

was only in the towns and cities that deacons were wanted; but they could be quite as useful in the country. There the clergyman had so many services to perform that it was impossible for him to give sufficient attention to the people by visiting them, and so forth. This, after all, was only a permissive measure. They only pointed out the way by which the bishops might take action. He felt much pleasure in supporting the report.

Rev. Mr. BOW said that it was not intended that there should be a permanent order of deacons. Let there be deacons for a certain length of time and then advance them to the priesthood. All that was asked for was that there should be a revival of the diaconate, as it existed in primitive times. There was no doubt that laymen were useful. Some gentlemen said that laymen will not go forth to minister unless they went with authority; but they seem to forget that bishops are constantly in the habit of licensing laymen. And surely, with regard to the diaconate, it is enough to leave it in the hands of the bishops. If we asked them for a permanent diaconate, they would say No, because it has already been tried by a bishop in a diocese in British North America, and has signally failed.

Rev. Mr. LINDSAY proceeded to give his experience in the matter, and said that he was quite sure that they were in constant need of additional help. He also alluded to the particular case of a young man in his diocese who would have willingly entered the church if he could have done so as deacon. The laymen would listen to one who went to them with authority; but on others they would look with somewhat of disgust. It was really the amount of unfulfilled work that weighed most heavily on a clergyman, and not the work he did. They wanted an order of deacons of whom the church could always make use. He was fully persuaded that lay agency would never supply the want. Let us then have the deacons, whom it did not follow were to be deacons all their lives. (Applause.)

Mr. SCOTT said that there was no doubt the debate on this point could be continued for a fortnight, but he thought there was no necessity for its going on much longer. He objected to the referring of the report to a committee, because when the matter came up again it would give rise to two days' more debate. After all it was a question of money. They could get men to enter the church if they could offer them a suitable remuneration; and he believed that the church would be enabled to do a great deal more good than she now can, if the laity would exert themselves more in providing endowment funds and so forth. As to the priests and the permanent deacons, the poor people would never know the difference between them.

Rev. Mr. DEWAR, as mover of the original motion, rose to close the debate. He congratulated the House on the discussion which had taken place. His object in bringing the subject up was to put it before the House and the country, and he congratulated the House on the spirit in which the debate had been conducted. The country would see that the members of this Synod did not assemble there from all parts of the country to talk of their own privileges, but that they had at heart the wants of the church. He thought the whole debate, as far as the Rev. Mr. Palmer's amendment was concerned, had been demolished by that gentleman himself. He was amazed to hear the Rev. Provost Whitaker put forth "the fatal gentleman theory" in the church. The church had need of such men as the Provost, but she had also need of the warm hearts of those who could make their way to the middle and lower classes, who,

after all, constitute the great charge committed to the ministers of the church. The provost referred to the state of the protestant bodies on the continent of Europe, where the clergymen were not gentlemen. But he (the speaker) claimed to know more about those countries than the Provost could know. More than half his life had been spent in Protestant Germany, and he could say, with regard to the position and influence of clergymen, that although they might not be found in gilded palaces, they had a place in the hearts of the people, and were looked upon with respect and reverence which many of those present would relinquish their social position to possess. He would again say that he heartily concurred in the amendment, and was fully satisfied that the subject should be referred and re-considered, as the committee appointed last year had not sufficient time to examine into it. He only hoped that the committee now to be appointed would give it that constant and careful attention which it deserved, and he would remind them of the words made use of by the Archdeacon of Toronto in that glorious discourse which he delivered in the Cathedral—"The heart of the country is yearning for it."

Rev. Mr. SLACK's amendment, to refer the report to a committee with a view to its revision and amendment, was then put and carried by a large majority.

Moved by the Rev. E. H. DEWAR, and seconded by Archdeacon LAUDER:

That the committee on the diaconate do consist of the members of the committee on the same subject appointed last year, with the omission of the Rev. Mr. Dewar and the Rev. Mr. Darling, and the addition of the following:—Rev. A. J. Woolryche, J. F. Morris, Esq., Rev. Dr. Shortt, Dr. Bovell, Rev. Mr. Lindsay, Hon. Judge McCord, Rev. C. Forrest, W. B. Simpson, Esq., Ven. Archdeacon Brough, Rev. St. G. Caulfield, Provost of Trinity College, and the Ven. Archdeacon of Toronto, with power to add to their number.—Carried.

#### PROPOSED COURT OF APPEAL.

Hon. Mr. CAMERON moved, seconded by Mr. HARMAN:

That the canon on the Metropolitan Court of Appeals be considered clause by clause. (This canon was published by us a few days ago.) The mover, who was one of the committee appointed to confer with their Lordships on the above subject, said the Synod was well aware that by the terms of the Metropolitan's patent powers were given him which were not set forth in the journal of the proceedings of last year. In the second, third, fourth, fifth and sixth clauses of the letters patent—but particularly in the fourth and fifth were specified the powers vested in the Metropolitan of trying the various matters which might be brought before him, either in visitation or otherwise, as well as the authority finally to decide and determine on any appeals from decisions which might be made in any of the various dioceses. The powers conferred by this patent were conferred with the sanction of this Synod, and the fullest power and authority with regard to every thing mentioned in the patent had been conferred. There was no difficulty with respect to the act which the Crown had done, namely, appointing a Metropolitan before the Provincial Synod had acted at all. The Crown had the right to exercise that power, and did so with full authority. But the moment the Provincial Synod came into existence the power of the Crown to exercise any authority over the people of the Church of England in this Province, which

might either clash with the power of the Synod or which the Synod might afterwards choose to interfere with, was found to be inconvenient, and it was seen that the Synod had the most perfect right to deal with matters concerning the church in this Province. The law officers of the Crown had published their own knowledge of this, by having advised Her Majesty to confer certain powers, but to be subject to our sanction and control. They had the great satisfaction of knowing that whatever prerogative Her Majesty possessed had been freely surrendered to them under the great seal, and that whatever power the legislature had to deal with the matter, it had abstained from exercising, giving the Provincial Synod all that power to exercise "necessary for the good government of the church in the colony." They stood, therefore, in a position superior to that of any of the Colonial churches under any form of statute. It was left for themselves to determine the manner in which they should exercise the functions of a judicial character invested in them by the act of the Provincial Parliament. The questions which had arisen on this subject were those which had been submitted to the consideration of the committee of conference, and resolved themselves into five points. First—Had the Synod, under the second clause of the act, the power to erect a court of appeal. Second—Has the synod the power to delegate its own powers to any other body. Third—Has the synod, by anything it can do at its courts, the power to enforce the attendance of witnesses. Fourth—Has the synod any means to enforce any sentence or decree of the court of appeal, assuming the diocesan court to refuse to enforce it. And fifth—Will the judgment of the court of appeal be final? The first point went to the root of the whole, and if it could be sustained their right to deal with all these questions was granted. (Mr. Cameron now referred to the first clause of the act of the Provincial Legislature, enabling members of the Church of England and Ireland in Canada to meet in Synod, to frame constitutions, &c., and legislate generally for the interests of the church, to show that it had the fullest authority to erect a court of appeal.) He continued—The next section of the act provided that they "may meet in general assembly within this Province, by such representatives as shall be determined and declared by them in their several dioceses; and in such general assembly frame a constitution and regulations for the general management and good government of the said church in the province." The proviso, to this clause, overrode the whole act. It would be seen that the first clause conferred the right upon diocesan Synods of enforcing the discipline of the church and of removing any person, for cause, holding office therein. The question then arose were the words "general management and good government of the said church" sufficient to authorize them to erect a Court of Appeal. There was no doubt they had a judicial function. The Provincial Synod had the judicial power of the church vested in it, and so far as the Diocesan Synods were concerned, there must be a means of bringing any person offending to judgment. A diocese, therefore, might either, as a body, bring offenders to the bar, or, touching the second point, delegate that power to a committee or court, in order that they might exercise that power which the body itself might find it inconvenient to exercise as a whole. The same power, then, which gave that right, gave also authority to the general convention or body of the church of all the dioceses, for the general management and good government of the church. The legislature of a diocese was supreme within