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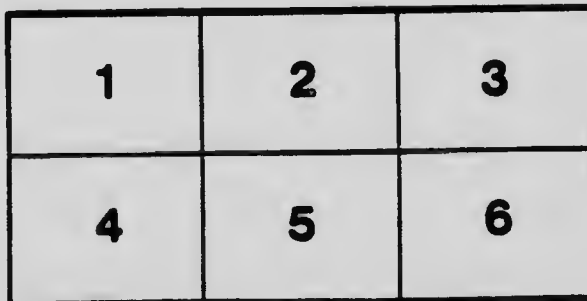
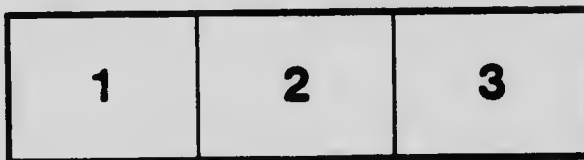
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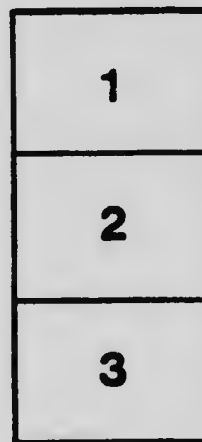
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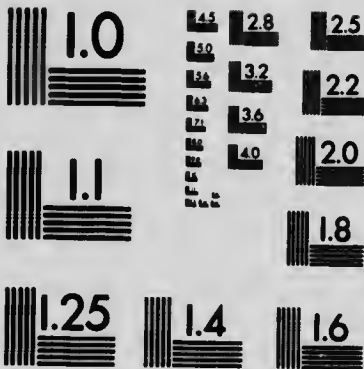
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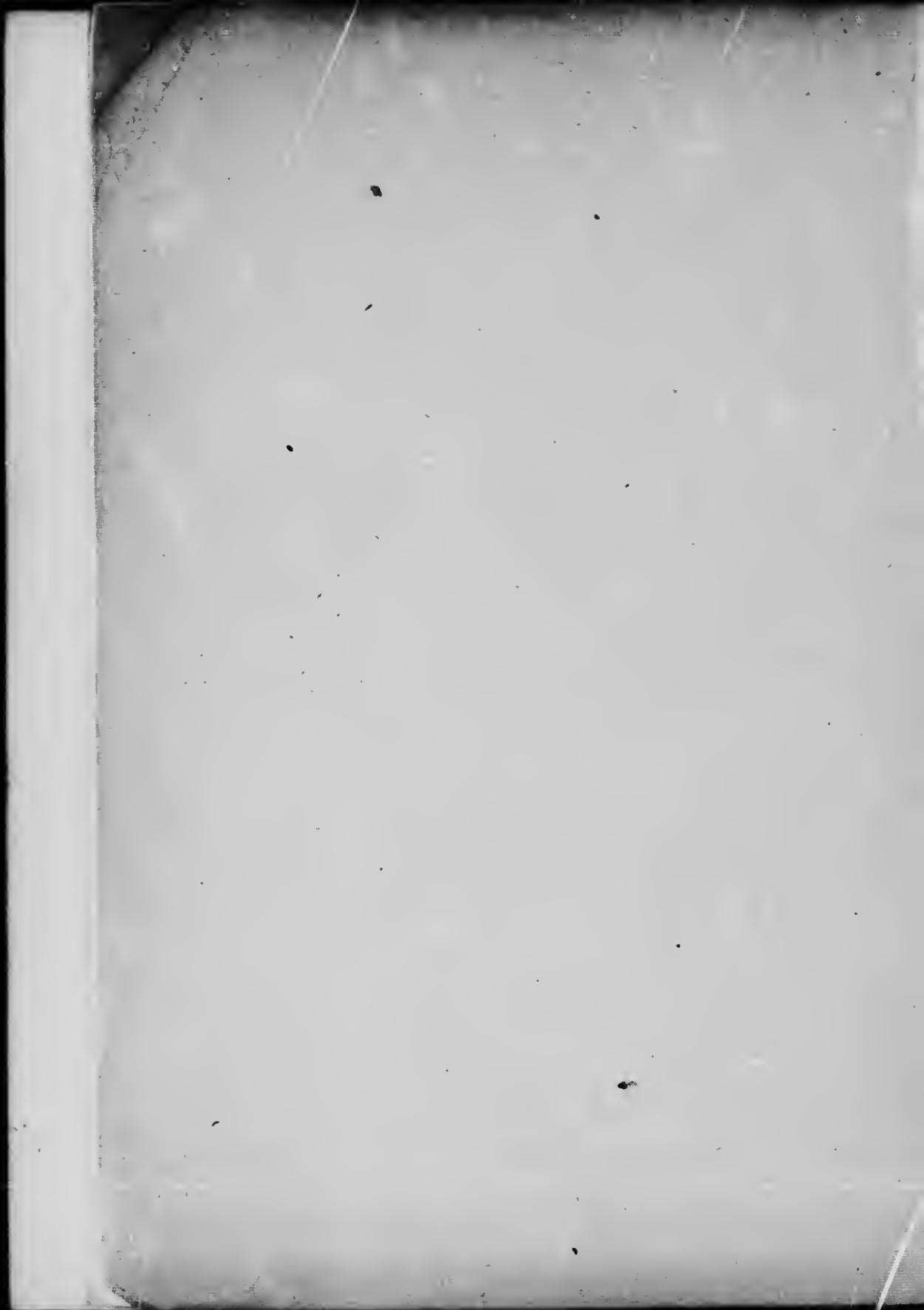
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CANONS

—OF THE—

Synod of the Diocese of Ontario

—AND OF THE—

PROVINCIAL SYNOD OF CANADA

—AND OF THE—

General Synod of Canada

—WITH A COLLECTION OF—

Statutes Affecting Ecclesiastical Rights

—AND—

FORMS OF GRANTS, BEQUESTS AND TRUSTS FOR CHURCH PURPOSES.

PUBLISHED BY THE AUTHORITY OF THE SYNOD.

KINGSTON:
Printed at the British Whig
1912.

T379918



JUN 14 1921

PREFACE.

During the Forty-Second Session of the Synod of the Diocese of Ontario (1905) it was resolved:

"1. That owing to the many changes that have been made in the Canons since the last revision, and the number of new Canons enacted, it is expedient that there should be a revision.

"2. That such revision be referred to a committee which shall deal with the matter, and report to the Synod at the next session."

COMMITTEE:

The Bishop appointed the following committee:

The Chancellor, the Dean, Dr. Rogers, Mr. G. F. Ruttan, Judge McDonald, and Mr. F. King.

The Chancellor, R. T. Walkem, Esq., K.C., D.C.L., having died, and Judge McDonald having been appointed by the Lord Bishop to be Chancellor in his room and stead,—the committee was reconstituted at the Forty-Third Session (1906) when the Clerical Secretary (Canon Grout, M.A.) and Mr. J. B. Walkem were added to it, and it was continued.

During the Forty-Fifth Session (1909) the Committee having reported, it was resolved:

"That the report of the Committee on the Revision of Canons be received—that the committee be continued; and be authorized to carry its work to a conclusion, and for that purpose to add to its draft such Canons and resolutions of Synod as still remain to be considered, as also the Canons of the Provincial and General Synods, and to make such further amendments as may be deemed advisable; and when the matters so dealt with shall be in such shape as to render it advisable, may have the draft Canons, resolutions, &c., printed for distribution among the members of Synod."—Carried.

In June, 1912, the Committee met and completed the revision.

The new book contains:

Preface to the former book,—a preface prepared by the late Chancellor Walkem for this book, the declaration of the Synod of the Diocese of Ontario, adopted at its formation in 1862, the Canons of the Diocese, and other matter of diocesan concern, the Declaration and Constitution of the Provincial Synod, such Canons of that Synod as are now in force, and other matter concerning the same, the Declaration and Basis of Constitution of the General Synod, and such Canons thereof as it has seemed well to have published:

J. B. WALKEM, *Solicitor for the Diocese.*

HERBERT S. McDONALD, *Chancellor.*

GEO. W. G. GROUT, *Clerical Secretary.*

FRANCIS KING, *Lay Secretary.*

Dated July, 1912.

PREFACE TO THE FORMER BOOK.

The work of revising and consolidating the Canons of the Diocese of Ontario had its origin in a resolution passed at the Twenty-Third Session of Synod, June 10th, 1885, when the Chancellor and Secretaries were "instructed to have printed a corrected edition of five hundred copies. with all Acts of Parliament bearing upon the affairs of the Diocese, together with a resolutions of Synod now in force." (Session XXIII, 1885).

The Committee reported Oct. 18th, 1885 (Session XXV., pp. 506 and 539), setting forth the "necessity of introducing certain amendments and alterations," asking for increased powers, and suggesting that the names of Mr. Walkem, Q.C., and Mr. Wilson, Q.C., be added to the Committee. The Report was adopted the following day (p. 515).

The Committee reported progress May 15, 1888 (Session XXVI., pp. 21 and 53), and asked leave to sit again, which was granted by the adoption of the Report on the following day (p. 33).

On June 18th, 1889, the Committee submitted to the Synod for its approval a printed "Draft of the Revised Canons of the Diocese of Ontario," together with a printed sheet of *addenda* and *errata* (Session XXVII, p. 152). The consideration of the Report became the first order of business on the following day (p. 163), and it was finally adopted as amended on June 20th, 1889 (p. 169).

On June 19th, 1890, the Revised Canons as passed in 1889 were confirmed with a single amendment, and were signed and sealed by the Lord Bishop in the presence of the Synod. It was then ordered "that the said Canons, together with the Acts of Parliament which have any bearing on ecclesiastical matters in this Diocese, be printed and offered for sale at a price sufficient to cover the cost of publication" (Session XXVIII, pp. 341-2).

These instructions the surviving members of the Committee have at length been able to accomplish, and they now submit the result of their labours to their brethren of the clergy and laity. In doing so they desire to pay a well-deserved tribute to two of their number who have

been called to their rest. To the late Chancellor of this Diocese, the lamented Dr. J. A. Henderson, Q.C., is due the present improved form of the Canons, on which he spent weeks of his valuable time, going over them sentence by sentence, omitting needless repetitions, and bringing all parts into complete harmony with each other. The draft thus prepared, after revision and amendment by the other members of the Committee, was handed over to the late Dr. Wm. Wilson, Q.C., Law Clerk of the House of Commons, by whom it was put through the press, first for submission to Synod, and again as corrected and amended by Synod at its Twenty-Seventh Session. Nor did his labours cease here; for having received from another member of the Committee a collection of the Statutes bearing upon the affairs of this Diocese, he prepared for the printer both these and the Canons themselves, supplying those marginal notes and references which add so much to the value of this work.

As instructed by the resolution under which this work was commenced, the Committee have added such of the important Resolutions of Synod as appeared to them to be in actual force; and to make the volume complete as a Diocesan Manual, they have also included in it the By-laws of the Board of Diocesan Missions, the Instructions of the Lord Bishop to the Rural Deans, and the Canons of the Provincial Synod, completing the whole with a full Index; and in view of the amount of labour bestowed on the volume, the probability that many years will elapse before a new edition will become necessary, and the rapidly increasing membership of the Synod, they have issued an edition of fifteen hundred copies instead of five hundred only.

RICHARD T. WALKEM, *Chancellor.*

A. SPENCER, *Clerical Secretary.*

R. V. ROGERS, *Lay Secretary.*

Kingston, Epiphany, 1891.

PREFACE TO THE CANONS.

NEW EDITION.

*By Richard T. Walkem, Esq., K.C., D.C.L., the Second
Chancellor of the Diocese of Ontario.*

In the year 1856 the members of the Church of England in the Province of Canada which then consisted of what are now the Provinces of Ontario and Quebec applied to the Provincial Legislature for authority to form Diocesan and Provincial organizations for "regulating the affairs of their church in matters relating to discipline and necessary to order and good government."

This application was made because, as appears by the preamble to the Act 19 and 20 Vict. c. 141, post p. doubts existed whether the members of the Church of England and Ireland in the Province had the authority asked for, independently of legislative grant; and it resulted in the passing of that Act which, after reciting the doubts referred to, provided by section 1 for the organization and holding of Diocesan meetings, and by section 2 for the holding of Provincial or general meetings composed of representatives from the several Dioceses.

Section 1, which relates to Diocesan meetings, is as follows: "The Bishops, Clergy, and Laity, members of the United Church of England and Ireland in this Province, may meet in their several Dioceses, which are now, or may be hereafter constituted in this Province, and in such manner and by such proceedings as they shall adopt, frame constitutions and make regulations for enforcing discipline in the Church, for the appointment, deposition, deprivation, or removal of any person bearing office therein, of whatever order or degree, any rights of the Crown to the contrary notwithstanding, and for the convenient and orderly management of the property, affairs and interests of the Church in matters relating to, and affecting only the said Church and the officers and members thereof, and not in any manner interfering with the rights, privileges, or interests of other religious communities, or of any person or persons not being a member or members of the said United Church of England and Ireland: provided always that such constitutions and regulations shall apply only to the Diocese or Dioceses adopting the same."

Section 2 which relates to the holding of Provincial or general meetings is as follows: "The Bishops, Clergy, and Laity, members of the United Church of England and Ireland in this Province may meet in General Assembly within this Province by such representatives as shall be determined and declared by them in their several Dioceses; and in such General Assembly frame a constitution and regulations for the general management and good government of the said Church in this Province."

To section 2 is added the following clause which applied to both sections and is restrictive in its character:

"Provided always, that nothing in this Act contained shall authorize the imposition of any rate or tax upon any person or persons whatever, whether belonging to the said Church or not, or the infliction of any punishment, fine, or penalty upon any person, other than his suspension or removal from any office in the said Church, or not, or the infliction of any punishment, fine, or penalty upon an person, other than his suspension or removal from any office in the said Church, or exclusion from the meetings or proceedings of the Diocesan or General Synods; and provided also, nothing in the said Constitutions or regulations or any of them shall be contrary to any law or Statute now or hereafter enforced in this Province."

The status of the church in Canada and the effect of the Statute just referred to were carefully considered by a committee of the Provincial Synod in the year 1889 (see report, p. 85). This Committee, after referring to *Long v The Bishop of Cape Town*, 1 Moore, P. C. N. S. 461, and *Bishop of Natal v Gladstone*, L. R. 3, Eq. cases 1. which had been decided after the passing of our Statute, and to the report of a special Committee of the Provincial Synod on the status of the Church in Canada presented by Chief Justice Draper in 1873 and adopted by that body stated its conclusion in the following words:

"These authorities, your Committee believe, establish the proposition that the Church of England in Canada is a voluntary organization upon much the same footing as other religious communities, possessing the inherent power of passing rules and regulations for the government of its members, by which they are bound, and to which they must conform."

Whatever may have been the effect of the Statute its provisions were used for the purpose of forming both Diocesan and Provincial Synods.

The first Provincial Synod met in the year 1861.

At the time of the passing of 19 and 20 Vict. c. 141, (28th May, 1857), what is now the Diocese of Ontario formed part of the Diocese of Toronto. In February, 1862, the Diocese of Ontario was formally set off from the Diocese of Toronto by Letters Patent. A division had been previously agreed upon and at a special Synod of the clergy and lay delegates of the proposed new Diocese, held on the 13th June, 1861, the Rev. Dr. Lewis had been chosen Bishop. His consecration followed on the 25th March, 1862. It was thought expedient by the members of the Church in the new Diocese to apply to the Legislature for an Act creating them a corporation, in which might be vested the funds and property belonging to the Diocese and to which might be committed the care and management of its temporalities. The Legislature thereupon passed the Statute, 25 Vict. (Can.) c. 86, entitled "An Act Incorporating the Synod of the Diocese of Ontario. This Act will be found in post p.

It should be observed that "The Incorporated Synod of the Diocese of Ontario" consists of *all* the members of the Church in the Diocese, Bishop, clergy, and laity. This organization must be distinguished from what is known as the "Synod" or deliberative body which is referred to in the 2nd section of the Act and which it is provided shall be composed and consist of the Lord Bishop of the Diocese, for the time being, the Priests and Deacons of the same, licensed by the Lord Bishop, and of Lay Representatives, to be elected as provided for by such Constitution and Regulations as the Synod has heretofore adopted, or shall from time to time enact.

Section 9 of the Act provides that the powers of The Incorporated Synod shall be exercised by and through the Synod of the Diocese and by such Boards or Committees as it might from time to time create and it gives power to the Synod to form, dissolve, and reform at pleasure such Boards and Committees temporary or permanent for the management of all the affairs and property of the said Synod by any by-law or by-laws from time to time to be passed with such delegated powers of the said Synod as may be thereby or by other by-law or by-laws of the Synod conferred upon such Boards or Committees.

The authority to pass the Canons contained in this book is therefore derived,

1. From the Statute 19 and 20 Vict. c. 141.
2. From the Act of Incorporation of the Synod.
3. From the right of self-government possessed by the members of the Church in Canada.

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THE DECLARATION OF THE SYNOD OF
THE DIOCESE OF ONTARIO.

As adopted April 9th, A.D. 1862.

DECLARATION.

We, the Bishops, the Clergy, and Representatives of the Laity of the United Church of England and Ireland, within the Diocese of Ontario, 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 to make a declaration of the principles upon which we purpose to proceed.

We desire that the Church in this colony shall continue, as it has been, an integral portion of the United Church of England and Ireland.

As members of that Church, we recognize the true Canon of Holy Scripture, as received by that Church, to be the rule and standard of faith; we acknowledge the Book of Common Prayer and Sacraments, together with the Thirty-nine Articles of Religion, to be the true and faithful declaration of the doctrines contained in Holy Scripture; we maintain the form of Church government by Bishops, Priests, and Deacons, as Scriptural and Apostolical; and we declare our firm and unanimous resolution, in dependence on Divine aid, to preserve those doctrines and that form of Church government, and to transmit them to our posterity.

In particular, we uphold the ancient doctrine of our Church, that the Queen is rightfully possessed of the chief government or supremacy over all persons within her dominions, in all causes whether ecclesiastical or civil; and we desire that such supremacy should continue unimpaired.

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 the said Church.

We conceive that the following, and such like subjects, may fitly come under our consideration, and lead to action on our part:—

1. To frame a Constitution for the Synod, and to regulate the time and place of its meetings, and the order and manner of its proceedings.

2. To provide for the proper exercise of ecclesiastical discipline, in regard to both Clergy and Laity.

3. To provide for the extension and temporal well-being of the Church, and the support of the Clergy and schoolmasters, for the maintenance of public worship, and the diffusion of a sound religious education.

4. To promote and regulate the building and consecration of Churches, and the erection of Parsonages and school-houses.

5. To provide for the division of the Diocese into Parishes, with regulations for future sub-divisions.

6. To provide (with consent of the Crown, where needed) fit regulations for the appointment of Bishops, Priests, and Deacons.

7. To regulate the fees for marriages and other offices of the Church.

8. To provide (with the consent of the Crown) for the division of the Diocese into new Dioceses, either forthwith, or at any future period.

9. To procure from the Colonial Legislature any laws, or modification of laws, which the circumstances of the Church may require.

These are subjects which will supply abundant employment for our Synods, and they are such as the circumstances of the Church in this Province imperatively require the Clergy and Laity to deal with.

In conclusion, we humbly pray that the God of unity and peace may be with us, and so chasten our affections, purify our motives, and guide our judgment, that we may be enabled to contribute to the efficiency, concord, and stability of the Church in this land.

Diocese of Ontario.

CANONS.

PART I. CONSTITUTION.

CANON I.—ON THE COMPOSITION OF THE SYNOD.

1. The Synod shall consist of the Bishop of the Diocese, and any co-adjutor or Assistant Bishop thereof, or the Bishop presiding under the provisions of section one of Canon II during the time he is so presiding; of the Priests and Deacons of the Diocese, licensed by the Bishop, and doing duty therein, or having leave of absence, and the superannuated clergymen of the Diocese who are in good standing; and of representatives elected as hereinafter provided.

2. Each separate cure shall be entitled to three Lay Representatives who shall continue in office until their successors are appointed. When there are two congregations in the same cure having churches, that which has the largest number of votes shall be entitled to two Lay Representatives and the other to one. When there are three congregations in a cure having churches each shall be entitled to one Lay Representative; and when there are four or more congregations in a cure having churches, the largest and the next largest congregation shall each

be entitled to one Lay Representative, and the remaining congregations shall have the right to unite and elect the third Lay Representative. The results of the elections when there is more than one shall be certified by the other Chairman to the Incumbent of the Parish or the Chairman of the principal congregation with the number of votes cast for the person elected.

3. The Lay Representatives shall be elected at the Easter meeting held by each clergyman having a separate cure, or at any meeting specially called by him for that purpose by giving due notice thereof during Divine Service on the two Sundays next preceding the meeting. In case of a vacancy in the cure the Easter meeting shall be called by the churchwardens affixing a notice of such meeting to the outside of the outer main entrance church door at least one week previous to such intended meeting.

4. The Lay Representatives shall be male communicants of the full age of twenty-one years, who have communicated at least three times within the preceding twelve months.

5. Except in the case of a first election, in each such cure, the Lay Representatives shall serve for three years. One of them shall retire annually, but he may be re-elected. They shall be those who, being otherwise qualified, shall receive the highest number of votes at the meeting for their election. In the case of a first election in a cure the person having the highest number of votes shall be entitled to sit for three years, the next highest for two years, and the next highest for one year.

6. All lay persons within the cure, of twenty-one years of age and upwards, who, at the time of the election, have registered and declared themselves in writing in a book provided for that purpose by the Parish to be habitual worshippers with that congregation and members of the Church of England in Canada, and of no other religious body, shall be entitled to vote at the election. No such person shall vote at the election of Lay Representatives in more than one congregation in the Diocese within the year.

7. The Incumbent, if present, or in his absence, the Curate, or, if neither the Incumbent nor the Curate be present or, there be a vacancy in the cure, a Chairman chosen by the majority of the electors present shall preside at the election.

8. The Incumbent or Chairman of the principal congregation shall, within one week after each election, send to the Clerical Secretary of the Synod a certificate according to the following form:—

DIOCESE OF ONTARIO.

Parish of.....

I hereby certify that at the meeting for the election of Lay Representatives for this Parish held on theday ofA.D. 19....

..... duly elected to represent this Parish in the Synod of the Diocese for the next.....years. The following persons, who are of the full age of twenty-one years and have each communicated at least three times during the past year, are the present Representatives:—

NAME.	P. O. ADDRESS.
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..... for the next three years.
..... for the next two years.
..... for the next one year.

.....
Chairman.

Date.....

To the Clerical Secretary of the Synod.

N.B.—This Certificate should be sent to the Clerical Secretary immediately after the election of Lay Representatives.

9. On the receipt of such Certificate the Clerical Secretary shall enter the name of the Representative on a list which shall comprise the names of those clergymen and Lay Representatives who are entitled to seats in the

Synod. He shall cause this list to be printed and sent by post to each one of them ten days at least before the day appointed for the meeting of Synod.

10. The Chairman of the Parish meeting shall furnish each Lay Representative with the following Certificate:—

DIOCESE OF ONTARIO.

Parish of.....

I hereby certify that.....
is a duly elected Lay Representative of this Parish in the Synod of the Diocese (and that he has proved to me by Certificate from his Parish Clergyman that he has communicated three times within the past year).

.....
Chairman.

Date.....

N.B.—In case the Lay Representative is a resident member of the congregation for which he is elected the words in brackets are to be erased.

No Lay Representative may sit or vote in Synod until the assessment due by his Parish is paid.

11. No Lay Representative shall be permitted to take a seat in the Synod or act as a Lay Representative until he has produced the Certificate referred to in the preceding section, or has afforded other sufficient proof of his qualification and election.

12. Forthwith after the meeting for the election of Lay delegates the Chairman shall send to the Clerical Secretary the annual assessment on the Parish or Mission; and no Lay Representative of any Parish or Mission which has not paid its assessments and arrears (if any) shall sit or vote in the Synod until such assessment and arrears (if any) have been paid. A notice to that effect shall be inserted by the Clerical Secretary at the foot of the list of the Clerical and Lay Representatives as part thereof.

13. When the cure is vacant from the inability or neglect of the Parish or Mission to support a Clergyman, the Lay Representatives shall, after the expiration of one year from the vacancy caused by such inability or neglect, cease to have seats in the Synod.

14. If any Lay Representative is elected for more than one Parish, he shall, within one week after receiving notice thereof from the Clerical Secretary, (whose duty it shall be to send such notice), select the Parish which he intends to represent, and shall signify the same to the Clerical Secretary who shall at once notify the Incumbent or Incumbents or, in case of a vacancy, the churchwardens of the other Parish or Parishes for which such Lay Representative has been elected; and thereupon such Incumbent or Incumbents or wardens shall proceed to call a meeting for a new election in the manner specified in section three of this Canon. Such new election shall take place within fifteen days from the receipt of the notification from the Clerical Secretary. In case such Lay Representative fails to make such selection and to signify the same as hereinbefore required, his several elections shall be void and of no effect, and the Clerical Secretary shall within ten days after the expiration of the time allowed for making such selection notify the Incumbents, or, in case of a vacancy, the wardens of the several Parishes requiring them to proceed to a new election to fill the vacancies so occasioned.

15. In the event of a vacancy occurring in the Lay representation of any Parish or Mission, from any cause whatever, or in the event of the person elected being disqualified, the Incumbent, or, in case of a vacancy, the churchwardens of such Parish or Mission shall, in the manner and within the period specified in the next preceding section, proceed to hold a new election; and the voters at the last election shall be entitled to vote at such new election without further registration. The person elected to fill any vacancy shall serve for the unexpired term of the Representative in whose stead he is elected.

16. If any Lay Representative declines to serve, or at any time resigns his seat in the Synod, or removes from

the Diocese, the said seat shall become vacant; and if any Lay Representative recedes from the Church of England in Canada, or abstains from the Holy Communion for the space of one year, or wilfully absents himself for six calendar months from attendance at a place of worship of the Church of England in Canada, or is convicted of any indictable offence, he shall thereupon forfeit his seat; and the Incumbent or, in the case of a vacancy, the churchwardens of the Parish or Mission of which he was the Lay Representative shall, within fifteen days after being made acquainted with such vacancy or forfeiture, proceed to hold a new election. If the Incumbent neglects or refuses to hold such new election after receiving a written application for a meeting for such purpose signed by three persons having the right to vote at the election of Lay Representatives, and if a Sunday has passed without such meeting being called by him, any three such voters may call a meeting for such election by a notice affixed on the outside of the main entrance door of the Church at least one week previous to such intended meeting.

CANON II.—ON THE ORGANIZATION OF THE SYNOD.

1. It shall be the prerogative and duty of the Bishop of the Diocese to preside at all sessions of Synod, but he may if necessary appoint with full or limited powers another Bishop to preside in his stead and such Bishop shall by virtue of his appointment be a member of the Synod during its session; and all business transacted and Canons passed or confirmed at such session shall have the same effect and validity as if the Bishop of the Diocese had presided.

2. The word "Bishop" when it occurs in the order of proceedings or in the rules of order shall include any Co-adjutor or Assistant Bishop or the Bishop appointed to preside under the authority of this Canon.

3. The Bishop may, when he desires to leave the Chair temporarily during a session of the Synod, appoint one of the members of the Synod to preside during his absence.

4. The Synod shall meet annually, or oftener at the discretion of the Bishop, who shall appoint the time and place of meeting, and shall adjourn or prorogue the Synod as appears to him expedient.

5. To constitute a quorum of the Synod for the transaction of business there must be present one-fourth of the whole number of the Clergy on the Synod list, and one or more of the Lay Representatives from at least one-fourth of the parishes on the said list, the assessment of which (including arrears, if any) has been paid.

6. No act or resolution of the Synod shall be valid without the concurrence of the Bishop and a majority of the Clergy and the Lay Representatives present. This section, so far as it requires the concurrence of the Bishop, shall not apply to the election of a Bishop.

7. All Committees of Synod shall be named by the Bishop, unless their nomination be otherwise provided for.

8. Members of Standing Committees and the elective officers of Synod shall hold office until the appointment or election of their successors. The Bishop may fill up until the next meeting of Synod any vacancies among the officials of the Synod or in the Committees occurring from any cause whatsoever.

9. The officers of the Synod shall consist of an Honorary Clerical Secretary, an Honorary Lay Secretary, an Honorary Treasurer, and a Secretary who may be either a clergyman, or a layman, of whom the Honorary Secretaries and the Honorary Treasurer shall be members of the Synod; and all of whom shall be elected annually after the introduction and consideration of the report of the Audit and Accounts Committee.

The Honorary Clerical Secretary shall be elected by a majority of the clerical members present, and the Honorary Lay Secretary by a majority of the lay members present.

The Honorary Treasurer and the Secretary shall be elected by a majority of both orders present.

The duties of the Secretary shall be those defined in section 1, of Canon VIII, "Duties of Officers."

The duties of the Honorary Secretaries, and the Honorary Treasurer, respectively, shall be those respectively defined in sections 2 and 3 of Canon VIII.

The provisions of this section as to the officers of the Synod shall not take effect during the continuance in office of Clerical Secretary by the present incumbent, Canon Grout.

In the case of each officer to be elected, a reasonable time shall be allowed for nominations, and if there is more than one nomination, the names shall be considered and voted upon in the order of nomination.

10. All Canons dealing with matters of discipline and all alterations of such Canons shall require to be passed at two successive sessions of the Synod before coming into force; but all other Canons shall come into operation as soon as passed. No proposition for the passing of a new Canon or the amendment of an existing Canon shall be considered by the Synod unless it has been submitted to the Executive Committee. A printed copy of such proposed Canon shall be sent to the members of Synod with the convening circular.

11. On the final passing of a Canon it shall be read in Synod by one of the Secretaries, and the Seal of the Synod having been attached thereto the Bishop shall, by his signature, attest the same. The Canon so passed shall be inscribed in a book kept for that purpose, and be attested to by the signature of the Bishop, and the Seal of the Synod.

CANON III.—ON THE ORDER OF
PROCEEDINGS.

1. The first meeting of the Synod in each session shall be preceded by a Celebration of the Holy Communion, and the collection at the offertory shall be applied as the Bishop may appoint.

2. After Divine Service on the first day of meeting for business the Lay Secretary shall attend at the place of meeting to receive the Certificates of the Lay Representatives, which shall be examined by him and a Committee of two Lay Representatives previously appointed by the Bishop for that purpose.

3. The Synod shall be opened with prayer; the Clerical Secretary shall then from the Synod list call over the names of the Clergy entitled to sit and vote, noting those who are in attendance; and the Lay Secretary shall from the said list call over the names of the several Parishes and Missions entitled to representation and of their Lay Representatives, noting those in attendance.

4. The report of the Audit and Accounts Committee shall then be introduced and considered, after which the election of the officers and of the Audit and Accounts Committee shall be proceeded with.

5. After these proceedings, and on all other days after Divine Service the usual order of business shall be as follows:

(a) Reading, correcting, and approving the minutes of the previous meetings.

(b) Presenting, reading, and referring memorials and correspondence.

(c) Presenting, reading, discussing, and, if deemed advisable, adopting reports of Committees in such order as the Bishop determines.

(d) Giving notices of motions.

(e) Taking up unfinished business.

(f) Appointing Committees.

(g) Consideration of motions.

6. The election of delegates to the General and Provincial Synods shall take place at the session preceding the meeting of the General Session at noon of the second day on which a morning session is held. The Board of Diocesan Missions shall be elected at each annual session of the Diocesan Synod at the same hour of the same day.

7. The minutes of the proceedings of the last day of the session shall be read and confirmed before the close of such session.

8. All notices of motion remaining undisposed of at the close of the session shall be dropped from the order paper.

CANON IV.—ON THE RULES OF ORDER.

1. No motion or amendment shall be considered as before the Synod (excepting such as is proposed by the Bishop, or by a Committee), unless it is seconded and is in writing. No motion, except a motion in course, shall be considered unless notice thereof shall have been given on some day preceding such consideration.

2. No member shall speak more than twice on the same question, without permission of the Chair.

See
see
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3. When a question is under consideration, no other motion shall be received, unless to adjourn, to move the previous question, to lay it on the table, to postpone it to a certain time, to postpone it indefinitely, to commit it, to amend it, or to divide on it; and motions for any of these purposes shall have precedence in the order here named.

4. Motions to adjourn or to lay on the table shall be decided without debate.

5. When a motion has been read to the Synod by the Secretary, it may not be withdrawn without the consent of the Chair.

6. Any member may require, at any period of the debate, that the motion under discussion be read for his information.

7. When a member has been called to order by the Chair while speaking he shall sit down and shall remain seated until the point of order has been decided, unless he is permitted by the Chair to explain. If the point of order is decided in his favor he shall have the right to continue his address.

8. All questions of order shall be decided by the Chair, subject to an appeal to the House, to be decided without debate; and when a decision upon a point of order is called for, the rule applicable to the case shall be stated, without argument or comment.

9. An amendment to an original motion shall, when the question is being put, take precedence of such motion. An amendment to an amendment shall be first put, then the amendment to the motion, and lastly the motion itself.

10. No more than one amendment to a proposed amendment to a motion shall be in order; but a substitute for the whole matter may be proposed and received, provided it deals directly with the subject in hand.

11. When a question is finally put,—either an original motion, or an amendment, or a substitute—no further debate shall be allowed, it being first declared from the Chair that the question is finally put. Whilst the question is being put from the Chair the members shall remain in their seats and keep silence. Every member present when a question is put shall be required to vote on the same unless excused by the House; and no member shall retire until the vote has been taken.

12. When a division takes place the votes of the Clergy and Laity shall be counted without distinction and the motion shall be determined by the majority of votes. Afterwards, however, the Bishop or four of the members of either order may require that the vote shall be taken by orders whereupon it shall be so taken. In taking the vote by orders each Parish shall have only one Lay vote. The votes of a majority of Lay delegates present shall represent the vote of the Parish. A vote by orders shall supersede the open vote previously taken.

13. In voting, those who vote in the affirmative shall first rise, and then those who vote in the negative.

14. A question being once determined shall not again be drawn into discussion in the same Session without the consent of the Bishop and of two-thirds of each order present.

15. No protest or dissent shall be entered on the minutes of the proceedings; but, when required by any one member, the number of affirmative and negative votes shall be recorded, and, when required, by three of either the Clergy or Lay Representatives, the names of the Clergy and Parishes voting on either side of the question shall also be recorded.

16. Every report of a Committee shall be in writing, shall be signed by the Chairman, and shall be received, unless a motion be made for its re-committal.

17. The Chairman of the Committee, 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.

18. A motion to suspend the rules of order shall take precedence of all other motions, and shall be decided without debate; and no order of proceedings or rule of order shall be suspended, except upon the vote of two-thirds of the members present.

When a question is under consideration, no other motion shall be received except;

- See
See
- (a) To adjourn,
 - (b) To lay it on the table,
 - (c) To consider it clause by clause.
 - (d) To postpone it to a certain time,
 - (e) To postpone it indefinitely.
 - (f) To refer it to a committee.
 - (g) To amend, or adopt a substitute, or
 - (h) To divide upon it.
- + to move previous question

And in any unprovided case resort shall be had to the Rules of Order of the House of Commons in Canada for guidance.

19. When the Synod is about to adjourn, every member shall keep his seat until the Bishop or other person presiding has left the chair.

CANON V.—CONTESTED SEATS IN SYNOD.

1. When required there shall be appointed a Court for hearing and deciding questions as to the right of any person to sit in Synod as a Lay Representative. This Court shall be composed of the Chancellor, or, if he be absent or unable to act, a barrister or other duly qualified person to be selected by the Bishop as Chairman, and two Clerical and two Lay members to be appointed by the Bishop. The members of the Court shall all be members of the Synod whose titles to seats are not disputed.

2. To the Court so constituted shall be referred for adjudication all objections made in accordance with the provisions of section 3 and all cases of doubtful certificates submitted by the Clerical Secretary or by the Committee appointed to examine the certificate of Lay Representatives, which objections shall be forthwith considered and disposed of. A decision of the Court, shall be immediately reported to the Synod for its information, and shall be final.

3. Any member of the Synod or any person entitled to vote at the election of any Lay Representative whose right to a seat is disputed, may object to the claim of any person on the Synod list to take a seat in the Synod, provided that the objection, together with the grounds thereof, be sent by him in writing to the Clerical Secretary, and to the person so objected to, one week at least before the meeting of Synod; provided also, that objection may be taken and given during the session of the Synod to any person whose name has not been entered on the Synod list by the Clerical Secretary, as provided by the Canon respecting Membership in the Composition of the Synod.

**CANON VI.—ON THE SEAL OF SYNOD AND
THE EXECUTION OF DOCUMENTS REQUIR-
ING A SEAL.**

1. The Seal now used by the Incorporated Synod of the Diocese of Ontario, an impression whereof appears in the margin, is and shall be the Seal thereof; and the Chancellor of the Diocese shall, on behalf of the Synod, have the care and custody of the said Seal.



2. The Bishop, or, in the event of his absence from the Diocese, or his inability to act, the Chancellor of the Diocese, shall execute all deeds and documents which from time to time, are required to be executed on behalf of the Synod, and which have been certified as approved by the Chancellor. The mode of executing such deeds and documents shall be by affixing thereto the Seal of the Synod, and by the Bishop or Chancellor signing the same.

**CANON VII.—CONCERNING A SOLICITOR
FOR THE DIOCESE.**

Passed June 14, 1906. Confirmed June 14, 1906.

"There shall be a solicitor for the Diocese, who shall be appointed by the Lord Bishop, and shall hold office during his pleasure. The person so appointed shall be resident within the Diocese, and shall be subject to such enactments concerning the said office of Solicitor, and the rights, privileges, emoluments, and fees, of, or connected therewith, as from time to time, or at any time, may be made by the Synod."

PART II.

ADMINISTRATION.

CANON VIII.—ON THE DUTIES OF THE OFFICERS OF SYNOD.

THE SECRETARY.

1. The duties of the Secretary shall be:—

(a) To take charge of and preserve carefully all the books, papers and records of the Synod, to conduct the necessary correspondence.

(b) To issue, under the direction of the Bishop, a Convening Circular ten days at least before the meeting of Synod to the Clerical and Lay members thereof, stating the time and place of meeting, such business as he is directed by the Executive Committee to specify, such notices of motions as have been previously sent to him including proposed new Canons and amendments to Canons, the reports of Standing Committees which are to be presented to Synod, and the order in which such motions and the business of the Synod are to be considered.

(c) To attend the meetings of the Synod, keep minutes thereof with the assistance of the Honorary Clerical and Lay Secretaries and record the same and have reports, notices of motion, and other matter printed and distributed as directed by the Synod,—to prepare the Journal of the Synod, to superintend the printing thereof, and to see that a copy is sent to each member of Synod within three months after the close of the Session.



(d) To attend all Committee meetings and keep a careful record of the minutes thereof in a book or books to be provided for the purpose.

(e) To receive all moneys paid to him under the authority of the Synod, to acknowledge the receipt of the same, to keep them safely, to enter the several amounts in books suitable for the purpose under such regulations as are made from time to time by the Synod, or the Executive Committee, or such other Committee as is appointed for the purpose, and to deposit such moneys to the credit of the Synod in such chartered bank or banks as are from time to time approved of by the Executive Committee; to see to the payment of all accounts and other moneys payable by the Synod and to prepare and have signed the necessary cheques therefor.

(f) When there are funds requiring investment, to report such fact to the Investment Committee so that action may be taken thereon by them at their earliest convenience.

(g) To take charge of all mortgage securities, and to have joint custody, with the Treasurer and the chartered bank or banks aforesaid, of all other Synod securities.

(h) To submit semi-annually to the Auditors a full statement of the transactions connected with each fund, together with a list of the securities belonging thereto, and a balance sheet, as provided by Canon respecting the Audit and Accounts Committee.

(i) To give security, under such regulations as are made from time to time by the Executive Committee, for the proper performance of his duties and for the safe custody and deposit of all such moneys as come into his hands as Secretary.

(j) To attend to all business of the Synod when not in session under the direction of the Bishop or of the Chairman for the time being of the Executive Committee, and generally to perform such functions as are assigned to him from time to time by Canon or by resolution of the Synod.

(k) The security given by the Secretary shall be by policy of a Guarantee Company to be approved by the Executive Committee, and shall be in such amount as said Committee shall from time to time direct; the annual or other premiums shall be paid by the Synod, and shall be charged against or to the Assessment Fund annually or be otherwise paid as the Executive Committee shall direct.

(l) The salary of the Secretary shall be such sum per annum as shall from time to time be fixed by resolution of Synod.

THE HONORARY SECRETARIES.

2. The duties of the Honorary Clerical and Lay Secretaries shall be:—

To assist the Secretary in the keeping of the minutes at the meetings of Synod and conducting the business thereof; to execute all deeds and papers requiring their signature and to perform such other duties as may be assigned to them from time to time by the Synod.

THE HONORARY TREASURER.

3. The Honorary Treasurer shall, with the Secretary and the bank in which the deposit of the Synod moneys is made, have joint custody of all the securities other than mortgages, and shall see to the collection of the interest thereon, and shall report to the Synod at its annual session and to the Executive Committee, if required, on the state of the securities; and he shall sign all cheques issued by the Secretary.

THE REGISTRAR.

4. (a) The Registrar of the Diocese shall be appointed by the Bishop.

(b) The office of the Registrar shall be kept in such place as the Bishop selects.

(c) The Registrar shall be supplied by the Synod with all books necessary for the proper performance of his duties.

(d) The Registrar shall keep a record in these books of the following amongst other matters:—

The official acts of the Synod requiring registration.

The official acts of the Bishop and of the other dignitaries of the Church and the officers of the Synod, including,—

The granting of commissions.

The granting of letters of orders.

The granting of licenses.

The granting of leave of absence to any clergyman.

The issuing of induction mandates.

The inductions effected in pursuance thereof.

The issuing of other official instruments.

All important matters affecting the Church or the Synod in the Diocese.

(e) A certified statement of any official Act requiring to be recorded shall be forthwith sent to the Registrar by the officer by whom the same has been performed.

(f) The Registrar is and shall continue to be the proper custodian of all grants, conveyances, probates, or certified copies of wills or parts thereof, in any way relating to land or property granted, conveyed, or devised for the benefit or use of the Church of England in this Diocese. He is also, and shall continue to be, the proper custodian of all completed or filled-up Parish Registers. He is, and so far as may be, shall be, the historiographer of the Diocese, and the proper custodian of the archives of the Diocese and of the several Parishes therein.

(g) It shall be the duty of the Clergy and wardens of the several Parishes or of any other person into whose hands the same may come, to forward to the Registrar for safe keeping and registration, all the deeds, papers, and registers referred to in the foregoing subsection.

(h) The Registrar shall enter in the books so provided the date of every such grant, conveyance or will, as is hereinbefore mentioned, and the names of the grantors or testators, and of the grantee or devisee; also a short description of the property, and a memorandum of the trust or object of the grant or devise.

(i) The Registrar shall on request furnish certified copies of any records on his books and for each such copy he shall be entitled to charge the following fees, viz.:

Certified copy of record of Priest's or Deacon's Letters of Orders, or of Induction	
Mandate	50 cents
Certified copy of any document in full, per folio	20 cents

(j) The Registrar, from time to time, on application being made therefor, shall give a certificate of any entry of birth, death or marriage entered in any Parish Register in his custody, and for every certificate he shall be entitled to charge and receive a fee of fifty cents.

CANON IX.—AS TO THE EXERCISE OF POWERS UNDER THE ACT ENTITLED, "AN ACT RESPECTING THE PROPERTY OF RELIGIOUS INSTITUTIONS," AND BEING CHAPTER 237 OF THE REVISED STATUTES OF ONTARIO (1887).

(See Journal XXIX Session, page 41.)

1. Land shall not be sold, mortgaged, leased, or otherwise encumbered under the powers conferred by the said Act, except with the consent of the Vestry of the Church or congregation interested therein, and of the Bishop and the Executive Committee of the Synod.

2. The consent or assent of the Vestry given in accordance with the Rules and Canons shall be deemed to be the consent or assent of the congregation within the meaning of the said Act.

3. The execution of the deed by the Bishop and by the Secretary or Secretaries of the Synod, or a memorandum of consent endorsed thereon, and signed by them, shall in favor of the grantee and his assigns, be conclusive evidence of the consent or assent of the Bishop and the Executive Committee.

4. Where it is intended to apply for the consent of the Vestry or congregation to sell or mortgage land, and whether at the annual or a special Vestry meeting, notice of such intended application, specifying the land and the amount of the proposed purchase money or loan, shall be given by the Clergyman during Divine Service on the two Sundays next preceding in which service is held in the church, and a notice in writing, specifying the like matters shall be affixed to the main entrance church doors at least one week previous to the meeting at which it is intended to apply for such consent.

5. Upon application for the consent of the Bishop and the Executive Committee it shall be made to appear that the notices required by section 4 of this Canon were duly given.

Case
6. Application for the consent of the Executive Committee shall only be made at a regular meeting of said Committee, or at a special meeting to be called for the purpose by the Lord Bishop, if he shall think the Canon one of urgency.

7. No such special meeting shall be called unless, and until there has been deposited with the Clerical Secretary a sufficient sum of money to pay the travelling expenses of the members of the Executive Committee, and to defray the expense of calling such special meeting.

8. The consent of the Bishop and of the Executive Committee shall not be given for the sale of a disused church unless and until due provision shall have been made for the secularization of the building and its adjuncts to the satisfaction of the Archdeacon or the Rural Dean.

(See Journal of 44th Session (1907), page 54.)

CANON X.—OF THE STANDING COMMITTEES
OF SYNOD.

1. The following shall be the Standing Committees of the Synod:—

- (a) The Executive Committee.
- (b) The Audit and Accounts Committee.
- (c) The Finance and Assessment Committee.
- (d) The Board of Diocesan Missions.
- (e) The Committee on Domestic and Foreign Missions.
- (f) The Episcopal Fund Committee.
- (g) The Clergy Trust Fund Committee.
- (h) The Clergy Superannuation Fund Committee.
- (i) The Widows and Orphans' Fund Committee.
- (j) The Educational and Divinity Students' Fund Committee.
- (k) The Rectory Lands Fund Committee.
- (l) The Surplus Income of the Kingston Rectory Committee.
- (m) The Committee on the State of the Church.
- (n) The Committee on Missionary Givings.

And such additional Committees as are designated as Standing Committees by the Synod from time to time.

2. The Chancellor, the Honorary Secretaries, and the Honorary Treasurer, shall be members of all Standing Committees. They are in the Canons referred to as "ex officio members."

3. The regular meetings of the Standing Committees shall be held in the City of Kingston in the months of January and June, during the week commencing on the Sunday which falls on or next after the eighteenth day of each of those months. The Board of Diocesan Missions shall meet at the hour of ten o'clock in the morning of Wednesday of the said week, and shall have precedence over all other Committees. The other Standing Committees shall meet during the said week according to a schedule to be from time to time prepared and issued by the Secretary, subject to such postponements as are rendered necessary by the precedence granted to the Board of Diocesan Missions. A special meeting of any Committee of Synod may be summoned by the Bishop at his discretion, at such time and place as he directs. In the absence of the Bishop from the Diocese, or in case of his illness, such special meetings may be summoned by his Commissary or by the Chancellor, or by the Chairman of the Committee.

4. The mover of a resolution which results in the appointment of any Provisional Committee shall be the Chairman or Convener thereof unless and until other provision be made either in the resolution itself, or by the Bishop, or by the said Committee.

5. The Standing Committees shall report to the Executive Committee at its half-yearly meetings, and to the Synod at its annual session. The report of each of said Committees which is to be made to the Synod shall be included in the "Convening Circular."

6. Each Standing Committee shall at its first meeting elect a Chairman.

7. When no other provision is made, one-third of the members of any Committee shall be sufficient for the transaction of business.

CANON XI.—ON THE EXECUTIVE COMMITTEE

1. The Executive Committee shall consist of the Bishop, the ex officio members, the Registrar, the Chairmen of the several Standing Committees, and twenty members nominated by the Bishop at the annual Session of the Synod, ten members being chosen from the Clergy and ten members from the Lay Representatives. The Bishop shall preside, and in his absence the Committee shall elect a Chairman for the time being. Twelve members shall be sufficient for the transaction of business.

2. Immediately after the close of the annual session of Synod, the Executive Committee shall meet for the purpose of appointing the two Official Auditors referred to in the Canon on the Keeping of the Synod Accounts and on the Audit and Accounts Committee; such auditors shall not be members of the Synod.

3. (a) The Executive Committee may take or authorize any action necessary to protect the Synod's interests, or the property invested in or controlled by the Synod, and may do all acts necessary for the purposes aforesaid which the Synod might do when in session.

(b) It shall receive reports from all other Committees and shall examine and confirm, or refer back the same with instructions for reconsideration; and in the event of any such Committee reaffirming its report so referred back, the Chairman of the Executive Committee shall have power to decide the point or points in question.

(c) It shall submit to Synod at its annual session a report of its proceedings since the last annual session.

(d) It shall prescribe what matter shall be contained in the circular directed to be issued by the Clerical Secretary announcing the meeting of Synod, in addition to what is prescribed by Canon VII, sec. 1 (b).

(e) It may delegate any of its powers to a sub-committee.

5. The Investment Committee shall be a sub-committee of the Executive Committee, and shall consist of the ex officio members and such other person or persons, not exceeding three in number, and being members of the Executive Committee, as the Lord Bishop may from time to time appoint. The duty of the Investment Committee shall be to invest the funds of the Synod available for investment. It may with the Rectors interested act for and represent the Executive Committee in all matters connected with the Canon respecting the sale of Rectory and other lands. It shall present to the Executive Committee at each of its regular meetings, or when required, a statement showing the nature of each investment. The Committee shall elect a Chairman and shall meet at the call of the Clerical Secretary. Four members shall be sufficient for the transaction of business.

6. The Investment Committee may lease or sell any lands which may have been acquired by the Synod by foreclosure or otherwise in connection with loans made by the Synod, and may authorize the Bishop to execute any necessary leases or conveyances of such lands; and the said Committee may do all things necessary to protect the interests of the Synod in connection with its investments.

CANON XII.—ON THE KEEPING OF THE SYNOD ACCOUNTS AND ON THE AUDIT AND ACCOUNTS COMMITTEE.

1. The accounts of the Synod shall be kept and audited under the direction and supervision of a Committee, to be called "The Audit and Accounts Committee," which shall be composed of two laymen and one clergyman, members of the Synod, who shall be elected by the members of the Synod at each annual meeting thereof, after the introduction and consideration of the report of the said Committee.

2. The Executive Committee shall make some chartered bank of Canada the custodian, with the Clerical Secretary and the Treasurer, of the securities, other than mortgages, and funds of the Synod, on such terms as are

agreed upon between such bank and the Executive Committee. The bank account of the Synod shall be kept in the name of the Incorporated Synod of the Diocese of Ontario, and no money shall be withdrawn from the bank except by cheque signed by the Clerical Secretary and the Treasurer of the Synod, and countersigned by the Bishop or, in the case of his absence or of his inability to act, by the Chancellor of the Diocese.

3. The Audit and Accounts Committee shall, as occasion requires, frame rules respecting the keeping of the books and accounts by the officer charged with that duty, which rules shall, before coming into force, be submitted to and approved of by the Executive Committee.

4. The Audit and Accounts Committee shall frame rules respecting the acknowledgment of moneys received, the precautions to be taken to insure an effective audit of the accounts, and the mode in which the audit shall be conducted, which rules shall, before coming into force, be submitted to and approved of by the Executive Committee.

5. The Audit and Accounts Committee shall meet monthly or oftener, if necessary, for the consideration and allowance of accounts rendered to the Synod, and no account shall be paid unless allowed by said Committee.

6. The Audit and Accounts Committee shall receive the report of the Auditors appointed as hereinafter provided, examine the same and the statements submitted therewith, and examine all the securities belonging to the Synod, prior to the annual meeting thereof, and compare the same with the said statements, and shall submit the said Auditors' report, together with their own report on such examinations, and on the state of the accounts generally, to the Synod at its annual meeting. The said report shall be printed and ready for distribution at the opening of the Synod.

7. Full statements of the transactions in connection with each fund during the past year, and a balance sheet, shall be submitted by the Clerical Secretary to the Auditors immediately after the close of each financial year.

8. The accounts of the Synod shall be audited annually by two skilled accountants, who shall be appointed annually by the Executive Committee at its first meeting after the meeting of Synod. They shall make a thorough examination of the accounts, and submit their report and statement to the Chairman of the Audit and Accounts Committee within three weeks after the close of the financial year.

9. No Auditor shall be eligible for more than two years in succession.

10. Each Auditor shall receive for his services such sum as the Executive Committee from time to time determines. He shall, when required, attend the meetings of the Audit and Accounts Committee and the meeting of Synod while the Auditors' report is under discussion.

11. Two members of the Audit and Accounts Committee shall be a quorum for all purposes.

12. Each financial year shall terminate on the thirty-first day of December, and the accounts, statements, and audit shall be made up to and cover that day, and all the Synod accounts shall be closed and balanced up to that date.

CANON XIII.—ON THE ASSESSMENT FUND AND THE FINANCE COMMITTEE.

1. There shall be a Finance Committee composed of six members, in addition to the ex officio members, which Committee shall superintend the Fund hereinafter mentioned and the carrying into effect of the provisions of this Canon.

2. The Assessment Fund shall consist of assessments levied on all the Parishes and Missions in the Diocese, and of a sum not less than \$450 per annum to be contributed from the Diocesan Mission Fund and of a percentage upon the gross revenue of the Consolidated Fund; and such percentage and assessments shall be ascertained as hereinafter provided.

3. The Finance Committee shall, for the purpose of such assessment, arrange the Parishes and Missions in ten classes, those included in any class to be assessed for equal amounts; and the assessment payable by any Parish or Mission shall be that named in the annual report of the Finance Committee adopted by the Synod. The assessment so levied upon any Parish or Mission shall continue in force and be payable yearly until altered by Synod. Provided always that the Finance Committee, with the consent of the Synod, may, for sufficient cause shown, remit the assessment of any Parish or Mission.

4. No Parish or Mission shall be transferred from one class to another, except upon report of the Finance Committee concurred in by the Synod.

5. Every such assessment shall be due and payable on or before the thirty-first day of December in each year.

6. At the meeting of the Finance Committee in the month of January in each year, it shall prepare an estimate for the coming year of the probable outlay chargeable on the Assessment Fund in accordance with the provisions of this Canon, and of the revenue to be derived from the assessment of Parishes above mentioned, and from the Diocesan Mission Fund, and shall strike a rate of assessment sufficient to meet the difference between such two estimates upon the gross revenue of the Consolidated Fund.

7. Such last mentioned assessment shall be based upon the gross revenue from the Consolidated Fund for the next preceding financial year; and in striking the rate the Committee shall take into account any surplus remaining, or any deficit existing, in the Assessment Fund at the termination of such financial year.

8. Provision shall be made out of the Assessment Fund for the payment of the following: The salary of the Secretary; attendance at the Synod offices; remuneration of the Auditors; premium on guarantee policy of the Secretary; postage and stationery; printing; rent, light and taxes; the General and Provincial Synod assessments; and any expenditure for the service of the Synod

which the Synod or the Executive Committee considers fairly chargeable to the Fund, and for the interest on the mortgage for \$10,000 on the present See House.

9. The Committee shall make a full report at each annual meeting of the Synod in relation to all matters under its control.

CANON NO. XIV.—CONCERNING "MISSIONARY GIVINGS.

Whereas the Synod of the Diocese of Ontario at its Forty-fifth session holden in June, 1909, adopted a report of the Committee on Domestic and Foreign Missions in and by which it was recommended that the plan of combining the collections for the Missionary Society of the Church of England in Canada and the Diocesan Missions should be tried,—and likewise adopted a resolution whereby the Mission Board was requested to prepare a statement of the amount required for all purposes and to suggest to the Parishes an apportionment which shall, if fully paid, cover all necessary expenses.

And Whereas, the Executive Committee of the Diocese did on the 25th day of November, 1909, adopt a Report of the Board of Diocesan Missions wherein it was stated and recommended as follows:

1. In the spirit of the action of the Synod in June last, calling for an apportionment for Diocesan Missions and commending a united call for mission givings, your Board has had a conference with the Committee upon Domestic and Foreign Missions. It was jointly recommended that the two apportionments be united in one for the calendar year—1910,—the rural deaneries to be assessed and the parishes to which calls are allotted to decide for themselves the plan of collection. With the mission call it was also recommended that one be incorporated for the Clergy Superannuation and Widows and Orphans' Funds, for their much needed relief:

And whereas it is deemed expedient and necessary that there shall be enacted a Canon giving effect to the action already taken by the Synod, the Board of Diocesan Missions, the Committee on Domestic and Foreign Missions, and the Executive Committee:

Be it enacted as follows:

1. In the Diocese of Ontario there shall be a united call for gifts, contributions, subscriptions and collections in behalf of

(a) Diocesan Missions.

(b) The Missionary Society of the Church of England in Canada.

(c) The Clergy Superannuation Fund, and

(d) The Widows and Orphans' Fund.

2. There shall be a Committee, consisting of six clergymen and six laymen, to be named by the Lord Bishop; which shall superintend and manage "The Missionary Givings." The quorum of such Committee shall be seven. The officers of the Synod shall not as such be members of said Committee, but shall be eligible for appointment thereto.

3. Such call shall be made annually, semi-annually, or quarterly as the Committee shall from time to time direct. The Committee shall take all needful and proper steps to have the subject brought forcefully, effectively and continuously to the notice of individuals and congregations.

4. All moneys received in answer to such call shall be known by the name of "Missionary Givings." Subject to the provisions herein contained and to such Rules or By-laws as shall from time to time be adopted by the Synod, or by the Committee, said Committee shall allot the "Missionary Givings" to and among the four Funds hereinbefore specified, taking due account of moneys appropriated.

5. The Committee shall appoint a sub-committee consisting of three clergymen and three laymen to be called "The Apportionments Committee," which shall be convened by the Clerical Secretary, and shall meet previous to the regular meetings of the Committee. It shall be the duty of such sub-committee to prepare a plan of apportionment for the January meeting and report the same to such meeting.

6. All moneys received from time to time shall be remitted to the Clerical Secretary.

7 The four funds hereinbefore mentioned shall be constituted as follows:

(1) The Diocesan Mission Fund shall consist of (a) the interest of the Sustentation Fund; (b) all subscriptions, gifts and legacies for the purpose of Diocesan Missions, regard being had to the direction or request of the giver or testator.

(c) Such portion of the "Missionary Givings" as shall from time to time be allotted by the Committee to the said Fund.

(2) The Domestic and Foreign Mission Fund shall consist of:

(a) All subscriptions, gifts and legacies for the purpose of the Missionary Society of the Church of England in Canada, regard being had to the direction or request of the giver or testator.

(b) Such portion of the "Missionary Givings" as shall from time to time be allotted by the Committee to the said Fund.

(3) The Clergy Superannuation Fund shall consist of:

(a) The invested capital.

(b) Subscriptions, gifts and legacies for the purpose of the superannuation of the Clergy, regard being had to the direction of the giver or testator.

(c) Such portion of the Missionary Givings as shall from time to time be allotted by the Committee to the said Fund. And the sum to be so allotted shall not be less than the amount required in conjunction with the current income of the Fund to pay in full all superannuation allowances as the same shall from time to time be.

(4) The Widows and Orphans' Fund shall consist of:

(a) The invested capital.

(b) Subscriptions, gifts and legacies for the benefit of widows and orphans of clergymen of the Diocese.

(c) Subscriptions of Clergy to the Fund.

(d) Such portion of the Missionary Givings as shall from time to time be allotted to the said Fund. And the sum to be so allotted shall not be less than the amount required in conjunction with the current income of the Fund to pay in full all allowances to widows and orphans as the same shall from time to time be.

8. It shall be the duty of the Committee to report to the Synod at its next regular session the Rules or By-laws by said Committee from time to time adopted under the authority of this Canon.

9. The Committee shall report to the Synod at its next regular Session the apportionment and all allotments made by it.

10. All Canons or parts of Canons which conflict with this Canon or with any of the provisions or enactments thereof shall in so far as they do so conflict be and the same are hereby repealed.

11. This Canon shall take effect from and after the first day of March, 1910.

CANON XV.—ON THE DIOCESAN MISSION
FUND.

1. The Board of Diocesan Missions shall consist of the Bishop, the ex officio members, the Dean, the Archdeacons, eight Clergymen elected by ballot at the annual meeting of the Synod by the Clergy, and eight Lay Representatives, and four Clergymen and four Representatives appointed by the Bishop at the same meeting.

2. The Diocesan Mission Fund shall consist of: (a) the interest of the Sustentation Fund; (b) all subscriptions, gifts and legacies for the purpose of Diocesan Missions, regard being had to the direction or request of the giver or testator.

(c) Such portion of the "Missionary Givings" as shall from time to time be allotted by the Committee to the said Fund.

3. At its first meeting the Board shall appoint a sub-committee consisting of three Clergymen and three Lay Representatives to be called the Classification Committee, which shall be convened by the Clerical Secretary and shall meet previous to the January meeting of the Board. It shall be the duty of such sub-committee to classify the Missions for the ensuing year and report thereon at the January meeting.

4. The Missions shall be divided into eight classes: Those in Class I shall each receive a grant not exceeding \$100; those in Class II a grant not exceeding \$150; those in Class III a grant not exceeding \$200; those in Class IV a grant not exceeding \$250; those in Class V a grant not exceeding \$300; those in Class VI a grant not exceeding \$350; those in Class VII a grant not exceeding \$400; and those in Class VIII a grant not exceeding \$600.

5. The Board may, in its discretion, on the recommendation of the Bishop, make a special grant not exceeding \$100 to any Parish or Mission, provided that two-thirds of the members present concur in voting for the grant.

6. When a Clergyman is incapacitated by illness or age from performing duty, the Board may, in its discretion, make a suitable provision for him out of the funds at its disposal.

7. The Board may, on the recommendation of the Lord Bishop, grant to a Missionary, upon his first appointment, a sum not exceeding \$100 as an allowance to enable him to procure a travelling outfit, such grant to be subject to such terms as the Board may enact.

CANON XVI.—ON THE DOMESTIC AND
FOREIGN MISSION FUND.

1. There shall be a Committee on Domestic and Foreign Missions in connection with the Incorporated Synod of the Diocese of Ontario.

2. The Committee shall consist of six Clerical and six Lay members of the Synod, in addition to the ex officio members.

3. The business of the Committee shall be:

(a) To create and encourage an interest in the Domestic and Foreign Missionary work of the Church of England in Canada.

(b) To forward all funds collected or received for Domestic or Foreign Missions to the Treasurer of the Board of Management of the Missionary Society of the Church of England in Canada, to be disposed of by the said Board.

4. The Domestic and Foreign Mission Fund shall consist of:

(a) All subscriptions, gifts and legacies for the purpose of the Missionary Society of the Church of England in Canada, regard being had to the direction or request of the giver or testator.

(b) Such portion of the "Missionary Givings" as shall from time to time be allotted by the Committee to the said Fund.

5. The Committee shall respect any specific appropriation made by any contributor to the said Fund, and in transmitting the money to the Treasurer of the Board of Management shall specify such appropriation, or shall apply the money in the manner indicated, and duly report such appropriation and application to the Treasurer of the Board.

CANON XVII.—ON THE EPISCOPAL FUND.

1. There shall be a Committee for the management of the Episcopal Fund, consisting of six Clergymen and six Lay Representatives in addition to the ex officio members.

2. The income arising from the moneys and securities belonging to the Fund, after defraying incidental expenses, shall be paid to the Bishop in quarterly instalments.

CANON XVIII.—ON THE CLERGY TRUST FUND.

1. The Clergy Trust Fund shall be managed by a Committee consisting of six Clergymen and six Lay Representatives in addition to the ex-officio members.

2. The income of the Fund, after deducting the expenses of management, shall be applied as follows:

(a) To the payment to the Bishop of this Diocese of the sum of \$172~~06~~ annually under the Macaulay and Worrell awards.

(b) To the payment of the sum of \$200 annually to be equally apportioned to such archdeacons as the Bishop may from time to time appoint.

(c) To the payment to the present annuitants on the Fund of the sum of \$400 annually.

(d) To the payment to such Clergymen as are placed on the Fund as annuitants in accordance with the provisions of this Canon, and subject to its terms, the sum of \$400 annually.

The foregoing payments shall be made by quarterly instalments on the first day of January, April, July and October.

3. The right of any Clergyman to be placed on the list as an annuitant shall be based on seniority, which shall be determined by his length of service in the Diocese reckoned from the date of his first appointment by the Bishop. The time during which he has ceased to do clerical or synodical work in the Diocese without being superannuated or retired, or has, with the permission of the Bishop, retired from the active duties of his Parish or Mission, having leave of absence from the Bishop, shall be excluded in reckoning such length of service. If a Clergyman has left the Diocese under *bene decessit* without having so retired or without leave of absence, and is again admitted into the Diocese, his name shall be placed at the foot of the list.

4. A list of the Clergy in the order in which they are entitled shall be prepared from time to time by the Clerical Secretary and be submitted to this Committee for action thereon.

5. Any question of seniority shall, if the Committee deem it advisable, be decided by the Bishop.

6. The list, when approved by the Bishop and the Committee, shall be regarded as binding.

7. As soon as the income of the Fund shall be found to exceed the existing annual charges thereon by the sum of \$400, it shall be the duty of the Clerical Secretary to procure from the Official Auditors a certificate to that effect which, with his own report thereon, he shall submit to this Committee at its January meeting: and the Com-

mittee, if satisfied with such certificate and report, shall direct that the name of the Clergyman next entitled be placed on the list of annuitants. Such action of the Committee shall require to be confirmed by the Executive Committee and by the Synod.

8. Should the income of the Fund at any time be found insufficient to meet the charges thereon the payment to the annuitant or annuitants last placed on the list shall be diminished by such sum or sums as may be required to make good such deficiency.

9. Any Clergyman placed by the Committee with the approval of the Bishop on the list of annuitants, shall continue to receive his annuity of four hundred dollars so long only as he continues to do duty in the Diocese, or is on the Superannuation list thereof, or has leave of absence, or holds office in the Synod; and he shall forfeit all claim to such annuity for any time during which he may be under ecclesiastical censure.

10. No Clergyman while in possession of an endowed living yielding a clear income of twelve hundred dollars per annum shall be placed upon or remain on the list of annuitants. His right to such annuity shall be suspended during the time he may be in possession of such living, but shall revive on his ceasing to be in such possession; and such suspension shall not affect his right of seniority.

11. The Committee shall have power from time to time to require any annuitant, or Clergyman claiming to be an annuitant, to submit a statement to the Committee as to the amount of income derived from his parochial endowment. In case of non-compliance with such requirement within three months after being notified, in the case of an annuitant he shall forfeit all claim on the Fund until he makes such statement, and the arrears during the time he makes default shall not be paid him; and in the case of an applicant, his name shall not be placed on the list, but be passed over in favor of the next in seniority until he makes such statement.

12. Upon the death of any annuitant, the amount of his annuity shall continue to be paid to his legal representatives for the quarter current at the time of his death, and also for the six months thereafter ensuing.

CANON XIX.—ON THE CLERGY SUPERANNUATION FUND.

1. The Clergy Superannuation Fund shall consist of:

(a) The invested capital.

(b) Subscriptions, gifts and legacies for the purpose of the superannuation of the Clergy, regard being had to the direction of the giver or testator.

(c) Such portion of the Missionary Givings as shall from time to time be allotted by the Committee to the said Fund.

2. The Fund shall be controlled and managed by a Committee consisting of the Bishop and four Clerical and four Lay members of the Synod in addition to the ex-officio members.

3. Any Clergyman of the Diocese who becomes incapable, by reason of age or infirmity, to minister beneficially to the Church may, should he so desire but not otherwise, be placed by the Committee on the list of Superannuated Clergy and awarded a superannuation allowance.

4. The amount of such allowance shall be in the discretion of the Committee, but shall not exceed the sum of \$200 per annum for a Clergyman in receipt of an annuity from the Clergy Trust Fund, or \$400 per annum for a Clergyman not in receipt of such annuity.

5. No Clergyman who receives an allowance from the Superannuation Fund shall, while receiving such allowance, be entitled to receive compensation for service rendered as a Clergyman, except with the consent of the Bishop.

6. The Committee may in its discretion discontinue any superannuation allowance, or vary the same from time to time within the limits prescribed by section four.

CANON XX.—ON THE WIDOWS AND ORPHANS' FUND.

(Passed June 22nd, 1905, confirmed June 22nd, 1905.)

1. There shall be a Committee consisting of the Bishop, and five Clerical and five Lay members of the Synod, in addition to the ex-officio members, to superintend and manage the Widows and Orphans' Fund.

2. The Widows and Orphans' Fund shall consist of:

(a) The invested capital, the amount whereof is hereby fixed at the sum of \$21,000, and of all moneys which may be received on capital account.

(b) Subscriptions, gifts and legacies for the benefit of widows and orphans of Clergymen of the Diocese.

(c) Subscriptions of Clergy to the Fund.

(d) Such portion of the Missionary Givings as shall from time to time be allotted to the said Fund.

3. All gifts to the Fund shall be treated as capital, unless a contrary intention be expressed by the giver, or givers.

4. Every Clergyman in the Diocese, except those who have heretofore commuted their subscriptions, shall, on or before the first day of January in each year, pay to

the Clerical Secretary as a subscription towards the income of the Fund the sum of \$5, the first payment being an amount sufficient to pay up to the first day of the following January. If the subscription is not paid by the 31st day of January in each year the delinquent subscriber shall be notified by the Clerical Secretary that he is in default.

5. All Clergymen who have not before the 22nd day of June, 1905, been subscribers to the Fund under the provisions of the Widows' and Orphans' Fund Canon, in force immediately prior to the coming into force of this Canon, or who are in arrears under the said Canon, shall be, and are released and freed from liability on payment of any arrears up to the time of the enactment of this Canon, and whether secured by promissory note or otherwise.

6. All arrears or subscriptions shall hereafter bear interest at the rate of five per cent. per annum from the date when they respectively become due until payment.

7. At each half-yearly meeting of the Widows and Orphans' Fund Committee, the Secretary shall submit a list showing the names of all those who are in default under Section 4 hereof, and this list shall be laid before the Executive Committee.

8. The Secretary, acting under the direction of the Widows and Orphans' Fund Committee in each case, shall deduct the amount of any arrears of subscriptions with interest at five per cent. per annum from the date of such default, from any money which the Clergyman so in default would otherwise be entitled to receive from the Synod under any Canon, regulation or practice now or hereafter in force, and such deduction shall be made from the first payment to be made to such Clergyman after the receipt by the Secretary of directions to act under this section of the Widows and Orphans' Fund Canon.

9. If a Clergyman, at the time of his death, is in arrears or in default within the meaning of this Canon, his widow and orphans shall, nevertheless, be entitled to the same grants as if such Clergyman were not in arrears or in default, but the amount of his arrears and interest

thereon shall be retained by the Synod, by instalments, in such manner as the Widows and Orphans' Fund Committee shall recommend, out of the grant made to his widow or orphans.

10. A list of those who are in default shall be submitted annually to the Synod on the first day of the meeting thereof.

11. Subject to the foregoing provisions, the widows and orphans of all clergymen of this Diocese who are, on the 22nd day of June, 1905, annuitants upon the Widows and Orphans' Fund, shall continue to be annuitants for the period of time, and upon the conditions provided in the Widows and Orphans' Fund Canon, in force immediately to the coming into force of this Canon.

12. Subject to the provisions herein contained, the income of the Fund shall be applied for the benefit of the widows and orphans of the Clergy of the Diocese who shall be at the time of death in good standing in the Diocese.

13. All claims upon the Fund shall be considered in the order in which they occur by the death of the Clergyman whose widow, or widow and children, or children, make application.

14. All grants shall be from year to year only.

15. The annuity which shall be granted to a widow shall be the sum of \$200, and to each child while the mother is living the sum of \$40, but not to exceed \$160 for all the children of any one family; and after the death of the mother, the sum of \$80 per annum to each child; but in no case shall the sum granted to the orphans of any one family exceed the annual sum of \$240. The allowance to a widow shall cease on re-marriage, and the allowance to a child shall cease, in the case of a boy, at the age of eighteen years, and in the case of a girl, at the age of eighteen or on her marriage, whichever event shall first happen.

16. The widow or children (through their guardian or next friend) who desire assistance from the Widows and Orphans' Fund shall apply therefor to the Committee through the Clerical Secretary. The application shall be on a form to be approved and settled by the Committee, and all necessary proofs of the correctness of the statements made in the application shall be supplied by or on behalf of the applicants.

17. The Committee, on finding the application sustained, shall make an allowance from the income of the Fund not exceeding the limit hereinbefore laid down.

18. The several annuities shall be payable in equal quarterly payments on the first days of January, April, July and October, to the widow or guardian, and the first of such payments shall include the arrears of annuity due from the day of the death of the husband or father.

19. The first payment under this Canon shall be for the year ending December 31st, 1905, those Clergymen who have already paid for all, or part, of that year under the Canon in force immediately prior to the coming into force of this Canon, to receive credit for those payments, so far as they apply.

20. Canon XVI, being the existing Canon on the Widows and Orphans' Fund, is hereby repealed, save in so far as any of its provisions are incorporated in this Canon or expressly reserved herein.

CANON XXI—ON THE EDUCATIONAL AND DIVINITY STUDENTS' FUND COMMITTEE

1. The Divinity Students' Fund shall be managed by a Committee consisting of four Clergymen and four Lay Representatives, in addition to the ex-officio members, which, however, may be increased at the discretion of the Bishop. The Committee shall be known as the "Educational Committee," and shall have charge (1) of all matter of an educational character which may at any time come before the Synod, or which may be initiated by the Synod itself, for the well-being of the educational interests of the Church; and (2) of the "Divinity Students' Fund" according to the existing conditions of the Canon.

2. The said Fund shall consist of the existing Divinity Students' Fund and of all collections, subscriptions, donations and legacies given for assisting students in Divinity.

3. The Committee shall, in its discretion, when provided with the necessary funds, make a grant not exceeding the annual sum of one hundred and fifty dollars, to any student in Divinity on the following conditions:

(a) That the applicant shall declare in writing that he is actually in need of assistance, and shall produce a certificate from a physician in good standing in the Province of Ontario, that he is in good health, and free from organic disease.

(b) That he shall furnish a bond with proper security approved by the Chancellor, that he will offer himself for duty as a lay reader during the long vacation each year of his Divinity course, that he will serve as a Clergyman for five years in the Diocese of Ontario, and that in case of failure to offer himself for ordination, or to procure the necessary testimonials within three years from the date of the bond, unless delayed from illness or other cause satisfactory to the Bishop, he will refund with interest the full amount which he has received from the Fund and that in case of his removal from the Diocese before the expiration of five years of service therein, he will refund with interest an amount proportionate to the time of service left unfulfilled.

4. That the Committee may use its discretion so far as to make part or all of the grants to Divinity students by scholarships awarded according to the results of such examinations as they may determine.

5. That the Committee may use part of the income of the Fund for the purpose of making loans to Divinity students on such terms as the Committee may determine, and such security as may be approved by the Chancellor.

6. Offerings during Lent shall be asked for in aid of the Divinity Students' Fund.

7. The words "students in Divinity" shall mean all persons who are preparing to take either Deacon's or Priest's orders, and have been accepted by the Bishop of the Diocese as candidates for the same.

CANON XXII.—ON THE RECTORY LANDS
FUND.

1. There shall be a Committee consisting of five Clerical and four Lay members in addition to the ex-officio members for the management of all matters relating to the Rectory Lands Fund.

2. Whenever any Rector or Parish desires the sale of all or any of the Rectory lands appertaining to the Rectory or Parish he or they shall memorialize the Executive Committee for the sale of the said lands, setting forth the reasons for such sale. And if the Executive Committee deems it advisable that the prayer of the memorial should be complied with, the Clerical Secretary shall forthwith notify the Rector or Parish to proceed to appoint a valuator or valutors, as hereinafter mentioned.

3. A valuator or valutors on behalf of the Synod, each to be known as the Synod valuator, shall be appointed by the Executive Committee, who shall receive their travelling expenses and \$5 for each day he or they are occupied in such valuation; and the Synod valuator,

with a second and local valuator to be appointed and named in writing by the Rector, and with a third and local valuator to be appointed and named in like manner by the Vestry of the Mother or Parish Church at the Easter Vestry meeting or at a special meeting called for that purpose, shall, on receiving the notice of their appointment, as soon as possible examine and value the lands sought to be sold; and the said valutors shall report their joint or several valuations in writing to the Executive Committee.

4. Should the Rector or Vestry refuse or neglect to appoint their respective valutors within one month from receiving notice from the Executive Committee of the intention to sell the land, which notice shall be sent by the Clerical Secretary by post to the Rector and Churchwardens, then the valuator appointed by the Executive Committee, together with the valuator appointed by the Rector or Vestry, as the case may be, shall select a third person as valuator. In the event of both the Rector and Vestry failing to appoint within the time before limited, then the valuator appointed by the Executive Committee shall act alone and report.

5. The Clerical Secretary, on receiving such notification as aforesaid, shall forthwith communicate the same to the Synod valuator, who shall thereupon write to the local valuator or valutors appointing a time when he will, in conjunction with him or them, proceed to and value the lands proposed to be sold; and in case only one of the local valutors shall attend at the place and time appointed, the Synod valuator shall with such local valuator proceed to value the lands and report thereon; or in case both such local valutors fail to attend at the time and place appointed then the Synod valuator, if he thinks it advisable, proceed to value alone and report. All the reports of the said valuator or valutors shall be made, as soon as possible after the value is ascertained, to the Executive Committee, who may approve or disapprove thereof, refer the same back, or allow the valuation of either one or more of the said valutors.

6. The lands so valued shall, in the first place, be offered to the tenant or tenants, if any, at the valuation approved of by the Executive Committee, but if there be

no tenant, or if the tenant within fourteen days after being notified in writing by the Clerical Secretary of the valuation, refuses or neglects to purchase at such valuation, then the land may be sold by private contract to any intending purchaser at such price as the Executive Committee deems expedient, or after being advertised in the local papers once a week for four weeks next preceding the sale, and placards of the advertisement having been posted and circulated in the neighborhood, the land shall be sold by public auction to the highest bidder at or above the valuation, there being a reserve bid to the amount of such valuation. And in case there shall be no bidder at or above the reserve bid when offered at such auction, the land shall be withdrawn, and it shall be left to the Executive Committee to dispose thereafter of the land at such price as it deems most conducive to the interest of the Parish.

7. The purchaser shall pay down not less than one seventh of the purchase money at the time of the sale, and the remainder shall be secured by a mortgage on the premises payable in six yearly instalments, or as may be agreed on, with interest at seven per cent per annum.

All expenses attending the valuation and sale of the land shall be borne in the first place by the person or persons applying for the sale, who shall with the memorial deposit the sum of twenty dollars with the Clerical Secretary. The expenses shall be deducted from the proceeds of the sale, and the expenses of the sale, surveys and management shall be a first charge on the proceeds.

9. The expenses of conveyances and of sheriff's and tax certificates and of registration shall be paid by the purchaser, or with the consent of the Rector presently interested shall be paid from the purchase money. The necessary deeds and mortgages shall be prepared by the solicitor for the Diocese at a tariff to be settled by the Investment Committee and approved by the Executive Committee, and shall be executed on behalf of the Synod and under its seal by the Lord Bishop.

10. The proceeds of the sale shall be remitted to the Clerical Secretary, who shall give receipts for the same,

and pay all necessary charges and disbursements. The Clerical Secretary shall credit the amount so received to the capital of the Rectory interested, and the same shall form part of the Consolidated Fund, and the income of the investment, subject to the provisions of the statute, shall be paid at such time and in such manner as the Executive Committee appoints.

11. The proceeds of such sales, after deducting the necessary expenses, shall be invested by the Investment Committee as provided for by the Act "To provide for the sale of the Rectory Lands in this Province."

12. The Clerical Secretary shall open and keep a debtor and creditor account with each Parish or Rectory of all moneys received from time to time on account of sales, investments and interest and necessary expenditures and payments.

13. The Clerical Secretary shall file for future reference all memorials valuations and other papers connected with the sale of Rectory lands.

14. The Executive Committee shall report annually to the Synod all sales made, the terms of sale, and the mode in which the proceeds of such sales have been invested.

15. The valuations and sales of the Rectorial lands heretofore made by the Executive Committee, and the conveyances thereof are hereby confirmed.

CANON XXIII.—ON THE SURPLUS INCOME OF
THE KINGSTON RECTORY.

1. The surplus of the yearly income of the first parsonage or Rectory in the Township of Kingston commonly called the Rectory of Kingston, arising as well from the investments of the proceeds of the sales of a portion of the lands of the Rectory as from the rents, issues and profits of the unsold lands belonging thereto after the payment,—firstly,—of all annual charges for the insurances, and repairs of all the properties on the said lands, and the expenses incurred in the collecting,, management and distribution of the said yearly income; secondly, of the sum of three thousand dollars per annum to the Rector of the said Rectory, shall be divided equally among the incumbents of the following Churches: St. James', St. Paul's, and St. Luke's, in the City of Kingston, and St. John's and Christ Church in the Township of Kingston, and of such other Church or Churches of England in Canada as are from time to time established and set apart by the authority of the Bishop of this Diocese either in the City of Kingston or in the Township of Kingston, and designated by him as a separate parochial charge entitled to share in such surplus. Provided that if any two of the Churches mentioned or referred to are by the Bishop at any time united and placed under one Incumbent, such Incumbent shall be entitled to only one share in the said surplus.

2. If a vacancy occurs in the incumbency of any of the Churches mentioned or referred to in the first section of this Canon, its share of the said surplus accruing during the vacancy shall be first applied towards providing, with the sanction of the Bishop, for Divine Service in the Church during the vacancy, and the remainder, if any, shall be divided equally among the incumbents of the other separate Churches in the City and Township of Kingston.

3. The property, real and personal, of the said Rectory, shall be managed by a Committee known as the "Kingston Rectory Committee," consisting of the Rector and the Incumbents of Churches entitled to share in the surplus, with the ex-officio members, and such Lay

Representatives of each of the Churches mentioned or referred to in the first section of this Canon as is annually chosen by his co-representatives and is not interested directly or indirectly as a tenant, occupant, or intending purchaser of any of said lands.

4. The Rector shall be the Chairman, and during his absence or a vacancy in the Rectory, such member of the Committee as it selects. The Committee shall meet whenever called by the Rector or any three members. Five members of the Committee shall form a quorum. The Committee shall have power to appoint all such officers as it deems necessary for the management of its affairs, and to make such rules and regulations as are requisite to carry out the provisions of this Canon.

5. The said Committee shall submit a report at each meeting of the Synod.

CANON XXIV.—ON THE STATE OF THE CHURCH.

1. A Committee shall be appointed annually on the State of the Church, consisting of four Clergymen and four Lay Representatives in addition to the ex-officio members, who shall, from the returns sent to the Clerical Secretary, prepare a report on the matters mentioned in the second section of this Canon.

2. The Secretary shall send annually, during the last week in November, to every Clergyman having a separate cure of souls, a form of return, prepared under the direction of the Executive Committee, respecting the state of the Church in his Parish, which return, properly filled up by the Clergyman for the year ending the thirty-first day of December, shall be returned by him on or before the third day of January, to the Clerical Secretary.

PART III.

MISCELLANEOUS.

CANON XXV—ON THE ELECTION OF A BISHOP AND THE SUB-DIVISION OF THE DIOCESE.

1. In the event of a vacancy in the See the Honorary Clerical and Lay Secretaries of the Synod shall, within ten days, memorialize the Metropolitan, or, in the event of his absence or refusal or neglect for twenty days to act, or of that office being vacant, the senior Bishop of this Ecclesiastical Province who is willing to act, praying him to summon a meeting of the Clergy and Lay Representatives of the Synod, at the Cathedral City of this Diocese, to elect a successor, such meeting to be held within thirty days of the receipt of the memorial, and to be presided over by the Bishop calling the meeting, or in case of his death, illness, or inability from other cause to preside, then by the Canadian Bishop of the Ecclesiastical Province next in order of seniority who is willing to act; and the Honorary Clerical and Lay Secretaries shall give at least fifteen days' notice of the time and place of such meeting.

2. In the event of a sub-division of this Diocese, the Bishop shall summon the Clergy and Lay Representatives to be included within the new Diocese, to meet at such time and place as he appoints for the purpose of electing a Bishop, at which meeting the Bishop, or a Bishop appointed by him under Canon II shall preside.

3. In the election to a vacant See, or to a new See, the Clergy and Lay Representatives entitled to vote at meetings of Synod, shall vote separately by ballot; the Clergy as individuals; and the Lay Representatives by Parishes.

A majority of votes in each order shall determine the choice, provided that two-thirds of the Clergy entitled to vote be present and two-thirds of all the Parishes entitled to vote be represented; otherwise, two-thirds of the votes of each order present shall be necessary to determine the choice.

*1913.
Amended by
insertion of
'This does not
apply to case of
election of a
Coadjutor Bp.'*

4. Any Clergyman elected a Bishop, and holding at the time of such election any preferment or benefice, shall resign such preferment or benefice prior to his consecration. ~~x~~ And in case the Bishop of this Diocese is elected Bishop of another Diocese, and accepts, or in case of his resignation and the acceptance thereof by the House of Bishops of the Province of Ontario, this See shall be *ipso facto* vacant.

5. In the event of the sub-division of this Diocese the portion intended to form the new Diocese shall be bound in all its proceedings by the Canons of this Diocese until altered by its Synod.

6. The provisions of the Canon respecting contested seats in Synod shall apply to every contestation of the claims to a seat in the meeting hereinbefore referred to.

CANON XXVI.—FOR THE ELECTION OF A COADJUTOR BISHOP.

Whereas it is desirable that there shall be a Coadjutor Bishop of the Diocese of Ontario with the right of succession:

It is therefore enacted by the Synod as follows:

1. There shall be a Coadjutor Bishop of the Diocese of Ontario who shall, on the avoidance of the See, become the Bishop of the said Diocese.

2. The said Coadjutor Bishop shall be elected in the manner provided by Canon ~~XXIV~~ of the Canons of the said Synod for the election of a Bishop to a vacant See or to a new See.

XXV

3. The said Coadjutor Bishop, when elected and consecrated, shall have the same power and authority as regards the temporal affairs and business of this Diocese as are now vested in the Bishop thereof.

4. The amount of the stipend of the said Coadjutor Bishop, and the mode of raising or assessing the same, shall be fixed and determined by the Synod.

5. The sum of one thousand dollars per annum of the income of the Episcopal Fund of the said Diocese shall form part of such stipend.

Passed June 23rd, 1898 (p. 356).

CANON XXVII.—ON THE DIACONATE.

1. When any person has been accepted and ordained by the Bishop as a Deacon under Canon eighteen of the Provincial Synod, which enacts:—

“A Deacon need not surrender his worldly calling or business (said calling being approved by the Bishop) unless he be a candidate for the office of a Priest, and he shall not be admitted to the Priesthood till he shall have passed a satisfactory examination in Latin and Greek, and have further complied with such other requirements as the Bishop of each Diocese may impose;

“Every Deacon who shall from necessity be placed in charge of a Parish or Mission shall be under the direction of a neighbouring Priest until he be advanced to the Priesthood”;

He shall be entitled to sit and vote with the Clergy in the Synod of this Diocese as long as he holds the license of the Bishop.

2. Such Deacon or his family shall have no claim whatsoever as beneficiaries upon any fund held in trust for the benefit of the Clergy or their families.

3. When any such Deacon has, in accordance with the requirements of said Canon eighteen, been admitted to Priest's orders, the claim of such Deacon or his family as beneficiaries upon the funds held in trust by the Synod for the benefit of the Clergy and their families shall date only from his ordination to the Priesthood.

CANON XXVIII.—ON DISCIPLINE.

1. There shall be a Court of this Diocese, called "The Court of the Diocese of Ontario," for the prosecution, hearing and trial of ecclesiastical causes within this Diocese, and of all offences of the laity as well as the Clergy, against the laws ecclesiastical, against the provisions of the statutes constituting and affecting the Synod, and the Canons, rules and regulations of the Synod.

2. Every Priest or Deacon ^{accused by} ~~holding the license of~~ the Bishop of this Diocese or any office or charge under his jurisdiction, who is charged with any of the offences hereinafter mentioned or concerning whom there exists scandal or evil report as having been guilty of any such offences, shall be liable to trial and punishment as hereinafter provided; the offences referred to are as follows: Any crime or immorality; drunkenness, profane swearing, or any other scandalous, licentious or disorderly conduct; any wrong doing or wilful neglect in the discharge of the duties of any office or position of trust to which he has been appointed by the Bishop or the Synod; discontinuing the exercise of his Ministerial office without lawful cause or leave of the Bishop; ceasing, without permission of the Bishop, to perform service in or at the Church or Churches within the Parish, Mission or Charge to which he has been appointed; exercising any lay profession or occupation unconnected with his sacred calling, without the sanction of the Bishop; the disuse, after notice from the Bishop, of Public Worship or of the Holy Eucharist according to the offices of the Church; the infringement, after notice from the Bishop, of the rubrics of the Book of Common Prayer, schism, or separating himself from the Communion of the Church; heresy, or teaching or maintaining heretical doctrines, or teaching

or other
person, cleric
or lay
holding

or trial in the
Synod

or held by lay
person, cleric
or Synod

If he be a
Clergyman

or maintaining doctrines contrary to those of the Church, such teaching or maintaining being by way of writing or printing, preaching or public teaching, or circulating books containing such doctrines; holding service in any other Clergyman's Church, or Parish, Mission or Charge, without such Clergyman's consent; permitting unauthorized persons to officiate in the Church, non-residence without leave of the Bishop; officiating at the services of religious bodies not in communion with the Church of England; any act which involves a breach of his ordination vows; any violation of the provisions of the statutes constituting the Synod, or of the Constitution of the Synod, or of any of the Canons, Rules, Regulations or Resolutions of the Synod; incapacity or neglect in the discharge of his parochial duties, or any matter, cause or thing by reason whereof his usefulness in his Parish or Mission is gone.

In the following sections of this Canon the person complaining is called "the complainant" and the person against whom a complaint is made is called "the respondent."

3. The Bishop on the application of a complainant or of his own mere motion may issue a Commission under his hand and seal to five Priests, of whom one shall be an Archdeacon or a Rural Dean within the Diocese, for the purpose of making inquiry as to the grounds of such charge or charges or scandal or evil report; provided always that notice under the hand of the Bishop of his intention to issue such Commission shall be sent to the respondent, or be served upon him, fourteen days at least before such commission shall issue; such notice shall contain a statement of the charge or charges, scandal or evil report proposed to be preferred together with the name, residence and addition of the complainant (if any there be), and the names of the five Priests by whom it is proposed the inquiry shall be made.

4. A Commission shall not issue upon the application of a complainant until he has first given to the Bishop and his Successors in Office a bond to be approved by the Bishop in the penal sum of \$200.00, to pay all costs and expenses (should such be allowed) that the respondent

in the discharge of his duties as a clergyman or an officer of the Church as the case may be to gone, or his status as a communicant may be questioned

may have incurred in case he is acquitted of the complaint or the complaint is dismissed for want of prosecution.

5. The said Commissioners, or a majority of them, may examine, under the declaration allowed by law, all witnesses who are tendered to them for examination, and all witnesses whom they may deem proper to summon for the purpose of the enquiry as to whether there is sufficient *prima facie* ground for instituting further proceedings.

6. Notice in writing under the hand of one of the Commissioners of the time when, and place where, the Commissioners will meet shall be given to the respondent, seven days at least before the meeting.

7. The respondent, or his agent, may attend the proceedings of the Commission, and may examine any of the witnesses.

8. All such preliminary proceedings shall be private; and when they have been closed the said Commissioners shall, after due consideration of the declarations taken before them, declare the opinion of the majority of the Commissioners present at such enquiry, as to whether there is or is not sufficient *prima facie* ground for instituting further proceedings.

9. The said Commissioners, or any three of them, shall file with the Registrar the declarations of the witnesses and the opinion of the majority of the Commissioners present at such enquiry as to whether or not there is sufficient *prima facie* ground for instituting proceedings against the respondent; and shall send to the Bishop a copy of such opinion; and a copy of the opinion and of the declarations may be procured from the Registrar on payment of a reasonable sum for the same.

10. In case a Priest or Deacon has by confession in writing admitted his guilt of an offence against the provisions of the Canon and has thereby anticipated a proceeding for the issue of a Commission, or when after complaint made and before a Commission has been issued the complainant and the Priest or Deacon consent in

writing that such course may be adopted, the Bishop may without further proceedings, pronounce such sentence not exceeding that which in due course of law might be pronounced, or if he thinks fit he may proceed in regard to such complaint under the provisions of the Canon as if such confession had not been given or complaint made.

11. If the Commissioners report that there is sufficient *prima facie* ground for instituting proceedings, and if the Bishop of the Diocese or the complainant thereupon thinks fit to proceed against the respondent, articles shall be drawn up by the direction of the Bishop or at the instance of the complainant, which, when approved and signed by a barrister-at-law, shall be filed with the Registrar; and the complainant or respondent or any person acting for either of them, shall be entitled to inspect, without fee, any of the papers filed and to obtain or demand from the Registrar (who is hereby required to deliver the same), copies of the declarations and of the report or opinion, on payment of a reasonable sum for the same, not exceeding three cents for each folio of ninety words.

12. Service of any papers requiring to be served under the provisions of the Canon may be made by delivering the same to the respondent personally or by leaving the same at his usual or last known place of residence within the Diocese, or by sending the same to him by post, registered, addressed to him at his last known post office address in the Province of Ontario. Or in case the respondent shall have named in writing any person upon whom, or any place at which papers may be served, as if upon himself personally, service of such papers may be made by leaving them with such person or at such place.

No articles shall be proceeded with until after the expiration of fourteen days from the day on which service thereof has been made.

13. At any time after the expiration of the said fourteen days, the Bishop, by writing under his hand, may require the respondent to appear before him, either in person or by his agent, duly appointed, at any convenient

place within this Diocese, and then and there to make answer to the said articles and if the respondent appears, and by his answer admits the truth of the said articles, the Bishop or his Commissary, specially appointed for that purpose, shall forthwith proceed to pronounce sentence thereupon.

14. If the respondent refuses or neglects to appear and make answer to the said articles, or appears to make any answer other than an unqualified admission of the truth thereof, the Bishop shall proceed to hear the cause, with the assistance of Assessors nominated by him, one of whom shall be his Chancellor, or a barrister of not less than seven years' standing, and another the Dean of his Cathedral Church, or one of his Archdeacons; and upon the hearing of such cause the Bishop shall determine the same and pronounce sentence thereupon.

15. All sentences pronounced by the Bishop or his Commissary in pursuance of this Canon, shall be good and effectual, and binding on all persons concerned therein; and such sentences may extend to admonition, suspension, or to deposition or deprivation. Should the sentence be admonition, it may be public or private, as the Bishop determines. When the penalty of suspension is inflicted, such sentence shall specify the terms thereof and the period of duration. Removal of a Clerk in Holy Orders from office in the Church shall be considered to include deposition and deprivation. Upon such sentence being pronounced, the connection between the respondent 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 the office or ministry from which he has been removed shall wholly cease and determine. A copy of the sentence shall be sent to the respondent, and another to the Vestry or Vestries of the Parish or Parishes, Congregation or Congregations, with which he may be canonically connected, and such other publicity may be given to it as the Bishop or his Commissary may deem expedient.

16. It shall be within the power of the Bishop, by virtue of his office, and not inconsistent with or contrary to this Canon, to admonish those offending, which admon-

ition, for any offence mentioned in the second section of this Canon not made a subject for judicial enquiry or presentment, shall be made in private; upon a subsequent offence, it shall be public or private at the discretion of the Bishop, and made in such manner as to the Bishop seems proper.

17. In every case in which from the nature of the offence charged, it appears to the Bishop that great scandal is likely to arise from the respondent continuing to perform the Services of the Church while such charge is under investigation, or that his administration will be useless while such charge is pending, the Bishop may cause a notice to be served on him, inhibiting him from performing any Services of the Church within this Diocese, from and after the expiration of fourteen days from the service of such notice, and until sentence has been given in the said cause; provided that the respondent, being the Incumbent of a benefice, may within fourteen days after the service of said notice, nominate to the Bishop any fit person or persons to perform all such Services of the Church during the period for which he is so inhibited; and if the Bishop deems the person or persons so nominated fit for the performance of such Services, he shall grant his license to him or them accordingly; or in case a fit person is not nominated, the Bishop shall make such provision for the Services of the Church, and for such remuneration to the person performing the same, as to him seems necessary; and he shall provide for the payment of such remuneration, if necessary; provided also, that the Bishop may at any time revoke such inhibition and license respectively.

In which case the respondent shall be liable for the remuneration of the person nominated by him

See Appendix

18. Any person who thinks himself aggrieved by any judgment pronounced by the Bishop, may appeal from such judgment, and such appeal shall be to the Court of Appeal of the Metropolitan.

19. At any such enquiry, any three or more of the Commissioners, or in any such proceeding, the Bishop, or any Assessor of the Bishop, may require the attendance of such witnesses, and the production of such deeds, evidences, or writings, as are necessary.



20. Every witness examined in pursuance of this Canon, shall give his or her evidence upon solemn declaration, as provided for by "An Act respecting Extrajudicial oaths."

Clerical or Lay
21. Every suit or proceeding against any ~~Priest or Deacon~~ ^{Person} for any offence specified in this Canon, or against the provisions of the statute constituting the Synod, or against the Canons, Rules or Regulations of the Synod, shall be commenced within two years from the time of the commission of the offence, in respect of which the suit or proceeding is instituted; provided always, that whenever any such suit or proceeding is brought in respect of an offence, for which a conviction has been obtained in any court of law, such suit or proceeding may be brought against the person convicted at any time within six calendar months after such conviction.

CANON XXIX.—ON VESTRIES.

1. All members of the Church of England in Canada male and female, being pew holders or holding sittings and paying therefor such sums as the Vestry determines, shall form a Vestry for the purposes of this Canon; provided always, that no person shall be elected a Churchwarden or allowed to vote at any Vestry meeting who is not of the full age of twenty-one years; provided also, that any person before being elected or voting shall, if required by any member of the Vestry, declare in writing at the meeting, in a book to be kept for that purpose, that he is a member of the Church of England and of no other religious body, and that he has held a pew or sitting in the Church of which the Vestry is held for six months previously, and that he has paid all arrears of rent or dues that have been rated or assessed by the Vestry on his pew or sitting, and that he has been an habitual attendant at Public Worship in the Church of which the Vestry meeting is held for the space of six months previous to the meeting.

2. If a Church has been destroyed by fire or otherwise rendered unfit for the holding of Divine Service, and

the Congregation of such Church assemble for Worship in some temporary place, the Vestry of the said Church shall be constituted under the provision regulating the Vestries of Free Churches during such occupancy; provided that no change shall be made in the Constitution of the Vestry, unless Divine Service in the said Church has been suspended for at least one year.

3. In any Church in which all the pews and sittings are free there shall be a Vestry for the purposes of this Canon, and the members thereof shall be of the full age of twenty-one years, and each such member shall declare himself in writing at the meeting, in a book to be kept for the purpose, to be a member of the Church of England and of no other religious body, and to be habitually attending Public Worship in the said Church of which the Vestry is held, for the space of six months previous to the meeting of the Vestry.

4. If a Congregation newly formed desires to organize a Vestry without delay, a meeting of the said Congregation shall be held for such purpose after notice thereof has been given during Divine Service on the previous Sunday; and the members of such Vestry shall consist of those who make the declaration required in the next preceding section as to age and Church membership, and also declare their intention to worship habitually in such Congregation. The Vestry so constituted shall be a lawful Vestry for all the purposes mentioned in this Canon for not longer than one year from the date of its formation.

5. At all Vestry meetings the Priest or Deacon in charge shall preside, and in his absence the Curate-Assistant, or in the absence of both, such member of the Vestry as the majority duly qualified to vote and present at such Vestry meeting, name; and the Vestry Clerk, or in case there be no Vestry Clerk, then such person as the Chairman names, shall be Secretary of such Vestry meeting; and the proceedings of such Vestry meeting shall be entered in a book kept for that purpose, and preserved in the custody of the Churchwardens.

6. An annual Vestry meeting shall be held on Easter Monday or on any day during Easter week, after notice thereof given during Divine Service on Easter Day, for the purpose of receiving the audited accounts of the Vestry, and subsequently of appointing Churchwardens and regulating the charges and rents on all pews and sittings for the ensuing year, and for the transaction of other business connected with the temporalities of the Church; provided that in case there are more Churches than one in the Parish or Mission, Vestry meetings may be held for such Churches at any time during the Easter week, notice thereof having been given on a previous Sunday.

7. The Clergyman in charge may call a special Vestry meeting whenever he thinks proper to do so, giving notice thereof during Divine Service on the two Sundays next preceding on which Service is held in the Church; and also specifying the business for which such Vestry meeting is called. And he shall call such meeting upon application made to him in writing by at least six members of such Vestry aforesaid; and in case, upon such written application being made as aforesaid, such Clergyman refuses or neglects to call such meeting or to give such notice, then one week after such demand is made, the said six members, or any six members, may call the same by notice affixed to the main entrance Church doors at least one week previous to such intended meeting.

8. The members of Vestry, at such Vestry meetings as aforesaid, may pass resolutions or make by-laws for the regulation of their proceedings and for the management of the temporalities of the Church, Parish or Mission to which they belong, and may alter and repeal the same, provided that at special Vestry meetings no business shall be transacted other than that specified in the notice calling the same.

9. The fees for certificates from the Parish Register shall be fifty cents for each such certificate; and the charges payable for burial plots and on breaking the ground in cemeteries and churchyards for the purpose of burying the dead, and all matters of like nature therewith connected, shall be regulated by the Vestry of the Church to which the cemetery or churchyard belongs.

10. At the annual Easter Vestry meeting, or any adjournment thereof, after the accounts of the past year have been audited and reported upon, one Churchwarden shall be nominated by the Clergyman in charge of the Rectory, Parish or Mission to which the said Church belongs, and one other shall be elected by a majority of those present and entitled to vote at such Vestry meetings as aforesaid. If the Clergyman being present at such Vestry meeting declines or neglects to nominate a Churchwarden, or if the said Clergyman being absent from such meeting neglects by writing under his hand to appoint a Churchwarden, then both the Churchwardens for the current year shall be elected by the members of the Vestry present; and if the members of such Vestry neglect at such Vestry meeting to elect a Churchwarden, both such Churchwardens for the current year shall be nominated by the Clergyman.

11. No person shall be eligible for the office of Churchwarden except a member of such Vestry and a duly qualified voter; and the Churchwardens shall hold their office for one year from the time of their appointment, or until the nomination or election of their successors.

12. If any Churchwarden declines to accept office, or to act when called on by the Clergyman or Vestry, or is deprived of his office, or tenders his resignation in writing to the Clergyman, or changes his residence to ten or more miles from the Church of which he was chosen Churchwarden, or becomes incapable to act or is convicted of any indictable offence, or ceases to be a member of the Church of England, or of the Church or Congregation for which he has been elected, or ceases to attend public worship in such Church or Congregation for the space of six months, or dies, his office shall become vacant, and a Vestry meeting shall be called within one month in the manner provided for in this Canon for the nomination by the Clergyman or for the election by the said Vestry, as the case may be, of a new Churchwarden in place of the one whose office was vacated from any of the causes aforesaid; provided always, that in any case of such new appointment by the Clergyman, such Clergyman may, if he thinks fit, instead of a Vestry meeting being called for

the purpose, nominate and appoint another Churchwarden during Divine Service on any Sunday within the time specified for making such appointments.

13. The Churchwardens, in Churches other than free Churches, from time to time, may lease and rent pews and sittings in Churches where such pews and sittings are not held in freehold, upon such terms as are settled and appointed at Vestry meetings holden for that purpose as provided; and all pews and sittings shall be subject to such annual rent and other dues as shall from time to time be rated and assessed in respect thereof at such Vestry meetings.

14. All Churchwardens shall yearly render in writing a just, true and perfect account at the annual Easter Vestry meeting, fairly entered in a book or books kept for that purpose, signed by the said Churchwardens (which book or books shall be the property of the Vestry) of all sums of money by them received and of all sums rated or assessed by the Vestry and remaining unpaid, or otherwise due and not received, and also of all goods, chattels and other property of such Church or Parish in their possession as such Churchwardens, and of all moneys paid by such Churchwardens so accounting, and of all other things concerning their said office, which said account and book or books shall have been referred to two or more auditors appointed by the annual Vestry meeting.

15. In the case of the appointment of a new Churchwarden or Churchwardens, the Churchwardens then retiring from office shall pay and deliver over unto such succeeding Churchwardens the book or books and all sums of money, goods, chattels and other things which are the property of the Church, and are in their possession; and the said book or books shall be carefully preserved by such Churchwardens, and they shall permit any member of such Vestry aforesaid to inspect the same at all reasonable times. In case such Churchwardens make default in yielding such account as aforesaid, or in delivering over such moneys, goods or other things as aforesaid, the succeeding Churchwardens shall take measures to procure such account or to recover such moneys or property.

16. No Churchwarden or Churchwardens shall permit the Church or Churches in any Parish or Mission to be used for Divine Service or any other public purpose, or the churchyard or burial ground to be used for the purpose of interment without the consent of the Bishop or of the Clergyman appointed by him.

17. No sales of pews by the Churchwardens shall take place in any Church in this Diocese.

18. The organist shall be appointed by the Churchwardens with the concurrence of the Clergyman; the Vestry Clerk, the sexton, and other subordinate servants of the Church, shall be nominated and appointed by the Churchwardens for the time being; and their salary and wages as determined on by the Churchwardens, shall be brought into the general account to be rendered as aforesaid by such Churchwardens.

19. The provisions of the Church Temporalities Act, and of all other Acts passed subsequently thereto, are hereby repealed, so far as the same are inconsistent with the provisions of this Canon.

CANON XXX.—ELECTION OF DELEGATES TO THE PROVINCIAL SYNOD.

1. In the election of Delegates to the Provincial Synod two Clergymen and one Lay Representative shall act as scrutineers of the votes of the Clergy, and two Lay Representatives and one Clergyman as scrutineers of the votes of the Laity; the scrutineers for each order shall be previously appointed on motion of the members of each order respectively.

2. Two ballot boxes shall be provided to receive the votes of the Clergy and Laity respectively. Upon each member of the Synod depositing his vote, a mark shall be placed opposite his name on the roll by one of the scrutineers of the order to which he belongs; and upon the requisition of any three members of the Synod, the

number of votes deposited shall be compared with the number of those who have voted. The scrutineers shall hand over the votes to the Secretaries of the Synod, whose duty it shall be to preserve them until the election of Delegates shall be completed, and to destroy them at the end of the session.

3. There shall be twenty-four Delegates elected at the Session of the Diocesan Synod preceding the meeting of the General Synod, viz., twelve Clergymen elected by the Clergy, and twelve Laymen by the Lay Representatives, and the first twelve names in each order having the highest number of recorded votes shall be declared duly elected.

4. When the election of Delegates to the Provincial Synod takes place, the six Clergymen and the six Laymen whose names stand next highest in number in the counting of the ballots after those of the Delegates elected, shall be substitutes, to attend such Provincial Synod, whenever, from sickness or other cause, the Delegates are unable to be present.

5. In the event of the scrutineers reporting that two or more persons have an equality of votes either as Delegates or substitutes, the Bishop shall determine his or their priority.

6. Whenever any Delegate is unable to attend as aforesaid, he shall be excused from such attendance upon notifying the Clerical Secretary of the Synod of the fact, at least a fortnight previous to the meeting of the Provincial Synod, and the Clerical Secretary shall then notify one of the substitutes in the order in which he stands on the list, and he is required to attend the said meeting instead of the Delegate excused.

7. The election of the Clerical and Lay Delegates shall be certified under the hand and seal of the Bishop, and the certificate shall be forwarded by the Clerical Secretary of the Synod to the Secretaries of the Lower House of the Provincial Synod within fourteen days after such election; and in case any of the said Delegates mentioned in such certificate is unable to attend, a certificate signed by

the Bishop or in his absence by the Clerical Secretary, "that A. B. being a Clerical (*or* Lay) Delegate from the Diocese of Ontario is unable to attend, and C. D. is authorized by vote of the Synod to fill his place as Delegate," shall be sent to the Secretaries of the Lower House of the Provincial Synod.

CANON XXXI.—PROVIDING FOR THE ELECTION OF DELEGATES TO THE GENERAL SYNOD OF THE CHURCH OF ENGLAND IN CANADA, HEREINAFTER CALLED THE GENERAL SYNOD.

1. An election of Delegates to the General Synod shall be held at the annual session of the Synod preceding each session of the General Synod at the time of the election of Delegates to the Provincial Synod.

2. In the election of Delegates to the General Synod, two Clergymen and one Lay representative shall act as scrutineers of the votes of the Clergy, and two Lay representatives and one Clergyman as scrutineers of the votes of the Laity; the scrutineers for each order shall be previously appointed on motion by the members of each order respectively.

3. The election shall be by ballot on nomination, in such manner as may be determined from time to time by resolution of Synod. Two ballot boxes shall be provided to receive the votes of the Clergy and Laity respectively. Upon each member of the Synod depositing his vote, a mark shall be placed opposite his name on the roll by one of the scrutineers of the order to which he belongs, and upon the requisition of any three members of the Synod the number of votes deposited shall be compared with the number of those who have voted. The scrutineers shall prepare and hand in to the Secretaries lists of the persons voted for in the order of the number of votes received by each, beginning with the person having the highest number of votes, and bracketing those who receive an equal number of votes, and they shall hand over the ballots to

the Secretaries of the Synod, whose duty it shall be to preserve them until the election of Delegates shall be completed, and to destroy them at the end of the Session.

4. The number of Delegates of each order to be elected shall be in accordance with the provisions of the Constitution of the General Synod. Those having the highest number of votes shall be the Delegates, and an equal number of those having the next highest number of votes shall be Substitutes to attend the General Synod when from sickness or other cause the Delegates are unable to be present. In the event of the scrutineers reporting that two or more persons have an equal number of votes, either as Delegates or Substitutes, the Bishop shall determine his or their priority. Delegates and Substitutes shall continue in office until the election of their successors.

5. Whenever any Delegate is unable to attend the General Synod, it shall be his duty to give the Clerical Secretary of the Diocesan Synod immediate notice of his inability, and the Clerical Secretary shall notify one of the Substitutes in the order in which he stands on the list, that he is required to attend the said meeting of such Delegate.

6. The election of the Clerical and Lay Delegates shall be certified, under the hand and seal of the Bishop, or in his absence by the Clerical Secretary; and the certificate shall be forwarded by the Clerical Secretary to the Secretaries of the Lower House of the General Synod within fourteen days after such election; and in case any of the said Delegates mentioned in such certificate is unable to attend, a certificate signed by the Bishop, or in his absence by the Clerical Secretary, "That A. B., being a Clerical (or Lay) Delegate from the Diocese of Ontario, is unable to attend, and C. D. is authorized by vote of the Synod to fill his place as Delegate," shall be sent to the Secretaries of the Lower House of the General Synod.

Passed June 20th, 1895. See p. 28.

CANON XXXII.—ON PATRONAGE.

(Passed as amended June 19, 1902.)

1. Whenever a vacancy occurs in the Incumbency of any Parish in the Diocese—not being a Mission classified under the provisions of Canon XII—the parishioners who are entitled to vote for the election of Lay Delegates to the Synod shall be called together, at such time and place and in such manner as the Lord Bishop may direct, and shall choose a Committee of five of such parishioners whose duty it shall be to confer with the Lord Bishop, and to submit to him the names of Clergymen for the filling of the vacancy in manner hereinafter provided.
2. The Committee shall forthwith after their election select and submit to the Lord Bishop the names of three Clergymen in Priest's orders, any one of whom may be reasonably expected to accept the position, from which he may select one to fill the vacancy; or the Committee may agree to leave the nomination and appointment entirely in the hands of the Lord Bishop.
3. The Lord Bishop shall not be bound to appoint any one of those nominated, or to give his reason for his refusal; and he may, on rejecting the names submitted to him, call on the Committee to make further nominations.
4. The Clergyman selected by the Lord Bishop and licensed by him to the Parish shall be the Rector or Incumbent thereof.
5. If no meeting is held by the congregation after due notice, or if the Committee fails to meet and submit names to the Lord Bishop within a reasonable time, or if the Committee submits the names of Clergymen who cannot in the judgment of the Lord Bishop be reasonably expected to accept the position, or if the Committee and the Lord Bishop cannot agree within three calendar months from the time the vacancy occurred upon the name of a Clergyman to be appointed to the vacancy, the right of appointment shall be exercised by the Lord Bishop absolutely.

6. The right of appointment to all Parishes which are Missions, classified under the provisions of Canon XII, shall be exercised directly by the Lord Bishop, without being subject to the provisions of this Canon as to the mode of appointment to other parishes.

7. The latter part of Section III, Canon XXXIII, which relates to the right of presentation, and all other Canons and parts of Canons relating to the same subject, inconsistent with the provisions of this Canon, are hereby repealed.

CANON XXXIII.—BY-LAW ON ELECTIONS TO
TRINITY UNIVERSITY COUNCIL AND COR-
PORATION.

Whereas, by statute of the University of Trinity College, the Synod of the Diocese of Ontario has the right to elect two Clerical and two Lay members of the Council of such University and of the Corporation thereof,—

And, whereas it is expedient to make provision for such elections,

Therefore, the Synod of the Diocese of Ontario enacts as follows:

1. There shall be elected at the session of the Synod for the year 1902, two Clerical and two Lay members of the Synod of the Council of the University and of the Corporation thereof.

2. The Clerical member and the Lay member receiving the highest number of votes shall hold office until the election at the session of the Synod in the year hereinafter provided for, and the other two shall hold office until the election at the session of the Synod in the year 1903, hereinafter provided for.

3. At the same time as the election of Delegates to the Provincial Synod is held in the year 1903, and thereafter at every annual session of the Synod, there shall be elected one Clerical and one Lay member of such Council or Corporation, and they shall hold office for two years, or until their successors are appointed.

4. Nominations shall be made at all elections under this by-law, but in all other respects the elections shall be governed by the rules of the Synod respecting Synodical elections.

5. Should any member so elected cease at any time to be a member of the Synod, his office shall immediately become vacant.

6. A member may resign at any time, but all resignations shall be in writing.

7. The Executive Committee may fill vacancies in office occurring by reason of death, or as aforesaid.

8. The persons so elected shall be members both of the Council and of the Corporation.

CANON XXXIV.—CUSTODY OF DEEDS AND PARISH REGISTERS.

1. All Rectors, Incumbents, Churchwardens, Trustees, or other persons having legal custody of any grants, conveyances or probates or certified copies of wills or parts thereof in any way relating to land or property granted, conveyed or devised for the benefit or use of the Church of England in this Diocese, shall transmit the same to the Registrar, to be by him taken in charge as the proper custodian thereof, and placed in the Synod vault for proper and safe keeping.

2. All Rectors, Incumbents and Churchwardens shall from time to time transmit to the Registrar all Parish Registers which have been completed or filled up, and the Registrar on receiving the same shall deposit the same in the Synod vault, and shall duly acknowledge the receipt of such Registers.

CANON XXXV.—PARSONAGES.

1. It shall be the duty of every Parish or Mission, where no Parsonage at present exists, to erect, as soon as possible, a suitable Parsonage, with outhouses, for the accommodation of the Clergyman; and until such buildings are erected it shall be the duty of the Parish or Mission to rent a suitable residence; and the Clergyman shall enjoy the same free of charge, and independent of any sum assigned for his salary.

2. When the Parsonage and outhouses are erected and finished, or when, in the event of a change of incumbency, they are put in the possession of the Clergyman in a state of good repair the Clergyman shall keep and maintain the same in as good repair and condition, ordinary wear and tear of the same excepted; but if the Incumbent by wilful negligence, by any act of commission or omission, suffers the said buildings to go out of repair, he shall be held responsible for the same, and it shall thereupon be the duty of the Churchwardens to point out such dilapidations to the Incumbent and request him to provide a remedy for the same; and should he decline or neglect to repair the same, the Churchwardens may, after a reasonable space, employ a suitable mechanic or mechanics to execute the necessary repairs, and they may deduct the expenses thereof certified by the bills of the contractors or workmen from the Clergyman's annual salary paid by the Parish. But if the Clergyman feels himself aggrieved by such contemplated action of the Churchwardens, he may appeal to the Archdeacon having jurisdiction, who shall decide the matter or (if he sees fit) may appoint a committee to examine into the merits of the case, and report thereon to him; and in either case his decision shall be binding, pending which decision the Churchwardens shall suspend the contemplated action.

3. If, however, any extensive improvements or repairs become necessary from the lapse of time or otherwise, such as new roofing, painting, or new fences, the expense of these and all similar improvements or repairs shall be borne by the Parish. And the Clergyman, when such repairs are required, shall lay a detailed statement of the same with an approximate estimate of the expense, before the annual Easter meeting of the Vestry, having pre-

viously given notice of his intention so to do, or before a Vestry meeting specially convened for the purpose; and if the members of the Vestry sanction the same, the Churchwardens shall forthwith proceed to effect the necessary repairs, providing for the expense thereof from the funds of the Church, by parochial subscriptions, or by any other mode determined upon by the Vestry; but the expense of such improvements shall not be defrayed from any funds appropriated to or pertaining to the support of the Clergyman.

4. The Churchwardens shall keep the said buildings insured, to at least two-thirds of their value, in some responsible office, and in default of their doing so, the Incumbent may effect such insurance, and make the expense a charge against the Parish.

5. The family of a deceased Clergyman shall be allowed to occupy the parsonage and premises appurtenant thereto for three months from the date of his decease.

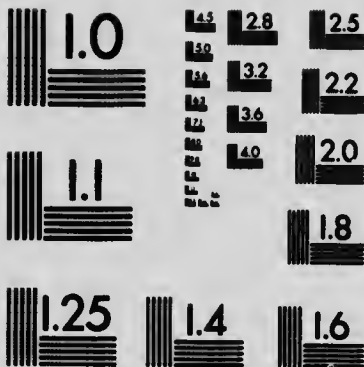
6. In case an Incumbent, before his death, has caused any of the lands to be sown or planted at his own proper costs and charges, the crops shall belong to the legal representatives of the deceased.

7. The grass in a meadow, cut prior to the death of the Incumbent shall belong to his legal representatives, but the standing grass shall become the property of his successor.

8. The successor of a deceased Incumbent shall, within one month after receiving the year's rent of the glebe, or any portion thereof, pay to the legal representatives of the deceased such part of the said rent so received as is proportionate to the portion of the year elapsed at the date of the Incumbent's death.

9. If the Incumbent of any Parish or cure is compelled to resign through age, sickness or infirmity, he shall be entitled to the privileges conferred by this Canon on the family of a deceased Clergyman.





MICROCOPY RESOLUTION TEST CHART
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STANDARD REFERENCE MATERIAL 1010a
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CANON XXXVI.—PARISHES AND THEIR
BOUNDARIES.

1. The Incumbent and Churchwardens of any cure may, when necessary, hold a conference or conferences with the Incumbent and Churchwardens of an adjacent Parish or cure, and by mutual agreement arrange and define the boundary common to both, and shall make a report to the Archdeacon having jurisdiction, for his consideration, who shall submit the same to the Bishop, with his remarks thereon; and if the Bishop approves of the same, the boundaries so arranged and approved shall be the boundaries of the Parishes or cures aforesaid.

2. In cases where the boundary cannot be arranged by such mutual agreement, the Archdeacon shall issue a Commission to two Clergymen and one Lay representative, none of whom are connected with such Parishes or cures, authorizing them to investigate the matter and report their decision to the Archdeacon for his consideration, who shall submit the same to the Bishop, with his remarks thereon; and if the Bishop approves of the same, the boundary so arranged and approved, shall be the boundary common to the Parishes or cures aforesaid.

3. The boundary of a Parish or cure being once defined, approved, and declared, may not be disturbed within the space of five years, except in the case of the formation of new Parishes; and every new and distinct Parish erected as herein provided, shall be deemed, and is hereby declared, to be a Parish or benefice, with the cure of souls; and the right of presentation upon avoidance of the said benefices, unless legally vested in some other person or persons, shall vest in and be exercised by the Bishop of this Diocese.

4. When any of the parishioners residing in any Parish or adjoining Parishes, desire to have a new and distinct Parish erected, the said parishioners shall present a memorial to the Archdeacon having jurisdiction, stating fully the reasons moving them thereto, also the proposed boundaries of the contemplated new Parish, and whether the Rector or Incumbent, or Rectors or Incumbents, of the Parish or Parishes aforesaid consent thereto, and when the said Archdeacon is satisfied that the provisions

of the seventeenth section of the Church Temporalities Act have been complied with, or that the means for the worship of God have been provided, then the Archdeacon shall report the same to the Bishop of this Diocese, who shall, on approval, declare the said portion of the Parish to be a new Parish. In cases where the Rector or Incumbent of any Parish affected withholds his consent from the preliminary memorial, he shall be required to state his reasons in writing within one month to the Archdeacon, who shall decide on their validity.

5. Any boundary defined and established under the authority of this Canon, shall be entered and registered in a book to be kept by the Registrar of this Diocese for that purpose, and a copy thereof shall be furnished to any person applying, on payment of a fee of one dollar.

6. In case the Archdeacon having jurisdiction is the Incumbent of the Parish or cure affected by the proposed division and settlement of boundaries, the proceedings under this Canon shall be taken before the other Archdeacon or such other Clergyman as the Bishop appoints.

CANON XXXVII.—ENDOWMENT OF PARISHES.

1. The Incumbent of every Parish where no adequate endowment already exists, may commence "A Parochial Endowment Fund," by taking up in each year a collection for the purpose in each Church and Station within the same, and soliciting, moreover, subscriptions, donations, and bequests of land or money for the promotion of the Fund, until a sufficient Endowment Fund shall have been secured.

2. All gifts or bequests of real estate, and all lands otherwise acquired by any Parish for the purposes contemplated by this Canon, shall be held by the Bishop or the Synod, in trust for the benefit of the Incumbent of the Parish for the time being; and the said real estate shall be managed by the Incumbent of the Parish, as in the case of the present Rectors and their glebes.

3. All such subscriptions, donations, collections, and bequests of personal property shall be vested in the Bishop or the Synod, in trust as aforesaid and, with the interest, shall be allowed to accumulate until the sum of \$1,000 be thus secured, after which all new collections, subscriptions, donations and bequests of personalty shall be invested, and the interest shall be annually appropriated towards the Incumbent's support, and to that purpose only, and the management of such Fund shall be in the Incorporated Synod of the Diocese of Ontario.

4. Whenever it is deemed advisable by the Incumbent, Churchwardens and Congregation in Vestry assembled, the moneys and other personal property of the Fund may, with the consent in writing first had of the Bishop or Synod, as the case may require, be appropriated to the purchase of a glebe or piece of land adjacent to or near to the Parsonage for a glebe, as an endowment appurtenant to the same, and for the benefit of the Incumbent for the time being; and in such case section three, so far as it relates to the accumulation of the Fund, shall be dispensed with so that the whole of the fund, may, if necessary be applied to the said purchase; but with such exception, no portion of the Fund shall, under any pretext whatever, be alienated or appropriated to any other object than for the support of the Incumbent, as aforesaid: provided, however, that in the event of the future division of the Parish, the Endowment Fund so created shall likewise be subject to division, in accordance with the rules and regulations adopted from time to time by the Synod of the Diocese for the division of Parishes and of the endowments thereunto pertaining.

CANON XXXVIII.—ERECTION OF CHURCH BUILDINGS.

1. No Church, Parsonage, Parochial School or other Church building shall be erected, altered or purchased, unless the plans thereof are first submitted by the Incumbent and Churchwardens, or in case of a vacancy in the cure by the Churchwardens, to the Archdeacon having jurisdiction and are approved by him.

CANON XXXIX.—CHRISTMAS OFFERTORY.

1. The offertory of the respective Congregations throughout the Diocese on Christmas day of every year, shall be devoted to the sole use of the Incumbent of the Church in which the offertory is made.

CANON XL.—UNAUTHORIZED COLLECTIONS.

1. No Clergyman or Layman shall collect money for any Church purpose beyond the bounds of his own Parish or Mission, or proceed to any other Diocese for the same purpose without the sanction and approval of the Bishop, and such collector shall obtain the sanction of each Incumbent before he makes a collection in his Parish or cure, and he shall report to the Incumbent the result of such collection.

2. No person from any other Diocese shall make collections within this Diocese without first obtaining the sanction of the Bishop.

CANON XLI.—FOR DIOCESAN SUNDAY
SCHOOL ASSOCIATION.

1. There shall be an organization for the Sunday School work in the Diocese under the control of the Synod to be known as "The Sunday School Association of the Diocese of Ontario," which Association shall also act in conjunction with, and for the purpose of carrying out the objects of the Sunday School Commission created by the General Synod of Canada.

2. This Sunday School Association shall consist of the Bishop of the Diocese who shall be ex-officio President, of the Clergy of the Diocese, and of the Teachers and Officers of the Sunday Schools of the Diocese, and the Lay Delegates to Synod.

3. The objects and purposes of such Sunday School Association amongst others are as follows:—

(a) To co-operate with the Sunday School Commission of the Church of England in Canada in promoting the efficiency of the Sunday School work of the Church.

(b) To adopt such measures as may seem advisable for securing the greater efficiency of the Sunday Schools of the Diocese as agents of the Church for religious and Church training.

(c) To arrange the Parishes and Missions of the Diocese into convenient groups and to encourage the formation of a branch Association in each group.

(d) To determine what funds are required for the work of the Association and to arrange for the raising of the same.

(e) To submit an annual report of its proceedings to the Synod of the Diocese.

4. The affairs of the Association shall be managed by a Sunday School Committee consisting of:—

(a) The Bishop of the Diocese.

(b) Not less than seven Clerical and seven Lay representatives nominated by the Bishop of the Diocese at each regular session of the Diocesan Synod: such representatives being members of the Synod.

5. The President, Secretary and two Delegates from each Branch of the Association may be associated with the above Committee for purposes of consultation.

6. The Committee shall elect its own Chairman, Secretary and Treasurer, and these shall hold the same office in the Association as in the Committee. The Committee shall fix its own quorum and the time and place of meeting, save and except the annual meeting of the Committee which shall be held at the time of the regular committee meetings of the Synod, at which meeting the report for the Synod shall be prepared. The Committee shall meet during the week of Synod for the election of officers.

7. A branch Association for each group of Parishes and Missions, as arranged under the preceding articles may be formed; composed of the Clergy, Superintendents, Officers and Teachers of the Sunday Schools within the boundaries of each group mentioned; and the first meeting for the formation of such branch Association shall be called by the Archdeacon or Rural Dean or other officer appointed by the Bishop, as soon as possible after receiving notice of the formation of such group, and at such meeting such branch Association shall be organized by the election of a President, Secretary and also two Delegates to the Sunday School Committee, together with such other officers as may appear to the Branch Association desirable. The branch Association shall provide for regular meetings and such other Sunday School activities as may be in accordance with its own means and conditions and shall also as far as possible carry into effect the directions or suggestions received from the Sunday School Association, or the Sunday School Committee of Management named above.

8. The Sunday School Committee shall endeavor to secure for each of the great departments of Sunday School work the co-operation of a practical worker of experience in that department who shall be known as the Superintendent of that department.

The departments are:

1. Teacher Training Department.
2. Home Department.
3. Font Roll Department.
4. Primary Department.
5. Missionary Department.
6. Adult Bible Class Department.
7. Finance Department.
8. Statistical Department.
9. Literature and Supplies Department.

9. It shall be the duty of the Superintendent of a department:

(1) To co-operate with the Sunday School Committee in promoting the work of the Department.

(2) To secure and to furnish to others, information and suggestions concerning the best methods of conducting the work of the Department.

(3) To collect information and statistics concerning the work of the Department in the Sunday Schools of the Diocese.

(4). To present a report on the work of the Department to the Sunday School Committee each year at least two weeks before the meeting of the Synod of the Diocese.

10. The third Sunday in October has been appointed by the General Synod as a day of intercession for Sunday Schools, on which an offertory in aid of the work of the Sunday School Commission is to be made, and this day has been designated as "Children's Day." The third Sunday in October shall therefore be observed by special services, sermons and addresses in each Parish and Mission of the Diocese as "Children's Day," and a collection shall be taken up on that day in aid of the work of the Sunday School Commission of the Church of England in Canada, and of this Diocesan Association.

11. The annual meeting of the Sunday School Association shall be held during the week of the meeting of the Diocesan Synod for the reception and consideration of the report of the Sunday School Committee, and for the discussion of the best methods of promoting the interest of the Sunday School work of the Church.

CANON XLII.—THE GENERAL PURPOSE FUND.

1. There shall be a Fund to be known as the General Purpose Fund for the granting of aid towards the erection and maintenance of Churches, Parsonages and Parochial Schools in this Diocese, for the purchasing of burial grounds, for defraying expenses connected with the management of the Synod and its trusts, and for aiding such general purposes and objects of the Church in this Diocese as are not under the special control of any Committee of the Synod.

Such Fund shall be formed from such donations and grants as are from time to time hereafter made for General Purposes.

3. Such Fund shall be administered and managed by the Executive Committee of Synod, which shall have power to administer, sell, lease, and dispose of all lands pertaining to such Fund; to administer and dispose of any sum or sums of money, or any security or securities for money hereafter given, paid, assigned or devised to the said Fund; and further, from the same resources to grant such aid and to make such payments to any of the objects above recited as the Committee in its discretion sees fit; and the Committee shall report at the annual meeting of Synod.

4. The said Executive Committee may make such rules and regulations as are requisite for the carrying out of the provisions of this Canon.

CANON XLIII.—INTERPRETATION—AND REPEAL OF EXISTING CANONS.

1. In all Canons passed by the Synod of the Diocese of Ontario the expression "shall" shall be construed as imperative, and the expression "may" as permissive.

2. All Canons heretofore passed by the Incorporated Synod of the Diocese of Ontario, and in force at the time of the confirmation of the Canons herein contained, are

hereby repealed, and the said Canons hereinbefore set forth and numbered from one to forty-three, both inclusive, are substituted in lieu thereof; but such substitution shall not revive any Canon or part thereof repealed by any Canon for which the foregoing are substituted; and the said substituted Canons shall not be held to operate as new laws, but as a consolidation and continuation of the said repealed Canons, subject to the amendments and new provisions incorporated with the said substituted Canons.

3. Any reference in any resolution or proceeding of the Synod, or in any deed, instrument or document to any Canon hereby repealed shall, after these substituted Canons take effect, be held, as regards any subsequent transaction, matter or thing, to be a reference to the enactment in the said substituted Canons having the same effect as such repealed Canon.

Diocese of Ontario.

RESOLUTIONS OF SYNOD

SELECTED BY THE COMMITTEE FOR PUBLICATION.

BOARD OF RURAL DEANS.

That the Rural Deans of the Diocese be a Committee or Board of Rural Deans, and that through their Chairman they make a report annually to the Synod on the condition of the Church in their several Deaneries, in particular informing the Synod of any neglect on the part of the Parishes or Missions in contributing to the maintenance of the Clergy.

DECEASED MEMBERS OF SYNOD.

The Committee appointed by the Lord Bishop to report in reference to those members of the Synod who have been removed by death since the last sitting. * * * beg to recommend that a Standing Committee of Synod shall be named by the Lord Bishop whose duty shall be from year to year to report to the Synod at its annual meeting the names of those members who shall have died during the previous year, with some brief and appropriate notice.

DIOCESAN LIBRARY.

That the Lord Bishop be requested to appoint annually a Committee to take charge of, and arrange the Diocesan Library; and that such Committee be empowered to frame rules and regulations, subject to the approval of the Bishop, with a view to making this valuable Library available for the Clergy of the Diocese generally.

DUTIES OF RURAL DEANS.

That in view of the inadequate stipends received by many Clergymen in this Diocese, the Lord Bishop be requested to instruct the Rural Deans to visit every Parish or Mission in their Deaneries where the Clergyman in charge represents the stipend to be below the minimum fixed by Synod, viz.: for Priests, \$800 and house; Deacons, \$600; and to endeavor to bring the income up to the required amount and report thereon at the next meeting of Rural Deans.

NO DEDUCTION FROM COLLECTIONS.

That for the future no deduction shall be made from any collection ordered by this Synod.

COLLECTIONS RECEIVED AFTER CLOSE OF FINANCIAL YEAR.

That should the whole of the moneys collected for the Mission Fund not be sent in by the 31st of December in each year there be an additional column in the statement of collections in the Journal of Synod for the year, showing what further moneys of the Mission Fund have been sent in after 31st December and before the closing of the Session of the Synod.

MORTGAGING CHURCHES.

That in the opinion of this Synod it is inexpedient to grant permission to mortgage any Church edifice or the land required therefor.

DISAPPROVAL OF LOTTERIES, ETC.

This Synod hereby expresses its strong disapproval of Lotteries, Raffles, and other species of gambling in connection with Church work.

MISSION BOARD.

RULES OF ORDER AND BY-LAWS.

ORDER OF PROCEEDINGS.

1. Reading, correcting and approving the minutes of the previous meeting.
2. Presenting Reports.
3. Presenting and reading petitions and correspondence.
4. Taking up unfinished business.
5. Proceeding with general business.

The above order may be changed in any particular case on the vote of the majority of the members of the Board.

The meetings of the Board shall open and close with prayer.

BY-LAWS.

I. At each meeting of the Board, a financial statement of the Mission Fund shall be presented by the Secretary for the period which has elapsed since the closing date of the statement furnished at the previous meeting.

II. At each meeting of the Board a short statement showing the receipts and disbursements of the Mission Fund for the year preceding the meeting, together with a comparative statement for the corresponding period in the previous year, shall be distributed to the members.

III. All grants made by the Board shall be made to the Mission or Parish, and be subject to withdrawal upon any change taking place in the Incumbency.

IV. In case of Clergymen not making all the collections appointed for Missionary purposes, their cheques from the Mission Fund shall be withheld until such collections are made, unless the Board, on application of the Clergyman in default, shall be satisfied that the failure to make the return is excusable. The Parochial collections shall be forwarded to the Secretary before the 20th day of December in each year, and the other collections within one month of the time appointed for making the same.

V. After the expiration of one month from the time when any periodical collection should be made in any Parish or Church for the Mission Fund, the Secretary shall address a circular to the Clergymen of such Parishes or Churches as have not remitted the collection, requesting to be informed of the reason of the default.

VI. The Secretary shall, on or before the fifteenth day of November in each and every year, send to the several Missionaries of the Board the following circular :

Reverend and Dear Sir:—

Will you have the kindness to furnish, for the information of the Board of Missions, answers to the following questions, which please send to the undersigned on or before the 20th day of December next.'

Yours faithfully,

A. B.,
Secretary.

1. What is the extent of your Mission?
2. What is the number of Church people in your Mission?

State also the number connected with each Church or congregation.

3. How many Church families are there in your Mission?

4. How many Churches and Stations have you in your Mission?

Give the name of the Churches, and state of what material they are built, and state how often you have Divine Service therein.

5. What is the distance of each Church or Station from the principal Church?

Give also the distance of the principal Church from Churches in neighboring Parishes or Missions.

6. How many Communicants are there in your Mission? What is the average attendance for the year at Holy Communion?

7. How many Baptisms, Marriages, and Burials are there during the year?

8. Have you a Parsonage?

If so, of what material is it built?

How much land is there attached to it?

9. Have you any Endowment?

What is its nature and annual value?

10. Is your Parish in debt?

If so, to what amount?

Why incurred?

What means are there of payment?

State particularly the nature and amount of any incumbrances on the Church property.

11. What was the stipend promised by the people for the past year?

What did you receive from them?

12. What amount do you consider your people should contribute towards the support of their clergyman?

13. Give the number of Sunday Schools in your Mission, and of children attending them.

14. Are the Church buildings and Parsonage insured?

If so, in what Company, and for how much?

Until the report required by such circular shall be furnished, the grant to such Mission shall not be paid.

VII. When a Clergyman who receives a grant from this Board is placed on the Commutation List, such grant shall at once cease.

VIII. Rural Deans and Conveners of Deputations shall invariably make their returns before April 30th in each year.

IX. The Archdeacons, or the Rural Deans under their instructions, shall, when required by the Clergyman in charge of any Mission of which the grant has been reduced under the classification scheme, promptly visit such Mission and endeavor to induce the congregation to make good the amount withdrawn by the Board.

X. By-Laws or Rules of Order, or amendments thereto, unless carried by a two-thirds vote, shall not come into effect until the following meeting.

Instructions to the Rural Deans issued by the
Lord Bishop on November 25th, 1890, to
be in force until further order be taken.

1. Inasmuch as the appointment of Rural Deans, their functions and jurisdiction, originate from the Bishop, it is understood that, within the limits of their commissions, they are acting by *his* authority.

2. As no coercive power is involved in that commission, all doubtful or disputed matters are open to appeal, and may be referred to him for adjudication.

3. Within their respective limits the Rural Deans shall take the oversight of all Mission work and shall advocate the interests of the Mission Fund of the Diocese.

4. On being apprised of a vacancy in any Parish or Mission within his Rural Deanery, where the stipend depends in any degree upon the voluntary contributions of the people, the Rural Dean with as little delay as possible shall visit such Parish or Mission, and secure, as far as may be in his power, suitable provision for the Clergyman's maintenance, reporting forthwith to the Bishop.

5. They shall take note, in each Parish or Mission, of the sum pledged as stipend to the Missionary in charge; and when this stipend is insufficient, shall use every effort to get it increased; and especially shall see that the Missionary does not suffer *through default on the part of the people*. Every such case of default, if found irremediable by the Rural Dean, shall be by him reported to the Bishop.

6. They shall report annually to the Bishop before the 31st of December on the state of the Church in their respective Deaneries.

7. They shall inspect, from time to time, the state and condition of the several Churches, Parsonages and other Church properties, and shall take such measure, with reference thereto, as may be deemed advisable.

8. They shall inspect from time to time, and report upon, the condition of Parochial Registers.

9. They shall see that all Church Buildings are properly insured.

10. They shall hold in each and every year in their respective Deaneries one or more meetings of the Ruri-Decanal Chapter.

11. They shall arrange for the Confirmations in each Deanery.

12. They shall keep records of their official acts in connection with each Parish or Mission.

STATUTES

RELATING TO THE CHURCH SYNOD, &C.

3 VICTORIA (U. C.) C. 74.

CHURCH TEMPORALITIES ACT.

An Act to make provision for the management
of the temporalities of the United Church
of England and Ireland in this Province,
and for other purposes therein mentioned.

Royal Assent promulgated 3rd December, 1841.

(This Act, known as "The Church Temporalities Act," is varied as respects the Diocese of Ontario, by Canon XXX, relating to Vestries, under the powers conferred by the Act, 20th Vic., c. 15.)

Whereas it is desired on behalf of the United Church of England and Ireland, in the Province of Upper Canada, that provision should be made by law for the internal management by the members of the said Church of the temporalities thereof, and also for allowing the en-

dowment thereof, and it is just and expedient that such provision should be made, *Be it therefore enacted* by the Queen's most Excellent Majesty, by and with the advice and consent of the Legislative Council and Assembly of the Province of Upper Canada, constituted and assembled by virtue of and under the authority of an Act passed in the Parliament of Great Britain, intituled, "An Act to repeal certain parts of an Act passed in the fourteenth year of His Majesty's reign, intituled 'An Act for making more effectual provision for the Government of the Province of Quebec in North America,' and to make further provision for the Government of the said Province," and by the authority of the same, That from and after the passing of this Act, the soil and freehold of all Churches of the communion of the said United Church of England and Ireland, now erected or hereafter to be erected in the said Province, and of the Churchyards and Burying-grounds attached or belonging thereto, respectively, shall be in the Parson or other Incumbent thereof for the time being; and that the possession thereof shall be in the Incumbent for the time being, and the Churchwardens to be appointed as hereinafter is mentioned, by whatever title the same may now be held, whether vested in Trustees for the use of the Church, or whether the legal estate remains in the Crown, by reasons of no patent having been issued, though set apart for the purposes of such Church, Churchyard or Burying-ground: *Provided always*, that nothing herein contained shall extend to affect the rights of any other Church or body of Christians to any landed property or Church now erected, but that the same shall remain as if this Act had not been passed.

II. *And be it further enacted by the authority aforesaid*, That all pew-holders in such Churches, whether holding the same by purchase or lease, and all persons holding sittings therein by the same being let to them by Churchwardens, and holding a certificate from the Churchwardens of such sitting, shall form a Vestry for the purposes in this Act mentioned and declared.

III. *And be it further enacted by the authority aforesaid*, That a meeting of such Vestry shall be holden on Monday in Easter week, in each and every year, after due notice thereof given during Divine Service on the morn-

ing of Easter Sunday, for the purpose of appointing Churchwardens for the ensuing year; and that at such meeting one Churchwarden shall be nominated by the Incumbent of the Parsonage or Rectory to which the said Church belongs; and the other shall be elected by a majority of those present and entitled to vote at such Vestry meeting, as aforesaid: *Provided nevertheless*, that in case of such Incumbent declining or neglecting to nominate a Churchwarden then both of the said Churchwardens shall, for the current year, be elected in the manner aforesaid; and in case the members of such Vestry shall neglect to elect a Churchwarden, then both of such Churchwardens shall, for the current year, be nominated by the Incumbent: *Provided always*, that if from any cause a Vestry meeting shall not take place at the time aforesaid, such appointment of Churchwardens may take place at any subsequent Vestry meeting, to be called in manner hereinafter provided; and in case of the death or change of residence to twenty miles or more from any such Church, of either of the said Churchwardens, a Vestry meeting shall be thereupon called for the election, by the said Vestry, of a new Churchwarden, in case the one deceased or removed had been elected by the Vestry, or for the nomination of a new Churchwarden by the Incumbent, in case the one deceased or removed had been nominated by the Incumbent.

IV. *And be it further enacted by the authority aforesaid*, That no person shall be eligible to the office of Churchwarden except members of the said Church of the full age of twenty-one years, and who shall also be members of such Vestry.

V. *And be it further enacted by the authority aforesaid*, That such Churchwardens shall hold their office for one year from the time of their appointment, or until the election of their successors, except in case of an appointment or nomination to fill up any vacancy occasioned by death or removal, as aforesaid, and in such case the person so appointed or nominated, shall hold the said office until the next annual election.

VI. *And be it further enacted by the authority aforesaid*, That such Churchwardens so to be elected and appointed, as aforesaid, shall, during their term of office, be

as a Corporation to represent the interest of such Church and of the members thereof, and shall and may sue and be sued, answer and be answered unto in all manner of suits and actions whatsoever, and may prosecute indictments, presentments and other criminal proceedings, for and in respect of such Churches and Church-yards, and all matters and things appertaining thereto; and shall and may, in conjunction with the Rector or Incumbent, make and execute faculties or conveyances, or other proper assurances in the law, to all pew-holders holding their pews by purchase, or leases to those holding the same by lease, and shall and may grant certificates to those who shall have rented sittings, such conveyances, leases, and certificates, to be given within a reasonable time after demand made, and at the charges of the person applying for the same; and further, it shall be the duty of such Churchwardens, from time to time, to sell, lease and rent pews and sittings, upon such terms as may be settled and appointed at Vestry meetings to be holden for that purpose as hereinafter provided: *Provided always*, That any such sale, lease, or renting, shall be subject to such rent charge, or other rent, as may from time to time be rated and assessed in respect thereof at such Vestry meetings.

VII. *And be it further enacted by the authority aforesaid*, That in case of the absolute purchase of any pew in any such Church, as aforesaid, the same shall be construed as a Freehold of Inheritance, not subject to forfeiture by change of residence, or by discontinuing to frequent the same; and the same may be bargained, sold and assigned to any purchaser thereof, being a member of the Church of England, and such purchaser, provided the same be duly assigned and conveyed to him, shall hold the same with the same rights and subject to the same duties and charges as the original purchaser thereof.

VIII. *And be it further enacted by the authority aforesaid*, That any pew-holder, whether by purchase or lease, and any person renting a pew or sitting, shall and may during their rightful possession of such pew or sitting, have a right of action against any person injuring the same, or disturbing him or his family in possession thereof.

IX. *And be it further enacted by the authority aforesaid,* That such Churchwardens, so to be appointed as aforesaid, shall yearly and every year within fourteen days after other Churchwardens shall be nominated and appointed to succeed them, deliver unto such succeeding Churchwardens a just, true, and perfect account, in writing (fairly entered in a book or books to be kept for that purpose, and signed by the said Churchwardens) of all sums of money by them received, and of all sums rated or assessed, or otherwise due and not received; and also of all goods, chattels, and other property of such Church or Parish in their hands as such Churchwardens, and of all moneys paid by such Churchwardens so accounting, and of all other things concerning their said office; and shall also pay and deliver over all sums of money, goods, chattels, and other things, which shall be in their hands, unto such succeeding Churchwardens, which said account shall be verified by oath before one or more of Her Majesty's Justices of the Peace, who are hereby authorized to administer the same; and the said book or books shall be carefully preserved by such Churchwardens, and they shall and are hereby required to permit any member of such Vestry, as aforesaid, to inspect the same at all reasonable times, paying one shilling for such inspection; and in case such Churchwardens shall make default in yielding such account, as aforesaid, or in delivering over such money, goods, or other things, as aforesaid, it shall be in the power of the succeeding Churchwardens to proceed against them at law for such default, or to file a bill in Equity for discovery and relief; and in case of the reappointment of the same Churchwardens, then such account as aforesaid, shall in like manner as aforesaid, be made and rendered before an adjourned meeting of such Vestry, fourteen days after such reappointment.

X. *And be it further enacted by the authority aforesaid,* That it shall be in the power of the Incumbent of any such Parsonage, Rectory or Parish, as aforesaid, or of the Churchwardens thereof, to call a Vestry meeting whenever he or they shall think proper so to do, and it shall be his and their duty so to do upon application being made for that purpose in writing, by six at least of the members of such Vestry as aforesaid; and in case, upon such written application being made as aforesaid, such Incumbent and Churchwardens shall refuse to call such

meeting, then one week after such demand made, it shall be in the power of any six of such members of the Vestry to call the same by notice, to be affixed on the outer Church door (or Church doors where more than one) at least one week previous to such intended meeting.

XI. *And be it further enacted by the authority aforesaid*, That in all Vestry meetings, the Rector or Incumbent of the Church shall preside as Chairman when present, and in his absence such person as the majority present at such meeting shall name; and the Vestry Clerk, when there is one, and present, or in case there be no Vestry Clerk, or he be absent, then such person as the Chairman shall name shall be Secretary of such Vestry meeting; and the proceedings of such Vestry meetings shall be entered in a book to be kept for that purpose, and preserved in the custody of the Churchwardens.

XII. *And be it further enacted by the authority aforesaid*, That the rent-charge to be paid upon pews holden in freehold, and the rent to be paid for pews and sittings in pews, leased or rented, shall be regulated from time to time at such Vestry meetings, as aforesaid; *Provided nevertheless*, that no alterations shall be made therein except at Vestry meetings called for such special purpose, and so expressed in the notice calling the same; and further, that the charges to be made in respect of such conveyances, leases, and certificates, shall in like manner be regulated at such Vestry meetings as aforesaid.

XIII. *And be it further enacted by the authority aforesaid*, That the Clerk of the Church, the Organist, the Vestry Clerk, the Sexton and other subordinate Servants of the Church, shall be nominated and appointed by the Churchwardens for the time being, and that their salary and wages shall be brought into the general account, to be rendered as aforesaid by such Churchwardens.

XIV. *And be it further enacted by the authority aforesaid*, That the fees on marriages, baptisms and other services of the Church of like nature, and the charges payable on breaking the ground in the cemeteries or Churchyards, and in the said Churches for burying the dead, shall be regulated by the Ordinary, or in case of there being no Ordinary, by the Bishop of the Diocese.

XV. *And be it further enacted by the authority aforesaid*, That it shall be in the power of the members of such Vestries, at such Vestry meetings, as aforesaid, to make by-laws for the regulation of their proceedings, and the management of the temporalities of the Church or Parish to which they belong, so as the same be not repugnant to this Act, nor contrary to the Canons of the said United Church of England and Ireland.

XVI. *And be it further enacted by the authority aforesaid*, That any deed or conveyance of land, or of personalty that may be made to any Bishop of the said Church, in the said Province, and to his successors, for the endowment of his See, or for the general uses of the said Church, as such Bishop may appoint or otherwise, or for the use of any particular Church then erected, or thereafter to be erected, or for the endowment of a Parsonage, Rectory, or Living, or for other uses or purposes appurtenant to such Church in general, or to any particular Church or Parish to be named in such deed, and any such deed or conveyance to any Parson or Rector, or other Incumbent and his successors, for the endowment of such Parsonage, Rectory or Living, or for other uses or purposes appurtenant thereto, shall be valid and effectual to the uses and purposes in such deed or conveyance to be mentioned and set forth, the Acts of Parliament commonly called the Statutes of Mortmain or other Acts, laws or usages, to the contrary thereof notwithstanding: *Provided always*, that in order to the validity of such deeds and conveyances, the same shall be made and executed six months at the least before the death of the person conveying the same, and shall be registered not later than six months after his decease.

XVII. *And be it further enacted by the authority aforesaid*, That in the event of any person or persons, bodies politic or corporate, desiring to erect and found a Church or Churches, and to endow the same with a sufficiency for the maintenance of such Church, and of Divine Service therein, according to the rites of the said Church of England and Ireland, it shall and may be lawful for him or them to do so, upon procuring the license of the Bishop under his hand and seal for that purpose; and thereupon, after the erection of a suitable Church, and the appropriation by the founder thereof of such Church so

erected, and of lands and hereditaments, or other property adequate to the maintenance thereof, and of an Incumbent, and adequate to the usual and ordinary charges attendant upon such Church, such provision being made to the satisfaction of the Bishop, such founder, his heirs and assigns being members of the said Church of England, or such body politic or corporate, as the case may be, shall have the right of presentation to such Church as an advowson in fee presentative, according to the rules and canons of the said United Church of England and Ireland.

XVIII. *And be it further enacted by the authority aforesaid, That nothing in this Act contained shall extend, or be construed to extend in any manner, to confer any Spiritual jurisdiction or Ecclesiastical rights whatsoever upon any Bishop or Bishops, or other Ecclesiastical person of the said Church, in the said Province of Upper Canada.*

29-30 VICTORIA (CAN.) C. 15.

An Act to make further provision in relation
to the temporalities of the United Church
of England and Ireland in this Province.

Assented to 15th August, 1866.

Whereas it is desirable to provide that the Act passed by the Parliament of Upper Canada in the third year of Her Majesty's Reign, chaptered seventy-four, and intitled An Act to make provision for the management of the Temporalities of the United Church of England and Ireland, in this Province, and for other purposes therein mentioned, and also the Act passed in the sixth year of

Her Majesty's Reign, chaptered thirty-two, and intituled An Act to make provision for the management of the Temporalities of the United Church of England and Ireland in the Diocese of Quebec, in this Province, and for other purposes therein mentioned; and also the Act of the Parliament of this Province, passed in the Session thereof held in the fourteenth and fifteenth years of Her Majesty's Reign, chaptered one hundred and seventy-six, and intituled An Act to make provision for the management of the Temporalities of the United Church of England and Ireland in the Diocese of Montreal, and for other purposes therein mentioned; may be altered and amended from time to time, and the Provincial Synod of the United Church of England and Ireland, in Canada,, have, by their petition, prayed that power may be given to the said Synod to make such alterations in the said Acts as may from time to time be found necessary for the better and more uniform regulation and management of the Temporalities of the said Church in this Province, and it is expedient that the prayer of the said Petition be granted; Therefore Her Majesty, by and with the advice and consent of the Legislative Council and Assembly of Canada, enacts as follows:—

1. The Bishops, Clergy and Laity of the United Church of England and Ireland, in Canada, assembled in Provincial Synod or General Assembly, under the provisions of the Act passed in the Session held in the nineteenth and twentieth years of Her Majesty's Reign, chaptered one hundred and forty-one, section two, shall have power and authority from time to time, by any By-law or Canon by them adopted, to make such repeal, change, alteration and amendment of, and in all or any of the clauses or provisions in all or any of the said Acts in the Preamble of this Act mentioned, as they shall deem advisable and necessary for the better and more uniform regulation and management of all or any of the Temporalities of the said United Church of England and Ireland, in this Province, and every such Canon or By-law shall have effect accordingly; provided always, that the proviso to the eighteenth section of the Act firstly, and that the proviso to the eighteenth section of the Act thirdly in the Preamble of this Act mentioned; and also the eighteenth sections of the Acts firstly and secondly, and the twenty-second section of the Act thirdly in the Preamble of this

Act mentioned, shall not, nor shall either of them be, in any manner varied, altered, or repealed by any such Canon or By-law, as aforesaid, and provided also that such Canon or By-law shall be approved by the Governor-in-Council, and before such approval, shall be published for three months in the *Official Gazette*.

2. This Act shall be a Public Act.

NOTE.—An attempt was made by the Provincial Synod in the year 1868 to alter the Church Temporalities Act under the Powers conferred by the foregoing Statute. It was held by the Minister of Justice, however, that since confederation all laws relating to property and civil rights having become subject to the jurisdiction of the local legislatures, and the 65th clause of the British North America Act 1867, having transferred to the Lieutenant-Governors of the Provinces respectively the administration of all laws coming within their respective jurisdictions, the approval of the Governor-in-Council could not be given, and that in fact he had ceased to have any jurisdiction in the matter. The Act is therefore practically inoperative. The Synod of Ontario has secured from the local legislature the legislation necessary to enable it to alter the Church Temporalities Act.—See Journal Provincial Synod 4th Sess. 1868, pp. 76, 100; 5th Sess. 1871, p. 21; 39 V. O. c. 109, post.

TRUSTS.

AUTHORIZED BY THE CHURCH TEMPORALITIES ACT.

The Church Temporalities Act in its 16th Section makes valid any deed, devise, or conveyance of land, or of personalty made to any Bishop of the United Church of England and Ireland in Ontario, and to his successors, for any of the following purposes:

1st. For the Endowment of his See.

2nd. For the general uses of the Church in Ontario, as the Bishop to whom the deed is given, and his successors appoint; or as is appointed otherwise in the deed (that is for the general uses of the Church in Ontario), to be applied under such particular direction as is given in the deed, and not in the general discretion of the Bishop.

3rd. For the use of any particular Church (in Ontario), erected at the time of the deed being made,—and this, it is conceived, may by reasonable and proper construction be divided, as the preceding head, into two; namely, to be applied towards the support of that Church in such manner as the Bishop to whom the deed is given directs; or to be applied towards the support of such Church otherwise than at the discretion of the Bishop, and under such particular direction as is inserted in the deed.

4th. For the use of any particular Church to be *afterwards erected* in Ontario, to be applied towards the support of such Church, as the Bishop to whom the deed is given and his successors direct; or to be applied towards the support of such Church otherwise than at the discretion of the Bishop, and under such particular direction as is inserted in the deed.

5th. For the endowment of a parsonage, rectory, or living, to be applied (as it is conceived) to that object, under the direction of the Bishop, unless other provision for the appropriation of the rents and profits is made in the deed.

6th. For other uses or purposes appurtenant to the Church in Ontario, that is for some specified use or purpose, or uses or purposes, pertaining to the Church generally,—the proceeds to be applied in promoting that object, in the discretion of the Bishop, unless other provision is made in the deed.

7th. For other uses or purposes appurtenant to any particular Church (in Ontario), named in such deed; that is, for some specified use or purpose, or uses or purposes, pertaining to such particular Church,—the proceeds to be applied in promoting such uses or purposes, according to the discretion of the Bishop, to whom the conveyance is made, unless other provisions are made in the deed.

8th. For some use or purpose appurtenant to some particular parish (in Ontario), which use or purpose should be specified in the deed, and should be some use or purpose connected with the Church in that parish,—the rents and profits to be applied in promoting such use or purpose in such manner as the Bishop to whom the deed is made, appoints, unless other provisions are made in the deed.

The same Act, in the same Section, makes valid any deed or conveyance of land, or of personalty made to any Parson or Rector, or other Incumbent and his successors:—

1st. For the endowment of such Parsonage, Rectory or Living.

2nd. For other uses or purposes appurtenant to such Parsonage, Rectory or Living (which uses or purposes are to be expressed in the deed) or may be left to the discretion of the Incumbent, or left to be pointed out or promoted through the agency of some third party, as the deed directs.

Note.—In order to the validity of Deeds and Bequests, the same must be made and executed six months at least before the death of the grantor or deviser, and must be registered not later than six months after his decease.

7 VICTORIA (CAN.) C. 68.

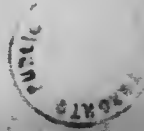
Act to incorporate the Church Societies of the
United Church of England and Ireland in
the Diocese of Quebec and Toronto.

Reserved for signification of Her Majesty's pleasure, 9th

December, 1843; assented to by proclamation

27th June, 1844.

Whereas it has been represented to the Legislature of this Province, that certain persons hereinafter named, and divers others, inhabitants of Lower Canada, and also certain other persons hereinafter named, and divers others, inhabitants of Upper Canada, have respectively established themselves together under a Constitution, Rules and Regulations, and have contributed, or engaged to contribute, considerable sums of money, and have given or granted, or promised to give or grant, lands or real estate for the following objects, that is to say:—First, for the encouragement and support of Missionaries and Clergymen of the United Church of England and Ireland, severally within the Dioceses of Quebec and Toronto, and for creating a fund towards the augmentation of the stipends of poor Clergymen and towards making a provision for those who may be incapacitated by age or infirmity, and for the widows and orphans of the Clergymen of the said Church, respectively, in the said Dioceses; Secondly, for the encouragement of education and the support of Day Schools and Sunday Schools in the said Dioceses respectively, in conformity with the principles of the said Church; Thirdly, for granting assistance, where it may be necessary, to those who may be preparing for the Ministry of the Gospel in the said Church within the said Dioceses, respectively; Fourthly, for circulating in the said Dioceses, respectively, the Holy



Scriptures, the Book of Common Prayer of the said Church, and such other Books and Tracts as shall be approved by the several Central Boards or Managing Committees of the said Associations; Fifthly, for obtaining and granting aid towards the erection, endowment and maintenance of Churches according to the establishment of the said Church in the said Diocese respectively, the creation and maintenance of Parsonage Houses, the setting apart of Burial Grounds and Churchyards, the endowment and support of Parsonages and Rectories according to the said establishment, and the management of all matters relating to such endowments: And whereas it would tend greatly to facilitate and promote the purposes of the said Associations that they should severally be incorporated and empowered to hold property in mortmain without letters of license, and to manage, administer, alienate or dispose of the same, for the uses and purposes aforesaid, and to make and enforce rules and regulations, respectively, for the government of the said Associations severally, and for better attaining the purposes aforesaid: Be it therefore enacted by the Queen's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and of the Legislative Assembly of the Province of Canada, constituted and assembled by virtue of and under the authority of an Act passed in the Parliament of Great Britain and Ireland, intituled, *An Act to re-unite the Provinces of Upper and Lower Canada, and for the Government of Canada*, and it is hereby enacted by the authority of the same, That the Lord Bishop of the said Diocese of Quebec, the Lord Bishop of Montreal, or the Bishop administering the said Diocese for the time being, and William Smith, Andrew W. Cochran, Henry Jessop, Henry J. Noad, John Racey, James H. Kerr, David Burnet, W. H. Leaycraft, John M. Frazer, the Reverend C. L. F. Haensel, George Hall, James Bolton, the Reverend George Mackie, the Reverend Edward Cusack, Robert Symes, the Reverend Edmund W. Sewell, William Price, Noah Freer, Edward Bowen, John G. Irvine, Hammond Gowen, Sir James Stuart, Baronet; Matthew Bell, William Phillips, Henry Le Mesurier, Junior; Edward L. Montizambert, Thomas Trigge, Peter Patterson, George B. Hall, James Turnbull, William Stevenson; James B. Forsyth, Alexander D. Bell, James Dyke, William Bowes, R. M. Harrison, H. S. Dal-kin, Edward Boxer, Archibald Campbell, Charles Secre-

tan, James McKenzie, E. P. Woolrich, George H. Parke, Samuel McCaulay, James J. Loundes, G. Newton, Charles Secretan, Thomas Glover, Robert Daikers, H. W. Welch, and such other persons as are now members of the said Association of the Diocese of Quebec according to the existing Constitution, Rules and Regulations thereof, and their successors, to be elected in the manner hereinafter provided, and such other persons as shall from time to time hereafter be elected to be members of the said Association in the manner hereinafter provided, shall be and are hereby declared to be a Body Corporate and Politic, in name and in deed, by the name of "The Church Society of the Diocese of Quebec"; and that the Lord Bishop of Toronto, the Venerable George O'Kill Stuart, Robert Simpson Jameson, Levius Peter Sherwood, James B. Macaulay, Jonas Jones, Christopher Alexander Hagerman, Peter Boyle De Blaquiére, William Henry Draper, John Simcoe Macaulay, James Gordon, John Boulton, John Solomon Cartwright, D'Arcy Boulton, Mahlon Burwell, John B. Askin, Thomas Mercer Jones, Frederick Widder, William B. Jarvis, Henry Ruttan, Joseph Wells, Walter Boswell, Zaccheus Burnham, T. A. Stewart, William Dickson, James Kerby, William Allan, George Crookshank, R. C. Wilkins, Philip Vancoughnet, Gerrard Lloyd, John Macaulay, Sir Allan Napier McNab, Guy C. Wood, Geo. Salmon, Henry Sherwood, and such other persons as are now members of the said Association of the Diocese of Toronto, according to the existing Constitution, Rules and Regulations thereof, and their successors, to be elected in the manner hereinafter provided, and such other persons as shall from time to time hereafter be elected to be members of the said Association in the manner hereinafter provided, shall be and are hereby declared to be a Body Corporate and Politic, in name and in deed, by the name of "The Church Society of the Diocese of Toronto," and that by the same names the said Associations shall have each perpetual succession and a Common Seal, with power to change, alter, break, or make new the same, as often as they shall judge expedient, and that they and their successors by the same names, respectively, may sue and be sued, implead and be impleaded, answer and be answered unto, in any Court of Record, or other place of Judicature within this Province; and that they, and their successors, by the names aforesaid, shall be able and capable in law, respectively,

to purchase, take, have, hold, receive, enjoy, possess, and retain, without license in Mortmain, or *Lettres d'Amortissement*, all messuages, lands, tenements, and immovable property, money, goods, chattels, and moveable property, which have been or hereafter shall be paid, given, granted, purchased, appropriated, devised or bequeathed in any manner or way whatsoever, to, for, and in favor of the said Church Societies, respectively, to and for the uses and purposes aforesaid, or any of them, and to do, perform, and execute all and every lawful act and thing useful and necessary for the purposes aforesaid, in as full and ample a manner, to all intents, constructions, and purposes, as any other Body Politic or Corporate by law may or ought to do.

II. And be it enacted, that all lands, messuages, tenements, hereditaments, or immovable property, and all rents, sum and sums of money, charged upon and issuing or payable out of any lands, messuages, tenement, hereditaments, or immovable property, as aforesaid, and all sums of money, goods, chattels, effects, or movable property, which have been or shall hereafter be paid, given, granted, purchased, appropriated, devised or bequeathed in any manner or way whatsoever, to, for, or in favor of the said Corporations, respectively, to and for the uses and purposes aforesaid, shall be and the same are hereby vested in the said Corporations respectively, to and for the uses and purposes aforesaid, in such manner and form, and subject to such by-laws, rules and regulations, as may be made and passed by the said Corporations, respectively, concerning the same, in the manner hereinafter provided: And that the said Corporations, or the Central Boards thereof, or such other Executive and Managing Committees thereof as shall from time to time be appointed and authorized for this purpose by the by-laws, rules and regulations, which may be made and passed in the manner hereinafter mentioned, for the government of the said Corporations, shall, respectively have power and authority to alienate or exchange, and to demise, let and lease for any terms of years, such messuages, lands, tenements, hereditaments, and immovable property, as shall be so as aforesaid given, granted, purchased, appropriated, devised, or bequeathed to the said Corporations, respectively, for all or any of the purposes aforesaid, and to have, receive and take the purchase money,

consideration or price, rents, issues or profits thereof: Provided always, that the said Corporations, or Central Boards thereof, or such other Executive or Managing Committee, as aforesaid, shall, respectively, have, receive, take and hold, such purchase money, consideration or price, rents, issues, or profits, for the uses and purposes hereinbefore mentioned and set forth, or some or one of them, and for none other.

III. And be it enacted, that the said Corporations, and their successors, shall and may, respectively, from time to time, hold assemblies and meetings of the said Corporations, which shall be called together in such manner and at such times and places as shall be directed and appointed by the by-laws, rules and regulations of the same, to transact the business of the said Corporations, and shall and may at any such meeting elect such persons to be members of the said Corporations, respectively, as they or the major part of them then present shall think fit: Provided always, that no act done in any such assembly or meeting of the said Corporations shall be valid or effectual, unless six persons of such Corporations, at the least, shall be present, and the major part of them consenting thereto.

IV. And be it enacted, that the said Corporations, or the major part of those who shall be present at any of the meetings of the said Corporations to be held in manner aforesaid, shall and may, respectively, make and ordain any constitution, by-laws, rules, and regulations, whatsoever, which to them or the major part of them then present, not being fewer in number than six, as aforesaid, shall seem meet, reasonable or requisite, touching and concerning the well ordering and governing of the affairs and business of the said Corporations, and the due administering and improving the property thereof, and the more effectually promoting the purposes thereof, as aforesaid, and such constitution, by-laws, rules, and regulations, in like manner from time to time to abrogate, repeal, change or alter, as may be found expedient, which constitution, by-laws, rules, and regulations, shall be binding upon and shall be observed, performed and kept by the members of the said Corporations, respectively: Provided always, that the same shall not be repugnant or contrary to the aforesaid purposes of such Corporations or to the laws in force in this Province.

V. Provided always, nevertheless, and be it enacted, that no such constitution, by-law, rule, or regulation, of either of the said Church Societies of the Diocese of Quebec and Toronto, nor any abrogation, repeal, change or alteration of the same, shall be of any force or effect until it shall have been sanctioned and confirmed by the Bishop of or administering such Diocese for the time being, by writing under his hand.

VI. And be it enacted, that nothing herein contained shall affect or be construed to affect in any manner or way the rights of Her Majesty, Her Heirs, or Successors, or of any person or persons, or of any Body Politic or Corporate, such only excepted as are hereinbefore mentioned and provided for.

VII. And be it enacted, that this Act shall be deemed a Public Act and shall be judicially taken notice of as such by all Judges, Justices of the Peace, and other persons whatsoever, without being specially pleaded.

TRUSTS.

AUTHORIZED BY THE FOREGOING STATUTE.

*(Extended to the Synod of Ontario, by 25 Victoria,
Chap. 86.)*

First—For the encouragement and support of Missionaries and Clergymen of the United Church of England and Ireland within the Diocese of Ontario, and for creating a fund towards the augmentation of the stipends of poor Clergymen, and towards making provision for those incapacitated by age and infirmity, and for the Widows and Orphans of the Clergy of the said Church, in the said Diocese.

Secondly—For the encouragement of Education, and for the support of Day Schools and Sunday Schools in the said Diocese, in conformity with the principles of the said Church.

Thirdly—For granting assistance, where necessary, to those who are preparing for the Ministry of the Gospel in the said Church, within the said Diocese.

Fourthly—For circulating in the said Diocese the Holy Scriptures, the Book of Common Prayer of the said Church, and such other Books and Tracts as are approved by the Synod.

Fifthly—For obtaining and granting aid towards the erection, endowment and maintenance of Churches, according to the establishment of the said Church in the said Diocese; the erection and maintenance of Parsonage houses; the setting apart of Burial Grounds and Churchyards; the endowment and support of Parsonages and Rectories, according to the same establishment, and the management of all matters relating to such endowments.

19-20 VICTORIA (CAN.) C. 141.

An Act to enable Members of the United
Church of England and Ireland in Canada
to meet in Synod.

*Reserved for Signification of Her Majesty's pleasure 19th
June, 1856; assented to by proclamation 28th May, 1857.*

Whereas doubts exist whether the members of the United Church of England and Ireland, in this Province, have the power of regulating the affairs of the Church, in matters relating to discipline, and necessary to order and good government, and it is just that such doubts should be removed, in order that they may be permitted to exercise the same rights of self-government that are enjoyed by other religious communities: therefore, Her Majesty, by and with the advice and consent of the Legislative Council and Assembly of Canada, enacts as follows:

I. The Bishops, Clergy and, Laity, members of the United Church of England and Ireland, in this Province, may meet in their several Dioceses, which are now, or may be hereafter constituted in this Province, and in such manner and by such proceedings as they shall adopt, frame constitutions and make regulations for enforcing discipline in the Church, for the appointment, deposition, deprivation, or removal of any person bearing office therein, of whatever order or degree, any rights of the Crown to the contrary notwithstanding, and for the convenient and orderly management of the property, affairs and interests of the Church in matters relating to, and affecting only, the said Church and the officers and members thereof, and not in any manner interfering with the rights, privileges, or interests of other religious communities, or of any person or persons not being a member or members of the said United Church of England and Ireland: provided always, that such constitutions and regulations shall

apply only to the Diocese or Dioceses adopting the same.

II. The Bishops, Clergy, and Laity, members of the United Church of England and Ireland, in this Province, may meet in General Assembly within this Province, by such Representatives as shall be determined and declared by them in their several Dioceses; and in such General Assembly frame a constitution and regulations for the general management and good government of the said Church in this Province: provided always, that nothing in this Act contained shall authorize the imposition of any rate or tax upon any person or persons whomsoever, whether belonging to the said Church or not, or the infliction of any punishment, fine, or penalty upon any person, other than his suspension or removal from any office in the said Church, or exclusion from the meetings or proceedings of the Diocesan or General Synods; and provided also, nothing in the said constitutions or regulations, or any of them, shall be contrary to any law or statute now or hereafter in force in this Province.

This Act was extended to Nova Scotia by 33 V. Dom. c. 57, and to New Brunswick by 34 V. Dom. c. 58.

22 VICTORIA (CAN.) C. 139.

An Act to explain and amend the Act intituled

“An Act to enable the Members of the
United Church of England and Ireland in
Canada to meet in Synod.

Assented to 16th August, 1858.

Whereas doubt exists whether in the Act passed in the Session held in the nineteenth and twentieth years of Her Majesty's reign, intituled “An Act to enable the members of the United Church of England and Ireland in Canada to meet in Synod,” sufficient provision is made for the representation of the Laity of the United Church of England and Ireland in the Synods by the said Act

authorized to be held, and it is expedient that such doubts should be removed: therefore Her Majesty, by and with the advice and consent of the Legislative Council and Assembly of Canada, enacts as follows:

I. For all the purposes of the aforesaid Act, the Laity shall meet by representation; and until it shall be otherwise determined by the Synod in each Diocese, one or more delegates (not exceeding three in any case) may be elected at the annual Easter meetings in each Parish, Mission, or Cure within the Diocese, or in cases where there may be more than one congregation in any Parish, Mission, or Cure, then in each such congregation, or at meetings to be specially called for the purpose, by each Clergyman having a separate Cure of souls; and all laymen within such Parish, Mission, or Cure, or belonging to such congregation, of the full age of twenty-one years, who shall declare themselves in writing, at such meetings, 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 such election. Each delegate shall receive from the Chairman of the meeting a certificate of his election which he shall produce when called upon so to do, at the Synod; and the first meeting of such Synod shall be called by the Bishop of the Diocese at such time and place as he shall think fit; provided always, that no business shall be transacted by the Synod of any Diocese unless at least one-fourth of the Clergy of such Diocese shall be present, and at least one-fourth of the Congregations within the same be represented by at least one delegate.

II. All proceedings heretofore had in any Diocese under the aforesaid Act, which have been conformable to the provisions of this Act, shall be held to be valid, as if the same had taken place after the passing of this Act.

25 VICTORIA (CAN.) C. 86.

**An Act Incorporating the Synod of the
Diocese of Ontario.**

Assented to 9th June, 1862.

Whereas Her Majesty, by Her Royal Letters Patent, bearing date at Westminster, on the eighteenth day of February, in the twenty-fifth year of Her Majesty's Reign, was pleased to divide the Diocese of Toronto into two Dioceses, the one to be called the Diocese of Toronto, and the other the Diocese of Ontario, in the manner and with the limits and boundaries in the said Letters Patent mentioned; and whereas by an Act passed in the Session held in the nineteenth and twentieth years of Her Majesty's Reign, intituled "*An Act to enable the members of the United Church of England and Ireland to meet in Synod*," it is enacted as follows: "The Bishops, Clergy and Laity, members of the United Church of England and Ireland in this Province, may meet in their several Dioceses which are now or may hereafter be constituted in this Province, and in such manner and by such proceedings as they shall adopt, frame constitutions and make regulations for enforcing discipline in the Church, for the appointment, deposition, deprivation, or removal of any person bearing office therein; of whatever order or degree, any rights of the Crown to the contrary notwithstanding, and for the convenient and orderly management of the property, affairs and interests of the Church, in matters relating to and affecting only the said Church"; And whereas a Synod of the Diocese of Ontario hath recently been constituted, and hath prayed that the Bishop, Clergy, and Laity, members of the United Church of England and Ireland, within the said Diocese of Ontario, be incorporated as hereinafter mentioned; and whereas it would tend greatly to facilitate and promote the purpose of the said Synod, as set forth in the above recited Act, that the said Corporation should be created with the powers herein-

after mentioned, subject to the provisions hereinafter mentioned: Therefore Her Majesty, by and with the advice and consent of the Legislative Council and Assembly of Canada, enacts as follows:

I. From and after the passing of this Act, the Bishop, Clergy, and Laity, members of the said United Church of England and Ireland, within the Diocese of Ontario, shall be and are hereby declared to be a body corporate and politic in name and in deed, by the name of "The Incorporated Synod of the Diocese of Ontario," and shall have and are hereby invested with the like corporate rights, powers, patronage, and privileges, as by any Act or Acts of the Parliament of this Province are conferred on any Church Society incorporated in any Diocese of the United Church of England and Ireland in this Province; and to the said Corporation and to the members thereof, the several clauses and provisions of the said Acts shall apply in so far as may not be inconsistent with this Act.

II. The Synod of the Diocese of Ontario shall be composed and consist of the Lord Bishop of the Diocese, for the time being, the Priests and Deacons of the same, licensed by the Lord Bishop, and of Lay Representatives, to be elected and provided for by such Constitution and Regulations as the Synod has heretofore adopted, or shall from time to time enact; provided always, that the Chancellor and Registrar of the said Diocese may, with the consent of the Synod, be *ex-officio* members of the said Synod.

III. The Incorporated Synod of the Diocese of Ontario shall and may receive and take from the Church Society of the Diocese of Toronto, or from the Lord Bishop of Toronto, or from any other person whomsoever, any of the property, real or personal, held by them and of right belonging to the said Diocese of Ontario, and shall discharge the trusts relating thereto, and such Church Society, Lord Bishop of Toronto, and other person, shall thereupon be discharged from such Trusts.

IV. All lands situate within the limits of the Diocese of Ontario and the Diocese of Toronto, or elsewhere, and held by the Church Society of the Diocese of Toronto, or

by the Lord Bishop of Toronto, upon any special Trust or purpose for the benefit or advantage of any Church, Parsonage, Rectory, person, or party, or otherwise howsoever, of the United Church of England and Ireland, within the limits of the Diocese of Ontario, shall be and are hereby vested in the Incorporated Synod of the Diocese of Ontario.

V. All lands situate within the limits of the Diocese of Ontario, and now lawfully held by any person or corporation, upon any special use, trust, or purpose, for the benefit or advantage of any church, burying-ground, parsonage or rectory, or otherwise howsoever, of the United Church of England and Ireland, within the limits of the Diocese of Ontario, may, by such person or corporation, with the consent of the party beneficially interested, be transferred to the Incorporated Synod of the Diocese of Ontario.

VI. All lands, moneys, mortgages, or securities heretofore conveyed, paid, or assigned to the Church Society of the Diocese of Toronto, or to any other person for the benefit of the fund called the Episcopal Trust Fund, to be applied towards the support and maintenance of the Lord Bishop of the Diocese of Ontario, for the time being, shall be and the same are hereby vested in the Incorporated Synod of the Diocese of Ontario, and shall, by the said Incorporated Synod, be held upon, to and for the use, trust and purposes for which the same were heretofore held by the person or corporation holding the same; and the Incorporated Synod may take, have, hold and receive any and all moneys, mortgages, lands, and securities which shall hereafter be given, paid, devised or bequeathed to or otherwise acquired by said Incorporated Synod, for the benefit of said Episcopal Trust Fund.

VII. All lands, moneys, mortgages, and securities which, under the authority of this Act, shall be vested in the Incorporated Synod of the Diocese of Ontario, shall, by the said Incorporated Synod, be held upon, to and for the uses, trusts, interests, and purposes for which the same was heretofore held by the person or Corporation holding the same; and the said Incorporated Synod may sell and dispose absolutely of any such lands, mortgages, and securities as in this Act mentioned, or any

other lands, mortgages, and securities, which shall, after the passing of this Act, be received, held or acquired by the said Incorporated Synod, and shall have and hold the proceeds of such lands, mortgages and securities upon the same trust as the said lands, mortgages, and securities had been before held, and no purchaser shall be liable for the application of any moneys paid by him or any sale under the provisions of this Act.

VIII. The Lord Bishop of the said Diocese of Ontario, for the time being, shall have the administration of all lands and personalities vested in him or conveyed to him for the endowment of his See, or for the general uses of the said Church, or for the use of any particular Church or Chapel erected, or hereafter to be erected, or for the endowment of any Parsonage, Church, Chapel, Living, or for other uses or purposes appurtenant to such United Church in General, or to any particular Church or Parish, and shall, by and with the consent of the Incorporated Synod of the Diocese of Ontario, have power to sell, alien and transfer any lands or personalty vested in or conveyed to him for the general uses or purposes of the said See, or of the said Church, and shall also have power, by and with the consent and participation of the Rector or Incumbent, and the Corporation of the Parish wherein the same be situate, and by and with the consent of the Incorporated Synod of the Diocese of Ontario, to sell, alien, and transfer any land or personalty vested in or conveyed to him for the endowment of any Parsonage, or living, or for the uses or purposes appurtenant to any particular Church, Chapel or Parish; and the Parson or other Incumbent of any Parsonage, Church, Chapel, or Living, to whom any lands or personalty shall have been or may be hereafter conveyed for the endowment of such Parsonage, Church, Chapel or Living, shall have power to sell, alien and transfer the same, by and with the consent and participation of the Bishop of the said Church in the said Diocese for the time being, and by and with the consent of the said Synod of the said Diocese: Provided always, that the price or consideration of such sale, alienation, or transfer be applied to the uses and purposes for which the land or personalty so sold, aliened, or transferred, was conveyed; And provided also that such sales, alienation or transfer be not inconsistent with or contrary to the

conditions, uses or purposes of the deed of conveyance to the said United Church, or to any Bishop thereof, or to such Parson or Incumbent, as the case may be, of the land or personalty so to be sold, aliened, or transferred; And provided further, that this clause shall not authorize the sale of any land granted by the Crown to any Rectory within the said Diocese for the endowment thereof.

IX. All the powers of the said Incorporated Synod shall be exercised by and through the Synod of the said Diocese, and by such Boards and Committees as may, from time to time, be created by the said Synod and the said Synod shall have the power of forming, creating and reforming, at pleasure, such Boards and Committees, temporary or permanent, for the management of all or any of the affairs and property of the said Incorporated Synod by any By-law or By-laws from time to time to be passed, with such delegated powers of the said Synod as may be thereby, or by any other By-law or By-laws of the Synod, conferred upon such Boards or Committees; the appointment of the members of said Committees to be made by the Lord Bishop, unless otherwise ordered; and by the same or other By-laws to appoint and remove at pleasure, or provide for the appointment and removal of such and so many officers as may be required for any of the purposes aforesaid, and to define their duties and remuneration; and the production of any By-law of the Synod for all or any of the purposes aforesaid, under the seal of the Incorporated Synod, or of any copy thereof certified by the Clerical or Lay Secretary under the said Seal, shall be evidence in all Courts of Justice of the due passage of said By-law, and of the contents thereof, without further or other proof.

X. The Lord Bishop of the Diocese of Ontario, for the time being, shall be the head of the said Incorporated Synod, and the words "Incorporated Synod," when used in this Act, shall mean "The Incorporated Synod of the Diocese of Ontario," and the word "Synod," when used alone in this Act, or without the word "Incorporated," shall mean the "Synod of the Diocese of Ontario," referred to in the second clause of this Act.

XI. This Act shall be a Public Act.

R. S. O. (1887) C. 236.

An Act respecting Rectories.

Whereas the recognition of legal equality among all religious denominations is an admitted principle of colonial legislation; And whereas in the state and condition of this Province, to which such principle is peculiarly applicable, it is desirable that the same should receive the sanction of direct legislative authority, recognizing and declaring the same as a fundamental principle of the civil policy of this Province: Therefore Her Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

1. The free exercise and enjoyment of religious profession and worship, without discrimination or preference, provided the same be not made an excuse for acts of licentiousness, or a justification of practices inconsistent with the peace and safety of the Province, is by the constitution and laws of this Province assured to all Her Majesty's subjects within the same.

2. No letters patent shall be hereafter issued in this Province by the Crown for the erection of any Parsonages or Rectories, according to the establishment of the Church of England, or for the endowment thereof, out of the Clergy Reserves or the public domain, or for the presentation of any Incumbent or Minister to any such Parsonage or Rectory.

3. Nothing herein contained shall in any wise affect any proceedings heretofore had, whereby, certain Parsonages or Rectories were erected and endowed, or supposed to be erected and endowed by the authority of an Act of the Imperial Parliament passed in the thirty-first year of the reign of King George the Third, chapter thirty-one, intituled "*An Act to repeal certain parts of an Act passed in the fourteenth year of His Majesty's reign, intituled 'An Act for making more effectual provision for the Government of the Province of Quebec, in North America, and to make further provision for the Govern-*

ment of the said Province,' or whereby certain Incumbents or Ministers were presented, under the same authority, to such Parsonages or Rectories or any of them, but the legality or illegality of all such proceedings shall be adjudicated upon and determined as if this Act had not been passed.

4. The right of presenting an Incumbent or Minister to any such Parsonage or Rectory shall vest in and be exercised by the Synod of the Church of England Diocese within which the same is situated, or in such other person or persons, bodies politic or corporate, as such Synod, by any by-law or by-laws to be by them from time to time passed for that purpose, may think fit to direct or appoint in that behalf.

29-30 VICTORIA (CAN.) C. 16.

An Act to provide for the sale of the Rectory
Lands in this Province.

Assented to 15th August, 1866.

Whereas the Provincial Synod of the United Church of England and Ireland, in Canada, have by their petition prayed for the passing of an Act to give permission to the Incorporated Synods and Church Societies of the different Diocese of the said Church in this Province, to sell the Rectory Lands held in such Dioceses, by grant from the Crown; and whereas it is desirable to grant the prayer of such petition: Therefore Her Majesty, by and with the advice and consent of the Legislative Council and Assembly of Canada, enacts as follows:—

1. The Incorporated Synod of any Diocese of the United Church of England and Ireland, in Canada, or the Church Society of any Diocese, with the consent of the Synod of such Diocese, where such Synod is not incorporated, shall have full power and authority to sell

and absolutely dispose of any lands granted by the Crown in such Diocese, as a glebe of, or as appurtenant or belonging to, or appropriated for, any Rectory of the said Church in such Diocese, by whatever name the same may be called, or in whomsoever the title thereto may be vested; and any deed executed by such Incorporated Synod, or by such Church Society, shall vest in the purchaser a full, clear, and absolute title to the said lands, subject only to any leases thereof or rights granted therein, by competent authority prior to such sale, and also to any mortgage that may be executed thereof to secure all or any of the purchase money thereof; provided always, that such sale shall not affect the estate or interest of the Incumbent of such Rectory at the time of such sale, unless the consent in writing of such Incumbent to such sale be first given, and that without such consent the title vested in the purchasers by virtue of such deed, shall be subject to the estate and interest of the then Incumbent, in the lands so sold.

2. The proceeds of such sales, as the same may be from time to time paid, or as the same may come in from any investment, shall be invested in Government securities or county municipal debentures, and the interest arising from the said proceeds shall be paid to the Incumbent of the Rectory to which such lands belonged at the time of such sale, during the term of his Incumbency.

3. The proceeds of such sale shall be held by such Incorporated Synod or Church Society in trust, first to pay all expenses attending the management thereof; secondly to pay the interest of the money arising from such sale to the Incumbent of the Rectory to which such lands belonged at the time of such sale, during the term of his incumbency, if he has consented to such sale as aforesaid; and thirdly, after the death, retirement or removal of such Incumbent, to pay such interest, if the amount be sufficient therefor, to the Incumbent of such Rectory for the time being, as follows: In cities, to the extent of seven hundred and fifty pounds a year; in towns to the extent of five hundred pounds a year, and in townships to the extent of four hundred pounds a year; and any excess of interest beyond such annual payments shall be apportioned to and divided among the Incumbents of the other Churches of the said Church in the city, town,

or township in which said lands are situate, or to which such Rectory belonged in such proportion as such Incorporated Synod or Church Society, with the consent of such Synod, where not incorporated, shall by resolution, by-law, or canon, from time to time order and direct.

4. Nothing in this Act contained shall affect the right of presentation to any rectory, but such right of presentation shall continue to be exercised as it was before this Act was passed.

*5. The right to exercise the power of sale granted by this Act must be exercised within ten years from the passing thereof.

*This section is repealed, as respects the Diocese of Ontario, by the Act of the Legislature of Ontario, 39 Vic., c. 109, S. 5.

6. This Act shall apply only to those Rectories and rectorial lands which come within the provisions of the Act passed in the Session held in the fourteenth and fifteenth years of Her Majesty's Reign, chaptered one hundred and seventy-five.

7. This Act shall be deemed a Public Act.

29-30 VICTORIA (CAN.) C. 17.

An Act to amend the Act of the present Session intituled an Act to provide for the sale of the Rectory Lands in this Province.

Assented to 15th August, 1866.

Whereas it is expedient to amend the act of the present Session hereinafter mentioned: Therefore Her Majesty, by and with the advice and consent of the Legislative Council and Assembly of Canada, enacts as follows:—

1. The sixth section of the Act passed in the present Session of the Parliament of this Province, intituled an Act to provide for the sale of the Rectory Lands in this Province is hereby repealed, and the following section

shall be and is hereby substituted in lieu of the said section hereby repealed, and shall be taken and read as the sixth section of the said Act.

"6. This Act shall not apply to any lands granted by the Crown as sites for churches, parsonages, burial-grounds, or now occupied as such."

39 VICTORIA (ONT.) C. 109.

**An Act to amend the Synod and Rectory Sales
Acts affecting the Diocese of Ontario.**

Assented to 10th February, 1876.

Whereas the Incorporated Synod of the Diocese of Ontario have petitioned that the said Act may be amended and extended, and it is expedient to grant the prayer of the said petition:

Therefore Her Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. The Incorporated Synod of the Diocese of Ontario shall have full power and authority to make, and from time to time to amend, such canons, rules, regulations and by-laws as by the said Synod may be considered necessary in the exercise of the powers conferred upon the said Synod under the said Act Incorporating the Synod of the Diocese of Ontario, and also for the conduct of their proceedings, regulation of their members and all such other matters as may pertain to the proper and orderly discharge of their business; and the canons, rules, regulations and by-laws of the said Synod are hereby confirmed: And also, notwithstanding anything contained to the contrary in an Act of Parliament of the Province of Upper Canada, passed in third year of the reign of Her Majesty Queen Victoria, chaptered seventy-four

and known as "The Church Temporalities Act," or of an Act of the Parliament of the Province of Canada passed in the session held in the twenty-ninth and thirtieth years of the reign of her said Majesty, chaptered fifteen, and known as "The Church Temporalities Amendment Act," the said Synod shall have full power and authority to make by-laws and canons regulating existing vestries and their organization, and the duties of the churchwardens, and providing for the formation and organization of a vestry in every church erected or to be erected in the said Diocese, and also declaring and defining the duties and powers of vestries and of the churchwardens; and vestries and the churchwardens for the time being of any church erected or to be erected shall, until changed or modified by the by-laws or canons of the Synod, be subject to the provisions of the said "The Church Temporalities Act," and they and their successors may, as a corporation, hold such real estate as may be given, granted, or devised to them for the use of their church as a site for a church or parsonage or a schoolhouse, and may from time to time, with the approval of their vestry, signified by a resolution passed at a meeting of such vestry, and with the consent and approval of the executive committee of the said Incorporated Synod, mortgage such real estate for the purpose of raising money to be expended in the erection thereon of a church or parsonage, or a schoolhouse, as the case may be.

2. The said incorporated Synod may invest all or any of the funds entrusted to its care, including those derived from the sale of rectory lands, notwithstanding the Act passed in the session held in the twenty-ninth and thirtieth years of the reign of Her present Majesty, chaptered sixteen, and intituled "An Act to provide for the sale of Rectory Lands in this Province," in government securities, municipal debentures, the stocks of any permanent building society or in first mortgages of real estate: but nothing in this Act contained shall be construed to give the said Incorporated Synod power or authority to apply the income derived from any such investments otherwise than in strict accordance with the special trusts relating to such funds respectively.

3. Upon the death, retirement or removal of any incumbent of any rectory of the United Church of England and Ireland, in the Diocese of Ontario, the Incor-

porated Synod of the said Diocese shall have full power and authority to sell and absolutely dispose of any of the lands referred to in the said Rectory Act, passed in the session held in the twenty-ninth and thirtieth years of the reign of Her Majesty Queen Victoria, and chaptered sixteen, and belonging to any of the said Rectories; and any deed executed by such Incorporated Synod shall vest in the purchaser a full, clear and absolute title to the said lands, subject only to any leases thereof, or rights granted therein, by competent authority prior to such sale, and also to any mortgage that may be executed thereon to secure all or any of the purchase money thereof.

4. No incumbent of any such Rectories in the said Diocese, who may be inducted therein after the passing of this Act, shall receive, out of the proceeds of such sales, invested as in the said Rectory Act last mentioned, a sum larger than will, together with the rents, issues and profits of the lands of the said Rectory of which he is incumbent, then remaining unsold, amount to the sums following, that is to say: as to the Rectory of Kingston, the sum of three thousand dollars a year; as to the Rectory of Belleville, the sum of two thousand dollars a year; and as to the rectories of other townships, the sum of one thousand six hundred dollars; and all and any excess of interest arising from the proceeds of such sales and of the rents, issues and profits of the lands of such rectory respectively remaining unsold, beyond such annual payments aforesaid, shall be apportioned to and divided among the incumbents of the other churches of the said Church, in the city, town or townships in which the lands belonging to such rectory are situate, or which to such rectory belongs respectively, in such proportions as such Incorporated Synod, shall, by resolution, by-law or canon, from time to time order and direct.

5. Section five of said Rectory Act last mentioned is hereby repealed, so far as relates to the said Diocese of Ontario.

R. S. O. (1887) C. 237.

An Act respecting the Property of Religious Institutions.

Her Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. Where any religious society or congregation of Christians in Ontario desires to take a conveyance of land for the site of a church, chapel, meeting-house, burial-ground, residence for a minister, book-store, printing or publishing-office, or for any other religious or congregational purpose whatever, such society or congregation may appoint trustees, to whom, and their successors, to be appointed in such manner as may be specified in the deed of conveyance, the land requisite for all or any of the purposes aforesaid may be conveyed; and such trustees and their successors in perpetual succession, by the name expressed in the deed, may take, hold, and possess the land, and maintain and defend actions for the protection thereof, and of their property therein.

2. Any congregation or society of Christians entitled to the benefit of any lands held under the provisions of this Act, or otherwise, may from time to time, by a resolution passed by a two-thirds vote of the persons entitled to vote in respect of the appointment of trustees, increase or decrease the number of trustees by the deed or otherwise to be appointed for the purpose of holding such lands; or may in like manner fix the number of trustees in case the deed makes no provision as to their number.

3. No such resolution shall be passed unless the said meeting has been duly notified in the same manner as a meeting for the election of trustees for such lands is required to be notified, or unless notice has been given at the time of such notification that a proposal for increasing (or decreasing or determining, as the case may be) the number of the trustees, will be considered at the meeting.

4. In case the resolution passed provides for the appointment of more trustees than are authorized by the deed, or more than there are in fact if the number is not limited by the deed, the same shall take effect forthwith; and the additional trustees to be appointed may be elected at the meeting at which the resolution is passed or at a subsequent meeting: if the resolution provides for a smaller number of trustees than the deed provides for, then the resolution shall not take effect until vacancies occur, by death or otherwise, reducing the number of trustees to the number provided for by the resolution; and no other trustees shall be appointed under the authority of this Act until the number of trustees has been reduced as aforesaid below the number authorized by the resolution.

5. A record of the proceedings of the meeting shall be made out in writing, and entered and transcribed in the minute book or other official register of the acts and proceedings of the congregation or society, and shall be signed by the chairman and secretary thereof, and shall thereafter be deposited on record among the archives of the congregation or society, and a copy of such record, certified to be a true copy by the chairman or secretary, on oath (or affirmation) before a Justice of the Peace, may be recorded in the Registry Office of the Registry Division in which the property is situate.

6. A copy of such proceedings taken from the minute book or other official register of the congregation, and certified by the clerk or custodian of the records of the congregation, or a copy certified by the Registrar of the Registry Division wherein the same has been registered under the preceding section, shall be *prima facie* evidence of the contents thereof.

7. The provisions contained in the preceding five sections of this Act shall not be construed so as in any way to repeal, alter, affect, or vary any of the provisions in any special Act contained with reference to any religious body or congregation of Christians in this Province.

8.—(1) Where a debt has heretofore been or is hereafter contracted for the building, repairing, extending or improving of a church, meeting-house, chapel, book-store,

printing-office or other building, on land held by trustees for the benefit of any religious society in Ontario, or for the purchase of the land on which the same has been or is intended to be erected, the trustees, or a majority of them, may from time to time secure the debt or any part thereof, by a mortgage upon the land, church, meeting-house, chapel, book-store, printing-office or other building; or may borrow money to pay the debt or part thereof, and may secure the repayment of the loan and interest by a like mortgage upon such terms as may be agreed upon.

(2) The authority conferred by this section to mortgage land as security for a debt contracted for the building, repairing, extending or improving of a church, meeting-house, chapel, book-store, printing-office or other building on land held for the benefit of the society, shall extend to any land so held, although the church or other building, in respect of which the debt is contracted, is not erected on the said land.

9. The grantees in trust named in any Letters Patent from the Crown, or the survivors or survivor of them, or the trustees for the time being appointed in manner prescribed in the Letters Patent, whereby lands are granted for the use of a congregation or religious body, and any other trustees for the time being entitled by law to hold lands in trust for the use of a congregation or religious body, may lease, for any term not exceeding twenty-one years, lands so held by them for the use of a congregation or religious body, at such rents and upon such terms as the trustees or a majority of them deem reasonable.

10. In such lease the trustees may covenant or agree for the renewal thereof at the expiration of any or every term of years, for a further term of twenty-one years or a less period, at such rent and on such terms as may then, by the trustees for the time being, be agreed upon with the lessee, his heirs, executors, administrators or assigns, or may consent or agree for the payment to the lessee, his executors, administrators or assigns, of the value of any buildings or other improvements which may at the expiration of any term be on the demised premises; and

th mode of ascertaining the amount of such rents or the value of such improvements may also be specified in the original lease.

11. The trustees shall not so lease without the consent of the congregation or religious body for whose use they hold the land in trust, and such consent shall be signified by the votes of a majority of the members present at a meeting of the congregation or body, duly called for the purpose; nor shall the trustees lease any land which, at the time of making the lease, is necessary for the purpose of erecting a church or place of worship or other building thereon, or for a burial-ground for the congregation for whose use the land is held.

12. The trustees for the time being entitled by law to hold land in trust for a congregation or religious body, may, in their own names, or by any name by which they hold the land, sue or distrain for rent in arrear, and may take all such means for the recovery thereof as landlords in other cases are entitled to take.

13.—(1) Where land held by trustees for the use of a congregation or religious body becomes unnecessary to be retained for such use, and it is deemed advantageous to sell the land, the trustees for the time being may give public notice of an intended sale specifying the premises to be sold and the time and terms of sale; and after publication of the notice for four successive weeks in a weekly paper published in or near the place where the lands are situated, they may sell the land at public auction according to the notice; but the trustees shall not be obliged to complete or carry a sale into effect, if in their judgment an adequate price is not offered for the land; but this provision shall not affect or vary any special powers or trusts for sale contained in any deed or instrument, and inconsistent herewith.

(2) The trustees may thereafter sell the land either by public or private sale; but a less sum shall not be accepted at private sale than was offered at public sale.

14.—(1) Before any conveyance is executed in pursuance of a public or private sale, the congregation or religious body for whose use the lands are held shall be

the time being, provided always that it shall be the duty of the Prolocutor to read to the House the message immediately on its receipt, and the House may by its vote, without discussion, decide on proceeding to its consideration at once.

13. The Upper House may direct the Lower to appoint a Committee to report to the Upper on any subject on which they may desire the judgment of the Lower, or to appoint their portion of a joint committee; or may summon the Lower to a conference.

14. Messages from the Upper House shall be delivered by an officer of the Upper to the Secretary of the Lower, by whom they shall be communicated to the Prolocutor, who shall communicate them to the House.

15. The Lower House may present to the Upper any matter which they conceive to be a grievance or to require amendment, even when they have no proposition to make on the same; and the Upper House shall thereupon place it in order for consideration, with a view of providing a remedy; and shall, before the conclusion of the session, declare to the Lower House the result.

16. The Prolocutor shall have the right of admission personally or by Committee to the Upper House, to communicate the desire or decisions of his House; and in such case he shall ascertain by message when he or the Committee can conveniently be received in the Upper House, and act accordingly.

17. It shall be competent to the Lower House to request a Joint Committee or Conference on any special object, beyond those submitted to it by the Upper House, or to propose for discussion any specific measure; to which request an answer shall be given; but it shall be at the option of the Upper House to accede to their request or not.

18. When either House shall desire a Conference with the other, or a Joint Committee, the reason for either shall be agreed to by the House desiring it, and communicated in writing to the other; the Prolocutor personally or by committee in either case proceeding to the Upper House either to deliver or to receive such reasons.

19. When either House shall have come to a decision upon any subject in which the other House is concerned, it shall communicate its decision to the other.

20. If the Lower House should not concur in a decision of the Upper, they shall, in stating their non-concurrence, state their reason; and may either propose an amendment, or request the Upper House to suggest an amendment to meet their reason, or request a conference.

21. If the Upper House should not concur in a resolution or decision of the Lower House, they may, in stating their non-concurrence, either state their reasons or not; and may either propose an amendment, or request the Lower House to prepare an amendment, or appoint a conference, to which the Lower House shall always give attention.

22. The Conference may be either by deputation from both Houses, or by deputation from the Lower House, or by open conference, as the Upper House may think fit; and the place shall be appointed by the President.

23. No proposition shall be considered as sanctioned by the Provincial Synod, until it has received the separate sanction of both Houses, which shall be declared by the President in writing.

24. Committees, whether of either House, or of the two Houses, may hold their meetings either during recesses in the session, or during the prorogation of the Synod.

25. No alteration of the Constitution or Canons shall come into operation until it has been confirmed at a second session of the Provincial Synod.

26. Each meeting of the Synod shall be preceded or commenced by Morning Prayer and a Sermon, if so ordered by the Metropolitan, and on the first day of such meeting the Holy Communion shall be administered.

27. The business of each day shall be commenced by prayer for the Divine guidance and blessing, according to a form authorized by the House of Bishops.

Proceeding upon these principles, which, as we humbly thank God, were, under his good guidance, first among the Colonial Churches publicly set forth amongst ourselves, and have been sustained by the acceptance of our brethren through a large part of the Colonial Dominions of our Beloved Queen, we firmly rely and depend upon His continued blessing and guidance, and we humbly pray that He, who is the God of unity and peace, may ever be with us, and so chasten our affections, purify our motives, and guide our judgment, that we may be enabled to contribute to the efficiency, concord and stability of the Church in this land.

CONSTITUTION OF THE PROVINCIAL SYNOD.

1. The Provincial Synod shall consist of the Bishops of the Church of England in Canada, having Sees within the Ecclesiastical Province of Canada, presently composed of the Provinces of Ontario, Quebec, Nova Scotia, Prince Edward Island and New Brunswick, or executing by due authority the Episcopate as assistant or Missionary Bishops therein and of Delegates chosen from the Clergy and from the Laity.

2. The Bishops shall deliberate in one house, and the delegates from the Clergy and Laity in another; and each House shall hold its sittings either in public or in private, at its own discretion.

3. The Clerical and Lay Delegates shall consist of twelve of each order from each Diocese.

4. The Synod shall meet on the second Wednesday in September in every third year, or oftener, at the discretion of the Metropolitan; or on the requisition of any two Bishops, or of the Bishop and half the Delegates of each order in any Diocese.

5. In a vacancy of the Metropolitan See, a meeting may be called at the appointed period, or on either of the above requisitions, by the Senior Bishop of the Ecclesiastical Province of Canada.

6. A Quorum of the Synod shall consist of not less than a majority of the Bishops, and not less than one-fourth of the members of each order of the Lower House.

7. The Metropolitan, or some Bishop appointed by him, shall be the President of the Upper House; and in the vacancy of the See, or in the event of inability, from any cause, or on failure of the Metropolitan to appoint a Bishop as President, the House of Bishops shall elect one of their own number to preside.

8. The Lower House shall be presided over by their Prolocutor, to be chosen *viva voce* on motion of any member of the House.

9. Each House shall appoint a Secretary or Secretaries, who shall keep regular accounts of all proceedings in their own House, shall preserve memorials or other documents under the direction of the President and Prolocutor, shall attest all Public Acts of the Synod, and deliver over all records and documents to their successors. The printed Journal of each Session, certified by the signatures of the Prolocutor and the two secretaries of the Lower House, to a statement attached to one or more copies declaring the number of pages in the said Journal and the number of words corrected, with the words so corrected, shall be held to be the true and authentic Record of the Proceedings of each Session.

10. The expenses of the Synod shall be provided for, and its financial concerns managed by a Committee of the Lower House, after a manner to be approved by both Houses.

11. Each House shall establish its own order of proceedings and Rules of Order, and may publish such of its proceedings as may appear advisable.

12. The Upper House shall propose to the Lower any business they may desire to have treated of or decided; and it shall be incumbent on the Lower House to take up and dispose of such business immediately after the subject under consideration shall have been disposed of for

Provincial Synod.

DECLARATION OF PROVINCIAL SYNOD.

We, the Bishops of the United Church of England and Ireland, within the Province of Canada, together with the Delegates from the Clergy and Laity of the Diocesan Synods now assembled in the first Provincial Synod under royal and constitutional authority, 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 Province, desire to express our most humble and hearty thanks to Almighty God, that it has pleased Him in His Providence to set over us a Metropolitan, and thus to enable us, as in the ancient days, to assemble as one body, under the direction of His Holy Spirit, whose aid we now invoke, and in the name of His only begotten Son, for the consolidation and advancement of His Kingdom in this Province.

Before entering on the business for which we are at present assembled, we desire publicly to declare the principles on which we propose to proceed.

We desire the Church in this Province to continue, as it has been, an integral portion of the United Church of England and Ireland.

As members of that Church, we recognize the true Canon of Holy Scripture as set forth by that Church, on the testimony of the Primitive Catholic Church, to be the rule and standard of Faith: we acknowledge the book of Common Prayer and Sacraments, together with the Thirty-nine Articles of Religion, to be a true and faithful declaration of the doctrines contained in Holy Scripture; we maintain the form of Church government by Bishops, Priests and Deacons, as Scriptural and Apostolical, and we declare our firm and unanimous resolution, in dependence on Divine aid, to preserve those doctrines and that form of government, and to transmit them to our posterity.

In particular we maintain the ancient doctrine of our Church, that the Queen is rightfully possessed of the chief government and supremacy over all persons within her dominions, whether ecclesiastical or civil, as set forth in the 37th of the Articles of Religion, and we desire that such supremacy should continue unimpaired.

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

We conceive that the following, or such like objects, may fitly come under our consideration, and lead to action on our part:

1. To form a Constitution for this Synod, and to regulate the time and place of the meetings, and the order and manner of its proceedings.
2. To provide for the proper exercise of Ecclesiastical Discipline, in regard to both Clergy and Laity, by modifying and enacting Canons, and by establishing and ordering a Court of Appeal.
3. To provide, with the consent of the Crown,* (when needed), fit regulations for the appointment of Bishops, Priests and Deacons, in accordance with the Canons of the Universal Church.
4. To provide, with the consent of the Crown, for the division of the Province into new Dioceses, as occasion may require.
5. To procure from the Colonial Legislature any Laws or modification of laws which the circumstances of the Church may require.
6. To promote the further consolidation and united action of the whole of the Dioceses of British North America.

CONSTITUTION AND CANONS

—OF THE—

PROVINCIAL SYNOD.

TRIAL.

XV. When a presentment shall have been made by the Board of Inquiry, or the majority thereof, it shall be the duty of the Bishops receiving it to make arrangements for the trial of the accused.

XVI. The Court shall be formed of the Bishops of the Ecclesiastical Province, the majority of whom, excluding the accuser if he be a Bishop, and the accused, must be present. And the rules of evidence to be followed on the trial shall be those of the Civil Courts of the Province within which the trial takes place; provided always that the accusers and accused may respectively give evidence.

XVII. The Bishop to whom the presentment is made shall summon all the Bishops of the Province, other than the accuser and accused, to attend at an appointed time and place, and it shall be the duty of every Bishop so summoned to attend, unless he be excused for reasonable cause to be approved by the Metropolitan, or by the Bishop senior by consecration.

He shall also within two weeks summon the accused Bishop, by written notice to be sent by mail within two weeks from the receipt of the presentment, addressed to his usual or last place of residence in his diocese, to appear and answer at the time and place so appointed, and shall also give the like notice to the complainants, requiring them to attend at the same time and place to substantiate their charges.

XVIII. The time appointed for trial shall be within three calendar months, and not less than one month from the day on which the summons was mailed, and the place shall be within the diocese of the accused Bishop.

XIX. The Bishops shall appoint a legal assessor at the time of trial, but such assessor shall not vote in any case whatever.

XX. If the accused refuse or neglect to appear, then the Court shall proceed *ex parte* to pronounce him in contumacy, and after hearing the evidence adduced pronounce judgment in the case.



XXI. The accused and the accusers may appear by counsel.

XXII. The decision of the Court on all the charges shall be reduced to writing and signed by a majority of those members of the Court by whom the case has been heard.

XXIII. The sentence of the Court, if the accused be found guilty, shall be either admonition, suspension for a definite period, deposition or removal from office in the said Church, and in the case of deposition or removal from office, with a cessation of all rights to the temporalities of the see. ●

XXIV. The judgment of the Court shall be communicated to every Bishop of this Ecclesiastical Province, to the Provincial Synod and to the Synod of the Diocese of the accused Bishop, and the said Synods shall forthwith proceed to enter and record such judgment.

A full record of the proceedings of every such trial shall be kept by the House of Bishops.

CANON V.—COURT OF APPEAL OF THE
METROPOLITAN.

<i>Passed</i>	<i>2nd Session, 1862.</i>
<i>Confirmed</i>	<i>3rd " 1865.</i>
<i>Amended</i>	<i>10th " 1880.</i>
<i>Confirmed as amended</i>	<i>12th " 1883.</i>

HOW CONSTITUTED.

The House of Bishops, presided over by the Metropolitan, or President of the Upper House, or Senior Bishop in their absence, with three Assessors to be appointed as hereinafter enacted, shall be the Court of Appeal from the judgment of any Diocesan Court.

IV. Accusers may choose a lay advocate in preparing proofs and charges, &c., or they may prepare such charges themselves, and in either case the grounds of accusation must be set forth with reasonable certainty of time, place and circumstances.

CHARGES, TO WHOM TO BE DELIVERED.

V. Charges prepared in either of the modes mentioned shall be delivered to the Metropolitan, if he be not the accused; if he be the accused, the charges shall be delivered to the Bishop Senior by consecration.

VI. Accusers must give security to the accused in a bond with sufficient sureties to be approved by the Registrar of the Court of appeal of the Metropolitan in the penal sum of one thousand dollars, conditioned to secure the accused for his costs in case he be acquitted on the charge, or the charges be not proceeded with.

BOARD OF INQUIRY, HOW CONSTITUTED.

VII. The House of Bishops at each meeting of the Provincial Synod shall appoint a Board of preliminary inquiry, not exceeding nine persons, all being communicants of this Church, the majority of whom shall form a quorum who shall act as such, until the next meeting of the Synod, provided always that no person who has joined in making the charges shall act upon the Board.

NOTICE TO MEMBERS.

VIII. The Metropolitan or Senior Bishop, as the case may be, shall on receipt of such charges give notice thereof to said Board, and direct them severally to attend at the time and place designated by him, and to organize the Board, and it shall be the duty of each member so notified to attend. The place of meeting must be within the Diocese of the accused.

The Metropolitan or Senior Bishop shall send at the same time a copy of the charges to each member of the Board and also to the accused.

IX. The sittings of the Board shall be private.

X. All evidence shall be taken down in writing and signed by the witnesses. Two witnesses shall be necessary to the proof of any charge, and the Bishop charged, and the person making the charge, may respectively give evidence before the Board.

PRESENTMENT.

XI. If the majority of the Board present shall be of opinion that there are sufficient grounds to put the accused Bishop on his trial, they shall direct the Chairman to prepare a presentment, to be signed by such of the Board as agree thereto.

XII. The Chairman shall transmit to the Metropolitan or Senior Bishop from whom their charges were received, the presentment thus signed, together with the evidence on which it is based; and the said Bishop shall send to the accused Bishop a copy of the same.

XIII. If a majority of the board present shall be of opinion that there is not sufficient ground to put the accused Bishop on his trial, they shall report thereon in writing to the Metropolitan or senior Bishop, and in such case the charges, together with the certificate of the Metropolitan, or Bishop senior by consecration, of the refusal of the board to make a presentment, shall be prepared in duplicate; one to be sent to the secretary of the Provincial Synod, to be deposited among the Archives of the Synod, and the other to the secretary or secretaries of the Diocesan Synod, of the diocese where the Bishop has been so charged; no proceedings shall be had thereafter by way of presentment on such charges.

LIMITATIONS OF TIME.

XIV. No presentment shall be made in any case unless the alleged offence shall have been committed within two years next before the day on which the charges were delivered to the Metropolitan or Bishop senior by consecration, except the charge be of such a nature that it would subject the accused to indictment before the criminal courts.

mission to the Canons of the Provincial Synod, and of the Synod of the Diocese of such Bishop, in the following form:

I, (A.B.,) do willingly subscribe to and declare that I assent to and abide by the Canons which have been, or shall be, from time to time passed by the Provincial Synod, or the Synod of the Diocese of.....

CANON VII.—ON THE POWERS OF THE METROPOLITAN.

Passed 3rd Session, 1865.

The Metropolitan shall have precedence over all the other Bishops of the Canadian Diocese and the said other Bishops shall be his Suffragans.

2. The Metropolitan shall preside over the House of Bishops, and shall convene the Provincial Synod and be the President thereof.

3. Upon a memorial signed by two-thirds of the Clerical and Lay Members of any Diocesan Synod, certified to be such by the Clerical and Lay Secretaries of such Diocesan Synod, requesting the Metropolitan Bishop to exercise visitatorial power in such Diocese, the said Metropolitan Bishop shall have full power and authority to visit such Diocese and the Bishop thereof, and during such visitation to inhibit the exercise of all or such parts of the ordinary jurisdiction of such Bishop, as to him the Metropolitan Bishop shall seem expedient, and during the time of such visitation to exercise by himself or his commissaries, such powers, functions and jurisdiction in and over the said Diocese as the Bishop thereof might have exercised, if he had not been inhibited from exercising the same.

CANON IV.—ON THE TRIAL OF A BISHOP.

OFFENCES FOR WHICH A BISHOP MAY BE TRIED.

<i>Passed</i>	<i>3rd Session, 1865.</i>
<i>Amended</i>	<i>9th " 1877.</i>
<i>Confirmed as amended</i>	<i>10th " 1880.</i>

1. Any Bishop of this Ecclesiastical Province may be tried, if charged with any of the following offences:—

(1). Crime or immorality.

(2). Advisedly holding and teaching, whether publicly or privately, any doctrine contrary to that held by the Canadian branch of the Church of England.

(3). Wilful violation of the constitution or canons of the Provincial Synod.

(4). Wilful violation of the constitution or canons of his Synod.

II. No charge against a Bishop shall be made except in writing, and it shall be signed either by a Bishop of this Church, or of one in communion therewith, not under suspension, deprivation or degradation; or by seven male communicants of this Church in good standing, of whom at least three shall be priests.

ACTION ON RUMORS.

III. Whenever a Bishop of this Ecclesiastical Province shall have reason to believe that there are in circulation rumors, reports or charges affecting his moral or religious character, he may, if he please, acting in conformity with the written advice and consent of any two of his brother Bishops, demand of the Metropolitan, or if the Metropolitan be the Bishop affected by such rumor, then of the Bishop Senior by consecration, to convene a Board of Inquiry in the mode hereinafter set forth.

28. The election of the Clerical and Lay Delegates shall be certified under the hand and seal of the Bishop of the Diocese which they represent, or, in the absence of the Bishop, the Chairman of the Synod; and such certificate shall be final and conclusive: which certificate shall be forwarded by the Secretaries of the Diocesan Synod to the Secretaries of the Lower House of the Provincial Synod within fourteen days after said election; and in case any of the said Delegates mentioned in such certificate shall be unable to attend, a certificate signed by the Bishop, or in his absence by the Clerical Secretary of the Diocesan Synod, that (A.B.) being a Clerical or Lay Delegate from his Diocese is unable to attend, and that (C.D.) is authorized by vote of the Synod of that Diocese to fill his place as Delegate, shall be final and conclusive, whether presented before or during the Session of this Synod.

CANON I.—CANON OF THE ELECTION OF
THE METROPOLITAN BISHOP.

<i>Passed,</i>	<i>3rd Session, 1865.</i>
<i>Confirmed</i>	<i>4th " 1868.</i>
<i>Amended</i>	<i>5th " 1871.</i>
<i>Confirmed as amended</i>	<i>8th " 1874.</i>

1. From and after the day on which the See of Montreal shall next become vacant, the Bishop of Montreal shall not, by virtue of his office as such, be the Metropolitan of this Ecclesiastical Province.

2. After the expiration of three months, and not later than the expiration of six months after the next and every subsequent avoidance of the Metropolitan See, the Bishops of the said Province shall meet under the presidency of the senior Bishop, or in case of his inability to act, under the Presidency of the Bishop next in order of seniority, and it shall be his duty to summon them to that end, at some place within the Ecclesiastical Province,

by giving at least six weeks' notice of the time and place of meeting, and elect one of their number to be president of the House of Bishops, and the Bishop so elected shall thereupon *ipso facto* be the Metropolitan Bishop, and shall have, possess and exercise any prerogatives which the Metropolitan Bishop in the said Province now has, possesses and exercises, or may or can have, possess and exercise, any law, usage or custom of the said Province to the contrary in any wise notwithstanding.

3. The see of the said Bishop so elected as aforesaid, shall be the Metropolitan See of the Said Province, but the City of Montreal shall be, as it presently is, the place of the Meeting of the Provincial Synod of the said Province.

4. Until the election of the said Metropolitan Bishop, the said Senior Bishop shall, after each such avoidance aforesaid of the Metropolitan See, be vested with all the rights, powers, privileges, and prerogatives of Metropolitan Bishop aforesaid.

5. All rules, regulations, canons or other provisions of law of the said Province inconsistent with the foregoing provisions, shall be and the same are hereby repealed.

6. In such election of the Metropolitan Bishop, it shall be necessary that a majority of all the Bishops of the Dioceses in the Ecclesiastical Province of Canada concur either by actual vote at the meeting called for such election or else in writing under their hand and seal.

CANON II.—OF SUBMISSION OF CLERGY TO
THE CANONS OF THE PROVINCIAL AND
DIOCESAN SYNODS.

Passed 3rd Session, 1865.

No Bishop within this Province shall hereafter grant his license to any Clergyman to the cure of souls until such clergyman has first subscribed and declared his sub-

THE FOLLOWING STATUTES ALSO AFFECT
ECCLESIASTICAL RIGHTS AND CHURCH
PROPERTIES IN THIS PROVINCE.

The Imperial Act 31 George III, chap. 31, known as the Constitutional Act—Sections 36, 38, 39, and 40.

The Imperial Act, 30 and 31 Victoria, chap. 3, known as "The British North America Act, 1867, sec. 92," conferring upon the Provincial Legislature the exclusive power of making laws as to "The Solemnization of Marriage in the Province," and as to "Property and Civil Rights in the Province."

The Act introducing the English Law as the rule of decision in all matters of controversy relating to Property and Civil Rights—32 George III, chap. 1, sec. 6 (U. C.)

The Act Incorporating the Church Society of the Diocese of Huron—22 Victoria, chap. 65 (Can.)

The Act to confirm and legalize a certain agreement entered into between the Church Societies of the Dioceses of Toronto and Huron—24 Victoria, chap. 125 (Can.)

The Act to amend the Act Incorporating the Church Society of the Diocese of Toronto—28 Victoria, c. 54 (Can.)

The Act to extend the operation of the Synod Acts to the Province of Nova Scotia—33 Victoria, chap. 57 (Dom. of Can.)

The Act to extend the operation of the Synod Acts to the Province of New Brunswick—34 Victoria, chap. 58 (Dom. of Can.)

The Railway Act of Canada—51 Victoria, chap. 29, Sections 138, 142 and 143 (Dom. of Can.)

Chapter 30 of the Revised Statutes of Ontario (1887) respecting the Clergy Reserves.

Chapter 170 of the Revised Statutes of Ontario respecting Railways, Sections 13, 14 and 17.

The Act Incorporating the Synod of the Diocese of Toronto, and to unite the Church Society therewith—32 Victoria, chap. 51 (Ont.)

The Act to confer on the Bishop and Incumbent of the Diocese of Toronto similar powers to those held by the Bishop and Incumbent of the Diocese of Ontario—34 Victoria, chap. 79 (Ont.)

The Act to incorporate the Synod of the Diocese of Huron, and to unite the Church Society of the Diocese of Huron therewith—38 Victoria, chap. 74 (Ont.)

The Act to incorporate the Synod of the Diocese of Niagara—39 Victoria, chap. 107 (Ont.)

The Act to amend the Synod and Rectory Sales Acts affecting the Diocese of Toronto—41 Victoria, chap. 69 (Ont.)

The Act respecting the Synod of the Diocese of Huron—47 Victoria, chap. 86 (Ont.)

The Act respecting Churchwardens in the Diocese of Toronto—47 Victoria, chap. 89 (Ont.)

The Act to amend the Synod and Rectory Sales Acts affecting the Diocese of Toronto—47 Victoria, chap. 90 (Ont.)

The Act to incorporate the Bishop of the Diocese of Algoma—48 Victoria, chap. 88 (Ont.)

The Act to simplify the sales of Property held in trust for the Church of England in the Diocese of Toronto—52 Victoria, chap. 97 (Ont.)

FORMS OF CONVEYANCE.

TO THE BISHOP.

WITH BAR OF DOWER.

THIS INDENTURE, made in duplicate the.....
day of.....in the year of Our Lord one
thousand eight hundred and.....in pursuance
of the Act respecting Short Forms of Conveyances,
BETWEENof the.....
of.....in the County of.....
in the Province of Ontario,of the
first part.....*his wife*, of the second
part; and the Right Reverend.....
Lord Bishop of Ontario, in the said Province of Ontario,
of the third part: WITNESSETH, that whereas the
said.....is desirous of conveying
the *parcel* or *tract* of land and premises hereinafter par-
ticularly described, to the said.....
Lord Bishop of Ontario, and to his successors, to the
uses and upon the trusts hereinafter declared, according
to the provisions of an Act of the Parliament of the
Province of Upper Canada, passed in the third year of
the reign of Her Majesty Queen Victoria, intituled "An
Act to make provision for the management of the
Temporalities of the United Church of England and Ire-
land in this Province, and for other purposes therein
mentioned."

Therefore, in consideration of.....
of lawful money of Canada now paid by the said party of
the third part to the said *party* of the first part, the receipt
whereof is hereby acknowledged, the said *party* of the
first part, for the purposes aforesaid, *doth* grant unto the
said Lord Bishop of Ontario, and to
his successors, in fee simple, all and singular that certain
parcel and *tract* of land and premises situate and being
in the.....of.....in the County of.....

in the said Province of Ontario, containing.....
be the same more or less, and being composed of
.....which said parcel or tract of land
is bounded and described as follows, that is to say:
..... (*describe the land*)
To the uses and upon the trusts following, and subject to
the provisions of "The Act incorporating the Synod of
the Diocese of Ontario,"
.....
(*Here insert the Trusts*).

The said *party* of the first part *covenants* with the
said *party* of the third part, That *he has* the right to con-
vey the said *land* to the said *party* of the third part not-
withstanding any act of the said *party* of the first part.

And that the said *party* of the third part shall have
quiet possession of the said *land*, free from all incum-
brances.

And that the said *party* of the first part will execute
such further assurances of the said *land* as may be
requisite.

And that the said *party* of the first part *has* done no
act to incumber the said *land*.

And the said *party* of the first part *releases* to the
said *party* of the third part all *his* claims upon the said
land.

And the said *party* of the second part, *wife* of the said
party of the first part, hereby *bars her* dower in the said
land.

In witness whereof, the parties hereto have hereunto
set their hands and seals.

Signed, sealed and delivered
in the presence of

..... [L.S.]
..... [L.S.]
..... [L.S.]

TO THE SYNOD OF THE DIOCESE OF ONTARIO

WITH BAR OF DOWER.

THIS INDENTURE, made in duplicate the.....
day of.....in the year of Our Lord one
thousand eight hundred and....., in pursuance
of the Act respecting Short Forms of Conveyances,
BETWEEN.....of the first part,
The Incorporated Synod of the Diocese of Ontario, of
the second part, and
.....wife of the said party of the first part,
of the third part:

WITNESSETH, that whereas the said.....
.....is desirous of conveying the *parcel* or
tract of land and premises hereinafter particularly des-
cribed, to "*The Incorporated Synod of the Diocese of*
Ontario," aforesaid, to the uses and upon the trusts
hereinafter declared:

THEREFORE, in consideration of.....
.....of lawful money of Canada,
now paid by the said parties of the second part to the
said *party* of the first part, the receipt whereof is hereby
by *him* acknowledged, *he* the said *party* of the first part
doth grant unto the said parties of the second part in fee
simple, all and singular *that* certain *parcel* or *tract* of land
and premises situate, lying and being in the
..... (*describe the land*)
to the uses and upon the trusts following and subject to
the provisions of the Act incorporating the Synod of the
Diocese of Ontario,—upon trust, etc.

(*Here insert the trusts.*)

The said *party* of the first part *covenants* with the said
parties of the second part That *he* has the right to convey
the said *land* to the said parties of the second part, not-
withstanding any act of the said *party* of the first part.

And that the said parties of the second part shall have
quiet possession of the said *land*, free from all incum-
brances.

And that the said *party* of the first part will execute
such further assurances of the said *land* as may be
requisite.

And that the said *party* of the first part *has* done no act to incumber the said *land*.

And the said *party* of the first part *releases* to the said party of the second part all *his* claims upon the said *land*.

And the said *party* of the third part, *wife* of the said party of the first part, hereby *bars* her dower in the said *land*.

IN WITNESS WHEREOF, the parties hereto have hereunto set their hands and seals.

Signed, sealed and delivered,
in the presence of

..... [L.S.]
..... [L.S.]
..... [L.S.]

TO A RECTOR OR INCUMBENT OF A LIVING.

WITH BAR OF DOWER.

THIS INDENTURE, made in duplicate the..... day of..... in the year of our Lord one thousand eight hundred and, in pursuance of the Act respecting Short Forms of Conveyances, BETWEEN..... of the Township of..... in the County of..... in the Province of..... of the first part his wife, of the second part; And the Reverend..... of the..... in the County of..... in the said Province, Clerk, Rector (or Incumbent) of..... in the said..... and within the Diocese of Ontario, in the said Province of Ontario of the third part: [*describing the Rectory carefully in accordance with the Patent constituting the Rectory; or, where the Church is not the Church of a Rectory or Parish, say—a Clergyman in holy orders of the Church of England in Canada, serving and doing duty in the Church called..... (where the Church can be described by a particular name) situated upon Lot number..... in the Concession of the Township of..... in the said County of within the Diocese of Ontario.*]

WITNESSETH, that whereas the said.....
.....is desirous of conveying the
parcel or tract of land and premises hereinafter particu-
larly described, to the said.....
.....and to his successors in the said
Rectory [*Church, Mission, or Living*], to the uses and
upon the trusts hereinafter declared, according to the
provisions of the Act of the Parliament of the Province
of Upper Canada passed in the third year of the Reign
of Her Majesty Queen Victoria, intituled "An Act to
make provision for the management of the Temporalities
of the United Church of England and Ireland in this
Province, and for other purposes therein mentioned,"
and "The Act Incorporating the Synod of the Diocese of
Ontario."

THEREFORE, in consideration of the sum of.....
of lawful money of Canada now paid by the said party
of the third part to the said party of the first part, the
receipt whereof is hereby acknowledged, and for the
purposes aforesaid, he, the said party of the first part
doth grant unto the said.....
Rector of the said Rectory of.....
[describing it in full as before; or, if it be not a Rectory,
serving and doing duty as aforesaid in the Church
called.....situated upon Lot number
.....in the..... Concession
of the Township of..... in the said County
of.....within the Diocese of Ontario,
and to his successors, being Incumbents of the said
Rectory, or (if it be not a Rectory) of the said Church,
Mission, or Living, and in full communion with the
Church of England in Canada, and serving therein in
accordance with the doctrines and discipline of the said
Church of England in Canada], all and singular that
certain parcel or tract of land and premises situate and
being in the Township of in the
County of.....in the said
Province of..... containing
.....be the same more or less, and being com-
posed of Lot number.....in the.....
Concession of the said Township of.....which
said parcel or tract of land is bounded and described as
follows, that is to say.....
..... (describe the land)

To the uses and upon the trusts following, and subject to the provisions of "The Act Incorporating the Synod of the Diocese of Ontario."

[*Here insert the trusts.*]

The said *party* of the first part *covenants* with the said party of the third part, That *he* has the right to convey to the said land to the said party of the third part, notwithstanding any act of the said *party* of the first part.

And that the said party of the third part shall have quiet possession of the said *land* free from all incumbrances.

And that the said *party* of the first part will execute such further assurances of the said *land* as may be requisite.

And that the said *party* of the first part has done no act to incumber the said *land*.

And the said *party* of the first part *releases* to the said party of the third part all *his* claims upon the *land*.

And the said *party* of the second part, *wife* of the said *party* of the first part, hereby *bars* *her* Dower in the said *land*.

In witness whereof, the parties hereto have hereunto set their hands and seals.

Signed, sealed, and delivered,
in the presence of

.....	[L.S.]
.....	[L.S.]
.....	[L.S.]

FORM OF AFFIDAVIT OF WITNESS TO ANY OF
THE FOREGOING CONVEYANCES.

NOTE—The name, residence and occupation of the witness should be set out in full in the affidavit.

PROVINCE OF ONTARIO } I ... (name in full) ... of
COUNTY OF } the of
To Wit: } in the
County of (occupation)
make oath and say:

1. That I was personally present and did see the within instrument, and a duplicate thereof, duly signed, sealed and executed by
..... the parties thereto.

2. That the said instrument and duplicate thereof were executed at the of
in the County of

3. That I know the said

4. That I am a subscribing witness to the said instrument and duplicate thereof.

Sworn before me at the
..... of
in the County of
..... this
day of in the
year of Our Lord 18 . }

A Commissioner for taking affidavits in H. C. J., etc.

BEQUESTS.

OF REAL ESTATE TO THE SYNOD OF THE DIOCESE OF ONTARIO, OR TO THE BISHOP.

I give, devise and bequeath unto "The Incorporated Synod of the Diocese of Ontario," (*or*..... Lord Bishop of the Diocese of Ontario, and his successors) all and singular that certain parcel or tract of land and premises situate and being in the To have and to hold the said parcel or tract of land and premises and appurtenances unto "The Incorporated Synod of the Diocese of Ontario" aforesaid (*or*..... Lord Bishop of the Diocese of Ontario, and his successors) and their assigns forever, to the uses and upon the trusts following, that is to say:

(State the trusts).

OF PERSONAL ESTATE.

I give and bequeath to The Incorporated Synod of the Diocese of Ontario (*or*..... Lord Bishop of the Diocese of Ontario, and his successors) the sum of..... [*or*..... Shares of stock in the..... Bank..... standing in my name in the Books of the said Bank, (*if debentures, briefly describe them*)] upon trust, to be by the Incorporated Synod of the Diocese of Ontario (*or*..... Lord Bishop of the Diocese of Ontario, and his successors), aforesaid applied to.....

(State the trust).

FORMS OF TRUSTS.

TO BE USED WITH FORMS OF GRANTS OR BEQUESTS.

FOR ENDOWMENT OF THE SEE.

Upon trust to hold the same for ever hereafter, for
the endowment of the See of the Bishopric of Ontario.

ENDOWMENT OF PARSONAGE.

Upon trust to hold the same for ever hereafter, for
the endowment of the Parsonage [*Rectory or Living,*
as the case may be], in the Township of.....
.....in the said County of.....
within the said Diocese of Ontario [*describing the same*
either by its name or boundaries, in such manner as may
sufficiently and accurately distinguish it] to the intent
and upon the trust that the rents, issues and profits of the
said land and premises shall be from time to time appro-
priated and applied, under the direction of the said
.....Lord Bishop of Ontario,
and his successors (or of the Incorporated Synod of the
Diocese of Ontario) to the support of the Incumbent of
the said Parsonage [*Rectory or living, as the case may*
be] for the time being.

FOR GENERAL PURPOSES.

Upon trust to hold the same for ever hereafter, to the
intent and upon the trust that the rents, issues, and pro-
fits thereof, may be appropriated and applied to the
general purposes of "The Incorporated Synod of the
Diocese of Ontario" aforesaid, as set forth in the Statutes
incorporating the Church Society of the Diocese of
Toronto and the said Synod.

FOR THE SUPPORT OF MISSIONS.

Upon trust to hold the same for ever hereafter, to the intent and upon the trust that the rents, issues, and profits thereof,—after deducting all such charges and disbursements as may be incurred in the care and management of the said property, and in the execution of the said Trust,—may be appropriated and applied for the encouragement and support of Missionaries and clergymen of the Church of England in Canada within the Diocese of Ontario, and for creating a fund towards the augmentation of the stipends of poor Clergymen.

WIDOWS AND ORPHANS' FUND.

Upon trust to hold the same for ever hereafter, to the intent and upon the trust that the rents, issues, and profits thereof, after deducting all such charges and disbursements as may be incurred in the care and management of the said property and in the execution of the said trust, may be appropriated and applied towards the fund for making provision for the Widows and Orphans of the Clergy of the Church of England in Canada, within the Diocese of Ontario.

SCHOOLS.

Upon trust to hold the same for ever hereafter, to the intent and upon the trust that the rents, issues, and profits thereof, after deducting all such charges and disbursements as may be incurred in the care and management of the said property and in the execution of the said trust, may be appropriated and applied for the encouragement of Education, and for the support of Day Schools and Sunday Schools within the Diocese of Ontario, in conformity with the principles of the Church of England in Canada.

PARTICULAR SCHOOL.

Upon trust to hold the same for ever hereafter, to the intent and upon the trust that the rents, issues, and profits thereof, after deducting all such charges and disbursements as may be incurred in the care and management of the said property and in the execution of the said

trust, may be appropriated and applied for the support of Day Schools and Sunday Schools [or Day Schools or Sunday Schools] in the Township of..... [or for the support of a School which hath been established on Lot. No.....in the.....Concession of the Township of.....] within the Diocese of Ontario, in conformity with the principles of the Church of England in Canada.

CIRCULATION OF BIBLES, PRAYER BOOKS, AND RELIGIOUS BOOKS AND TRACTS.

Upon trust to hold the same for ever hereafter, to the intent and upon the trust that the rents, issues, and profits thereof, after deducting all such charges and disbursements as may be incurred in the care and management of the said property and in the execution of the said trust, may be appropriated and applied towards the circulating, within the Diocese of Ontario, the Holy Scriptures, the Book of Common Prayer of the Church of England in Canada, and such other Books and Tracts as shall be approved by the Synod of the Diocese of Ontario aforesaid.

DIVINITY STUDENTS.

Upon trust to hold the same for ever hereafter, to the intent and upon the trust that the rents, issues, and profits thereof, after deducting all such charges and disbursements as may be incurred in the care and management of the said property and in the execution of the said trust, may be appropriated and applied towards a fund for granting assistance, where it may be necessary, to those who may be preparing for the Ministry of the Gospel in the Church of England in Canada, within the Diocese of Ontario.

ERECTION AND ENDOWMENT OF CHURCHES AND PARSONAGES.

Upon trust to hold the same for ever hereafter, to the intent and upon the trust that the rents, issues, and profits thereof, after deducting all such charges and disbursements as may be incurred in the care and management of the said property and in the execution of the said

trust, may be appropriated and applied towards the erection, endowment, and maintenance of Churches, according to the establishment of the Church of England in Canada within the Diocese of Ontario, the creation and maintenance of Parsonage-houses, the setting apart of Burial-grounds and Church-yards, and the endowment and support of Parsonages and Rectories according to the same Establishment.

FOR A PARTICULAR CHURCH.

Upon trust to hold the same for ever hereafter, for the use of that certain Church of the Church of England in Canada, situated in the Township of..... in the County of..... within the said Diocese of Ontario, called..... Church [or if the Church cannot be otherwise distinctly and accurately described, insert after the words "Diocese of Ontario,"—"which hath been erected, or is to be hereafter erected, upon Lot number..... in theConcession of the said Township,"] to the intent and upon the trust that the rents, issues, and profits of the said land and premises may be appropriated and applied to the use of the said Church, in such manner as the said..... Lord Bishop of Ontario, and his successors, (or the Incorporated Synod of the Diocese of Ontario), shall from time to time appoint.

SITE OF A CHURCH.

Upon trust to hold the same for ever hereafter, for the use of a Church of the Church of England in Canada, to be erected upon the said parcel or tract of land, and for a burial-ground in connection therewith.

SITE OF A CHURCH AND PURPOSES APPURTENANT
THERE TO.

Upon trust to hold the same for ever hereafter, for the site or ground-plot of a Church of the Church of England in Canada, and for such other uses or purposes appurtenant to the said Church as the Lord Bishop of the Diocese (or the Synod of the Diocese), shall from time to time appoint.

SUPPORT OF INCUMBENT.

Upon trust to hold the same for ever hereafter, to the intent and upon the trust that the rents, issues, and profits thereof, after deducting all such charges and disbursements as may be incurred in the care and management of the said property and in the execution of the said trust, may be appropriated and applied to the support of the Incumbent of that certain Church of the Church of England in Canada, situated in..... called.....

SITE FOR A PARSONAGE HOUSE.

Upon trust to hold the same for ever hereafter, as a site for a Parsonage-house, for the use of the Clergyman of the Church of England in Canada, doing duty at.....

CONSTITUTION AND CANONS

—OF THE—

PROVINCIAL SYNOD.

Provincial Synod.

DECLARATION OF PROVINCIAL SYNOD.

We, the Bishops of the United Church of England and Ireland, within the Province of Canada, together with the Delegates from the Clergy and Laity of the Diocesan Synods now assembled in the first Provincial Synod under royal and constitutional authority, 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 Province, desire to express our most humble and hearty thanks to Almighty God, that it has pleased Him in His Providence to set over us a Metropolitan, and thus to enable us, as in the ancient days, to assemble as one body, under the direction of His Holy Spirit, whose aid we now invoke, and in the name of His only begotten Son, for the consolidation and advancement of His Kingdom in this Province.

Before entering on the business for which we are at present assembled, we desire publicly to declare the principles on which we propose to proceed.

We desire the Church in this Province to continue, as it has been, an integral portion of the United Church of England and Ireland.

As members of that Church, we recognize the true Canon of Holy Scripture as set forth by that Church, on the testimony of the Primitive Catholic Church, to be the rule and standard of Faith; we acknowledge the book of Common Prayer and Sacraments, together with the Thirty-nine Articles of Religion, to be a true and faithful declaration of the doctrines contained in Holy Scripture; we maintain the form of Church government by Bishops, Priests and Deacons, as Scriptural and Apostolical, and we declare our firm and unanimous resolution, in dependence on Divine aid, to preserve those doctrines and that form of government, and to transmit them to our posterity.

In particular we maintain the ancient doctrine of our Church, that the Queen is rightfully possessed of the chief government and supremacy over all persons within her dominions, whether ecclesiastical or civil, as set forth in the 37th of the Articles of Religion, and we desire that such supremacy should continue unimpaired.

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

We conceive that the following, or such like objects, may fitly come under our consideration, and lead to action on our part:

1. To form a Constitution for this Synod, and to regulate the time and place of the meetings, and the order and manner of its proceedings.
2. To provide for the proper exercise of Ecclesiastical Discipline, in regard to both Clergy and Laity, by modifying and enacting Canons, and by establishing and ordering a Court of Appeal.
3. To provide, with the consent of the Crown, (when needed), fit regulations for the appointment of Bishops, Priests and Deacons, in accordance with the Canons of the Universal Church.
4. To provide, with the consent of the Crown, for the division of the Province into new Dioceses, as occasion may require.
5. To procure from the Colonial Legislature any Laws or modification of laws which the circumstances of the Church may require.
6. To promote the further consolidation and united action of the whole of the Dioceses of British North America.

Proceeding upon these principles, which, as we humbly thank God, were, under his good guidance, first among the Colonial Churches publicly set forth amongst ourselves, and have been sustained by the acceptance of our brethren through a large part of the Colonial Dominions of our Beloved Queen, we firmly rely and depend upon His continued blessing and guidance, and we humbly pray that He, who is the God of unity and peace, may ever be with us, and so chasten our affections, purify our motives, and guide our judgment, that we may be enabled to contribute to the efficiency, concord and stability of the Church in this land.

CONSTITUTION OF THE PROVINCIAL SYNOD.

1. The Provincial Synod shall consist of the Bishops of the Church of England in Canada, having Sees within the Ecclesiastical Province of Canada, presently composed of the Provinces of Ontario, Quebec, Nova Scotia, Prince Edward Island and New Brunswick, or executing by due authority the Episcopate as assistant or Missionary Bishops therein and of Delegates chosen from the Clergy and from the Laity.

2. The Bishops shall deliberate in one house, and the delegates from the Clergy and Laity in another; and each House shall hold its sittings either in public or in private, at its own discretion.

3. The Clerical and Lay Delegates shall consist of twelve of each order from each Diocese.

4. The Synod shall meet on the second Wednesday in September in every third year, or oftener, at the discretion of the Metropolitan; or on the requisition of any two Bishops, or of the Bishop and half the Delegates of each order in any Diocese.

5. In a vacancy of the Metropolitan See, a meeting may be called at the appointed period, or on either of the above requisitions, by the Senior Bishop of the Ecclesiastical Province of Canada.

6. A Quorum of the Synod shall consist of not less than a majority of the Bishops, and not less than one-fourth of the members of each order of the Lower House.

7. The Metropolitan, or some Bishop appointed by him, shall be the President of the Upper House; and in the vacancy of the See, or in the event of inability, from any cause, or on failure of the Metropolitan to appoint a Bishop as President, the House of Bishops shall elect one of their own number to preside.

8. The Lower House shall be presided over by their Prolocutor, to be chosen *viva voce* on motion of any member of the House.

9. Each House shall appoint a Secretary or Secretaries, who shall keep regular accounts of all proceedings in their own House, shall preserve memorials or other documents under the direction of the President and Prolocutor, shall attest all Public Acts of the Synod, and deliver over all records and documents to their successors. The printed Journal of each Session, certified by the signatures of the Prolocutor and the two secretaries of the Lower House, to a statement attached to one or more copies declaring the number of pages in the said Journal and the number of words corrected, with the words so corrected, shall be held to be the true and authentic Record of the Proceedings of each Session.

10. The expenses of the Synod shall be provided for, and its financial concerns managed by a Committee of the Lower House, after a manner to be approved by both Houses.

11. Each House shall establish its own order of proceedings and Rules of Order, and may publish such of its proceedings as may appear advisable.

12. The Upper House shall propose to the Lower any business they may desire to have treated of or decided; and it shall be incumbent on the Lower House to take up and dispose of such business immediately after the subject under consideration shall have been disposed of for

the time being, provided always that it shall be the duty of the Prolocutor to read to the House the message immediately on its receipt, and the House may by its vote, without discussion, decide on proceeding to its consideration at once.

13. The Upper House may direct the Lower to appoint a Committee to report to the Upper on any subject on which they may desire the judgment of the Lower, or to appoint their portion of a joint committee; or may summon the Lower to a conference.

14. Messages from the Upper House shall be delivered by an officer of the Upper to the Secretary of the Lower, by whom they shall be communicated to the Prolocutor, who shall communicate them to the House.

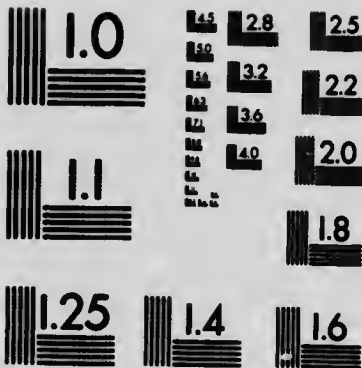
15. The Lower House may present to the Upper any matter which they conceive to be a grievance or to require amendment, even when they have no proposition to make on the same; and the Upper House shall thereupon place it in order for consideration, with a view of providing a remedy; and shall, before the conclusion of the session, declare to the Lower House the result.

16. The Prolocutor shall have the right of admission personally or by Committee to the Upper House, to communicate the desire or decisions of his House; and in such case he shall ascertain by message when he or the Committee can conveniently be received in the Upper House, and act accordingly.

17. It shall be competent to the Lower House to request a Joint Committee or Conference on any special object, beyond those submitted to it by the Upper House, or to propose for discussion any specific measure; to which request an answer shall be given; but it shall be at the option of the Upper House to accede to their request, or not.

18. When either House shall desire a Conference with the other, or a Joint Committee, the reason for either shall be agreed to by the House desiring it, and communicated in writing to the other; the Prolocutor personally or by committee in either case proceeding to the Upper House either to deliver or to receive such reasons.





MICROCOPY RESOLUTION TEST CHART
NATIONAL BUREAU OF STANDARDS
STANDARD REFERENCE MATERIAL 1010a
(ANSI and ISO TEST CHART No. 2)

19. When either House shall have come to a decision upon any subject in which the other House is concerned, it shall communicate its decision to the other.

20. If the Lower House should not concur in a decision of the Upper, they shall, in stating their non-concurrence, state their reason; and may either propose an amendment, or request the Upper House to suggest an amendment to meet their reason, or request a conference.

21. If the Upper House should not concur in a resolution or decision of the Lower House, they may, in stating their non-concurrence, either state their reasons or not; and may either propose an amendment, or request the Lower House to prepare an amendment, or appoint a conference, to which the Lower House shall always give attention.

22. The Conference may be either by deputation from both Houses, or by deputation from the Lower House, or by open conference, as the Upper House may think fit; and the place shall be appointed by the President.

23. No proposition shall be considered as sanctioned by the Provincial Synod, until it has received the separate sanction of both Houses, which shall be declared by the President in writing.

24. Committees, whether of either House, or of the two Houses, may hold their meetings either during recesses in the session, or during the prorogation of the Synod.

25. No alteration of the Constitutions or Canons shall come into operation until it has been confirmed at a second session of the Provincial Synod.

26. Each meeting of the Synod shall be preceded or commenced by Morning Prayer and a Sermon, if so ordered by the Metropolitan, and on the first day of such meeting the Holy Communion shall be administered.

27. The business of each day shall be commenced by prayer for the Divine guidance and blessing, according to a form authorized by the House of Bishops.

28. The election of the Clerical and Lay Delegates shall be certified under the hand and seal of the Bishop of the Diocese which they represent, or, in the absence of the Bishop, the Chairman of the Synod; and such certificate shall be final and conclusive: which certificate shall be forwarded by the Secretaries of the Diocesan Synod to the Secretaries of the Lower House of the Provincial Synod within fourteen days after said election; and in case any of the said Delegates mentioned in such certificate shall be unable to attend, a certificate signed by the Bishop, or in his absence by the Clerical Secretary of the Diocesan Synod, that (A.B.) being a Clerical or Lay Delegate from his Diocese is unable to attend, and that (C.D.) is authorized by vote of the Synod of that Diocese to fill his place as Delegate, shall be final and conclusive, whether presented before or during the Session of this Synod.

CANON I.—CANON OF THE ELECTION OF
THE METROPOLITAN BISHOP.

<i>Passed,</i>	<i>3rd Session,</i>	<i>1865.</i>
<i>Confirmed</i>	<i>4th " </i>	<i>1868.</i>
<i>Amended</i>	<i>5th " </i>	<i>1871.</i>
<i>Confirmed as amended</i>	<i>8th " </i>	<i>1874.</i>

1. From and after the day on which the See of Montreal shall next become vacant, the Bishop of Montreal shall not, by virtue of his office as such, be the Metropolitan of this Ecclesiastical Province.

2. After the expiration of three months, and not later than the expiration of six months after the next and every subsequent avoidance of the Metropolitan See, the Bishops of the said Province shall meet under the presidency of the senior Bishop, or in case of his inability to act, under the Presidency of the Bishop next in order of seniority, and it shall be his duty to summon them to that end, at some place within the Ecclesiastical Province,

by giving at least six weeks' notice of the time and place of meeting, and elect one of their number to be president of the House of Bishops, and the Bishop so elected shall thereupon *ipso facto* be the Metropolitan Bishop, and shall have, possess and exercise any prerogatives which the Metropolitan Bishop in the said Province now has, possesses and exercises, or may or can have, possess and exercise, any law, usage or custom of the said Province to the contrary in any wise notwithstanding.

3. The see of the said Bishop so elected as aforesaid, shall be the Metropolitan See of the Said Province, but the City of Montreal shall be, as it presently is, the place of the Meeting of the Provincial Synod of the said Province.

4. Until the election of the said Metropolitan Bishop, the said Senior Bishop shall, after each such avoidance aforesaid of the Metropolitan See, be vested with all the rights, powers, privileges, and prerogatives of Metropolitan Bishop aforesaid.

5. All rules, regulations, canons or other provisions of law of the said Province inconsistent with the foregoing provisions, shall be and the same are hereby repealed.

6. In such election of the Metropolitan Bishop, it shall be necessary that a majority of all the Bishops of the Dioceses in the Ecclesiastical Province of Canada concur either by actual vote at the meeting called for such election or else in writing under their hand and seal.

CANON II.—OF SUBMISSION OF CLERGY TO
THE CANONS OF THE PROVINCIAL AND
DIOCESAN SYNODS.

Passed 3rd Session, 1865.

No Bishop within this Province shall hereafter grant his license to any Clergyman to the cure of souls until such clergyman has first subscribed and declared his sub-

mission to the Canons of the Provincial Synod, and of the Synod of the Diocese of such Bishop, in the following form:

I, (A.B.,) do willingly subscribe to and declare that I assent to and abide by the Canons which have been, or shall be, from time to time passed by the Provincial Synod, or the Synod of the Diocese of.....

CANON III.—ON THE POWERS OF THE METROPOLITAN.

Passed 3rd Session, 1865.

1. The Metropolitan shall have precedence of all the other Bishops of the Canadian Dioceses, and the said other Bishops shall be his Suffragans.
2. The Metropolitan shall preside over the House of Bishops, and shall convene the Provincial Synod and be the President thereof.
3. Upon a memorial signed by two-thirds of the Clerical and Lay Members of any Diocesan Synod, certified to be such by the Clerical and Lay Secretaries of such Diocesan Synod, requesting the Metropolitan Bishop to exercise visitatorial power in such Diocese, the said Metropolitan Bishop shall have full power and authority to visit such Diocese and the Bishop thereof, and during such visitation to inhibit the exercise of all or such parts of the ordinary jurisdiction of such Bishop, as to him the Metropolitan Bishop shall seem expedient, and during the time of such visitation to exercise by himself or his commissaries, such powers, functions and jurisdiction in and over the said Diocese as the Bishop thereof might have exercised, if he had not been inhibited from exercising the same.

CANON IV.—ON THE TRIAL OF A BISHOP.

OFFENCES FOR WHICH A BISHOP MAY BE TRIED.

<i>Passed</i>	<i>3rd Session, 1865.</i>
<i>Amended</i>	<i>9th " 1877.</i>
<i>Confirmed as amended</i>	<i>10th " 1880.</i>

1. Any Bishop of this Ecclesiastical Province may be tried, if charged with any of the following offences:—

(1). Crime or immorality.

(2). Advisedly holding and teaching, whether publicly or privately, any doctrine contrary to that held by the Canadian branch of the Church of England.

(3). Wilful violation of the constitution or canons of the Provincial Synod.

(4). Wilful violation of the constitution or canons of his Synod.

II. No charge against a Bishop shall be made except in writing, and it shall be signed either by a Bishop of this Church, or of one in communion therewith, not under suspension, deprivation or degradation; or by seven male communicants of this Church in good standing, of whom at least three shall be priests.

ACTION ON RUMORS.

III. Whenever a Bishop of this Ecclesiastical Province shall have reason to believe that there are in circulation rumors, reports or charges affecting his moral or religious character, he may, if he please, acting in conformity with the written advice and consent of any two of his brother Bishops, demand of the Metropolitan, or if the Metropolitan be the Bishop affected by such rumor, then of the Bishop Senior by consecration, to convene a Board of Inquiry in the mode hereinafter set forth.

IV. Accusers may choose a lay advocate in preparing proofs and charges, &c., or they may prepare such charges themselves, and in either case the grounds of accusation must be set forth with reasonable certainty of time, place and circumstances.

CHARGES, TO WHOM TO BE DELIVERED.

V. Charges prepared in either of the modes mentioned shall be delivered to the Metropolitan, if he be not the accused; if he be the accused, the charges shall be delivered to the Bishop Senior by consecration.

VI. Accusers must give security to the accused in a bond with sufficient sureties to be approved by the Registrar of the Court of appeal of the Metropolitan in the penal sum of one thousand dollars, conditioned to secure the accused for his costs in case he be acquitted on the charge, or the charges be not proceeded with.

BOARD OF INQUIRY, HOW CONSTITUTED.

VII. The House of Bishops at each meeting of the Provincial Synod shall appoint a Board of preliminary inquiry, not exceeding nine persons, all being communicants of this Church, the majority of whom shall form a quorum who shall act as such, until the next meeting of the Synod, provided always that no person who has joined in making the charges shall act upon the Board.

NOTICE TO MEMBERS.

VIII. The Metropolitan or Senior Bishop, as the case may be, shall on receipt of such charges give notice thereof to said Board, and direct them severally to attend at the time and place designated by him, and to organize the Board, and it shall be the duty of each member so notified to attend. The place of meeting must be within the Diocese of the accused.

The Metropolitan or Senior Bishop shall send at the same time a copy of the charges to each member of the Board and also to the accused.

IX. The sittings of the Board shall be private.

X. All evidence shall be taken down in writing and signed by the witnesses. Two witnesses shall be necessary to the proof of any charge, and the Bishop charged, and the person making the charge, may respectively give evidence before the Board.

PRESENTMENT.

XI. If the majority of the Board present shall be of opinion that there are sufficient grounds to put the accused Bishop on his trial, they shall direct the Chairman to prepare a presentment, to be signed by such of the Board as agree thereto.

XII. The Chairman shall transmit to the Metropolitan or Senior Bishop from whom their charges were received, the presentment thus signed, together with the evidence on which it is based; and the said Bishop shall send to the accused Bishop a copy of the same.

XIII. If a majority of the board present shall be of opinion that there is not sufficient ground to put the accused Bishop on his trial, they shall report thereon in writing to the Metropolitan or senior Bishop, and in such case the charges, together with the certificate of the Metropolitan, or Bishop senior by consecration, of the refusal of the board to make a presentment, shall be prepared in duplicate; one to be sent to the secretary of the Provincial Synod, to be deposited among the Archives of the Synod, and the other to the secretary or secretaries of the Diocesan Synod, of the diocese where the Bishop has been so charged; no proceedings shall be had thereafter by way of presentment on such charges.

LIMITATIONS OF TIME.

XIV. No presentment shall be made in any case unless the alleged offence shall have been committed within two years next before the day on which the charges were delivered to the Metropolitan, or Bishop senior by consecration, except the charge be of such a nature that it would subject the accused to indictment before the criminal courts.

TRIAL.

XV. When a presentment shall have been made by the Board of Inquiry, or the majority thereof, it shall be the duty of the Bishops receiving it to make arrangements for the trial of the accused.

XVI. The Court shall be formed of the Bishops of the Ecclesiastical Province, the majority of whom, excluding the accuser if he be a Bishop, and the accused, must be present. And the rules of evidence to be followed on the trial shall be those of the Civil Courts of the Province within which the trial takes place; provided always that the accusers and accused may respectively give evidence.

XVII. The Bishop to whom the presentment is made shall summon all the Bishops of the Province, other than the accuser and accused, to attend at an appointed time and place, and it shall be the duty of every Bishop so summoned to attend, unless he be excused for reasonable cause to be approved by the Metropolitan, or by the Bishop senior by consecration.

He shall also within two weeks summon the accused Bishop, by written notice to be sent by mail within two weeks from the receipt of the presentment, addressed to his usual or last place of residence in his diocese, to appear and answer at the time and place so appointed, and shall also give the like notice to the complainants, requiring them to attend at the same time and place to substantiate their charges.

XVIII. The time appointed for trial shall be within three calendar months, and not less than one month from the day on which the summons was mailed, and the place shall be within the diocese of the accused Bishop.

XIX. The Bishops shall appoint a legal assessor at the time of trial, but such assessor shall not vote in any case whatever.

XX. If the accused refuse or neglect to appear, then the Court shall proceed *ex parte* to pronounce him in contumacy, and after hearing the evidence adduced pronounce judgment in the case.

XXI. The accused and the accusers may appear by counsel.

XXII. The decision of the Court on all the charges shall be reduced to writing and signed by a majority of those members of the Court by whom the case has been heard.

XXIII. The sentence of the Court, if the accused be found guilty, shall be either admonition, suspension for a definite period, deposition or removal from office in the said Church, and in the case of deposition or removal from office, with a cessation of all rights to the temporalities of the see.

XXIV. The judgment of the Court shall be communicated to every Bishop of this Ecclesiastical Province, to the Provincial Synod and to the Synod of the Diocese of the accused Bishop, and the said Synods shall forthwith proceed to enter and record such judgment.

A full record of the proceedings of every such trial shall be kept by the House of Bishops.

CANON V.—COURT OF APPEAL OF THE
METROPOLITAN.

<i>Passed</i>	<i>2nd Session, 1862.</i>
<i>Confirmed</i>	<i>3rd " 1865.</i>
<i>Amended</i>	<i>10th " 1880.</i>
<i>Confirmed as amended</i>	<i>12th " 1883.</i>

HOW CONSTITUTED.

The House of Bishops, presided over by the Metropolitan or President of the Upper House, or Senior Bishop in their absence, with three Assessors to be appointed as hereinafter enacted, shall be the Court of Appeal from the judgment of any Diocesan Court.

A majority of the House of Bishops shall constitute a quorum of the Court of Appeal, and the decision of the majority of the Bishops sitting in Appeal shall bind, and in the event of an equality of votes the decision of the Court appealed from shall stand affirmed.

The Bishop of any Diocese, who has given any judgment either alone or in any Diocesan Court in, or is a party to, any case, shall not sit in Appeal in such case.

OF ASSESSORS.

There shall be three Assessors, laymen, communicants of the Church of England in good standing, and Judges of some Court of Law in the Dominion, or else barristers of at least ten years' standing at the bar of any of the Provinces. At each regular session of the Provincial Synod, the Upper House shall send down the names of three persons (qualified as aforesaid) to the Lower House; if any or all of them be not accepted, the Upper House shall send down another name or other names, as may be required. Should this second nomination not be accepted, the Upper House alone shall appoint, provided that the said House may not appoint any person whose name has been rejected by the Lower House.

The Assessors so appointed shall be the Assessors of the Court until their successors be appointed, or themselves be reappointed at the next meeting of the Provincial Session. Should a vacancy occur before that time, by death or resignation, or should any of the Assessors become disqualified from any cause, the Metropolitan shall fill up the vacancy.

The Assessors or a majority of them shall determine all questions of evidence and procedure, and the Assessors shall advise the Court upon such other questions before the Court, as the majority of the Court may in writing submit for their consideration.

All decisions and advice of the Assessors shall be in writing and shall be published together with the decisions of the Court.

WHEN APPEAL SHALL LIE.

An appeal shall lie to the Court of Appeal, in all cases adjudged by any Diocesan Court, on behalf of any party to the case or proceeding in the Diocesan Court.

There shall be no appeal for any error or defect in form in any proceeding or judgment in a Diocesan Court.

An appeal shall lie to the Court of Appeal from the judgment or decision of the Bishop of any Diocese.

PROCEEDINGS OF THE COURT.

The Court of Appeal may sit in any Diocese, at such times and places as the Court shall, from time to time, order and direct.

The Appellant shall give notice of Appeal to the Respondent and the Bishop of the Diocese in the Court of which the judgment appealed from is given, within one calendar month after such judgment.

The Appellant shall give to the Respondent, within two calendar months after such judgment is given, a bond with sufficient securities, to be approved by the Registrar of the Court of Appeal, in the sum of \$400, to secure the Respondent for the costs of the appeal, in case the appeal is dismissed.

Every Appeal shall be prosecuted to a hearing by the Appellant within one year after such judgment is given; if the Court of Appeal shall not so sit, then at the first sitting of the Court of Appeal after such year shall have expired.

The Appellant shall, within three calendar months after such judgment, bring into the Court of Appeal and file with the Registrar thereof, a transcript of all the proceedings and judgments appealed from, certified to be correct by the Registrar of the Diocesan Court, or the Bishop of the Diocese whose judgment is appealed against.

If any of the proceedings in the next preceding four sections are not taken within the times respectively limited therefor, the Appeal shall be considered dismissed, and the judgment appealed from shall stand.

The Appellant shall give the Respondent one calendar month's notice in writing of the hearing of the Appeal.

The Court of Appeal shall make such rules and orders as to the forms of procedure and practice, fees and costs, as such Court shall, from time to time, deem necessary.

CANON VI.—OF MINISTERING IN PARISHES.

Passed 5th Session. 1871.

1. No Clergyman shall absent himself from his charge for more than four weeks at a time, without the written consent of the Bishop or, in his absence, of his Commissary.

2. No person shall be permitted to celebrate Divine Service or perform any office of the Church, permanently or occasionally, except he shall have been Episcopally and Canonically ordained, and it shall be the duty of the Incumbent, or, in his absence, of the Churchwardens, to demand proof of such ordination and of the good standing of the Clergyman before permitting him to officiate.

No person shall perform the office of Lay Reader except he shall hold the Bishop's license.

This Canon shall not apply to the students of any Theological College, so as to prevent them from reading the Lessons in the College Chapel, or to Laymen occasionally officiating when there is a necessity for it.

3. No Clergyman shall officiate in any Mission or Parish, either as a substitute for the incumbent or his assistant, for more than one month, without the written License of the Bishop, and no person who has availed himself of this implied permission shall be allowed to officiate again in the same Mission or Parish within a period of three months, unless he obtains the License of the Bishop or the Bishop's commissary.

4. No Bishop of one Diocese shall perform any Episcopal functions in another without the sanction of the Bishop thereof, save in the case provided for by the Canon relating to the powers of the Metropolitan, nor shall any Bishop perform any such functions in any vacant Diocese except by instruction from the Metropolitan; or, in case of the voidance of his Diocese, from the Senior Bishop of the Province.

CANON VII.—OF LETTERS TESTIMONIAL.

See Canon of the General Synod.

CANON VIII.—OF EPISCOPAL RESIGNATIONS.

<i>Passed</i>	<i>5th Session, 1871.</i>
<i>Amended</i>	<i>" 1883.</i>
<i>Amendments confirmed</i>	<i>" 1886.</i>

1. If a Bishop shall desire to resign his Diocese, he shall give in his resignation to the Metropolitan, in writing, or (if he be himself Metropolitan) to the Bishop senior by Consecration; but such resignation shall not be accepted, except with the consent of two-thirds of the House of Bishops in Session assembled, provided that not less than a majority of the whole number of Bishops of the Province be present and voting.

2. Such Session of the House shall be held within three months of date of the receipt of the resignation by the Metropolitan.

3. The acceptance of any such resignation shall be signified in writing by the Metropolitan to the Bishop desiring to resign his See, and to the Secretaries of his Diocesan Synod, such notification to specify the date at which the resignation shall take effect, which shall not be later than three months from the date of the acceptance of such resignation.

CANON IX.—OF THE SUBDIVISION OF
DIOCESES.

Passed 5th Session, 1871.

The House of Bishops shall have the power of subdividing existing Dioceses which may be contiguous, with the concurrence, or upon the application of the Synod or Synods of the Dioceses affected, and it shall be the duty of such Synod or Synods to consider, without delay, any proposal for the subdivision of a Diocese which may emanate from the House of Bishops.

CANON X.—OF THE OFFICIATING OF STRANGE
CLERGYMEN IN A DIOCESE.

Passed 5th Session, 1871.

When a Bishop is aware that a Clergyman not of his Diocese is officiating or about to officiate in his Diocese, and when the said Bishop shall have good reason to believe that doubts exist regarding the Clergyman's orthodoxy, canonical ordination, or good morals, then the Bishop may inhibit him from officiating within his Diocese, by a writing addressed to him, and to the clergy. And any Clergyman, after the receipt of the Bishop's inhibition, permitting such inhibited person to perform any clerical function in his Church, Mission or Chapel, shall be proceeded against by the Bishop for breach of canonical obedience.

CANON XI.—ON MISSIONARY BISHOPS.

Passed 6th Session, 1872.

1. The Provincial Synod may elect a suitable Priest to be a Missionary Bishop over a District not within any organized Diocese, or over a District which includes within the new Territory, a part or parts of one or more existing Dioceses, and when the House of Bishops shall

be satisfied that adequate provision has been made for the support of a Missionary Bishop, the Metropolitan or presiding Bishop may convene the Provincial Synod for the purpose of electing such Missionary Bishop, by the joint action of the Upper and Lower House, which election shall be conducted in the following manner:—The House of Bishops shall present to the Lower House one or more names for election by ballot, and if none of these names shall be accepted by the Lower House further names shall be presented by the Upper House until it shall signify that it has no other name to present. All names presented to the Lower House shall be before it for election until an election shall have been made. A majority of votes, Clerical and Lay, shall be necessary to an election.

2. In case a Missionary Bishop shall be appointed in the manner hereinbefore mentioned over a District which includes or consists of a part or parts of one or more existing Dioceses, the Missionary Bishop shall exercise no jurisdiction over any part or parts of such other Diocese or Dioceses, until the Synod or Synods of the Diocese or Dioceses affected shall have consented to his so doing, and it shall be the duty of such Synod or Synods to consider without delay any such proposal.

3. The Bishop elected, as aforesaid, shall exercise his Episcopal functions in such Missionary District in conformity with the Constitution and Canons of this Province, so far as they can be made applicable to the condition of his District.

4. Every Missionary Bishop shall be entitled to a seat in the House of Bishops, and shall report to the Metropolitan, for the information of the Provincial Synod, at every meeting of the Synod, concerning the state and condition of the Church in his Missionary District.

5. In the event of a vacancy occurring in any Missionary Diocese, the Provincial Synod shall be summoned, within six months, to elect another Missionary Bishop; provided the regular meeting of the Provincial Synod shall not take place within twelve months after such vacancy, in which case the election shall be postponed

until such regular meeting, and in the meantime, the duties of the late Bishop shall devolve, so far as they can be discharged by him, on a Commissary, whom it shall be the duty of every Missionary Bishop to appoint on his consecration, and from time to time, as the office shall become vacant.

6. Nothing contained in the first clause of this Canon shall prevent the election of a Missionary Bishop at this Session of the Synod, or at any adjourned Session of the same.

7. Any Diocese of the Province may, if it desires so to do, separate and set apart any portion of its Territory as a District suitable for the establishment therein of a Missionary Bishopric, and such Territory so set apart may become a Missionary Diocese and a Bishop be appointed thereto in accordance with the foregoing Canon.

CANON XII.—FOR ALTERING THE ORDER
OF THE PUBLIC SERVICE IN CER-
TAIN CASES.

<i>Adopted</i>	8th Session, 1874.
<i>Amended</i>	9th " 1877.
<i>Amendments confirmed</i>	10th " 1880

Whereas the Convocations of Canterbury and York did introduce certain modifications into the order of the Public Service of the Church; and whereas the Imperial Parliament did by Act 35 and 36 Vic., Cap. 35, sanction and authorize the same as amendments to the Act of Uniformity; and whereas it is expedient to extend such modification to this Ecclesiastical Province:—

Be it, therefore, enacted as follows:—

USE OF SHORTENED FORM OF MORNING AND EVENING
PRAYER.

The shortened Order for Morning Prayer, or for Evening Prayer, specified in the schedule of this Canon, may, on any day except Sunday, Christmas Day, Cir-

circumcision, Epiphany, Ash Wednesday, Good Friday and Ascension Day, be used in lieu of the Order for Morning or Evening Prayer respectively prescribed by the Book of Common Prayer.

The permission hereby granted to use the shortened form of Morning and Evening Prayer specified in the Schedule of this Canon, is hereby extended to Sundays and Holy Days, when the Clergyman shall deem it desirable, either from the peculiar condition of his congregation or from the laborious nature of his ministrations. Such liberty, however, shall not be used without the written sanction and approval of the Bishop.

SPECIAL SERVICE FOR SPECIAL OCCASIONS.

Upon any special occasion approved by the Ordinary 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, except anthems or hymns, which does not form part of the Holy Scriptures or Book of Common Prayer.

ADDITIONAL SERVICE ON SUNDAYS AND HOLY-DAYS.

An additional form of service, varied from any form prescribed by the Book of Common Prayer, may be used at any hour, on any Sunday or Holy-day, in any Cathedral or Church in which there are duly read, said, or sung as required by law, on such Sunday or Holy-day, at some other hour or hours, the Order for Morning Prayer, the Litany, such part of the Order for the Administration of the Lord's Supper or Holy Communion as is required to be read on Sundays or Holy-days if there be no Communion, and the Order for Evening Prayer, so that there be not introduced into such additional service any portion of the Order for the Administration of the Lord's Supper or Holy Communion, or anything except anthems or hymns, which does not form part of the Holy Scriptures, or Book of Common Prayer, and so that such form of service and the mode in which it is used is, for the time being, approved by the Ordinary.

SEPARATION OF SERVICES.

Whereas doubts have arisen as to whether the following forms of service, that is to say: the Order for Morning Prayer, the Litany, and the Order for the Administration of the Lord's Supper or Holy Communion, may be used as separate services, and it is expedient to remove such doubts; Be it, therefore, enacted and declared, that any of such forms of service may be used together, or in varying order as separate services, or that the Litany may be said after the third Collect in the Order for Evening Prayer, either in lieu of or in addition to the use of the Litany in the Order for Morning Prayer, and any of the said forms of service may be used with or without the preaching of a sermon or lecture, or the reading of a homily.

PREACHING A SERMON WITHOUT PREVIOUS SERVICE.

Whereas doubts have arisen as to whether a sermon or lecture may be preached without the common prayers and services appointed by the Book of Common Prayer for the time of day being previously read, and it is expedient to remove such doubts; Be it, therefore, enacted and declared, that a sermon or lecture may be preached without the common prayers or services appointed by the Book of Common Prayer being read before it is preached, so that such sermon or lecture be preceded by any service authorized by the Canon, or by the Bidding Prayer, or by a Collect taken from the Book of Common Prayer, with or without the Lord's Prayer.

SCHEDULE.

NOTE.—The Minister using the Shortened Order for Morning Prayer or for Evening Prayer in this Schedule may, in his discretion, add in its proper place any exhortation, prayer, canticle, hymn, psalm, or lesson contained in the Order for Morning Prayer or for Evening Prayer in the Book of Common Prayer, and omitted, or authorized to be omitted, from such shortened order.

SHORTENED FORM OF SERVICE FOR MORNING PRAYER, DAILY
THROUGHOUT THE YEAR, EXCEPT SUNDAY, CHRIST-
MAS DAY, CIRCUMCISION, EPIPHANY, ASH
WEDNESDAY, GOOD FRIDAY AND
ASCENSION DAY.

At the beginning of Morning Prayer the Minister shall read with a loud voice one or more of these sentences of the Scriptures that follow:

"When the wicked man," &c.

A General Confession, to be said of the whole Congregation after the Minister, all Kneeling:

"Almighty and Most Merciful Father," &c.

The Absolution or Remission of Sins, to be pronounced by the Priest alone, Standing, the People still Kneeling;

"Almighty God, the Father," &c.

The People shall answer here, and at the end of all other prayers, "Amen."

Then the Minister shall Kneel and say the Lord's Prayer with an audible voice; the People also Kneeling and repeating it with him;

"Our Father which art in Heaven," &c.

Then likewise he shall say:

"O Lord, open thou our lips," &c.

Here all Standing up, the Priest shall say:

"Glory be to the Father," &c.

Then shall follow the Psalms appointed. And at the end of every Psalm throughout the year, and likewise at the end of the Benedicite, Benedictus, Magnificat and Nunc Dimittis, shall be repeated:

"Glory be to the Father," &c.

Then shall be read distinctly, with an audible voice, either the First Lesson taken out of the Old Testament as is appointed in the Calendar, or the Second Lesson taken out of the New Testament, except there be a Proper Lesson assigned for that day, in which case the proper Lesson shall be read, and if there are two Proper Lessons, each shall be read in its proper place; he that readeth so Standing and turning himself as he may best be heard by all such as are present.

Note.—That before every Lesson the Minister shall say:

"Here beginneth" (Such a chapter or such a verse of such a chapter of such a Book).

After every Lesson.

"Here endeth" the Lesson, or the First or the Second Lesson.

And after the Lesson, shall be said or sung in English the following:

Either the Hymn called "Te Deum Laudamus,"

"We praise Thee, O God," &c.;

Or this Canticle,

Benedicite, omnia opera.

"O all ye works of the Lord," &c.

Or the Hymn following (except when that shall happen to be read in the Lesson for the day, or for the Gospel on Saint John the Baptist's Day);

Benedictus, St. Luke 1, v. 68.

"Blessed be the Lord God of Israel," &c.

Or this Psalm.

Jubilate Deo.

"O be joyful in the Lord all ye lands," &c.

Then shall be sung or said the Apostles' Creed by the Minister and the People standing, except only on such days as the Creed of St. Athanasius is appointed to be read. After that, the people all devoutly Kneeling, the Minister shall pronounce with a loud voice:

"The Lord be with you."

Answer.—"And with Thy spirit."

Minister.—Let us pray.

Then the Priest shall say:

"O Lord, shew Thy mercy upon us," &c.

Then shall follow three Collects. The first of the Day, which shall be the same that is appointed at the Communion: the second for Peace: the third for Grace to live well: and the two last Collects shall never alter, but daily be said at Morning Prayer throughout all the year, as followeth, all kneeling.

The second Collect, for Peace.

"O Lord, who art the author of Peace," &c.

The third Collect, for Grace:

"O Lord our heavenly Father," &c.

Here may follow an Anthem or Hymn:

Then these two prayers following:

A Prayer of Saint Chrysostom.

"Almighty God, who hast given us grace," &c.

2 Corinthians, xiii, v. 14.

"The grace of our Lord Jesus Christ," &c.

Here endeth the Shortened Order of Morning Prayer.

THE SHORTENED ORDER FOR EVENING PRAYER DAILY
THROUGHOUT THE YEAR, EXCEPT ON SUNDAY, CHRIST-
MAS DAY, CIRCUMCISION, EPIPHANY, ASH
WEDNESDAY, GOOD FRIDAY AND
ASCENSION DAY.

At the beginning of Evening Prayer the Minister shall read with a loud voice some one or more of these sentences of the Scriptures that follow:

"When the wicked man," &c.

A General Confession to be said of the whole Congregation after the Minister, all Kneeling.

"Almighty and most merciful Father," &c.

The Absolution or Remission of sins, to be pronounced by the Priest alone Standing; the people still Kneeling.

"Almighty God, the Father," &c.

Then the Minister shall Kneel and say the Lord's Prayer, the People also Kneeling and repeating it with him:

"Our Father, which art in Heaven," &c.

Then likewise he shall say:

"O Lord, open Thou our lips," &c.

Here all standing up, the Priest shall say:

"Glory be to the Father," &c.

Then shall be said or sung one or more of the Psalms in order as they be appointed. Then either a lesson of the Old Testament, as it is appointed, or a lesson of the New Testament, as it is appointed, except there is a Proper Lesson assigned for that day, in which case the Proper Lesson shall be read, and if there are two Proper Lessons, each shall be read in its proper place; and after the Lesson or between the first and second Lessons, shall be said or sung in English one of the following:

Either the Magnificat, or the Song of the Blessed Virgin Mary, in English, as follows

Magnificat, St. Luke 1, v. 46.

"My soul doth magnify the Lord," &c.

Or else this Psalm (except it be on the nineteenth day of the month when it is read in the ordinary course of the Psalms.)

Cantate Domino, Psalm xcvi;

"O sing unto the Lord a new song," &c.

Or Nunc Dimittis (or the song of Simeon) as follows:

"Lord now lettest thou Thy servant," &c.

Or else this Psalm (except it be on the twelfth day of the month).

Deus misereatur. Psalm lxxv;

"God be merciful unto us and bless us," &c.

Then shall be said or sung the Apostles' Creed by the Minister and People Standing:

"I believe in God the Father Almighty," &c.

And after that, the People devoutly Kneeling, the Minister shall pronounce with a loud voice:

"The Lord be with you."

Answer.—"And with Thy spirit."

Minister.—"Let us pray."

Then the Priest, Standing up, shall say:

"O Lord, shew Thy mercy upon us," &c.

Then shall follow three Collects. The first of the Day; the second for Peace; the third for aid against all Perils, as hereinafter followeth; which two last Collects shall be daily said at Evening Prayer, without alteration.

The Second Collect at Evening Prayer:

"O God, from whom all holy desires," &c.

The Third Collect, for aid against all perils:

"Lighten our darkness," &c.

Here may follow an Anthem or Hymn.

A prayer of St. Chrysostom.

"Almighty God, who hast given us grace," &c.

2 Corinthians, xiii, v. 14.

"The Grace of our Lord Jesus Christ," &c.

Here endeth the Shortened Order of Evening Prayer.

PERMISSIONS.

BY THE BISHOPS OF THE ECCLESIASTICAL PROVINCE

In view of the fact, that the Committee on the Appendix to the Prayer Book was at the last Session of the General Synod discontinued, and nothing was done in the way of providing enrichment or elasticity for our Services, we, the Bishops of the Ecclesiastical Province of Canada, met in Montreal, on Wednesday, April 18th, 1906, and considered the subject, and we now issue the following permissions.

These permissions are not be considered as final, but are issued, subject of course to any legislation that may be accomplished by the General Synod. They are as follows:—

(1) It is already permitted by the Provincial Synod to use the shortened form of Morning and Evening Prayer, and, with the written permission (in each case) of the Ordinary, to extend the use of this shortened form of Morning and Evening Prayer, when necessary, to Sundays and Festivals. This Form will be found in the Journal of the Proceedings of the Fourteenth Session of the Provincial Synod of the Province of Canada, page 205.

(2) In the country, where the Clergyman is called upon to minister to two or three or even four Congregations during Sunday, he is permitted to use one Service only at each place, *e.g.*, The Holy Communion, Morning Prayer, Evening Prayer or the Litany, provided he reads, with the latter, one of the Lessons of the Day from Holy Scripture. This, with the addition of Hymn and a Sermon, Address or Catechising, is sufficient. But in such cases, care should be taken to use all these different Services on different Sundays at all the different Stations.

(3) On days for which Special Psalms are appointed to be used, the Minister shall use those Psalms, but during the following Seasons, some of the Psalms given below as being suitable for use in those Seasons may be used instead of the Psalms of the Day.

(4) Whenever there is a celebration of the Holy Communion, the whole Service should be said from beginning to end, excepting the long Exhortation, which, however, should be read at least three times in the year.

(5) It may be permitted, with the sanction of the Ordinary, to use the Matins Service as far as the second Canticle inclusive, and then to proceed at once to the Service of the Holy Communion.

(6) For short Services in School Houses or other irregular centres, with the permission of the Bishop, the "Little Prayer Book" or "The Form of Prayer for open-air Services" may be used. These Services are published by the S. P. C. K.

(7) The following occasional Prayers are authorized for Public or Private use:—

FOR THE GOVERNOR-GENERAL.

Lord of all power and mercy, we earnestly beseech Thee to assist with Thy favor the Governor-General of this Dominion and the Lieutenant-Governor of this Province. Cause them, we pray Thee, to walk before Thee, and the people committed to their charge, in truth and righteousness; and enable them to use their delegated power to Thy glory, and to the public good; through Jesus Christ our Lord.—*Amen.*

FOR SEAMEN.

Almighty God, with whom is no variableness, neither shadow of turning, whose way is in the sea, and whose path is in the great waters, look down with the eye of mercy and compassion on us Thy servants, and all who are toiling on the sea, or who sail in ships; let not compass err or rudder fail, but be a sure Guide upon the trackless deep, and in thine own good time bring us in safety to the haven where we would be, to praise Thee for Thy goodness, through Jesus Christ Our Lord.—*Amen.*

FOR PERSON GOING TO SEA.

O Eternal God, Who alone spreadest out the heavens and rulest the raging of the sea; we commend to Thy Almighty protection Thy servants, for whose preservation on the great deep our prayers are desired. Guard them, we beseech Thee, from the dangers of the sea, from sickness, from the violence of enemies, and from every evil, to which they may be exposed; conduct them in safety to the haven where they would be, with a grateful sense of Thy mercies; through Jesus Christ Our Lord.—*Amen.*

THANKSGIVING FOR A SAFE RETURN FROM SEA.

Most Gracious God, whose mercy is over all Thy works, we praise Thy Holy Name, that Thou hast been pleased to conduct in safety, through the perils of the great deep, these Thy servants, who now desire to return their thanks to Thee in Thy Holy Church; may they be duly sensible of Thy merciful Providence towards them, and ever express their thankfulness by a holy trust in Thee, and obedience to Thy laws; through Jesus Christ Our Lord.—*Amen.*

PRAYER FOR THE PARLIAMENT, TO BE READ DURING

THEIR SESSIONS.

Most Gracious God, we humbly beseech Thee, as for this Empire in general, so especially for the (Dominion or Provincial) Parliament under our most religious and gracious King, at this time assembled: That Thou wouldest be pleased to direct and prosper all their consultations to the advancement of Thy Glory, the good of Thy Church, the safety, honour and welfare of our Sovereign, and his dominions; that all things may be so ordered and settled by their endeavours, upon the best and surest foundations, that peace and happiness, truth and justice religion and piety, may be established among us for all generations. These and all other necessities, for them, for us, and Thy whole Church, we humbly beg in the Name and Mediation of Jesus Christ Our most blessed Lord and Saviour.—*Amen.*

A PRAYER TO BE USED IN ALL CHURCHES OF THE SEVERAL
DIOCESES OF THE DOMINION OR ECCLESIASTICAL PROVINCE ON TWO OR MORE SUNDAYS PREVIOUS TO
THE MEETING OF THE GENERAL PROVINCIAL
OR DIOCESAN SYNOD, AND ALSO DURING
THE SESSION.

Almighty and Everlasting God, who by Thy Holy Spirit, didst preside in the Councils of the Blessed Apostles, and hast promised through Thy Son Jesus Christ, to be with Thy Church to the end of the world; we beseech Thee to be present with the Synod, now about to be assembled in Thy Name. Save (them) from all ignorance, error, pride and prejudice; and of Thy great mercy, vouchsafe so to direct govern and sanctify (them) in (their) important work, by Thy Holy Spirit, that, through Thy blessing on (their) deliberations, the Gospel of Christ may be faithfully preached and obeyed, and the order and discipline of Thy Church maintained amongst us, to the overthrow of Satan's power, and the final establishment of Thy Heavenly Kingdom; through the merits and mediation of Jesus Christ Our Saviour.—*Amen.*

For Prayers for a Sick Person and Sick Child, the Minister can use the Forms in the Service for the Visitation of the Sick.

FOR THOSE ABOUT TO BE CONFIRMED.

Almighty and Everlasting God, we beseech Thee to bless all those who are now preparing for Confirmation. Grant that they may approach that holy Rite with pure hearts, watchful minds and bodies undefiled, that so, being blessed by Thy Servant the Bishop, and strengthened by Thy Holy Spirit, they may never be ashamed to confess the Faith of Christ Crucified, but manfully to fight under His banner against sin, the world and the devil, and continue His faithful soldiers and servants unto their lives' end; through Jesus Christ our Lord.—*Amen.*

FOR MISSIONS.

O God, who hast made of one blood all nations of men for to dwell on the face of the whole earth, and didst send Thy Blessed Son to preach to them that are afar off and to them that are nigh: Grant that all men may seek after Thee and find Thee. Bring the nations into Thy fold, and add the heathen to Thine inheritance. And we pray Thee shortly to accomplish the number of Thine elect and to hasten Thy Kingdom; through the same Jesus Christ Our Lord.—*Amen.*

The Bishops observe that various Uses are being employed by the Clergy, without authority, by reading Lessons from the Revised Version without the permission of the Ordinary and otherwise varying the Order of Divine Service. The Bishops therefore desire that the Clergy will abstain from any deviations from the usual Order of Service, beyond those above permitted, until the written consent of the Ordinary has been asked for and obtained.

Signed:

W. B. MONTREAL, *Metropolitan*,
ARTHUR TORONTO,
H. T. FREDERICTON,
CHAS. OTTAWA,

A. H. QUELEC,
J. PHILIP NIAGARA,
GEORGE ALGOMA,
W. L. ONTARIO,
J. CARMICHAEL, *Bishop Coadjutor of Montreal*,
C. L. NOVA SCOTIA,
DAVID HURON.

In expressing their concurrence with these "Permissions," two of the Bishops intimated that some changes and additions might yet be desirable.

CANON XIII.—OF ALTERATIONS OR ADDI-
TIONS IN PRAYER BOOK AND VER-
SION OF SCRIPTURES.

Adopted 8th Session, 1874.

No alteration or addition shall be made in the Book of Common Prayer and Administration of the Sacraments and other Rites and Ceremonies of the Church, the Articles of Religion, or the Forms and Manner of making, ordaining and consecrating Bishops, Priests and Deacons, or the Version of the Scriptures authorized to be read in Churches, unless the same shall be enacted at one session of the Provincial Synod and confirmed at another session of the same; provided that the confirmation be approved by two-thirds of the House of Bishops and two-thirds of each order of the Lower House.

Nevertheless, any alteration in or addition made to the Prayer Book or Articles by the Church of England in her convocations, and authorized by Parliament, may be accepted for use in this Ecclesiastical Province by the Provincial Synod at one session only, without the necessity for further confirmation.

CANON XIV.—OF THE OATHS AND SUB-
SCRIPTIONS OF THE CLERGY.

Adopted 9th Session, 1877.

Every person about to be ordained Priest or Deacon shall, before ordination, in the presence of the Bishop by whom he is to be ordained, and every person about to be licensed to any curacy, or to be instituted to any benefice, shall, before obtaining such license or being so instituted, make and subscribe the following declarations and take the following oaths:

1. The "Declaration of Assent" so called:

"I, (A.B.,) do solemnly make the following declaration: I assent to the Thirty-nine Articles of Religion and to the Book of Common Prayer, and the ordering of Bishops, Priests and Deacons; I believe the doctrine of the Church of England as therein set forth to be agreeable to the Word of God, and in Public Prayers and administration of the Sacraments I will use the Form in the said Book prescribed, and none other, except so far as shall be ordered by lawful authority."

2. The declaration of Submission to the Canons of the Provincial and Diocesan Synods as required by Canon II of the Canons of this Ecclesiastical Province in the following terms:

"I, (A.B.,) do willingly subscribe to and declare that I assent to and abide by the Canons which have been, or shall be, from time to time, passed by the Provincial Synod, or the Synod of the Diocese of....."

3. The Oath of Allegiance:

"I, (A.B.,) do swear that I will be faithful and bear true allegiance to Her Majesty Queen Victoria, her heirs and successors, according to law. So help me God."

4. The Oath of Canonical Obedience:

"I, (A.B.,) do swear that I will pay true and Canonical obedience to the Lord Bishop of.....and his successors in all legal and honest commands. So help me God."

[No oath shall be administered during the service for the ordering of Deacons, or during the service for the ordering of Priests, or during the service for the consecration of Bishops.]

Before institution to any Benefice, the persons to be instituted shall subscribe the following Declaration against Simony:

"I, (A.B.,) solemnly declare that I have not made by myself or by any other person any payment, contract or promise of any kind whatsoever which, to the best of my knowledge or belief, is simoniacal, touching or concerning the obtaining the preferment of, (.....) nor will I at any time hereafter perform or satisfy in whole or in part any such kind of payment, contract or promise made by any other without my knowledge or consent."

CANON XV.—OF THE CONSECRATION OF A
BISHOP.

Adopted 9th Session, 1877.

Amended 14th " 1889.

1. Whenever an election is made by any Diocesan Synod within the Ecclesiastical Province of Canada of a person to fill the office of Bishop, the chairman, or in the case of his death, incapacity, absence, or refusal, the clerical secretary of the said Synod shall transmit a certificate of such election to the Metropolitan, within seven days after the election.

2. Such certificate shall be in the following form:

"We, the Clergy and Lay Representatives of the Diocese of.....in Synod assembled, do hereby certify that at.....on this.....day of.....A.D.....(A.B.) of the Diocese of.....was duly elected, according to the Canons of this Diocese, to be Bishop of.....

Signed on behalf of the Synod,

.....Chairman.

.....Secretary or

.....Secretaries.

3. On the receipt of this certificate, the Metropolitan shall, within seven days, send formal notice of such election to all the Bishops within his Ecclesiastical Province.

4. Should any of the said Bishops desire to object to the consecration of the person so elected, on the ground of canonical disability, as hereinafter defined, he shall make the objection in writing, delivered to the Metropolitan within fourteen days from the date of said notification to him of such election, setting forth the special grounds of his objection.

5. On the receipt of such objection in writing by the Metropolitan, or in case the Metropolitan himself object to such consecration, he shall summon the House of Bishops to meet within one month to consider such objection, giving not less than fourteen days' notice of the time and place of meeting; it shall be the duty of every Bishop so summoned to attend unless he be excused for reasonable cause, to be approved by the Metropolitan; and the Metropolitan shall send by post a true copy of such objection to the person so elected, at least twenty-one days previous to the meeting referred to in this section, and shall also notify him of the time and place of meeting.

6. The House of Bishops, having heard the person so elected, or having given him every reasonable facility for appearing before them in person, or by counsel, or by proxy, if he be so minded, as well as the Diocesan Synod by its representative duly appointed, if the said Diocesan

Synod shall express its desire to be so heard; and, having heard the reasons in support of the said objection, shall decide as to its validity or otherwise, and their decision, with the reasons therefor, shall be communicated in writing without delay to the person so elected, and to the secretary of the Synod which elected him.

7. Thereupon, if the majority of the Bishops of the Ecclesiastical Province determine that the objection is canonical and has been sustained, the Synod of the Diocese aforesaid shall proceed to the election of another person to fill the office of Bishop.

8. Should no such objection be made within the period specified or after objection made, should the same not be sustained by the majority of the Bishops aforesaid, the Metropolitan shall, with all convenient speed, proceed to the consecration of the said person so elected, and to that end shall summon two or more of the Bishops of this Ecclesiastical Province to assist him in such consecration; and it shall be the duty of such Bishops to attend at such time and place as he, the Metropolitan, shall appoint, and to assist in the consecration of the said person elected.

9. Before proceeding to consecrate, the Metropolitan shall cause to be read publicly in the church, where the consecration is held, a duly attested certificate of the election of said person to the office of Bishop, and that no canonical impediment to his consecration exists, which shall thereupon be given in for record.

10. No Bishop who shall have made any Canonical objection as aforesaid, or who shall have voted in favour of such objection, shall be required to take part in such consecration, and if the Metropolitan shall have made such objection, the Senior Bishop of the Ecclesiastical Province, not having so objected or so voted, shall perform the duties of the Metropolitan referred to in section 8 of this Canon.

11. The following objections shall be considered canonical and none others:—

1. That the person elected is not fully thirty years of age.

2. That he is not a Priest in Holy Orders of the Church of England, or of some Branch of the Church in full communion therewith.

3. That he is deficient in learning.

4. That he has either directly or indirectly secured, or attempted to secure, the office by improper means.

5. That he is guilty of any other crime or immorality.

6. That he teaches or holds, or has within five years previous to the date of his election, taught or held anything contrary to the doctrine and discipline of the Church of England.

12. The Bishop elect shall, previous to his consecration, or if already a Bishop, previous to his installation, subscribe a declaration of submission to the Canons of the Provincial Synod in the form prescribed by Canon II.

13. If a person shall be elected Bishop of a vacant Diocese who has been previously consecrated a Bishop of the Church of England or of any branch of the Church in full communion therewith, the said election shall be notified to the Metropolitan as hereinbefore provided, and the Metropolitan shall proceed, as in the case of the election of a person in Priest's Orders, except that when no canonical objection has been received within the period limited for entering such objections, or when such objections shall have been heard and rejected by the House of Bishops, the Metropolitan, instead of proceeding to the consecration, shall issue a certificate to the Bishop so elected, and to the secretaries of the electing Synod, that there is no canonical impediment to the installation of the said Bishop.

14. In all cases when the Bishop elected has been duly consecrated, or a certificate has been furnished by the Metropolitan, as before provided, the said Metropolitan shall, either by himself or by some person duly commissioned to act on his behalf, formally instal the said Bishop elect, inducting him into the actual possession of his See.



15. In case there shall be no Metropolitan, or in case he shall be incapable of performing the duty in this Canon assigned to the Metropolitan, this duty shall be performed by the Senior Bishop of the Province, and in case of his absence or incapacity by the next in seniority, and so forth.

16. A majority of the Bishops of the Ecclesiastical Province shall constitute a quorum for the hearing of objections to the consecration of a person elected to the office of Bishop.

CANON XVI.—ON MARRIAGE WITHIN THE
PROHIBITED DEGREES.

Adopted 10th Session, 1880.

Whereas the following Resolution was adopted by the Provincial Synod:

“No clergyman of this Ecclesiastical Province shall knowingly solemnize a marriage forbidden by the 99th Canon of the year 1603 A.D., which is as follows: ‘No person shall marry within the Degrees prohibited by the laws of God, and expressed in a Table set forth by authority in the year of our Lord God 1563’”;

I. The Table of Degrees prohibiting certain marriages set forth by authority in the year of our Lord 1563, and usually annexed to the Book of Common Prayer, is hereby adopted by the Church of this Ecclesiastical Province of Canada.

II. No clergyman of this Ecclesiastical Province shall knowingly solemnize a marriage within the degrees prohibited by such Table.

III. A printed copy of the Table of Prohibited Degrees shall be placed in the Vestry-room, or near the entrance of every Church in this Ecclesiastical Province, at the charge of the parish, in some place where it may conveniently be read.

CANON XVII.—OF LAY-READERS.

Adopted 10th Session, 1880.

Lay readers may be employed in any parish or mission under the following conditions:—The lay reader shall be selected by the Rector or missionary in charge, and shall be recommended by him to the Bishop for his license.

The Bishop, having satisfied himself that such person is fitted by reason of his religious character and his knowledge of the Bible and Prayer Book for the office, may license him as lay reader in the form hereto subjoined, and shall, where practicable, admit him, in person or by deputy, to his office in the presence of the people among whom he is to serve.

WE, _____ by Divine permission, Bishop of _____
do by these presents grant unto you, our
well beloved in Christ, _____ in whose good
morals and sound doctrine we do confide, our License and
Authority to perform the duties of Lay Reader and
Catechist, in the Parish or Mission of _____
under the guidance and direction of the Reverend
_____, the Minister in charge. This
License to continue during our pleasure, or until the
said Reverend _____ shall signify to us and
to you in writing under his hand that he no longer desires
to avail himself of your services, when it shall cease and
determine.

Given under our Hand and Seal, this
day of _____ in the year one thousand eight
hundred and _____ and in the
year of our consecration.

CANON XVIII.—OF THE DIACONATE.

Adopted 10th Session, 1880.

A Deacon need not surrender his worldly calling or business, (said calling being approved by the Bishop), unless he be a candidate for the office of a Priest, and he shall not be admitted to the Priesthood till he shall have passed a satisfactory examination in Latin and Greek, and have further complied with such other requirements as the Bishop of each Diocese may impose.

Every Deacon who shall, from necessity, be placed in charge of a parish or mission shall be under the direction of a neighboring Priest until he be advanced to the Priesthood.

CANON XIX.—ON THE CONSTITUTION OF
THE DOMESTIC AND FOREIGN MISSION-
ARY SOCIETY OF THE CHURCH OF
ENGLAND IN CANADA.

Not printed. See Canon of the General Synod.

THE GENERAL SYNOD
OF THE
CHURCH OF ENGLAND
IN THE
DOMINION OF CANADA.

PRAYER FOR THE GENERAL SYNOD.

(To be used in all Churches in the Dominion on two or more Sundays previous to each meeting of the Synod, as well as during the session).

Almighty and Everlasting God, who by Thy Holy Spirit didst preside in the Council of the blessed Apostles, and hast promised, through Thy Son Jesus Christ, to be with Thy Church to the end of the world, we beseech Thee to be present with the General Synod now (about to be) assembled in Thy name. Save us (them) from all error, ignorance, pride and prejudice; and of Thy great mercy vouchsafe so to direct, govern and sanctify us (them) in our (their) deliberations by Thy Holy Spirit, that through Thy blessing the Gospel of Christ may be faithfully preached and obeyed, the order and discipline of Thy Church maintained, and the Kingdom of our Lord and Saviour Jesus Christ enlarged and extended. Grant this, we beseech Thee, through the merits and mediation of the same Jesus Christ our Lord. *Amen.*

The General Synod.

MID-DAY PRAYER FOR MISSIONS.

OUR FATHER, which art in Heaven, Hallowed be Thy Name. Thy Kingdom come. Thy will be done, in earth as it is in heaven. Give us this day our daily bread. And forgive us our trespasses, As we forgive them that trespass against us. And lead us not into temptation; But deliver us from evil: For Thine is the Kingdom, The power and the glory, For ever and ever. *Amen.*

"And I, if I be lifted up, will draw all men unto Me."

BLESSED SAVIOUR, who at this hour didst hang upon the Cross, stretching forth Thy loving arms; Grant that all mankind may look unto Thee and be saved; Who livest and reignest with the Father and the Holy Ghost, ever one God, world without end. *Amen.*

"At mid-day, O King, I saw a light above the brightness of the sun."

ALMIGHTY SAVIOUR, who at mid-day didst call Thy servant, Saint Paul, to be an Apostle to the Gentiles; we beseech Thee illumine the world with the radiance of Thy Glory, that all nations may come and worship Thee, Who art, with the Father and the Holy Ghost, one God, world without end. *Amen.*

"Peter went up upon the house-top to pray about the sixth hour."

FATHER OF MERCIES, who to Thine Apostle, Saint Peter, didst reveal in three-fold vision Thy boundless compassion; Forgive, we pray Thee, our unbelief, and so enlarge our hearts and enkindle our zeal that we may fervently desire the salvation of all men, and with more ready diligence labour in the extension of Thy Kingdom; for His sake Who gave Himself for the life of the world, Thy Son our Saviour Jesus Christ. *Amen.*

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SOLEMN DECLARATION.

In the Name of the Father, and of the Son, and of the Holy Ghost. *Amen.*

We, the Bishops, together with the Delegates from the Clergy and Laity of the Church of England in the Dominion of Canada, now assembled in the first General Synod, hereby make the following Solemn Declaration:—

We declare this Church to be, and desire that it shall continue, in full communion with the Church of England throughout the world, as an integral portion of the One Body of Christ composed of Churches which, united under the One Divine Head and in the fellowship of the One Holy Catholic and Apostolic Church, hold the one Faith revealed in Holy Writ, and defined in the Creeds as maintained by the undivided primitive Church in the undisputed Ecumenical Councils; receive the same Canonical Scriptures of the Old and New Testaments, as containing all things necessary to salvation; teach the same Word of God; partake of the same Divinely ordained Sacraments, through the ministry of the same Apostolic Orders, and Worship One God and Father through the same Lord Jesus Christ, by the same Holy and Divine Spirit Who is given to them that believe to guide them into all truth.

And we are determined by the help of God to hold and maintain the Doctrine, Sacraments, and Discipline of Christ as the Lord hath commanded in His Holy Word, and as the Church of England hath received and set forth the same in "The Book of Common Prayer and Administration of the Sacraments and other Rites and Ceremonies of the Church, according to the use of the Church of England; together with the Psalter or Psalms of David, appointed as they are to be sung or said in Churches; and the Form and Manner of Making; Ordaining, and Consecrating of Bishops, Priests, and Deacons"; and in the Thirty-Nine Articles of Religion; and to transmit the same unimpaired to our posterity.

FUNDAMENTAL PRINCIPLES.

We declare that the General Synod when formed does not intend to, and shall not, take away from or interfere with any rights, powers, or jurisdiction of any Diocesan Synod within its own territorial limits as now held or exercised by such Diocesan Synod.

We declare that the constitution of a General Synod involves no change in the existing system of Provincial Synods, but the retention or abolition of the Provincial Synods is left to be dealt with according to the requirements of the various Provinces as to such Provinces and the Dioceses therein may seem proper.

BASIS OF CONSTITUTION.

1. (a) The General Synod shall consist of the Bishops of the Church of England in the Dominion of Canada and of Delegates chosen from the Clergy and the Laity.

(b) The Delegates shall be chosen by the several Diocesan Synods according to such rules as they may adopt, or, in a Diocese which has no Synodical organization, may be appointed by the Bishop, such Delegates to be in all cases resident in the Diocese from which they are elected or appointed; provided that, until circumstances permit of its being otherwise ordered by the General Synod, the Bishops of the Dioceses of Moosonee, Selkirk, Mackenzie River, Athabasca and Caledonia, and such other Dioceses as may be formed out of them, be permitted to elect or appoint non-resident Delegates to the General Synod, provided only that the said Delegates be resident within the bounds of the Ecclesiastical Province of Rupert's Land, or the Civil Province of British Columbia respectively. Provided further that until 1896 these Dioceses may elect their Delegates from any Diocese whatever.

(c) The representation shall be as follows:—Dioceses having fewer than twenty-five licensed Clergymen, one Delegate from each Order; Dioceses having twenty-five and fewer than fifty licensed Clergymen, two of each Order; Dioceses having fifty and fewer than one hundred, three of each Order; Dioceses having one hundred licensed Clergymen and upwards, four of each Order.

*Amended at Third Session, 1902, see page 221, Constitution, Section 4.

2. (a) The Synod shall consist of two Houses; the Bishops constituting the Upper, and the Clergy and Laity together the Lower House. The two Houses shall sit separately except by the consent of both Houses.

(b) The Clergy and Laity shall vote by Orders if required; and if the proposition be carried in the negative it shall be conclusive; but if in the affirmative any six Delegates (two from each of three different Diocese) may then demand a vote by Dioceses, when, if the proposition be carried in the negative, it shall be conclusive, the vote of each Diocese being determined by the majority of the Delegates of that Diocese. And in case of equality in the votes of the Delegates from any Diocese, such Diocese shall not be counted.

(c) When both Houses sit together, each House shall vote separately.

3. (a) The President of the General Synod (who shall be styled the Primate of All Canada, and Metropolitan of his own Province, and Archbishop of the See over which he presides), shall be elected by the House of Bishops from among the Metropolitans or Bishops of Dioceses not in any Ecclesiastical Province.*

(b) The Primate shall hold office for life, or so long as he is Bishop of any Diocese of the General Synod; nevertheless he may resign at any time.

3. (a) There shall be a Primate who shall be elected by the House of Bishops from among the Metropolitans or Bishops of Dioceses not in any Ecclesiastical Province. He shall be styled the Primate of All Canada, and Archbishop of the See over which he presides. He shall be President of the General Synod.

4. The General Synod shall have the power to deal with all matters affecting in any way the general interests and well-being of the Church within its jurisdiction. Provided that no Canons or resolutions of a coercive character, or involving penalties or disabilities, shall be

*Amended at Second Session, 1896, (Journal, page 57) as follows:

operative in any Ecclesiastical Province, or in any Diocese not included in any Ecclesiastical Province, until accepted by the Synod of such Province or Diocese, and that the jurisdiction of the General Synod shall not withdraw from a Provincial Synod the right of passing upon any subject falling within its jurisdiction at the time of the formation of the General Synod.

5. The following, or such like objects, are declared to be within the jurisdiction of the General Synod:

- (a) Matters of doctrine, worship and discipline.
- (b) All agencies employed in the carrying on of the general work of the Church.
- (c) The general missionary and educational work of the Church.
- (d) The adjustment, with consent of the Dioceses, or of the Province (in the case of the Province of Rupert's Land), of the relations between Dioceses in respect of Clergy, Widows' and Orphans' and Superannuation Funds.
- (e) Regulations affecting the transfer of Clergy from one Diocese to another.
- (f) Education and training of Candidates for Holy Orders.
- (g) Constitution and power of an Appellate Tribunal.
- (h) The erection, division, or re-arrangement of Provinces, with the consent of any existing Provinces affected; but the erection, division or re-arrangement of Dioceses, and the appointment and consecration of Bishops within a Province shall be dealt with by the Synod of that Province.

6. Nothing in this Constitution shall affect any Canons or enactments of any Provincial or Diocesan Synods now in force.

7. For the expenses of the Synod, including the necessary travelling expenses of the members, there shall be an annual assessment of the Dioceses proportionate to the number of licensed Clergymen in them (Dioceses having less than ten Clergymen being exempt); provided, however, that the expenses of any member of the Synod not attending during the whole Session of the Synod shall be paid *pro rata*, and such proportionate part thereof as his attendance bears to the whole time the Synod is in Ses-

sion; and that a Standing Committee be appointed who shall fix and determine the amount at any time to be paid hereunder; such Committee, however, to have discretionary power to allow a greater proportion in case of absence from illness or any other good cause arising during the sitting of the Synod.

8. All Canons dealing with matters of doctrine, worship and discipline shall require to be passed at two successive meetings of the General Synod before coming into force.

9. The "Ecclesiastical Province" shall mean any group of dioceses under the jurisdiction of a Provincial Synod.

Given in the city of Toronto in the month of September in the year of our Lord one thousand eight hundred and ninety-three.

[N.B.—No change in the Basis of Constitution shall be considered unless a majority of each Order is present and no change shall take place unless unanimously adopted by both Houses or until affirmed by a two-thirds majority of the Upper House and a two-thirds majority of each Order of the House of Delegates, and in the latter case it shall stand over for confirmation till the next meeting of Synod, when it must be affirmed by similar majorities.—See pp. 46 and 49 Journal of First Session.]

CANON I.—THE SUPREME COURT OF APPEAL.

[*Passed Session II (Journal p. 40), 1896; Amended Session III (Journal pp. 51, 65), 1902. Passed a second time Session IV (Journal pp. 20, 35), 1905.*]

The General Synod of the Church of England in the Dominion of Canada enacts as follows:

1. There shall be a final Court of Appeal for the Church of England in Canada, hereinafter referred to as "The Supreme Court," which shall be called The Supreme Court of Appeal for the Church of England in the Dominion of Canada.

2. Subject to the limitations hereinafter prescribed, the Supreme Court shall have jurisdiction to hear and determine appeals from the judgments or decisions of the Court of any Ecclesiastical Province, whether sitting as a Court of Appeal or as a Court of original jurisdiction, and from the judgments or decisions of any Diocesan Court or of the Bishop of any Diocese.

3. An appeal shall lie to the Supreme Court only when the decisions appealed from affect the subjects of Doctrine or Worship, or where a Bishop has been tried and a decision adverse to him has been arrived at.

4. The Supreme Court shall, at the request of any Diocesan or Provincial Synod or the House of Bishops of any Province, or of the General Synod or either House thereof, have authority to determine whether any Canon passed by the Synod of any Province or Diocese is constitutional or *ultra vires*.

5. The Supreme Court shall, at the request of any Diocesan or Provincial Synod or of the House of Bishops of any Province, or of the General Synod or either House thereof, have authority to determine the proper construction of any Canon passed by any Diocesan or Provincial Synod, or any question of Ecclesiastical Law which may be submitted for its consideration.

5. (a) The Supreme Court shall, at the request of the General Synod or of either House thereof, have authority to determine whether any Canon passed by any Provincial or Diocesan Synod has been repealed, amended, suspended or otherwise affected by any Canon of the General Synod, and to determine to what extent such Canon of the Provincial or Diocesan Synod has validity, force or effect.

6. There shall be no appeal to the Supreme Court on questions of fact, except when the facts are contained in or evidenced by written documents, and except in the case of an appeal from a decision arrived at on the trial of a Bishop.

CONSTITUTION OF THE COURT.

7. The Supreme Court shall be composed of all the Bishops of the Church of England in Canada who have a right to sit in the General Synod, and of five assessors to be appointed in the manner hereinafter provided. The functions of the Court may be exercised by a Judicial Committee consisting of the Primate and Metropolitans, and of a sufficient number of other Bishops to be selected by the House of Bishops to make up the number of the Committee to not less than seven. Should any member of the Committee be unable to act, or should it be deemed by the Committee undesirable that any particular member should act, his place shall be filled by another Bishop to be selected by the Primate or Senior Bishop, member of such Committee. The judgment of the Committee shall be regarded as the judgment of the full Court, except in cases involving any question of doctrine, in which cases no decision shall be valid or binding unless, and until, a copy of such decision and the reasons thereof shall have been sent to all the Bishops, and the concurrence of two-thirds of the Bishops in the decision shall have been obtained in writing. Should two-thirds of the Bishops fail to concur in the conclusion arrived at by the Committee, the judgment appealed from shall not be enforced, and shall not be regarded as affirming or denying any doctrine.

8. The duty of presiding in the Court of Appeal shall belong in the first place to the Primate; next, to the Metropolitans in the order of seniority; next, to such Bishop as may be elected President by the Bishops sitting on the Appeal.

ASSESSORS.

9. There shall be five Lay Assessors, resident in Canada, communicants of the Church of England in good standing, judges of some Court of Law in the Dominion, or barristers of at least ten years' standing at the Bar of any of the Provinces. At each regular Session of the General Synod, the Upper House shall send down the names of five persons qualified as aforesaid to the Lower House. If any of these be not accepted, the Upper House shall send down another name or other names as may be

required. Should this second nomination not be accepted, the Upper House alone shall appoint; but no person shall be appointed who has been rejected by the Lower House. The Assessors so appointed shall continue to be Assessors until they shall have been replaced or re-appointed. Should a vacancy occur between two Sessions of Synod by death, resignation, or disqualification, such vacancy may be filled by the Primate and Metropolitans.

10. The Assessors shall advise the Court on all questions which may be submitted to them by the Court for their consideration, and shall have the right to sit as members of the Court during the hearing of an appeal. They shall not, however, be members of the Court for the purpose of giving judgment. The Court shall sit with at least three Assessors. In case any of the Assessors shall be unable to attend on the hearing of an appeal, an Assessor, *ad hoc*, duly qualified as hereinbefore provided, may be appointed by the Court to sit in his stead for the hearing of the appeal.

11. Any party to a cause or matter which is appealable to the Supreme Court may appeal.

12. No appeal shall lie for error or defect in form in any proceeding or judgment.

13. The Supreme Court may sit in any Diocese at such time and place as the President of the Court may order and direct.

14. Written notice of appeal from any judgment or decision proposed to be appealed from must be given within three calendar months from the time of pronouncing such judgment or decision. Such notice shall be given to such persons and in such manner as shall be prescribed by the rules of procedure to be framed under the provisions of this Canon.

15. Every appeal shall be heard and disposed of by the Supreme Court within two years from the time the judgment or decision appealed from was pronounced.

16. The Supreme Court shall have power to award costs to any of the parties to an appeal to be paid by the

other or others, and to make orders for the giving of security for the costs of any appeal or matter brought before it for its consideration.

17. The Supreme Court, or a Committee of the members thereof, shall, from time to time, make all necessary rules of orders with respect to the officers of the Court and their mode of appointment, the fees to be paid the officers, the mode in which interlocutory applications shall be heard, the procedure in the Court, and all other matters necessary for the effectual carrying out of the provisions of this Canon, and in so doing shall be assisted by the Assessors or some of them. Such rules or orders may be altered from time to time as may be necessary. They shall be prepared within three months from the passing of this Canon, and shall be printed in the Journal of the General Synod as an Appendix thereto.

18. The time for taking any proceeding under the provisions of this Canon or the rules of procedure may be extended in such manner as the rules may provide.

CANON II.—THE MISSIONARY SOCIETY OF THE CHURCH OF ENGLAND IN THE DOMINION OF CANADA.

[Passed Session III (Journal pp. 29, 33), 1902. Passed a second time Session IV (Journal pp. 21, 35), 1905.]

The General Synod of the Church of England in the Dominion of Canada enacts as follows:

1. There shall be a Society for the general missionary work of the Church, to be known as "The Missionary Society of the Church of England in Canada."

2. The Society shall consist of all members of the Church.

3. The work of the Society shall be under the charge of a Board of Missions, which shall be styled, "The Board of Missions of the Church of England in Canada."

4. The Board shall consist of all the members of the Upper House and all the members of the Lower House, and the members of the Board of Management as hereinafter described, with power to add to their number. The Primate shall *ex officio* be chairman, and in his absence the senior Archbishop or Bishop present shall preside.

The third day of each session of the General Synod shall be devoted to the work of the Missionary Society aforesaid.

5. The executive work of the Board shall be entrusted to a Board of Management composed of the Bishops of the Upper House and two Clergymen and two Laymen elected by each Diocesan Synod at each regular meeting thereof (or where there is no Diocesan Synod, by the Bishop of the Diocese), and the officers of the Society. Such Board shall meet at least twice a year, at such time and place as it may determine. Special meetings may be summoned by the Primate on the written requisition of any two Bishops or of two Clergymen and two Laymen members of the Board, or at his discretion. Ten shall be a quorum. The Board shall report to each Diocesan Synod, and to each Provincial Synod, and to the General Synod, at their regular meetings. The Primate shall be *ex officio* Chairman of the Board (and in his absence the senior Archbishop or Bishop present shall preside). If no Bishop is present the Board shall elect a Clergyman or a Layman to preside. The Board shall appoint an organizing Secretary and such other officers and Committees, and make such By-laws as may be found necessary.

The Board shall meet for the first time on the 5th day of September, 1902, in Montreal, at 8 o'clock p.m.

The Board shall appoint an Executive Committee consisting of three Bishops, three Clergymen and three Laymen, and the officers of the Society, who shall meet at least once in each month, excepting July and August,

and promote the work and interest of the Society in every way open to them under the powers and instructions which may be given to them from time to time by the Board of Management.

The Executive Committee shall meet at such time and place as they may determine, and shall report to the Board of Management at each meeting.

6. All funds raised under this Canon in any Diocese for Mission work beyond its own borders shall be forwarded to the Treasurer, and any of such funds not appropriated by the donors shall be distributed by the Board of Management.

7. The Board of Management shall publish annually a statement of the missionary needs and resources of each Diocese receiving or seeking aid, indicating in particular the definite sums required to meet the needs for, first, Home Missions, or missions among the settlers in rural districts; and, secondly, Indian and heathen missions in the Dominion.

8. The Board of Management shall also publish annually a statement of the needs of such Foreign Missionary work as has been undertaken by the Church in Canada.

9. In order to secure a clear statement of the Church's needs, the Bishop or Secretary of the Executive Committee of each Diocese receiving or seeking aid, shall, on or before the 31st day of January in each year, submit to the Board of Management a description of existing missions and fields needing to be occupied in his Diocese, giving details of the extent, population and prospects of each.

There shall also be furnished a full and detailed statement of all moneys received from Missionary Societies, private benefactions or Government grants, for the work being carried on; and, further, a full and detailed statement of the expenditure of all funds so received.

The Board of Management shall issue two appeals annually: one on behalf of Canadian Missions, and one on behalf of Foreign Missions.

Both of these appeals shall have appended thereto the signatures of the Bishops.

The collections taken up in response to such appeals shall be at once remitted to the Treasurer of the Society.

10. A deputation, as arranged by the Executive Committee, shall be sent, under the authority of the Bishop of each Diocese, to every Parish or Mission annually, to give missionary information and procure help for the work of the Board; and each Clergyman shall, in addition to reading the appeal or appeals, annually preach or have preached by a Clergyman representing the Board, to each congregation under his charge, a Missionary Sermon; then subscriptions and donations shall be solicited for the general missionary work of the Church. The Executive Committee shall make arrangements for the exchange of deputations between the east and west when found desirable.

11. Funds in answer to these appeals shall be raised by collections in churches, and at meetings, and by soliciting subscriptions and donations, and an application shall be made to each Diocese, or, if found practicable, to each Parish, for a definite sum.

12. Six months previous to the beginning of each year the Board of Management shall inform each Diocese seeking or receiving aid of the sum which it is expected will be granted to the Diocese for the coming year; but such grant shall be subject to reduction by the Board of Management if found necessary.

13. The appropriation of all funds not previously appropriated by the donors shall be made by the Board of Management; and it shall present to the Board of Missions a statement of all receipts, disbursements and expenditures, duly audited by two auditors, who shall be appointed at each Session of the General Synod.

14. The Organizing Secretary, when required to devote his whole time to the work of the Board of Management, may be paid his travelling expenses and a salary to be fixed by the Board of Management.

15. The present members of the Board of Management of the Domestic and Foreign Missionary Board of the Ecclesiastical Province of Canada shall represent their respective Dioceses on the Board of Management provided for in this Canon, until such time as the Dioceses shall have elected new members.

Until the Synods of the Province of Rupert's Land and the Dioceses of British Columbia or in the case of Dioceses having no Synods (including Algoma), the Bishops thereof, shall have appointed representatives, the present Delegates to this Synod shall be members of the Board of Management. In the case of the Diocese of Rupert's Land, the two of each Order first on the list shall act.

CANON III.—OF CERTAIN MARRIAGES FORBIDDEN TO BE SOLEMNIZED BY THE CLERGY OF THE CHURCH OF ENGLAND IN CANADA.

[*Passed Session III (Journal pp. 57, 59), 1902.*]

1. The Table of Degrees prohibiting certain marriages set forth by authority in the year of our Lord 1563, and usually annexed to or included in the Book of Common Prayer, is hereby adopted by the General Synod.

2. No Clergyman within the jurisdiction of said Synod shall knowingly solemnize a marriage within the degrees prohibited by such table.

3. A copy of said Table of Prohibited Degrees shall be placed in the Vestry room and near the entrance of every Church within the said jurisdiction, in some place where it may conveniently be read.

CANON IV.—REGISTRAR OF THE GENERAL SYNOD.

[Passed Session III (Journal pp. 78, 91), 1902. Passed a second time Session IV (Journal pp. 77, 82), 1905. amended Sixth Session (Journal pp. 148), 1911.]

1. There shall be an officer of the General Synod to be designated: The Registrar of the General Synod.
2. The Registrar of the General Synod shall be elected by the Lower House and his election shall be concurred in by the Upper House.
3. The Journals, files, papers, reports and all other documents, shall be committed, when not otherwise expressly provided for, to the keeping of the Registrar.
4. It shall be the duty of the Registrar to preserve all such Journals, files, papers, reports, and other documents now in existence; to arrange, label, file, index, and otherwise put in order and provide for the safe keeping of the same and all such others as may hereafter come into his possession in some safe and accessible place of deposit and hold the same under such regulations and restrictions as the General Synod may from time to time provide.
5. It shall be the duty of the said Registrar to procure a proper book of record and to enter therein a record of the Consecrations of all the Bishops of the Church of England in Canada, designating accurately the hour and place of the same, and the names of the consecrating Bishops and of all others present and assisting, to have the same authenticated in the fullest manner possible, and to take care for the similar record and authentication of all future consecrations in the Church.
6. The Registrar shall present a report at each session of the General Synod.
7. The expenses necessary for the purposes of this Canon shall be provided for by the vote of the General Synod and discharged by the Treasurer.

*8. It shall be the duty of the Registrar without fee to furnish certified copies of each General Synod Journal and send the same to the proper officer of each Ecclesiastical Province of Canada for preservation among the records of such Province.

*9. It shall be the duty of the Registrar to keep a proper book of record and to enter therein all canons enacted by General Synod; each Canon so entered shall be certified under the hand of the Primate and of the Registrar and shall be sealed with the seal of the General Synod. Such book of Canons shall be deemed to be the original record of the Canons enacted by the General Synod of Canada.

— *Enacted Sixth Session, 1911, see Journal pages 111 and 148.

CANON V.—MARRIAGE AND DIVORCE.

[*Passed Session IV (Journal pp. 25, 28), 1905.*]

No Clergyman within the jurisdiction of the Church of England in Canada shall solemnize a marriage between persons either of whom shall have been divorced from one who is living at the time.

X

CANON VI.—TRANSFER OF CLERGY.

[*Passed Session IV (Journal p. 54), 1905.*]

It shall be the duty of each Bishop to keep a register of the Clergy of his Diocese, whether ordained by himself or received from another Diocese. After each name there shall be recorded the date of his ordination as Deacon and Priest, and the name of the Bishop who ordained him; his standing in his University, if any; also the date of his entering the Diocese and of his various appointments. There shall also be a record of his transfer from other Dioceses, if there be any such

A Clergyman shall be regarded as subject to the Episcopal jurisdiction of the Bishop on whose register his name has been entered, until he has been removed from such register by transfer to another Diocese.

When a Priest or Deacon in good standing is desirous of leaving a Diocese, it shall be the duty of the Bishop to give him, on his request, the usual "Letters Testimonial" or "*Bene decessit*," but the Clergyman on receiving the same shall continue subject to the Episcopal jurisdiction of the Bishop till such "Letters Testimonial" shall have been presented according to their address, and accepted by the Bishop to whose Diocese the Clergyman wishes to be transferred. Provided always that, if they be not presented within three months after their date, they shall be void.

SCHEDULE A.

"Letters Testimonial" may be in the following terms:—

I hereby certify that A.B., who has signified to me his desire to be transferred to the Ecclesiastical authority of..... is a Priest of....., in regular standing, and has not, so far as I know and believe been justly liable to evil report for error in religion or viciousness of life for the three years last past.

Witness our hand and seal this....day of....., 19..

***Under the Canon this requires an answer.

SCHEDULE B.

Form of Acceptance of "Letters Testimonial."

DIOCESE OF A.

To the Ecclesiastical authority of the Diocese of B.:—

The letters of transfer of the Reverend C.D. from the Diocese of A. have been presented to us and have been accepted; and the date thereof is....., 19...

Witness our hand and seal this.....day.....19..

.....
Bishop of.....

CANON VII.—ON SUNDAY SCHOOLS.

[Passed Session V (Journal pp. 358), 1908.]

1. That there shall be an organization for the Sunday School work of the Church to be known as "The Sunday School Commission of the Church of England in Canada."

2. This Sunday School Commission shall consist of the Bishops of the Upper House, of two representatives of each Order from the Lower House appointed by the Prolocutor at each Session of Synod, and of two Clergymen and two Laymen elected by each Diocesan Synod at each regular meeting thereof, together with any Executive Officers who may be appointed by the Commission. In any Diocese where there is no Diocesan Synod, the Diocesan representatives shall be appointed by the Bishop. The Commission shall have power to increase the membership.

3. It shall be the duty of the Sunday School Commission to study the problems of Religious instruction and Church training in connection with the Sunday School, as an auxiliary to the Church's ideal and method of Christian Education, and to adopt such measures as the Commission may deem advisable to promote the efficiency of Sunday Schools and to advance the cause of religious education, all in harmony with the authority of the Bishop of each Diocese and of the Incumbent of each Parish.

4. The Sunday School Commission shall meet at least twice a year at such time and place as it may determine. The Primate shall be *ex officio* President.

5. The Commission shall have power to fix its own quorum, to frame regulations for the orderly and convenient discharge of the business and duties entrusted to it, to appoint such officers as may be deemed expedient, and to regulate the powers, duties and emoluments, if any, of such officers.

6. The Commission may appoint an Executive Committee to conduct the business of the Commission in the intervals of its meetings.

7. The Executive shall meet at such times and places as it may determine, and it shall report to the Commission at each meeting.

8. It shall be the duty of the Sunday School Commission to submit a report to each Diocesan Synod, to each Provincial Synod, and to the General Synod at their regular meetings.

9. It shall be the duty of the Sunday School Commission to determine from time to time what money will be required for the work of the Commission and to arrange for the raising of the same, either by agreement with the several Dioceses in Canada or otherwise, as may be determined by the Commission.

10. The fourth day of each Session of the General Synod shall be devoted to the consideration of the report of the Sunday School Commission, and of problems connected with the religious instruction and Church training of the youth of the Church in Canada.

11. Until the Synods of the several Dioceses shall have elected representatives, the Sunday School Commission shall consist of (a) the Bishops of the Upper House, and (b) of two members of each Order, appointed by the Prolocutor, and (c) two clergymen and two Laymen from each Diocese to be appointed by the Bishop of the Diocese.

CANON VIII.—AN ECCLESIASTICAL PROVINCE FOR THE CIVIL PROVINCE OF ONTARIO.

The General Synod of the Church of England in Canada enacts as follows:—

1. On the Provincial Synod of Canada consenting hereto, the Dioceses of Toronto, Huron, Ontario, Niagara, Algoma and Ottawa, at present comprised within the Ecclesiastical Province of Canada, shall constitute a new Ecclesiastical Province, to be known as "The Ecclesiastical Province of Ontario," and shall cease to be under the jurisdiction of the Provincial Synod of Canada.

2. There shall be a Provincial Synod of the said Ecclesiastical Province of Ontario, which shall be known as "The Provincial Synod of Ontario," and shall consist of all the Bishops of the Church of England in Canada having Sees within the said Ecclesiastical Province, or executing by due authority the Episcopate as Coadjutor, Suffragan, Assistant, or Missionary Bishop therein, and of delegates chosen from the clergy and laity thereof.

3. If at the date of the Provincial Synod of Canada consenting hereto the Metropolitan of Canada be the Archbishop of one of the Sees comprised in the Ecclesiastical Province of Ontario, he shall thereupon become Metropolitan of the Province of Ontario, but he shall also continue to exercise jurisdiction as Metropolitan of Canada until his successor in such Metropolitanacy be elected in accordance with the Canons of the Provincial Synod of Canada.

4. If at the said date the Metropolitan of Canada be not the Archbishop of one of the Sees mentioned in clause 3, the Bishops of the said Province of Ontario at the first session of the Provincial Synod thereof, (or at such other time and place as they shall at the First Session determine) shall elect one of their number to be the Metropolitan of the Province of Ontario, and until such election has taken place the Metropolitan of Canada shall continue to exercise jurisdiction in the Province of Ontario.

5. As soon as the said resolution of consent shall have been passed by the said Provincial Synod of Canada, the Bishops and clerical and lay delegates present from the Dioceses comprising the Ecclesiastical Province of Ontario shall withdraw from the session of the said Provincial Synod, and as soon thereafter as conveniently possible shall assemble in session as the Provincial Synod of Ontario, under the presidency of the Metropolitan of Ontario, or there being no Metropolitan of Ontario present, under the presidency of the senior Bishop of Ontario present.

6. After consent as aforesaid the Bishops and clerical and lay delegates from the remaining Dioceses of the Ecclesiastical Province of Canada shall constitute The

Provincial Synod of Canada and shall continue to exercise all the powers thereof over all the said remaining Dioceses.

7. The constitution, order of proceedings and rules of order of the Provincial Synod of Canada *mutatis mutandis* shall be the constitution, order of proceedings and rules of order of the Provincial Synod of Ontario until the last mentioned Synod shall have adopted a new constitution, order of proceedings and rules of order.

8. All Canons of the Provincial Synod of Canada, so far as the same shall be applicable to the Province of Ontario, shall be deemed to be Canons of the Provincial Synod of Ontario until or unless the Synod shall otherwise enact.

9. When duly constituted the Provincial Synod of Ontario may enter into such agreements, and may make such arrangements as may be necessary with the Provincial Synod of the Province of Rupert's Land in respect of any territory situated in the civil Province of Ontario as may be comprised in any of the Dioceses of the said Province of Rupert's Land, (subject however to the concurrence of the Dioceses affected), and if the Province of Rupert's Land and the Dioceses affected as aforesaid consent, any territory as aforesaid may be transferred to and shall upon acceptance thereof by the Provincial Synod of Ontario become and constitute part of the Ecclesiastical Province of Ontario and be subject to the Provincial Synod thereof.

CANON IX.—MISSIONARY DIOCESES AND BISHOPS.

The General Synod of the Church of England in Canada enacts as follows:

Whereas the Missionary Society of the Church of England in Canada in the furtherance of the general missionary work of the Church entrusted to their care under Canon No. 2 of this Synod, may find it necessary to assume the charge of defined districts in foreign lands

and to provide Episcopal supervision for such districts, and it is expedient to make provision in regard to the same. Be it therefore enacted:

1. The Board of Missions of the Church of England in Canada may by a resolution passed at any Triennial meeting of the Board, or at any Special Meeting thereof called by the Primate at the request of the House of Bishops, with such notice as is required in the case of a Meeting of the General Synod, and specifying the purpose for which such meeting is called, establish a Missionary Diocese or Dioceses in Territories beyond the Dominion of Canada; provided that if the territory of any proposed Diocese be part of the territory under the jurisdiction or in charge of a Bishop or Bishops of the Church of England in Canada or of any Church in Communion therewith, the consent and approval of such Bishop or Bishops be first obtained, and in no case shall there be two Bishops of Churches in communion with each other exercising jurisdiction in the same territory.

2. No such resolution for the establishment of a Missionary Diocese shall be carried except by a two-thirds majority of those present at the meeting unless the same shall have been submitted to the Board of Missions and recommended by the Board of Management, in which event the resolution may be carried by a majority of those present.

3. On the adoption of a resolution for the establishment of a Missionary Diocese it shall be the duty of the Board of Management to take all such steps as shall be necessary to delimit the boundaries of the said Missionary Diocese, to provide the funds for establishing and maintaining the said Diocese and the Bishop thereof, and to make all such agreements and arrangements as shall or may be necessary with the Civil Government of the said territory and with the representatives of other Churches in communion with the Church of England in Canada carrying on missionary work in the said territory.

4. The said Board of Management, with a view to giving effect to the 24th resolution of the Lambeth Conference in 1897, as reaffirmed by the Lambeth Conference of 1908, shall give due notice of the resolution of the

Society, and of the intention to proceed with the choice and consecration of a Bishop in accordance therewith, to the representative authorities of other independent Churches of the Anglican communion carrying on Missionary work in territories adjoining the proposed new Missionary Diocese, and shall make any adjustments and arrangements which may be necessary to ensure the maintenance of amicable relations with them.

5. On the Board of Management certifying to the House of Bishops that all matters referred to in the preceding section hereof have been duly complied with, and on the House of Bishops being satisfied that due provision has been made for the income of the Bishop to be chosen in accordance with the said resolution, the Primate, or if there be no Primate, the Senior Archbishop or Bishop, shall summon a meeting of the Board of Management for the purpose of choosing a Bishop of the said Missionary Diocese, but such choice may be made at any regular meeting of the Board of Management, provided notice of the intention to make such choice shall have been given in the notice summoning the said meeting.

6. At such meeting there being not less than fifty present, the Board of Management shall by a vote of a majority of the members present and voting (which vote shall, if required by four persons in writing, be taken by ballot) nominate a Bishop or other clergyman in priest's orders to the House of Bishops for choice as Bishop of the said Missionary Diocese, and if such nomination be confirmed by the House of Bishops, and the person so nominated accepts, he shall be declared to be the chosen Bishop of such Missionary Diocese. If not so confirmed or if the person so chosen shall not accept, further names shall be submitted and so on until a choice shall be confirmed by the House of Bishops and the person so chosen shall accept.

7. On any voidance of a Missionary See, a successor to the Diocesan shall be chosen in like manner.

8. A certificate of the choice of the Bishop and of his acceptance of such choice shall be forthwith furnished by the Chairman and Organizing Secretary of the Board of Management to the Primate, or if there be a vacancy in that office, to the Senior Archbishop or Bishop.

9. On receipt of the said certificate the Primate shall, within 14 days thereafter, send formal notice of such election to all the Bishops within the Dominion of Canada.

10. Should any of the said Bishops desire to object to the consecration of the person so elected, if consecration be necessary, on the ground of canonical disability, as hereinafter defined, he shall make objection in writing, delivered to the Primate within thirty days from the date of such notification to him of such election, setting forth the special grounds of his objection.

11. On the receipt of any such objection in writing by the Primate, or in case the Primate himself objects to such consecration, he shall refer the said objection to the Supreme Court of Appeal for the Church of England in the Dominion of Canada, and the decision of the said Court, with reasons for said decision, shall be communicated in writing, without delay, to the chosen Bishop and to the Organizing Secretary of the Board of Management.

12. Thereupon if the objection be sustained, proceedings shall be taken with a view to the choice of another person to fill the office of Bishop.

13. Should no objection be made within the period specified, or, after the objection made should the same not be sustained by the said Court, the Primate shall, with all convenient speed, proceed to the consecration of the chosen Bishop, if necessary, and to that end shall summon two or more of the Bishops in the Dominion of Canada to assist him in such consecration, and it shall be the duty of such Bishops to attend at such time and place as the Primate shall appoint, and to assist in the consecration of the said chosen Bishop.

14. Before proceeding to consecrate, the Primate shall cause to be read in the church where the consecration is to be held a formal duly attested certificate of the choice of the said person to the office of Bishop, and that no Canonical impediment to his consecration exists, which shall thereupon be given to the Registrar for record, and it shall be the duty of the Registrar to keep a book of record of all consecrations under this Canon.

15. No Bishop who shall have made any Canonical objection as aforesaid shall be required to take part in such consecration, and if the Primate shall have made such objection the Senior Archbishop or Bishop, not having so objected, shall perform the duties of the Primate referred to in this Canon.

16. The following objections shall be considered Canonical, and none others:—

(a) That the person elected is not fully thirty years of age.

(b) That he is not a Priest in Holy Orders of the Church of England in Canada, or of some branch of the Church in full communion therewith.

(c) That he is deficient in learning.

(d) That he has either directly or indirectly secured, or attempted to secure, the office by improper means.

(e) That he is guilty of any other crime or immorality.

(f) That he teaches or holds, or has within five years previous to the date of his choice taught or held anything contrary to the doctrine or discipline of the Church of England in Canada.

17. The chosen Bishop shall, previous to his consecration, subscribe a declaration of submission to the Canons of the General Synod in the following form:

"I.....do willingly subscribe to and declare that I assent to and abide by the Constitution, Canons, rules and regulations, which have been or shall be from time to time passed by the General Synod of the Church of England in Canada."

"I..... do swear that I will pay true and canonical obedience to the Primate of all Canada, and to his successors in such Primacy as my Metropolitan in all legal and honest commands. So HELP ME GOD."

18. The said declaration and oath shall be filed with the Registrar, whose duty it shall be to record and keep the same.

19. In case there shall be no Primate, or in case he shall be incapable of performing or unwilling to perform the duties in this Canon assigned to him, these duties shall be performed by the Senior Archbishop, and in case of his absence or incapacity, by the next Archbishop or Bishop in seniority, and so forth.

20. Notice of every such consecration having taken place shall be sent by the Primate or senior Archbishop or Bishop, to the Metropolitans of Canterbury and York, the Primate of all Ireland, the Primus of Scotland, the Metropolitan of South Africa, the presiding Bishop of the Protestant Episcopal Church of the United States of America, the Primate of Australia, the Bishop of Newfoundland and to the Bishop of any other Diocese in communion with the Church of England in Canada that the Primate or Senior Archbishop or Bishop shall deem proper.

21. Any Bishop chosen and consecrated under this Canon shall be entitled to a seat on the Board of Management of the M.S.C.C. It shall not be lawful for him to accept election to the office of Bishop or Bishop Coadjutor or Assistant Bishop in any Diocese in the Dominion of Canada within five years from the date of his election.

22. The Board of Management with the concurrence of the House of Bishops shall have power at their discretion to transfer a Missionary Bishop from one Missionary Diocese to another, and, with a like concurrence of the House of Bishops, in case of the permanent disability of any Bishop, to declare his Diocese vacant.

23. The Bishop of every Missionary Diocese chosen and consecrated under this Canon shall be a member of the Board of Management of the Missionary Society of the Church of England in Canada, and shall be entitled to appoint two representatives (one Clerical and one Lay) of his Diocese on the said Board, to be nominated, chosen and appointed either by himself or according to any rules and regulations of his Council or other representative Board of his Diocese, to the adoption of which he shall hereafter assent.

24. The Bishop of every Missionary Diocese shall exercise his Episcopal functions in his Diocese in conformity with the Constitution and Canons of the General Synod, so far as they can be made applicable to the conditions of his Diocese, and under such regulations and instructions not inconsistent therewith as are now in force, with the sanction of the Board of Management, or as the House of Bishops may from time to time prescribe.

25. Every Missionary Bishop shall report, annually to the Primate his official acts and the state and condition of the Church within his Diocese, and also a similar report shall be sent by the Missionary Bishop to the Organizing Secretary of the Board of Management, for submission to the Board of Management at its next ensuing meeting. Every such report shall state the amount (if any) contributed in each year by the said Missionary Diocese for Episcopal support and other Diocesan purposes.

26. Every Missionary Bishop may annually appoint a Council of advice, composed of Clergymen and laymen, communicants and resident within his Diocese, who shall hold office until their successors be appointed, and shall be charged with such duties as the Bishop shall from time to time define.

27. All regulations and resolutions of the said Council which are of general application within the Diocese shall be forthwith transmitted to the Primate, to be by him laid before the next ensuing meeting of the Board of Management, and the same shall be of no force or effect after three months from the date of such meeting unless approved of thereafter.

28. Every Missionary Bishop shall keep a record of all his official acts, which record shall be the property of the Diocese and be transmitted to his successor.

29. Every Missionary Bishop shall nominate a Commissary, on whom shall devolve the charge of the Diocese during the absence of the Bishop therefrom or on any voidance of the See, until the consecration of a successor therein.

A certificate of the appointment of such Commissary under the hand and seal of the Bishop shall be furnished to the Primate, and duly recorded by the Registrar.

30. Any Bishop elected or consecrated in Canada to a Missionary Diocese or Jurisdiction outside of Canada, before the passing of this Canon, shall be entitled to the same rights and privileges and be subject to the same liabilities and duties and the said Constitutions, Canons, regulations and instructions as if elected or consecrated after the passing thereof.

