

Thursday, Mar. 27<sup>th</sup>

being preached today was simply that set forth in the basis of Union. "We are simply asking for the temporal rights to enable us to conduct our affairs in a businesslike way." It was only to give effect to what had been done by a majority vote of all the Churches.

In the provision that they had made for the minorities, they were seeking their protection, not because of any agitation on the part of the anti-Unionists, but because they were animated by the spirit of the Golden Rule. (Laughter.) There was nothing in the world so strong as an idea when it had come to its time. The idea of Church Union had been growing through the years, and the time for its consummation had come, and no one could resist the omnipotence of it. It was in the foreordination of God, Dr. Chown stated, in closing, and carried the Church away beyond any narrow Churchianity or Christianity.

#### Speaks for Congregationalists.

Presenting the Congregational side of the question, Rev. Dr. Gunn stated that, so far as the denomination he represented was concerned, they had acted all the way in the most constitutional manner. For 20 years Church Union had been before them. By the aid of a series of charts, the speaker showed what unions had taken place already within the three negotiating denominations. Since 1887, he said, there had been on an average a union within some of the three every five and a half years.

Coming together to discuss union, they had discovered that in polity and doctrine there was no substantial difference between them, and after 20 years of negotiations they had decided to unite. Provision had been made for the administration of trusts and funds as nearly as possible for the purpose for which they had been intended. To minorities they had sought to give the most just and honorable treatment, and in this respect they had gone far beyond what any previous bill had ever done. All that they had in view, was the furtherance of the work of Jesus Christ and the extension of His Kingdom in the world.

#### The Moderator Speaks.

Representing the Presbyterian Church, Rev. Dr. Gandier stated that they were not asking the Legislature to decide the creed or the doctrine of the Church, nor to pronounce on the merits of Church Union. All they sought was the recognition in civil law of what had been recognized by the Churches themselves. In all essentials of Church government these Churches were one. To the local unions that had already been consummated the speaker pointed, and stated that in Northern Ontario, between Orillia and Port Arthur, there were only twelve places where there were still separate churches. The thing was already done, he stated.

In all their negotiations they had gone about the matter in a thoroughly Presbyterian manner. They had proceeded cautiously and slowly. For the benefit of the members who might not be Presbyterians, Dr. Gandier explained the constitution and government of the Presbyterian Church by Sessions, Presbyteries, Synods and General Assembly. The General Assembly represented the whole Church, and its decisions were final. The provisions of the Barrier Act were next explained, by which hasty action on the part of the Assembly was prevented, and by which all matters affecting the doctrine, discipline, worship or government of the Church had to be submitted to the Presbyteries before becoming a permanent enactment.

#### People Had Voted.

Through all the processes of the Church the Church Union question had passed. Sent down to Presbyteries under the Barrier Act in 1915, 53 Presbyteries had voted in favor of Union and 13 against. There was a cry for another vote, and the question asked: "Why not trust the people?" The people had been trusted, and they had voted at the only time they could vote. Every time they had the matter before them the people had voted by more than three to one in favor of Union. According to the constitution of the Church they could not reopen the question without referring it to the Presbyteries under the Barrier Act, and 52 Presbyteries out of 56 had recently passed resolutions urging the General Assembly to go ahead

and consummate Union. If any question that had been once settled by constitutional means was to be again opened up, anarchy, not government, was the result.

#### Without Coercion.

Dealing with the provisions of the bill for minorities, Dr. Gandier said that the one thing that was not in the bill was coercion. They had even taken care in the wording of it to avoid wounding the sensibilities of those opposed, and had changed the words "dissenting congregations" to "non-concurring congregations." What they sought to do by Church Union was to unite the rich diversity of each denomination in an organic unity, and all animated by the Spirit of Jesus Christ. Some of them had a vision of what the Church of Jesus Christ might be. All that the three negotiating bodies were asked to give up was their denominational differences and prejudices, and to unite in a Church into which would flow in a united stream all that was greatest and best in each.

#### Had Drafted the Bill.

As the one who had drafted the bill, and who was connected with none of the negotiating denominations, McGregor Young, K.C., briefly explained some of its provisions. In its provisions for minorities the bill, he thought, had been generous. There never had been in Canada any bill before, he said, which had made such ample and generous provisions for minorities.

In a brief address counsel for the anti-Unionists, D. L. McCarthy, K.C., reminded the committee that litigation was pending at the present time as to the legality of the proceedings, and the time, therefore, was inopportune to bring it before the Provincial Legislature. It was also pointed out that it had not been before the Dominion Parliament yet, and they were seeking in Ontario to decide on a bill that might be thrown out at Ottawa. Until the Dominion Parliament had spoken upon it, he thought, the Provincial Legislature should refuse to deal with it.

Thomas McMillan, President of the Presbyterian Church Association, and the only speaker against Union yesterday, dealt briefly with the votes that had been taken, some of the provisions of the bill, the rights of the minorities, and the properties and trusts of the Church.

#### Votes Criticized.

On two occasions, he said, the members, who were the Church, had been asked to vote on the question, but on neither of these occasions had they before them the proposed bills, as were now being submitted for the approval of the Dominion Parliament and the Provincial Legislature. The results of these votes had shown that only about one-third of the members of the Presbyterian Church had as yet expressed any desire for Union, and, while on the second vote the ballot recorded in favor of Union was increased by only about 600, the vote against Union was increased by over 23,000. In 1915 the results of the vote in Ontario showed the out of

188,873 communicants, 57,641 voted for Union, 46,436 voted against Union, and 84,796 did not vote at all, while of the total possible vote throughout the Dominion of 338,222 communicants, 113,612 expressed themselves in favor of Union, 73,713 against, and 150,997 did not vote.

#### Significance of Votes.

"What is the significance of these votes as compared with the first vote?" the speaker asked. "Surely a growing opposition to Union, to say nothing of the increasing opposition at the present time, which is becoming more intense since the submission of the proposed bills; and from canvasses taken and votes recorded in many of our churches it is quite evident that the members of the Presbyterian Church are not back of this movement." It was in face of this increased opposition to Union that the Union Committee was trying to carry it out with the support of only about two-thirds of the people.

Many who were opposed to the principle of organic union strongly believed in the greatest amount of unity, and that in the Presbyterian Church as at present constituted there was an organization affording a

favorable environment for the religious life of its people, "and a useful agency that cannot well be scrapped and put out of existence by such a bill as that now before you."

The General Assembly was not the Church, it was contended, but merely a court of the Church, a deliberative and administrative body elected to carry out the will of the people, who were the Church. The final court of appeal was the people, who called the Assembly into being. "The so-called courts of the Church are for its maintenance and continuance only, and have no constitutional right or power to disband the organization and transfer it to another control."

As put forward by the Unionists, their arguments overlooked the fundamental fact that the Church had not laid down in its constitution the procedure necessary to be followed for putting itself out of existence. The steps to be taken in such an emergency would have to be determined when that emergency arose, and then decisions would have to be given by the men and women who composed the membership of the Church. So far, only one-third of the membership of the Church had expressed a desire for union, and that had been eight years ago, since when some hundred thousand members had been added to the Church.

#### Claims Situation Intolerant.

"The intolerance of the whole situation is the attempt to compel men and women by act of Parliament out of one Church and into another against their will; and what we as Presbyterians are asking for is that we be allowed to worship God in the Presbyterian Church as at present constituted, and with its historic identity and continuity. But if the proposed bills become law we are, by virtue of the act, made members of the United Church against our will, while we may within six months vote ourselves out." To compel them to become members of a Church they did not wish to join, the speaker held, was an interference with their religious liberty.

Not only did the supporters of the bill seek to deprive them of their name, and put them all into the United Church, but they also sought to confiscate their property and trusts and to hand them over to the United Church, despite the fact that these trusts were specifically for the Presbyterian Church while adhering to the Westminster standards. "This would be to deprive us of our rights and properties, and is a distinct interference with our civil and religious rights, and we do not believe that any British Legislature will tolerate such interference," he went on. Referring to the Free Church of Scotland case of 1904, when it was decided by the House of Lords that those who maintained the Presbyterian principles and standards constituted the Presbyterian Church, the speaker said that it was to avoid the implications of this decision, and to get round the law, that the present legislation was sought. If there was to be legislation at all, it should be directed to the recognition of the true legal position of those maintaining the Presbyterian Church, and the revision of the bill upon this basis, he said.

#### Trusts of Church.

To grant the present petition, Mr. McMillan said, would wreck the trust laws of the land, and on a vote of only one-third of the Church. "We hold that it is not within the power of the courts of the Presbyterian Church, or any majority of its officers or members, to alter or vary the trusts upon which the property vested in or acquired by it, or by trustees for it, is held, or to alter the purposes for which it was founded or established. We are prepared to stand for our liberties, fought for and won many years ago, and at tremendous cost, and have a firm belief that no British Legislature or court of law will sanction such unjust, coercive legislation."

The committee then adjourned until 10 o'clock this morning, when the other speakers against Union will be heard, and the reply of the Unionists.