

2. "In order to the proper and legal organization of the General Assembly, it is necessary that all the Dioceses in Canada should concur in a new organization thereof.

3. "The refusal of any one Diocese to concur in the organization of the General Assembly, would render it impossible to effect such an organization under the Provincial Act; though of course a voluntary association, independently of the Act, may be formed by the members of any one or more of the Dioceses."

Mr. Bethune is of opinion, (1) that the Metropolitan "had a perfectly legal right to convoke and preside over the Assembly," and that therefore its organization is valid and binding on all parties.

(2.) That the Diocese of Huron, by sending delegates to the Synods, and by the action of those delegates at the Synods, *acquiesced and concurred* with all the other Dioceses in the organization which was effected, and that *this acquiescence and concurrence binds that Diocese, and confirms the organization*, even though the Metropolitan had no right to convoke or preside over the Synod.

Mr. Cameron is of opinion (1) that "the Letters Patent did *not* confer any right on the Metropolitan to convoke the first Provincial Synod, although they professed to do so," and that various other powers and authorities, and the coercive jurisdiction which the Letters professed to confer upon the Metropolitan were not and could not be validly so conferred.

(2.) That the Metropolitan might properly call together the Delegates from the different Dioceses, and that, when they did assemble in pursuance of that call, they found a properly constituted Synod, whether they were legally convoked or not, *as by common consent they proceeded to business, and no objection was made, either to the manner, time or place of their assembly*, and their acts are binding on the members of the Church in the several Dioceses under the Synod law; and that the Diocese of Huron, *by its action in sending delegates to, and by the action of those delegates in Synod, is precluded from objecting* either to the validity of the appointment of the Metropolitan, or to the legality of the proceedings of Synod, and is therefore bound by those proceedings, notwithstanding that the Metropolitan had not power to convoke the first Synod.