

Power, they Cannot take it away. This power virtually resides in himself as Ordinary, and is expressly given him by Act of Assembly; and whether Out of Grace upon Petition, or out of Right of his own Motion, an Appointment together with or without an Induction, and with or Without Consent of Vestries is Valid in Law. And it seems very Clear To me that it was the Design of the Legislature by Adding the word Appointed coupled by the Disjunctive *or*, to vest the ordinary with a Two fold discretionary Power. One with Regard to Pluralities that may when he thinks fit, upon Application or without it, appoint the Minister of one Parish to be Reader in Another 'till it could be otherwise Provided for; the Canon and Statute Law being evaded by the Appointment being considered a temporary and revocable Act; and the Absurdity of the Supposition that he can do this upon Application and not Without will appear from the Consideration that Vestries may and often do consist of Men who regard neither Church nor Churchmen, and It would be extremely hard, if a Christian Congregation should want the Assistance of a Minister to perform Divine Service sometimes, marry their Children, Christen their Infants, visit their sick and the Like because an obstinate Vestry would not petition or Consent that one should be employed. This would be taking from the Ordinary the power of judging when and in what manner a Church ought to be Supplied, and assuming to themselves a Concurrent Jurisdiction, than which nothing can be more preposterous. But the Ordinary alone must judge because he alone can execute. If this be not the Sense of Clause touching Pluralities the Clause itself must fall to the Ground. If Pluralities are only tenable by Consent of Vestries As Suppos'd to be set forth herein, then this Clause Abridges the Royal Prerogative, which say all the Common Lawers Canonists and Civilians does eminently contain in itself a power of Dispensation in Matters Ecclesiastical. And when at the [revolution?] King William was by Statute restrained from granting Dispensations with Regard to penal Laws in Civil Concerns yet in Ecclesiastical matters his Power remains entire, and so has been Exercis'd by him and his Successors as Supreme Ordinary over the Church, and the Power of presenting his own Chaplains without previous Dispensation to a Plurality is Confirmed by Statute. But it is particularly declared By Statute 7 & 8 William 3. C. 22 that all Laws by Laws, Usages and Customs which shall be in practice in any of the Plantations repugnant To any Law made or to be made in the Kingdom relative to the said Plantations shall be utterly void and of no Effect.

The word Appointment gives a Latitude likewise to the