

On looking at the 8th clause of the Canon itself it will be seen that the Incumbent and church-wardens are not expressly made a Corporation as, it is presumed, was intended, but it provides that the Incumbent and church-wardens *being a Corporation* shall use the name of, &c., &c., &c.

The clause merely refers in its language to such Incumbents and Church Wardens as were Corporations at the time of the adoption of the Canon, and leaves the law as it was in Upper Canada and the Diocese of Quebec.

The 20th clause of the Canon makes valid all conveyances to the Bishop for Church purposes, (notwithstanding the statutes of Mortmain,) provided the conveyance is made in six months before the death of the person conveying, and registered within six months after his death.

Now the 20th section of the Montreal Temporalities Act, (14 and 15 Vic., cap. 176,) provides that the Bishop shall not hold properties exceeding £5,000 annually. This limitation is ignored in the Canon.

Other questions may arise, as, for instance, whether the power of regulation and management involves the power of sale of property, as provided in the 21st and 24th clauses of the Canon. Its preamble, after stating in general terms that the Synod has power by the Act of 1866, to repeal or amend any portion of the acts therein recited, subject to certain reservations in the act made, proceeds to declare the Canon to be substituted for the said acts, ignoring even those reservations, and substituting the Canon for the acts to all intents and purposes.

It may be said that such substitution, being in excess of power, is void, so far as it may conflict with the reservations or with the limitation above mentioned in the amount of property to be held by the Bishop of Montreal, but that the Canon is valid for the remainder. This may be so, but it is inadvisable that such apparent conflict of law should exist, and the Governor-General could not well be advised to approve of a Canon offering such conflict.

The undersigned has felt it his duty to state what appeared to him to be objections to the Canon itself, but desires to base his recommendation that the Governor-General do not grant his sanction on the ground first stated, viz., that the sanctioning power is vested since Confederation in the Lieutenant-Governors of the Provinces of Ontario and Quebec, and not in the Governor-General of Canada.

The undersigned did not earlier make a report on this reference, because he sent its substance in a letter to the Hon. John Hillyard Cameron, in a letter dated the 12th

Session.]

March last, in gentleman, as several objects that letter was the Bishop of

No communion in answer, and undersigned was be made to the until a letter, dated the 28th Council, asking passed at the sanction of

All which is

(Signed

Moved by M

That the r and approved Temporalities

The hour pronounced th

After Morning met for business by the PROLOC

The minutes approved.

The Revd. M. C. Parkin, G. Hamilton, Mr. appeared and