

FURTHER OPINION, &c.

TO THE RIGHT REVEREND THE LORD BISHOP OF
HURON,—

Your Lordship has directed our attention to a Circular Letter from the Lord Bishop of Montreal and Metropolitan, to the Bishops, Clergy and Laity of Canada, in which, by way of answer to our opinion given to your Lordship on the subject of the Provincial Synod or Assembly, the Metropolitan sets forth the opinions of Strachan Bethune, Esquire, Q. C., and the Honorable J. Hillyard Cameron, Q. C., on the same subject; and your Lordship has requested us to state for your guidance whether from these opinions we are led to modify our own.

In order to contrast and examine the positions assumed on each side, we propose to restate our short opinion, and to state briefly what we gather to be the views of Messrs. Bethune and Cameron respectively. Our opinion was as follows:—

“We have considered the papers and statements laid before us by the Bishop of Huron, from which it appears, amongst other things, that the Bishop of Montreal, as Metropolitan, and by virtue of Her Majesty's Patent in that behalf, convoked and presided over the meetings of Provincial Synods or General Assemblies which have taken place in Canada, and that the action of the Assembly and of the several Dioceses which participated therein, proceeded upon the assumption that this Patent was legal and valid, and that this assumption materially influenced the action of the Diocese of Huron in the matter.

“It appears also that under judicial decisions arrived at and legal opinions taken subsequently to the last meeting of the Assembly, the Patent is invalid and illegal in all its material parts, including that which assumes to give the Bishop of Montreal, as Metropolitan, power to convoke and preside over the Assembly. We are of opinion as follows:—

1. “The meetings and organization of the Assembly were not nor are they, under the circumstances, legal or binding on any Diocese.