

tongue among our members that it defileth the whole body, and setteth on fire the course of nature, and it is set on fire of hell?" How often proceed from the same mouth prayer to God, and that which acts as a curse towards men! As frequently as a Christian utters an erroneous sentiment, whenever he delivers himself of an irritating remark, whenever he indulges in promiscuous abuse, whenever he is not scrupulously clean in his speech, he infringes on the law of self-control. Especially does this distinction apply to the indelicate jest. There should never be any freeness of allusion to indelicate subjects. He who indulges in impure speech, who makes improper allusions, who rehearses the story of vile innuendo, defiles himself and all within the sound of his voice. In vain does he make profession of the pure name of Jesus. "Smut" is well-named, and is, if anything, one or two degrees more harmful than profane swearing. Purity of speech is demanded from the Christian. "Doth a fountain send forth at the same place sweet water and bitter? Can the fig-tree, my brethren, bear olive-berries, either a vine figs? So can no fountain both yield salt water and fresh." "If any man offend not in word, the same is a perfect man, able also to bridle the whole body."

As we have dwelt upon these phases of the Christian life, we have felt the necessity of keeping intact our moral nature. In order to develop the finer traits of religion, we must abstain. We must forbid ourselves indulgence in that asperity which is so easily cultivated, and so hardly laid aside; we must watch lest there be misstatement and over-statement, for by giving way here, we weaken our utterances, and give occasion for others to quote Hamlet's aphorism,—"As easy as lying." We must observe silence as to the tailing of others, except in those instances where duty demands otherwise. We should beware of discouraging by word or manner those who have power to expend, or to put it positively, we should cultivate the tact of judicious encouragement, so as to bring to light all the talent of the churches, and to help it shine with ever-increasing brilliancy. We must, above and beyond all, shun every tendency to uncleanness of speech.

These minor matters, these lesser virtues, as contrasted with chastity, and charity, and courage to the death, with honesty, and benevolence, and self-sacrifice, are important in themselves as filling up the full measure of the Christian life.

Whilst these remarks are applicable to all Christians, they are so in a much greater degree to the minister of Christ. *Character is all we have.* Commanding position, wealth, physique, talent, genius, may be ours, but if we have not ministerial character, we are shorn of our strength, like Samson bereft of his hair. It must not be unassailable, merely, but invulnerable. The minister of Christ must, like Caesar's wife, keep himself above suspicion.

Such a life can only flow from a pure fountain. The great heart of the man must be healthy, so that the life-blood may be driven through the whole system. "He that hath this hope in him purifieth himself even as he is pure."

"Finally, brethren, whatsoever things are true, whatsoever things are honorable, whatsoever things are just, whatsoever things are lovely, whatsoever things are of good report,—if there be any virtue, and if there be any praise, think of these things."

Educational Record.

MANAGEMENT OF HORTON ACADEMY.

Mr. Editor,—

Considerable discussion arose at the Convention concerning the relation of that body to Horton Academy. The question was introduced incidentally, and no one was prepared to state all the facts of the case. In the Minutes of the Convention for 1863, page twenty eighth, will be found a resolution, passed by the Convention, which will aid in interpreting the Act by which the management of the Academy was transferred to the Governors of the College. I add a copy of the record.

"The following resolution concerning the N. S. Baptist Education Society was submitted by Rev. Dr. Cramp:

Whereas, Information has been communicated to this Convention to the effect that it is considered expedient to transfer the management of Horton Academy to the Board of Governors of Acadia College,

"And whereas, It is believed that sundry advantages would accrue from the consolidation of our educational enterprises under one board of control:—

Resolved,—1. That in the event of a proposal to that effect by the N. S. Education Society, the Board of Governors be authorized to take charge of Horton Academy.

2. That the following terms and conditions be considered requisite to the proposed transfer, viz:—

(1.) That an Act of the N. S. Legislature be obtained by the N. S. Education Society empowering said Society to transfer Horton Academy to the Governors of Acadia College, and then to dissolve itself.

(2.) That another Act of the N. S. Legislature be obtained by the Governors of Acadia College, empowering them to accept the transfer of Horton Academy, and of the various trusts and obligations of the N. S. Education Society.

(3.) That all grants from the public revenues to Horton Academy, shall be strictly and solely applied to the purposes of the same, as heretofore, and separate accounts thereof be presented from year to year.

(4.) That the Governors of the College resident in Nova Scotia shall be a special committee for the management of Horton Academy; the said special committee reporting their proceedings at the Annual meeting of the Board of Governors, during the session of the Convention."

It is evident from this resolution that the N. S. Education Society were expected to transfer the control of their Academy to the Governors of the College, and that the Convention authorized the Governors to take charge of the Academy. How the Academy was to be managed, is not so clear, that is to say, it is not quite evident whether the Governors of the College can make regulations concerning the Academy, or all actual management must be by the Governors resident in Nova Scotia, and they must report annually to the full Board. The latter has been the accepted interpretation; and that it is in harmony with the intention of the men who effected the transfer, is indicated by the fact that the Secretary of the Governors, in his Report to the Convention for the year in which the desired legislative enactment was passed, calls attention to it, and adds that it is desirable that the Fredericton Seminary should be brought into the same relation to the Convention as Horton Academy held. The idea seems to have been that the two Academies would be managed by their respective local Boards, and that reports concerning the general condition and finances of each would be presented to the general Board and the Convention. But the Minutes of the Convention show that it has never cordially acknowledged any obligation in regard to academical education. After the date to which reference has been made, almost nothing connected with this subject is found in the records of its annual meetings; and what little there is, rather shows that there was a fixed purpose not to allow interests that might be local, to be considered as general. For example, the very year in which the new order of things in regard to the Academy was accepted, and after the Report of the Governors announcing it had been adopted, the Convention passed the following resolutions:—

That the Governors of the College be requested to adopt and carry into execution such measures as may be thought necessary in order to secure a suitable building for a Female Seminary at Wolfville.

That all the churches in Nova Scotia, and especially the pastors, be invited and most earnestly solicited to give their sympathy and hearty co-operation in securing this very desirable object."

This may mean that the churches in the other provinces were all ready for the work, but Nova Scotia needed some special incitement; or, that the churches in the other provinces acknowledged no responsibility concerning the object proposed but they thought that the people in Nova Scotia would do well to look to it. Neither the Convention, nor the General Board of Governors, has practically asserted any control over Horton Academy. Probably it was not the intention of the N. S. Education Society, when they surrendered the charge over it, that either of these parties should manage it, but that the Academy should be committed to the care of the Governors of the College resident in Nova Scotia, as a permanent committee of management.

If the resolution passed at the last meeting of the Convention should be carried out, and the control of the Academy be given to the full Board of Governors, so that they will consider all questions concerning its administration, as they now act in regard to every thing concerning the College, there would be gain, if men from a wider area, really interested in the

Academy, should come together to consult concerning its interests; if otherwise, then there might be inconvenience and loss.

But a question here rises. As the N. S. Education Society transferred its trusts respecting the Academy to the Governors of the College, subject to a condition in the instrument of transfer by which special provision was made for the management of the Academy, will it be in harmony with law and equity in the case to abrogate that condition, and change the mode of management? As this question involves responsibilities connected with legal trusts, it is of considerable importance; but it is one that we must leave to the judgment of men versed in matters of law. We all wish that what is right and for the best should prevail.

A. W. SAWYER.

Foreign Missions.

WOMEN'S MISSIONARY AID SOCIETIES.

Extracts from the last Annual Report of the Board of the American Baptist Missionary Union:—

"We wish to acknowledge the efficient aid which we have received from the two Woman's Missionary Societies during the year. Their relation to the Missionary Union is co-operative. Their missionaries are appointed by us, and so become ours as well as theirs. By this arrangement their funds pass mainly through our Treasury. Besides the support of the women who have been sent out by their recommendation, generous appropriations have been made by the Woman's Board at Boston for the support of schools under the care of the Union.

We recognize this woman's movement in the work of missions as one of the forces that have combined to increase the missionary spirit in our churches, and the contributions to our Treasury. While some of the funds which are now given to their treasury, and so reach ours indirectly, would doubtless be given directly to us were there no Woman's Board, we feel sure that a very large part of all that is given to them is so much clear gain to the cause.

In saying this, we also wish the churches to give heed to the expressed desire of both Woman's Boards, namely, that what is given to them should be so much extra, that churches, as such, should not leave the whole work of raising money for missions in their midst to the Woman's Circles, and be content to make no general effort beside for the Missionary Union in its great and manifold work."

"The new movement among the women of our churches, which during the last year reached the high ground of assurance, gives promise of relief in a measure, not in the money actually brought into the work, but by providing a cheaper agency for the work itself. The amount of money contributed through the two Boards as stated in the report of our Treasurer, represents a power long unused, or only partially brought into action heretofore. This is a practical re-inforcement of our home resources; the results of which can scarcely be estimated, it is capable of growing to a power so great and helpful. But these Boards represent not alone the power of money, not alone the vast force of social influence which the banded women of our churches are destined to exercise on the missionary life and zeal of the denomination. They also represent the moral power of a holy sisterhood, a band of consecrated women, who turning aside from social privileges and domestic endearments, devote their labors and their lives to the instruction and salvation of the heathen. The organized agency of women has always been one of the chief attractions, as well as one of the most powerful auxiliaries, of the Romish church, and is to-day more potent throughout Catholic Europe, in holding women and children, the poor, the sick, and the distressed, loyal to the papacy, than all the array of cardinals, bishops and priests. It has always been felt as a want in the evangelizing forces of Protestantism. Christ found a place for ministering women,—a work peculiar, yet most vital, because holding and shaping the very rudiments of personal religion. This agency was also recognized in the apostolic churches. But Protestantism, in its recoil from the abuses imposed upon it in the general corruption of the papacy, unwisely rejected it, instead of bringing it back to its original sphere and function.

Happy is it for us, and full of pro-

mise for our blessed work, that we are reviving this primitive order of a consecrated sisterhood, held together, not by formal vows imposed by ecclesiastical authority, but by the force of love to Christ and the souls of the heathen. Henceforth we are to reap blessings from the labors of earnest, devoted women which have found no parallel in our previous history. It seems strange indeed, after the examples of such women as Eleanor Macomber and Miranda Vinton, and in later years Marilla B. Ingalls, that we could have admitted a doubt as to whether God has a place and a service for single women, even in the pioneer work of Christian missions. If they may not publicly preach the gospel, they may take those whom God has enlightened by his Spirit into a deeper knowledge of his word, to the intent that these neophytes may more effectively declare it to others. They may teach in the

highest schools, as well as in the primary schools; why not in theology, as well as in grammar and geography? These women are free to do what the wives of missionaries can rarely do.—No narrow family cares or duties limit and chain them down. They become the companions and friends of the young the exemplars of all classes, their almoners in poverty, their nurse in sickness, and their teachers and guides in the way of life.

The Christian Messenger.

HALIFAX, N.S., SEPTEMBER 16, 1874.

REGISTRATION OF BIRTHS AND DEATHS.

We have been enabled to procure a copy of a judgment of the Supreme Court prepared, and delivered by Mr. Justice McCully in August last, which, as it concerns the public generally, and especially the Deputy Registrars of births and deaths throughout Nova Scotia, we now publish for general information.

It was agreed it seems between the Ottawa government and the authorities in Nova Scotia that a case should be made and argued before the Supreme Court, and their decision should govern and bind all parties. The case and judgment are as follows:—

In the Supreme Court, 1873. Halifax, SS.

IN THE MATTER OF THE FEES OF THE DEPUTY REGISTRARS OF BIRTHS AND DEATHS.

The Grand Jury and Sessions of the County of Halifax for some years authorized assessments to be made for payment of Deputy Registrars of Births and Deaths for the County of Halifax, but in December 1872, having examined the British North American Act (Statutes of Canada 1867) considered that in their view this Act repealed the Nova Scotia Act of 1866 by depriving the Lieutenant Governor of Nova Scotia of the appointment of Deputy Registrars of Births and Deaths. They also found that the Government of Canada had assumed the appointment of Deputy Minister and also of Deputy Registrars of Births and Deaths and of all power and control over them without the consent of the Nova Scotia Legislature. The Grand Jury and Sessions for the County of Halifax came to the conclusion that they had no longer any authority in the matter, and the Sessions for the County of Halifax therefore declined in the month of December 1872 making any assessment for the payment of Deputy Registrars of Births and Deaths within their County.

The matter having been laid before the Government of Canada, it was proposed and agreed that the question of the liability of the Court of Sessions for the County of Halifax to pay the same Deputy Registrars of Births and Deaths should be submitted to the Judges of the Supreme Court of Nova Scotia for their decision, by whose decision all parties were to be bound.

(Signed) S. L. SHANNON,

for Minister of Justice, Canada.

(Signed) JAMES THOMSON,

for Court of Sessions.

Supreme Court, Halifax, August, 1874.

IN THE MATTER OF THE FEES OF THE DEPUTY REGISTRARS OF BIRTHS AND DEATHS.

The question presented to the full Court in *Banco*, arises out of a case prepared. References were given to the Acts in force in Nova Scotia, at the date of the British North America Act, and the several sections of that and other Acts supposed to have a bearing on this, and like subjects.

No cases were cited by counsel engaged on either side. Mr. Jas. Thomson, Q. C. contended that the Local authorities were no longer clothed with responsibilities in reference to Fees and compensation to Deputy Registrars—Mr. Shannon, Q. C., contra.

Precedents to govern, or illustrate in a case like the present, can scarcely be expected. The question as to whether the Grand Jury and Sessions are justified in attempting to levy assessments, as formerly, to pay for duty, to be performed by officers, no longer Provincial, but Dominion, is worthy of the gravest consideration.

Had the Dominion government and the

Dominion Legislature left the whole question in the condition it was when the B. N. Act was passed under Section 12 of that Act, (notwithstanding Section 91, which transferred the exclusive legislative authority on the subject of Census and Statistics among other things to the Dominion Legislature,) this question would present itself in a very different aspect.

But in 1868, an Act was passed by the Dominion Legislature organizing a Department of Agriculture, Chap. 53, and by sub-section 6, of Section 5, the Census Statistics and the Registration of Statistics, were all placed under the control of this Department.

By the case submitted it is conceded that the Dominion Government have assumed the patronage (as they doubtless had a right to do) "of appointing a Deputy Minister, and also Deputy Registrars of births and deaths, and of all power and control over them without the consent of" the Nova Scotia Legislature."

By the 8th Section of Chap. 53, Dom. Acts of 1868, which, as remarked, places the entire control of Census Statistics, and the Registration of Statistics under the Department of Agriculture, it is enacted among other things that "all laws or parts of laws inconsistent with said Act in so far as they are inconsistent herewith are hereby repealed."

How much, or what part or parts of Chap. 28 of N. S. Acts of 1866 are repealed it would be exceedingly difficult to say, for the Act applies to solemnization of Marriages and Licenses therefor, and many other things clearly in force.

In 1867 and again in 1868 and of course after the passing of the B. N. Act, the Legislature of N. S. by Statute amended the Act of 1866. How far it possessed the constitutional authority to do so is a question that has not been raised. But since the Dominion Legislature has exercised its right and authority to control the Statistics I am not aware that the Local Legislature has ever interferred.

But what was the effect of the Dominion Act of 1868? Is it not in reality, the abrogation of all power in the "Governor in Council" to prescribe forms for carrying into operation all the portions of the Local Act of 1866 (amended) as apply to the Registration of births and deaths? That cannot well be doubted. Because it is given under the words "Registration of Statistics" to the Department of Agriculture. The patronage the Dominion Government have construed as passing also, and surely it is no strained construction of the Act, to assume that the remuneration of these officers, the Registrars of Statistics, should belong and be held to be inseparably connected with, or related to the duties by them performed and so, devolve upon those who appoint them, to whom they are alone accountable, and whose officers they are.

Res accessoria sequitur rem principalem—said the Roman Law. And a higher authority has said "the labourer is worthy of his hire." I will merely add that I am of opinion that he who selects and hires should provide and pay—unless the contrary is made clear and manifest. A principle of the Common Law founded on natural justice, and too well established to be called in question, by implication establishes a contract between individuals, viz., that every employer should compensate the employed. Add, on Con. p. 18 Handford vs. Palmer & Moore, 74. The contract for duty and labour is no longer with the Provincial Government—it is with the Dominion Government and the Department of Agriculture whose officers these Registrars now are, and upon it, we think rests the responsibility of payment for labour performed for the Department.

This being the Judges' Decision the Dominion government will of course forthwith meet the claims of the Deputy Registrars for services already performed and will make further provision until a law is enacted by the Dominion Parliament providing specially for this service. It would be unfortunate and highly detrimental to the public interest for anything to be done which would have the effect of impairing what has been already accomplished, or interrupting the progress already secured in obtaining the Vital Statistics of the province.

A serious question arises in relation to this subject from the fact of the commissioners for the late revision of the provincial Statutes, having omitted portions of the laws which relate to the registration of Births and Deaths.

Although the matter of Statistics generally is provided for by the British North America Act, it being placed under the Department of Agriculture, yet hitherto in the matter of fees it has been provided for in Nova Scotia by our provincial Statutes—the Sessions of the Justices of the Peace in each county making the necessary assessment, until the Halifax Magistrates took their new stand two years since in reference thereto.

Another question will naturally follow having some relation to this subject as to whether a law omitted from the Revised Statutes is thereby annulled. It would seem that the Local Legislature has no power to abolish a law which was in force and necessary when that Act came into operation, without some Dominion Act being enacted providing for the service.

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