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JOURNAL *14 page*

OF THE

THIRD SESSION

OF THE

Diocesan Synod of Fredericton.

FREDERICTON, N. B.:

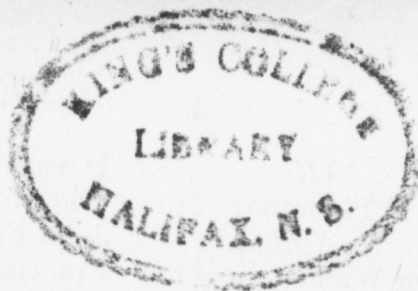
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QUEEN STREET.

1873.

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Rev. Christopher
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Rev. Canon Walk
Rev. Dr. Jarvis,
Rev. N. Allan Co
Rev. William Elia
Rev. William Arn
Rev. Canon Harri
Rev. David B. Par
Rev. Canon Scovi
Rev. G. M. Armst
Rev. James Neales
Rev. Canon Ketch
Rev. Henry W. Ti
Rev. Richard Simo
William N. A
Rev. Alfred H. W
Rev. Simeon Jones
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Rev. E. A. Warnef



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JOURNAL OF SYNOD.

WEDNESDAY, July 2nd, 1873.

Pursuant to notice published in the *Royal Gazette*, in accordance with the 13th Article of the Constitution, the Diocesan Synod of Fredericton met on this day in the Madras School House, in the City of Fredericton, at half-past nine o'clock, A. M.

The Lord Bishop of the Diocese in the Chair.

Prayers.

The roll of the clergy was then called, and the following persons (except those whose names are printed in italics) were present:

Rev. Christopher Milner,
Rev. Abraham Wood,
Rev. Canon Walker,
Rev. Dr. Jarvis,
Rev. N. Allan Coster,
Rev. William Elias Scovil,
Rev. William Armstrong,
Rev. Canon Harrison,
Rev. David B. Parnther,
Rev. Canon Scovil,
Rev. G. M. Armstrong,
Rev. James Neales,
Rev. Canon Ketchum,
Rev. Henry W. Tippet,
Rev. Richard Simonds,
Rev. William N. Boyer,
Rev. Alfred H. Weeks,
Rev. Simeon Jones Hanford,
Rev. Canon DeVeber,
Rev. George T. Carey,
Rev. E. A. Warneford,

Rev. Dr. Coster,
Rev. Canon Lee,
Rev. William Jaffrey,
Rev. Foster H. Almon,
Rev. Donald M. Bliss,
Rev. John Symes Williams
Rev. John Pearson,
Rev. David W. Pickett,
Rev. George G. Roberts,
Rev. David I. Wetmore,
Rev. William Cruden,
Rev. Edward S. Woodman,
Rev. W. Henry Street,
Rev. James J. Hill,
Rev. George Schofield,
Rev. Ranald E. Smith,
Rev. Canon Medley,
Rev. Walter Scott Covert,
Rev. Theodore E. Dowling,
Rev. George Rogers,
Rev. Benjamin Shaw,

<i>Rev. W. LeB. McKiel,</i>	<i>Rev. David Nickerson,</i>
<i>Rev. James P. Sheraton,</i>	<i>Rev. Thomas Neales,</i>
<i>Rev. William S. Neales,</i>	<i>Rev. John Frederic Carr,</i>
<i>Rev. William Walker,</i>	<i>Rev. Francis Partridge,</i>
<i>Rev. E. A. W. Hanington,</i>	<i>Rev. Leopold A. Hoyt,</i>
<i>Rev. W. B. Armstrong,</i>	<i>Rev. George H. Sterling,</i>
<i>Rev. Philip H. Brown,</i>	<i>Rev. Cuthbert Willis,</i>
<i>Rev. James H. Saturley,</i>	<i>Rev. Joseph Rushton,</i>
<i>Rev. Thomas Hartin,</i>	<i>Rev. David Forsyth,</i>

The names of the several Parishes and Cures in the Diocese being then called over, and the certificates of the Lay Representatives having been presented to the Secretary, it was, on motion,

Resolved, That the Hon. Judge Allen and Mr. G. Street be a Committee to examine the said certificates

Mr. Justice Allen, from the said Committee, reports that they had examined the certificates produced, of the election of Lay Representatives, and found that the following persons had been duly elected :

PARISH.	NAMES.
Andover,	} <i>Mr. John Miller,</i> } <i>Mr. Lewis Pickett,</i>
Burton,	
Bathurst,	} <i>Mr. Theophilus Desbrisay,</i> } <i>Mr. S. L. Bishop,*</i>
Cambridge,	
Campobello,	Hon. Capt. Robinson-Owen
Canterbury,	} <i>Mr. Edward Garden,*</i> } <i>Mr. R. Robinson.*</i>
Carleton, (St. George,)	
Carleton, (St. Jude,)	} Mr. Isaac C. Perkins,
	} Mr. Edwin Wetmore,
Chatham,	} Mr. F. Linde,
	} Mr. W. Wilkinson,
Dalhousie,	} <i>Mr. George A. Blair,</i>
Dorchester,	} <i>Hon. E. B. Chandler,</i>
	} <i>Mr. D. Chapman,</i>
Douglas,	} <i>Mr. J. DeLancy Robinson</i>
	} <i>Mr. Samuel J. Smith,*</i>

* Elected in a previous year.

Dumfries, .. .
 Fredericton, .. .
 Gagetown, .. .
 Greenwich, .. .
 Hampton, .. .
 Kingsclear, .. .
 Kingston, .. .
 Lincoln, .. .
 Maugerville, .. .
 Moncton, .. .
 Newcastle, .. .
 New Maryland,
 Norton, .. .
 Pennfield, .. .
 Petersville, .. .
 Portland, (St. I
 Portland, (St. I
 Prince William
 Queensbury, .. .
 Richibucto, .. .
 Richmond, .. .
 Rothesay, .. .
 St. Andrews, .. .
 St. David, .. .
 St. George, .. .

ckerson,	Dumfries,	<i>Mr. Henry Davidson,</i>
Neales,	Fredericton,	} <i>Hon. Mr. Justice Allen,</i>
deric Carr,	Gagetown,	} <i>Mr. William Carman,</i>
Partridge,	Greenwich,	} <i>Mr. John C. Clowes,</i>
A. Hoyt,	Hampton,	} <i>Mr. W. B. McKiel,</i>
I. Sterling,	Kingsclear,	} <i>Mr. J. L. Wilmot,</i>
Willis,	Kingston,	} <i>Mr. George Otty,</i>
Rushton,	Lincoln,	} <i>Mr. Joshua Smith,</i>
orsyth,	Maugerville,	} <i>Mr. H. H. Swinny,*</i>
Cures in the	Moncton,	} <i>Mr. A. R. Bedell,*</i>
certificates	Newcastle,	} <i>Mr. W. P. Flewelling,</i>
presented to the	New Maryland,	} <i>Mr. Samuel Foster,</i>
	Norton,	<i>Mr. Joseph Whittaker,*</i>
	Pennfield,	} <i>Mr. Geo. A. Sterling,</i>
	Petersville,	} <i>Mr. Thomas H. Perley,</i>
	Portland, (St. Luke,)	} <i>Mr. E. B. Chandler, Jr.,</i>
	Portland, (St. Paul,)	} <i>Mr. Richard Haddow,</i>
	Prince William,	} <i>Mr. John Maltby,</i>
	Queensbury,	<i>Mr. Lewis Fisher,</i>
	Richibucto,	} <i>Mr. I. B. S. Raymond,</i>
	Richmond,	} <i>Mr. Silas Raymond,</i>
	Rochesay,	} <i>Mr. Isaac Justason,</i>
	St. Andrews,	} <i>Mr. James Gillespie,</i>
	St. David,	} <i>Mr. Charles Perkins,</i>
	St. George,	} <i>Mr. John Corbitt,</i>
		} <i>Mr. Matthias Hamm,</i>
		} <i>Mr. Robert Middlemore,</i>
		} <i>Mr. H. W. Frith,</i>
		} <i>Mr. W. M. Jarvis,</i>
		} <i>Mr. James Henry,</i>
		} <i>Mr. John Lister,</i>
		<i>Mr. William Miller,</i>
		} <i>Mr. William Stokes,*</i>
		} <i>Mr. Ellis Cunliffe,*</i>
		} <i>Hon. Chief Justice Ritchie,</i>
		} <i>Mr. Allan C. Otty,</i>
		} <i>Mr. G. D. Street,</i>
		} <i>Mr. G. S. Grimmer,</i>
		<i>Mr. W. Towers,</i>
		} <i>Mr. John Campbell,</i>
		} <i>Mr. Josiah Wetmore,</i>

St. John, (Trinity) ...	}	Mr. C. W. Weldon,
		Mr. George Whitney,
St. John, (St. Mark)..	}	Mr. James R. Ruel,
		Mr. R. T. Clinch,
St. John, (St. James) .	}	<i>Mr. R. W. Crookshank,</i>
		Mr. Hurd Peters,
St. Mary's,	}	<i>Mr. W. W. Belyea,*</i>
		<i>Mr. George Byram,*</i>
St. Stephen, (ChristCh.)	}	<i>Mr. David Brown,</i>
		<i>Mr. William F. Vroom,</i>
St. Stephen, (Trinity)	}	Mr. N. Marks,
		Mr. Henry Webber,
Sackville,	}	<i>Mr. Henry B. Allison,</i>
		Hon. Daniel Hanington,
Shediac,	}	<i>Mr. W. Stevens,*</i>
		<i>Mr. Edward G. Scovil,</i>
Simonds,	}	<i>Mr. John Jordan,</i>
		<i>Mr. Thomas Seward,*</i>
Stanley,	}	<i>Mr. Thomas Douglas,*</i>
		Mr. Isaac Foshay,
Studholm,	}	<i>Mr. Nelson Arnold,*</i>
		<i>Mr. Edwin Crawford,*</i>
Sussex,	}	<i>Mr. Joseph A. Fowler,*</i>
		Mr. V. W. Wiggins,
Upham,	}	Mr. N. H. DeVeber,
Waterborough,		Mr. A. M. Woodman,
Westfield,	}	<i>Mr. George H. Ketchum,</i>
		<i>Mr. Charles H. Bull.</i>
Woodstock,	}	

The Committee also reported that a double return had been forwarded from the Parish of Moncton, and on motion, it was

Resolved, That Mr. E. B. Chandler, Jr., be received as the representative of that Parish.

The roll of the Lay Representatives, so certified, having been called, the persons in the foregoing list (except those whose names are printed in italics) were present.

On motion of the Rev. Canon Ketchum, seconded by the Rev. Canon Scovil,

Resolved, That the minutes of the last meeting, as printed, be considered as read and approved.

The said minutes were read.

The Bishop then moved, And on motion of the Rev. Dr.

Resolved, That the Synod be then addressed with the address which His Lordship proposed for the said Synod, and that the Synod, by its divine blessing, approve the same (see Appendix A.)

Certain letters of the Synod were read and on motion, the Committee appointed

for this Diocese were read and on

The Hon. Chief Justice was appointed a member of the Committee appointed

for the better government of the Diocese, and the

On motion, the Committee for

It was moved by the Rev. Canon

Resolved, That the Committee, with the

Justice, be received as a Synod, and that an adjourned

John, on Tuesday, see Appendix B

to which it was referred. F. H. Almon

That the Canon be considered as read and approved.

Synod.

The said minutes were thereupon signed by the Chair-

The Bishop then delivered an address to the Synod.

And on motion of the Hon. the Chief Justice, seconded by the Rev. Dr. Jarvis, it was

Resolved unanimously, That the warmest thanks of the Synod be tendered to the Lord Bishop for the opening address with which he favored this meeting, and that His Lordship be respectfully requested to allow a copy of the said address to be printed with the minutes of this Synod, and the Synod trusts that, under the divine blessing, His Lordship may be long spared to discharge the onerous duties of his high office. (*See Appendix A.*)

Certain letters from persons in Canada to the Committee appointed to consider the question of the union of this Diocese with the Provincial Synod of Canada were read and ordered to be received.

The Hon. Chief Justice Ritchie made a report from the Committee appointed to prepare a Canon of Discipline for the better governance of the Church in this Diocese, and the said Canon was submitted and read.

On motion, the thanks of the Synod were offered to the Committee for preparing the above-named Canon.

It was moved by the Rev. W. Cruden, and seconded by the Rev. Canon Scovil,

Resolved, That the Report of the Discipline Committee, with the Canon, as read by His Honor the Chief Justice, be received and printed with the minutes of the Synod, and that the discussion thereon be deferred till an adjourned meeting of this Synod, to be held in St. John, on Tuesday, the 4th day of November next. (*See Appendix B.*)

to which it was moved, as an amendment, by the Rev. F. H. Almon, seconded by the Rev. Dr. Jarvis,

That the Canon of Discipline be received and printed, and that it be considered at the next annual meeting of the Synod.

On the question being taken on the amendment it was decided in the negative.

The original resolution was then put, and passed in the affirmative.

His Honor the Chief Justice gave notice that he would move the adoption of so much of the Report of the Discipline Committee as relates to the formation of a Contingent Fund for the Synod.

The Rev. F. H. Almon gave notice of motions respecting the evils of intemperance ; forms of subscription and the Laws affecting the Church in this Province.

The Rev. T. E. Dowling gave notice that he would move the adoption of a Form of Commendation for the Laity.

The Rev. E. A. W. Hanington gave notice that he would move the appointment of a Board of Foreign Missions in this Diocese.

The Rev. G. G. Roberts gave notice that he would move for the adoption of a rule respecting the sending of the names of Delegates to the Secretary immediately after their election.

The Rev. Canon Scovil gave notice that he would move for the appointment of a Committee to report upon the Laws of the Province affecting the Church in this Diocese.

The Rev. John Pearson gave notice that he would move the adoption of a rule for the orderly division of Parishes.

Moved by Mr. H. W. Frith, seconded by the Rev. G. M. Armstrong,

Resolved, That the information communicated to the Synod to-day by the Committee, including the Draft Resolution forwarded by Mr. Bethune, be referred to a special Committee to report to-morrow the proper steps to be taken by this Synod for its due admission to the Provincial Synod of Canada.

To which it was
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The question
moved by the
Rev. Canon K

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July 3rd, at ha

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by Mr. W. M.
Resolved, T
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Mr. W. M. J
seconded, and

To which it was moved in amendment by the Rev. F. H. Almon, seconded by the Rev. W. S. Covert,

That it is desirable for the interests of this Diocese immediately to unite with the Provincial Synod of Canada.

The question was discussed, and after a while it was moved by the Rev. S. J. Hanford, seconded by the Rev. Canon Ketchum,

That the Synod adjourn until to-morrow, at half-past nine o'clock, A. M.

Which motion being put was decided in the negative.

The debate was then resumed, and on the question being taken on the amendment, by orders, it was decided in the negative, as follows: Of the Clergy—Yeas 14, Nays 28; Of the Laity—Yeas 15, Nays 23.

The original Resolution was then put and decided in the negative, as follows: Yeas 27, Nays 50.

On motion, the Synod adjourned until Thursday, July 3rd, at half-past nine o'clock, A. M.

THURSDAY, July 3rd, 1873.

The Synod met pursuant to adjournment,—the Lord Bishop in the Chair.

Prayers.

The roll of the Clergy and Lay Representatives was then called by the Secretary, and the attendance marked.

The minutes of the meeting of yesterday having been read, on motion the same were approved.

On motion of the Rev. G. M. Armstrong, seconded by Mr. W. M. Jarvis, it was

Resolved, That the letters from the Hon. Chief Justice Draper and Mr. S. Bethune, submitted by the Committee appointed to consider the question of union with Canada, be printed with the minutes. (*See Appendix C.*)

Mr. W. M. Jarvis moved and the Rev. G. Schofield seconded, and it was

Resolved unanimously, by both orders, That the Synod approves of so much of the Report of the Discipline Committee as relates to the formation of a Contingent fund.

Moved by the Rev. T. E. Dowling, seconded by the Rev. B. Shaw,

That, having regard to the conditions under which intercommunion between members of the Church passing from one Parish, Mission or Diocese to another may be duly maintained, it is hereby declared desirable,

That a Form of Letters commendatory for Lay Members of the Church removing from one Parish, Mission or Diocese to another be prepared; and

That the Bishop of the Diocese be requested to undertake the preparation of such Form.

On the question being taken it passed in the affirmative.

On motion of the Rev. E. Hanington, seconded by the Rev. T. E. Dowling,

Resolved, That a Committee be appointed to consider the subject of Foreign Missions, and the extent to which they may be further aided by action of the Synod, that such Committee do consist of six clerical and six Lay Members of the Synod, acting in conjunction with the Lord Bishop, and do report the result of their deliberations, and any scheme which may be approved of them, at the meeting of the Synod in July next.

On motion it was resolved that the following Committee be appointed in conformity with the preceding resolution: Revs. T. E. Dowling, G. M. Armstrong, E. A. W. Hanington, F. H. Almon, Canon Medley, Schofield, and Messrs. H. W. Frith, W. M. Jarvis, Barton, G. Whitney, G. S. Grimmer, and Matthias Ham

On motion of the Rev. F. H. Almon, seconded by the Rev. F. Partridge, it was

Resolved, That deploring the evils of intemperance and the injury to Society arising from the traffic in intoxicating liquors, as now carried on, the Synod do appoint a Committee to report to this Synod at its ne

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On motion the

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seconded by Mr

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Session, the best method which this Synod might adopt for lessening these evils.

With reference to this resolution the following Committee was appointed by the Synod: Revs. F. H. Almon, F. Partridge, G. M. Armstrong, Joseph Rush-ton, Canon Medley, Dr. Jarvis; Messrs. G. Whitney, H. W. Frith, G. S. Grimmer and H. Webber.

On motion, the Rules of Order were suspended, when the Rev. George M. Armstrong moved and Mr. W. M. Jarvis seconded the following as an alteration or addition to the Constitution:

“That at the time of the election of lay delegates, a substitute or substitutes, not exceeding the number of lay delegates for the Parish, and similarly qualified, may also be elected at the same time, and the certificate of the election of delegates shall also contain the names of the substitute or substitutes, and in case the delegate or delegates elected shall be unable to and does not attend the annual meeting by reason of sickness or any other cause, that such substitute or substitutes shall take his place, and sit and vote in the Synod as if he had been elected delegate.”

The question having been put was passed in the affirmative by a majority of both orders.

On motion of the Rev. G. G. Roberts, seconded by the Rev. James Neales,

Resolved, That the certificates of Lay Delegates to the Synod be immediately forwarded by the Chairman of the meeting at which they are elected, to the Secretary of the Synod, who shall examine them and report to the Synod, when it assembles, the names of those duly elected.

On motion the Rules of Order were suspended, when the following was proposed by the Rev. Dr. Jarvis, and seconded by Mr. S. Foster,

In case of substitutes being authorized by this Synod or Lay Delegates, that provision also be made that in case of sickness, or other sufficient cause, the clergy-

men prevented from attendance shall be allowed to vote by proxy, provided that no clergyman shall hold more than one proxy.

On the question being taken by orders it stood as follows: Of the Clergy, Yeas 12, Nays 7; of the Laity Yeas 8, Nays 11.

It was therefore decided in the negative.

Moved by the Rev. F. H. Almon, seconded by the Rev. D. Nickerson,

Whereas it is desirable that the Church of this Diocese should conform as far as possible with the Church of England,

Resolved, That the Form of Subscription to the Articles and Prayer Book now adopted in England be used in this Diocese.

The question being taken it was decided in the negative.

The Rev. Canon Scovil moved and Mr. W. M. Jarvis seconded,

Whereas it is desirable that the members of the Church of England in this Diocese should have the control of matters relative to their guidance and government through the Synod, therefore

Resolved, That a Committee be appointed to examine all existing Acts relating to the Church in this Diocese and to prepare an Act for the better governance of the Church under this Synod, and present the same at the adjourned meeting of this Synod, to be holden on the 4th November next.

On the question being taken it passed in the affirmative.

On motion, the following Committee was appointed with reference to the preceding resolution, viz., Rev. Canon Scovil, the Hon. Judge Allen, Mr. C. W. Weston, and Mr. W. M. Jarvis.

Moved by the Rev. D. Nickerson, and seconded by Mr. G. D. Street,

That a Special Committee be appointed, consisting

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— Clerical and — Lay members of the Synod, to consider the subject of a hymnal, with a view to recommending the best hymn and tune book for the Diocese, and that they report in July, 1874.

After some discussion, the proposition was withdrawn, by permission of the Synod.

On motion, it was resolved that the next annual meeting be held in St. John, on the Wednesday before the first Thursday in July next.

On motion of the Rev. Canon Ketchum, seconded by the Rev. Canon Scovil,

Resolved, That the thanks of the Synod be offered to those members of the Church who have kindly entertained the clergy at the present time; and to the steamboat proprietors and railway companies for permitting the Clergy and Lay Delegates to return home free of expense.

On motion, the Rev. Canon Scovil took the chair, when the thanks of the Synod were offered to the Bishop for his able and impartial conduct while presiding over the meetings of the Synod.

On motion, the Synod adjourned, to meet in St. John, on Tuesday, the 4th day of November next, the Doxology having first been sung, and the Bishop having given his blessing.

JOHN PEARSON,

Secretary.

APPENDIX.

A.

The Synod of this Diocese, at its meeting in July, 1872, passed the following Resolutions:—

“Whereas a Bill is now before the British Parliament with reference to a shortened form of Daily Service; resolved, that when such Bill is passed, the Lord Bishop be respectfully requested to authorize the use of the said shortened form of service in this Diocese, with such alterations as he may see fit; and also, that his Lordship be requested to provide a selection of special Psalms for certain public services; and further resolved, that his Lordship be requested to provide a Service of Thanksgiving for Harvest, and to fix the day for its use.”

“Resolved, That the Bishop be requested to authorize the use, in our Churches, of a prayer containing special reference to the Provincial Parliament during its sessions, and likewise, to provide a suitable form of prayer for our Diocesan Synod, to be used in our Churches on the Sunday preceding and during the time appointed for the meeting of the Synod.”

I have attended to these requests, and now submit the result to the Synod.

1st. I provided a service of Thanksgiving for the Harvest. It was printed, and three copies were sent to every Clergyman in the Diocese. As there is no reason why I should issue a fresh Form of Thanksgiving every year, I should suppose that it is the wish of the Synod that the Form should be permanently used. Considering all the circumstances of the Diocese, and that in the great majority of country churches, as well as in some of the towns, it is very difficult to collect good congregations on week days, and it is desirable that all Churchmen should unite, as far as possible, in Thanksgiving to God for the Harvest, I am strongly of opinion that, under any circumstances, Sunday is the day best adapted to this purpose in most Parishes, and that it would be desirable that the second Sunday in October should be fixed for an Annual Harvest Thanksgiving. The day fixed by the Lieutenant Governor has varied from year to year. It is generally late in the season. It is not observed at all by several religious communities, and it is neglected by others, and treated as a secular holiday; nor is there any reason to suppose that it will be better observed in future. The religious observance of the day at a time when all Churchmen can unite in Divine worship, at a time appointed by a recognized authority in the Church, would, I am persuaded, be far more useful in promoting the objects intended by an Annual Harvest Thanksgiving.

2. The Prayer for the High Court of Parliament during their Session, will be found in the Book of Common Prayer, is perfectly applicable to the Provincial Parliament, if used with the following alteration, which I would authorize:—“As for this

kingdom in general, so especially for the Provincial Parliament of this Dominion, under our most religious and gracious Queen at this time assembled." By omitting the word "Provincial," the prayer can be used for the Parliament assembled at Ottawa; by adding the word "Provincial," it will apply to our Local Legislature, and if they were both sitting at the same time, and it be desired to pray for both, the words "General and Provincial" can be used.

3. A prayer was requested for our Diocesan Synod, to be used in our Churches on the Sunday preceding, and during the time appointed for the Synod. This seems to be very necessary, to unite all our minds to a sense of our duty in regard to the Church, and to express an earnest desire for the blessing of God on our deliberations. The following is the Prayer which we have drawn up:—

"O God, the faithful God, who keepest covenant and mercy with thy servants to a thousand generations, who didst in old times guide thine Apostles by the light of thy most Holy Spirit, and didst promise to be with us all days even to the end of the world, look mercifully on the members of the Synod of this Diocese, now assembled (or about to assemble) in Thy name. Fill in each what is wanting, and to them all vouchsafe thy grace and love. Knit their hearts to thyself by thy grace and love, and to each other in Thee. Let not ignorance, prejudice, selfishness, and purify all their intentions; that, being ordered by the governance of thy Holy Spirit, and the charity of all towards each other abounding, their work may prosper in their efforts, to the maintenance of godly discipline, the edification of the Church, and the increase of the members of Christ's Body. Which we ask through the grace, compassion, and benignity of Jesus Christ, our Lord and Saviour.—AMEN.

I was also requested to provide a selection of Psalms for use in public services. I subjoin the following selection, which I trust will be found useful:

Proper Psalms during Advent—46, 50, 96, 97, 98, 99, 110, or any of them.

For Lent—6, 32, 38, 51, 102, 130, 143.

For Epiphany—2, 45, 72, 87, 96.

For any Festival or day of Special Thanksgiving, except the Harvest—33, 34, 46, 47, 66, 103, 145, 150.

For any day of Fasting and Humiliation—38, 42, 44, 55, 74, 102, 130.

For Harvest Thanksgivings—65, 67, 103, 104, 145, 147, 150.

For Confirmation—8, 19, 119, Part 1 and 2; 121, 139.

For Ordination—68, 86, 91, 99, 125, 132.

For Missions—2, 19, 45, 46, 48, 67, 72.

For Synod—20, 44, 46, 48, 60, 76, 80, 122, 125, 126, 133, 134.

For Consecration of Churches, or Anniversaries of Consecration—26, 66, 68, 84, 87, 122, 132, 150.

For Consecration of Burial Grounds—89, 90.

For School Festivals—8, 63, 66, 92, 131, 145, 148.

These seem to include all or most of the occasions on which Proper Psalms might be desired.

5. A request was also made, that, "when the Bill with reference to a shortened Form of Daily Service now before the British Parliament is passed, the Bishop will authorize the use of the said shortened Form of Service in this Diocese, with such alterations as he may see fit."

I have had some difficulty in comprehending the intent of this resolution.

It relates (as it would appear) to "a shortened Form of Daily Service in the Diocese." But after a constant visitation of all the Churches in this Diocese for twenty-eight years, I could not, up to the last year, discover that there has been a change of service in any of them, except the Cathedral, and as neither the clergy, nor the constant attendants at that service have ever complained of its length, I presume it was not the object of the Resolution to abridge it. But how am I to shorten that which does not exist? I presume therefore that it is best to explain to the Synod the nature and object of the Bill alluded to by the Resolution, which Bill finally passed the British Parliament under the Title, "Act of Uniformity Amendment Bill," in which a Schedule was appended of a Shortened Form of Daily Prayer throughout the year; and that I should suggest such occasional alterations and abridgements as appear to be consistent with the principle of the Bill, and are in harmony with the existing, though I regret to add, very imperfect use of Church prayers in this Diocese.

Three needs of the Church (felt to be such by earnest and practical minds) were sought to be obtained by this Bill. In regard to daily prayers, which are used in a large number of Churches in England, and in many of them twice a day, it was supposed that it would relieve the Clergy, and induce the laity to attend, if the service were shortened. 2nd In regard to Sunday services, general complaints had been made of the length of the morning service, especially when the Holy Communion is celebrated. The Act provides for the separation of services. It enacts that any of the following forms of service, The order for Morning Prayer, the Litany, and the order for the Administration of the Holy Communion, may be used together in varying order as separate services, or that the Litany may be said after the third Collect in the order of Morning Prayer, either in lieu of, or in addition to the use of the Litany in the order of Morning Prayer, without prejudice, nevertheless, to any legal powers which may be vested in the Ordinary. Thus a large discretion is given as to the use of the different parts of Morning Prayer, subject to the legal authority of the Bishop. 3rd. The third need of the Church, is thus provided for, that "there may be used in any Cathedral or Church, a special Form of Service approved by the ordinary, so that there be not introduced into such service anything but such Scripture or hymns, that does not form part of the Scripture or Book of Common Prayer."

I now come to those practical recommendations which I make to the Synod founded on this "Amended Act of Uniformity," which, however, I may remind you, has no legal force in this Province, but our Provincial Act has left us at full liberty to make rules and regulations on such points for ourselves.

In regard to the Order of Daily Service, I see no reason, as a general rule, for greatly abridging it. With shortened lessons in the New Lectionary, it occupies a little less than half an hour, and if it was reduced to a quarter of an hour, I doubt if a larger number would attend. When the clergy, or any considerable number of them, comply as they should with the plain rule of the Prayer Book, and the laity express their desire to attend, it will be time to consider whether the service may be usefully shortened, and what the abridgement should be.

But in cases where any of the clergy have at present a service daily, or a double daily service, or where on any week day, in addition to the ordinary prayers, a special service, such as that for Baptism, Churching of Women, Confirmation, or the like, be introduced, then I think the service may reasonably be shortened as the Act suggests, by stopping at the third Collect, and concluding with the Prayer of St. Chrysostom, and the blessing. I cannot recommend the excision of either of the Lessons, or the Canticles, though where the office is said frequently, the Exhortation at the beginning might reasonably be omitted. Secondly, as to the Sunday Services. These, I should consider, may be very conveniently divided as the Act directs, especially when the Holy Communion is celebrated. It is really cruel to the clergyman, who often drives several miles to a morning and afternoon service, and perhaps returns for a third in the evening, to insist on the three services being combined in the morning, and it is equally undesirable for infirm and weak persons in the congregation. Incidentally indeed it may be admitted, that some relief might be afforded by a judicious condensation of the sermon. On such occasions, therefore, the Litany may be omitted; but I think it only due to my office, and consistent with the principle laid down in the English Act, that I should be informed of any changes which are desired, and that leave should be given by the Diocesan. If every clergyman were to consider himself a Congregational Bishop, surrounded by his ruling elders, to take charge of him and of his Church, and to open and shut it as they think proper, it would be more consistent to call ourselves by any other name than that of Episcopalians, though it might be difficult to find a name by which we could be called. With regard to the special services provided for by the Act, you will see that in compiling a Special Service for Lent, in which "there is not introduced anything, except Anthems or Hymns, that does not form part of the Holy Scriptures, or Book of Common Prayer," I have fully anticipated by two years the decision of the English Church, and I congratulate myself that the objections to the service are in fact objections to what the whole Bench of Bishops, and both Houses of Convocation, have now pronounced to be perfectly allowable, if not desirable. If the

Church is to make progress, and to show such signs of life as to make it worth while for any person outside her communion to join her, she must meet the wants of the present generation not by proclaiming stereotyped formulas, and negative propositions, but by presenting all Scriptural and Catholic truth in its purity to the mind of the young, in a way that can interest and attract them, and by occasionally resorting to a new form, in order to deepen the truth enshrined in the old. These are the principal subjects to which the Synod directed my attention, on which I have enlarged at greater length than otherwise should have done, because I felt sure that they required explanation. I will detain you no longer than to mention briefly the work done by me during the past year.

I confirmed 801 persons; in the Cathedral, Fredericton; in the Parishes of Holy Trinity, St. Mark's, St. James, St. Luke's and St. Paul's, Portland, St. George, Carleton, in the city of St. John; and Rotheray, St. Andrew's and Chamcook Campobello, Christ Church and Trinity Mission Church in St. Stephen, St. George and Pennfield, Sussex and Dutch Valley Londonderry, Upham and Quaco, Hampton, Norton, Kingston Springfield, Johnston, Westfield, Greenwich, Wickham, Grand Lake, Gagetown, Maugerville, Stanley, Douglas, St. Mary's, and New Maryland.

I also went to Portland and preached before the Diocesan Convention. On my return I confirmed at Magaguadavic, Magundy Prince William, Caverhill Settlement, Skiff Lake, and Canterbury; Richmond, Woodstock; visited Fort Fairfield Church confirmed at Grand Falls, Little Falls, Tobique, R. DeChute. I also confirmed at Rushagonis and Moncton. I also held a six Confirmation in the Cathedral at which 18 adults were confirmed. I need hardly say that addresses were delivered to me at almost every Confirmation. I ordained, I regret to say only one Deacon and one Priest. I consecrated 5 Churches and 4 Burial Grounds. In Lent I held a Mission in the City of St. John, and delivered 20 Addresses and Sermons. In these various duties I travelled 3,500 miles, and I heartily thank God that I was blessed with uninterrupted health during the whole of last year's visitation, and I would acknowledge with grateful thanks the cordial co-operation and hospitality of every person, clerical or lay, in whose Parish I was a visitor. Every thing was done that kindness could do, to lighten my labour and render my visit satisfactory.

I must not conclude this Address without calling the attention of the Synod to two questions which claim our decision. The first is the desirableness of joining the Provincial Synod. The Committee on that question met, and requested me to write to Chief Justice Draper for full information as to the steps necessary to be taken in case this Synod should express its determination to join the Provincial Synod. That information is ready to be laid before you. The second question is that of the Clergy Discipline Bill, which has been prepared with great care by high legal authorities, and is ready to be laid before the Synod for their adoption if they think fit.

A Canon

OF T

1. Every Priest holding any charge in this Diocese, shall be bound to observe the manner and order of the Canon of Discipline.

OF OFFENCES

2. Any Clerk in this Diocese, who commits any offence following the 1st. Preaching without licence; Thirty-nine Articles; Prayer;

2nd. Circulating any libel; Thirty-nine Articles;

3rd. Any crime of drunkenness;

or evil report;

4th. Knowingly publishing any scandal within the degree of consanguinity;

5th. Contumacious refusal to officiate in the Book of Common Prayer;

6th. Contumacious refusal to obey the Bishop or towards the Bishop;

7th. Violation of any Canon of this Diocese;

8th. Habitual neglect of the Divine offices; or

9th. Neglect in the performance of the duties of the office in the Book of Common Prayer;

10th. Schism, or any other offence against the Church;

11th. Exercising any office without being duly qualified;

12th. Any offence against the Canon of Discipline shall be liable to be punished hereinafter stated.

PRESENTMENT

3. A charge made against any person of the offences enumerated in the preceding Canon, shall be brought under the provisions of this Canon.

(a) Whenever the conduct of any person is called in question on such charges against him, the following provisions shall apply.

(b) If the person charged shall be a Bishop, the following provisions shall apply.

B.

A Canon to enforce Church Discipline.

OF THE DISCIPLINE OF THE CLERGY.

1. Every Priest and Deacon duly licenced by the Bishop, or holding any charge under the jurisdiction of the Bishop in this Diocese, shall be amenable for offences committed by him, in the manner and according to the provisions set forth in this Canon of Discipline.

OF OFFENCES FOR WHICH THE CLERGY MAY BE TRIED.

2. Any Clerk in Holy Orders in the Church of England in this Diocese, who may be charged with any or either of the offences following, that is to say:—

1st. Preaching or teaching any doctrine contrary to the Thirty-nine Articles of Religion and the Book of Common Prayer;

2nd. Circulating Books containing doctrines contrary to the Thirty-nine Articles and the Book of Common Prayer;

3rd. Any crime, dishonesty, immoral or disorderly conduct, or drunkenness; or concerning whom there may exist scandal or evil report;

4th. Knowingly celebrating marriage between two persons within the degrees of affinity, as set forth in the Book of Common Prayer;

5th. Contumacy, or disrespectful or disobedient conduct towards the Bishop of the Diocese;

6th. Violation of the Constitution, or the Canons of the Church of this Diocese;

7th. Habitual irregularity or neglect in the performance of Divine offices; or, the introduction of innovations or novelties in the performance of Divine Worship, unsanctioned by the Book of Common Prayer; or permitting unauthorized persons to officiate in the Church;

8th. Schism, or separating himself from the Communion of the Church;

9th. Exercising any lay profession or occupation, inconsistent with his sacred calling;—

Shall be liable to trial, and subject to punishment in the manner hereinafter stated.

PRESENTMENT AND PRELIMINARY ENQUIRY.

3. A charge may be preferred against any clergyman for any of the offences enumerated in this Canon, in the manner and under the provisions following:—

(a) Whenever the Bishop shall have reason to believe that the conduct of any clergyman requires investigation, he may call on such clergyman to answer, specifying in writing the charges against him.

(b) If the person charged confess the alleged offence, the Bishop shall pronounce such sentence as he may judge proper,

according to the nature of the offence, and shall reduce the same to writing, and, if he thinks expedient, may make the same public in such manner as he may think proper, or may cause it, together with the charge and confession, to be filed of record with the Secretary of the Synod.

(c) If the person accused shall not admit or confess his guilt, or if his answers to the charge are not satisfactory to the Bishop, such and the like proceedings may be had thereon, as near as may be, as are hereinafter provided in cases of charges and complaints made to the Bishop by other parties.

(d) When parties, other than the Bishop, shall make charges against any clergyman, and are desirous of having the same investigated, they shall present to the Bishop a Memorial, in duplicate, setting forth distinctly and clearly, with time and place, the nature of the charge or complaint, and if there be more than one charge or complaint, then, each charge separately, in distinct paragraphs. There shall be attached to such Memorial, a statement of the facts or circumstances relied on to support the charge or charges, by the party complaining, or others cognizant of the facts, together with any documents or certificates relied on to substantiate the charges; the names of the witnesses intended to be called, and their places of residence; together with a certificate from two clergymen of the Diocese, or from the Church Wardens, or a majority of the Vestry of the Parish in which the accused shall minister, that they have, from information satisfactory to them, good reason to believe that there are just and reasonable grounds for making the charge and requiring the investigation. Provided always, that in case the Church Wardens or Vestry shall neglect or refuse to give such certificate within fourteen days after request, then a certificate to the like effect, signed by at least five of the parishioners of such Parish, being Members of the Church of England, three of whom shall be communicants, shall accompany such memorial.

4. No charge, in respect to Preaching or Teaching, or circulating erroneous doctrines, or the introduction of innovations or novelties in the performance of Divine worship (other than such as may be brought by the Bishop) shall be entertained against any clergyman, unless the certificate accompanying the Memorial containing such charges shall be signed by three Rectors of Parishes within the Diocese, and by five lay members of the Church, being communicants in good standing and of good repute.

5. If the Bishop shall be of opinion that the charge alleged in the Memorial is frivolous and vexatious, and does not require investigation; or that the matters alleged shew no cause or offence to which the party charged is amenable, under the Canon, he shall state his decision in writing, and indorse the same upon, or attach it to, one copy of the said Memorial, and file the same of record with the Secretary of the Synod; and shall also cause the other copy of the said Memorial, with a copy of his decision indorsed thereon, to be returned to the complainant.

6. If the Bishop shall be of opinion that the charge stated

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the Memorial is not set forth with sufficient precision or certainty to enable the party charged fairly to deal with, and answer the same, he shall return one copy of such Memorial to the complainant, with an intimation to that effect indorsed thereon; and file the other copy, with such indorsation thereon, with the Secretary of the Synod. But such complainant may nevertheless, if he thinks fit, amend the same, and make a new application to the Bishop, provided he does so within thirty days after receiving intimation of the insufficiency of his first complaint.

7. If the Bishop shall be of opinion that the charge is set forth with reasonable certainty, and requires investigation, he shall with all convenient despatch cause one copy of such Memorial to be served on the party charged, requiring him within fourteen days after the receipt thereof to answer or explain the same in writing. If the party accused admit the truth of the charge, and request the Bishop to deal with the same in a summary way, the Bishop shall thereupon adjudge the party to be guilty, and shall award such punishment under this canon as in his judgment and discretion he may think adequate to the offence; and shall attach his sentence, and the answer of the party against whom the complaint was made, to the Memorial, and file the same of record with the Secretary of the Synod, who shall forthwith transmit to the complainant and the party charged, a copy of such decision or sentence.

8. If the party charged shall not admit the truth of the charge, but shall in writing deny, answer, or explain the same, and shall request to have the same dealt with and determined by the Bishop in a summary way on charge and answer without further proof, the Bishop shall transmit a copy of such answer and request to the complainant; and if he shall not within fourteen days after receipt thereof, express his dissent in writing to the Bishop so proceeding, or shall express his written assent thereto, then, and in either of such cases, the Bishop shall thereupon fix a time and place for the hearing thereof, of which fourteen days notice in writing shall be given to both parties by the Secretary of the Synod. At the time and place appointed, the Bishop shall hear the parties or either of them, or their counsel, and shall thereupon pronounce judgment in the matter; or if necessary, may adjourn till a future day for the purpose of giving his decision. On such decision being given, it shall be filed of record, with the Memorial, answer, and other documents connected therewith, by the Secretary of the Synod; and a copy of the decision or judgment shall also be forthwith furnished to the complainant and defendant respectively.

9. If both parties do not within fourteen days assent to the Bishop proceeding with a complaint in a summary manner, as in the preceding section mentioned; or if the party charged shall neglect to answer the charge in writing within fourteen days as provided in section 7, the Bishop shall by warrant (A) under his hand and seal, direct the Secretary of the Synod to organize a court to investigate and adjudicate upon the charges alleged in the Memorial; and in such warrant shall nominate and appoint an Assessor to preside over and assist in the deliber-

think right, towards defraying his actual expenses incurred in answering such charge; or they may order the whole or any part thereof to be placed by the Secretary to the credit of the Contingent fund of the Synod, hereinafter provided for, to meet expenses which from time to time may become payable out of such fund.

13. No proceeding shall be instituted under this Canon unless the same be commenced within one year after the alleged commission of the offence in question. But where proceedings are brought in respect of an offence for which a judgment or conviction has been obtained in a civil or criminal tribunal, the suit in the Ecclesiastical Court under this Canon may be commenced within six months after such judgment or conviction.

COURT, OR BOARD OF TRIERS.

14. There shall be a Board of Discipline for the Diocese of Fredericton, from which shall be selected an Ecclesiastical Court or Board of Triers, to try such charges as may be preferred against any Priest or Deacon under this Canon. Such Board of Discipline shall be composed of — Priests and — Laymen, being members of the Synod, who shall at every annual meeting of the Synod be appointed in the same manner as Committees are nominated and appointed; and which Board shall continue in office for one year, or until others are appointed in their stead.

15. If any member of the said Board should die, remove from the Province, decline, or become otherwise incapable of acting, the Bishop shall from time to time appoint such number of clergymen and laymen, being members of the Synod, as may be necessary to complete the said Board; and the Secretary shall substitute the name or names of the person or persons so appointed, in the place of those who may have died, or become disqualified from acting.

16. The Ecclesiastical Court or Board of Triers shall be selected in the following manner:—

On the receipt of the Warrant (A) the Secretary of the Synod shall cause a notice (B) to be served on the complainant and defendant respectively, — days before the time named for selecting the Board of Triers; and at the time and place so appointed, the said Secretary shall, in the presence of the parties or their agents (in case they attend) place in a box, hat, or other convenient receptacle, the names of all the clerical and lay members of the said Board of Discipline for the then current year, written on slips of paper of the same size, and folded up in the same manner, as near as may be, so that the names thereon cannot be seen, and shall shake the same so that they may be completely intermixed, one with the other; and shall then, and before noon of the said day, openly draw therefrom the names of Five clergymen and Four laymen; declaring aloud, and writing down each name as drawn (the names of the Clergy and Laity being written in separate columns,) and shall, with all convenient speed thereafter, at the request of the parties or their agents, or either of them, furnish them respectively with copies of the list of names so drawn. The parties,

or their agents duly authorized in writing, shall from the names so drawn, at any time before sunset of the same day, each strike from such list the names of one clergyman and one layman, and the remaining three clergymen and two laymen shall form the Court or Board of Triers to sit on the trial of the cause specified in such Warrant. If either of the parties omit to strike off the names from the said list, the Secretary shall, on the following day, reduce the said list to three clergymen and two laymen, by striking the names therefrom, commencing at the foot of the respective lists, and striking off the names in regular rotation until the requisite number of clergymen and laymen is obtained to constitute the said Court.

17. The Secretary shall indorse on the Warrant (A) the names of the said three clergymen and two laymen so struck as the Board of Triers, and shall transmit the same to the Assessor of the said Warrant named; together with the Memorial and answer or statement filed by the defendant.

18. The Assessor shall within ——— days after receipt of the said Warrant, and Memorial, cause a notice in writing to be served upon each of the Members of the said Board, informing them of their appointment; and also upon the complainant and defendant, notifying them respectively that the trial of the said charge will be proceeded with at a time and place to be named in such notice.

19. If at the time appointed for the first meeting of the Board of Triers, the whole number of five shall not attend, then those who do attend may adjourn from time to time. Four members shall constitute a Board and proceed to the trial, and a majority of them shall decide all interlocutory questions. Provided that if all five of the Triers be present, not less than four shall agree in a conviction, and that if only four be present, the defendant shall not be convicted unless they all agree in a conviction.

20. Before proceeding with the trial, each of the Triers shall make and subscribe a solemn declaration in the presence of the Assessor, that he will, according to the best of his knowledge and judgment, truly and faithfully, and without partiality or favor to either of the parties, hear and determine the matter to be tried, and give judgment therein, according to the evidence, and the very right of the matter; and also, that he will not directly or indirectly, disclose or make known to any person, his opinion or vote of any member of the Board touching the matter in question; and will not divulge the sentence of the Court until it shall be duly approved by the Bishop; which declaration shall be entered in the minutes of the proceedings of the said Board.

21. Before proceeding with the trial, the Assessor shall make and subscribe a solemn declaration in the Minutes that he will truly and impartially, and according to the best of his knowledge and judgment, discharge the duties of his office, and that he will not, directly or indirectly, disclose or make known to any person the opinion or vote of any member of the Board, or the advice he has given to the Board, touching the matter in question, except only to the Bishop of the Diocese when

consultation with growing thereof it shall be duly a

22. The trial shall note down the evidence, or otherwise

When only four interlocutory questions

ence, mode of proceeding matter, the Assessor vote in any other

for the preservation of the character that may be the result of their deliberation

23. It shall be the record of all the proceedings to the conclusion of the trial with the evidence therewith, to the

24. If on the day appointed the defendant shall be called upon to plead, a plea of guilty shall be entered; in which case the trial shall proceed as directed by the Court

25. If the accused shall be convicted by the Board of Triers, the sentence shall be as follows:— If the accused shall be convicted by the Board of Triers, the sentence shall be as follows:—

26. Before any trial shall make and subscribe a solemn declaration in the presence of the Assessor, that he will, according to the best of his knowledge and judgment, truly and faithfully, and without partiality or favor to either of the parties, hear and determine the matter to be tried, and give judgment therein, according to the evidence, and the very right of the matter; and also, that he will not directly or indirectly, disclose or make known to any person, his opinion or vote of any member of the Board touching the matter in question; and will not divulge the sentence of the Court until it shall be duly approved by the Bishop; which declaration shall be entered in the minutes of the proceedings of the said Board.

27. All evidence taken at the trial shall be reduced to writing by the Assessor, and shall be signed by him and the Secretary, and shall be kept in the office of the Assessor, until it shall be duly approved by the Bishop; which declaration shall be entered in the minutes of the proceedings of the said Board.

28. Upon the application of the complainant, the Assessor shall appoint a Commissioner to attend the trial, and to take the evidence, and to report thereon to the Board of Triers.

29. The Assessor shall cause a notice in writing to be served upon each of the Members of the said Board, informing them of their appointment; and also upon the complainant and defendant, notifying them respectively that the trial of the said charge will be proceeded with at a time and place to be named in such notice.

30. If at the time appointed for the first meeting of the Board of Triers, the whole number of five shall not attend, then those who do attend may adjourn from time to time. Four members shall constitute a Board and proceed to the trial, and a majority of them shall decide all interlocutory questions. Provided that if all five of the Triers be present, not less than four shall agree in a conviction, and that if only four be present, the defendant shall not be convicted unless they all agree in a conviction.

31. Before proceeding with the trial, each of the Triers shall make and subscribe a solemn declaration in the presence of the Assessor, that he will, according to the best of his knowledge and judgment, truly and faithfully, and without partiality or favor to either of the parties, hear and determine the matter to be tried, and give judgment therein, according to the evidence, and the very right of the matter; and also, that he will not directly or indirectly, disclose or make known to any person, his opinion or vote of any member of the Board touching the matter in question; and will not divulge the sentence of the Court until it shall be duly approved by the Bishop; which declaration shall be entered in the minutes of the proceedings of the said Board.

32. Before proceeding with the trial, the Assessor shall make and subscribe a solemn declaration in the Minutes that he will truly and impartially, and according to the best of his knowledge and judgment, discharge the duties of his office, and that he will not, directly or indirectly, disclose or make known to any person the opinion or vote of any member of the Board, or the advice he has given to the Board, touching the matter in question, except only to the Bishop of the Diocese when

33. The Assessor shall cause a notice in writing to be served upon each of the Members of the said Board, informing them of their appointment; and also upon the complainant and defendant, notifying them respectively that the trial of the said charge will be proceeded with at a time and place to be named in such notice.

34. If at the time appointed for the first meeting of the Board of Triers, the whole number of five shall not attend, then those who do attend may adjourn from time to time. Four members shall constitute a Board and proceed to the trial, and a majority of them shall decide all interlocutory questions. Provided that if all five of the Triers be present, not less than four shall agree in a conviction, and that if only four be present, the defendant shall not be convicted unless they all agree in a conviction.

35. Before proceeding with the trial, each of the Triers shall make and subscribe a solemn declaration in the presence of the Assessor, that he will, according to the best of his knowledge and judgment, truly and faithfully, and without partiality or favor to either of the parties, hear and determine the matter to be tried, and give judgment therein, according to the evidence, and the very right of the matter; and also, that he will not directly or indirectly, disclose or make known to any person, his opinion or vote of any member of the Board touching the matter in question; and will not divulge the sentence of the Court until it shall be duly approved by the Bishop; which declaration shall be entered in the minutes of the proceedings of the said Board.

36. Before proceeding with the trial, the Assessor shall make and subscribe a solemn declaration in the Minutes that he will truly and impartially, and according to the best of his knowledge and judgment, discharge the duties of his office, and that he will not, directly or indirectly, disclose or make known to any person the opinion or vote of any member of the Board, or the advice he has given to the Board, touching the matter in question, except only to the Bishop of the Diocese when

consultation with him relative to the said trial or the matters growing thereout; nor divulge the sentence of the Court until it shall be duly approved as aforesaid.

22. The trial shall be presided over by the Assessor, who shall note down all objections raised to the admission of evidence, or otherwise, and all questions determined by the Court. When only four members of the Board are present, if any interlocutory question shall arise, such as the admission of evidence, mode of proceeding, adjournment, or other interlocutory matter, the Assessor shall have a casting vote; but he shall not vote in any other case—the immediate duties of his office being for the preservation of order; regulating the proceedings, and informing and advising the Court on any question of a legal character that may arise; and generally aiding the Court in their deliberations, interlocutory and final.

23. It shall be the duty of the Assessor to cause a correct record of all the proceedings of the said Court to be kept, and at the conclusion of the trial, to transmit the same, under seal, with the evidence, and all papers and documents connected therewith, to the Bishop of the Diocese.

OF THE TRIAL.

24. If on the day fixed for the trial, the accused shall appear, he shall be called upon to plead to the charge, and if he refuse to plead, a plea of "*Not Guilty*" shall be entered for him, and the trial shall proceed, unless he take exception to the jurisdiction; in which case the question of jurisdiction shall be determined by the Court, and if it is overruled, the trial shall proceed.

25. If the accused do not appear; then, on proof to the satisfaction of the Board and the Assessor, that ——— days notice of trial had been served on the accused, the trial may proceed in his absence, and evidence adduced of the charge.

26. Before any person shall be allowed to give evidence, he shall make and subscribe a solemn declaration that he will truly answer all such questions as may be put to him respecting the matter in question, without any equivocation, evasion, or mental reservation, and that he will speak the truth, the whole truth, and nothing but the truth. The evidence given by each witness shall be read over to and signed by him, and he shall also subscribe a declaration of its truth, and that according to the best of his knowledge and belief he has withheld nothing bearing on the matter in issue which ought legally and properly to have been disclosed.

27. All evidence shall be taken down in writing by the Assessor, or by some member of the Board of Triers, or by a Clerk appointed for that purpose; and if taken by a Clerk he shall make a declaration in writing before the Assessor, that he will faithfully and impartially write down and transcribe the evidence of each and every witness to be examined.

28. Upon the application of either party to the Bishop, and its being made satisfactorily to appear to him, that any material witness cannot be produced upon the trial, the Bishop may appoint a Commissioner to take the testimony of such witness.

The commission shall be under the hand and seal of the Bishop and according to the form (C) or to the like effect. The party applying for the commission shall give to the other party at least six days notice in writing of the time and place of taking the testimony, provided the distance be not above forty miles and an additional day's notice for every additional twenty miles of the said distance. Both parties may attend before the Commissioner and examine the witness or witnesses, who before giving evidence, shall make and subscribe the like solemn declaration as is provided in case of an examination before the Court of Triers: the evidence shall be reduced to writing and signed by the witness, and shall be certified by the Commissioner, and enclosed, together with the Commission, under his seal, to the Assessor appointed to preside at the trial, and shall be received by the Board of Triers as evidence in the suit.

29. Before proceeding to take evidence under the commission, the Commissioner shall make and subscribe a declaration to be indorsed on the Commission, that he will faithfully and impartially, according to the best of his knowledge, take the examination of the witnesses produced before him, and write down and transcribe the evidence to be given.

30. The proceedings upon a trial shall be open to the members of the Church, unless in the opinion of a majority of the Court, the circumstances of the case require that the trial should be private.

31. The Court may adjourn from time to time, and from place to place, if it may be necessary for the convenient examination of witnesses, or otherwise; or to afford opportunity for full consideration and deliberation.

32. Either party may appear and conduct his case by counsel at the trial.

33. The decision of the Board of Triers shall be kept secret until the same is finally approved by the Bishop.

34. The decision of the said Court, or not less than four of the members thereof, shall, together with the evidence adduced, be forthwith transmitted by the Assessor to the Bishop. If the decision shall be approved of by the Bishop, he shall signify the same in writing, and, in case of conviction, cause the same to be carried into effect. In case of acquittal, the Bishop shall cause the same to be promulgated in such manner as he may deem expedient. The proceedings of the Court, together with the approval of the Bishop, shall be filed of record with the Secretary of the Synod, who shall notify the respective parties of the decision and approval.

35. If, in case of a conviction, the Bishop disapproves of the sentence in respect to the measure of punishment, he may revise and reduce, but not increase the same; and the sentence so revised and reduced shall be deemed the sentence of the Court.

In case the Bishop should disapprove of the finding and decision of the said Court on other grounds, he shall refer the matter back, with his reasons for such disapproval, to the Court, who shall reconsider their decision. If the Court adheres to its decision, or so varies the same as still to be ob-

tionable in the opinion of the Assessor, the Assessor at his own opinion, either in person or by another Court of Triers hereinbefore directed, on the first trial.

36. The decision shall be final, except in case of a doctrine contrary to the Book of Common Prayer, or containing doctrine not contained in the Common Prayer, or an appeal to the Synod for its final determination.

37. If four members of the Court on a decision after deliberation, the majority with the charge, and if the Bishop is of opinion that the nature of the offence is such as to require that on another trial, the Bishop shall direct him as he shall think fit, or the like proceeding, except that the names of the persons struck off the lists shall be a separate part of the Commission.

38. In every case charged, it shall appear to arise from the services of the Church, the Bishop shall be at the same time performing any service which have been finally determined.

39. For the offence of a Canon, the following sentences imposed upon the offender: Admonition; Suspension; Excommunication; or removal from office; or deposition; or deposition public or private.

40. When the parties shall specify on what

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tionable in the opinion of the Bishop, he shall refer the same to the Assessor for his opinion thereon; and if the Bishop and the Assessor after consultation and deliberation shall concur in opinion, either in view of the law or the facts of the case, that there should be a new trial, the matter shall be referred to another Court or Board of Triers, to be selected in the manner hereinbefore directed, and the like proceedings shall be had as on the first trial.

36. The decision of the Court on such second trial shall be final, except in cases of charges of "Preaching or teaching any doctrine contrary to the Thirty-nine articles of Religion, and the Book of Common Prayer;" and "Circulating Books containing doctrines contrary to such Articles and the Book of Common Prayer;" in either of which cases the parties may appeal to the Synod, or the Bishop may refer the matter to the Synod for its final adjudication.

37. If four members of the Court shall be unable to agree upon a decision after a reasonable time allowed for consultation and deliberation, the Assessor shall report the same to the Bishop, with the charge, answer, evidence, and proceedings of the trial; and if the Bishop and Assessor agree in opinion that it is a matter of sufficient importance to justify further enquiry, and that from the nature of the evidence a decision ought to have been arrived at, and that there is reasonable ground for thinking that on another trial a determination and adjudication will be had, the Bishop shall issue an *alias* warrant to the Secretary, directing him as before to select a Board of Triers, on which the like proceedings shall be had as are hereinbefore provided, except that the names of the triers who sat on the trial, or were struck off the lists by the parties, shall not be again drawn, or form part of the Court on the second trial.

SUSPENSION PENDENTE LITE.

38. In every case, in which from the nature of the offence charged, it shall appear to the Bishop that great scandal is likely to arise from the Clergyman accused continuing to perform services of the Church while such charge is under investigation, the Bishop shall cause a notice to be served on the accused at the same time with the service of the copy of the charge, in manner as he may think fit, together with a copy of the charge, to be performed any services of the Church until the matter shall have been finally decided.

OF SENTENCES.

39. For the offences set forth in the second section of this Canon, the following sentences shall be passed, and punishments imposed upon offending clergymen, viz:—
Admonition; Suspension from the exercise of his office; Deprivation or removal from his office in the Church, otherwise called deposition; and degradation. Admonition may be either public or private.

40. When the penalty of suspension is inflicted, the sentence shall specify on what terms, or at what time the suspension

shall cease. During his suspension, the clergyman shall not exercise the functions of his ministry in his own congregation or elsewhere, on pain of deprivation or deposition; and during such suspension, the Bishop may appoint another clergyman to supply the place of the suspended clergyman. When sentence of suspension is pronounced, the Bishop shall cause such notice of it to be given to the clergy and laity of the Diocese as he shall think sufficient.

41. When sentence of deprivation or removal from office is pronounced, the connection between the clergyman so deposed and his parish or congregation shall be *ipso facto* terminated and all offices, rents, issues, profits and emoluments which he may have held by virtue of such office or ministry from which he has been removed shall wholly cease and determine.

42. Whenever a clergyman is so deposed, or degraded from the ministry, the Bishop shall, without delay, cause such sentence to be publicly read to the several congregations of the Diocese by the respective Ministers thereof, and shall also give notice thereof to all the Bishops of the Dominion of Canada.

OF APPEALS.

43. An appeal shall lie to the Synod, who shall determine whether further or other proceedings shall be had; and who in the event of a majority of the Synod resolving that there are reasonable grounds of appeal, shall by memorial addressed to His Grace the Archbishop of Canterbury, or to the Metropolitan and the other Bishops of Dioceses in the Dominion, to be named therein, and to be transmitted by the Bishop, humbly request his Grace, or the said Metropolitan and Bishops, to consider and finally determine the matter in controversy; and with such memorial, certified copies of all the proceedings had in such matter in controversy shall be transmitted, and the decision and determination being returned to the Bishop, shall be filed by him of record with the Secretary of the Synod, as the final adjudication in the matter, and by which all parties shall be bound.

NOTICES AND CITATIONS.

44. Every Notice, Citation and Requisition to be given made under the provisions of this Canon, shall be served upon the person or persons to whom the same respectively relate or is directed; either personally, or by leaving a copy of the same at his usual or last known place of residence, with some adult person belonging to his family, or to the family with which he resides. In case the person to be notified or cited has left the Province, or secretes himself so that he cannot be served in the manner hereinbefore directed, the Citation or Notice may be served by affixing the same upon the Church door of the Parish to which he belonged, and upon the door of any Chapel of Ease within the same.

45. The Sec... shall be record... the Bishop, or t... Board shall be... record; and it... fic judgments... Bishop, or by t... also to cause to... decisions issued... the provisions o... any person.

46. Whereas i... this Diocese sho... the Bishop of th... Orders is about... employment in a... of England, he s... apply for a Bene... good standing th... No Clerk in H... his duties for mo... same, unless he... on application... mendation. (E)... If such Bene... tion, shall be ref... for in writing, an...

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47. If any men... by any wickedne... pelled from the P... the Rector, Curat... within — da... his reasons for so... enquiry thereun... complaint in writ... direct the Secreta... — laymen fro... is provided by th... with the Bishop, s... such complaint;... of which the Bis... son repelled to th... pulsion, as shall... pulsion to be subj... fabric. In case... application being... on profession of re... that no sufficient c...

RECORDING SENTENCES, &c.

45. The Secretary of the Synod shall keep a Book in which shall be recorded all judgments and sentences pronounced by the Bishop, or the Board of Triers. All the proceedings of the said Board shall be filed with the said Secretary and kept by him of record; and it shall be his duty to report to the Synod all public judgments, decrees, and sentences pronounced by the Bishop, or by the Board of Triers, during the preceding year; also to cause to be served all notices, citations, requisitions and decisions issued or pronounced by the Bishop, and required by the provisions of this Canon to be served upon or notified to any person.

LETTERS BENE DISCESSIT.

46. Whereas it is desirable that any person in Holy Orders in this Diocese should not leave the same without authority from the Bishop of the Diocese; therefore when any person in Holy Orders is about to leave the Diocese for the purpose of seeking employment in any other Diocese in Communion with the Church of England, he shall communicate the same to the Bishop, and apply for a Bene Discessit, (D) and if the person shall be of good standing the Bishop shall grant the same.

No Clerk in Holy orders in this Diocese shall be absent from his duties for more than three weeks, without providing for the same, unless he obtains leave of absence from the Bishop, who on application may grant such leave, with Letters of Recommendation. (E)

If such Bene Discessit, or leave, or Letters of Recommendation, shall be refused, the Bishop shall assign his reasons therefor in writing, and deliver the same to the party applying.

OF THE DISCIPLINE OF THE LAITY.

47. If any member of the Church in this Diocese shall offend by any wickedness of life, such person so offending shall be repelled from the Holy Communion, agreeably to the rubric, and the Rector, Curate, or Minister so repelling any such person shall within _____ days thereafter notify the Bishop thereof, with his reasons for so doing; but the Bishop need not institute any enquiry thereunder, unless the party repelled shall make a complaint in writing to the Bishop, whereupon the Bishop shall direct the Secretary of the Synod to draw _____ clergymen and _____ laymen from the Board of Discipline, in like manner as is provided by the sixteenth section of this Canon, who, together with the Bishop, shall be a Board to investigate and decide upon such complaint; and the said Board, or a majority of them (of which the Bishop shall be one) shall either restore the person repelled to the Holy Communion, or confirm the act of repulsion, as shall be deemed right; the continuance of the repulsion to be subject to the conditions and provisions of the rubric. In case the clergyman of the Parish or Mission, on application being made to him to restore the repelled person on profession of repentance, shall refuse to do so, on the ground that no sufficient evidence of such repentance has been given;

or shall not set forth any ground of refusal; or shall state an insufficient ground; such repelled person may again make complaint in writing to the Bishop, who shall deal with it in the manner hereinbefore directed.

THE CONTINGENT FUND.

Whereas it is necessary for the practical carrying into effect this Canon, that a fund should be established from which *inter alia* the necessary expenses attending the retaining and employment of Assessors, the actual expenses of the Board of Triers, and the necessary expenses incident to the proceedings as also the expenses of the Synod itself may be defrayed, It is ordered,—

1. That in addition to any collection to be made, or to any other monies received from other sources, that a fund be established to be known as the "Contingent Fund."

2. Every Parish shall be required to contribute to this fund as follows, that is to say: the Parishes in the city of Saint John the Parishes in the town of Portland, Fredericton, Saint Andrews, Chatham, Kingston, Woodstock, Moncton, Dorchester, Sussex, Studholm, Trinity in St. Stephen, and Rotherham the sum of four dollars each, and all other Parishes the sum of one dollar each.

3. Such contributions shall be sent to the Secretary of the Synod, who shall be the Treasurer of such fund, on or before the first day of the annual meeting of the Synod; and no lay delegate from any Parish shall be allowed to sit or vote in the Synod until such contribution is paid.

4. Whenever, and so often as the said fund shall, after payments made, and deducting all outstanding claims, amount to the sum of one hundred dollars or upwards, the Treasurer shall deposit the same on interest on the best terms attainable at the Bank of New Brunswick, the Maritime Bank of Canada, or such other Bank as the Bishop may direct or approve of, so that the same may be increasing, and at the same time available on short notice.

5. That no payments shall be made from such fund unless ordered by the Synod or on the order of the Bishop, specifying on what account, and for what service such order is drawn.

6. On the first day of the annual meeting, the Secretary shall lay before the Synod an account in detail showing the expenditure of the said fund; which account shall be audited by a Committee.

Schedule of Forms.

A.

WARRANT TO ORGANIZE COURT.

To ———, Secretary of the Synod of the Diocese of Fredericton, in the Province of New Brunswick:

You are hereby commanded to draw from the Board of Discipline the names of Five Clergymen and Four Laymen, to form a Board of Triers for the trial of a charge preferred by —

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against —, and to proceed thereon according to the directions of the Canon of this Synod, intituled "A Canon to enforce Church Discipline." And we do hereby appoint — of —, in the County of —, Esquire, to preside over the said Board of Triers.

Given under our hand and Episcopal Seal, at Fredericton, the — day of —, in the year of our Lord one thousand eight hundred and —.

B.

NOTICE TO ATTEND AND SELECT TRIERS.

Take notice, that in pursuance of a Warrant to me directed by the Lord Bishop of this Diocese, I will on —, the — day of — next, at — o'clock in the forenoon, at my house (or, as the case may be) in —, proceed to draw the Board of Triers for the trial of a charge preferred by — against —, according to the directions of the Canon to enforce Church Discipline; at which time and place the said parties, or their agents, may attend.

Dated at Fredericton, the — day of —, A. D. 18 .

A. B.,
Secretary of the Synod.

C.

COMMISSION TO EXAMINE WITNESSES.

To — (Name of Commissioner) of —, in the County of —, greeting:

Whereas a suit is now pending before the Board of Triers appointed under the authority of a Canon of the Synod of the Diocese of Fredericton, intituled "A Canon to enforce Church Discipline," to try a certain charge preferred by — against —, a Clerk in Holy Orders within the said Diocese, and it has been made to appear to us the Lord Bishop of the said Diocese, that — of — in the County of — is a material witness on the part of the said — upon the said trial; we do therefore, in pursuance of the power and authority vested in us by the said Canon, hereby authorize you, at a certain day and place to be appointed by you for that purpose, to hear and take the evidence of the said witness, in the presence of the parties, or their agents, or such of them as may attend; that such witness may be examined and cross-examined by the respective parties or their Agents, and that such examination be reduced to writing and signed by the said witness; and that before such examination the said witness make the declaration required by the said Canon: And when you shall have so taken such examination, you are to send the same without delay, closed up under your seal, together with this commission, to — of —, the Assessor appointed to preside over such trial.

Given under our hand and Episcopal seal, at Fredericton, the — day of —, in the year of our Lord, 18 .

D.

LETTERS BENE DISCESSIT.

To the Right Reverend the Bishop, and the Clergy of the Diocese of ———.

Whereas A. B., of the Diocese of Fredericton, having asked our Letters Bene Discessit, being about to remove to the Diocese of ———, we do hereby grant the same, and recommend him to the kind consideration and christian fellowship of the members of our common faith; and so we bid you farewell in Christ our Lord.

Given under our hand, and the seal of our Diocese, this — day of —, A. D., 18 .

E.

LETTERS OF RECOMMENDATION.

To the Bishops and Clergy of the Church of England, and other Churches in communion with the same, greeting:

Whereas, A. B., of our Diocese, being in good standing, has asked leave of absence from his duties for the space of — months, we have granted the same, and commend the said A. B., to your brotherly kindness; beseeching you to receive him in the Lord, and to render him any assistance of which he may stand in need. Farewell.

Given under our hand and seal of our Diocese this — day of — 18 .

C.

HAZELDENE, TORONTO, }
April 19, 1873. }

MY LORD,—I must beg of you to excuse my delay in replying to your letter of the 27th March, which I received on the 1st of this month.

I was not a member of the Committee of the Provincial Synod of Canada, to whom was referred the application of the Synod of Nova Scotia, to be admitted under the authority of the Dominion Act 33rd Vict., Chap. 57. In order to avoid any oversight or mistake, I transmitted your Lordship's letter to Mr. Strachan Bethune, the Chancellor of the Diocese of Montreal, requesting him to furnish me with the necessary information. I received his reply yesterday, and inclose it with the draft of a resolution framed by him, and in which I concur. Some such a resolution must be adopted by your Diocesan Synod, and being certified under the Seal of the Synod, and countersigned by the Secretary, and forwarded to the Provincial Synod, will be, in my opinion, all that is requisite to effect the Union. To pre-

vent captious signature might Synod seal.

Mr. Bethune made any objection that the official evidence upon the statements of had incorrectly intention of the If such a resolution's attention August, 1858, and the former Act,

Right Reverend the Lo

MY DEAR SIR, answering your The difficulty of adopting our Union which enabled evidence laid before and his delegates and by certain Provincial Synod, that what Synod Act. The held that the only elementary evidence Corporation, and contradicted by the and his delegates.

As requested by Resolution which language necessary Brunswick enabled might forward it to proof he and they eventually Provincial Synod.

P. S.—I return The Hon. Chief Justice D

Resolved, That Dominion of Canada Her Majesty's R and to the Provin Act of the Legislat

vent captious objections (most improbable) your Lordship's signature might be subscribed to the resolution opposite to the Synod seal.

Mr. Bethune's note to me will explain the only point on which I made any observation, and I confined myself to the statement that the official return of the resolution of the Diocese of Nova Scotia made by its proper officer was conclusive as a matter of evidence upon the Provincial Synod, although there were verbal statements of the highest authority asserting that the officer had incorrectly drawn it up in a form which did not express the intention of the Synod of Nova Scotia.

If such a resolution be passed, I beg leave to call your Lordship's attention to the Statute of Canada, passed on the 16th August, 1858, and chaptered 139, which explains and amends the former Act, as to the representation in Synod by the Laity.

I have the honor to be

Your Lordship's humble servant,

WM. H. DRAPER.

Right Reverend the Lord Bishop of Fredericton,

MONTREAL, April 16th, 1873.

MY DEAR SIR,—I have been prevented, from various causes, answering your note of the 1st inst. before now.

The difficulty with regard to Nova Scotia was, that instead of adopting our Synod Act, they adopted the Act of the Dominion which enabled them to do so; at least the documentary evidence laid before us so declared and established. The Bishop and his delegates then endeavoured to show, by verbal proof and by certain printed reports of the proceedings of the N. S. Synod, that what they really intended to do was to accept our Synod Act. The majority of the Provincial Synod, however, held that the only legal evidence we could accept was the documentary evidence submitted, which was under the seal of the Corporation, and that that evidence could not be legally contradicted by the other mode of proof tendered by the Bishop and his delegates.

As requested by you, I now submit for your consideration a Resolution which I have prepared in what I conceive to be the language necessary to cover the requirements of the New Brunswick enabling Act. If it meet with your approval you might forward it to the Bishop, cautioning him as to the kind of proof he and his delegates should come armed with, when they eventually present themselves for admission to our Provincial Synod.

Believe me, faithfully yours,

STRACHAN BETHUNE.

P. S.—I return enclosed the Bishop's Letter.
The Hon. Chief Justice Draper, C. B., Toronto, Ont.

Resolved, That whereas, by an Act of the Legislature of the Dominion of Canada, made and passed in the thirty-fourth year of Her Majesty's Reign, chaptered 58, intituled "An Act to extend to the Province of New Brunswick, the operation of the Act of the Legislature of the late Province of Canada, concern-

ing the Synod of the Church of England in Canada," permission was granted to the Synod of the Church of England then constituted, or which should thereafter be constituted in conformity with the provisions of the said Act of the Legislature of the late Province of Canada, in the Diocese of Fredericton and Province of New Brunswick, to adopt the said Act last mentioned, and, with the consent of the Synod of the said Church of England in Canada, to unite with the members of the said Church in other Provinces of the Dominion of Canada, in General Assembly, by their Representatives, as fully, and in the same manner, to all intents and purposes, as if they had been included in the Province of Canada, at the time of the passing of said last-mentioned Act.

And whereas the Synod of the Church of England, duly constituted in the said Diocese of Fredericton, is desirous of adopting the said Act last-mentioned, and of uniting with the said other members of the said Church, in General Assembly as aforesaid

That the said Synod of the Church of England in the said Diocese of Fredericton, now presently assembled and in Session, shall and they do hereby adopt the said last-mentioned Act, to wit, The Act passed by the Legislature of the late Province of Canada, in the Session thereof held in the nineteenth and twentieth years of Her Majesty's Reign, chaptered 141, intituled "An Act to enable the members of the United Church of England and Ireland in Canada, to meet in Synod," and that the said Synod of the said Diocese of Fredericton, do and shall, with the consent of the Synod of the said Church of England in Canada, unite with the members of the said Church in other Provinces of the Dominion of Canada, in General Assembly, by their Representatives, as fully and in the same manner, to all intents and purposes, as if they had been included in the Province of Canada, at the time of the passing of the said last-mentioned Act.

THE SYNOD IN ACCOUNT WITH THE SECRETARY.

DR.

1872.			
Aug. 16th.	Expenses of distributing the Journal, 1872,.....	\$2	
1873.			
July 3rd.	Printing Journal of the Second Session, 1872,.....	18	
July 4th.	Advertising in "Royal Gazette," 1872 and 1873,.....	3	
"	Balance on hand,.....	15	
			<u>\$38</u>

CR.

1872.			
July 3rd.	Balance,.....	2	
1873.			
July 2nd.	Offertory in Cathedral,.....	7	
July 3rd.	Collection in Synod,.....	30	
			<u>\$39</u>