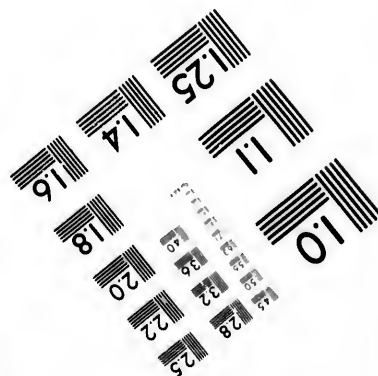
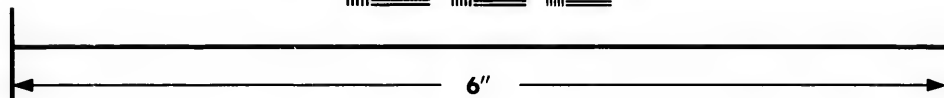
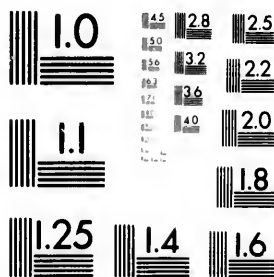


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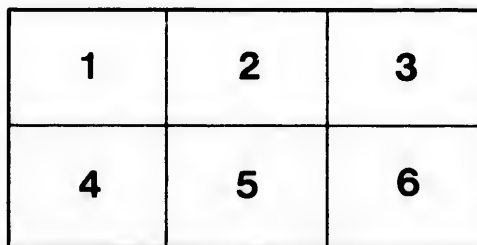
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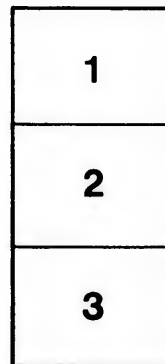
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CONSTITUTION, RULES AND REGULATIONS

OF THE

SYNOD OF THE DIOCESE OF MONTREAL.

DECLARATION.

We, the Bishop, the Clergy and the Laity of the United Church of England and Ireland, within the Diocese of Montreal assembled in Synod, and intending, under God's blessing and guidance, to consider and determine upon such matters as shall appear necessary for the welfare of the Church in this Diocese, desire, in the first place, for the avoiding of all misunderstanding, to make declaration of the principles upon which we propose to proceed.

We desire that the Church in this Diocese shall continue as it has been, an integral portion of the United Church of England and Ireland; and we declare our firm and unanimous resolution, in dependence on Divine aid, to preserve those doctrines and that form of Church government which are at present recognized by the Church of England and Ireland.

It is our earnest wish and determination to confine our deliberations and actions to matters of discipline, to the temporalities of the Church, and to such regulations of order as may tend to her efficiency and extension; and we desire no control or authority over any but those who are or shall be members of our own Church.

CONSTITUTION.

1. The Synod shall consist of the Bishop of the Diocese; of the Clergy of the same, licensed to the cure of souls therein, or holding office in any church, college or school under the jurisdiction of the Bishop (such Clergy not being under ecclesiastical censure); and of Lay representatives to be elected as hereinafter provided.

2. The Lay representatives shall be male communicants during the year preceeding the election, of the full age of twenty-one years, and shall be elected annually at the Easter meetings or at any Vestry meeting (specially called for such purpose by Incumbents, after due notice on two Sundays), held by each Minister having a separate cure of souls; and all Laymen within the cure, of twenty-one years or upwards, entitled within such cure to vote at Vestry meetings, or who hold pews or sittings in the church, though not entitled so to vote, who shall have declared themselves in writing to be "Members of the United Church of England and Ireland, and to belong to no other religious denomination," shall have the right of voting at the election.

3. The Minister himself, if present, shall preside at the election; and in his absence, the Curate or Assistant Minister, or the Senior Church-warden, or a Chairman elected by the majority of those present, taking precedence in the order in which they are here named.

4. Every separate cure served by a licensed Minister shall be entitled to elect two Lay representatives; but when there shall be two or more congregations, having a corresponding number of church edifices, within one cure, then each of such congregations shall be entitled to elect two representatives.

5. The following certificate, signed by the Chairman of the meeting, shall be transmitted to the Lay Secretary within 15 days after such election, whose certified list of Delegates prepared from such certificates shall be considered sufficient proof of such election, and such Lay delegate shall continue in office until his successor is appointed:

"This is to certify that, at a meeting held this day for the purpose of electing Delegates to represent this congregation or Parish in Synod, being the Parish or Mission of———

———a communicant during the year preceeding his election,

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and of the full age of twenty-one years, was elected by the Laymen of this congregation, who have a right to vote at such election by virtue of their having, in accordance with the 2nd clause of the Constitution of the Synod of this Diocese, declared themselves in writing in a book kept for that purpose, to be members of the United Church of England and Ireland, and to belong to no other denomination, and being otherwise qualified under the provisions of said clause."

6. In case of the election of any one as Lay delegate, who does not reside within the cure, or of whose status or qualification the Chairman is personally ignorant or in doubt, the Minister, Curate or Chairman of the meeting shall not grant the foregoing certificate until proof of the qualification (as required by Art. 2 of the Constitution) of the said delegate so elected shall have been produced; which proof shall consist of an extract from the Register of Communicants required to be kept in every Parish or Charge, said extract certified by the Incumbent or Curate in charge. This proof shall be furnished by the delegate elect within twenty days after election, notice of which shall be at once forwarded to such delegate elect, and if not so furnished a new election shall be had forthwith.

7. No Lay Delegate shall represent more than one cure; and in the event of a dual election, the Secretary shall notify both the Incumbent and the Delegate in every case where such dual election shall have been made.

8. If a vacancy should occur in the number of representatives, by death, resignation or any other cause, the Minister shall proceed to hold a new election with as little delay as possible, after due notice.

9. Clergymen who have served in the Diocese and are resident in the same, but are now superannuated, may attend the meetings of the Synod and vote at the same.

10. The Synod shall meet on the third Tuesday of June in every year, in the City of Montreal, or at any other such time or place as said Synod shall appoint at its last previous meeting; provided, also, that the Bishop may call a special meeting when he shall consider it necessary to do so; or shall do so on the requisition of ten Clerical and thirty Lay members; and at such

special meeting no other business shall be transacted than that stated in calling the meeting.

11. When the Bishop is not present his Commissary shall preside in his place; and when the See is vacant, the senior Dignitary of the Church, next in rank to the Bishop, in the Diocese, shall, within a fortnight of the occurrence of such vacancy, summon a Synod, to be held in not less than thirty days, to elect a successor to the See, at which he shall preside; and at such meeting no business except such election shall be proceeded with.

12. A quorum of the Synod shall consist of not less than twenty-five Lay and fifteen Clerical Delegates.

13. There shall be two Secretaries, one from the Clergy, the other from the Laity, who shall keep regular minutes of all proceedings of the Synod, shall record them in a book provided for that purpose; shall preserve all papers, memorials, and other documents; shall certify the public acts of the Synod, and shall deliver all records and documents to their successors; and shall give notice to each Minister and Vestry of the time and place appointed for any stated or special meetings of the Synod; this notice to be given at least three weeks before such meeting. The rate of salary to be paid to the Secretary shall be settled and determined by the Executive Committee.

The Secretary shall also perform the duties and receive the fees connected with the office of Registrar of the Diocese, viz., keep a record of all Church properties and moneys in different parishes, and of all the changes that from time to time take place, and a certified copy of every deed and deeds of consecration, and boundaries of parishes, and every acquisition of property shall be sent to him by the Rural Deans. He shall be entitled to receive a fee of \$1 for the registration of each document, and 50 cents for every copy of the same. The boundaries of every parish or mission erected under authority of the Canon, as well as of every existing parish or mission, shall be entered in a book, to be kept by the Secretaries of Synod for that purpose, and a copy thereof shall be furnished to any person applying for it, on the payment of a fee of one shilling.

14. There shall be a Treasurer of the Synod, who shall receive and disburse all moneys collected and paid under its authority,

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and keep account thereof; and two Auditors, who shall annually inspect and report on the condition of the accounts.

15. The vote of each order shall be taken separately, when so required by any three members, each vote being determined by the majority of the members present in each order.

16. No rule shall be binding on the members of the Church in this Diocese at large, which has not received the concurrent assent of the Bishop, the Clergy and the Laity, and which has not been passed in the Synod.

17. Any proposition for an alteration of the Constitution, Regulations, Rules of Order, or Canons, shall be introduced in writing, and considered at the meeting at which it is introduced; and if approved by a majority of each order, shall lie over till the next meeting of the Synod, but shall not be finally adopted unless approved by majorities consisting of two-thirds of both Clergy and Laity then present.

ORDER OF PROCEEDINGS.

1. The first meeting of the Synod in each Session shall be preceded by public morning prayer, with a sermon and the Holy Communion; and the collection at the offertory shall be devoted to missionary or such other purposes as the Synod may direct.

2. The business of every day shall be preceded by special prayer for the Divine guidance and blessing, according to a form authorized by the Bishop.

3. After this prayer the Clerical Secretary shall call over the roll of the Clergy, to be furnished by the Bishop, and mark the names of those in attendance; and the Lay Secretary shall call over the names of the several parishes, missions or cures, and the names of the delegates representing each of the same.

4. The election of new Secretaries shall then be made by the Clergy and Laity respectively, and a Treasurer and two Auditors shall be appointed, all of which officers shall be elected by ballot if demanded, and shall hold their respective offices until their successors shall be chosen.

5. After this on the first day, and on all other days after prayers, the order of business shall be as follows:—

1. Reading, correcting and approving the minutes of the previous meeting.

- II. Appointing Committees.
 - III. Presenting, reading and referring memorials and petitions.
 - IV. Presenting reports of Committees, and of the Treasurer and the Auditors.
 - V. Giving notice of motion.
 - VI. Taking up unfinished business.
 - VII. Consideration of motion.
 - VIII. Orders of the Day.
- An address from the Bishop shall be in order at any time.

FOR THE PRESERVATION OF ORDER.

1. The Synod shall meet the first day at two o'clock in the afternoon, and afterwards at ten o'clock each forenoon during its session, unless otherwise ordered by the Synod. And when it adjourns, the members shall keep their seats until the Chairman leaves the chair.

2. On the appearance of a quorum, fixed by the Constitution of the Synod at twenty-five Lay and fifteen Clerical delegates, the Chairman shall call the Synod to order; and, should there not be a quorum at the appointed hour, the Chairman is authorized to adjourn the meeting during pleasure.

3. Immediately after the Chairman shall have taken the chair, the meeting shall be opened by prayer according to a form authorized by the Bishop; and the minutes of the preceding meeting shall then be read, to the end that any mistake therein may be corrected by the Synod.

4. The Chairman shall preserve order and decorum, and shall decide questions of order, subject to the Synod, to be decided without debate. When called upon to explain a point of order, he shall state the rule applicable to the case, without argument or comment.

5. Members of the Synod shall sit uncovered, the Clerical members to be habited in bands and gowns, and every member before speaking shall rise from his seat and address himself to the Chair. When two or more members rise at the same time, the Chairman shall name the member who is first to speak.

6. When the Chairman is putting a question, no member shall walk out of or across the house; nor, when a member is speaking,

shall any member hold discourse to interrupt him, except to order, nor pass between him and the Chair ; and every member present when a question is put shall be required to vote on the same. In voting, those who vote in the affirmative shall first rise, and then those who vote in the negative.

7. No member save the mover of a motion, who is entitled to reply, shall speak more than once on the same question without leave of the Synod, except in explanation of a material part of his speech, which may have been misunderstood, and then he is not to introduce new matter.

8. A member may, of right, require the motion in discussion to be read for his information, at any time during the debate, but not so as to interrupt a member speaking.

9. A member called to order shall sit down, unless permitted to explain ; and the Synod, if appealed to, shall decide the case, but without debate ; if there be an appeal, the decision of the Chair shall be submitted to.

10. No member shall speak disrespectfully of the Queen or any of the Royal Family, nor use improper language against the proceedings of the Synod, or against particular members thereof, nor speak beside the question in debate.

11. The Chairman may at any time desire the Synod to be cleared of strangers, and may suspend the debate then in progress until the Synod be so cleared.

12. No motion shall be put or debated unless the same be in writing and seconded ; nor shall any motion prefaced by a written preamble be received by the Chair.

13. A motion to adjourn shall always be in order ; but such motions, as well as motions to lay on the table, shall be decided without debate.

14. All questions shall be put to the Synod in the order in which they are moved.

15. After a motion has been read from the Chair it shall be deemed to be in possession of the Synod, but it may be withdrawn at any time before decision or amendment, with the permission of the Synod.

16. When a question is under debate, no motion shall be received by the chair unless to amend it, or to postpone it to a certain day

or to lay it upon the table, or for adjournment; and no more than one amendment to the proposed amendment of a motion shall be in order.

17. On a division the names of those who vote for, and those who vote against, the question, shall be recorded in the minutes, if required by three members. And a question once determined shall not be brought up again the same session without the unanimous consent of the Synod.

18. On the passing or rejection of any resolution or business, any manifestation of approval or dissent shall be considered a breach of order.

19. Petitions, memorials, and other papers addressed to the Synod, shall be presented by a member in his place, who shall be answerable to the Synod that they do not contain improper or impertinent matter.

20. In order to expedite the business of the Synod, it is required that the clerks of the several Vestries in this Diocese, or where there is no Vestry Clerk, the Chairman of the meeting, shall send to the Clerical Secretary of the Synod, within six days after their election, the names of the Lay delegates elected at any meeting held for that purpose; and the Secretary of this Synod shall attend at the place where the Synod is to meet at 9 o'clock of the first day of meeting to record the names of said Lay delegates.

21. All special committees shall be named by the Chair, unless otherwise ordered, and in such cases the election shall be by ballot. They shall appoint their own Chairman, and a majority of the number named or elected shall be a quorum competent to proceed to business.

22. The reports of Committees shall be in writing, signed by the Chairman, who, or some member deputed by him, shall explain to the Synod the bearing of any portion of the report, if requested by any member of the Synod.

23. Reports of Committees shall be received in course, unless ordered to be reconsidered, but further action thereon shall be by motion as in other business.

24. All notices of motion intended to be brought before the next Synod shall be sent to the Clerical Secretary at least six weeks before the day of meeting; and it shall be the duty of the Clerical Secretary to keep a record of such notices, and to issue a circular

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statement of the business for the ensuing Synod, with reports of Committees, and the order in which the same shall be brought up. The circular to be forwarded to each Clergyman and Parish, one month before the meeting of the Synod.

25. The expenses of the Synod, such as printing, &c., shall be defrayed by assessment, at the rate and in the proportions and manner detailed in the Report of the Committee on Finance, printed on page 787 of the Journal of the 17th Synod.

26. That no delegates shall be allowed to take part in the proceedings of the Synod, so long as the assessments payable under Rule 25 by the Parishes, Missions or Cures which they represent, remain unpaid.

27. The Journal of Synod shall be printed under the direction of the Secretaries, immediately after the annual Meeting. It shall contain all the acts and proceedings of the Synod; all reports of Committees, unless otherwise ordered; the list of Clergy and Lay delegates entitled to sit in the Synod; the Committees appointed to sit during the recess, with the names of the respective members; the Constitution and Canons of the Diocese, with the Rules of Order; the Reports of the Rural Deans, and such other matters as may be specially ordered by the Synod. A copy of each Journal shall be transmitted by the Secretaries to the several Bishops of the Dominion; to the Secretaries of the Provincial Synod, and of the other Diocesan Synods; to the Diocesan Library and to the Library of Bishop's College, Lennoxville, and to every Clergyman and Lay delegate within the Diocese.

RULES AND BY-LAWS RESPECTING THE ADMINISTRATION OF THE PROPERTY, MISSIONS AND TRUSTS OF THE SYNOD.

EXECUTIVE COMMITTEE.

1. That the property of the Synod be managed and administered by a Committee to be called "*The Executive Committee*," and to be composed of the Lord Bishop or His Commissary, the Secretaries, the Registrar, the Treasurer, and of 15 Clerical members, and 15 Lay members, to be elected annually, at the annual stated meeting of the Synod; any vacancies, however, caused by deaths, removal or resignation, may be filled by appoint-

ments made by the Bishop. And such Committee shall have the general and full control over the collection, investment and expenditure of all moneys belonging to, or in any way vested in or under the control of the Synod, and the leasing, purchase, sale and general management and administration of all property, real and personal, belonging to, or in any way vested in, or under the contr^l of the Synod, except when otherwise specially provided or ordered by the Synod.

2. That no Layman may be a member of the Executive Committee who has not paid in as subscription to Diocesan Missions for the year preceeding, at least five dollars.

3. The said Committee shall meet quarterly in the City of Montreal on the second Tuesday in the months of February, May, August, and November, and shall be presided over by the Lord Bishop, or, in his absence, by his Commissary, or, in case of the absence of both, by a member elected from among themselves.

4. Special meetings of "The Executive Committee" may be called from time to time by the Bishop; or, in his absence, by his Commissary; or, when the See is vacant, by the Senior Dignitary of the Church next in rank to the Bishop, for the transaction of such business as may be stated in the notices calling such meetings, to be transmitted by mail to each member of the Committee at least one week before the day of meeting.

5. A quorum of said Committee shall consist of seven members, of whom three shall be Laymen; and the said Committee shall furnish to the Synod, at each stated annual meeting of the Synod, a report of its operations, and a clear statement of the receipts and expenditure of the Committee during the preceeding year, and of the state and condition of the funds and property belonging to, or vested in or under the control of the Synod; and shall receive and consider all applications for aid towards opening any new missions, filling up vacancies, or providing for any alteration in the circumstances of any existing ones.

6. The Committee shall have power to purchase and circulate in the Diocese, the Holy Scriptures and such publications as have the sanction of the Church, viz.: the Prayer Books, Homilies, Catechisms, Collects, with the addition of Books and Tracts

circulated by the Society for Promoting Christian Knowledge, in London, and such other publications as may be approved of by the Bishop.

BOARD OF MISSIONS.

1. That a Board of Missions shall be appointed annually in each Deanery, to be composed of four Clerical and four Lay members, who shall annually report upon each Mission in the Deanery, and their recommendation with regard to it, to the Executive Committee; the Bishop to appoint the members of the Board in each Deanery.

2. That, excepting in any special case which may be directly recommended by the Bishop, each fresh application for a mission grant shall emanate from the Ruri-decanal Meeting, who shall forward it for consideration to the Mission Board.

SERMONS.

Such Sermons as the Lord Bishop of the Diocese shall direct, shall be preached in each year, in each parish, chapelry and missionary station in the Diocese, on such days as the Bishop shall appoint, in favour of some one or more of the objects of the Synod, and a collection made in aid thereof, which shall forthwith be transmitted to the Treasurer of the Synod, and no grant or benefit from the Synod shall be obtained for any object, by any parish, chapelry or missionary station, within which such sermon or sermons shall not have been preached, and such collection shall not have been made.

WIDOWS AND ORPHANS FUND.

By-laws to make provision for the administering and improving the Widows and Orphans Fund of the late Church Society of the Diocese of Montreal.

1. That all rents, issues, or profits of lands or tenements, held by the Synod for the Widows and Orphans of Clergymen, and all moneys given or granted for the same purpose, unless special provision be made by the grantor or donor of the same, for the distribution thereof otherwise, shall be put to the credit of a Fund to be called "The Widows and Orphans Fund."

2. That the Synod shall and will put to the credit of the Widows and Orphans Fund yearly, and every year, a sum of money equal to One Pound Five Shillings, for each duly recognized Clergyman in the Diocese, from the Fund of General Purposes, provided that Fund shall bear such a charge upon it ; and that, after the current and customary expenses of the Synod are paid, the charges for the Widows and Orphans Fund shall be the first paid from the General Purposes Fund, and that such sum shall be put to the credit of the Widows and Orphans Fund on the first day of April, in each year, on the Lord Bishop forwarding to the Treasurer a list of the Clergy duly recognized, signed by his hand.

3. That each Clergyman, either Incumbent or Travelling Missionary, having cure of souls in this Diocese, in order to entitle his widow or widow and children to claim the annuity hereafter provided, from the passing of this By-law, or from the time of his appointment in the Diocese, shall remit to the Treasurer of the W. and O. Fund the sum of five dollars per annum ; shall observe the directions from time to time given by the Lord Bishop of the Diocese, in respect of the collections to be made on behalf of the Widows and Orphans Fund, unless such Clergyman shall have been excused by the Lord Bishop of the Diocese in writing, under his hand, from making such collection or collections, in any church, chapel or station, served by him ; but it is essential to the stability and prosperity of this Fund, so as to meet the demands that may be hereafter made upon it, that every Clergyman in the Diocese should contribute towards its maintenance ; and it is therefore hereby declared, that any Clergyman refusing to become a subscriber, or neglecting to make the annual collections in his parish or mission (except as above stated) shall not be entitled to any benefits of the Fund for his widow or orphans. Should, however, any Clergyman fail to become a member, and afterwards desire to join it, he shall make application to the Executive Committee, through the "Widows and Orphans Fund Committee," and, if the Executive Committee should favourably receive his application, it can only be on payment of all back subscriptions.

4. The Treasurer shall lay before the Executive Committee at its meeting in May in each year a statement of all moneys invested

or in his hands belonging to the Widows and Orphans Fund, and of all the moneys received and paid on account of the said Fund since the last annual statement.

5. That the Synod shall pay an annuity to the widow of every Clergyman who, at the time of his decease, shall have been duly licensed to the cure of souls in this Diocese, and recognized by the Bishop, or have been placed on any retired list with the consent of his Lordship, and from the passing of this By-law, or from the time of his appointment in the Diocese, shall have been a subscriber as set forth in rule 3, and who shall have complied with the requirement of this By-law : such annuity to be of three hundred dollars, payable in four equal quarterly payments. One quarter's salary shall be granted to the family of a deceased Clergyman from any funds controlled by the Synod, but such grant shall be confined to those Clergymen whose salary has been paid from any funds of which the Synod had the control and was the almoner, and dating from the expiration of the quarter in which the decease occurs ; and the stated pension to the widow or children shall begin from the expiration of such quarterly payment, and shall continue as long as the widow shall remain unmarried. In the event of marrying again, the question of continuation of annuity shall be re-considered. And in case such widow shall have one or more children at the time of her husband's decease—the lawful issue of her marriage with him—she shall for each and every such child, not exceeding four in number, be entitled to receive twenty dollars per annum, payable at such times and in such manner as has been before provided for the payment of the annuities of widows without children.

The widow and orphans of any Clergyman of this Diocese who would have a right to participate in the fund in the case of the death of such Clergyman shall not be deprived of such right by reason of the election and appointment of such Clergyman to the office of Bishop of this Diocese, and such widow and orphans shall have the right to participate in the fund, on the death of such Bishop, provided he be not in arrears and continue to remit to the Treasurer the annual contribution of five dollars up to the time of his death.

All annuities paid for children shall cease on the day at which they attain the age of eighteen years : provided always that

in the case of the death of such widow, before the children have attained the above age of eighteen years the annuity of such children shall be increased to forty dollars per annum for each and every such child until they attain the above-mentioned age. And in case of the Clergyman deceased, leaving no widow, but leaving children, then such children shall enjoy the annuity as above provided. But as circumstances may occur to cause this Fund to fluctuate in its amount, the Executive Committee may, on receiving a special report from the Widows and Orphans Fund Committee, regarding such Fund, increase or diminish the annuity of widows and orphans, should it appear advisable or necessary so to do.

6. As it is just and equitable that when any such clergyman shall in future marry a lady many years younger than himself, and thereby in the common course of events leave a widow for many years drawing her pension, and so become a heavy burden on the Fund, the following scale of fines shall be established as a Rule of the Synod for all under such circumstances.

7. From 25 to 30.....	£0	15s.	0d.	} For every year more than five years that the wife is younger than the hus- band.
30 to 40.....	1	10	0	
40 to 50.....	2	2	0	
50 to 60.....	3	3	0	
60 to 70.....	4	4	0	
70 and upwards...	6	6	0	

8. Every widow, or the guardians of any of the orphans of a Clergyman desiring annuities from the Widows and Orphans Fund, shall apply by memorial to the Synod for such annuity, setting forth the time of decease of such Clergyman, the name of such widow, and the names and ages of each of the children, as the case may be.

9. Every annuitant on the Widows and Orphans Fund shall, whenever he or she may be paid his or her quarterly annuity, make one of the following declarations, in the presence of a Clergyman or Magistrate, which declaration shall, when required, be attested by the Clergyman or Magistrate before whom it is made :

DECLARATION TO BE MADE BY A WIDOW.

I———, do hereby declare I am the widow of the late

Reverend——, that I am entitled to an annuity from the Widows and Orphans Fund of the Synod of the Diocese of Montreal, and that I am still a widow.

Signed before me.

Name.

Description.

Residence.

DECLARATION TO BE MADE BY THE GUARDIANS OF CHILDREN.

I———, do hereby declare that I am the duly appointed guardian of the children of the late Reverend———, whose names and ages are respectively written below: and that they are entitled to an annuity from the Widows and Orphans Fund of the Synod of the Diocese of Montreal.

Names of Children. Ages next birth-day.

Signed before me.

Name.

Description.

10. Upon the voluntary removal of a Clergyman from this Diocese, he shall thereby forfeit all claims for a pension in favour of his widow or children, and all exceptional cases shall be submitted and adjudicated on as they may occur.

11. Superannuated Clergymen shall retain their interest in the Widows and Orphans Fund, simply on the continued payment of their annual subscriptions.

12. As soon as possible after the death of any Clergyman in the Diocese, a special Offertory in every church or station shall be devoted to the immediate benefit of the widow and orphans (if any) of the deceased, and it shall be the duty of the Secretary to give notice of such special Offertory, to the churches or stations of the Diocese.

CANONS.

ELECTION OF BISHOP.

1. The House of Bishops shall present two or more persons to the Synod of Montreal, one of whom may be elected as the Bishop of Montreal; and in case no election shall take place from

the names so nominated, the House of Bishops shall again exercise the same right of nomination until a choice shall be made by the Synod; and no other persons shall be put in nomination for the office of Bishop except such as shall be nominated by the House of Bishops; provided a resolution respecting the election of Bishops of the Diocese, passed at the meeting of the Synod, on Wednesday, June 17th, 1863, be adopted by the Provincial Synod, respecting the election of future Bishops of Montreal, such Bishops continuing to fill permanently the office of Metropolitan.

2. In such election by said Synod of Montreal, the Clergy and Laity shall vote separately by ballot,—the Clergy by individuals, and Laity by Parishes or Cures. A majority of votes in each order shall determine the choice, provided that two-thirds of the Clergy entitled to vote are present, and two-thirds of all the Parishes or Cures entitled to be represented; otherwise two-thirds of the votes of each order shall be necessary to determine the choice.

3. In the case of a vacancy of the See of Montreal, and the House of Bishops refusing or failing to nominate, as provided in the Canon of Election of a Bishop, the Clergy and Laity of the Diocese of Montreal shall proceed to such election without such nomination, and shall vote separately by ballot,—the Clergy by individuals, and the Laity by Parishes or Cures. A majority of votes in each order shall determine the choice, provided that two-thirds of the Clergy entitled to vote are present, and two-thirds of all the Parishes and Cures shall be represented; otherwise two-thirds of the votes of each order shall be necessary to determine the choice.

ARCHDEACON.

1. The Archdeacon, upon receiving the reports of the Rural Deans, shall inquire into the cause of the non-payment of such sums as may be due to the Clergy from their respective Parishes or Cures.

2. The Archdeacon shall also see that all Church property in the Diocese is kept in good repair.

RURAL DEAN.

1. The Rural Deans are officers of the Bishop, receiving their commissions from him, and are to report the proceedings of their Deaneries to the Bishop, through the Archdeacon.

2. The Rural Deans shall hold a Ruri-decanal meeting, in their several Deaneries, once every year. Special meetings may be called by them at the desire of the Bishop. They shall summon to all Ruri-decanal meetings the licensed Clergy, Church Wardens and Delegates to Synod in all parishes within their Deaneries, and none others.

3. Each Rural Dean, at the annual meeting of his Deanery, shall submit a report of such statistics connected with the different Missions or Parishes, as he shall have been able to collect from the Clergymen and Church Wardens in their several Cures; such reports shall be presented at the Ruri-decanal meeting, previous to their being forwarded to the Archdeacon.

4. The Rural Deans shall collect such statistics as the Bishop may direct; and all matters relating to the boundaries of Parishes or the erection of new ones shall be referred to a Ruri-decanal meeting.

5. The Rural Deans shall have no power of interference on their own mere motion, in matters of discipline, in any Parish or Mission. All such matters shall be referred to the Bishop, to be dealt with as he shall think proper.

STATUS OF PARISHES, &c.

1. A Mission is an ecclesiastical division supplied by a Clergyman, who receives the whole or the greater part of his stipend from foreign aid.

2. A Parish is an ecclesiastical division including within its limits a church and parsonage, and providing within itself at least one-half of the stipend of the Clergyman who is its Incumbent.

3. A Rectory is an ecclesiastical division raising within its limits the whole of the stipend of the Incumbent. Provided always, that it be understood that nothing herein shall be regarded as affecting Parishes erected by Letters Patent from the Crown.

4. Whenever in any Parish or Mission an Endowment Fund to the amount of \$4,000, shall have been raised and invested to the satisfaction of the Bishop, and the balance of the salary pledged by the Vestry, such Parish or Mission shall, in case of a vacancy in the Ministry thereof, enjoy the same privilege in the choice of a Clergyman as if it were a Patent Rectory.

5. The salaries to Clergymen employed as missionaries shall not be less than the following, viz :

For Deacons\$500	per annum.
For Priests under 10 years' standing	600	"
For Priests above 10 years' standing.....	700	"

6. It shall be the duty of every Rector or other Incumbent in this Diocese to furnish to the Executive Committee, on or before the first day of November in each and every year, a true, faithful and exact statement in detail, signed by such Rector or Incumbent of any and all endowments and trusts held in favour of the Parish or Mission of such Rector or Incumbent, or in favour of any particular church or chapel, or for the general purposes of the Church of England and Ireland, within such Parish or Mission, and of the mode in which each such endowment is invested, and of its exact condition at the time such statement is furnished.

ORGANIZATION OF PARISHES.

1. When any of the parishioners residing in any parish or in any adjoining Parishes shall desire to have a new and distinct Parish erected, the said parishioners shall present a memorial to the Lord Bishop, stating fully the reasons moving them thereto, also the proposed boundaries of the contemplated new Parish, and whether the Incumbent or Incumbents of the Parish or Parishes aforesaid be a consenting party or parties.

2. That the Bishop on receipt of such memorial, shall refer the same to the Incumbent or Incumbents of the existing Parish or Parishes, and if he or they withhold his or their consent from such memorial, then he or they will be required to state his or their reasons, in writing, to the Lord Bishop within one month, who is to decide on their validity.

3. When the Bishop of the Diocese shall be satisfied that the provisions of the XIXth section of the Church Temporalities

Act have been complied with, and that the means for the worship of God have been provided; and when, further, he shall have referred the said memorial to the Clergy and Church Wardens of the Rural Deanery within which the proposed new Parish is situated, for their opinion respecting the same, his Lordship may declare the said portion of the Parish or Parishes to be a new Parish.

4. That in any and every case where it is proposed to establish a new Mission, situate within any existing Rural Deanery, the proposal for the erection of such new Mission shall be submitted to the Clergy and Church Wardens of the said Rural Deanery for their counsel and advice.

5. That the boundaries of every Parish or Mission erected under authority of this Canon, as well as of every existing Parish or Mission, be entered in a book, to be kept by the Secretaries of the Synod for that purpose; and that a copy thereof be furnished to any person applying for it, on the payment of a fee of one shilling.

6. That all repairs and dilapidations of Church property shall be defrayed by each Parish individually.

DIVISION OF PARISHES (UNDER ROYAL LETTERS PATENT).

1. Any Parish now constituted under Royal Letters Patent may, with the consent of the Rector during his life-time, or after his demise, be divided into two or more Parishes by the Bishop of this Diocese, by decree signed by him and registered by the Secretary of Synod in a register to be kept for that purpose; and in such decree the limits of each Parish so newly constituted shall be designated.

2. The Incumbent of any new Parish thus constituted shall not be vested with the power conveyed in said Letters Patent, but shall be subjected to the provisions of the Church Temporalities Act.

3. The decree to be made by the Bishop of the Diocese of Montreal in the subdivision of any Parish constituted under Letters Patent, shall take effect only from the time of its sanc-

tion by the Synod, by any rule, regulation or canon to be adopted for that purpose.

CANON FOR THE DIVISION OF THE PARISH OF MONTREAL.

Whereas, it is advisable to divide the Parish of Montreal in the manner hereinafter mentioned, be it therefore enacted, under the authority vested in the Synod by the Provincial Statute 35th Vic., ch. 19, that the said Parish shall be and the same is hereby divided into ten Parishes, as follows :—

1. The Parish of Montreal shall consist of all such parts and portions of the Parish of Montreal, as presently existing, as are not included in the boundaries of the several other Parishes hereinafter mentioned.

2. The Parish of Trinity shall consist of all that portion of the present Parish of Montreal which is within the following limits, to wit :—On the South East the River St. Lawrence, on the North West the present City limits, on the North East Woodyard street, Campeau street, St. André street and Maple street, and on the South West St. Lawrence Main street, St. Lambert street and St. Jean Baptiste street ; the whole as colored pink on the map or plan hereunto annexed.

3. The Parish of St. George shall consist of all that portion of the present Parish of Montreal which is within the following limits, to wit :—On the South East William street, on the North West St. Bonaventure street and Dorchester street, on the North East McGill street, Victoria square, Radegonde street and Beaver Hall, and on the South West Seigneurs street and Mountain street ; the whole as colored purple on the said map or plan.

4. The Parish of St. Stephen shall consist of all that portion of the present Parish of Montreal which is within the following limits, to wit :—On the South East and South the Lachine Canal on the North West William street and Commissioners street, on the North East the continuation of St. Peter street, and on the South West the present City limits ; the whole as colored yellow on the said map or plan.

5. The Parish of St. Luke shall consist of all that portion of the present Parish of Montreal which is within the following

limits, to wit:—On the South East St. Mary street, on the North West the present City limits, on the North East Papineau square and Papineau road, and on the South West Campeau street, St. André street and Maple street; the whole as colored blue on the said map or plan.

6. The Parish of St. Thomas shall consist of all that portion of the present Parish of Montreal which is within the following limits, to wit:—On the South East the River St. Lawrence, on the North West St. Mary street and the present City limits, on the North East the present City limits, and on the South West Woodyard street, Papineau square and Papineau road; the whole as colored drab on said map or plan.

7. The Parish of St. James the Apostle shall consist of all that part of the present Parish of Montreal which is within the following limits, to wit:—On the South East St. Bonaventure street and its continuation, on the North West the present City limits, on the North East Mountain street, and on the South West Dorchester avenue and its continuations; the whole as colored red on said map or plan.

8. The Parish of St. John the Evangelist shall consist of all that part of the present Parish of Montreal which is within the following limits, to wit:—On the South East the River St. Lawrence, on the North West Sherbrooke street, on the North East St. Jean Baptiste street, St. Lambert street and St. Lawrence Main street, and on the South West DeBleury street, St. Peter street and its continuation; the whole as colored green on said map or plan.

9. The Parish of Grace Church shall consist of all that portion of the present Parish of Montreal which is within the following limits, to wit:—On the South, South East and North East the River St. Lawrence, on the North West the Lachine Canal, and on the South West the Napoleon road; the whole as colored gray on said map or plan.

10. The Parish of St. Jude shall consist of all that portion of the present Parish of Montreal which is within the following limits, to wit:—On the South East the Aqueduct of the Montreal Water Works and the Lachine Canal, on the North West the continuation of St. Bonaventure street and the Main street of the

village of the Tanneries des Rollands, on the North East the Aqueduct road, the present City limits and Seigneurs street, and on the South West the Côte St. Paul road ; the whole as colored light brown on the said map or plan.

ON THE SUB-DIVISION OF THE PARISH OF MONTREAL.

Whereas it is advisable to subdivide the Parish of Montreal in the manner hereinafter mentioned, be it therefore enacted, under the authority vested in the Synod by the Provincial Statute, 35th Victoria, ch. 19, that the said Parish shall be, and the same is, hereby subdivided as follows :—

1.—The Parish of St. Martin's shall consist of all that portion of the Parish of Montreal which is within the following limits, to wit :—On the South East Sherbrooke street, on the North West the present City limits, on the North East St. Lawrence Main street, and on the South West side Durocher street and its continuation, to the present North West City limits.

2.—The Parish of Montreal shall consist of all such parts and portions of the Parish of Montreal as presently existing, as are not included in the boundaries of the said Parish of St. Martin's.

ON THE ALTERATION OF PART OF THE BOUNDARIES OF THE PARISHES OF ST. JAMES AND ST. JUDE, IN THE CITY OF MONTREAL.

Whereas it is advisable to alter part of the boundaries of the Parishes of St. James and St. Jude, in the City of Montreal, in the manner hereinafter mentioned, be it therefore enacted as follows :

All that portion of the said Parish of St. James lying and being within the following boundaries, namely, to the South East St. Bonaventure Street, to the North West Coursol Street, to the North East Dominion street, and to the South West Vinet street, shall, from and after the passing of this Canon, cease to be part of the said Parish of St. James, and shall form and be part of the said Parish of St. Jude.

And all that portion of the said Parish of St. Jude lying and being to the South of the Lachine Canal, and all that portion of the Parish of St. Jude lying and being on the North side of said Canal, and to the South West of St. Paul street, in the Village of St. Henri, and its continuation across the railway track to the Lachine Canal, shall, from and after the passing of this Canon, cease to be part of the said Parish of St. Jude, and shall form and be part of the said Parish of St. James.

ON THE ALTERATION OF PART OF THE BOUNDARIES OF THE
PARISHES OF ST. GEORGE AND ST. STEPHEN, IN THE CITY OF
MONTREAL.

Whereas it is advisable to alter part of the boundaries of the Parishes of St. George and St. Stephen, in the city of Montreal, in the manner hereinafter mentioned, be it therefore enacted as follows :

All that portion of the said Parish of St. Stephen lying and being to the South West of the South West side of Richmond street, in said city, including such South West side of Richmond street, shall, from and after the passing of this Canon, cease to be part of the said Parish of St. Stephen, and shall form and be part of the said Parish of St. George.

And all that portion of the said Parish of St. George comprehended within the following limits, to wit, on the South East William street, on the North West St. Maurice street, on the South West Inspector street, and on the North East Dupré lane and Duke street, and including the portion of College street between Dupré lane and Duke street, shall, from and after the passing of this Canon, cease to be part of the said Parish of St. George, and shall form and be part of the said Parish of St. Stephen.

ON THE FURTHER SUB-DIVISION OF THE PARISH OF MONTREAL.

Whereas it is advisable further to sub-divide the Parish of Montreal, in the manner hereinafter mentioned, be it therefore enacted, under the authority vested in the Synod by the Provincial

Statute, 35th Victoria, chap. 19, that the said Parish shall be and the same is hereby sub-divided as follows:—

1. The Parish of St. Matthias shall consist of that portion of the Parish of Montreal lying within the following limits: bounded on the North West by the division line at present separating the incorporated village of Côte des Neiges from the municipality of Notre Dame de Grâce; on the North East partly by the aforesaid division line, and partly by the present South Western boundary of the Parish of St. James the Apostle; on the South East by the continuation of Dorchester Road, and by part of the North Western boundary of the Parish of St. James the Apostle; and on the South West by the present South-Western boundary of the said municipality of Notre Dame de Grâce.

2. The Parish of Montreal shall consist of all such parts and portions of the Parish of Montreal as presently existing, as are not included in the boundaries above described of the said Parish of St. Matthias.

ON THE FURTHER SUB-DIVISION OF THE PARISH OF MONTREAL.

Whereas it is desirable to further subdivide the Parish of Montreal in the manner hereinafter mentioned, and it is therefore enacted, under the authority vested in the Synod by the provincial Statute 35th Victoria, ch. 19, that the said Parish shall be, and the same is hereby, subdivided as follows:—1. The Parish of St. Mary's, Hochelaga, shall consist of all that portion of the Parish of Montreal which is within the following limits, to wit:—In front towards the South East, by the River St. Lawrence; in rear towards the North West, partly by Ontario street as already opened and partly by the said street as projected by the Corporation of the incorporated Village of Hochelaga; on one side towards the South West, by the North Eastern limits of the City of Montreal; and on the other side, towards the North East, partly by the lot known on the official plan and in the book of reference for the said Incorporated Village as number twenty-two, and partly by the lot known on said plan and in said book of reference as number twenty-one.

2. The Parish of Montreal shall consist of all such parts and portions of the Parish of Montreal as presently existing as are not included in the boundaries of the said Parish of St. Mary's, Hochelaga.

DECREE FOR DIVISION OF THE RECTORY OF DUNHAM.

Sanctioned by the Synod at its 14th Annual Session.

To all whom these presents may in anywise concern. Ashton, by Divine Permission, Lord Bishop of the Diocese of Montreal, and Metropolitan, sendeth greeting:—

Whereas, on the prayer of the Minister and Parishioners of the Mission of Cowansville and Sweetsburg, in the said Diocese, it has been deemed advisable to divide the Parish of Dunham in the said Diocese, being a Parish constituted under Royal Letters Patent, into two Parishes by separating therefrom the aforesaid Mission, and erecting the same into a separate Parish; And whereas by virtue of a Canon made and passed by the Synod of the Diocese of Montreal, in the Thirteenth Session of such Synod, we are empowered, by and with the consent of the Rector during his life-time, or at his decease, to divide the said Parish, and in so doing to make the separation required; And whereas the Rector of the said Parish hath signified to us in writing his consent to such division and separation aforesaid;

Now, therefore, as these Presents witness, we did and do hereby decree, that the said Parish of Dunham shall henceforth be divided into two Parishes, in such wise that the aforesaid Mission of Cowansville and Sweet-burg shall henceforth be separated from the said Parish, and form, and be, a distinct and separate Parish, and shall be henceforth known by the name of the Parish of Nelsonville.

And we did and do hereby decree that the Boundaries of the aforesaid Parish of Nelsonville shall be as follows:—

To the North—the northern boundary of the Township of Dunham;

To the South—the north line of Lots Number 20 from East to West through the Township;

To the East—the Eastern boundary of the Township from the North East corner to the point of intersection of the above-mentioned North line of Lots 20.

To the West—the Western boundary of the Township from the North West corner to the point of intersection of the said North line of Lots No. 20.

Given under our hand and seal, this 22nd day of November, in the year one thousand eight hundred and seventy-two, and in the third year of our Consecration.

(Signed,)

A. MONTREAL.

BY-LAW OF THE LATE CHURCH SOCIETY, ON THE SUBJECT OF
THE PATRONAGE OF THE RECTORIES IN THIS DIOCESE.

In accordance with the terms of an Act passed, 14 & 15 Vict., c. 175, respecting the patronage of certain Rectories, established by letters patent in Canada, on a vacancy in any Rectory so established in the Diocese of Montreal, the Churchwardens of the Parish Church, having received notice of such vacancy from the Lord Bishop, shall proceed to summon a meeting of the Vestry, as constituted under the Church Temporalities Act (notice of such intended meeting having been affixed to the door of the Church on two previous Sundays) for the purpose of choosing two or more Clergymen in Priests' Orders, whose names shall be forthwith returned to the Bishop, in order that his Lordship may, if they shall be found otherwise canonically qualified, select one of them for institution to the said Rectory; and no informality in the manner of choosing such Clergymen by the Vestry shall invalidate the institution, unless notice in writing shall have been sent to the Bishop, or his Commissary, within twenty-one days from the date of the nomination. But if no such nomination shall be made by the vestry, and returned to the Bishop or his Commissary, within three calendar months from the date of notice of the vacancy sent to the Churchwardens, then the right of presenting an Incumbent or Minister to the said vacant Rectory, shall rest absolutely with the Bishop.

ON THE ERECTION, CONSECRATION AND DISPOSAL OF CHURCHES.

1. From and after the passing of this Canon, no chapel or church nor any parsonage shall be erected in any Parish or Mission within this Diocese until the sanction of the Lord Bishop of the Diocese shall have been obtained in writing, and the plans thereof, together with the estimates, having been submitted to him, have been approved and authorized, and that the Bishop be satisfied that the financial position of the Parish or Mission warrants the expenditure.

2. That the corner-stone of the foundation of every such church or chapel shall be laid by the Lord Bishop of the Diocese, or by his commissary or by such other person as he may name, according to the forms, usage and practices of the Church of England in Canada; and before the laying thereof the title deeds of said property conveying the same to the Rector, Incumbent or other legal authorities of the Church, Parish or Mission, or to the said Lord Bishop, for the purposes of said parish or mission, or of the Church of England in his Diocese, shall first have been duly executed.

3. That any church now, or hereafter erected, within the said Diocese, may be consecrated according to the forms and practices of the said Church of England in Canada; but before consecration the deeds transferring said property to the Bishop of the Diocese, for the use of the said Parish or Mission, or of the Church of England in this Diocese, shall have been first duly executed.

4. That any consecrated church within this Diocese falling into disuse, or becoming unsuitable for use through decay or other cause, shall not be sold, taken down, or removed, until the sentence of consecration shall have been revoked by some religious form and ceremony provided by the Bishop of the Diocese.

OCCUPANCY OF PARSONAGES AFTER DECEASE OF INCUMBENTS.

1. At least three months from the time of decease shall be allowed to the widow, or children, or other relatives of the late Incumbent, provided that they have been resident with him and forming part of his family up to the time of his decease, before they, or she, or any of them, be called upon to leave the Parsonage.

2. If the Glebe or any other land be under cultivation the crop thereof belongs, of course, to the lawful representatives of the deceased, unless his successors consent to refund the expense incurred in such cultivation, when the crop belongs to the in-coming Incumbent.

3. In the case of meadow land the grass belongs to the successor; but if made into hay the same is the property of the representatives of the deceased.

4. The above rules apply to Clergymen on their being placed on the superannuated list.

CHURCH WARDENS.

The Incumbent and Church Wardens of every church and chapel, being a body corporate and politic, the administration of the temporalities of every church or chapel is by law vested in them; but for the more perfect and efficient administration, and with a view to leaving the Incumbent more complete leisure for the discharge of his sacred office, it is expedient that certain duties should be under the more immediate superintendence of the Church Wardens.

Wherefore it shall be the special duties of the Church Wardens of every church or chapel, within fourteen days after appointment or re-election in each year, to make a faithful inventory in duplicate of all the movable property of the Corporation, and to insure the same and all the buildings thereof, at their full estimated value, with some English or Provincial Fire Insurance Company duly incorporated. And at each appointment or re-election of Church Wardens, the out-going Church Warden or Church Wardens shall present a true and faithful balance sheet of the accounts of the Corporation to be filed with the above-mentioned inventories in the vestry of the Corporation, and also shall hand over to his or their successors any balance of moneys remaining on hand.

To provide for the due care and preservation of the said movable property, together with the administration of the said real estate thereof, during their tenure of office.

Carefully to superintend and to enforce the execution of all contracts for the furnishing, repair and preservation of the church, parsonage, burial ground and glebe, and to take the necessary steps to exact penalties in case of their non-fulfilment.

To secure the warmth, cleanliness, and ventilation of the church, and the supply of vestments, linen, books, and bread and wine for celebration of the Holy Communion.

To provide such books and documents as the Synod may from time to time require to be kept.

To afford the Incumbent every assistance in their power in the supervision of the sexton, the organist, the clerk and the choir, and the inferior officers of the Corporation.

To provide strangers with seats during the celebration of Divine Worship, in so far as the capacity of the building will allow.

To maintain good order and quiet in and about the church or chapel, and in the adjoining roads and public places during Divine Worship, and prosecute all offences against that good order and quiet.— *Vide Consolidated Statutes of L. C., c. XXII.*

To collect, in accordance with the Statute, pew-rents, subscriptions, alms and offerings of the congregation, and to keep a faithful account of the receipts and disbursements of the congregation.

To notify the Incumbent of any grievous sickness or destitution among the members of the congregation, and generally, and as far as in them lies, to promote the comfort and welfare of the Clergyman and congregation.

A copy of those instructions shall be sent to the Incumbent and Church Wardens of every church and chapel, and shall be read aloud by the Chairman of the Vestry, at each annual election of the Church Wardens.

COMMUNICANTS.

The Vestry of every charge and parish represented in this Synod shall be required to furnish a suitable book or books in which shall be enregistered annually the names of all persons who are members of the Church in full communion, with the date of their first communion, as nearly as can be ascertained; and this register shall be in all cases kept by the Clergyman holding such charge or Parish, and shall be the property of the Parish; and copies or extracts thereof, certified by the Incumbent, or, in his absence, by the Church Wardens, shall be full evidence of the status of any person in such congregation at the date of such enregistration.

NOTICE OF ORDINATION.

The names of the candidates for Holy Orders on the Bishop's list shall be transmitted by the Bishop to each officiating Clergyman to be published by him during service at each place where he officiates, at least one month before the day of Ordination.

SUSTENTATION OR ENDOWMENT FUND.

1. An annual sermon shall be preached in each Parish or Mission throughout the Diocese, on behalf of this Fund, and the whole of the proceeds of the same shall be paid into the hands of the Treasurer of the Synod.

2. An Annual Meeting for this object, in connection with the missionary purposes of the Synod, shall be held in every Parish or Mission throughout the Diocese, and the amount of collections made at the same shall be paid to the Treasurer of the Synod.

3. Arrangements shall be made for bringing this plan, and the necessity for vigorously working the same, before the people in every Parish or Mission in the Diocese; and, with this object, a scheme for holding the requisite meetings, or preaching the requisite sermons, shall be drawn up, and the Bishop shall be requested to name a deputation or deputations for attending the same; and, in addition, each Parish and Mission is earnestly recommended to create a *local endowment fund*.

ON SUPERANNUATION.

1. Each Clergyman shall pay an annual fee of \$5.00, and also take up an annual collection in aid of the Fund in each church and station within his charge.

2. Any Clergyman may, for the time he has been in the Diocese, pay up all arrears at the rate of \$5.00 a year from 1870, when the Fund was established, and such payment of arrears shall be treated as part of the payments required under the next clause.

3. No Clergyman shall be eligible for superannuation until after ten years' active service in the Diocese, and until he has paid his annual subscription for ten consecutive years, and also taken up a collection in aid of the Fund every year after the passing of this

4. Each Clergyman having complied with the above, upon being superannuated, shall receive a grant of \$300 per annum, and in addition thereto, \$10 per annum for each and every year of active service in the Diocese above ten years; but in no case shall the allowance exceed in the aggregate \$400 per annum.

5. Until the Fund shall have an income of \$1,200 a year, it shall be allowed to accumulate untouched.

6. That in case of the superannuation of any Clergyman, the amount of grant payable under section 4 shall be paid, as far as necessary, from the surplus interest of the Clergy Trust Fund presently applied to the Mission Fund, the balance of said interest at the end of the year being given to the Mission Fund, as heretofore.

7. Any Clergyman satisfying the Executive Committee that he is incapable of, or being reported by the Lord Bishop of the Diocese as unfit for full duty in the Diocese, shall be entitled to superannuation, and to payment of a yearly allowance as hereinbefore provided.

8. That the Resolution passed at the 17th Session of Synod (p. 808) be rescinded, as also all previous canons on the Superannuation Fund which conflict with these rules.

REPRESENTATION TO PROVINCIAL SYNOD.

The number of Clerical and Lay delegates to represent each Diocese in the Provincial Synod having been fixed by the Provincial Synod at twelve of each order, the Clerical and Lay Secretary at the preceding Diocesan Synod shall always be *ex-officio* amongst the number of delegates to represent this Diocese at any meeting of the Provincial Synod, with seventeen others of each order to be elected by ballot at each annual meeting of the Synod. The first eleven receiving the highest number of votes shall be the delegates; and the next six highest following in order shall be the substitutes, to attend the Provincial Synod whenever, from sickness or other cause, the delegates shall be unable to attend the Provincial Synod.

LAY READERS.

1. One or more Lay Readers may be appointed in any Mission or Parish in the Diocese, at the request and on the nomination of the Incumbent of the said Mission or Parish.

2. The duties of such a Lay Reader shall be (*a*), to read the appointed lessons in the church at the Incumbent's request; (*b*), to conduct services in the out-stations of the Mission; (*c*), to aid in the formation and superintendence of Sunday-Schools; and (*d*) further to discharge such duties within the Mission under the direction of the Incumbent as by the layman may lawfully be done.

SCHOOLS.

1. There shall be attached to every Mission and Parish, when practicable, a Day School and Sunday school; and also in every Rural Deanery there shall be established a superior Church Day school.

2. The Master of such a Day School shall be a member of the Church, and receive a license from the Bishop.

3. Religious instructions shall be exclusively under the direction of the Clergyman, and the general management shall be vested in the Minister and Church Wardens.

4. The schools shall be maintained by school fees and public grants, and by subscriptions and endowments; and all the fees shall be collected by the schoolmaster, who shall account to the Church Wardens for the same.

5. The Sunday school shall be entirely under the direction of the Clergyman of each Parish or Mission, whose duty it shall be to nominate the teachers, to select suitable books of instruction for the several classes; to train and instruct, as far as practicable, the teachers themselves, "to catechise from time to time the children;" and to see that nothing is taught inconsistent with the doctrine and discipline of the Church.

6. A Standing Committee of Synod shall be appointed to select suitable books for Sunday and day schools.

SOLICITATION AND PROCURING OF CONTRIBUTIONS.

Inasmuch as the solicitation and procuring of contributions towards local and particular Parish or Mission work, outside of the bounds of the particular Parish or Mission, and of the Diocese, is calculated to affect the interests and standing of the whole

Church, it was resolved at the Twenty-fourth annual Synod : That no such subscriptions or contributions shall be solicited without the express authorization of the Diocesan previously given, and based upon urgent necessity established by accurate statements in writing regarding the work to be done ; the position and means and contributions towards the same of the Parish or Mission seeking aid ; the amount required ; the purposes to which the subscriptions to be obtained will be applied ; and the names of the officers specially in charge of the work.

That in every case in which such authorization shall be given by the Bishop the person authorized to collect shall be required to keep an accurate and detailed account of each and all subscriptions and of any condition in regard thereto, and also a full and particular account of the expenditures incurred and chargeable against said subscriptions ; and that yearly, or on the completion of any tour or collecting trip so authorized, a full account in the foregoing particulars, with a list of the subscribers and amount of subscriptions, be rendered to the Lord Bishop of the Diocese, showing also the actual balance paid over to, or realized for the special object to be aided, and signed by the Clergyman or other collector and by the Wardens of the Parish or Mission.

That the Lord Bishop be respectfully requested to lay, year by year, before this Synod a list of authorizations so granted by him, to submit them, with the statements and accounts hereinbefore referred to, in order that the same may be duly audited and appear of record in the Diocesan reports.

ON DISCIPLINE.

ARTICLE 1.

Every Priest and Deacon, duly licensed by the Bishop, is amenable for offences committed by him, in the manner and under the provisions set forth in the Canon of Discipline hereinafter enacted.

§ 1.

1. For any crime or immorality, for drunkenness, profane swearing, disorderly conduct, frequenting places most liable

to be abused to licentiousness ; for a violation of the Constitution or the Canons, Rules and Regulations of this Synod or of the Provincial Synod ; for discontinuing the exercise of the ministerial office, without lawful cause ; for exercising any lay profession or occupation inconsistent with his sacred calling ; for the disuse of public worship, or of the Holy Eucharist, according to the offices of the Church without lawful excuse ; for the wilful infringement of the rubrics ; for schism, or the separating himself from the communion of the Church.

2. And also for heresy, or teaching or maintaining heretical doctrines ; or for teaching or inculcating doctrines contrary to those of the Church ; such teaching or maintaining being by way of writing, or printing, or preaching, or public teaching, or circulating books containing unsound doctrines.

3. And also for any act which involves a breach of his ordination vows.

§ 2.

1. If any Clergyman has committed, or, on reasonable grounds, is believed to have been guilty of, any of the foregoing ecclesiastical offences, committed within this Diocese, the Bishop, on the written application of any party complaining thereof, or of his own mere motion, may summon the party to appear before him in private, and, upon confession of the offence alleged, may pronounce such sentence as may be proper.

2. If the Bishop should consider the matter to be of such a character or magnitude as to require it to be placed on record, in such case the accusation shall be reduced to a definite form : there shall be added the confession signed by the party, and the same, with the sentence pronounced, shall be recorded in like manner as other sentences are hereinafter directed to be recorded.

3. If the accused party shall not admit or confess the offence alleged, and the Bishop be of opinion that there are grounds for further inquiry, the Bishop may issue a commission under his hand and seal to five Priests, of whom one shall be an Archdeacon, within the Diocese, who shall make inquiry into the truth of the accusations, and report the facts, as well

as the evidence taken, and whether, in their opinion, there be sufficient *prima facie* evidence to justify further proceedings.

4. In such case, the accusation shall be reduced to form in writing, and a deposit placed in the hands of the Bishop, to his satisfaction, for the costs of the proceedings, if the accusers be Laymen ; such deposit to be applied in payment of the expenses of the party accused if acquitted, and the balance, if any, to be repaid to the depositor ; and notice of the time when, and place where, every such meeting of the commission shall be holden, shall be given in writing to the party accused, by means of personal service, at least twenty days before the first meeting ; and it shall be lawful for the party accused, or his agent, to attend the proceedings of the commission, and to examine or cross-examine any witnesses ; and such preliminary proceedings shall be in private, unless the party accused shall desire otherwise.

5. Should the party accused neglect or refuse to appear before the said commission, his default, after good and sufficient service, shall be placed on record, and the commissioners shall proceed with their inquiry *ex parte*.

6. Upon the receipt of the report of the commissioners, the Bishop shall take such further proceedings therein as the case may, in his judgment, require.

ARTICLE II.

1. A charge may be preferred against any clergyman for any of the ecclesiastical offences above enumerated, in the manner and under the provisions following :

It may be made by the Bishop of the Diocese *ex officio*, by any five clergymen officiating in the Diocese, or by any ten vestry men of any Parish or Mission wherein the offence is alleged to have been committed.

2. The charge, when made by any other than the Bishop *ex officio*, shall be in writing, signed by the parties making it, and shall specify the offence or offences with reasonable certainty, as to time, place and circumstances.

3. There shall be annexed to it the names and residences of the material witnesses, and a copy of any documentary evidence relied on.

4. It may be in following form :

" The subscribers (titles and additions) allege and charge,
 " that the Rev A. B., a minister of this Church, of the order
 " of ———, and ——— of the Church or parish
 " of ———, has been guilty of certain ecclesiastical
 " offences, for which he is subject to trial and censure; viz., of—

" To establish which allegations and charge, we refer to the
 " accompanying affidavits, certificates, documents, and to the
 " witnesses whose names and places of residence are hereunto
 " annexed.

" Which charge (or charges) we know to be true in substance;
 " (or) which charges on information satisfactory to us, we believe
 " to be true."

5. Whenever a charge or charges against any Priest or Deacon shall have been reduced to writing and delivered to the Bishop, it shall then be the duty of the Bishop to cause to be served personally on the accused a certified copy thereof, together with notices of the time and place of trial, both of which the Bishop shall prescribe or fix.

6. The charges and notice shall be so served at least thirty days before the time appointed for the trial. In case of the innocence or acquittal of the accused, every reasonable effort shall be made to clear the character aspersed, in public estimation, at the expense of the accusers.

7. In the event of a public rumour prevailing against a Clergyman as having committed any of the Ecclesiastical offences above enumerated, the Clergyman may, upon application in writing to the Bishop or his Commissary, complaining of such rumour, and asserting its falsity, obtain an inquiry by commission, as hereinbefore provided, into the particulars of such rumour, and an opportunity be afforded to such Clergyman of exculpating himself.

ARTICLE III.

1. There shall be a Court to be called "The Diocesan Court of Montreal," to try such charges as may be preferred against any Priest or Deacon of the said Diocese.

2. It shall be composed of fifteen Priests, who shall be annually elected by ballot, by a majority of the Diocesan Synod, at its

annual meeting, and who shall continue in office until others shall have been chosen in their places.

3. The Bishop shall have power to fill all vacancies which may occur by removal from the Diocese, by death or by election to the episcopate, or in case any one of them be the party accused, until the next meeting of Synod.

4. The Court shall name from among their body a clerk whose duty it shall be to keep a record of all the proceedings had before the Court.

5. The Church Advocate (as hereinafter appointed) shall give notice in writing at least fifteen days before the day fixed for trial, to the party accused, to attend before the Clerical Secretary of the Synod, time and place being mentioned in the notice, when and where the party accused shall strike from the list of the members of the Court, elected as aforesaid, one of the names, and the Church Advocate shall strike off another, and so alternately until the number shall be reduced to five, which five, or a majority of them, shall form the Court for the trial.

6. If the accused shall neglect to attend in person, or by an agent, the Clerical Secretary of the Synod shall strike the list with the Church Advocate, in place of the accused so absent.

7. The accused and Church Advocate may, by a written consent, filed with the Clerical Secretary of the Synod, agree upon any five of the members of the Court, so elected as aforesaid, which five, or a majority of them, shall form the Court.

8. The Bishop shall issue a precept, addressed to the members of the Court, so struck or agreed upon, requiring them to proceed to the trial of the accused at the appointed time and place; which precept, together with a certified copy of the charges, shall be transmitted by the Bishop to the President of the court (to be named by him), whose duty it shall be, on receipt thereof, to cause all the members of the Court, so struck or agreed upon, and the accused, to be summoned to meet at the prescribed time and place.

9. The Bishop shall, at the annual meeting of Synod, nominate a Church Advocate to conduct all prosecutions; he shall be a Priest belonging to the diocese, or a layman who is a practising advocate of the Province of Quebec, and has been a communicant

of some church within the Diocese at least two years before such nomination, and is such at the time of his appointment, and shall continue to be such during the time of his holding said office.

10. If on the day fixed for the trial the accused shall appear, he shall, before proceeding to trial, be called upon by the Court to say whether he is guilty or not of the offence or offences charged against him; and on his neglect or refusal the plea of not guilty shall be entered for him, and his trial shall proceed.

11. Exceptions to the form or substance, or any part thereof, or legal sufficiency of the charge or presentment, or any part thereof, or of the allegations or specifications therein, or to the jurisdiction of the Court, or any member thereof, may be taken by the accused, and shall be determined by the Court. But the Court may, with reference to exceptions as to form not affecting the substantial merits of the proceedings, order their Clerk to make such amendments as may be deemed necessary.

12. Such exceptions shall be made in writing at the time of pleading.

13. If no such exceptions are taken, or, having been taken, are overruled, the accused shall be called upon to plead guilty, or not guilty, as aforesaid, and the trial shall proceed.

14. If the accused neglect or refuse to appear, according to his summons, due notice having been served upon him as aforesaid, except for some sufficient or reasonable cause, the Court shall certify such default to the Bishop, whereupon the Bishop shall pronounce him to be in contumacy; and sentence of suspension from the ministry shall be forthwith pronounced against him for such contumacy, by the Bishop; but this sentence may be revoked if, within three calendar months, he shall tender himself ready, and accordingly appear and take his trial on the presentment.

15. No proceeding shall be instituted against any Priest or Deacon, unless the same be commenced within two years after the commission of the offence in question. And any such proceeding shall be prosecuted to final judgment within six months from the date of its institution.

16. When proceedings are brought in respect of an offence for which a conviction has been obtained in a civil or criminal

tribunal the suit in the Diocesan Court may be commenced against the clergyman so convicted, within two years from the date of such conviction.

17. The accused party may have the privilege of appearing by counsel if he shall see fit.

18. All evidence shall be taken in writing, and each witness shall be sworn in open Court.

19. All notices services, and citations shall be made on the accused personally within the delays before mentioned.

20. If on or during any trial the accused shall confess the truth of the charges contained in the presentment, the Court may dispense with hearing further evidence, and proceed at once to report the same to the Bishop, whose duty it shall then be to proceed to pass sentence.

21. The proceedings upon a trial shall be private, unless the accused party shall request the same to be public, in which latter case the Court may direct it to be private, should public decency be likely to be outraged by such publicity.

22. No charge shall be considered as substantiated or proven by the testimony of less than two witnesses.

23. If any member of the Church shall be summoned to attend as a witness before the Court or Commissioners constituted under any provision of this Canon, or, being present before either of the same, shall refuse to testify, or to be sworn or affirm, such persons may be declared guilty of contumacy, and punished accordingly.

24. A certificate or record of such contumacy shall be signed by the President of the Court or Commissioners, as the case may be, and transmitted to the Bishop or his Commissary.

25. Whereupon the Bishop shall cause reasonable notice to be given to the party, of the proceedings intended against him, and after due citation and the hearing of the party in defence or extenuation, or in default of his appearing to answer, the Bishop may proceed, if the party be a layman, to admonish or suspend him from communion with the Church, and if a Priest or Deacon, to admonish or suspend him from his office until such contumacy be purged.

26. The Court may, in its discretion, adjourn from time to time.

27. The Court, having deliberately considered the evidence, shall declare in writing, signed by the members thereof, or a majority of them, their decision on the charges contained in the presentment, whether in their opinion the accused is guilty or not guilty on each particular charge. And in the event of the Court being equally divided, the charge or charges shall be considered not proved.

28. If the accused, after trial, shall be found guilty, the finding of the Court, together with all their proceedings, including the evidence taken in the case, shall be transmitted to the Bishop before it is transmitted to the accused or in any way made public, and he may proceed to pass such sentence as in his judgment may be proper, not repugnant to the provisions of the Statutes under which the Synod is constituted.

29. A copy of the sentence shall be sent to the accused, and, after the expiration of one month, provided no notice of appeal be given, another to the vestry, or vestries of the parish or parishes, or congregation or congregations, with which the accused may be canonically connected; and such other publicity may be given to it as the Bishop shall think expedient.

30. When the penalty of suspension shall be inflicted **such** sentence shall specify the terms thereof and the period of **its** duration.

31. During his suspension the suspended minister shall **not** exercise the functions of the ministry, either in his own congregation or elsewhere within this Diocese.

32. Upon sentence being pronounced, the connection between the minister and his parish or congregation shall be *ipso facto* severed, and all other 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.

ARTICLE IV.

1. The Rubric, prefixed to the order of the Holy Communion in the book of Common Prayer, prescribes the manner of proceeding by the minister of any parish toward any layman guilty of any of the offences therein mentioned, and provides for the reporting the same to the Bishop.

2. If the party thus repelled shall think proper to make a complaint (in writing) to the Bishop, against the conduct of his minister, in such case it shall be the duty of the Bishop (unless he think proper to restore him, from the insufficiency of the cause assigned by the minister) to institute an inquiry into the merits of the case.

3. If the Bishop should not think proper of his own authority to restore the layman complaining, as above, he or his Commissary shall appoint two disinterested clergyman, and two disinterested laymen who are communicants, to inquire into and try the case.

4. If they report to the Bishop that the repelled person ought to be restored, the Bishop shall so direct, and no minister of the Diocese shall deny him the Holy Communion.

5. If they report otherwise, or make no report within three months from their appointment, the repulsion shall continue in force. If this Board of Inquiry be equally divided, they may elect an umpire, clerical or lay, and a majority may report whether the party has been rightfully repelled or not according to the Rubric.

6. If the judgment direct a continuance of the repulsion, it shall still be subject to the conditions and provisions of the Rubric.

7. The judgment of the Board of Inquiry shall be final, unless the Bishop shall grant a re-hearing.

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