

America Act, under which the powers granted to the smaller bodies cannot be invaded by the Dominion Parliament. Now, among the powers granted to the diocesan synods in the first clause of the Act, is that of making regulations "for the appointment, &c., of any person "bearing office therein of *whatever order or degree*, any "rights of the Crown to the contrary notwithstanding." This clause\* covers, and was intended to cover, the election of bishops, and the nominating rights of the Crown were thus transferred to the diocesan synods alone. The second clause, referring to the Provincial Synod, is very vaguely expressed, simply empowering the making of "general arrangements for good government," whereas the powers enumerated in the first clause are specific. Inasmuch as no stream can rise higher than its source, it is beyond the power of the Provincial Synod to re-arrange the distribution of rights laid down in this Act unless with the separate consent of each diocese concerned.

Concerning this matter the Diocese of Montreal has spoken. By a unanimous vote it adopted a report stating "that it would be inexpedient to make any change in the "present mode of electing a bishop." If the Provincial Synod then choose to make any regulation touching the appointment of diocesan bishops, it will be done with the full knowledge that whenever their regulation is attempted to be put in force a conflict will arise in which the diocese whose rights are invaded must be victorious.

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\* In support of this, see a letter dated November 27, 1866, from Mr. Chancellor Bethune to the Metropolitan, Bishop Fulford, then in England:—  
 "So far as the Crown is concerned, it may fairly be doubted whether the Crown  
 "has not really abrogated its prerogative by consenting to a law which vests  
 "the appointment of bishops *solely with the diocesan synods of the Provinces.*"

The learned Chancellor is arguing against a proposition much more Nicene than the present viz: that the bishops should take their confirmation from the Archbishop of Canterbury.