

To me there appears to be a well-founded objection to a body composed, as our Synod is, of three distinct orders, with co-ordinate legislative powers, adopting canons affecting, as the proposed canons for the most part do, only one of its orders. Such a procedure is inequitable and suicidal, and if sanctioned, must in its practical working, indirectly if not directly, fetter the freedom, and consequently detract from the dignity of the Synod's proceedings. In the diocesan conventions of the Protestant Episcopal Church of the United States, which, in their composition bear a close analogy to our Synod, no such thing is tolerated. We find that in all of them, canons applicable to all the orders are uniformly in force.

But further, if the reasoning in the previous part of this statement be correct, it may well be doubted, whether the proposed canons, or any others differing from the canons of 1603, would, if adopted, legally bind the whole clerical order. It may indeed be said that the Synod is empowered by statute to frame constitutions and make regulations for enforcing discipline in the Church "any rights of the Crown to the contrary notwithstanding." But it must be borne in mind that the privileges, duties, and responsibilities of the Rectors at least, are clearly defined and guaranteed by statute; and to introduce canons affecting only a portion of the clerical order, would obviously be invidious, and must necessarily give rise to disputes and hostile feelings concerning the Synod's jurisdiction. These appear to me to be solid fundamental objections, which may fairly be urged against the adoption of the proposed canons.

2nd. The canons providing for the establishment of a Diocesan Court, seem in their provisions to fall short of that spirit of equity and fair consideration for the accused, which so much distinguishes the English canons and ecclesiastical statute law. This defect may possibly be attributable to some supposed peculiarity in the circumstances of the country, which may be deemed by some sufficient to justify a departure from English precedent. I shall however notice a few of the provisions which seem to me most liable to objection.

The 2nd canon, § 1, provides, "that the trial of a minister, whether priest or deacon, shall be on presentment in writing specifying the offence of which he is alleged to be guilty with reasonable certainty as to the time, place and circumstances." No limit as to the time within which a suit may be commenced is here assigned, and it is consequently possible under the canon, to present for an offence an indefinite number of years after it is alleged to have been committed. The church and parliament of England have, however, adopted a different principle. The 3 & 4 Vic., ch. 86, § 3, expressly provides that no suit or proceeding under the act can be sustained unless commenced within two years after the commission of the offence complained of; and nothing short of a conviction in a court of law for an offence, will justify any proceedings in consequence of the offence, supposing two years to have elapsed since it was committed.

Again, sections 2, 3, & 5 of said canon provide that in the absence of the bishop, the archdeacon or his commissary may receive presentments, constitute the court and pass sentence, which shall have the same force and effect as if pronounced by the bishop, with the proviso, that if upon the return of the bishop the accused shall shew satisfactory cause to induce belief that justice has not been done, the bishop may in his discretion grant a rehearing. Thus the accused has the privilege of only two hearings, whereas by the English Clergy Discipline Act, 3 & 4 Vic., ch. 86, four several hearings are granted him before he can be finally condemned. 1st. Before

the commissioners of the bishop. 2nd. Before the bishop or commissary and his assessors. 3rd. Before the court of appeal of the province, and 4thly. Before the judicial committee of the privy council. Our Synod acknowledges by an express canon, the Queen's supremacy; our diocese is within the province of Canterbury, and we profess a desire to maintain our connection with the church in England unimpaired; but by refusing an appeal to the two latter courts, we practically deny, in a very important particular, the supremacy of the Queen and the primacy of the archbishop; and not only so, but actually come into conflict with the statute law; for the English statute, 24 H. VIII., ch. 12, intitled, the Act of Submission of the Clergy to the King's majesty, and the 25 H. VIII., ch. 19, which determine the particular order and method of appeals, extend, by the generality of the words, to all the Queen's dominions.—(Bolingbroke's Eccl. Law., vol. 1.) Several other stringent provisions have been introduced into the English act, to guard against even the semblance of injustice or partiality in hearing and deciding causes, which are not however, to be found in the proposed canon; but I shall not dwell longer on the subject by advertising more particularly to them. The defects already pointed at, are at least of sufficient magnitude to demand at the hands of the Synod a most careful revision of those canons.

It was proposed to postpone the adoption of the report for this among other reasons, viz., to afford time to consider, could an officer authorized by law to administer oaths to witnesses, be employed for that purpose by the proposed court, and a hope was expressed that such might legally be done, as it would afford considerable protection to the clergy. They will perhaps best promote the welfare of the church and protect themselves, by resolving to continue as heretofore under the firm but equitable and judicious rule of their venerable Diocesan, until the canons are at least made sufficiently comprehensive so as to apply with equal force to the several orders of which the Synod is composed, and to be more in harmony with the spirit and letter of that portion of the ecclesiastical law of England which is in force in the Province.

I have only in conclusion to add, that I have in the foregoing statement endeavored to develop the views and opinions I expressed and advocated in committee, and subsequently in Synod at its last meeting. These views of necessity could not at the time receive any very lengthened consideration, and I have, therefore, availed myself of this means respectfully to invite the attention of members of Synod to them.

D. E. BLAKE.

Thornhill, Aug. 1858.

COLLECTIONS UP TO SEPTEMBER 8th.

Collections appointed to be taken up in the several churches, chapels and missionary stations, in the Diocese of Toronto, in the month of July, in behalf of the Mission Fund of the Church Society.

Previously announced.....	\$585 80
St. James's, Kingston, per Rev. R. V. Rogers	4 00
Etohicoke, Parochial Branch, special ...	1 35
Northport, per Rev. T. Bousfield	1 00
St. Paul's, Cayuga.....	\$ 6 00
St. John's, "	2 00
Per Rev. T. W. Allen	8 00
Caledonia	6 50
Cayuga	4 78
Per Rev. B. C. Hill.....	11 28

Sarnia	8 50
Trinity Church, Moore	4 13
St. Mary's, "	2 50
Butters	1 38
Sombra	1 93
Per Rev. J. G. R. Salter.....	18 44
Elora, Per Churchwardens.....	6 70
St. Peter's, Cobourg	35 35
St. Peter's School House	1 55
Boarns, "	3 20

Per Venerable Archdeacon Bethune...	40 10
Christ Church, Ottawa, per Churchwardens	40 00
St. John's Church, Smith's Falls 4 60	
St. James's, Port Elmsley	2 40

Per Rev. J. B. Worrell	7 00
St. George's, Kingston, per Rev. A. Stewart	19 10
Barrie, per C. Williams, Esq	7 67
Christ Church, Scarborough	6 25
St. Paul's	3 75
St. Jude's	2 00

Per Rev. W. Belt	12 00
------------------------	-------

122 Collections, amounting to..... \$762 44
WIDOWS AND ORPHAN'S FUND, 16TH YEAR.
(Collections up to September 8th.)

Etohicoke Parochial Branch, special	\$ 5 25
Moore, per Rev. A. Williams	10 00
	15 25

GENERAL PURPOSE FUND, 16TH YEAR.

(Collections up to September 8th.)

Moore, Parochial Branch, per Rev. A. Williams	32 00
---	-------

STUDENTS' FUND, 16TH YEAR.

(Collections up to September 8th.)

Louth, per Rev. A. Dixon.....	8 00
Christ Church, Scarboro'	4 00
St. Paul's	3 25
St. Jude's	2 00

Per Rev. W. Belt	9 25
------------------------	------

12 25

ANNUAL SUBSCRIPTIONS.

Rev. R. J. MacGeorge	5 00
" F. Tremayne	10 00
" W. Belt, 16th year.....	5 00
	20 00

BOOK AND TRACT FUND.

Rev. S. Girvin's subscription	2 54
-------------------------------------	------

EASTERN EPISCOPAL ENDOWMENT FUND.

Just as our paper was going to press we received a note from the Rev. Dr. Lauder accompanied by a list of subscribers to the Eastern Episcopal Endowment Fund; not having room for all the names, we give below the total amount contributed in the several parishes or missions named.

Franktown	£ 42 4 4
Ca'ton Place	194 10
March	82 15 6
Huntley	67 10 0
Gouldbourne	17 19 4
Fitzroy Harbour	65 10 0
Camden	7 10 0
Gananoque	75 5 0
Richmond	18 15 0

£571 18 8