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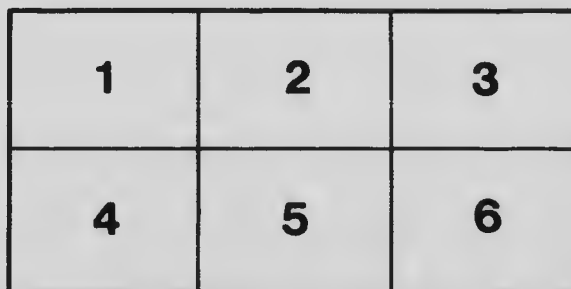
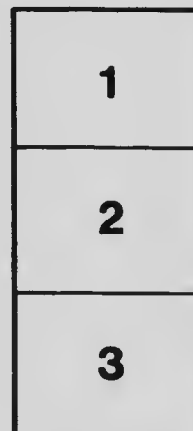
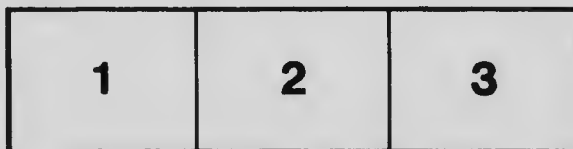
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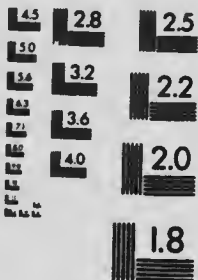
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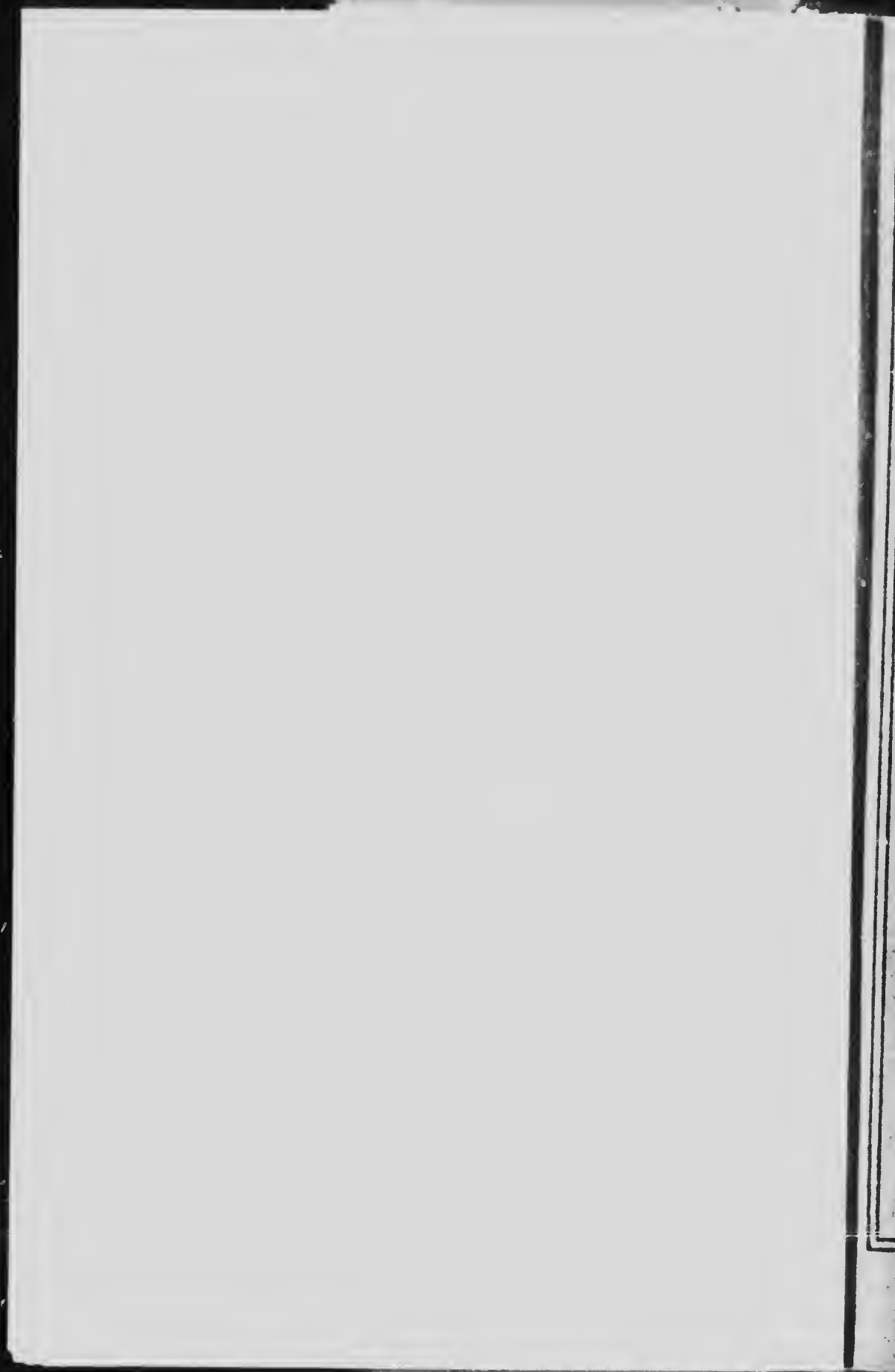
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Church of England in Canada
DIOCESE OF OTTAWA

BOOK OF CANONS

DIOCESAN, PROVINCIAL, AND GENERAL

TOGETHER WITH
**Statutes, &c., affecting Ecclesiastical
Rights.**



Diocese of Ottawa

OTTAWA:

R. J. TAYLOR, PRINTER, 134 QUEEN STREET.

1916

Church of England in Canada.

CANONS

OF THE

Synod of the Diocese of Ottawa



OTTAWA:

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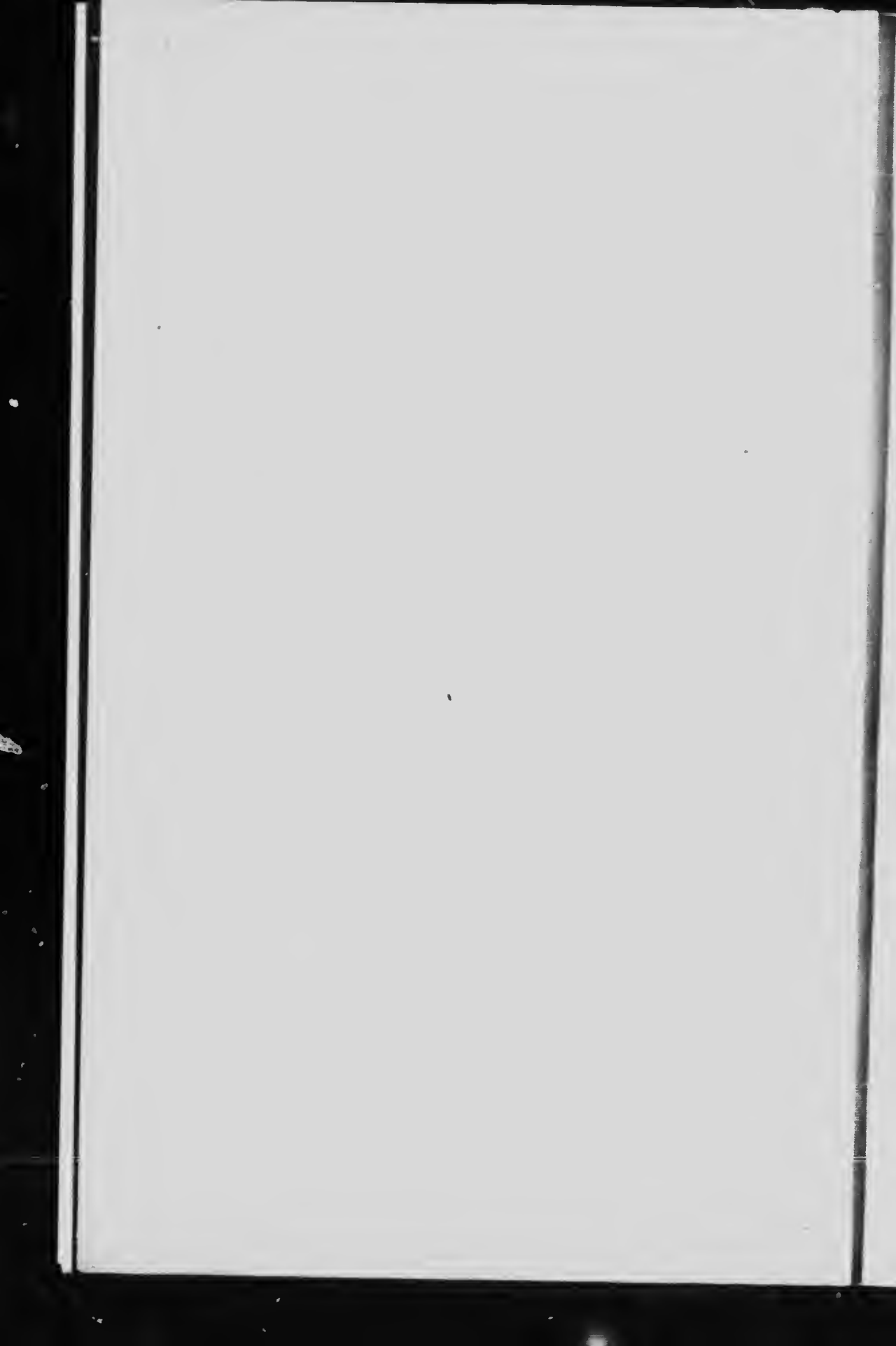


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Diocese of Ottawa.

CANONS.

PART I.

CONSTITUTION.

CANON I—MEMBERSHIP.

1. The Synod shall consist of the Lord Of whom the Synod shall consist. Bishop of the Diocese and any coadjutor or assistant Bishop thereof, or the Bishop presiding under the Canon respecting the presiding Bishop; of the Priests and Deacons of the Diocese licensed by the Bishop and those superannuated Clergymen of the Diocese who are in good standing; and of Lay representatives elected as hereinafter provided.
2. The Clerical Secretary, under the direction of the Bishop, shall enter the names of those Clergymen who are entitled to seats in the Synod on the Synod list hereinafter mentioned. Entry of names on list.
3. The Lay representatives shall be male Qualification and election of Lay representatives. communicants of the full age of twenty-one years, who have communicated at least three

times within the previous year; they shall be elected as hereinafter provided at the annual Vestry 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 annual Vestry 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.

Who may vote
at elections.

4. 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: Provided, that no such person shall vote at the election of Lay representatives in more than one congregation in the Diocese within the year.

Proviso.

Who shall
preside.

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

Number and
seniority of
representatives.

6. Each separate cure shall be entitled to three Lay representatives who shall continue in office until their successors are appointed. Except in the case of a first election, in each

such cure, the Lay representatives shall serve for three years. One of the representatives shall retire annually, but he may be re-elected. The Lay representatives 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. 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 having Churches each shall be entitled to one lay representative; and in case 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.

If there are more congregations than one.

7. No Lay representative of any Parish or Mission which has not paid its assessment and arrears (if any) shall sit or vote in the Synod until such assessment and arrears (if any), have been paid. 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.

Assessment must be paid.

No representation if parish is vacant.

8. The Chairman of the meeting shall, without delay after each election, send to the

Return to the Clerical Secretary.

Trust Company, acting as the Financial Agent of the Synod, the amount assessed on the Parish or Mission, and to the Clerical Secretary a certificate according to the following form:—

“DIOCESE OF OTTAWA.

Parish of.....

Congregation of.....

Form of return.

I HEREBY CERTIFY that at the meeting for the election of Lay representatives for this Parish, held on the..... day of..... A.D. 19...

.....duly elected to represent the Congregation.....in the Synod of the Diocese for the next.....

.....years. The following persons, being of full age and who have communicated at least three times during the past year are the representatives of this Parish:

NAME. P. O. ADDRESS.

..... for the next three years.
..... " two "
..... " one "

..... Chairman.

Date.....

I have forwarded to the..... Trust Company, the Financial Agent of the Synod, the Assessment of the Parish, \$.....

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

Names to be entered on list

9. On the receipt of such certificate the Clerical Secretary of the Synod shall enter the names of the Lay representatives on the

Synod list to be prepared by him, which he shall cause to be printed and sent to each of the Clergy and the Lay representatives ten days before the meeting of the Synod; and at the foot of the list the Secretary shall place a note stating that the Lay representatives of any Parish or Mission, the assessment on which has not been paid, may not sit or vote until such assessment and arrears (if any), have been paid. Note appended to list.

10. The Chairman of the meeting shall furnish each Lay representative with the following certificate:— Certificate for representative.

“DIOCESE OF OTTAWA.

Parish of..... Congregation of.....

I HEREBY CERTIFY that..... Form of certificate.
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 sufficient proof of his qualification and election. To be produced at Synod.

Double return:
selection of
parish.

New election
in such case.

If selection of
parish is not
made.

Vacancies,
how filled.

12. 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 vacancy, the wardens of the several Parishes requiring them to proceed to a new election to fill the vacancies so occasioned.

13. In the event of a vacancy occurring in the Lay representation of any Parish or Mission, from any cause whatever, 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.

14. 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 secedes 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 case of 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.

When seat shall be deemed vacant.

New election in such case.

Proceedings in case of neglect.

15. It is the duty of every Parish to provide for and pay the necessary expenses of its Clergy and Lay representatives incurred by attendance at Synod.

Payment of expenses

CANON II.—ORGANIZATION.

- Meetings of Synod.** 1. 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.
- Quorum.** 2. To constitute a quorum of the Synod for the transaction of business, one-fourth of the whole number of the Clergy on the Synod list must be present, and one-fourth of the Parishes on the said list must be represented. Each Parish may be represented by one Lay representative.
- Concurrence of orders.** 3. No act or resolution of the Synod shall be valid without the concurrence of the Bishop and of a majority of the Clergy and of 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.
- Appointment of committees.** 4. All Committees of Synod shall be named by the Bishop, unless their nomination be otherwise provided for.
- Term of office of officials.** 5. 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.
- Officers.** 6. The officers of the Synod shall consist of a Clerical Secretary, a Lay Secretary and a Treasurer, who shall be members of the Synod. The Clerical and Lay Secretaries shall be

elected annually by the Executive Committee ^{Their election.} at its first meeting, held after the Annual Meeting of Synod. The Treasurer shall be elected annually by the Synod at its Annual Meeting.

7. The Synod shall by Standing Order ^{Formalities with respect to Canons.} regulate the formalities to be observed in the making of Canons. When a Canon has been finally passed by the Synod, it shall be engrossed in the Book of Canons, and signed by the Bishop and the Registrar, and the Common Seal of the Synod shall be affixed to it.

CANON III.—ORDER OF PROCEEDINGS.

1. The first meeting of the Synod in each session shall be preceded by public Morning ^{Divine service before meeting} or Evening prayer and a celebration of the Holy Communion, together with a sermon; and the collection at the offertory shall be applied as the Bishop appoints.

2. After Divine Service on the first day of meeting for business, the Lay Secretary shall ^{Admission of Lay representatives.} 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; ^{Prayers; calling the roll.} the Clerical Secretary shall then, from the

Synod list, call over the names of the Clergy entitled to sit, 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.

- | | |
|--|--|
| Audit Report and Election of Officers. | 4. The next order of proceedings shall be the introduction and consideration of the report of the Audit and Accounts Committee. |
| Order of business. | 5. After these proceedings, and on all other days after Divine Service and the opening prayer, the order of business shall be as follows:— |
| Minutes. | (a) Reading, correcting, and approving the minutes of the previous meeting. |
| Committees. | (b) Appointing Committees. |
| Communications. | (c) Presenting, reading, and referring memorials and correspondence. |
| Reports. | (d) Presenting, reading, discussing, and, if deemed advisable, adopting reports of Committees in such order as the Bishop determines. |
| Unfinished business. | (e) Taking up unfinished business. |
| Motions. | (f) Consideration of motions. |
| Address by Bishop. | 6. An address from the Bishop shall be in order at any time. |
| Elections Provincial Synod. | 7. The election of delegates to the Provincial Synod shall take place at noon on the second day of the Synod on which a morning sitting is held. |

8. The minutes of the proceedings of the last day of each Session shall be confirmed in such manner as the Synod may from time to time, by Standing Order, direct. Last day's minutes.

CANON IV.—RULES OF ORDER.

1. When the Bishop or other person presiding has taken the Chair, no member shall continue standing. Members to sit

2. When any member is about to speak for the information of the Synod, he shall rise and address himself to the Chair. Addressing the C^h

3. No motion or amendment shall be considered as before the Synod (excepting such as is proposed by the Bishop, or by a committee), unless seconded and reduced to writing. To prevent surprise, no motion, except a motion in course, shall be considered until the succeeding day of meeting, notice thereof having been first given. Notices of motion must be in writing and signed by the mover and second, and may be made at any time during the Session of Synod by delivering such notice, made out in duplicate, to one of the Secretaries of the Synod, who shall mark upon them the date and hour at which the same were received by him and shall post one copy upon a notice board to be provided for that purpose. Motions to be in writing. Notice.

4. No member shall speak more than twice on the same question, without permission from the Chair. Order of speaking.

- Certain motions to have precedence. 5. 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.
- Decision without debate. 6. Motions to adjourn or to lay on the table shall be decided without debate.
- Withdrawal of motion. 7. When a motion has been read to the Synod, by the Secretary, it may not be withdrawn by the mover, without the consent of the Chair.
- Motion to be read. 8. Any member may require, at any period of the debate, that the motion under discussion be read for his information.
- Member called to order. 9. A member called to order while speaking shall sit down, unless permitted to explain.
- Questions of order. 10. All questions of order shall be decided by the Chair.
- Order of consideration. 11. An amendment to an original motion shall, in discussion, take precedence of such motion; an amendment to an amendment shall be first considered, then the amendment to the motion, and lastly the motion itself.
- Amendments. 12. No more than one amendment to a proposed amendment to a motion shall be in order; yet a substitute for the whole matter may be proposed and received, provided it deals directly with the subject in hand.
- Order while question is put. 13. Whilst any question is being put from the Chair, the members shall continue in their seats, and shall not hold any private

discourse; and when a motion is so put, no member shall retire until such motion is disposed of.

14. When a division takes place the votes of the Clergy and Laity shall be taken separately, if required by the Bishop or four members of each of the respective orders; and the Lay representatives shall in all such cases vote by Parishes, and when so voting, the vote of the majority present shall be considered as the vote of the Parish. Divisions and voting

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

16. A question once determined shall not again be brought under discussion in the same Session without the special sanction of the Bishop or other person presiding. No re-consideration.

17. No protest or dissent shall be entered on the minutes of the proceedings; but if 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 be also recorded. Recording votes.

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

19. 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. Explanation of reports.

Suspension of
rules.

20. A motion to suspend the order of proceedings or 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 unanimous consent of the members present.

Adjournment.

21. 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.

Claim to seat
may be con-
tested and how.

1. 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 transmitted 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 ninth section of the Canon respecting Membership; and any objection made shall be heard and decided upon forthwith by the Court hereinafter constituted.

Decision of
contestation.

2. The Chancellor of the Diocese or, in his absence or inability to act, any barrister-at-law, being a member of the Synod, who is appointed by the Bishop, together with two

Clerical and two Lay members, also appointed by the Bishop on the first business day of the Synod previous to Divine Service, whose titles to seats are not disputed before the Synod, shall be a Court to consider such objection and to adjudicate thereon; and to this Court shall be referred for final adjudication all cases of doubtful certificates submitted by the Clerical Secretary or by the Committee appointed to examine the certificates of Lay representatives. The decision of the majority of the Court, which shall be accepted as the decision of the Court, shall be immediately reported to the Synod for its information, and shall be final.

Doubtful certificates.

Decision to be reported.

Its effect.

CANON VI.—SEAL OF SYNOD.



1. The Seal, Seal and custody. an impression of which appears in the margin, is and shall be the common seal of the Incorporated Synod of the Diocese of Ottawa; and the Chancellor of the Diocese shall, on behalf of the Synod, have care and custody of the said Seal.

Its use.

2. The Bishop, or in the event of his absence from the Diocese, or his inability to act, the Chancellor of the Diocese is hereby authorized to execute all deeds and documents which require to be sealed, and which, from time to time, require to be executed on behalf of the Synod, pursuant to any resolution of the Synod, or of the Executive or any other Committee of the Synod.

Execution of deeds.

3. The mode of execution of such deeds and documents of the Synod as require to be sealed, shall be by the Bishop or in his absence from the Diocese, or his inability to act, the Chancellor of the Diocese causing the said common Seal to be affixed thereto and by his signature attesting the same.

Deeds attested valid.

4. All deeds and documents heretofore attested by the Bishop, and sealed with the said seal, are hereby acknowledged as the deeds of the Incorporated Synod of the Diocese of Ottawa, and binding thereon.

PART II.

ADMINISTRATION.

CANON VII.—DUTIES OF OFFICERS.

1. The duties of the Clerical Secretary shall be:— Clerical Secretary.

(a) To preserve all papers, memorials, and other documents, to conduct correspondence to attest public acts of the Synod, and to deliver to his successor in office all records, books, and documents under his control; Documents and correspondence.

(b) To enter and record in separate books the minutes of the proceedings of the several Standing Committees; Entry of minutes.

(c) To cause the proceedings of each Session of Synod to be printed and distributed to its members within two months from the close of the Session. Printing proceedings.

(d) To attend to all business of the Synod connected with the duties of his office, when the Synod is not in Session, under the direction of the Bishop or of the Chairman for the time being of the Executive Committee; Transaction of business.

(e) To issue, under the direction of the Bishop, a circular ten days at least before the meeting of Synod to the Clerical and Lay Issue of circular and its contents.

members thereof, stating the time and place of the meeting, such business as he is directed by the Executive Committee to specify, such notices of motions as have been previously sent to him, and the order in which such motions and the business of the Synod are to be considered;

General duties. (f) Generally to perform such functions as are assigned to him from time to time by Canon or by resolution of the Synod.

Minutes and notices. 2. The Clerical Secretary and the Lay Secretary shall keep regular minutes of all proceedings of the Synod when in Session, record them in a book provided for that purpose, and have the notices of motions given on one day printed ready for distribution on the following morning.

Duties of Treasurer. 3. The Treasurer shall, from time to time, report to the Executive Committee and to the Synod, upon the state of the Synod Funds, and upon the statements of the Trust Company acting as the Financial Agent of the Synod, and shall perform such other duties as may be assigned to him by resolution of Synod or of the Executive Committee from time to time.

Appointment of Registrar. 4. (a) The Bishop of the Diocese shall nominate and appoint the Registrar, and if the office of Registrar becomes vacant from any cause whatever, his successor shall be forthwith nominated and appointed by the Bishop.

His office and books. (b) The Registrar shall keep his office in such place as the Bishop selects, and shall keep suitable books, to be provided by the Synod from time to time as occasion requires,

for the proper recording of such of the official acts of the Synod as require registration, and for the entry or recording of the election or appointment of Church Dignitaries and the appointment of Clergy in the Diocese.

(c) The Registrar shall keep books to be provided for him by the Synod in which he shall enter the official acts of Synod requiring registration, and of the several Dignitaries and Clergy, and of the officers of Synod; also, a short description of the boundaries of the Diocese, and of the several Archdeaconries, Rural Deaneries and Parishes therein; also, a list of Clergy of the Diocese from time to time, showing such changes as are made therein and giving a statement of the respective dates of the admission of the said Clergy into their different Orders, and a list of the different Parishes, Missions, or Stations in which they have served.

Entry of certain matters.

(d) The Registrar shall enter in the books so provided the date of every such grant, conveyance, or will, as is hereinafter 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.

Grants, conveyances, and wills.

(e) The Registrar is and shall 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 the Diocese. He is also, and shall continue to be, the proper custodian of all completed or

Custody of certain documents.

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.

Archives.

Record of ecclesiastical instruments.

(f) The Registrar shall keep a correct record of the Letters of Orders, the Licenses, Induction Mandates, and other legal instruments, issued by the Bishop to the Clergy of the Diocese from time to time; and on request the Registrar shall furnish certified copies of any such records; and for each such copy he shall be entitled to charge the following fees, viz.:—

Fee for copies.

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

Extracts from registers

(g) 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.

Fee.

CANON VIII.—EXECUTIVE COMMITTEE.

Constitution of Executive Committee.

1. There shall be only one Standing Committee, known as the Executive Committee, consisting of twenty Clergymen and twenty Lay members of the Synod. One half of

each order shall be chosen by the Bishop, and one half elected by the Synod at its annual meeting. The Chancellor, the Archdeacons, the Registrar, the Treasurer, and the Clerical and Lay Secretaries shall be ex-officio members. The Bishop, or in his absence, his Co-adjutor, if there be one, shall preside; but if these are absent, the Committee shall elect a Chairman for the time being. Fifteen members shall be sufficient for the transaction of business.

2. During or immediately after the annual session of the Synod, the Executive Committee shall meet for the purpose of appointing an Auditor and such Sub-Committees as may be necessary, as well as for the transaction of any business that may be presented.

Election of sub-committees

3. The Executive Committee shall have all the powers and authority heretofore vested in the Executive Committee, the Board of Diocesan Missions, the other Standing and other Committees of the Synod.

Authority of Executive.

3 (a). By Standing Order the Synod may from time to time give the Executive Committee such powers for collecting the money required for the several funds of the Diocese and for other duly authorized purposes as may be deemed necessary, including the power to prescribe the time when and manner in which such money shall be raised in the several Parishes and Missions.

4. The said Committee shall meet quarterly in each year in the City of Ottawa, on days to be fixed by the Bishop, Co-adjutor, or Commissary of the Diocese. Notices of such meetings shall be transmitted by mail to

Meetings of Executive.

each member of the Committee at least one week prior to the date thereof. Special meetings of the Committee may from time to time be called by the Bishop, Co-adjutor, or Commissary, and shall be so called, upon the request in writing of seven members of the Committee, for the transaction of special business. Notice of such meetings, stating the purpose of same, shall be transmitted by mail to each member of the Committee, at least one week before the date of meeting.

Report of
Executive.

5. The said Committee shall furnish to the Synod, at each stated annual meeting, a report of its operation, and a clear statement of the receipts and expenditure of the Committee during the preceding year, and of the state and condition of the funds and property belonging to or vested in, or under the control of the Synod.

Resignation of
Members.

6. If any member of the Executive Committee shall die, or resign his office in writing, or cease to be a member of the Synod, the Bishop shall appoint a successor, who shall hold office until the next annual meeting of the Synod.

CANON IX.—POWERS OF EXECUTIVE COMMITTEE AND INVESTMENT COMMITTEE.

Action in case
of emergency.

1. (a) In the event of any matter arising, when the Synod is not in Session, respecting the rights or property vested in or controlled by the Bishop or the Synod, which requires

prompt action, the Executive Committee may institute or defend legal proceedings in relation thereto in the name of the Synod; it may make or concur in any settlement or agreement made in relation thereto with other parties who are interested therein, and generally may do and perform all acts in respect thereto which the Synod might do or perform when in Session.

(b) The Synod shall have power to regulate ^{Action upon reports.} by standing order, the time and manner in which the different Committees of Synod shall make reports, and also the manner in which such reports shall be dealt with.

(c) The payment of all accounts and of such ^{Payment of accounts.} moneys as are properly payable by the Synod must be authorized or sanctioned by the Executive Committee.

(d) It shall prescribe what matter shall be ^{Contents of circular.} contained in the circular directed to be issued by the Clerical Secretary announcing the meeting of Synod, in addition to what is prescribed to be inserted in it.

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

2. The Investment Committee shall be a ^{Investment Committee and its duties.} sub-committee of the Executive Committee, and shall consist of the Chancellor, the Registrar, the Lay Secretary and the Treasurer, and three members of the Executive Committee to be appointed annually by it, of whom four shall be a quorum. The duty of the Investment Committee shall be to invest,

Powers in sale
of Rectory
lands.

Statement.

Chairman

Discharge of
mortgages.

take up and re-invest such funds of the Synod as may be necessary in Government securities, municipal debentures, the stock of any permanent building society, or in first mortgage on real estate; and with the Rectors interested, may act for and represent the Executive Committee in all matters connected with the fourth, fifth, and eighth sections of the Canon on Rectory lands. The said Committee shall present to the Executive Committee at the meeting immediately preceding the meeting of Synod, a statement showing the nature of each investment and the amount invested. The Committee shall elect a Chairman, and shall meet at the call of its Chairman or of the Chancellor or of the Treasurer. The Investment Committee may authorize the Bishop to execute, under the seal of the Synod, full or partial discharges of all mortgages which have been paid up in full or in part.

CANON X.—AUDIT AND ACCOUNTS COMMITTEE.

Constitution
of Audit
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, and shall be elected by the Executive Committee at its first meeting immediately after the Annual Meeting of the Synod.

2. The Executive Committee shall make some chartered bank of Canada the custodian of the 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 Ottawa, and no money shall be withdrawn from the bank, except by cheque signed by the Trust Company acting as the Financial Agent of the Synod, or in case at any time no such Trust Company is so acting, then by such officers of Synod, being not less than three in number, as the Executive Committee may direct.

Bank to be selected.

Bank account, how kept.

Cheques.

3. The Audit and Accounts Committee shall, as occasion requires, frame rules respecting the keeping of the books and accounts by the Trust Company, acting as the Financial Agent of the Synod, not inconsistent with the terms of any agreement with such Trust Company for the time being in force, which rules shall, before coming into force, be submitted to and approved of by the Executive Committee.

Rules to be framed as to accounts.

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. Provided, however, that while the funds of the Synod are managed by any Trust Company, as its Financial Agent, the Audit and Accounts Committee may accept and act

As to acknowledgments and audit.

upon the audit made by the Auditor of such Trust Company.

Payment and attendance of auditors.

5. The Audit and Accounts Committee shall, prior to the annual meeting of Synod, receive the annual statement of the Synod's Funds from the Trust Company acting as the Financial Agent of the Synod, and the report of the Auditor of such Trust Company thereon, and shall examine the same, and all securities belonging to the Synod (provided that in case any securities are deposited for safe-keeping at any office of such Trust Company outside the City of Ottawa, they may act upon and accept a certificate from the Auditor of such Trust Company as to such securities instead of actually examining them), and shall submit the same, together with their own report thereon, to the Synod at its annual meeting. The report of the Audit and Accounts Committee shall be printed and ready for distribution at the opening of the annual meeting of Synod.

Quorum.

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

Fiscal year.

7. Each fiscal year shall terminate on the 31st 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 XI.—ASSESSMENT FUND.

1. The Executive Committee shall superintend the Fund hereinafter mentioned and the carrying into effect of the provisions of this Canon. Committee

2. The Assessment Fund shall consist of assessments levied on all the Parishes and Missions in the Diocese, and of a percentage upon the gross revenues of all the Funds under the control of the Synod, except the Episcopal Fund; and such assessments and percentage shall be ascertained as hereinafter provided. Assessment Fund.

3. The Committee shall prepare a list of Parishes and Missions, and shall assess each Parish and Mission for such amount as the Committee deems advisable. Classification of Parishes.

Provided always that the Committee, with the consent of the Synod, may for sufficient cause shewn, remit the assessment of any Parish or Mission. Remission of assessment.

4. No Parish or Mission shall have its assessment altered, except upon report of the Committee concurred in by the Synod. Change of class.

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

6. At the last meeting of the Committee held prior to the meeting of Synod the Committee 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 also an estimate of the revenue to be derived from the assessment of Parishes above Estimates to be prepared.

mentioned, and shall strike a rate of assessment sufficient to meet the difference between such two estimates upon the gross revenue of the several funds under the control and management of the Synod.

Assessment
on revenue of
funds.

7. Such last mentioned assessment shall be based upon the gross revenue from each such 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.

Charges on
assessment
fund.

8. Provision shall be made out of the Assessment Fund for the payment of the following: The salary of the Clerical Secretary; attendance at the Synod offices and fuel, remuneration of professional auditors; postage and stationery; printing; rent, light, and taxes; General and Provincial Synod assessment; and any expenditure for the service of the Synod which the Synod or the Executive Committee considers fairly chargeable to the Fund.

Committee to
report.

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

CANON XII.—DIOCESAN MISSION FUND.

1. The Diocesan Mission Fund shall consist of all collections for Diocesan Missionary purposes made in Churches, Chapels, and Mission Stations throughout the Diocese, of the interest of the Sustentation Fund, and of all subscriptions, donations, and legacies for such purpose, regard being had to the direction of the donor or testator.

Of what the Mission Fund shall consist.

2. At its first meeting the Committee 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 last meeting of the Executive Committee, held prior to the meeting of Synod. It shall be the duty of such Sub-committee to classify the Missions for the ensuing year and report thereon at the said meeting of the Executive Committee.

Classification Committee.

3. The Missions shall be divided into ten 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; those in Class VIII, a grant not exceeding \$450; those in Class IX, a grant not exceeding \$500; and those in Class X, a grant not exceeding \$600.

Classes of Missions.

4. The Executive Committee may in its discretion, on the recommendation of the Bishop, make a special grant not exceeding

Special grants.

\$100 to any Parish or Mission, provided that two-thirds of the members present concur in voting for the grant.

Incapacitated
Clergymen.

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

CANON XIII.—THE MISSIONARY SOCIETY
COMMITTEE.

1. There shall be a Missionary Committee Composition of
Committee. composed of the Bishop, of the members of the Board of Management of the Missionary Society of the Church of England in Canada, elected by the Synod of the Diocese of Ottawa, and of such number of Clerical and Lay members of Synod as the Synod shall by resolution from time to time direct.

2. The duties of the Committee shall be:— Duties of
Committee.

(a) To promote and encourage an interest in the Canadian and Foreign Missionary work of the Church.

(b) To assist and correspond with the Missionary Society.

(c) To facilitate the collection and transmission of funds for the Missionary Society.

(d) To arrange, subject to the approval of the Bishop, for the circulation of Missionary literature and the holding of missionary meetings within the Diocese.

(e) To submit from time to time to the Synod such by-laws as may be thought fitted to promote the missionary interests of the Church.

(f) To report at each session of the Synod upon the work and needs of the Missionary Society, and of the work done in the Diocese for the Missionary Society and for the Canadian and Foreign Missions. It shall also be the duty of the Committee to report any Incumbent or Congregation who fails to comply with the provisions of this Canon and of any by-law passed thereunder.

Duties of
Incumbents.

3. Every Incumbent shall read such appeals and shall afford the members of his Congregation or Congregations such opportunity of becoming subscribers to the funds of the said Missionary Society as may from time to time be prescribed.

CANON XIV.—EPISCOPAL FUND.

Application of
income.

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

CANON XIV. A.—THE CONSOLIDATED
FUNDS ACCOUNT.

Whereas, under the agreement respecting the division of funds between the Incorporated Synod of the Diocese of Ontario and the Incorporated Synod of the Diocese of Ottawa, dated 12th August, 1896, the Commissioners therein named have divided the securities representing the capital of said funds between the said Synods in so far as the same are presently divisible: and whereas it was found that since the year 1891 the Incorporated Synod of the Diocese of Ontario had consolidated all the funds under its control (excepting the Episcopal Fund) and had since that date kept the account of the capital and investments representing said funds in one account

known as "the Consolidated Fund": And whereas, the securities apportioned to this Synod under said agreement are not, therefore, specifically attributable to the several funds so consolidated: Be it therefore enacted:—

1. The several funds (except the Episcopal Fund) mentioned in these Canons, and the securities representing the same, shall be administered, invested and dealt with in future as the same were administered, invested and dealt with by the Synod of the Diocese of Ontario at the date of the Division of the said Diocese in 1896, and the account kept thereof shall be known as "the Consolidated Funds Account," similar to the account of "the Consolidated Fund" heretofore kept by the Incorporated Synod of the Diocese of Ontario, as contained in the reports of the latter Synod since the year 1891.

Consolidated
funds account.

2. The word "Income" in this Canon, and in any Canon relating to the funds administered by this Synod (except the Episcopal Fund), shall mean the *pro rata* share allotted by the Investment Committee, as attributable to each of the said funds, of the interest earned and received in respect of the investments and securities representing the whole capital administered in "the Consolidated Funds Account," after deducting all expenses of management.

"Income"
defined.

CANON XV. —THE CLERGY TRUST FUND.

First charge
on Income.

1. The first charge on the income of the Clergy Trust Fund shall be the quarterly payment of an annuity of Four Hundred Dollars to the Rev. J. B. Worrell, an original Commutant, and thereafter the quarterly payment of annuities of \$400.00 each to the Clergymen mentioned in the schedule hereto, pursuant to the agreement made between the Incorporated Synods of the Diocese of Ontario and Ottawa, dated the 12th day of August, A.D. 1896.

Payment by
quarterly
instalments.

2. Subject to the foregoing provisions, the income of the fund, after the payment of the expenses of management, shall be appropriated to the payment by quarterly instalments, to those other Clergymen who have heretofore been placed on the list of annuitants since the formation of the Diocese (subject always, however, to the provisions of sections 3, 4 and 5 hereof) and whenever the income of the fund shall permit (subject to the provisions of this Canon) to the payment to the next senior Clergyman of the Diocese in good standing of an annuity of \$400.00.

Surplus to be
reported by
Treasurer.

3. When the income of the fund shall be four hundred dollars more than the annual sum required to meet the charges and payments mentioned in sections 1 and 2 of this Canon, it shall be the duty of the Treasurer to report the existence of such a surplus to the Executive Committee at its next meeting, and the Committee may then or thereafter place the Clergyman next entitled under this Canon

upon the list of annuitants upon the fund, which shall be continued from time to time by the Treasurer, under the direction of the Committee, and shall, after the approval by the Bishop, be final.

4. Should the income of the fund be found by the Committee insufficient at any time to meet the charges thereon and the subsisting annuities, the payment or payments to the annuitant or annuitants last in order on the list shall be discontinued or diminished by such sum or sums, and for such a period as may in the opinion of the Committee be requisite.

Insufficiency of
Income.

5. Upon the death of any annuitant placed upon the fund since the formation of this Diocese, leaving him surviving a widow or children or other persons who were in the opinion of the Committee heretofore depending upon him for support, the payment of the instalment of the annuity of the quarter current at the time of his death, and also for the two quarters thereafter ensuing, shall be paid to such widow or children or other dependent persons as the Committee may in its discretion decide.

Payments to
Widows and
Orphans of
annuitants

6. (a) The seniority of any Clergyman for the purposes of this Canon shall be determined by the length of his service in Holy Orders in the Diocese of Ottawa or (as respects any Clergyman who was serving in that part of the original Diocese of Ontario now comprising this Diocese at the date of the erection of this Diocese) of the time during which the said Clergyman shall have been employed in this Diocese and previously in the Diocese of Ontario. In the case of any Clergyman, who was in that part of the Diocese of Ontario now

How Seniority
of Clergyman to
be determined

comprising this Diocese, at the date of the erection of this Diocese, his services shall be reckoned as commencing on the date of his first appointment by the Bishop of Ontario; and in the case of any other Clergyman, his services shall be reckoned as commencing on the date of his first appointment from the Bishop of this Diocese.

Superannuation

(b) Any period, during which a Clergyman has ceased to serve, shall be excluded in reckoning his length of service under this Canon; but any period, during which a Clergyman has ceased to serve in consequence of his having been superannuated or retired with the consent of the Bishop, after twenty-five (25) years service, shall be included in reckoning such length of service.

**Leave of
Absence.**

(c) If a Clergyman shall leave the Diocese of Ottawa without written leave of absence (which leave shall not exceed in length two years, unless it be for the purpose of engaging in work in the Foreign or Canadian Missions or as Chaplain to Canadian military forces on active service) and returns and resumes his work in the said Diocese, or if he shall for any reason have given up his spiritual charge or clerical calling and shall have engaged in a secular calling or business, and shall thereafter resume his spiritual work in the Diocese, in either of such two cases his name shall be put at the foot of the list.

(d) Any question of seniority which may arise under this Canon shall be decided by the Bishop, and his decision shall be final.

(e) In this Canon the words "Clergy" and "Clergyman" shall be taken to mean the Clerical Secretary and such persons in Holy

Orders as are or have been licensed by the Bishop of the Diocese for Parochial work exclusively, or have been placed on the list of Superannuated Clergy, and who are otherwise entitled under the provisions of this Canon.

7. Subject to the other provisions of this Canon, each of the several annuitants mentioned in the schedule hereto, or who may hereafter be added shall continue to receive his annuity so long only as he continues to do duty in the Diocese, or after having completed twenty-five (25) years service is on the Superannuation list thereof, or has retired with the consent of the Bishop, or has leave of absence from the Diocese, or holds office in the Synod; but he shall forfeit all claims to such annuity for any period during which he may be under ecclesiastical censure.

Completion of
twenty-five
years' service

Schedule.

Rev. J. J. Bogert. Rev. Thomas Garrett.

CANON XVI.—THE WIDOWS' AND ORPHANS' FUND.

I. NATURE OF FUND.

1. There shall be a fund for the benefit of the widows and orphans of the Clergy of this Diocese, to be known as "The Widows' and Orphans' Fund" (hereinafter called the Fund) which shall comprise the *pro rata* share of the interest and income derived from the Widows' ^{Nature of Fund.}

and Orphans' Fund Capital, administered by the Synod in the Consolidated Funds Account (as defined by Canon XIV A) together with the annual subscriptions and assessments of the Clergy hereinafter mentioned, and such other contributions as may be received from time to time for the purposes of said Fund, and the said Fund shall be administered on the conditions and in the manner hereinafter set forth.

II. SUBSCRIBERS.

Every Clergyman to subscribe

2. Every Clergyman of the Diocese of Ottawa shall subscribe to this Fund as hereinafter provided.

3. All Clergymen who have not heretofore 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 required to pay their arrears by instalments extending over such period as the Executive Committee may decide.

From what date arrears to be paid.

4. Such arrears shall be collected from Clergymen admitted to or ordained in the Diocese of Ontario, prior to the 1st day of May, A.D. 1896, from the date of such admission or ordination; and from Clergymen admitted to or ordained in the Diocese of Ottawa since the 1st day of May, A.D. 1896, or if hereafter admitted to or ordained in this Diocese, from the date of ordination; provided that in exceptional cases, the Committee shall have power to accept a smaller sum than the actual amount due, in full discharge of such arrears.

III.—SUBSCRIPTIONS.

5. The subscription payable by each Clergyman shall be five dollars per year, payable on or before the first day of November in each year, and in order to make the date of payment uniform for all subscribers, the first subscription in each case shall be apportioned if necessary. If the said subscription is not paid by the 30th day of November in each year, the Treasurer shall notify the delinquent subscriber that he is in default. Provided, that in the case of any Clergyman of this Diocese, who has commuted under the provisions of any Canon in force prior to the coming into force of this Canon, no subscription shall be required under this Canon, but this exemption shall not apply to the assessment mentioned in the next paragraph hereof.

Annual Subscription.

Commutated Clergy.

6. The Treasurer shall present to the Executive Committee, at its regular meeting in or about the month of September of each year, a statement and estimate of the fund for the current year. Should this statement and estimate show that the Fund will not be sufficient to meet the pensions and charges on the Fund, then the Executive Committee shall make an assessment upon all the Clergy for an amount to make up such estimated deficiency. Such assessment shall be a *pro rata* percentage not exceeding one per cent. upon the net income of each Clergyman derived from the following sources, viz: the annual stipend actually received from the Parish, less rent and taxes (if any), as shown by the last annual return to the Synod, the annuities received from the Clergy Trust Fund and from the Rectory Lands Fund and the annual grant received from the Mission Fund.

Annual statement and estimate.

Clerical Incomes to be assessed for deficiency.

Notice of
Assessment to
Clergy

7. Each Clergyman so assessed shall be thereupon notified by the Clerical Secretary of such assessment and of the amount due by him to the Synod therefor, and such amount shall be due and payable to the Synod on the 1st day of December following, and shall from the date of such notice be deemed to be a subscription due to the Synod under this Canon, and if not paid by the said 1st day of December, such Clergyman shall be deemed to be in default under this Canon.

Arrears to
bear interest.

8. All arrears, both of subscriptions and assessments, shall hereafter bear interest at the rate of six per cent. per annum from the date when they respectively become due until payment.

List of Clergy
in default.

9. At the last meeting of the Executive Committee held prior to the meeting of Synod, the Treasurer shall submit a list showing the names of all those who are in default under Sections five and seven hereof, and such list shall be reported to and dealt with by the Synod.

Deduction of
arrears from
Synod.

10. In case of any such default, the Trust Company, acting as the Financial Agent of the Synod, acting under the direction of the Committee in each case, shall deduct the amount of the arrears both of subscriptions and assessments, with interest at six per cent. per annum from the date of such default, from any grant of money which such Clergyman so in default would otherwise be entitled to receive from the Synod under any Canon, regulation or practice now or hereafter in force, whether from the Clergy Trust Fund or from the Rectory Lands Fund or from the Mission Fund or from any other Fund or moneys in

the control of or passing through the hands of the Synod, and such deduction shall be made from the first payment to be made to such Clergyman after the receipt by the Trust Company, acting as the Financial Agent of the Synod, of directions to act under this Section from the Executive Committee.

11. In any case of such default where there is no grant or sum of money out of which the arrears can be deducted and paid under the preceding section, the Synod shall have power by resolution to that effect, to exclude the Clergyman so in default from the meetings and proceedings of the Synod and from his right to vote in the Synod so long as he so remains in default. Exclusion from Synod.

12. Every Clergyman whose name is reported to the Synod under section nine as being in default shall be ineligible to act on any Committee of the Synod during the Synodical year then commencing; unless before the close of such session of the Synod he shall have paid all such arrears and interest; but this section shall not apply to any Clergyman who shall be paying his arrears in instalments under the provisions of section four hereof. Clergy in default ineligible for Committees. Proviso.

IV. WIDOWS AND ORPHANS.

13. Upon the death of any Clergyman of this Diocese leaving a widow, or children under the age of 18 years, or both, such widow, or the guardian of such children, desiring an annuity from the Fund, shall present to the Executive Committee, through the Clerical Secretary, a memorial setting forth the date of the death of such Clergyman, the name of his widow, or of the guardian, as the Memorial by Widow or Guardian

case may be, and the names and ages of such children, and such memorial shall be taken into consideration by the Committee at its next meeting after the receipt thereof.

Annuities.

14. The Committee shall thereupon place such widow and children upon the list of annuitants entitled to the benefit of the said Fund (provided always that such widow and children are members of the Church of England) and shall, if the Fund suffices, make the following grants, namely:—

(1). For the widow (if any) an annual sum not exceeding three hundred dollars during widowhood.

(1a.) For the widow, or if there be no widow, for the child or children, the sum of One-hundred and fifty dollars immediately upon the decease of a Clergyman.

(2.) For each child, if there be also a widow, an annual sum not exceeding forty dollars, until such child attains the age of eighteen years or marries, whichever shall first happen. Provided that in no such case shall the grants for all the children of one Clergyman exceed the annual sum of \$160.

(3.) For each child, if there be no widow, an annual sum not exceeding eighty dollars, until such child attains the age of eighteen years or marries, whichever shall first happen. Provided that in no such case shall the grants for all the children of one Clergyman exceed the annual sum of \$200.

Provided also that any widow or orphan withdrawing from the Church of England, shall, from the date of such

withdrawal, forfeit the annuities provided under this Canon.

15. Pursuant to the agreement between the Incorporated Synod of the Diocese of Ontario and the Incorporated Synod of this Diocese, dated the 12th August, 1896, all the Widows and Orphans who were entitled to the annuities from the Widows' and Orphans' Fund of the former Diocese of Ontario, on the 30th day of April, A.D. 1896, under Canon XVI of the said Diocese as then in force, are hereby declared to have been since the said date, and shall be hereafter, entitled to be paid from time to time (either directly or through the Incorporated Synod of the present Diocese of Ontario, as may be arranged between the officers of the respective Synods) from the Widows' and Orphans' Fund of this Diocese, one half the amount of such annuities as shall be payable to them, from time to time under the Canons of the Diocese of Ontario and of this Diocese, subject, however, to such amount being hereafter reduced at any time and from time to time, in the manner hereinafter provided.

Annuities under agreement with Synod of Ontario.

Reduction.

16. Save and except as provided by this Canon, no widow or orphan of any Clergyman who might otherwise have been entitled to a claim upon the Widows' and Orphans' Fund of the Diocese of Ontario, prior to the division thereof on the 1st day of May, A.D. 1896, shall be entitled to any claim upon the Widows' and Orphans' Fund of this Diocese.

No claims except under this Canon.

17. The widows and children of all Clergymen of this Diocese, who became annuitants upon the Widows' and Orphans' Fund of this Diocese since the 1st day of May, A.D. 1896,

Annuitants since 1st May, 1896.

shall also become annuitants under this Canon in the same manner and to the same extent as the annuitants mentioned in paragraph fourteen hereof.

Grants Annual. 18. All grants shall be from year to year only, and shall be subject to reduction in the manner provided in the following section hereof.

Reduction in annuities if necessary.

19. In the event of the assessment on the clerical income, provided for in section six hereof, being insufficient to make up the deficit in the fund, as shown by the statement and estimate mentioned in said section six, it shall be the duty of the Committee, at its regular Meeting, held in or about September, to make a proportionate reduction in the grants for the financial year then current. Such reduction shall be of a uniform percentage upon all the annuitants, both widows and children, including also the half share payable by this Diocese of the annuities mentioned in section fifteen hereof. Provided, however, that if the Fund will permit, the Committee may increase the grants, for the year following only, over and above the maximum mentioned in section fourteen, by the amount of such previous reduction.

Proviso.

Arrears to be deducted from annuities.

20. If at the death of a Clergyman he is in arrears or in default within the meaning of sections five or seven, 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 Committee shall recommend, out of the payments made to his widow or orphans.

21. The several annuities shall be payable ^{Annuitants} in quarterly payments on the first days of ^{payable} January, April, July and October, to the ^{quarterly} Widow or Guardian.

22. Every annuitant on the Widows' and Orphans' Fund shall, before he or she may be paid his or her quarterly annuity, make or cause to be made, one of the following declarations, in the presence of a neighboring Clergyman, who shall duly attest the same. ^{Declaration to be made.}

DECLARATION TO BE MADE BY A WIDOW. ^{By Widow.}

I, (Name)

..... (Residence) do hereby

solemnly declare that I am the widow of the late Rev.

That I am a *bona fide* member of and in full communion with the Church of England, and that I am entitled to an annuity from the Widows' and Orphans' Fund of the Incorporated Synod of the Diocese of Ottawa.

Signed and declared before
me this . . . day of . . .
A.D. 191 . . . , at . . .

(Signature).

(Signed C.D.

(Residence and addition).

By Mother or
Guardian

DECLARATION TO BE MADE BY THE MOTHER
OR GUARDIAN OF ORPHANS.

I(Name)
.....(Residence) do solemnly declare
that I am the mother (or the guardian) of the
children of the late Rev.
.....of.....
whose names and ages are respectively written
below; that, to the best of my knowledge and
belief they are *bona fide* members of the Church
of England; and that they are entitled to an
annuity from the Widows' and Orphans' Fund
of the Incorporated Synod of the Diocese of
Ottawa.

Signed and declared before }
me thisday of..... }
A.D., 191. . . .at..... } (Signature).

(Signed).....C.D.
(Residence and addition.)

Names.....Ages.....

Surplus to be
made Capital.

23. If, after paying the maximum of all the
annuities payable under this Canon in any
year, there shall be found at the end of such
year to be a surplus on hand, the Executive
Committee may in its discretion (subject
to the approval of the Synod) carry such
surplus to the credit of the capital of the
Widows' and Orphans' Fund, and the same
shall thereafter be treated as capital and not
as income.

V. COMMITTEE TO CONTROL.

24. The Committee shall be empowered, ^{Of retired or superannuated Clergyman.} subject to the approval of the Synod, to declare that any Clergyman of the Diocese, who has heretofore married or may hereafter marry while he is or was superannuated or retired or otherwise not in active work in the Diocese, has forfeited all rights, and shall not be subject to any further liability under this Canon, and in the event of his death his widow and children shall not be deemed to come within the provisions of, or be entitled to any benefit under this Canon.

XVI, A.—TO LIMIT OPERATION OF THE WIDOWS' AND ORPHANS' FUND IN CERTAIN CASES.

1. Subject to the exceptions mentioned ^{Marriage after fifty years age.} in section five hereof, the widow of any Clergyman of the Diocese of Ottawa who shall have been married to such Clergyman after he shall have attained the age of fifty years, and the children of any such marriage, shall not be entitled to any of the benefits of the existing Canon XVI on the Widows' and Orphans' Fund, or be deemed to come within the terms thereof.

2. Upon any Clergyman of the Diocese ^{No Clergyman, bachelor or Widower liable to annual subscription or assessment after attaining the age of fifty years.} of Ottawa attaining the age of fifty years, and being then a bachelor, or a widower, he shall not thereafter be liable or entitled to pay any further annual subscriptions or assessments under the provisions of the said Canon XVI, save in the case provided for in the next succeeding clause thereof.

3. A Clergyman being a widower, who shall attain the age of fifty years and shall then have infant children who might become entitled in the event of his death to the benefits of said Canon XVI, shall nevertheless be liable and entitled to continue the payment of his annual subscriptions and assessments under the said Canon XVI, until such time as all his said infants shall have ceased to come within the benefits of said Canon XVI, and thereupon the provisions of the preceding clause hereof shall apply to such Clergyman.

4. The provisions of this Canon shall be deemed to apply to any Clergyman admitted to, or ordained in, this Diocese subsequent to June, 1902, after he shall have attained the age of fifty years

Does not apply
to any Clergy-
man now in
Diocese.

5. This Canon shall not be deemed to apply to any Clergyman at present in this Diocese who prior to June, 1902, had married after the age of fifty years, so as to deprive the wife, so married, or the children of any such marriage, of the benefits of the said Canon XVI.

CANON XVII.—THE CLERGY SUPERANNUATION FUND.

1. The Clergy Superannuation Fund shall be constituted by moneys received from the following sources:—

Of what fund shall consist.

(a) Such sums as may be collected for the fund and allotted to the fund out of any collection.

(b) Benefactions and bequests.

2. 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.

Committee constituted.

Allowance to superannuated Clergymen.

3. The amount of such allowance shall be in the discretion of the Committee, but shall not exceed the sum of \$400 per annum.

Amount.

4. No Clergyman who receives an allowance from the Superannuation Fund shall, while receiving such allowance, be entitled to receive compensation as a Clergyman; except that any Clergyman receiving a superannuation allowance under this Canon may, with the consent of the Bishop, granted at the request of the Incumbent of the Parish in which the duty is to be performed, undertake occasional duty and accept remuneration.

No compensation for duty in such case.

Exception.

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

Allowance may be varied.

Meaning of
word Super-
annuated.

6. The words Superannuated Clergyman, or any equivalent expression, occurring in this or any other Canon of Synod, shall mean a Clergyman placed on the list of Superannuated Clergy by the Committee, and in receipt of an allowance from this fund under this Canon and during such time only as he shall continue in receipt of such an allowance.

CANON XVIII.—THE DIVINITY STUDENTS' FUND.

Of what fund
shall consist.

1. 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.

Conditions of
grants.

2. 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:—

Necessity.

(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.

Security to
be given,

(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, and that he will serve as a

Clergyman for five years in the Diocese of Ottawa, 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.

3. The Committee may use its discretion Scholarships. as 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.

4. The Committee may use part of the Loans. income of the Fund for the purpose of making loans to Divinity students on such terms as the Committee may determine.

5. The words "students in divinity" shall Interpretation. 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 XIX.—THE RECTORY LANDS FUND.

1. Whenever any Rector or Parish desires Memorial if sale is desired. 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 valuers, as hereinafter mentioned.

Appointment
of valuers.

2. A valuator or valuers 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 annual 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 valuers shall report their joint or several valuations in writing to the Executive Committee.

Report to be
made.

Provision in
case of failure
to appoint.

3. Should the Rector or Vestry refuse or neglect to appoint their respective valuers 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. Valuation to be made and reported.

4. 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 one only 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 may, 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 adopt the valuation of either one or more of the said valutors. Proceedings on report.

5. 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. Offer for sale.

once a week for four weeks next preceding the sale, and placards of the advertisement having been posted and circulated in the neighbourhood, 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 said land at such price as it deems most conducive to the interest of the parish.

Reserve price.

6. 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.

Terms of payment.

7. 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 refunded from the proceeds of the sale, and the expenses of the sale, surveys and management shall be a first charge on the proceeds.

Payment of expenses.

8. The Chancellor of the Diocese shall prepare the necessary deeds and mortgages. The expenses of conveyances, registration and Sheriff's certificates shall be paid to him by the purchaser; or, with the consent of the Rector interested, the expenses of the deed shall be defrayed from the proceeds of the

Execution of deeds.

land sold at the tariff to be settled by the Executive Committee. All deeds and mortgages shall be executed on behalf of the Synod by the Bishop under the seal of the Synod.

9. The proceeds of the sale shall be remitted to the Treasurer, who shall give receipts for the same, and pay all necessary charges and disbursements. The Treasurer shall credit the amount so received to the capital of the Rectory interested, 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. Application of proceeds.

10. 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." Investment.

11. The Treasurer 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. Accounts to be kept.

12. The Treasurer shall file for future reference all memorials, valuations and other papers connected with the sale of the Rectory Lands. Preservation of documents.

13. 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. Annual report.

Valuations and
sales confirmed.

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

CANON XX.—(REPEALED).

CANON XXI.—THE GENERAL PURPOSE
FUND.

Fund to be
established.

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.

Of what to
consist.

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

Management.

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. Rules may be made

CANON XXII.—(REPEALED)

CANON XXIII.—STATE OF THE CHURCH.

1. Every Clergyman having a separate cure of souls shall annually, so far as his cure is concerned, prepare a correct statement of the number of Church families, individuals, and communicants, of the number of baptisms, confirmations, marriages, burials and celebrations of the Holy Communion, of the number of Churches, Chapels and Mission Stations and of Public Services, of the number of Sunday and Parochial Schools, with the number of children attending the same respectively, of the amount contributed at the regular Sunday services and by special collections, of the amounts expended for the Incumbent's stipend, for the Church, Par- Statements to be prepared by the Clergy.

sonage and other parochial objects, and of all sums contributed for Church objects outside of the cure; and he shall also report any other items of interest.

Form to be sent out and returned.

2. The Clerical Secretary shall send annually to every such Clergyman during the first week in December, a form prepared under the direction of the Executive Committee, which form shall be filled by each Clergyman for the year ending the thirty-first day of December, and he shall be responsible for placing it in the hands of his Rural Dean before the fifth day of January.

Duties of Rural Dean.

3. The Rural Dean shall, with the Clergy in Chapter, read over each report and make sure that each enquiry is filled up on one and the same principle, and that each return is accurate.

To prepare a report.

4. The Rural Dean shall prepare a report on the state of the Church within the Deanery, founded upon the returns of the Clergy, and the information obtained at the Chapter meeting, and elsewhere.

Return to be forwarded before 15th January.

5. The Rural Dean shall be responsible for forwarding, on or before the fifteenth day of January, the returns of the Clergy and his own report on the State of the Church in the Deanery, to the Clerical Secretary, for the use of the Executive Committee.

Annual Report.

6. The Executive Committee shall present annually to the Synod, a report on the state and progress of the Church in the Diocese, as shown by the returns of the Clergy in each Deanery and the report of each Rural Dean.

PART III.

MISCELLANEOUS.

CANON XXIV.—THE ELECTION OF A
BISHOP AND THE SUBDIVISION
OF THE DIOCESE.

1. In the event of a vacancy in the See, the Secretaries of the Synod shall within one week from the occurrence of such vacancy, or its announcement to this Diocese, 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, then 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 some other Canadian Bishop; and the said Metropolitan or other Bishop shall give at least fifteen days' notice of the time and place of such meeting.

Proceedings
in case of a
vacancy in the
See.

2. In the event of a subdivision 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

And of a sub-
division of
the Diocese.

place as he appoints for the purpose of electing a Bishop, at which meeting the Bishop, or the Bishop appointed by him under the Canon respecting the presiding Bishop, shall preside.

Ballot.

Number of
votes required
to elect.

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.

Vacation of
benefice.

And of office
Bishop.

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. 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 Metropolitan, this See shall be *ipso facto* vacant.

Contested
seats.

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

CANON XXV.—PATRONAGE.

During the Incumbency of the Right Reverend John Charles Roper as Bishop of the Diocese of Ottawa, the appointment to all Rectories, Incumbencies, and Missions within this Diocese shall be vested in him as such Bishop.

Appointment
to Rectories.

CANON XXVI.—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 by 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.

Scrutineers at
elections.

Mode of
voting.

Disposal of
ballot papers.

- Delegates. 3. There shall be twenty-four Delegates elected at each annual meeting of the 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.
- Substitutes. 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.
- Equality of votes. 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.
- Attendance of substitutes. 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, that he is required to attend the said meeting instead of the Delegate excused.
- Certificate of delegates. 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
- And of substitutes.

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 Ottawa 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 XXVII. —THE DIACONATE.

1. When any person has been accepted and ordained by the Bishop as a Deacon under Canon of Provincial Synod cited. 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 Right of deacon to sit and-vote. Clergy in the Synod of this Diocese as long as he holds the license of the Bishop.

2. Such Deacons and their families shall No claim on certain funds. have no claim whatsoever as beneficiaries on

any of the various funds subscribed, collected or held in trust for the benefit of the Clergy or their families.

Claim if he is advanced to the priesthood.

3. When any such Deacons have, in accordance with the requirements of Canon eighteen of the Provincial Synod, been duly admitted to Priest's Orders by the Bishop of this Diocese, the claim of such Deacons or their families as beneficiaries of the funds and temporalities held in trust by the Synod for the benefit of the Clergy and their families shall date only from their ordination to the Priesthood.

CANON XXVIII.—THE PRESIDING BISHOP.

Appointment of Bishop to preside.

1. The Bishop of this Diocese may, if occasion requires, appoint, with full or limited powers, another Bishop to preside at any meeting of the Synod during its session.

His powers.

2. Such Bishop so appointed shall be by virtue of his appointment a member of the Synod during its Session, subject to the powers granted him by the Bishop; and all business transacted and Canons passed or confirmed at such Session shall have the same effect and validity as if the Bishop of this Diocese had presided.

Temporary Chairman.

3. The Bishop of this Diocese, during the Session of the Synod, may, when he desires to leave the chair temporarily, appoint one of the members of the Synod to preside during his absence.

Interpretation.

4. Wherever the words "the Bishop" occur in the "Order of Proceedings," or in "The Rules of Order," they shall be taken and read

as meaning and including any Coadjutor or Assistant Bishop of this Diocese, or the Bishop appointed under this Canon.

CANON XXIX. -DISCIPLINE.

1. There shall be a Court of this Diocese, Court of the Diocese constituted. called "The Court of the Diocese of Ottawa," for the prosecution, hearing and trial of all 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 holding the Cognizance may be taken of offences specified. 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 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 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 whereby his usefulness in his Parish or Mission appears to be gone.

Complainant
and respondent
defined.

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 any complainant, or, if he thinks fit, of his mere motion, may issue a Commission under his hand and seal to five Priests, of whom one shall be an Archdeacon or Rural Dean within this Diocese, or in case of the absence or sickness of the Archdeacon, should there be only one Archdeacon of this Diocese, then to any five Priests whom the Bishop appoints, for the purpose of making inquiry as to the grounds of such charge or scandal or evil report; provided always that notice of the intention to issue such Commission under the hand of the Bishop, containing an intimation of the nature of the offence, together with the names, addition and residence of the complainant (if any) shall be sent by the Bishop to the respondent fourteen days at least before such Commission shall issue; provided also, that no Commission shall issue on the application of any complainant, until he has first given to the Bishop and his successors in office, a bond, to be approved of by the Bishop, in the penal sum of \$200, to pay all costs and expenses that the respondent may have incurred, in case he is acquitted of the complaint, or the complaint is dismissed for want of due prosecution.

Commissioners may be appointed to make inquiry.

Notice to person accused.

Security for costs.

4. The said Commissioners, or any three of them, may examine under the declaration allowed by law all witnesses who are tendered to them for examination, as well by any person alleging the truth of the charge or report as by the respondent, and all witnesses whom they deem it necessary to summon for the purpose of fully prosecuting the enquiry and ascertaining whether there is sufficient

Examination of witnesses.

prima facie ground for instituting further proceedings.

Notice of meeting.

5. Notice of the time when, and place where, every such meeting of the Commissioners is to be holden shall be given in writing, under the hand of one of the said Commissioners, to the respondent, seven days at least before the meeting.

Right of person accused.

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

Proceedings private.

7. All such preliminary proceedings shall be private; and when such preliminary proceedings have been closed, one of the said Commissioners shall, after due consideration by them of the depositions taken before them, openly and publicly declare the opinion of the majority of the Commissioners present at such inquiry, whether there is or is not sufficient *prima facie* ground for instituting further proceedings.

Declaration of result.

Report to the Bishop.

8. The said Commissioners, or any three of them, shall transmit to the Bishop, under their hands and seals, the depositions of witnesses taken before them, and also a report of the opinion of the majority of the Commissioners present at such inquiry, whether or not there is sufficient *prima facie* ground for instituting proceedings against the respondent; and such report shall be filed with the Registrar of this Diocese; and if the respondent holds any preferment in any other Diocese, the Bishop to whom the report is made shall transmit a copy thereof, and of the depositions to the Bishop of such other Diocese, and shall also, upon the application

Copies to be furnished.

of the respondent, cause to be delivered to him a copy of the said report and of the depositions, on payment of a reasonable sum for the same, not exceeding three cents for each folio of ninety words.

9. Whenever a complaint has been made under this Canon against any Priest or Deacon, and the consent of such Priest or Deacon and of the complainant has been first obtained in writing; or when a confession in writing by such Priest or Deacon has anticipated any proceeding for the establishment of a Commission under this Canon, the Bishop of the Diocese may, without any further proceedings, pronounce such sentences as the said Bishop thinks fit, not exceeding the sentence which might be pronounced in due course of law; and all such sentences shall be as good and effectual in law as if pronounced after a hearing according to the provisions of this Canon, and may be enforced by the like means.

10. 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, together with a copy of the depositions taken by the Commissioners, be filed with the Registrar of this Diocese; and the complainant or respondent or any person acting for either of them, shall be entitled to inspect, without fee, such copies, and to require and have, on demand from the

Judgment
without issue of
commission.

Articles to be
drawn up if
there is cause.

Copies to be furnished.

Registrar (who is hereby required to deliver the same copies of such depositions, on payment of a reasonable sum for the same, not exceeding three cents for each folio of ninety words.

Service of articles.

11. A copy of the articles so filed shall be forthwith served upon the respondent by personally delivering the same to him, or by leaving the same at his usual or last known place of residence; and no such articles shall be proceeded upon until after the expiration of fourteen days from the day on which such copy has been so served.

Summons to accused.

12. 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 to make answer to the said articles within such time as to the Bishop seems reasonable; and if the respondent appears, and by his answer admits the truth of the articles, the Bishop, or his Commissary specially appointed for that purpose, shall forthwith proceed to pronounce sentence thereupon, according to the ecclesiastical law and the statute of the Province of Canada enabling the members of the United Church of England and Ireland to meet in Synod.

If culpability is admitted.

Service of process.

13. Every notice or requisition to be given or made in pursuance of this Canon shall be served on the person to whom the same respectively relates, in the same manner as is hereby directed with respect to the service of a copy of the articles on the respondent.

14. If the respondent refuses or neglects to appear and make answer to the said articles, or appears and makes 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, according to the ecclesiastical law and the statute of the Province of Canada enabling the members of the United Church of England and Ireland to meet in Synod.

Hearing cause
if there is
default.

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, as provided, by the said statute of the Province of Canada in the preceding section mentioned. 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,

Sentences
valid, and to
what they
may extend.

Copies to be
furnished.

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.

Bishop may
admonish

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 admonition, for any offence mentioned in the second section of this Canon not made 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.

When person
accused may be
inhibited.

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 ministrations will be useless while such charge is pending, the Bishop may cause a notice to be served on him, or at any time pending any proceedings under this Canon, 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 Service 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 by sequestration of the living; provided a'v'o, that the Bishop may at any time revoke such inhibition and license respectively.

Provision for services of the Church.

Revocation.

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.

Appeal

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.

Witnesses may be summoned.

20. Every witness examined in pursuance of this Canon, shall give his or her evidence upon solemn declaration, as provided for by "The Canada Evidence Act."

Evidence upon declaration.

Time for proceedings limited.

If there has been conviction in a court of law.

21. Every suit or proceeding against any Priest or Deacon 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 that the commission of the offence, in respect of which the suit or proceeding is instituted, shall have become publicly known, and not afterwards; 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, although more than two years may have elapsed since the time that the commission of the offence, in respect of which such suit or proceeding is so brought, shall have become publicly known.

CANON XXX.—VESTRIES.

Constitution of Vestry where pews are rented

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 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.

If Church has become unfit for use.

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.

Constitution of Vestry where seats are free.

Provided, however, that no such member shall be entitled to vote or take part in such Vestry meeting unless he or she has paid up all arrears of his or her subscription to the Parish, if any.

Vestry of
newly formed
Congregation.

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.

Declaration.

Chairman and
Secretary.

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.

Minutes.

Annual meet-
ing and pro-
ceedings
thereat.

6. An Annual Vestry meeting shall be held on Easter Monday, or on such day as may be fixed by by-law passed by the vestry, after notice thereof given during Divine Service on

Easter Day, or if fixed for some other day than Easter Monday by By-law as aforesaid, then after notice thereof given during Divine service on the Sunday immediately preceding such meeting, 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, If there are more churches than one. 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 or at such other time as may be fixed by By-law as aforesaid, notice thereof having been given on a previous Sunday. A vestry may by by-law fix the date when the fiscal year of the Parish, Mission or Church shall begin.

7. The Clergyman in charge may call a Special Vestry meetings, how called. 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 may call the same by notice affixed to the main entrance Church doors at least one week previous to such intended meeting.

Business which
may be trans-
acted.

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 such special Vestry meetings no business shall be transacted other than that specified in the notice calling the same.

Fees for certain
Services.

9. The fees for certificates from the Parish register shall be fifty cents for 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.

Nomination
and election of
churchwarden

10. At the annual 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 meeting 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.

Qualification of Churchwardens

Vacancies, how filled.

Nomination without meeting.

Renting of
pews and
sittings.

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.

Account to
be rendered.

14. All Churchwardens shall yearly render in writing a just, true and perfect account at the annual 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.

Audit.

Retiring
wardens to
deliver over
property.

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 as 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.

If there is default.

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 purposes of interment, without the consent of the Bishop or of the Clergyman appointed by him.

No unauthorized use of Church.

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

No Sale of Pews.

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.

Appointment of subordinates.

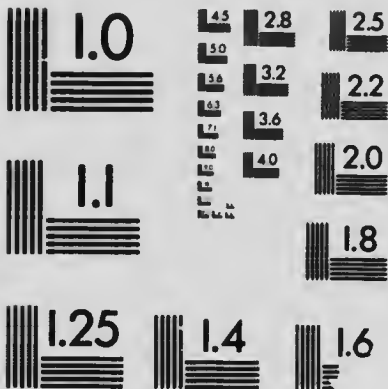
19. The provisions of the Church Temporalities Act, and of all other Acts passed subsequently thereto, are hereby repealed, so far as the same are inconsistent with the provisions of this Canon.

Certain provisions repealed



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Provisions for
free seats

20. It shall be lawful in any Church when some of the Pews or Sittings are held under proprietary rights, either in Freehold or as Perpetual Lease-hold, for the Vestry, by a three-fourths vote of those present at a duly constituted meeting of said Vestry duly called for such purpose, to declare that from and after any date fixed by the Vestry, all the Pews and Sittings in said Church, other than such Proprietary Pews, shall be free, but the Vestry may, nevertheless, from time to time make and charge such assessments and rentals upon all such Proprietary Pewholders (other than Free-holders) in respect of their Pews as the Vestry may from time to time determine. From the date of the coming into effect of such resolution of the Vestry, the Vestry of such Church shall thereafter consist of those Proprietary Pewholders who are entitled to attend and vote under the provisions of Clause 1 of this Canon, and also of those other members of such Church, who make the declarations provided for in Clause 3 of this Canon.

CANON XXXI.—CUSTODY OF DEEDS AND
PARISH REGISTERS.

Deeds to be
delivered to the
Registrar.

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.

And parish registers when filled.

CANON XXXII.—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 out-houses, 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.

Parsonage to be erected.

2. When the Parsonage and out-houses 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 willful 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

Repairs at the charge of the Incumbent.

If he makes default.

Appeal to the
Archdeacon.

mechanic or mechanics to execute the necessary repairs, and they may deduct the expense 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.

Repairs at
the charge of
the parish.

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 meeting of the Vestry, having previously 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. Buildings to be insured.

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. Use by family

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. Right to crops

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. And to hay and grass.

8. The successor of a deceased Incumbent shall, within one month after receiving the year's rent of the glebe, or of any portion thereof pay to the legal representative 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. Proportion of rent payable to family.

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. Right of Incumbent resigning.

CANON XXXIII.—PARISHES AND THEIR
BOUNDARIES.

Definition of
boundaries by
agreement.

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.

Commission if
there is no
agreement.

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.

Duration.

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

New parishes.

of presentation upon avoidance of the said ^{Presentation to benefices.} 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 ^{Proceedings for erection of new parish.} 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 ^{If rector or incumbent does not consent.} 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 ^{Registration of boundaries.} 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.

If the Archdeacon is a party.

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 XXXIV.—ENDOWMENT OF PARISHES.

Formation of endowment fund.

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.

Property to be held in trust.

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.

Management.

Funds to accumulate.

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 Ottawa.

Investment and application.

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 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.

Glebe may be purchased.

Provision in case of division of parish.

CANON XXXV.—ERECTION OF CHURCH BUILDINGS.

Plans of buildings subject to approval.

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 XXXVI.—CHRISTMAS OFFERTORY.

Christmas offertory.

1. The offertory of the respective Congregations throughout this 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 XXXVII.—UNAUTHORIZED COLLECTIONS.

No unauthorized collection by a person residing in the Diocese.

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.

On coming from another Diocese.

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

CANON XXXVIII.—INTERPRETATION AND
AMENDMENT OF CANONS.

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

2. No Canon shall hereafter be repealed or amended, and no new Canon of Synod shall be enacted, unless the resolution containing the proposed repeal or amendment, or the proposed new Canon, shall have been first considered at a regular meeting of the Executive Committee, or at a special meeting thereof called for the purpose of considering such resolution and shall have been duly passed at the next ensuing meeting of the Synod by the votes of not less than two-thirds of each Order present, and assented to by the Bishop. The proposed repeal, amendment or new Canon shall thereupon become effective without further confirmation by the Synod.

Repeal or
Amendments
to Canons.

CANON XXXIX.—EXERCISE OF POWERS UNDER THE ACT ENTITLED "AN ACT RESPECTING THE PROPERTY OF RELIGIOUS INSTITUTIONS."

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.

Consent of
Vestry, etc.
necessary.

Consent according to Canons.

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.

Consent of Executive Committee.

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 Executive Committee.

Notice to Congregation;

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 on which Service is held in the church, and a notice in writing specifying the like matters shall be affixed to the main entrance church door at least one week previous to the meeting at which it is intended to apply for such consent.

Proof of Notices.

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.

Application for consent at regular Committee meeting only.

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 case one of urgency.

7. No such special meeting shall be called unless and until there has been deposited with the Treasurer, 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.

Expenses of Special meeting must be paid.

CANON XL.—ELECTION OF DELEGATES TO THE GENERAL SYNOD OF THE CHURCH OF ENGLAND IN CANADA, HEREIN-AFTER 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. 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

Election prior to Session of Synod.

Scrutineers.

Mode of voting.

Scrutineers
return.

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.

Delegates and
substitutes.

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.

Equality of
votes.

Attendance of
substitutes.

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, and he is required to attend the said meeting instead 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 Ottawa, 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.

Certificate of Election.

CANON XLII.—THE ELECTION OF A
COADJUTOR BISHOP.

1. Whenever the Bishop of the Diocese shall, by writing under his hand, signify to the Synod of the Diocese through the Executive Committee thereof, that the Bishop is desirous of having a Coadjutor Bishop elected by the Synod, or whenever the Bishop of the Diocese shall, in the opinion of a majority of two-thirds of the Executive Committee of the Diocese (expressed by resolution), be incapacitated by mental infirmity, age, or other permanent cause, from discharging his Episcopal duties, a Coadjutor Bishop may be elected by the Synod for the Diocese.

Election of Coadjutor.

Notice by
Executive.

2. If the Executive Committee of the Synod shall receive such signification from the Bishop, or shall have passed the resolution hereinbefore mentioned, in sufficient time before the regular annual meeting of the Synod to give the usual notice required for bringing any resolution, Canon, or other business before the Synod, as provided by the Canons, the Executive Committee shall give notice thereof, and also that such election will be proceeded with at the next meeting of the Synod.

Executive may
call Special
Synod.

3. If the Executive Committee of the Synod shall receive such signification from the Bishop, or shall have passed the resolution hereinbefore mentioned, at such time or juncture as in the opinion of the Executive Committee renders it desirable that a special meeting of the Synod be held for such election, the Executive Committee may (in the first case) request the Bishop, and (in the second case), request such persons as would call the Synod together in the case of a vacancy in the See, to call such special meeting of the Synod.

Canon XXIV
will govern
method of
election.

4. The election shall be proceeded with in the manner provided by Canon XXIV for the election of a Bishop of the Diocese, except that (in the first case), where the Coadjutor is to be elected at the request of the Bishop, he, the Bishop, or his Deputy, shall preside at such election; and (in the second case), where the Coadjutor is to be elected because the Bishop has become incapacitated as aforesaid, the person who would preside in the case of a vacancy in the See, shall preside at such election.

5. Before the election of any such Coadjutor Bishop is proceeded with, the Synod shall resolve, by a two-thirds majority of both orders present and voting, that the election of a Coadjutor Bishop is necessary. The Synod shall not proceed with such election of a Coadjutor Bishop unless and until provision has been made, to its satisfaction, for the stipend of such Coadjutor Bishop, the satisfaction of the Synod on this point to be signified by a formal resolution of Synod.

Synod decide
by vote need
of Coadjutor.

6. After the Synod has passed the resolution last mentioned, and has made such necessary provision for the stipend of the Coadjutor Bishop, the election shall be proceeded with immediately.

Stipend of
Coadjutor.

7. When the Coadjutor Bishop is elected and consecrated, he shall perform such episcopal duties, and exercise such episcopal authority in the Diocese, as the Bishop has assigned to him; and in the case of the Bishop's inability to assign such duties, the Coadjutor Bishop shall, during such inability, perform all the duties and exercise all the authority which appertain to the office of Bishop of the Diocese. If any difference shall arise between the Bishop and his Coadjutor regarding the duties and authority of the latter, the matter shall be decided by the Archbishop of the Province, at the request of either one, or if the Bishop of the Diocese should be the Archbishop of the Province, then by the next Senior Bishop of the Province.

Duties of
Coadjutor.

8. The Coadjutor Bishop so elected shall become and be the Bishop of the Diocese whenever any vacancy occurs in the See, without any further election.

Right of
succession.

CANON XLII.—RESPECTING THE OTTAWA
DIOCESAN SUNDAY SCHOOL ASSOCIATION.

Organization of
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 Ottawa, 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.

Membership.

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.

Object and
purpose of
Association.

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 it may deem 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 supervise the formation of a branch Association in each Deanery.

(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:— Managers of Association.

(a) The Bishop of the Diocese.

(b) Seven Clerical and seven Lay representatives, chosen by the Bishop from year to year, such representatives being members of the Synod.

(c) The President, Secretary, and two delegates from each branch of the Association.

(d) Any delegate to the Sunday School Commission resident within the Diocese.

(e) The Chairman and Secretary of the Education Committee.

(f) Other Sunday School workers up to seven to be chosen by the Bishop.

5. 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 time and place of meeting, save and except the annual meeting, which shall be held before the regular meeting of the Synod, and at which meeting the report for the Synod shall be prepared and officers elected. Election of Officers.

6. The branch Association for each Deanery shall be composed of the Clergy, Superintendents, Officers and Teachers of the Sunday Schools within the boundaries of such Deanery, and the first meeting for the formation of Deanery Branches.

Organization of Branch Association and their duties. such branch Association shall be called by the Archdeacon or Rural Dean or other officer appointed by the Bishop.

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.

Superintendents of Sunday School Departments.

7. The Sunday School Committee shall, as far as possible, 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 following departments are suggested:—

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.

Duties of a Superintendent

8. It shall be the duty of a Superintendent of a Department:—

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

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

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

(d) To present a report on the work of the department to the Sunday School Committee each year, before the meeting of the Synod of the Diocese.

9. The third Sunday in October shall be ^{Children's Day} observed by special sermons and addresses in each Parish and Mission of the Diocese, as Children's Day, and an offering shall be made upon that day in aid of the work of the Sunday School Commission of the Church of England in Canada.

10. The annual meeting of the Sunday ^{Annual Meeting.} 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 XLIII.—ON THE DUTIES OF RURAL DEANS.

1. It shall be the duty of each Rural Dean:

Duties of
Rural Deans.

(a) To canvass the members of each Parish or Mission in his Deanery, for the purpose of increasing or maintaining the clerical stipend of the Incumbent or Missionary in charge thereof, such canvass to be made at least once in every three years, provided, however, that no such canvass need be made in any Parish or Mission if the Bishop of the Diocese shall certify that in his judgment it is not necessary.

To Canvass.

To keep
Suitable, Book
of Record.

(b) To keep in his own possession a record of such canvass in a suitable book to be provided for each Deanery by, and to be the property of, the Synod, but to remain in the custody of the Rural Dean for the time being of the Deanery. The original record to remain in the possession of the Incumbent and Churchwardens.

To examine
Parish Books
and Registers.

(c) To examine from time to time all Parish and Vestry registers and records in his Deanery, in order to see that they are legibly, properly and neatly kept, and to investigate from time to time the condition of all Church properties in his Deanery, in order to see that they are kept sufficiently insured in sound and well established Insurance Companies, and are kept in proper order and repair, and through the Board of Rural Deans to report thereon to the Synod.

To Summon
the Chapter.

(d) To summon the Clergy in his Deanery to meet him in Chapter at some appointed

place in the Deanery twice in each year, as follows:—

(1) In the month of January, or as soon thereafter as possible, for the consideration of the statistical returns, and the transaction of such other business as may be deemed expedient.

(2) In the Autumn at the time of the Bishop's Conference.

2. In making this canvass in the preceding clause mentioned, the Rural Dean shall procure the subscriptions of the members of each congregation to an agreement in the form and to the effect following:—

(DATE).....19..

“We, the undersigned members of the congregation of....., promise to pay annually, for a period of three years from the above date, the sums opposite our respective names for the stipend of the Clergyman appointed to this Parish (or Mission) by the Bishop of the Diocese; said sums to be paid to the Wardens on such date or dates as may be agreed upon.”

The forms for this purpose shall be provided by the Synod.

3. The expenses of the Rural Dean for canvassing each Parish or Mission shall be defrayed by such Parish or Mission.

CANON XLIV.—ON SYNOD FUNDS.

Collections and
moneys paid to
and held by
a Trust
Company.

1. All funds now or hereafter belonging to or held by or under the control of the Synod, and all the investments and securities now or hereafter representing the same, whether belonging to any special trust or otherwise, and all income now or hereafter derived therefrom, and all collections or moneys received for any of the voluntary funds now or hereafter under the control of the Synod, shall hereafter be delivered and paid to and be received and held by some incorporated Trust Company authorized by law to do business in the Province of Ontario, which, as the Financial Agent of the Synod, shall receive, hold and deal with the same under and in pursuance of the respective trusts under which the same are now or may hereafter be held or controlled by the Synod in accordance with any present or future Canons of the Synod, but subject to and in accordance with the terms of any agreement which the Synod, under the authority of the Executive Committee, may have heretofore made or may hereafter make with such Trust Company respecting the same.

Executive
Committee
authorized to
engage Trust
Company as
Financial Agent

2. The Executive Committee is hereby authorized, from time to time, to make or cause to be made, through the officers of Synod, or any Committee which the Synod or the Executive Committee has heretofore appointed or may hereafter appoint for that purpose, an agreement with some incorporated Trust Company authorized by law to do business in Ontario, to act as the Financial Agent of the Synod for the purposes in the preceding paragraph set forth, upon such

terms and conditions as are approved by the Executive Committee. Any such agreement which at the coming into force of this Canon may have already been made, with the sanction and approval of the Executive Committee, is hereby ratified and confirmed and declared to be binding on the Synod as fully and effectually to all intents and purposes as if this Canon had been in force at the time of the making of such agreement.

3. The expression "the Trust Company acting as the Financial Agent of the Synod," used in this Canon or in any other Canon of Synod, shall mean any Trust Company with whom an agreement has been made under the authority of this Canon. Meaning of Trust Company

4. All moneys in the hands or under the control of the Synod, whether capital or income, shall be paid out and dealt with by the Trust Company acting as the Financial Agent of the Synod in accordance with the agreement between the Synod and such Trust Company for the time being in force, and whenever no provisions shall have been made in any such agreement relating to the payment out of any such moneys, the same shall only be paid out or dealt with in accordance with a resolution of the Executive Committee, or of the Investment Committee, passed for such purpose. Payments of money by Trust Company.

5. Wherever in any Canon of Synod it is directed that any moneys collected or received by any Clergyman, Churchwarden or other person, shall be forwarded to and received by the Clerical Secretary, or that any dues or assessments or other payments are All moneys payable to Trust Company as Financial Agents.

payable by any Clergyman, Churchwarden or other person to the Clerical Secretary, on behalf of the Synod, such Canon shall be read as if the same directed that all such moneys, dues, assessments or other payments be forwarded to and received by the Trust Company, acting as the Financial Agent of the Synod, and no such moneys, dues, assessments or other payments shall hereafter be forwarded to or received by the Clerical Secretary.

Repeal and amendment of present Canons.

6. Anything in the present Canons of Synod in any way inconsistent with any of the provisions of this Canon, or with any of the provisions contained in any agreement with the Trust Company acting as the Financial Agent of the Synod, executed in accordance with the authority granted by this Canon, shall be deemed to be repealed and amended hereby.

Executive may arrange for Management of Synod Funds.

7. If at any time any agreement with the Trust Company acting as the Financial Agent of the Synod is terminated by notice or otherwise, and a new agreement with some Trust Company under the authority of this Canon cannot be satisfactorily made, the Executive Committee is hereby authorized and empowered by resolution to make such arrangement for the management and control of the Synod Funds as it may see fit until the next succeeding meeting of Synod.

CANON XLV.—TO PROVIDE FOR THE MAK-
 ING OF RECIPROCAL AGREEMENTS
 WITH OTHER DIOCESES WITH RE-
 SPECT TO SUPERANNUATION
 FUNDS AND WIDOWS' AND
 ORPHANS' FUNDS.

1. The Incorporated Synod of the Diocese of Ottawa, by and through its Executive Committee, may enter into a written agreement, under the seal of said Synod, with the Incorporated Synod of any other Diocese of the Church of England in Canada having and controlling a Clergy Superannuation Fund or a Widows' and Orphans' Fund, both, of a character generally similar to those administered under the Canons of this Synod, for reciprocity in either or both of such beneficiary funds between this Synod and the Synod of any such Diocese, whereby it may be agreed that any Clergyman of this Diocese or of such other Diocese, in good standing under the Canons or By-laws controlling said Funds, from time to time in force, leaving either Diocese with a bene-
 cessit to enter the other, upon being duly licensed by the Bishop of the Diocese he is so entering, shall enter the said last mentioned Diocese in good standing, and be entitled to all benefits, rights, and privileges in respect of the corresponding Fund or Funds as aforesaid of said Diocese, without entrance payment, and that his years of service in the said Diocese he has left shall be reckoned in full in the Diocese he so enters; and that, if such Clergyman be at his death in good standing in the Diocese he shall have so entered, his widow and orphans shall be entitled to the

full benefits, rights, and privileges in respect of the Widows' and Orphans' Fund of the Diocese the said deceased so entered:

Clergymen
subject to
all regulations

Provided that any Clergyman thus passing from one Diocese into another Diocese as aforesaid shall, upon being duly licensed, perform and be subject to all services, duties, obligations, terms, and conditions of the Canons or By-laws regulating the said Funds from time to time in force in the Diocese he shall thus enter:

Discretionary
power of
Executive

And provided that this Synod shall, through its Executive Committee as aforesaid and its proper Officers, have discretionary power and authority, in the making of any such agreement, to add to, vary, and modify the foregoing terms set forth in this Canon, in order to meet the reasonable requirements of the Canons of any other such Diocese so reciprocating.

CANON XLVI.—REPEAL OF EXISTING
CANONS.

Existing
Canons re-
pealed.

1. All Canons heretofore passed by the Incorporated Synod of the Diocese of Ottawa, and in force at the time of the passage of this Canon, are hereby repealed, and the Canons hereinbefore set forth and numbered from I to XIV, both inclusive, XIV A, XV, XVI, XVI A, XVII, XVIII, XIX, XXI, and XXIII to XLV, 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.

How new
Canons shall
be construed.

2. 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.

As to refer-
ences to Canons
in deeds and
Instruments.

STATUTES

RELATING TO THE DIOCESE OF OTTAWA

59 Vict. (Ont.) Chap. 117.

An Act to incorporate the Synod of the Diocese of Ottawa in connection with the Church of England in the Dominion of Canada.

Assented to 7th April, 1896.

Preamble.

WHEREAS it has been determined that the Diocese of Ontario in connection with the Church of England in the Dominion of Canada, shall be divided into two dioceses by setting apart from the said Diocese of Ontario the following territory, namely:—the counties of Lanark, Renfrew, Carleton, (including the city of Ottawa), Russell, Prescott, Stormont, Dundas and Glengarry, and the District of Nipissing as bounded and set off by the Legislature of Ontario, save and except that portion thereof lying north of the Mattawa River and Trout Lake and of a line produced westerly to where the said lake is intersected by the northern boundary of the Township of Ferris and north of that boundary produced westerly to the easterly shore of Lake Nipissing, the territory so set apart to constitute a Diocese to be called the Diocese of Ottawa in connection with the

said Church; and whereas it is expected that the division of the said diocese will be completed within a short time and it is expedient to provide means for the proper division of the property of the present Diocese of Ontario between the two dioceses, and to enable the said new Diocese of Ottawa to arrange its affairs and to receive and hold such part of the said property as it shall be entitled to by incorporating the Synod of the said proposed diocese when formed; and whereas the Executive Committee of the said Diocese of Ontario has prayed that the Synod of the said proposed Diocese of Ottawa, should, on the formation thereof, be incorporated, and should have the powers and authority hereinafter conferred upon it, and whereas 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 bishop, clergy and laity members of the Church of England in the Dominion of Canada within the limits of the said proposed Diocese of Ottawa shall from the time of the consecration, or in the case of the election of one who is already a bishop from the installation and induction, of the first bishop of the said Diocese, be a body corporate and politic under the name of "The Incorporated Synod of the Diocese of Ottawa."

2. The Synod of the said Diocese of Ottawa shall be composed and consist of the bishop of the Diocese, for the time being, the priests and deacons of the same, holding the license of, or otherwise under the jurisdiction of the

bishop of the said Diocese of Ottawa, and of the lay representatives from the several parishes within the boundaries of the said Diocese of Ottawa, to be elected as provided for by the constitution and regulations of the Synod of the Diocese of Ontario until the Synod of the Diocese of Ottawa shall by canon or otherwise have adopted or may from time to time adopt other constitution or regulations in that behalf; 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.

Canons of Diocese of Ontario to be Canons of new Diocese.

3. All the canons of the said Synod of the Diocese of Ontario, except Canon VI, "Seal of Synod," Canon XX, "Surplus income of the Kingston Rectory," section 5 of Canon XXIV, "The election of a Bishop and subdivision of the Diocese" and Canon XXV, "The patronage of rectories" shall be Canons of the said Diocese of Ottawa, substituting the word "Ottawa" for the word "Ontario" wherever the same occurs in said Canons, until the same are altered or repealed by the said Synod of the Diocese of Ottawa.

Powers of Diocese of Ontario to be powers of new Synod as to matters in the Diocese.

4. All powers, rights, and privileges which by any statute have been conferred upon the Incorporated Synod of the Diocese of Ontario shall be held and enjoyed by the said Incorporated Synod of the Diocese of Ottawa from the time of the incorporation thereof as regards all matters and property within the limits of the said Diocese of Ottawa.

Power to take property from Synod of Ontario and discharge trusts

5. The Incorporated Synod of the Diocese of Ottawa shall and may receive and take from the Incorporated Synod of the Diocese of Ontario or from the Bishop of the said

Diocese, or from any other person whomsoever, any property, real or personal, of right belonging to the said Diocese of Ottawa and shall discharge the trusts relating thereto and the said Incorporated Synod of the Diocese of Ontario, bishop of the said Diocese of Ontario, or other person, shall from the time of the transfer of such property to the said Incorporated Synod of the Diocese of Ottawa be discharged from the trusts.

6. All land within the limits of the said ^{Lands, etc.,} Diocese of Ottawa or elsewhere held by the ^{vested in Synod} Incorporated Synod of the Diocese of Ontario or by the Bishop of the said Diocese, upon any special trust or purpose for the benefit or advantage of any church, parsonage, rectory, person, or party, or otherwise howsoever, in connection with the Church of England in the said Diocese shall become vested in the said Incorporated Synod of the Diocese of Ottawa immediately upon the incorporation thereof.

7. All lands situate within the limits of the said Diocese of Ottawa held by any person or corporation upon any special use, trust, or purpose for the benefit of any Church, burying ground, parsonage, or rectory of the Church of England within the limits of the said Diocese of Ottawa may by such person or corporation, with the consent of those beneficially interested, be transferred to the Incorporated Synod of the Diocese of Ottawa as trustee. ^{Transfer of lands held in trust for certain purposes.}

8. The said Incorporated Synod of the Diocese of Ottawa may take and receive ^{Assignment of the Synod of Ottawa's share in funds, etc.} from the Incorporated Synod of the Diocese of Ontario, by assignment or conveyance,

such proportion of the funds and property held in trust for various purposes by the said Incorporated Synod of the Diocese of Ontario as the said Incorporated Synod of the Diocese of Ottawa may become entitled to by virtue of any agreement or arrangement arrived at between the Synods of the said dioceses, and shall hold such property as regards the Diocese of Ottawa upon trusts similar to those on which the same are then held by the said Incorporated Synod of the Diocese of Ontario.

Power to take property by devise, etc.

9. The said Incorporated Synod of the Diocese of Ottawa may take and receive any devises or bequests of lands, or any interest therein, or other property, for any purpose connected with the Church of England in the said diocese, or in connection with any of the objects or work carried on by the said synod to the same extent as the Incorporated Synod of the Diocese of Ontario is capable of taking and receiving the same.

Power to dispose of lands.

10. The said Incorporated Synod may sell and absolutely dispose of any lands or property held by it in trust for any purpose, and the said power may be executed by the executive committee of the said synod or any sub-committee thereof to which the same may be delegated by the said executive committee, provided, however, that if the land or other property to be sold or disposed of is held in trust for the benefit of any parish in the said diocese the power of sale or disposition hereby given shall not be exercised without the consent of the vestry of such parish lawfully convened for the purpose of considering such sale or disposition.

11. The Bishop of the said Diocese of Ottawa, for the time being, shall have the administration of all lands and personalty vested in him or conveyed to him for the endowment of his see, or for the general uses of the said Church of England, 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 church in general, or to any particular church or parish, and by and with the consent of the executive committee of the Incorporated Synod of the Diocese of Ottawa, may 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 may also by and with the consent and participation of the rector or incumbent, and the corporation of the parish wherein the same may be situate, and with the consent of the said executive committee 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, may 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 executive committee; provided always that the price or consideration of such sales, alienations, or

Powers of
Bishop of
Ottawa as to
property, etc.

Proviso.

transfers shall be applied to the uses and purposes for which the land or personalty so sold, aliened, or transferred, was held; and provided also that such sales, alienations or transfers be not inconsistent with or contrary to the conditions, uses or purposes of the deed of conveyance to the said church, or bishop, or 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.

Proviso.

Powers of
Synod.

12. All the powers of the said Incorporated Synod of the Diocese of Ottawa 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 any consent of the executive committee of such synod required by this or any other Act to any sale or disposition of property may be given by any sub-committee to which such power may be delegated by the said executive committee, and the said synod may form, dissolve and reform, at pleasure, such boards and committees for the management of all or any of its affairs and property by any by-law or canon from time to time to be passed, and the appointment of the members of the said committees shall be made by the bishop, unless otherwise ordered; and the said synod may by by-law or canon appoint and remove at pleasure, or provide for the appointment and removal of such and so many officers as may be required for the transaction of any of its business, and may

define their duties and remuneration; and the production of any by-law or canon of the synod under the seal of the 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 or canon, and of the contents thereof, without further or other proof.

13. The Bishop of the Diocese of Ottawa Interpretation. 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 Ottawa," and the word "synod," when used alone in this Act, or without the word "incorporated," shall mean the "Synod of the Diocese of Ottawa."

14. The funds and securities of the original Apportionment of funds between the Diocese of Ottawa and Ontario. Diocese of Ontario shall be divided and apportioned between the Diocese of Ontario and the Diocese of Ottawa by a board of six commissioners, of whom three shall be appointed by the Synod of the Diocese of Ontario, and three by the Synod of the Diocese of Ottawa, in accordance with the report of the committee on division of funds, adopted by the Synod of the Diocese of Ontario, on the 20th day of June, A.D. 1895.

15. Nothing in this Act contained shall affect any action or proceeding now pending Pending actions not affected. respecting the funds of the Diocese of Ontario or the administration thereof.

61 VICT., (ONT.), CHAPT. 73

An Act respecting the Incorporated Synod
of the Diocese of Ottawa.

Preamble

WHEREAS by the Act passed in the 59th year of Her Majesty's reign, chapter 117, entitled *An Act to Incorporate the Synod of the Diocese of Ottawa in connection with the Church of England in the Dominion of Canada*, the then subsisting canons of the Incorporated Synod of the Diocese of Ontario were, by section 3 of the said Act, constituted the canons of the Synod of the Diocese of Ottawa (subject to the exceptions mentioned in said section) until the same were altered or repealed by the Synod of the Diocese of Ottawa; and whereas by section 4 of the said Act the Incorporated Synod of the Diocese of Ottawa had conferred upon it, within the limits of said Diocese, all powers, rights and privileges which by any statute had been conferred upon the Incorporated Synod of the Diocese of Ontario; and whereas the said Incorporated Synod of the Diocese of Ontario then had, and now has, by virtue of its Act of Incorporation, 25 Victoria, chapter 86, and of the Act passed in the 7th year of Her Majesty's reign, chapter 68, section 4, the power to make and also to abrogate, repeal, change or alter its constitution, by-laws, rules and regulations, as may be found expedient, and was also, by the Act passed in the 39th year of Her Majesty's reign, chapter 109, invested with 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 might be considered necessary in the exercise of the powers conferred upon it by

its Act of Incorporation; and whereas the Incorporated Synod of the Diocese of Ottawa, at its last session duly held on and about the 1st day of June, 1897, repealed, amended and enacted certain canons, or purported so to do, and doubts have arisen in respect of the effect thereof until the ratification of the same at the next session of the said Synod; and whereas the said Synod has prayed that such repeal, amendments, and enactments be confirmed; 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. Subject to the authority of the said Synod hereafter to add to, repeal, amend or vary its canons, the repeal of Canon II, Section 7, and of Canons XV and XVI, and the amendments to Canons VIII, IX and XXIII, and the enactment of New Canons numbered XIV A, XV and XVI by the said Synod at its last session, are hereby declared to be and to have been valid from the dates thereof respectively, and the canons of the said Incorporated Synod of the Diocese of Ottawa, as thus altered and amended, are hereby confirmed and declared to be the canons of the said Synod.

Certain amend-
ments to Canons
of the Diocese
Confirmed.

2. All rights which may have accrued, and all acts done and proceedings heretofore taken under said Canons, or any of them, are hereby declared to be and to have been valid and effectual to all intents and purposes.

Rights acquired
under Canons
Confirmed.

AN ACT RESPECTING THE REGISTRATION OF BIRTHS,
MARRIAGES AND DEATHS.

CHAPTER 49, R.S.O. 1914.

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

- Short title.** **1.** This Act may be cited as *The Vital Statistics Act*.
8 Edw. VII. c. 28, s. 1.
- Interpretation.** **2.** In this Act,
- “House.” (a) “House” shall include a part of a house and a tenement, building, room or dwelling place;
- “Inspector.” (b) “Inspector” shall mean the Inspector of Vital Statistics;
- “Municipality.” (c) “Municipality” shall not include a county;
- “Occupier.” (d) “occupier” shall include the governor, keeper, warden or superintendent of a gaol, prison, penitentiary, lunatic asylum, poor asylum, hospital, industrial home, and the house of refuge, and of a public or private charitable institution;
- “Prescribed form.” (e) “Prescribed form” shall mean the form prepared by the Registrar-General and approved by the Lieutenant-Governor in Council;
- “Registrar-General.” (f) “Registrar-General” shall mean that member of the Executive Council who for the time being is charged with the administration of this Act.
8 Edw. VII. c. 28, s. 2.
- Application to Indian Reserves.** **3.** This Act shall apply to land reserved for the Indians which, for the purposes hereof, shall be deemed territory not within a municipality. 8 Edw. VII. c. 28, s. 3.
- Inspector, appointment and duties of.** **4.** The Lieutenant-Governor in Council may appoint an Inspector of Vital Statistics whose duty it shall be to inspect the registration offices and examine the schedules prepared under this Act to see that the entries and registrations are made and completed in a proper manner and in legible handwriting. Edw. VII. c. 28, s. 4.

5. The Registrar-General shall annually collate, Annual report of Registrar-General publish and distribute for the use of this Legislature a full report of the births, marriages and deaths of the preceding year, giving such details, statistics and information as the Lieutenant-Governor in Council may deem necessary. 8 Edw. VII. c. 28, s. 5.

6. The Lieutenant-Governor in Council may make Regulations regulations as he may deem necessary for the purpose of obtaining the information required by this Act. 8 Edw. VII. c. 28, s. 6.

7.—(1) Any person shall be entitled at all reasonable Searching records with Registrar-General hours on payment of the prescribed fee and on signing an application in the prescribed form, to have search made of the record of a birth, marriage or death kept in the office of the Registrar-General for any one county or district for not more than three years.

(2) The Registrar-General shall, when requested, Certificate of Registrar-General give a certificate of the details of any birth, marriage or death of which there is a record in his office on payment of the prescribed fee.

(3) The certificate shall be *prima facie* evidence in Effect as evidence. any Court, or in any proceeding before a Justice of the Peace, of the facts certified to be recorded.

(4) The fees to be paid for searches and certificates Fees for searches and certificates. shall be prescribed by the Lieutenant-Governor in Council but shall not exceed,

(a) for a search for one registration, confined to one county or district, and a period of not more than three years, 25 cents;

(b) for a search for one registration, extending beyond one county or district, or for more than three years, \$2;

(c) for a certificate, in addition to the fee for the search, 50 cents. 8 Edw. VII. c. 28, s. 7.

8. The Registrar-General shall cause such Forms. schedules and forms to be prepared as may be approved by the Lieutenant-Governor in Council in order to obtain correct statistical information, and he shall distribute them to the Division Registrars, and the cost of, and incidental thereto and of the distribution thereof shall be paid out of the Consolidated Revenue Fund. 8 Edw. VII. c. 28, s. 8.

REGISTRATION DIVISIONS.

Registration divisions. **9.**—(1) All territory within Ontario shall be a part of some Registration Division.

Municipalities to be. (2) Every municipality shall be a Registration Division.

Unorganized territory. (3) Territory not within a municipality may be attached to an existing Registration Division, or set apart as a Registration Division, by the Lieutenant-Governor in Council. 8 Edw. VII. c. 28, s. 9.

Registrars in unorganized territory. **10.** Where a Registration Division is formed of territory not within a municipality the Lieutenant-Governor in Council may appoint a Division Registrar for it and may make such regulations as he may deem necessary to secure a correct record of the births marriages and deaths occurring therein. 8 Edw. VII. c. 28, s. 10.

OFFICE AND DUTIES OF DIVISION REGISTRARS.

Registrars in municipalities. **11.**—(1) The clerk of every municipality shall be the Division Registrar of the same.

Schedules for division registrars. (2) The Registrar-General shall supply to every Division Registrar schedules in the prescribed form upon which the Division Registrar shall enter the details of every birth, marriage and death registered in his office.

Duties of division registrars as to schedules. (3) The Division Registrar shall keep every such schedule in duplicate, and on or before the 15th days of January, April, July and October in every year he shall transmit to the Registrar-General one duplicate of each schedule down to and including the last day of the month next preceding, together with the original return made by the person registering any birth, marriage or death, and the other duplicate schedule shall be kept by the Division Registrar on file in his office.

Arrangement. (4) The duplicate schedules shall be bound up or otherwise arranged from time to time by the Division Registrar in such manner as may be prescribed.

Custody. (5) It shall be the duty of the Division Registrar to keep the schedules, forms and documents received by him in a place of safety, and he shall use all available means to obtain the necessary information for the purpose of completing the records required to be made by him.

(6) If the Division Registrar has reason to believe that a birth, marriage or death has taken place within his division which has not been registered he shall inform the proper person of his duty to register the same and on failure of such person to make the registration the Division Registrar shall forthwith supply the Inspector with such information as he possesses in regard to the matter. 8 Edw. VII. c. 28, s. 11.

Duty of
division
registrar
on default
of registration.

12.—(1) A Division Registrar, upon application therefor, and on payment of a fee of twenty-five cents shall give a certificate in the prescribed form as to any one registration not included in any quarterly return made, but shall not give any certificate other than such as is authorized by this section or in any other than the prescribed form.

Certificate of
registration.

(2) The Division Registrar shall be entitled to the fee for the certificate for his own use. 8 Edw. VII. c. 28, s. 12.

Fee.

13.—(1) If within one year from the registration of a birth, marriage or death any of the particulars thereof are found to be omitted or incorrect it shall be the duty of the proper Division Registrar upon the error being reported to him within the time aforesaid to enquire into the same, and if satisfied that the entry is incorrect to correct the error according to the fact, entering the correction in the margin, without any alteration of the original entry, and he shall note thereon the fact that the correction has been made and the date thereof.

Correcting
errors in
registration.

(2) If the schedule containing a copy of the original entry has been returned to the Registrar-General the Division Registrar shall report the omission or other error to the Registrar-General, who shall correct the error in the margin of the Schedule as well as in the indexed record thereof, without altering the original entry, and shall note on them the fact that the correction has been made and the date thereof. 8 Edw. VII. c. 28, s. 13.

Correction by
Registrar-
General
after return.

REGISTRATION OF BIRTHS.

14. Every legally qualified medical practitioner who attends at the birth of a child shall forthwith give notice thereof in the prescribed form to the Division Registrar of the Division in which the child was born. 8 Edw. VII. c. 28, s. 14.

Duty of
medical
practitioner.

Persons
required to
give notice
of birth.

15.—(1) Where a child is born notice thereof in the prescribed form shall also be given to the Division Registrar of the Division in which the child was born by

- (a) the father, if living; or
- (b) in case of his inability, or if he is dead, by the mother if living; or
- (c) in case of the inability of both parents, or, if neither be living, by the person standing in the place of the parents of the child; or
- (d) if there is no father or mother or other person whose duty it is to give the notice, by the occupier of the house in which the child was born, if he has knowledge of the birth, and by the nurse or midwife present at the birth.

Time.

(2) The notice shall be given within thirty days after the date of the birth. 8 Edw. VII. c. 28, s. 15.

Registration
of birth of
new-born
child found
exposed.

Imp. 37-38
V. c. 88, s. 3.

16. If a living new-born child is found exposed it shall be the duty of any person finding such child, and of any person in whose charge such child may be placed, to give, to the best of his knowledge and belief, to the Division Registrar of the Division in which the child is found, within seven days after the finding of such child, such information of the particulars required to be registered concerning its birth as the informant possesses. 8 Edw. VII. c. 28, s. 16.

Registering
illegitimate
births.

17. A person shall not be named in the register as the father of an illegitimate child unless he and the mother request that the name be so entered, and the Division Registrar shall write the word "Illegitimate" in the column for the name of the child immediately under the child's name. 8 Edw. VII. c. 28, s. 17.

Registration
of birth
within one
year.

18. The Division Registrar may register a birth at any time within one year after the birth occurred. 8 Edw. VII. c. 28, s. 18.

Registration
of birth
after ex-
piration of
appointed time.

19. The Lieutenant-Governor in Council may make regulations for the registration of births which have not been registered under the foregoing provisions of this Act. 8 Edw. VII. c. 28, s. 19.

Altering or
inserting
name after
registration
of birth.

20.—(1) Where the birth of a child is registered and the name of the child is afterwards changed, or if it was registered without a name, when a name is given to the

child, the parent or guardian of the child or other person procuring the name to be changed or given may within ten years next after the registration of the birth, or at any time before the child attained his majority, deliver to the Registrar-General a certificate signed by the minister or person who performed the rite of baptism upon which the name was changed or given, or if the child has not been baptized signed by the father, mother or guardian of the child, or other person procuring the name of the child to be changed or given, and the Registrar-General, upon the receipt of the certificate, may make the necessary alteration in the margin of the schedule containing the original entry, without altering the original entry, and shall note thereon the fact that the change has been made and the date thereof and shall also make the same changes in the indexed record. 8 Edw. VII. c. 28, s. 20; 2 Geo. V. c. 17, s. 8, *part.*

Evidence.

(2) If the Registrar-General is satisfied that the certificate mentioned in subsection 1 cannot be obtained he may make the alteration on such proof of the change as he may deem sufficient. 2 Geo. V. c. 17, s. 8, *part.*

Where certificate cannot be obtained.

REGISTRATION OF MARRIAGES.

21.—(1) Every person who solemnizes a marriage shall report the same to the Division Registrar of the division within which the marriage was solemnized within thirty days thereafter with the particulars required in the prescribed form, which form shall be furnished to him by the Division Registrar, but in the case of a marriage solemnized under the authority of a license or certificate it shall be sufficient to report the same on the form attached to the license or certificate. 8 Edw. VII. c. 28, s. 21 (1); 1 Geo. V. c. 17, s. 7.

Duty to report.

(2) The Lieutenant-Governor in Council may make regulations for the registration of marriages which have not been registered under the foregoing provisions of this Act. 8 Edw. VII. c. 28, s. 21 (2).

Regulations for registration after thirty days.

REGISTRATION OF DEATHS.

22.—(1) The occupier of a house in which a person dies, or if the occupier be the person who has died then every adult person residing in the house in which the death took place, or if the death has not taken place within a house then every person present at the death

Particulars to be furnished to registrars.

of having any knowledge of the circumstances attending the same, or the coroner who views the body and the legally qualified medical practitioner last in attendance during the last illness of the person who has died shall before the interment supply to the Division Registrar of the division in which the death took place, according to the best of his knowledge and belief, all the particulars required to be registered touching such death, in the prescribed form.

Returns in unorganized territory.

(2) Where a death has occurred in a township or territory without municipal organization the return may be made to the nearest Division Registrar who, upon the payment of a fee of twenty-five cents by the applicant, shall register the same on the special form of schedule provided and issue a certificate of registration which certificate shall be sufficient, and such Division Registrar shall forward the return to the Division Registrar of the division in which the death occurred

Fee.

(3) The Division Registrar issuing the certificate, as set forth in subsection 2, shall be entitled to the fee for his own use.

Sub-registrar.

(4) Where upon proper representation to the Registrar-General he is of the opinion that in any section of Ontario the registration of deaths for purposes of burial would be facilitated he may appoint a Sub-Registrar for the special purpose of issuing certificates of registration of death upon payment by the applicants of a fee of twenty-five cents.

Registration and return of sub-registrar.

(5) The Sub-Registrar shall register the death upon the special form of schedule provided, and shall forthwith transmit the original form to the Division Registrar of the municipality in which the death occurred for registration by him, and the Sub-Registrar shall make quarterly returns to the Registrar-General in compliance with section 11 of this Act. 8 Edw. VII. c. 28, s. 22.

Forms for returns.

23. The forms on which such return shall be made shall be furnished by the Registrar-General to the Division Registrar who shall supply the same to the legally qualified medical practitioners resident in his Division. 8 Edw. VII. c. 28, s. 23.

Certificate for burial in case of death outside Ontario, etc.

24. Where the death has occurred out of Ontario, or the burial is to take place in a municipality other than that in which the death is to be registered, a certificate

signed by the Registrar or other proper officer of the municipality or place in which the death occurred shall be sufficient for burial, and the Division Registrar of the municipality in which the burial takes place shall, when requested, receive the certificate and transmit it to the Registrar-General. 8 Edw. VII. c. 28, s. 24.

25. A removal for burial or an embalming of the body of any person shall not take place, and an undertaker, clergyman, sexton, householder or other person shall not engage in the burial of the body unless a certificate of registration has been previously obtained from the Division Registrar with whom the death was registered to the knowledge of the person so removing, embalming or engaging in the burial of the body. 8 Edw. VII. c. 28, s. 25. Duties prior to burial.

26. A Division Registrar shall, immediately upon registering any death, deliver without charge to any person requiring the same for the purpose of burial a certificate in the prescribed form that the death has been duly registered. 8 Edw. VII. c. 28, s. 26. Certificate of death.

27.—(1) A caretaker or owner of a cemetery or burial ground, whether public or private, or a clergyman or other person having charge of a church to which a cemetery or burial ground is attached, shall not permit the interment of the body of any person in the cemetery or burial ground over which he has charge unless he has received a certificate under the hand of the proper Division Registrar that the particulars of the death have been duly registered. Duties of persons in charge of cemeteries.

(2) Every such caretaker, owner, clergyman or other person shall on or before the tenth day of January, April, July and October in each year transmit to the Division Registrar of the Division in which the cemetery or burial ground is situate a return in the prescribed form of the burials therein during the previous three months up to and including the last day of the month next preceding for subsequent transmission with the quarterly return to the Registrar-General. 8 Edw. VII. c. 28, s. 27. Returns by caretakers, etc., of cemeteries.

28.—(1) Where burial has taken place without registration the death may be registered, but registration shall not take place after two years from the death without the written consent of the Registrar-General. Registration of death after burial.

Where body found elsewhere than in house.

(2) Registration shall not take place in the case of a body found elsewhere than in a house where a certificate has not been given by a Coroner without the like consent of the Registrar-General.

Entry of Registrar-General's consent.

(3) The fact of such consent having been given shall be entered in the proper column of the register. 8 Edw. VII. c. 28, s. 28.

REGISTRATION BY REGISTRAR-GENERAL WHERE ACT NOT COMPLIED WITH.

Registration of births after default.

29.—(1) The Registrar-General may register a birth which has not been registered in accordance with section 18 if the information is furnished in accordance with the provisions of this Act, and the registration shall be made in the proper register, and the date of registration shall be entered in the proper column of the register.

Registration of marriages after default.

(2) When the registration of a marriage has not been made, as provided by section 21, the Division Registrar of the Division in which the marriage was solemnized may register the same at any time after the solemnization of the marriage if the information is furnished in accordance with the provisions of this Act, and the registration shall be made in the schedules of the current quarter.

Conditions of registration after twelve months.

(3) After the expiration of twelve months from the solemnization of the marriage registration shall only be made by the Registrar-General, if the information is furnished in accordance with the provisions of this Act, and the entry of registration shall be made in the proper register, and the date of registration shall be entered in the proper column of the register.

Registration of death after default.

(4) The Registrar-General may register a death which has not been registered by a Division Registrar in accordance with section 28 if the information is furnished in accordance with the provisions of this Act, and the registration shall be made in the proper register, and the date of registration shall be entered in the proper column of the register. 1 Geo. V. c. 17, s. 8.

PENALTIES AND EXPENSES.

Penalty for registrar's neglect to make returns.

30. If a Division Registrar neglects to make any return, as required by this Act, he shall be notified by registered letter of such neglect by the Registrar-General, and if after notification he fails to make such return within

one month the Registrar-General may refuse to issue the certificate for the payment of the fees due to the Division Registrar even though the return should be made at a later date, and such Division Registrar shall also incur a penalty of \$50. 8 Edw. VII. c. 28, s. 29.

31. A person who wilfully makes or causes to be made a false statement touching any of the particulars required to be reported and entered under this Act shall incur a penalty of \$50; and a legally qualified medical practitioner wilfully making a false statement as to the cause of death of any person shall also be subject to discipline by the Ontario Medical Council. 8 Edw. VII. c. 28, s. 30.

Penalty for making false statements.

32.—(1) A person required by this Act to report a birth, marriage, death or burial to the Division Registrar who neglects to do so shall incur a penalty not exceeding \$10.

Penalty for not reporting.

(2) If a return required by this Act to be made by more than one person is made by any one of such persons the others shall not be liable to the penalty.

Saving.

(3) Subsection 2 shall not apply to a return required to be made by a legally qualified medical practitioner.

Returns of medical practitioner.

33. A person guilty of an act or omission in violation of any of the provisions of this Act for which no other penalty is provided shall incur a penalty of not more than \$20. 8 Edw. VII. c. 28, s. 32.

Penalty for other acts or omissions.

34. The Inspector, upon being notified of any violation of this Act, shall make investigation, and where he deems it necessary, or without investigation when directed by the Registrar-General, he shall institute proceedings against any person guilty of any such violation. 8 Edw. VII. c. 28, s. 33.

Duty of Inspector to investigate.

35. The penalties imposed by this Act shall be recoverable under *The Ontario Summary Convictions Act*. 8 Edw. VII. c. 28, s. 34.

Penalties, how recovered. Rev. Stat. c. 90.

36. The penalties shall be payable one moiety to the informant and one moiety to the municipality in which the offence was committed. 8 Edw. VII. c. 28, s. 35.

Penalties, distribution of.

37. Prosecutions for penalties imposed by this Act shall be commenced within one year after the offence or default. 8 Edw. VII. c. 28, s. 36.

Time for commencement of prosecution.

Conduct of
prosecutions.

38. Prosecutions for any penalty imposed by this Act shall be conducted by the Crown Attorney when instructed by the Registrar-General. 8 Edw. VII. c. 28, s. 37.

Expenses of
prosecution.

39. All expenses of prosecutions under this Act not recovered from the offender, and whether or not a conviction is obtained, shall be payable by the municipality in which the offence was alleged to have been committed. 8 Edw. VII. c. 28, s. 38.

FEES.

Fees of
division
registrars

40.—(1) Every municipality shall pay annually, on the first day of February, to the Division Registrar thereof a fee of twenty cents for each complete registration of a birth, marriage or death returned for the preceding year according to the schedules provided under this Act, on the presentation of the certificate of the Registrar-General to the treasurer of the municipality; but a city or town containing more than ten thousand inhabitants may by by-law limit the aggregate compensation allowed to the Division Registrar.

Fees of
registrars
in unorganized
territory.

(2) Fees shall be paid at the rates set forth in this section to every Division Registrar appointed by the Lieutenant-Governor in Council for any Registration Division not included within any municipality out of any money appropriated for that purpose. 8 Edw. VII. c. 28, s. 39.

AN ACT RESPECTING THE SOLEMNIZATION
OF MARRIAGE.

R.S.O., 191 , CHAPTER 148, as amended by 6 George V.
Chap. 32.

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

1. This Act may be cited as *The Marriage Act*. 1 Short title.
Geo. V. c. 32, s. 1.

WHO MAY SOLEMNIZE MARRIAGES.

2. The following persons, being men and resident in Canada, may solemnize marriage between persons not under a legal disqualification to contract such marriage: Who may solemnize marriage in Ontario.

- (a) The ministers and clergymen of every church and religious denomination duly ordained or appointed according to the rites and ceremonies of the church or denomination to which they respectively belong; Ministers and clergymen.
- (b) Any elder, evangelist or missionary for the time being of any church or congregation of the religious people commonly called or known congregationally as "Congregations of God" or "Congregations of Christ," and individually as "Disciples of Christ," who from time to time is chosen by any such congregation for the solemnization of marriages; Elders, etc., Congregations of God and Disciples of Christ.
- (c) Any duly appointed commissioner or staff officer of the religious society called the Salvation Army, chosen or commissioned by the society to solemnize marriages; Officers of Salvation Army.
- (d) An elder for the time being of the church or congregation of religious people commonly called or known congregationally as "Farringdon Independent Church," who, from time to time, is chosen by such church or congregation for the solemnization of marriages. Elders of Farringdon Independent Church.
- (e) Any recognized evangelist, teacher or elder for the time being of any congregation of Christians commonly called or known as "Brethren," who may be appointed by any such congregation for the solemnization of marriages, and whose appointment has previously been filed in the office of the Provincial Secretary. 1 Geo. V. c. 32, s. 2. Minister of the Brethren.

Marrriages
solemnized by
Quakers

3 Every marriage duly solemnized according to the rites, usages and customs of the religious Society of Friends, commonly called Quakers, shall be valid; and all the duties imposed by this Act, or by *The Vital Statistics Act*, upon a minister or clergyman, shall, with regard to such marriage, be performed by the clerk or secretary of the society or of the meeting at which the marriage is solemnized; but nothing herein shall require the marriage to be celebrated or solemnized by such clerk or secretary. 1 Geo. V. c. 32, s. 3.

Rev Stat
c 49

LICENSE, CERTIFICATE OR PROCLAMATION REQUIRED.

Marrriages not
to be solemn-
ized unless
under license
or certificate.

4.—(1) No minister, clergyman or other person shall solemnize any marriage, unless duly authorized so to do by license under the hand and seal of the Lieutenant-Governor or of his deputy, or by a certificate under this Act, unless the intention of the persons to intermarry has been published as provided by subsection 2.

Or after pro-
clamation of
intention.

(2) Such intention shall be proclaimed once openly, and in an audible voice, either in the church, chapel or meeting-house in which one of the persons has been in the habit of attending worship, or in some church, chapel, meeting house or place of public worship of the congregation or religious body with which the minister or clergyman who performs the ceremony is connected, in the local municipality, parish, circuit or pastoral charge, where one of the persons has, for the space of fifteen days immediately preceding, had his or her usual place of abode; and where both the persons do not reside in the same local municipality, parish, circuit or pastoral charge, and the marriage is not authorized by license or certificate, a similar proclamation shall be made in the local municipality, parish, circuit or pastoral charge, being within Canada, where the other of the contracting parties has for the space of fifteen days immediately preceding had his or her usual place of abode: and where the proclamation last mentioned is required such marriage shall not be solemnized until there is delivered to the person proposing to solemnize it a certificate, Form 1, showing that such proclamation has been made.

Made on
Sunday.

(3) Every such proclamation shall be made on a Sunday, immediately before the service begins or immediately after it ends, or at some intermediate part of the service.

(4) The certificate of proclamation shall be signed by the clergyman, minister, clerk, secretary or other person who actually proclaimed the same, and shall show the official position of the person who signs it. 1 Geo. V. c. 32, s. 4. Certificate of proclamation of intention

5.—(1) No marriage shall be solemnized under the authority of any proclamation of intention to intermarry, unless such proclamation has been made at least one week previously, nor unless the marriage takes place within three months after the Sunday upon which the proclamation was made; nor shall a marriage be solemnized under the authority of any license or certificate unless within three months after the date thereof. Proclamation or license to lapse unless marriage takes place within three months.

(2) No clergyman, minister or other person shall solemnize a marriage between the hours of 10 o'clock after noon and 6 o'clock before noon unless he is satisfied from evidence adduced to him that the proposed marriage is legal and that exceptional circumstances exist which render its solemnization between those hours advisable. Hours during which marriages not to take place.

(3) No clergyman, minister or other person shall solemnize a marriage without the presence of at least two adult witnesses, and two or more of such witnesses shall affix their names as witnesses to the record in the register prescribed by section 27, Witnesses required

(4) No clergyman, minister or other person who is an issuer of marriage licenses shall solemnize the marriage in any case in which he has issued the license or the certificate provided for by section 7 authorizing such marriage, but this subsection shall not apply to any of the Provisional Judicial districts except Muskoka. Issuer of marriage licenses not to solemnize the marriage.

(5) The certificate or license to marry or the certificate of proclamation, when such certificate is required, shall be left with the clergyman, minister or other person who solemnizes the marriage, and he shall forthwith after such solemnization endorse upon the certificate or license the particulars mentioned in Form 4, and thereupon forward such certificate or license to the Registrar-General. 1 Geo. V. c. 32, s. 5; 2 Geo. V. 17, s. 30 (1). Exceptions. Licenses and certificates to be delivered to person solemnizing marriage.

6. No clergyman, minister or other person who solemnizes a marriage ceremony after banns have been published or a license or certificate has been issued under this Act in respect thereto, shall be subject to any action Protection of clergymen solemnizing marriage in good faith.

or liability for damages or otherwise by reason of there having been any legal impediment to the marriage, unless at the time when he performed the ceremony he was aware of the impediment. 1 Geo. V. c. 32, s. 6.

Certificate in lieu of marriage license.

7. A certificate, Form 2, according to the circumstances of the case, may, at the option of the applicant, be substituted and shall have the same legal effect as a license. 1 Geo. V. c. 32, s. 7.

Issue of Licenses and Certificates.

Licenses and certificates, how issued.

8. Licenses and certificates shall be issued from the office of the Provincial Secretary, and shall be furnished to persons requiring the same by such persons as the Lieutenant-Governor in Council may appoint for that purpose. 1 Geo. V. c. 32, s. 8.

(2) The Lieutenant-Governor in Council may make regulations defining the terms and conditions upon which marriage licenses and certificates shall be furnished.

Validity of licenses and certificates.

9. Every license under the hand and seal of the Lieutenant-Governor or his deputy, and every certificate signed by the Provincial Secretary, or Assistant Provincial Secretary, for the purpose of the solemnization of a marriage, shall be and remain valid, notwithstanding that the Lieutenant-Governor or his deputy, or the Provincial Secretary, or the Assistant Provincial Secretary has ceased to hold office before the time of the issue of the license certificate. 1 Geo. V. c. 32, s. 9.

Unauthorized issue of licenses or certificates.

10. Any person issues any license or certificate for the solemnization of marriage without the authority of the Lieutenant-Governor in Council, unless under the authority of section 11, he shall incur a penalty of \$100 for every license or certificate so issued recoverable under *The Ontario Summary Convictions Act*. 1 Geo. V. c. 32, s. 10.

Penalty.

Rev. Stat., c. 90.

Appointment of Deputy Issuers.

Appointment of deputy-issuers of marriage licenses with approval of Mayor or Reeve.

11 —(1) An issuer of marriage licenses or certificates may with the approval, in writing, of the Mayor or Reeve of the local municipality wherein he resides, when prevented from acting by illness or accident, or where his temporary absence is contemplated, appoint by writing under his hand a deputy to act for him.

Powers of deputy-issuers.

(2) The deputy while so acting shall possess the powers and privileges, as to administering necessary oaths and otherwise, of the issuer appointing him.

(3) The issuer shall, upon appointing a deputy, forthwith transmit to the Provincial Secretary a notice of the appointment, and of the cause thereof, and of the name and official position of the person by whom the appointment has been approved, and the Lieutenant-Governor may at any time annul the appointment.

Notice of appointment of deputy.

(4) Where there is no Mayor or Reeve to give the approval required by subsection 1, the issuer may without such consent, appoint such deputy, and the licenses or certificates issued by such deputy shall be deemed to authorize the solemnization of marriages at the same places as licenses or certificates issued by the issuer, and no irregularity in the appointment of a deputy shall affect the validity of a license or certificate issued by him.

Appointment of deputy where no Mayor or Reeve.

(5) The deputy shall sign each license and certificate issued by him with the name of the issuer as well as his own name in the following manner:—"A. B.—Issuer of *Marriage Licenses, per C. D., Deputy-Issuer.*" 1 Geo. V. c. 32, s. 11.

How license to be signed by deputy.

Effect of Irregular Issue of License or Certificate.

12. No irregularity in the issue of a license or certificate where it has been obtained or acted on in good faith shall invalidate a marriage solemnized in pursuance thereof. 1 Geo. V. c. 32, s. 12.

Irregularity in issue not to affect

Unissued Licenses or Certificates.

13. Every issuer of licenses or certificates and every other person having unissued licenses or certificates in his possession, power, custody, or control, shall, whenever required so to do, transmit the same to the Provincial Secretary; and the property in all unissued licenses and certificates shall be and remain in His Majesty. 1 Geo. V. c. 32, s. 13.

Unissued licenses to be returned to Provincial Secretary.

Expenses of Procuring Licenses.

14. All expenses incident to providing licenses and certificates shall be paid by the issuer thereof. 1 Geo. V., c. 32, s. 14.

Expenses incident to procuring licenses.

MARRIAGE OF PARTY UNDER 18 YEARS.

15.—(1) Where either of the parties to an intended marriage not a widower or a widow is under the age of eighteen years, the consent of the father, if living, or, if he is dead, of the mother, if living, or of a guardian, if any has been duly appointed, shall be required before the license is issued, or before the proclamation of the intention of the parties to intermarry is made.

Consent required to marriage where one of the parties is under eighteen.

Consent to be produced before license issues.

(2) Where such consent is necessary, no license or certificate shall be issued without the production of the consent, and the issuer or deputy-issuer shall satisfy himself of the genuineness of the consent by satisfactory proof in addition to the affidavit required of one of the parties.

When parents are dead and there is no guardian.

(3) In the case of a party under the age of eighteen years and not being a widower or a widow, if the father and mother are dead and there is no guardian duly appointed, the issuer or deputy-issuer, on being satisfied as to the facts, may grant the license or certificate.

If parents not resident in the Province.

(4) Where the parent whose consent is required, though living, is not a resident in Ontario, and is not in Ontario at the time of the application for a license or certificate, and the party under the age of eighteen years is and has been so resident for the next preceding twelve months, the issuer or deputy-issuer, on being satisfied by evidence of these facts, may grant the license or certificate. 1 Geo. V. c. 32, s. 15.

No license to be issued or marriage to be celebrated where either party under fourteen.

16. No license or certificate shall be issued to any person under the age of fourteen years, except where a marriage is shown to be necessary to prevent the illegitimacy of offspring, and a certificate to that effect is given by a legally qualified medical practitioner known to the issuer or deputy-issuer, and except in such a case no person shall celebrate the marriage ceremony in any case in which either of the contracting parties is under the age of fourteen years, to the knowledge or information of such person. 1 Geo. V. c. 32, s. 16.

16a. Notwithstanding anything in this Act contained, if the Registrar-General considers that circumstances justify the issue of a marriage license in any particular case, he may, in his absolute discretion, authorize an issuer of marriage licenses to issue a license upon the production of such evidence as the Registrar-General may deem sufficient.

PENALTY FOR MARRYING IDIOT OR INSANE PERSON.

Insane or idiot or intoxicated person.

17. If any issuer of marriage licenses issues a license for a marriage or if any minister, clergyman or other person solemnizes a marriage, knowing or having reason to believe that either of the parties to the intended marriage or to the marriage is an idiot or insane or is under the influence of intoxicating liquor, he shall incur a penalty not exceeding \$500, and shall also be liable to imprisonment for any term not exceeding twelve months. 3-4 Geo. V. c. 28, s. 1, part.

PENALTY UPON DEPOSED MINISTER.

18. If any person who having been a minister, clergyman or other person having the right to solemnize marriage has been deposed from his ministry, or deposed or removed from the office by virtue of which he was authorized to solemnize marriage, thereafter solemnizes or undertakes to solemnize any marriage, he shall incur a penalty of \$500, and shall also be liable to imprisonment for any term not exceeding twelve months. 3-4 Geo V. c. 28, s. 1, part.

Penalty for deposed minister performing ceremony.

AFFIDAVIT FOR ISSUE OF LICENSE OR CERTIFICATE.

19.—(1) Before a license or certificate is issued, one of the parties to the intended marriage shall personally make an affidavit, Form 3, before the issuer or deputy issuer which shall state:

Affidavit to be made by one of the parties before license granted.

- (a) In what county or district it is intended that the marriage shall be solemnized, and in what city, town, village, or place therein; and
 - (b) That he or she believes there is no affinity, consanguinity, prior marriage, or other lawful cause or legal impediment to bar or hinder the solemnization of the marriage;
 - (c) That one of the parties has, for the space of fifteen days immediately preceding the issue of the license, had his or her usual place of abode within Ontario. 1 Geo. V. c. 32, s. 18. (1), part; 3-4 Geo. V. c. 28, s. 2, part.
 - (d) the age of the deponent, and that the other contracting party is of the full age of eighteen years, or the age of such other contracting party, if under the age of eighteen years, as the case may be;
 - (e) the condition in life of each of the parties, whether bachelor, widower, spinster or widow, and
 - (f) the facts necessary to enable the issuer or deputy-issuer to judge whether or not the required consent has been duly given in the case of any party under the age of eighteen years, or whether or not such consent is necessary.
- (2) If both of the parties have not, for the space of fifteen days immediately preceding the date of the affidavit, had their usual place of abode within Ontario, the license or certificate may be issued upon the applicant proving by the production

Facts showing whether consent is necessary.

Where parties have not resided in locality of marriage for fifteen days

of copies of a newspaper published in the municipality where the parties have had their usual place of abode, or if there is no such newspaper, a newspaper published as near to such municipality as may be, and containing notice of the intended marriage, that such notice has been published once a week for three successive weeks immediately preceding the application for the license or certificate.

Special action by Registrar-General where publication has not taken place,

- (3) Upon the application for a license or certificate stating that no such advertisement, as required by subsection 2, has been published, the issuer or deputy issuer may report the circumstances to the Registrar-General, who, if he is satisfied that the reason for having the marriage solemnized in the place mentioned in the affidavit is not in order to evade due publicity or for any other improper purpose, may in writing authorize the issue of the license or certificate, and in that case, a fee of \$5, shall be paid for such authorization in addition to the usual license fee.

Other proofs not dispensed with.

- (4) Nothing in the next preceding two subsections shall dispense with the proofs required by subsection 1, except that of residence as set out in clause (c) of that subsection. 3-4 Geo. V. c. 28, s. 2, part.

Written consent to be produced and annexed to affidavit.

- (5) Where a party who is not a widower or a widow is under the age of eighteen years, the written consent of the person whose consent to the marriage is required shall be produced and annexed to the affidavit, and its execution shall be verified by affidavit which shall be made before the issuer or deputy-issuer. 1 Geo. V. c. 32, s. 18(2).

Prohibited degrees to be set forth in form of affidavit.

20.—(1) Upon the back or at the foot of the printed forms of affidavits to be made by the parties shall be printed a memorandum, Form 5, showing the degree of affinity and consanguinity which bar or hinder the solemnization of marriage between them; and no affidavit shall be acted upon by the issuer or deputy-issuer which has not such memorandum printed thereon; and upon the back or at the foot of the certificates or licenses issued shall be printed such extracts from this Act as are necessary to show what persons are authorized to solemnize marriage in Ontario, or an epitome of the provisions in reference thereto.

(2) The issuer or deputy-issuer, before administering the oath, shall see that the applicant is aware what degrees of affinity or consanguinity are a bar to the solemnization of marriage. Duty of issuer of licenses.

(3) The degrees of affinity and consanguinity within which if persons are related they are prohibited from contracting marriage with each other, as declared in and by the Statute passed in the 28th year of His Majesty King Henry VIII., chapter 7, section 7, as modified by the Revised Statutes of Canada, 1906, chapter 105, are set forth in Schedule A. Degrees of affinity and consanguinity 28 Hy. VIII. c. 7 s. 7. Rev. Stat. Can. c. 105.

(4) If at any time hereafter changes are made in the law affecting the degrees of relationship within which marriage may not be lawfully contracted, the Lieutenant-Governor in Council may direct such changes to be made in Form 5, so as to make it conformable to the law for the time being. Changes in degrees provided for. 1 Geo. V. c. 23, s. 19.

LICENSE NOT TO BE ISSUED IN CERTAIN CASES.

21.—(1) Where the person having authority to issue the license or certificate has personal knowledge that the facts are not as required by section 15, he shall not issue the license or certificate; and if he has reason to believe or suspect that the facts are not as so required, he shall, before issuing the license or certificate, require further evidence to his satisfaction in addition to the affidavit prescribed by section 19. When issuer has personal knowledge that proper consent not obtained. 1 Geo. V. c. 32, s. 20; 2 Geo. V. c. 17, s. 30 (3).

(2) The affidavits and evidence mentioned in subsection 1 shall be endorsed upon or attached to the license or certificate and the consent mentioned in section 15 shall be attached to it. Affidavits, etc. to be endorsed upon or attached to license or certificate. 2 Geo. V. c. 17, s. 30 (4).

22. Every issuer or deputy issuer of marriage licenses shall immediately upon issuing a marriage license or certificate fill up on a form such of the particulars contained in Form 4 as he is able to give and shall forward the same forthwith to the Registrar-General. Particulars to be sent to Registrar General. 2 Geo. V., c. 17, s. 30 (5).

23. Every issuer of marriage licenses shall, on making application to the Provincial Secretary for a new supply of licenses, certify that a complete return of every license issued by him or his deputy has been forwarded to the Registrar-General. Certificate to be given on issuer applying for licenses. 1 Geo. V. c. 32, s. 21.

FEES FOR LICENSE

Fees for licenses or certificates.

24. No fee shall be payable for a license or certificate, except the sum of \$5, which the issuer of the license or certificate shall be entitled to retain for his own use, but the Lieutenant-Governor in Council may from time to time reduce or increase the sum so payable. 1 Geo. V. c. 32, s. 22.

MARRIAGE OUT OF CHURCH VALID.

Objections on grounds of place or hour of marriage.

25. It shall not be a valid objection to the legality of a marriage that the same was not solemnized in a consecrated church or chapel, or within any particular hours. 1 Geo. V. c. 32, s. 23.

MARRIAGE CERTIFICATES.

Certificate to be given by person solemnizing marriage when required.

26. Every clergyman, minister or other person who solemnizes a marriage, and the clerk or secretary of a society of Quakers, or of the meeting at which the marriage is solemnized shall, at the time of the marriage, if required by either of the parties thereto, give a certificate of the marriage under his hand, specifying the names of the persons married, the time of the marriage, and the names of two or more persons who witnessed it, and specifying also whether the marriage was solemnized pursuant to license or certificate under this Act, or after proclamation of intention to intermarry; and the clergyman, minister, clerk or secretary may demand twenty-five cents for a certificate given by him from the person requiring it. 1 Geo. V. c. 32, s. 24.

REGISTRATION OF MARRIAGES.

Marriages to be registered by person solemnizing.

27. Every clergyman, minister, or other person authorized to solemnize marriage shall, immediately after he has solemnized a marriage, enter in a register, to be kept by him for the purpose, unless a similar register is kept in the church at which he officiates, in which case the entries shall be made in that book, the particulars mentioned in Form 4, and shall authenticate the same by his signature. 1 Geo. V. c. 23, s. 25.

Clergymen to apply for marriage register to Clerk of municipality.

28.—(1) Every clergyman, minister or other person authorized to solemnize marriage, where a marriage register is not already possessed by any church or congregation over which he is placed or has charge, shall make application for a register to the clerk of the local municipality within which the church or congregation is situate, and the clerk shall thereupon supply such register at the cost of the municipality.

(2) One additional register may be supplied at the cost of the municipality, to any clergyman, minister or other person authorized to solemnize marriage, and a register shall also, on application, be supplied at the like cost to any clergyman or minister in the municipality who is not in charge of a church or congregation. Additional registers.

(3) Every clergyman or minister in charge of a church or congregation in an unorganized township shall, upon a written application to be made by him to the Registrar-General, receive a register, to be supplied by the Registrar-General. 1 Geo. V. c. 32, s. 26. In unorganized townships.

(As to returns to be made see *The Vital Statistics Act*, (R.S.O. c. 49.)

29. The register, by whomsoever furnished, shall be the property of the denomination or body to which the clergyman, minister or other person to whom it is delivered belongs at the time of the delivery thereof, and where he is in charge of a particular congregation of such denomination, it shall belong to the trustees or other body in which the property of the church or meeting-house used by such congregation for its ordinary services is vested. 1 Geo. V. c. 32, s. 27. Property in registers.

COPIES OF ACT TO BE SUPPLIED ON REQUEST.

30. Printed copies of this Act shall be furnished in pamphlet form by the Clerks of the Peace, by mail if desired, post paid, to any person applying therefor, upon payment of ten cents for each copy, and the Clerks of the Peace may obtain from the King's Printer as many copies as they may require at the rate of fifty cents per dozen. 1 Geo. V. c. 32, s. 28. Printed copies of this Act to be furnished.

CERTAIN MARRIAGES VALIDATED.

31. Any marriages which, before the 1st day of April, 1889, had been solemnized in Ontario by clergymen or ministers duly ordained or appointed as such according to the rites and ceremonies of the churches to which they belong, or by commissioners or staff officers of the Salvation Army, between persons not under any legal disqualification for entering into the contract of matrimony are hereby declared to have been and to be lawful and valid marriages, so far as respects the civil rights in Ontario of the parties or their issue, and so far as respects all matters within the jurisdiction of this Legislature, notwithstanding that the person who solemnized any such marriage was not at the time a resident of Ontario; Marriages solemnized prior to 1st April, 1889, by persons not resident in Ontario

iso.

Provided that the parties thereafter lived together and cohabited as man and wife, and that the validity of the marriage had not, before the said date, been questioned in any suit or action; and

Proviso.

Provided, further, that nothing in this section shall make valid any such marriage in case either of the parties thereto has since contracted matrimony according to law; and in such case the validity of the marriage by a non-resident shall be determined as if this section had not been passed. 1 Geo. V. c. 32, s. 29.

Certain marriages solemnized in Society of Friends before 4th May, 1891.

32. Any marriages which before the 4th of May, 1891, had been solemnized in Ontario according to the rites, usages and customs of the religious society called the Society of Friends, commonly called Quakers, between persons not under any legal disqualification for entering into the contract of matrimony, are hereby declared to have been and to be lawful and valid marriages so far as respects the civil rights in Ontario, of the parties, or their issue, and so far as respects all matters within the jurisdiction of this Legislature;

Proviso.

Provided that the parties thereafter lived together and cohabited as man and wife, and that the validity of the marriage had not been questioned in any suit or action before the tenth day of February, 1891; and

Proviso.

Provided, further, that nothing in this section shall make valid any such marriage in case either of the parties thereto had since such marriage, and before the 4th day of May, 1891, contracted matrimony according to law; and in such case the validity of the marriage shall be determined as if this section had not been passed. 1 Geo. V. c. 32, s. 30.

Marriages heretofore solemnized by elders of the Farringdon Independent Church validated.

33. Every marriage solemnized in Ontario before the 26th day of April, 1904, according to the rites, usages and customs of the "Farringdon Independent Church," by an elder thereof, is hereby declared to have been and to be lawful and valid, so far as respects the civil rights in Ontario of the parties and their issue, and so far as respects all matters within the jurisdiction of this Legislature;

Proviso.

Provided that the parties thereafter lived together and cohabited as man and wife, and that the validity of the marriage had not theretofore been questioned in any suit or action; and

Provided, further, that nothing in this section shall make valid any such marriage in case either of the parties thereto had since such marriage and before that date contracted matrimony according to law, and in such case the validity of the marriage shall be determined as if this section had not been passed. 1 Geo. V. c. 32, s. 31. Proviso.

34. Any marriages which, prior to the 1st of January, 1890, were solemnized according to the law of the Province of Manitoba in that portion of the Province of Ontario lying west of the meridian of the confluence of the Ohio and Mississippi Rivers, between persons not under a legal disqualification to contract such marriage, are hereby declared to have been and to be lawful and valid marriages so far as respects the civil rights in Ontario of the parties or their issue, and so far as respects all matters within the jurisdiction of this Legislature; Certain marriages according to Manitoba law confirmed.

Provided that the parties thereafter lived together and cohabited as man and wife, and that the validity of the marriage had not theretofore been questioned in any suit or action; and Proviso.

Provided, further, that nothing in this section shall make valid any such marriage in case either of the parties thereto had since such marriage contracted matrimony according to law and in such case the validity of the marriage shall be determined as if this section had not been enacted; and Proviso.

Provided, further, that nothing in this section shall validate any marriage or alleged marriage which may have been contracted by one James Gordon Bennett, who died in the City of Winnipeg, in the Province of Manitoba, in the year 1904. 1 Geo. V. c. 32, s. 32. Exception as to J. G. Bennett.

35. Every marriage heretofore or hereafter solemnized between persons not under a legal disqualification to contract such marriage shall, after three years from the time of the solemnization thereof, or upon the death of either of the parties before the expiry of such time, be deemed a valid marriage so far as respects the civil rights in Ontario of the parties or their issue, and in respect of all matters within the jurisdiction of this Legislature, notwithstanding that the clergyman, minister or other person who solemnized the marriage was not duly authorized to solemnize marriage, and notwithstanding any irregularity or insufficiency in the proclamation of Certain marriages to be deemed valid after three years or on death of one of the parties.

intention to intermarry or in the issue of the license or certificate, or notwithstanding the entire absence of both;

Proviso.

Provided that the parties, after such solemnization, lived together and cohabited as man and wife, and that the validity of the marriage was not before such death or before the expiry of such three years questioned in any suit or action; and

Proviso.

Provided, further, that nothing in this section shall make valid any such marriage in case either of the parties thereto has before the death of the other and before the expiration of such three years contracted matrimony according to law, and in such case the validity of the marriage shall be determined as if this section had not been passed. 1 Geo. V. c. 32, s. 33.

SUPREME COURT MAY DECLARE CERTAIN MARRIAGES
INVALID.

Declaration
of nullity of
marriage.

36.—(1) Where a form of marriage has been or is gone through between persons either of whom is under the age of 18 years without the consent required by section 15, in the case of a license, or where, without a similar consent in fact, such form of marriage has been or is gone through between such persons after a proclamation of their intention to intermarry, the Supreme Court, notwithstanding that a license or certificate was granted or that such proclamation was made and that the ceremony was performed by a person authorized by law to solemnize marriage shall have jurisdiction and power in an action brought by either party who was at the time of the ceremony under the age of 18 years, to declare and adjudge that a valid marriage was not effected or entered into;

Proviso.

Provided that such persons have not after the ceremony cohabited and lived together as man and wife, and that the action is brought before the person bringing it has attained the age of 19 years.

Saving as to
marriages to
prevent
illegitimacy,
etc.

(2) Nothing in this section shall affect the excepted cases mentioned in section 16 or apply where after the ceremony there has occurred that which if a valid marriage had taken place would have been a consummation thereof.

When Court
not bound to
grant relief.

(3) The Supreme Court shall not be bound to grant relief in the cases provided for by this section where carnal intercourse has taken place between the parties before the ceremony. 1 Geo. V. c. 32, s. 34.

37.—(1) No declaration or adjudication that a valid marriage was not effected or entered into shall *in any case* be made or pronounced upon consent of parties, admissions, or in default of appearance or of pleading or otherwise than after a trial.

No judgment by consent or in default of appearance or pleading

(2) At every such trial the evidence shall be taken *viva voce* in open court, but nothing in this subsection shall prevent the use of the depositions of witnesses residing out of Ontario or of witnesses examined *de bene esse*, where according to the practice of the Court, such depositions may be read in evidence.

Evidence to be *viva voce* in open court.

(3) The Court may, of its own motion, require both or either of the parties to be examined before the Court touching the matters in question in the action.

Court may require examination of parties.

(4) No trial shall be had until after ten days' notice to the Attorney-General for Ontario.

Notice to Attorney General.

(5) The Attorney-General may intervene at the trial or at any stage of the proceedings and may adduce evidence, and examine and cross-examine witnesses in like manner as a party defendant, and shall have the same right of appeal from any such declaration or adjudication as a party defendant has. 1 Geo. V. c. 32, s. 35.

Who may intervene at trial.

38.—(1) Every person who wilfully makes or causes to be made a false statement touching the particulars required to be recorded or reported under this Act, shall incur a penalty of \$50.

Making false statements or reports.

(2) Every person guilty of an act or omission in violation of any provision of this Act, for which no other penalty is provided, shall incur a penalty of \$20.

Where no other penalty provided.

(3) The penalties imposed by this Act shall be recoverable under The Ontario Summary Convictions Act.

Penalties recoverable under Rev. Stat. c. 90.

(4) Every prosecution for a penalty imposed by or under the authority of this Act shall be commenced within one year after the act or omission complained of.

Limitation of prosecutions.

(5) Every prosecution for a penalty imposed by or under the authority of this Act shall be conducted by the Crown Attorney of the county or district in which the offence complained of was committed upon his receiving the instructions of the Registrar-General.

Prosecutions to be conducted by Crown Attorney.

AN ACT RESPECTING CEMETERIES AND THE
INTERMENT OF THE DEAD.

CHAPTER R.S.O., 1914.

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

INTRODUCTORY.

- | | |
|---------------------|--|
| Short title. | 1. This Act may be cited as <i>The Cemetery Act</i> . |
| Interpretation. | 2. In this Act |
| "Cemetery." | (a) "Cemetery" shall mean and include any land which is set apart or used as a place for the interment of the dead, or in which human bodies have been buried. |
| "Local Board." | (b) "Local Board" shall mean the Local Board of Health of a municipality in which it is proposed to establish or in which there is a cemetery; |
| "Owner." | (c) "Owner" shall mean the person owning, controlling or managing a cemetery; |
| "Provincial Board." | (d) "Provincial Board" shall mean the Provincial Board of Health. |
| "Regulations." | (e) "Regulations" shall mean regulations made by the Provincial Board under the authority of this Act: |

PART I.—PROVISIONS APPLICABLE TO ALL
CEMETERIES.

ESTABLISHMENT AND ENLARGEMENT OF CEMETERIES.

- | | |
|-------------------------------------|---|
| Approval of
Provincial
Board. | 3. No cemetery shall be established or enlarged until the approval of the Provincial Board has been applied for and obtained in the manner hereinafter provided. |
| Application. | 4. An application for such approval shall be made in writing to the local board, and the applicant shall submit therewith a detailed plan and description in duplicate of the land proposed to be acquired or used for cemetery purposes together with such other information as the Regulations may require. |

5. The application and one of the duplicates of the plan and description of the land and all other material filed with the application shall be transmitted to the Provincial Board, together with a statement of the opinion of the local board thereon. Transmission to Provincial Board.

6.—(1) The approval of the Provincial Board shall be by order in writing signed by the Chairman and Secretary, and shall contain a sufficient description of the cemetery proposed to be established or of the land which is to be annexed to the existing cemetery. Approval.

(2) The order may be registered in the proper registry or land titles office, and upon its registration the cemetery may be established or enlarged as the order may direct. Registration. Establishment of cemetery.

7. Any person who establishes a cemetery and uses it, or enlarges any cemetery without the approval of the Provincial Board shall incur a penalty of not less than \$100 and not more than \$500. Penalty for non-compliance.

8. The expenses of the Provincial Board shall be paid by the applicant. R.S.O. 1897, c. 213, s. 2 (4). Expenses of Provincial Board.

POWERS OF BOARDS AND OFFICERS.

9. The Provincial Board may make Regulations in the manner provided by *The Public Health Act* respecting cemeteries, and may impose penalties for the contravention thereof and such regulations may be general in their application or may upon the recommendation of any local board be varied as to any cemetery within its jurisdiction. Power to make regulations. 2 Geo. V. c. 58.

10. The Medical Officer of Health or Sanitary Inspector or any officer of the local board, may at any time enter into and upon any cemetery within the limits of the municipality and examine and enquire into the condition of the cemetery and whether the provisions of this Act and of the Regulations are observed. Powers of certain officers.

POWERS AND DUTIES OF OWNERS.

11. All lots or plots in a cemetery when numbered and conveyed as burial sites or lots, shall be indivisible, but may afterwards be held and owned in undivided shares. R.S.O. 1897, c. 213, s. 17. Lots to be indivisible, but may be held in undivided shares.

Conveyance
need not be
registered.

12. When a lot has been sold for a burial site, it shall not be necessary to register the conveyance, nor shall it be affected by any judgment, execution, mortgage or incumbrance. R.S.O. 1897, c. 213, s. 15.

Repurchasing
lots in
cemetery

13. The owner of a cemetery may repurchase any lot previously sold or conveyed R.S.O. 1897, c. 213, s. 18.

Owner may
accept devise,
gifts, etc.

14.—(1) The owner may take and hold by grant, assignment, devise, bequest or other wise, any money or securities, and apply the same in preserving, improving and embellishing the cemetery, upon the condition and in consideration of assuming and undertaking the duty and obligation of preserving and maintaining in a proper manner in perpetuity, any particular lot, tomb, monument or enclosure in such cemetery or in any other cemetery or burying ground in the same municipality or in any other municipality in the same county or district, and any person may make such grant, assignment, devise or bequest upon such condition and for such consideration.

Taking lots
in cemetery
by gift
or devise.

(2) The owner may also take and hold by grant, assignment or devise from the owner thereof any lot in the cemetery, for the purpose of maintaining the same in perpetuity or otherwise, in the manner and subject to the provisions of the instrument of grant, assignment or devise.

May agree
to keep lots,
etc., in good
condition.

(3) The owner may agree to preserve and maintain in a proper manner in perpetuity, the particular lot, tomb, monument or enclosure in any cemetery designated in such grant, assignment, devise, bequest or agreement.

Payment
over of
bequest.

(4) Personal representatives or trustees may pay over and transfer money or securities in their hands, which they are authorized or directed to apply for or toward the purposes mentioned in this section. R.S.O. 1897, c. 213, s. 21.

Investment
of funds

(5) For the purpose of securing the due performance of such agreement the owner may invest the money received under the agreement in the same manner as trustees are authorized to invest trust money and out of the income of such investment perform his obligations under the agreement. R.S.O. 1897, c. 213, s. 22 (2).

15.—(1) If additional land is required for the enlargement of a cemetery and the council of the municipality in which the land is situate, by by-law, declares that in the opinion of the council, the owner should, for that purpose, have power to expropriate any adjacent land described in the by-law, and if the Provincial Board certifies that in its opinion the proposed enlargement is for the public advantage and convenience and ought to be permitted, the owner, upon registering the by-law and certificate in the proper registry or land titles office, shall, in respect of the land described in the by-law, possess the powers conferred upon the council of a local municipality by *The Municipal Act*.

Power to acquire additional lands, etc.

(2) Where the owner not being a municipal corporation desires to proceed under this section, proceedings for expropriation may be initiated by notice. R.S.O. 1897, c. 213, s. 29.

How proceedings to be instituted.

16. Subject to the provisions of this Act and to the Regulations the owner may make regulations for the laying out, and selling lots and managing the cemetery, for regulating burials therein, the removal of bodies therefrom, the erection or removal of tombs, monuments, gravestones, vaults, copings, fences, hedges or other permanent improvements therein, the planting, placing and removal of trees, shrubs and plants in the grounds, and otherwise generally respecting the use of the grounds, and for the execution of conveyances of lots or plots in the cemetery. See R.S.O. 1897, c. 213, s. 26. *Repealed by Edw. VII. c. 34, s. 211.*

Power to make regulations.

17. The owner may borrow money for the purpose of making roads in the cemetery and for laying out and improving the same, and for that purpose may mortgage all his estate, right and interest in the cemetery, but nothing herein shall authorize the mortgagee or anyone claiming under him, to use or deal with the cemetery in a manner inconsistent with the continued use of it as a cemetery or inconsistent with any provision in this Act for the preservation and protection of the same for cemetery purposes. R.S.O. 1897, c. 213, s. 25.

Power to borrow.

18.—(1) The owner of every cemetery shall

(a) Keep and maintain fences about the cemetery sufficient to prevent dogs, cattle or other animals from straying therein. See R.S.O. 1897, c. 213, s. 4.

Maintain fences.

Buildings
and fences
to be kept
in good
order.

Conduct
of burials.

(b) Keep the cemetery and the buildings and fences thereof in good order and repair. See R.S.O. 1897, c. 213, s. 5.

(c) See that all burials within the cemetery are conducted in a decent and orderly manner, and that quiet and good order are at all times maintained therein. See R.S.O. 1897, c. 213, s. 11.

2 Geo. V.
c. 8.

Penalty.

(2) When there is no person resident in the municipality in which a cemetery is situate, in charge of it, the cemetery shall be deemed non-resident land within the meaning of *The Noxious Weeds Act*.

(3) For every default in complying with subsection 1, the owner shall incur a penalty not exceeding \$10, and after conviction thereof shall incur a further penalty of \$5 for every day during which such default continues.

Sewers and
drains.

19. Every owner of a cemetery shall make all necessary sewers and drains in and about the cemetery for draining it and keeping it dry; and may whenever necessary connect any such sewer or drain with an existing sewer with the consent in writing of the municipal corporation or other body or the person owning or controlling the highway, lane or other public communication, or the land of which any part is to be opened up for that purpose, doing as little damage as possible and restoring the same to as good condition as before the opening was made. See R.S.O. 1897, c. 213, s. 6.

No offensive
matter to be
allowed into
rivers, etc.

20.—(1) The owner of a cemetery shall not cause or suffer any offensive matter from the cemetery to be brought to or flow into any river, spring, well, stream, canal, reservoir, aqueduct, pond or watering place. See R.S.O. 1897, c. 213, s. 7, *part*.

Penalty.

(2) For every contravention of subsection 1 the owner shall incur a penalty of not more than \$50, and in addition shall be liable for any damages caused thereby to any person having a right to use such water. See R.S.O. 1897, c. 213, s. 9.

Interments
not to be
within 15
feet of church
wall, etc.

21.—(1) The owner of a cemetery shall not cause or suffer any dead body to be interred in a vault or otherwise under or within fifteen feet of the outer wall of any church, chapel or other building in the cemetery. R.S.O. 1897, c. 213, s. 10.

Penalty.

(2) For every contravention of subsection 1 the owner shall incur a penalty not exceeding \$50.

22.—(1) The owner of a cemetery shall not permit any burial therein until he has been registered with the Registrar-General through the Division Registrar of the municipality in which such cemetery is situate as the owner of the cemetery. Owner's name to be recorded.

(2) For every contravention of subsection 1 the owner shall incur a penalty of not more than \$50. Penalty. 8 Edw. VII. c. 33, s. 47.

23. Where the owner of a cemetery neglects to keep it in good order or to erect or maintain fences as required by this Act, the Provincial Board may give notice to him to do so, specifying in the notice what he is required to do, and if such owner does not within one month after the notice comply with the requirements of it, the Provincial Board may cause what should have been done by him to be done at his expense, and may levy the cost thereof by distress and sale of the owner's goods and chattels, or may maintain an action for the recovery thereof. Default of owner.

24. Where the owner of a cemetery cannot be found or is unknown, or is unable to maintain it, the council of the local municipality in which the cemetery is situate may undertake the duty of maintaining it, and where a council so undertakes the corporation shall for the purposes of this Act be deemed to be the owner of the cemetery. Absence or inability of owner. See R.S.O. 1897, c. 214, s. 3.

25. Where the owner of a cemetery is an incorporated company or a municipal corporation it shall provide graves for strangers, and for the indigent, free of charge, but an incorporated company shall not be bound to do so in the case of an indigent, except upon the certificate of a member of the council of the municipality or of a minister or clergyman, that the relatives of the deceased are poor and cannot afford to purchase a lot in the cemetery. Graves to be provided for strangers and indigents free of charge. R.S.O. 1897, c. 213, s. 13.

SHAREHOLDERS IN CEMETERY COMPANIES.

26. The owner of a lot containing not less than 100 superficial feet, who has paid not less than 25 per cent. of the price of the lot, shall be deemed a shareholder in any company which is the owner of the cemetery, and every such lot shall be deemed a share in the company. Lots to contain not less than 100 superficial feet. R.S.O. 1897, c. 213, s. 23.

INTERMENT AND REMOVAL OF REMAINS.

Body not to be disinterred for 5 years in certain cases.

27.—(1) The dead body of a person who has died of smallpox, scarlet fever, measles, diphtheria, croup, bubonic plague, cholera, epidemic cerebro spinal meningitis, or epidemic anterior poliomyelitis, shall not be disinterred except for the purpose of transportation or re-interment and in conformity with the Regulations.

Transport of dead body by railway, etc.

(2) No such dead body shall be transferred by railway, steam or other vessel, or other public conveyance, unless prepared in the manner provided by the Regulations, and enclosed in a hermetically sealed coffin, which shall not be subsequently opened.

Disinterment of dead body.

28.—(1) No dead body shall at any time be disinterred or removed from any grave, place of burial or vault, other than a receiving vault, except under and subject to the Regulations and under the personal supervision and direction of the Medical Officer of Health.

Certificate of Medical Officer of Health.

(2) The certificate of the Medical Officer of Health that the provisions of this Act and of the Regulations have been complied with shall be affixed to the coffin or other receptacle containing the dead body, before its removal from the cemetery.

Penalty.

(3) Every person who disinters or removes from any such grave, place of burial or vault, any dead body except as hereinbefore provided and every person who conveys or transports any such body in contravention of the provisions of this Act shall incur a penalty of \$100.

Precautions to prevent escape of noxious or unhealthy gases.

29. Every human body interred in a cemetery which is not placed or buried in a private vault so constructed as to prevent the escape of noxious or unhealthy gases therefrom, shall be buried so that the outside cover or shell of the coffin or other receptacle shall be at least four feet beneath the natural surface of the ground and the coffin or other receptacle shall be immediately covered with at least four feet of earth.

Order for disinterment by Court.

30.—(1) Notwithstanding anything herein contained, where it is deemed necessary to disinter any dead body for the purpose of a judicial proceeding the Court in which the proceeding is pending may direct its disinterment under and subject to such conditions as to reinterment as may be deemed proper.

(2) Where the Attorney General deems it expedient for the purpose of an enquiry as to the cause of death or for the purpose of any criminal proceeding, that a body should be disinterred, he may exercise the powers mentioned in sub-section 1.

Order therefor
by the
Attorney-
General.

31. Nothing in this Act shall prevent the disinterment of a dead body where a coroner has issued his warrant for the holding of an inquest thereon.

Disinterment
for inquest.

CLOSING CEMETERIES.

32. Where the Provincial Board reports in writing that a cemetery is so situated that owing to the want of proper facilities for drainage or from any other cause the same has become or is likely to become dangerous to the health of the inhabitants of the locality, the Lieutenant-Governor in Council may by proclamation declare that the cemetery shall be closed and that no further interments shall take place therein.

Closing
cemetery, for
defective
drainage, etc.

33.—(1) Whenever

(a) a cemetery has been closed by proclamation of the Lieutenant-Governor in Council as hereinbefore provided, or

Removal of
bodies and re-
interment in
another
cemetery.

(b) The owner of a cemetery establishes to the satisfaction of the Lieutenant-Governor in Council that it is expedient that the bodies therein should be removed therefrom,

the Lieutenant-Governor in Council may direct such removal in the manner and according to the procedure provided by this section.

(2) Before the application for an order under clause b of section 1 is granted, the owner shall give notice of the application once a week for four successive weeks in the *Ontario Gazette*, and in a newspaper published in the local municipality in which the cemetery is situate or if there is no such newspaper than in a newspaper published in the county or district town and by registered letter addressed to every plot owner in the cemetery whose address is known or can be ascertained by the owner.

Notice of
application.

(3) After the making of the order the owner shall forthwith give notice thereof by publication once a week for at least two successive weeks in the *Ontario Gazette* and in a newspaper published in the local municipality in which the cemetery is situate or if there is no such news-

Notice of
order to be
published.

paper then in a newspaper in the county or district town, that he will at the expiration of thirty days from the publication of the last of such notices, disinter and remove such bodies and reinter them in the place described in the notice which shall be in some cemetery in the same or in an adjacent municipality.

When may be removed.

(4) At the expiration of the time fixed by such notice any bodies not removed by the relatives or friends of the deceased, may be removed by the owner at his own expense and when removed may be reinterred by him in the cemetery mentioned in the notice.

When ss. 28, 29, and 30 to apply.

(5) The provisions of sections 28, 29 and 30 shall apply to such disinterment, removal and reinterment.

Removal of monuments, etc., and re-erection of same.

(6) The owner shall remove all monuments, or headstones or other stones marking the graves in which bodies so removed are buried, and shall re-erect or replace them in the cemetery to which such bodies are removed.

Certificate of County or District Judge as to removal and registration of

(7) If and when the owner satisfies a Judge of the County or District Court of the County or District that he has removed from the cemetery and reinterred as hereinbefore provided all the remains which with the exercise of reasonable diligence he has been able to find buried in such cemetery, the Judge may certify that the provisions of this section have been complied with and such certificate may be registered in the proper Registry or Land Titles office on the production thereof.

Effect of certificate.

(8) The certificate when so registered shall be conclusive evidence that the owner has removed from the land therein described all the remains there buried and thereafter such land shall not be deemed a cemetery within the meaning of this Act but may be sold, leased or otherwise disposed of and dealt with by the owner as if it had not been a cemetery.

MISCONDUCT IN CEMETERY.

34.—(1) No person shall

Preservation of property.

- (a) wilfully destroy, mutilate, deface, injure or remove any tomb, monument, gravestone, or other structure placed in a cemetery, or any fence railing or other work for the protection or ornament of a cemetery, or of any such tomb, monument, gravestone or other structure or of any lot within a cemetery; or

- (b) wilfully destroy, cut, break, or injure any tree, shrub or plant in a cemetery; or wilfully injure, destroy or deface any building or structure or any road, walk or other works in the cemetery;
- (c) play at any game or sport in a cemetery; or
- (d) discharge firearms in a cemetery except at a military funeral; or
- (e) wilfully and unlawfully disturb persons assembled for the purpose of burying a body therein; or
- (f) commit a nuisance in a cemetery.

(2) Every person who contravenes the provisions of sub-section 1 shall incur a penalty of not less than \$4 nor more than \$40. Penalty for offences.

(3) No person shall bring any dog, goat, or cattle within the limits of a cemetery, and every person so doing shall incur a penalty not exceeding \$20. Animals.

(4) Every person who contravenes subsection 1, or subsection 3 shall also be liable in an action in the name of the owner of such cemetery or of a burial plot upon which such damage is done or other unlawful act committed, to pay all damages occasioned by his unlawful act, and when recovered the same shall be applied under the direction of the owner of the cemetery for the reparation and reconstruction of the property destroyed. R.S.O. 1897, c. 213, s. 28. Liability to action.

OFFENCES AND PENALTIES.

35. The penalties provided by this Part, shall be recoverable under *The Ontario Summary Convictions Act*. Application of 10 Edw. VII. c. 37 to prosecution.

PART II.

POWERS OF MUNICIPAL CORPORATIONS.

36.—(1) Subject to the provisions of Part 1 and to the Regulations the Council of every local municipality and the trustees of every police village may pass by-laws for:

- (a) making an annual or other grant of money to the owner of a cemetery situate in the municipality or the police village, or in any adjacent municipality or police village. For making annual grants etc. 3 Edw. VII. c. 19, s. 577, par. 3.
- (b) regulating funerals and the interment of the dead. Regulating funerals, etc.

For acquiring
land.

(c) acquiring land in the municipality or in the police village or in an adjacent township for a cemetery, or for the enlargement of an existing cemetery of which the corporation is the owner.

On selling
plots, etc.

(d) for selling or leasing portions of such land for the purpose of interment in family vaults or otherwise, and fixing the terms on which the same shall be conveyed or leased and held.

For main-
tenance,
regulation and
control of
cemetery.

(e) for the maintenance, management, regulation and control of any cemetery which is owned by the corporation or the trustees whether situate within or without the municipality or police village.

By-laws
prohibiting
the interment
of the dead

37. The council of every urban municipality and the trustees of every police village may pass by-laws for prohibiting the interment of the dead within the municipality or police village.

Owner may
sell to
Municipal
Corporation.

38. The owner of any existing cemetery or of any land held for cemetery purposes may sell or transfer the same to any municipal corporation, or the trustees of any police village and if the land has not been used for burial purposes the corporation may sell the same and acquire other land in lieu of it.

PART III.

TRUSTEES OF CEMETERIES.

When lands
for cemetery
may be vested
in trustees.

39.—(1) Where the inhabitants of a township or part of a township to the number of ten or more, desire to take a conveyance of land for a cemetery not for the exclusive use of any particular religious body, they may appoint trustees, to whom and their successors, appointed in the manner provided by the conveyance, the land may be conveyed.

Trustees to
hold in per-
petual suc-
cession.

(2) Such trustees and their successors in perpetual succession, by the name expressed in the conveyance, may take, hold and possess the land, in trust for the uses and purposes mentioned therein and may maintain and defend actions for the protection thereof and of their property therein.

Limitation
to 10 acres.

(3) There shall not be held in trust under any such conveyance more than ten acres. R.S.O. 1897, c. 214, s. 1.

40. Where land has been set apart or sold for cemetery purposes and used as a cemetery and no provision has been made for the appointment of trustees of such cemetery, or where there is no person upon whom the duty of taking care of and maintaining a cemetery rests, the owners of plots therein may elect trustees in the manner hereinafter provided. 6 Edw. VII. c. 33, s. 1.

Election of trustees when no other provision made.

41.—(1) Three or more of such owners may call a meeting for the purpose of electing trustees, by notice Form 1, to be published once a week for two successive weeks in a newspaper published in the local municipality in which the cemetery is situate, or if no newspaper is published in the local municipality, then in the newspaper published nearest to the local municipality.

Owners of plots may call meeting.

(2) The date of the meeting shall be not less than two weeks from the date of the last publication of such notice.

Date of meeting.

42.—(1) At the time and place named in the notice the plot owners present shall elect from among themselves some person to act as chairman, and shall also elect some person to act as secretary for the meeting. 6 Edw. VII. c. 33, s. 3.

Chairman and secretary of meeting.

(2) After the election of the chairman and secretary the members present shall elect from among the plot owners three persons to be trustees of the cemetery. 6 Edw. VII. c. 33, s. 4.

Three trustees to be elected.

43.—(1) After the election of the trustees the chairman and secretary shall certify as to such election, Form 2.

Certificate of election.

(2) The certificate shall be in triplicate, and one of such triplicates, with an affidavit of execution in the form prescribed by *The Registry Act* shall be registered in the proper Registry or Land Titles Office, and one of such triplicates shall be filed with the clerk of the local municipality in which the cemetery is situate, and one of such triplicates shall be delivered to the trustees. 6 Edw. VII. c. 33, s. 6.

Registration and filing of certificate.

10 Edw. VII. c. 60.

44.—(1) Upon the registration of the certificate the cemetery shall be vested in the trustees so appointed and their successors, subject to the provisions of any deed or other instrument setting it apart for cemetery purposes or conveying the same or any plot therein for cemetery

Effect of registration.

purposes, and subject to the rights of any person who may have theretofore purchased plots in such cemetery and to the provisions of this Act. 6. Edw. VII. c. 33, s. 7.

Trustees deemed owners.

(2) The trustees elected and their successors shall be deemed to be the owners of the cemetery within the meaning of this Act.

Vacancies among trustees.

45. Whenever a vacancy occurs in the office of trustee, whether originally elected or to fill a vacancy, his successor shall be elected, and his election shall be certified and the certificate shall be registered in the manner hereinbefore provided in the case of a first election of trustees. 6 Edw. VII. c. 33, s. 8.

Trustees and companies holding adjoining cemeteries may appoint one board of trustees.

46.—(1) Where adjoining cemeteries are owned by separate boards of trustees or companies they may appoint trustees to whom and to their successors, appointed in the manner provided by the conveyance, all or any of the land vested in the appointing bodies may be conveyed, and the same may be conveyed accordingly and the trustees appointed by such conveyance and their successors in perpetual succession by the name expressed in the conveyance, may take, hold and possess the land thereby or thereafter conveyed to them as a site for a cemetery or for the enlargement of an existing cemetery, and maintain and defend actions for the protection thereof of their property therein. 61 Vict. c. 21, s. 1.

And convey cemeteries to board.

(2) Instead of appointing trustees as provided by section 1, the cemeteries may be conveyed to and vested in the company or in one of the companies, upon such trusts, if any, as the appointing bodies may deem proper.

Repeal.

47. Chapters 213 and 214 of the Revised Statutes of Ontario, 1897, chapter 21 of the Acts passed in the 61st year of the reign of Her Majesty Queen Victoria, and chapter 20 of the Acts passed in the 5th year, chapter 33 of the Acts passed in 6th year, and section 48 of chapter 33 of the Acts passed in the 8th year of the reign of His Majesty King Edward the Seventh are repealed.

EXTRACTS FROM THE RELIGIOUS INSTITUTIONS ACT,
(R.S.O., 1914, CHAP. 286)

Section 22. (1) All the rights, powers, and privileges, conferred upon any society or congregation by this Act shall extend and apply to the Church of England in Ontario, formerly or otherwise called the United Church of England and Ireland in Canada, or the United Church of England and Ireland in Upper Canada, or the Church of England in Upper Canada.

(2) The parson or other incumbent of the church for the time being and the churchwardens thereof, shall, for the purposes of this Act, be deemed to be trustees within the meaning thereof.

(3) In cases within section 16 of the Act passed in the third year of the reign of Her late Majesty Queen Victoria, chapter 74, and 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, the bishop, or parson, rector or incumbent, or any successor or other person in whom the legal title or estate is vested, by, from or under any of them, shall also be deemed to be a trustee by whom the like rights and powers and powers of trustees may be exercised as in the case of such trustees.

(4) In cases of property vested in the bishop of any diocese in trust, not covered by the next preceding subsection, the bishop shall also be deemed to be a trustee by whom the like powers of trustees under this Act may be exercised as in the case of such trustees.

(5) In cases of property vested in the synod of any diocese within the Act passed in the 7th year of the reign of Her late Majesty Queen Victoria, chapter 68, intituled An Act to incorporate the Church Societies of the United Church of England and Ireland in the Dioceses of Quebec and Toronto, and the Act passed in the 32nd year of the reign of Her late Majesty Queen Victoria, chapter 51, intituled An Act to incorporate the Synod of the Diocese of Toronto and to unite the Church Society

of the Diocese of Toronto therewith, the synod shall also be deemed to be a trustee by whom the like rights and powers of trustees under this Act may be exercised as in the case of such trustees; and the powers of the synod under this subsection may be exercised by and through such boards and committees as the synod may by by-law appoint for that purpose.

(6) Provided that land shall not be sold or leased, mortgaged or otherwise incumbered under the powers conferred by this Act except with the consent of the vestry of the church or congregation interested therein and of the bishop of the diocese and the executive committee of the synod of the diocese; and it is hereby declared that the consent of the vestry given in accordance with the rules and canons of such Church shall be deemed to be the consent of the congregation, and the execution of the conveyance by the bishop and by the secretary or secretaries of the synod, or a memorandum of consent indorsed thereon and signed by them, shall, in favour of the grantee, his heirs and assigns, be conclusive of the consent of the bishop and executive committee.

CANONS OF THE PROVINCIAL SYNOD OF THE ECCLESIASTICAL PROVINCE OF ONTARIO.

CANON I.

CANON OF THE ELECTION OF THE METROPOLITAN BISHOP.

1. Whensoever the office of Metropolitan becomes vacant, then, after the expiration of three months, and not later than the expiration of six months, the Bishops of the 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.

2. The See of the said Bishop so elected as aforesaid, shall be the Metropolitan See of the said Province for the time being.

3. 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.

4. 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.

5. 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 Ontario 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.

No Bishop within this Province shall hereafter grant his licence to any Clergyman to the cure of souls until such clergyman has first subscribed and declared his submission 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 General Synod or by the Provincial Synod, or by the Synod of the Diocese of.....

CANON III.

ON THE POWERS OF THE METROPOLITAN.

1. The Metropolitan shall have precedence of all the other Bishops of the Ontario 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. 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, etc., 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.

LIMITATION 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.

HOW CONSTITUTED.

1. 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.

2. 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.

3. 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.

4. 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 in the Province of Ontario. 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.

5. The Assessors so appointed shall be the Assessors of the Court until their successors be appointed, or themselves be re-appointed at the next meeting of the Provincial Synod. 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.

6. 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.

7. 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.

8. 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.

9. There shall be no appeal for any error or defect in form in any proceeding or judgment in a Diocesan Court.

10. An appeal shall lie to the Court of Appeal from the judgment or decision of the Bishop of any Diocese.

PROCEEDINGS OF THE COURT.

11. 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.

12. The Appellant shall give notice of appeal to the Respondent and the Bishop of the Diocese in the Court: which the judgment appealed from is given, within one calendar month after such judgment.

13. 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.

14. 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.

15. 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.

16. 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.

17. The Appellant shall give the Respondent one calendar month's notice in writing of the hearing of the Appeal.

18. 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.

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 Church-wardens, 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 Licence.

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 Licence 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 Licence 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.

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," but the Clergyman receiving the same shall continue subject to the Episcopal Jurisdiction of the Bishop till the 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 may be considered as void by the authority whence they proceeded, and shall be void unless they be presented within six months.

CANON VIII.
OF EPISCOPAL RESIGNATIONS.

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 be accepted only 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.

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 Diocese affected, and it shall be the duty of such Synod or Synods to consider, without delay, any proposal for the sub-division of a Diocese which may emanate from the House of Bishops.

CANON X.

OF THE OFFICIATING OF STRANGE CLERGYMEN IN
A DIOCESE.

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.

OF ELECTION OF A MISSIONARY BISHOP.

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 CERTAIN CASES.

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 Acts 35 and 36 Vic., chap. 35, sanction and authorize the same as amendments to the Act of Uniformity; and whereas it is expedient to extend such modifications 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, Circumcision, Epiphany, Ash Wednesday, Good Friday and Ascension Day, be used in lieu of the Order for Morning or for 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 conditions 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, CHRISTMAS 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," etc.

A General Confession to be said of the whole Congregation after the Minister, all kneeling:

"Almighty and Most Merciful Father," etc.

The Absolution or Remission of Sins, to be pronounced by the Priest alone, standing, the people still kneeling.:

"Almighty God, the Father," etc.

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," etc.

Then likewise he shall say:

"O Lord, open Thou our lips," etc.

Here, all standing up, the Priest shall say:

"Glory be to the Father," etc.

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," etc.

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," etc.;

Or this Canticle,

Benedicite, omnia opera,

"O all ye works of the Lord," etc.

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 i., v. 68

"Blessed be the Lord God of Israel," etc.

Or this psalm,

Jubilate Deo,

"O be joyful in the Lord all ye lands," etc.

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."

Ans — "And with thy spirit."

Minister— "Let us pray."

Then the Priest shall say:

"O Lord, shew Thy mercy upon us," etc.

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," etc.

The third Collect for Grace:

"O Lord, our heavenly Father," etc.

Here may follow an anthem or hymn:

Then these two prayers following:

A Prayer of Saint Chrysostom:

"Almighty God, who hast given us grace," etc.

2 Corinthians xiii.:

"The grace of our Lord Jesus Christ," etc.

Here endeth the Shortened Order of Morning Prayer.

THE SHORTENED ORDER FOR EVENING PRAYER DAILY THROUGHOUT THE YEAR, EXCEPT ON SUNDAY, CHRISTMAS 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," etc.

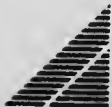
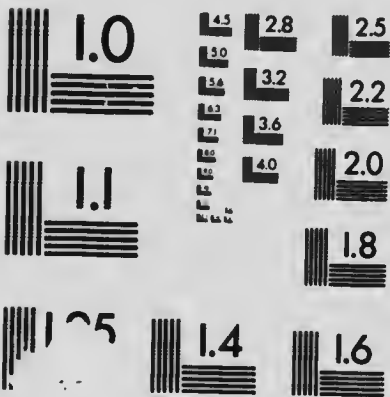
A General Confession to be said by the whole Congregation after the Minister, all kneeling.

"Almighty and most merciful Father," etc.



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The Absolution or Remission of sins, to be pronounced by the Priest alone standing; the people still kneeling.

"Almighty God, the Father," etc.

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," etc.

Then likewise he shall say:

"O Lord, open Thou our lips," etc.

Here, all standing up, the Priest shall say:

"Glory be to the Father," etc.

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 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 i.;

"My soul doth magnify the Lord," etc.

Or else this Psalm (except it be on the nineteenth day of the month, when it be read in the ordinary course of the Psalms).

Cantate Domino. Psalm xcviii.:

"O sing unto the Lord a new song," etc.

Or Nunc Dimittis (or the Song of Simeon) as follows:

"Lord now lettest thou Thy servant," etc.

Or else this Psalm (except it be on the twelfth day of the month).

Deus Misereatur. Psalm lxxvii.

"God be merciful unto us and bless us," etc.

Then shall be said or sung the Apostles' Creed, by the Minister and people standing:

"I believe in God the Father Almighty," etc.

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, show thy mercy upon us," etc.

Then shall follow three Collects. The first of the Day; the second for Peace; the third for aid against all Perils, as hereafter 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," etc.

The Third Collect, for aid against all perils:

"Lighten our darkness," etc.

Here may follow an anthem or hymn.

A prayer of S. Chrysostom:

"Almighty God, who hast given us grace," etc.

2 Corinthians xiii.:

"The grace of our Lord Jesus Christ," etc.

Here endeth the Shortened Order of Evening Prayer.

CANON XIII.

OF ALTERATIONS OR ADDITION IN PRAYER BOOK AND VERSION OF SCRIPTURES.

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 Form 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.

CANON XIV.

OF THE OATHS AND SUBSCRIPTION OF THE CLERGY.

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 licenced 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 General, 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 General, 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 His Majesty King George, his 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 BISHOP.

1. Whenever an election is made by any Diocesan Synod within the Ecclesiastical Province of Ontario 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, given 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 as 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 Priests' 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.

OF MARRIAGE WITHIN THE PROHIBITED DEGREES.

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 Ontario.

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.

Lay Readers may be employed and be of two classes:

Class A: A Lay Reader may be selected by the Rector or Missionary in charge of any Parish or Mission and shall be recommended by him to the Bishop for his License to act as Lay Reader in such Parish or Mission only.

Class B: A Lay Reader may be licensed by the Bishop as a Diocesan Lay Reader to act as such in any part of the Diocese.

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.

CLASS "A."

LAY READER'S LICENSE.

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, 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 nine hundred and _____, and in the _____ year of our Consecration.

CLASS "B."

LAY READER'S LICENSE.

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 during our pleasure, in such Parishes or Missions within the said Diocese as we may from time to time direct.

Given under our Hand and Seal this _____ day of _____ in the year of our Lord one thousand nine hundred and _____, and in the _____ year of our Consecration.

CANON XVIII.
OF THE DIACONATE.

A Deacon need not surrender his worldly calling or business, (said calling been 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.

(NOTE.—Canons XIX, XX and XXI of the Synod of the Ecclesiastical Province of Canada were not adopted by the Synod of the Ecclesiastical Province of Ontario, but Canon XXII was retained with its former number.)

CANON XXII.

ON THE STATISTICS OF THE CHURCH.

It shall be the duty of the Bishop of each Diocese, previously to the meeting of each Triennial Provincial Synod, to fill up the following form, and present the same to both Houses for the information of the Church.

The year shall be either the calendar year or the year of the Synod of the Diocese, as may be most convenient:

1. Deacons ordained.
- " received.
- " transferred.
- " deceased.
- " suspended or deposed.

2. Priests ordained.
- " received.
- " transferred.
- " deceased.
- " suspended or deposed.

3. Whole number of Clergy, including Bishop.
4. (1) New Churches.
(2) Churches consecrated.
(3) Cemeteries consecrated.
5. Baptisms: Children
" Adults.
" Total.
6. Confirmed.
7. Communicants:
8. Number of Families.
" Souls.
9. Marriages.
10. Burials.
11. Sunday Schools.
" Officers and Teachers.
" Pupils.
12. Contributions: Totals for Parochial objects.
" Diocesan objects.
" beyond the Diocese.
Aggregate.
13. Contributions for Diocesan Missions.
" Home Missions.
" Foreign Missions.



CANON OF SYNOD

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 judgment 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 therefor 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 defeat 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 or 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 once* 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 a General 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

*Amended, pages 140, 148, Journal Seventh Session, 1915.
Amended, pages 51, 144.

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 may issue such appeals and bulletins of information as may from time to time be found necessary, and such appeals shall be signed by the Primate and General Secretary on behalf of the Board.*

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 ; their 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.

*Amended, pages 51, 144, Journal Seventh Session, 1915.

14. The General* 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.

*Amended, pages 51, 144, *Journal Seventh Session, 1915.*

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. 00, 00, 1912.]

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

*Enacted Sixth Session, 1911, see Journal pages 111 and 148.

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.

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.

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 decesit*," 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.]

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 Bishop 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 (a) of 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.

(Enacted Session VI.)

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 Secs within the said Ecclesiastical Province, or executing by due authority the Episcopate as Co-adjutor, 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 Secs 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 Metropolitancy 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 Secs 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

(Enacted Session VI).

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 pursuance of the 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 the 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 General *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 object to such consecra-

*Amended, pages 51, 144, Journal Seventh Session, 1915.

tion, 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 General *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.

*Amended pages 51, 144, Journal Seventh Session, 1915.

(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 General *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. There shall be annually appointed a Council composed of Clergymen and other Communicants within the Diocese who have attained the age of twenty-three years, who shall hold office until their successors be appointed.

One-half of the members of the Council shall be annually appointed by the Bishop and the other half elected by the Missionaries (men and women) of the Diocese.

The said Council shall act as advisers to the Bishop in the administration of the Diocese, and shall perform such duties as they shall be charged with by the Bishop.†

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 thereat.

*Amended, pages 51, 144, Journal Seventh Session, 1915.

†Amended, pages 140, 149, Journal Seventh Session, 1915.

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.

31. In the event of any Missionary Diocese forming part of a duly organized National Church in communion with the Church of England in Canada, Sections numbered 26, 27 and 29 shall not refer to any matter exclusively within the jurisdiction of the Diocesan Synod or Conference.*

Canon X.

DEGREES IN DIVINITY.

(Enacted Session VI.)

Whereas it is deemed expedient that there should be a uniform standard of preparation and examination for Divinity Degrees throughout the Canadian Church;

Upon the following Church Universities and Theological Colleges, viz. :

The University of King's College, Windsor ; the University of Bishop's College, Lennoxville ; the University of Trinity College, Toronto ; Huron College, London ; Diocesan Theological College, Montreal ; Wycliffe College, Toronto ; St. John's College, Winnipeg ; the University of †Emmanuel College, Saskatoon ; the Anglican Theological College of British Columbia, with its affiliated Halls, Vancouver ; St. Chad's College, Regina ; ‡

*Amended, pages 140, 149, Journal Seventh Session, 1915.

†Amended, pages 143, 144, Journal Seventh Session, 1915.

‡Amended, page 71, Journal Seventh Session 1915.

voluntarily agreeing to accept the conditions hereinafter following for the regulation of Divinity Degrees within the jurisdiction of the General Synod of Canada :

The General Synod enacts as follows :

I. BOARD OF EXAMINERS.

1. A Board of Examiners for Divinity Degrees and for a Preliminary Examination for Holy Orders within the jurisdiction of the General Synod shall be appointed as follows, viz. :—One representative from each of the Universities and Colleges already named, to wit : The University of King's College, The University of Bishop's College, The University of Trinity College, Huron College, Montreal Diocesan College, Wycliffe College, St. John's College, The University of *Emmanuel College, St. Chad's College, Regina, † the Anglican Theological College of British Columbia, with its affiliated Halls, one from each Hall. The representative shall in every case be a resident member of the regular teaching staff of the University or College which he represents. In the unavoidable absence of any duly appointed representative from any meeting of the Board, the University or College which also appointed such representative may send a substitute (who shall also be a resident member of the teaching staff of an associated University or College), provided that not more than one proxy shall be held by the members of any one University or College.
2. The Upper House shall at each session of the General Synod appoint one of their number, who shall be chairman of the Board of Examiners. The Board shall have authority to appoint a Vice-Chairman, to act in the absence of the Chairman, a Secretary and such other officers as may be required ; also to make such regulations as may be necessary for carrying out the provisions of this Canon, and to alter and amend such regulations from time to time.
3. It shall be the duty of the Board to send to the Secretaries of the General Synod at least one month before each regular session of the Synod, a report for its information, embodying any regulations or amendments thereto made by the Board, the officers appointed and the results of all examinations held from time to time.
4. The Board of Examiners shall have power to appoint other persons to assist them in the work of examinations, from a list

*Amended, pages 143, 144, Journal Seventh Session, 1915.

†Amended, page 71, Journal Seventh Session, 1915.

of names furnished by the Universities and Colleges, provided that every such examiner shall have taken a degree in course in Arts or in Divinity.

5. Any other University or College, upon agreeing to be bound by the provisions of this Canon, may be admitted by the Board to representation thereon, with the same privileges, duties and standing as the other members thereof, subject to the consent of the Universities and Colleges already associated, as provided in clause 6 below.

6. No regulation or amendment as aforesaid, and no resolution to admit a University or College on the Board shall become operative until it has been submitted to each of the associated Universities and Colleges and confirmed at a subsequent meeting of the Board, and in case objection is made to any such regulation, amendment or resolution by any one or more of the Universities or Colleges, a three-fourths vote of the Board shall be required for confirmation.

II. DUTIES OF EXAMINERS.

1. The Board of Examiners shall every six years issue a syllabus of subjects and selected works for the examinations.
2. In case the Board of Examiners find themselves unable to agree upon a text-book on any subject, they shall appoint two text-books as alternative subjects of examination.
3. The Board shall transmit a copy of such syllabus to each of the associated Universities and Colleges, and if within three months thereafter any of them shall state in writing disapproval of any text-book the Board shall either withdraw it or appoint with it an alternative text-book acceptable to the University or College making the objection.
4. Alterations made in the selected works shall not come into force until the annual examination next but one after the date of their announcement by the Board of Examiners. Text-books shall in all cases remain in force until the period above mentioned shall have elapsed from the date of the announcement of the new text-books by which they are severally replaced.
5. In subjects embraced in the schedule, on which selected works are not appointed, a list of books recommended by the Board of Examiners for study shall be announced.
6. The examination shall be conducted under the direct supervision and charge of at least one member of the Board of Examiners, or of some person appointed by the Chairman of the Board; and each University and Theological College aforesaid.

and any other place selected by the Board of Examiners, shall be a centre for holding such examinations, which shall be held simultaneously in all centres, by means of written papers only.

The time of holding such examinations shall be determined by the Board.

7. It shall be the duty of the Bishop of the Diocese in which any such centre exists to appoint when requested, one or more persons for such centre, to assist the examiner in charge in distributing papers and maintaining order during the examination. Either the examiner in charge or his assistant shall be present throughout the whole of such examination.

8. The head of any University or College forming such centre as aforesaid, or a deputy appointed by him, shall have the right of being present during such examination, but shall take no part therein unless he be a member of the Examining Board, or have been appointed an assistant examiner.

9. The examination papers shall be published annually, and copies sent to each of the associated Universities and Colleges.

III. QUALIFICATIONS OF CANDIDATES.

1. Candidates for the degree of B.D. must be either (1) Graduates in Arts of a recognized University in the British Dominions, or other University approved by the Board, or (2) Undergraduates in Arts of a recognized University who have completed two years of their course.

2. These requirements may, however, be dispensed with by the Board in special circumstances approved by a two-thirds vote of the whole* Board, but every such candidate must be in Priests Orders, and before presenting himself for the second examination for the B.D. degree shall submit University* certificates equivalent to the work required in one of the aforesaid Universities in the second year in the following subjects :— Latin, Greek, English, and either Logic or Philosophy; *provided that* in any Province where facilities are not obtainable for extra-mural University work, such equivalent may be accepted as shall be satisfactory to the Board of Examiners.*

3. All candidates for the B.D. degree making application after April, 1917, shall be required to pass the examination in Hebrew in the preliminary examination, or else present certificates of having taken and passed in a University course at least equivalent to this examination; provided that all candidates now qualified under the

*Amended, pages 70, 71, Journal Seventh Session, 1915.

present requirements who present themselves for the final B.D. examination within the next three years shall be accepted without the requirement of Hebrew.

4. University certificates shall be accepted *pro tanto* for such parts of the Syllabus as may have been taken by candidates in University Courses.*

5. Candidates for the degree of Doctor of Divinity must be Bachelors of Divinity of not less than five years' standing.

6. Any candidate for the degree of B.D., being qualified as required above in paragraph 1, shall be exempt from the first examination for the degree, upon submitting a certificate from his University or College that he has obtained at least 50 per cent. of the maximum marks of each annual examination of the prescribed course of theology in the same, provided always that such course shall first have been approved by the Board and placed upon its list of approved examinations for the purpose of this regulation.

IV. EXAMINATIONS.

1. Candidates for any of the examinations, except the Preliminary Examination for Holy Orders, must at least three months before the date of the examination, send to the secretary notice of their intention to present themselves for examination, on a form of application to be obtained from him.

2. The application of a candidate for the preliminary examination for Holy Orders from one of the associated Universities and Colleges must be signed by the Head of the Theological College or of the Faculty of Theology in the University to which the candidate belongs, and that of a candidate not belonging to a University of College must be signed by his Bishop. All applications must be sent in at least one month before the date of the examination.*

3. Candidates have the option of taking the examinations at any of the Universities or Theological Colleges connected with the Church in the Ecclesiastical Province to which the candidate belongs.

4. The Board of Examiners shall transmit to the Metropolitan of each Ecclesiastical Province, and to the Registrar of each University and College, the names and marks of the successful candidates immediately after each examination.

5. The Registrar of the General Synod shall keep a record of all degrees conferred under the Board, the particulars of which shall be sent to him by the University at which such degrees are conferred, or by the Metropolitan if conferred by him.

*Amended, page 71, Journal Seventh Session, 1915.

V. SYLLABUS OF SUBJECTS.

Until the Board of Examiners shall have issued a Syllabus of Subjects and selected works, as provided for in Section 11, Clause 1, the following shall be the Syllabus in use :

PRELIMINARY EXAMINATION FOR HOLY ORDERS.

The Preliminary Examination for Holy Orders is conducted by the Board of Examiners upon the following subjects :

- (1) A General Paper on the contents of the Old Testament.
- (2) A General Paper on the contents of the New Testament.
- (3) Selected portions of the Old Testament.
- (4) A voluntary paper on Elementary Hebrew, based on selected passages.
- (5) Selected portion from the New Testament in Greek.
- (6) A treatise on the History or Canon of Holy Scripture.
- (7) The History (a) Of the Christian Church to A.D. 451 ; (b) Of the Church of England to the beginning of the reign of Henry VIII.
- (8) The outlines (a) of the History of the Church of England from the beginning of the reign of Henry VIII. ; (b) of the Reformation generally.
- (9) The History and Contents of the Book of Common Prayer.
- (10) One selected Greek (optional) and one selected Latin Ecclesiastical writing.
- (11) The Creeds and the Thirty-nine Articles.
- (12) A treatise or treatises on Apologetics.

The following are the selected subjects under this schedule for the years 1911-14, inclusive :

- (3) Genesis.
Psalms II., VIII., XVI., XIX., XXIII., XXIX., XXXVII., XLV., L., LI., LXXX., LXXXIV., XC., CX., CXXI.
Isaiah XL.-LXVI. and Amos.
- (4) Genesis XXXVII., XL.-XLV.
Psalms II., VIII., XIX., XXIII., LI.
- (5) S. John's Gospel.
Epistle to the Romans.
- (6) Westcott, the Bible in the Church.
- (7) (a) Cheetham, or Foakes Jackson, Church History.
(b) Overton, The Church in England.
- (8) (a) Overton, The Church in England.
(b) Fisher, History of the Reformation.

- (9) Hole, The Book of Common Prayer.
Evan Daniel, The Prayer Book.
- (10) Clement of Rome, Ep. to the Corinthians.
Anselm, Cur Deus Homo.
- (11) (a) Swete, The History of the Apostles' Creed.
(b) Gibson, The Thirty-nine Articles, and Mason, The Faith of the Gospel ; Or Litton, A Treatise on Systematic Theology, and Moule, Outlines of Christian Doctrine.
- (12) Row, Christian Theism.
Row, Manual of Christian Evidences.

Candidates who have passed this examination shall be entitled to receive from the Board of Examiners a certificate in the following form :

GENERAL SYNOD OF CANADA.

PRELIMINARY EXAMINATION FOR HOLY ORDERS.

I hereby certify that..... has passed the Preliminary Examination for Holy Orders established by the General Synod of Canada, and that he has obtained..... per cent. of the marks in the Examination held in....., 19.....
(Signed)
Chairman of the Board.

I further certify that the Rev..... is entitled to wear the Hood specified in the Canon establishing a Preliminary Examination held in....., 19.....
(Signed)
Chairman of the Board.

Such certificate shall authorize the holder after ordination to wear the prescribed hood on payment of \$10.00.

Candidates for the Degrees of B.D., who produce a certificate from the Board of Examiners of having obtained at least 50 per cent. of the marks in the Preliminary Examination for Candidates for Holy Orders, including the paper on Greek Patristics (Hebrew not being compulsory), shall be exempted from the first examination for the Degree of B.D.

No candidate shall be held to have passed the examination who has not obtained 33 per cent. on each paper and half-paper.

A candidate for the Preliminary Examination who has failed in not more than two subjects may, at the discretion of the Board,

be permitted to write on these subjects in the ensuing October or in the following May, provided he has obtained the minimum of aggregate marks required for a pass.

BACHELOR OF DIVINITY.

There are two examinations for the Degree of B.D., called the First and Second Examinations respectively, the interval between which must be at least one year.

The Examiners may accept in place of the First Examination for the Degree of B.D. any other Examination which in their opinion is equivalent.

The privilege of a supplemental examination as set forth above shall be given to a candidate for the First B.D. Examination who fails in not more than one subject.

FIRST EXAMINATION FOR THE DEGREE OF B.D.

The subjects of this Examination are the same as those appointed for the Preliminary Examination.

SECOND EXAMINATION FOR THE DEGREE OF B.D.

The candidate may select for Examination one of the five following groups of subjects :

Candidates selecting either of the groups III., IV. or VI., must also pass an Examination in at least one of the selected Books of the Old Testament in Hebrew, or of the New Testament in Greek.

The Books selected in this case are the Prophet Amos in Hebrew, and the Epistle to the Hebrews in Greek.

GROUPS.

I. Old Testament.

(a) The Hebrew Scriptures, with special reference to selected Books ; also selected Books from the Septuagint version.

(b) The history of the development of the Kingdom of God during the Old Testament period, with special regard to its relation to the Christian Church, and also to the history and development of Messianic Prophecy.

(c) Archæology.

II. New Testament.

(a) The New Testament in Greek, with special reference to selected Books.

- (b) The History and Constitution of the Christian Church during the Apostolic period.
 (c) The History of the Canon of the New Testament, and of its Text, its Inspiration and Contents.

III. Ecclesiastical History.

- (a) The History and Constitution of the Christian Church during the Apostolic period, and to the death of Leo the Great.
 (b) The History of English Church, special regard being had to the Reformation period, and to the history and doctrinal position of religious bodies which have separated from her.
 (c) Rise and Progress of Missionary Societies of the Church of England.

IV. Dogmatic Theology and Ethics.

- (a) The Creeds and Illustrative Documents.
 (b) The History of some selected Doctrine.
 (c) The History and Principles of Ethics.

V. Patristics and Liturgies.

- (a) Selected Christian writings.
 (b) The Ancient Liturgies and their relation to the various Eucharistic Offices of the Anglican Church.

VI. Apologetics.

- (a) Positive grounds of faith, embracing the several lines of thought by which the mind is led :
 (1) To the conviction of the existence of God.
 (2) To the conviction of the truth of Christianity ; and including selected works on each of these subjects.
 (b) Selected Ancient Christian Apologies.

The following are the selected works on the various groups until 1914, inclusive :

1. Old Testament. (a) Selected Books* :

In Hebrew : Genesis ; Psalms VIII., XVIII., XIX., XXIX., XLII., XLIII., LXV., LXXVIII., LXXX., LXXXIV., LXXXIX., XCIII., CIV., CV., CVI., CXIV., CXXII., CXXVI., CXXXVI., CXXXVII. ; Amos.

In the Septuagint Version : Genesis ; I. Samuel, Wisdom. Spurrell's Notes on the Hebrew Text of Genesis.

*N. B.—The Candidate is expected to show a good knowledge of the whole Old Testament.

Briggs and Kirkpatrick on the Psalms.

Harper, Amos.

Deane, Book of Wisdom.

(b) Driver, Introduction to the Literature of the Old Testament.

Swete, Introduction to the Old Testament in Greek.

Robertson, Early Religion of Israel.

Orr, The Problem of the Old Testament.

Ryle, The Canon of the Old Testament.

Green's General Introduction to the Old Testament.

I. The Text ; II. The Canon.

Ottley, Aspects of the Old Testament.

Davidson, The Theology of the Old Testament.

Davidson, Old Testament Prophecy.

Riehm, Messianic Prophecy.

Cave's Doctrine of Sacrifice.

Stanton's Jewish and Christian Messiah.

Fairhairn's Typology.

(c) Price, The Monuments and the Old Testament.

Boscawen, The Bible and the Monuments.

Nichol, Recent Archæology and the Bible.

The following Books are recommended, amongst others, for use in this group :

Brown, Driver and Briggs' Hebrew Lexicon.

Kittel's Biblia Hebraica.

Gesenius' Hebrew Grammar (Kautzsch), 25th Edition.

Davidson or Harper, Hebrew Syntax.

Driver, Hebrew Tenses, 2nd Edition.

II. New Testament.

(a) The Four Gospels, with special reference to S. Mark and S. Luke.

Specially recommended :

Swete on S. Mark.

Plummer on S. Luke.

Sanday, Lectures on the Fourth Gospel.

Acts of the Apostles to the Epistle to Philemon, inclusive, with special reference to 1 Corinthians and Ephesians.

Specially recommended :

1 Corinthians in Expositors' Greek Testament.

Armitage Robinson on the Epistle to the Ephesians.

The rest of the New Testament, with special reference to the Epistle to the Hebrews and the First Epistle of S. John.

Specially recommended :

Westcott on the Epistle to the Hebrews and the Epistles of S. John.

(b) Schaff, *Apostolic Christianity*. (Vol. 1 of *History of the Church*.)

Rackham on the Acts of the Apostles.

Essays in Lightfoot's Commentaries.

Ramsay's *Church in the Roman Empire*.

Ramsay's *S. Paul the Traveller and the Roman Citizen*.

(c) Westcott's *History of the Canon*.

Salmon's *Introduction to the New Testament*. (2nd Edition.)

Weiss, *Introduction to the New Testament*.

Sanday, *Lectures on the Criticism of the Fourth Gospel*.

Shaw, *The Pauline Epistles*.

Lee on *Inspiration*.

Sanday on *Inspiration*.

Westcott and Hort's *Introduction* (Vol. II., *New Testament*.)

Kenyon, *Handbook to the Textual Criticism of the New Testament*.

The following books are also recommended, amongst others, for use in this group :

Thayer's *Grimm's New Testament Lexicon*.

Bruder's *Greek Testament Concordance or Moulton and Geden*.

Moulton's *Winer's Grammar of New Testament Greek*.

Burton's *Syntax of the Moods and Tenses in New Testament Greek*.

III. Ecclesiastical History.

(a) Eusebius, *Eccl. History*.

Socrates, *Eccl. History*.

Milman's *History of Christianity to the Abolition of Paganism*.

Gwatkin's *Early Church History*.

Farrar's *Lives of the Fathers*.

Gwatkin's *Studies of Arianism*.

(b) Bede, *Eccl. History*.

Stephens and Hunt, *English Church History*:

Hardwick's or Fisher's *History of the Reformation*.

Burnet's *History of the Reformation*.

Creighton's *Age of Elizabeth*.

Curteis's *Bampton Lectures on Dissent*.

- W. B. Neatby on Plymouth Brethrenism.
 Schaff's Creeds of Christendom (for reference).
 (c) Official Histories and other publications.

IV. Dogmatic Theology and Ethics.

- (a) Shedd, History of Doctrine.
 Fisher, History of Doctrine.
 Swete, on the Apostles' Creed.
 Gibson, The Three Creeds.
 Westcott, Historic Faith.
 Denny, The Death of Christ.
 Moberly, Atonement and Personality.
 Orr, The Resurrection.
 Westcott, Gospel of the Resurrection.
 Schaff, Creeds of Christendom (for reference).
 (b) The Doctrine of the Incarnation.
 Athanasius, De Incarnatione.
 S. Leo, Sermon on the Incarnation (Edition Bright).
 Dörner, History of the Doctrine of the Person of Christ.
 Liddon, Bampton Lectures.
 Ottley, Doctrine of the Incarnation.
 Gore, Bampton Lectures.
 Bruce, Humiliation of Christ.
 Orr, The Virgin Birth of Christ.
 Knowling, Our Lord's Virgin Birth.
 (c) Aristotle, The Nicomachean Ethics (in Greek), I.-IV.
 Calderwood, Hand-book of Moral Philosophy.
 Sidgwick, History of Ethics.
 Martineau, Types of Ethical Theory.
 Martensen, Christian Ethics—General.
 Smyth, Christian Ethics.
 Strong, Bampton Lectures.

V. Patristics and Liturgies.

- (a) S. Clement of Alexandria, Stromata VI., VII.
 Origen, Philocalia.
 S. Gregory Nazianzen, Five Theological Orations.
 S. Irenæus, Contra Hæreses III.
 S. Chrysostom, De Sacerdotio.
 Tertullian, De Prescriptione.
 S. Augustine, De Doctrina Christiana.
 Treatises in Heurtley's De Fide et Symbolo.
 (b) Duchesne, Christian Worship, Its Origin and Evolution.
 Brightman, Liturgies Eastern and Western.

- Swainson, Greek Liturgies.
 Palmer, *Origines Liturgicæ*.
 Freeman, Principles of Divine Worship, Vol. II.
 Proctor and Frere, New History of the Book of Common
 Prayer
 Maskell, Ancient Liturgy of the Church of England.

VI. Apologetics.

- (a) Jevons, Introduction to the Study of Religion.
 Fisher, The Grounds of Theistic and Christian Belief.
 Harris, The Philosophic Basis of Theism.
 Illingworth, The Trinity.
 Campbell Fraser, The Philosophy of Theism.
 Orr, The Christian View of God and the World.
 Wordsworth, The One Religion.
 Illingworth, Personality—Human and Divine.
 Illingworth, Reason and Revelation.
 Forrest, The Christ of History and Experience.
 Stanton, The Jewish and Christian Messiah.
 Dale, The Living Christ and the Four Gospels.
 Milligan on the Resurrection.
 Row's Bampton Lectures.
 Sturge, Truth and Error of Christian Science.
 Frere, Positive Christianity and Answer to Christian Science.
 (b) Tertullian's Apology.
 Origen c. Celsus, Books VII. and VIII.
 De Pressense, The Christian Martyrs and Apologists.
 Farrar, The Critical History of Free Thought.

N. B.—The last two are intended to be read as introductory to Tertullian and Origen.

DOCTOR OF DIVINITY.

1. The candidate may select for examination one of the following seven groups of Subjects, or some particular aspect or subdivision thereof. He shall indicate a line of reading in which his work is to be founded, and submit a bibliography on which his examination will be based. Such examination shall consist of at least ten full papers, which may be taken in two divisions, in which case the examination in the second division cannot be taken until the candidate is of sufficient standing for the Degree.
2. He shall also submit one or more subjects for Thesis corresponding to the tenor of the examination. In the Thesis the candi-

date shall be required to cite authorities with references and to give evidence of research, independent study and original thought.

3. The whole arrangement shall be subject to approval or alteration on the part of the Board.

- I. OLD TESTAMENT.
- II. NEW TESTAMENT.
- III. ECCLESIASTICAL HISTORY.
- IV. PATRISTICS.
- V. LITURGIES.
- VI. DOGMATIC THEOLOGY.
- VII. APOLOGETICS.

4. In order to pass the several examinations for the degrees of B.D. and D.D., candidates must obtain an average of 50 per cent. of the aggregate marks of the examination, and for D.D. not less than 33 per cent., and for D.D. not less than 40 per cent. of the marks assigned to each paper.

5. Candidates for the degree of B.D. or D.D. must, before their admission to such degree, preach a sermon before one of the Universities, or before the Chairman of the Board of Examiners, or before a representative duly appointed by him from among the authorities of the University or College to which the candidate belongs.

VI. PROCEEDING TO DEGREES.

Candidates passed by the Board of Examiners in accordance with the above regulations and standard may proceed to their degrees in one of the following ways : (a) at the University with which such candidate is connected, under the chartered power of conferring degrees enjoyed by that University ; (b) at any College which possesses degree-conferring powers such as those given St. John's College, Winnipeg, by the University Act of Manitoba, under the powers possessed by such College.

(c) Under the power of conferring Degrees in Divinity exercised by the Primate, at the University or College to which the candidate belongs.

The Primate may, for the exercise of the powers vested in him as a Corporation solely for the conferring of Divinity Degrees, appoint a representative to act in his behalf, who in the case of a candidate from any University or College shall be the Head thereof.

Degrees may be conferred under this Canon on Candidates *in absentia*.

The hood for the certificate of the Preliminary Examination shall be of black stuff with a border of crimson stuff two inches wide.

The hood for the Degree of Bachelor of Divinity shall be black silk, lined with black silk, with a thread of scarlet cord around the edge.

The hood for the Degree of Doctor of Divinity shall be scarlet cloth lined with black silk.

The shape of the hood shall be in all cases that in use in the University of Cambridge.

The Diplomas for Degrees in Divinity issued by the Universities shall have inscribed upon them the following statement from the Primate :

"The holder of this Diploma passed the Examination for the Degree of.....before the Board of Examiners recognized by the General Synod of the Church of England in Canada."

.....
Primate.

The Diplomas issued by the Primate shall in each case specify the College in which the candidate has received his theological training, and shall be in the following form :

We,, by Divine permission, Archbishop of.....and Primate acting by the powers conferred on us by the Act of the Parliament of Canada, do hereby certify by these presents that the Rev.....of.....College, having passed the Examination recognized by the General Synod of the Church of England in Canada, for the Degree of....., and having performed all the other exercises required by the Canon of the General Synod in this behalf, was duly admitted to his Degree on the.....day of....., in the year of our Lord

.....
Primate.

VII. ON FEES.

The following are the fees for examinations payable to the Secretary of the Board of Examiners :

For first examination for B.D.....	\$ 5 00
For second examination for B.D.	15 00
For examination for D.D.....	20 00
For examination for V.P.....	5 00
For a supplemental examination.	2 00

The fees for degrees are to be paid in all cases to the Bursar of the University or College at which the candidate receives his degree, and are as follows :

For the degree of B.D.....	\$24 00
For the degree of D.D.....	40 00

Canon XI.

AN ECCLESIASTICAL PROVINCE IN BRITISH COLUMBIA.

The General Synod of the Church of England in Canada enact as follows :

Whereas the Synods of the Diocese of Columbia, New Westminster, Caledonia and Kootenay have by Memorials petitioned the General Synod to erect an Ecclesiastical Province co-terminous with the Civil Province of British Columbia, and

Whereas a draft constitution embodied in the Memorial is the basis upon which these four Dioceses have agreed to enter into a Provincial Organization,

Be it therefore enacted :

1. The dioceses within the Civil Province of British Columbia, viz. : Columbia, New Westminster, Caledonia and Kootenay, and all other Dioceses at any time erected within the said Province shall constitute a new Ecclesiastical Province, co-terminous with the Civil Province, to be known as the Ecclesiastical Province of British Columbia.
2. Should any question arise between the Provincial Synod of British Columbia and the Provincial Synod of Rupert's Land as to territory, the matter shall be decided by the Synods of the Provinces concerned.
3. There shall be a Provincial Synod to be known as the Provincial Synod of British Columbia 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.
4. The draft Constitution embodied in the several memorials and agreed upon as a basis by the four Dioceses, shall form a part of the Constitution of the Provincial Synod of British Columbia until at any time amended by the said Provincial Synod.

5. In pursuance of the said draft constitution, contained in the schedule thereto, each of the four Dioceses and Synods shall elect at a regular session four clerical and four lay representatives to the Provincial Synod in accordance with the basis of representation mutually agreed upon by themselves.

6. Within six months after receiving a certified list of delegates elected by each of the four Dioceses, the senior Bishop by consecration in the Province shall call the other Bishops and these duly elected delegates together at some convenient place within the Province for the purpose of completing the organization of the Provincial Synod and proceeding to transact such business as may be deemed proper and he shall also act as chairman of the body thus called together until it be organized and under its own Constitution.

"Provided always that the said Constitution shall contain the acceptance by such Provincial Synod of the Solemn Declaration prefixed to the Constitution of the General Synod of Canada, and as set forth and contained in the Journal of said General Synod."

Canon XII.

(TO BE CONFIRMED NEXT SESSION)

THE BOOK OF COMMON PRAYER.

(Enacted Session VII, see Journal pages 130, 131.)

1. The authorized Book of Common Prayer of the Church of England in Canada shall be the book hereto annexed, which has been revised, adapted and enriched by this General Synod, at its Session held in the City of Toronto in the year 1915, and the same is hereby adopted as the Book of Common Prayer of the Church of England in Canada.

2. Six official copies of the book shall be kept; one with the Registrar of the General Synod; one at the Department of Archives at Ottawa, and one with the Metropolitan of each Ecclesiastical Province, namely, one with the Metropolitan of the Province of Rupert's Land, one with the Metropolitan of the Province of Ontario, one with the Metropolitan of the Ecclesiastical Province of Canada, and one with the Metropolitan of the Province of British Columbia.

3. Each official copy shall be signed by the Primate on behalf of the General Synod.

4. This Canon is passed under and subject to Section Number 4 of the Basis of Constitution, and Section No. 31 of the Constitution, and under all other powers of the Synod, and it shall come into force on a day to be proclaimed by the Primate.

Canon XIII.

JOURNALS OF SYNOD.

(Enacted Session VII, see Journal page 175).

1. The Journal of the General Synod shall be printed under the supervision of the Clerical Secretary of the General Synod as soon as conveniently may be after each session of the General Synod. Two copies of the printed Journal after being carefully compared shall be certified by the Secretaries of the General Synod and shall be deposited with the Registrar, who shall certify the same and seal them with the seal of the Synod. Such copies so certified and sealed shall be deemed to be the authentic and original record of the said Journal, and one copy shall be preserved in the records of the General Synod by the Registrar and the other copy shall be preserved in such place and manner as the Primate of all Canada shall from time to time direct.
2. It shall be the duty of the Registrar without fee to furnish certified copies of each Synod Journal and send the same to the proper officer of each Ecclesiastical Province of Canada for preservation among the records of such Province.
3. The certified copies of the Journal of previous Sessions of the General Synod now of record with the Registrar and printed copies of the Journal of previous Sessions where there are no certified copies shall be certified and sealed by the Registrar and such copies so certified and sealed shall be deemed to be the authentic and original copies of the said Journal.

Canon XIV.

COUNCIL FOR SOCIAL SERVICE.

(Enacted Session VII, see Journal pages 152, 171).

1. The social work of the Church shall be organized under the General Synod into a special department, which shall be known as the Social Service Council, hereinafter called "The Council."
2. The duty of the Council shall be to study social problems with a view to the solution of them in harmony with the spirit of the Lord Jesus Christ ; to adopt such measures as may seem advisable to promote the care and training of immigrants in Canadian citizenship, the maintenance of just conditions of living, the conservation of morals, health and life ; and generally to promote the formation of a Christian public opinion upon social problems, and to take such action as may be necessary to make effective

all directions in these matters which may be given by the General Synod.

3. The Council shall consist of the Bishops of the Upper House 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 Council. In any Diocese where there is no Diocesan Synod, the Diocesan representatives shall be appointed by the Bishop.

4. The Council, of which the Primate shall be *ex officio* Chairman, shall meet at least once a year, at such time and place as it may determine, and have power to fix its own quorum, to frame regulations for the discharge of its duties, to appoint such officers as may be deemed expedient and to regulate the powers, duties, and emoluments, if any, of such officers.

5. The Council shall appoint an Executive Committee, which shall consist of three Bishops, three clergymen, and three laymen to promote the work and interest of the Department in every way open to them under the power and instructions given to them by the Council, to conduct the business of the Council in the intervals of its meetings, provided that this Executive Committee shall not officially approach any Legislature seeking restrictive legislation without having the endorsement of the Council. The Committee shall meet at such time and places as it may determine, and shall report to the Council at each meeting thereof. The Council may appoint a sufficient number of its members who shall represent the Church in the Social Service Council of Canada.

6. The Council shall from time to time determine what money will be required for its work, including its share of the cost of the Social Service Council of Canada, and arrange for the raising of the same, either by agreement with the several Dioceses, or otherwise, as may be determined by the Council.

7. The morning of the sixth day of the General Synod shall be devoted to the consideration of the Report of the Council and of problems connected therewith, when all questions of general policy shall be determined.

8. The Council shall submit a report to each Diocesan Synod, to each Provincial Synod, and to the General Synod at their regular meetings.

9. Until the Synods of the several Dioceses shall have elected representatives, the Council shall consist of the Bishops of the Upper House and of two clergymen and two laymen from each Diocese, appointed by the Bishop of the Diocese.

10. Subject always to Provincial, Diocesan and parochial authorities, the Council shall have power to organize such subsidiary branches as may be found necessary.

