

*This alone is material*, that the Delegates were not sent or empowered by the Diocese, they were not asked by Synod, nor did they intend, to confirm an invalid organization and an usurped authority, or to assent to the voluntary creation of a Synod, and that everything they did was done under the same common belief as to the power of the Metropolitan to convoke and hold the Synod at his discretion, existent at the period of the first notice. Subsequently it for the first time appeared that this belief was entirely erroneous; that everyone had been acting under a common mistake; that all the extensive powers, authorities and jurisdictions which the Crown had assumed to give, and the Metropolitan to exercise, were nought, and that there remained to him only his title, style and dignity.

It appeared that he had no right to convoke a Synod at his discretion; that he had no power to compel obedience or punish disobedience to his requisitions; that Synod could have been created only by the voluntary action and concurrence of all the Dioceses; that you were entitled to have considered and determined the question whether you should or should not concur in the creation of Synod; and that the result of your refusal would have been to prevent its creation.

Briefly, it appeared that the position and rights of the Diocese had in truth remained unaltered by the issue of the Letters Patent.

It is under these circumstances that Messrs. Bethune and Cameron argue that, though the assumed compulsory power under which, by a common mistake, the Synod was convoked and organized, did not in fact exist, and though all that was done by the Metropolitan and each Diocese was done in pursuance of that assumed power and under that common mistake—yet what has been so done may be maintained as a voluntary agreement on the part of each Diocese to organize a Synod under the Act, and as an assent to such organization on the part of each, binding upon all.

The bare statement of this position forms its sufficient refutation.

There has been no agreement or assent whatever on the part of the Diocese of Huron to the voluntary creation of