

138 MINUTES OF SYNOD, TORONTO, SEPTEMBER 2, 1837.

The Report of the Committee on the Records of the Presbytery of Glengary was produced and read, and the same was approved of. And inasmuch as it appears that the scroll minute of the proceedings of the 3rd Wednesday of January last appears to have been lost, the Presbytery was enjoined to make up a record of the same *memoriter*. The next ordinary meeting of the said Presbytery was appointed to be held at Cornwall on the the third Wednesday of at 12 o'clock noon. the Clerk was instructed to attest the Record *cum his notis*.

The report of the Committee on the Records of the Presbytery of Kingston was read and approved of, and the Clerk was instructed to attest the said Records.

The report of the Committee on the Records of the Presbytery of Toronto was read and approved of; and the Clerk was instructed to attest the said Records.

The Moderator on behalf of the Deputation appointed to wait on His Excellency, laid on the table of the Synod, a communication from His Excellency, and the same was read and is as follows:—

GENTLEMEN,—In reply to the enquiries contained in your address of yesterday's date, I have to inform you that I last night received from Her Majesty's Secretary of State for the Colonies, a dispatch on the subject of the petition which the Synod last year addressed to His late Majesty, by which it appears that on a consideration of the statement which has been submitted to the Law Officers of the Crown, those learned Gentlemen have declared it to be their opinion that the erection and endowment of the Fifty-seven Rectories by His Excellency, Sir John Colborne, are not lawful and valid acts. His Lordship, however, feels it possible that the statement on which the Law Officers of the Crown may have founded their opinion may be erroneous or defective, and also that they may have misapprehended the law; and His Lordship has therefore directed me to invite the Bishop of Montreal and Archdeacon of York to inform me, whether they are aware of any material fact omitted in the case laid before the Crown Lawyers or inaccurately stated there, or of any important argument which may be supposed to have escaped the notice of those learned persons, and that if any such error or oversight should appear to me to have been committed, I am directed by His Lordship to suspend all further proceedings until I shall have reported on the case to His Lordship and shall have received His Lordship's further instructions.

His Lordship concludes by remarking that your request for the grant of certain peculiar advantages to your own Church proceeds on an assumption, the accuracy of which is yet to be decided, the assumption, namely, that the Church of England has acquired a valid and lawful title to the endowments made in her favour in January 1836, and to the spiritual jurisdiction which is supposed to be incident to those endowments.

1st September, 1857.

The Synod resolved to meet on Monday at the hour of 12 noon.

This Diet was closed with prayer.