evidently and expressly which may help us to discover the like differences and degrees," and he does not appear to deem it possible that any one will question another proposition which he enunciates, namely, that "the same prohibitions that are made to one sex are undoubtedly understood and implied as to the other."

As I understand the language employed in Leviticus, I find twelve cases of relationship, of the one kind or other, particularized; which number, it will be remarked, is far smaller than that so frequently met with in tables of "Prohibited Degrees."

It will be observed that I have assumed that the prohibitions of Moses are of general application, and not confined to the Jews alone. Am I right in this? If I were inclined to pin my faith to the sleeve of Dr. Pusey, I would not need to ask the question, for he determines the point in a very authoritative and summary manner, professing to found his opinions, too, on scripture. His argument is that some of the injunctions are followed by the solemn words, "I am the Lord," consequently they are binding upon us! This however I regard as *non sequitur*, and not merely on the broad grounds of logic, but because, by parity of reason, we would also be forbidden to eat those kinds of animals which were not allowed to the Jews. See the xi. chapter of the same book, in which the injunctions upon this point are followed by words, if possible, still more solemn.

In making the above remarks I may add that I have no direct interest in any of the matters touched upon further than is implied in the inquiry, "What saith the Law, how readest thou?" Thus far it is a matter of concern to me in common with all.

Wolfville, March 22, 1873. R.

For the Christian Messenger.

OUR HOME MISSIONS. REASONS
FOR UNITED EFFORT.

The statement has frequently been made that our present Home Missionary Organizations have done a good work. It has been asserted, and truly so, that by their means large sums of money have been collected and expended—many sermons preached—tracts distributed—families visited—churches planted, and souls saved. "Why then," it is asked, "should we not go on as we are going? Why should our Home Missionary Societies be united? What benefit would arise from such an arrangement? Now as we believe that by the union of these Societies, there would be an immense gain to the denomination—to the cause of Christ—to feeble churches, and to destitute regions, we are willing to give to the public the reasons of our belief. The following are some of the considerations that lead us to conclude that our united efforts in Home Mission work would be more effective than our present method of working:

1. There is a general desire for Union in Home Mission work.
2. This Union would bring the denomination more closely together.
3. It would be the means of collecting more money.
4. It would do more work.
5. It would do the work more intelligently.

Probably every Baptist in Nova Scotia desires to see such results accomplished.—

To us it seems "a consummation devoutly to be wished."

1. There is a general desire for Union in Home Mission Work. That such a desire exists in the denomination, we have shown in a former letter. The voice of all the Associations and all of the Home Missionary organizations is clear and distinct on this point. In addition to this, we have the statements of individuals. The honorable Treasurer of the Nova Scotia Baptist Home Missionary Society, in his letter to the *Messenger* under date of Aug. 21, 1872, uses the following language:—"At present it should be conceded in all fairness, the result would seem to be favourable to Union, on some proper basis."

Now we believe that so many intelligent and christian men are of one mind in regard to the important change proposed, the unity of sentiment has been produced by divine influence. We think that in this case, at least, "vox populi, vox Dei," the voice of the people is the voice of God, and therefore it should be obeyed.

That the desire for united effort in our Home Mission work is intelligent and rests on a proper basis, will be seen by an examination of facts. With reference to the Western Home Missionary Board, we speak advisedly when we say that it does not meet the expectations of the Association or the wants of the field. The members of that Board will not, we presume, charge us with severity or unkindness for writing thus. They themselves are not satisfied with their own work. In their last report to which we have already referred, they state "that our destitute fields are under the present arrangement inadequately supplied with the preached word. It is felt that there are grave defects in our present methods of working. With a better system, we could furnish our destitute churches with stated preaching, &c."

We rejoice at what has been done by this Board, but, in view of the wants that clamor for supply, we think its policy has not been liberal enough to meet the demands of the time. This point will be more fully discussed in another place.

In regard to the Nova Scotia Baptist Home Missionary Society, we shall say but little. We are quite willing to listen to its honored Treasurer. In his letter of Aug. 21, 1872, referred to above, he quotes in substance from the constitution of the Society to show what are the qualifications of membership. From his statements we learn that the Nova Scotia Baptist Home Missionary Society nominally exists, but really is defunct. He says—"It is very doubtful I think if there are now any persons contributing a dollar a year at all. There may be, but I am not aware of any." The Treasurer informs us that the persons qualified to vote, according to the Constitution, are the dollar a year members, the Life Members, the Life directors, delegates from the Association to the number of five, and delegates from the Churches—one delegate for every \$20 contributed, but in no case are there to be more than five delegates from one Church. He then goes on to state that although "the Associations usually suspend operations to allow 'the Society' to transact business, it is merely to allow the President of the Society to take the moderator's place for the time being. The delegates to the Association all speak and vote, so far as my experience goes, just as in the Association, so that the Society itself is substantially nothing more nor less than the two Associations transacting their business by a Board of Managers who meet annually with one of them &c."

Our "proceedings" at Berwick have been characterized as very "irregular." It seems to some of us that these proceedings are marked by a slight irregularity. The Treasurer of the Society admits the fact. He proceeds to say—"These remarks seem appropriate just now because outside the two Associations and the Board of Managers there is practically no Society—no dollar a year members." In the same letter he says—"The distance our Home Missionary Society has drifted from its Constitution which was originally designed to consist primarily of 'dollar a year members' and has not a single member of the kind, (a Society) that was intended to be a substantial organization apart from the Associations, and now but for the Associations would have lost its identity" &c. The Home Missionary Society, therefore according to its Treasurer's own showing, does not "practically" exist. Let us remember this.

In his letter of Nov. 27th, 1872, the Treasurer says—"I am not aware of a single individual at the present moment, entitled to vote at the next meeting of the