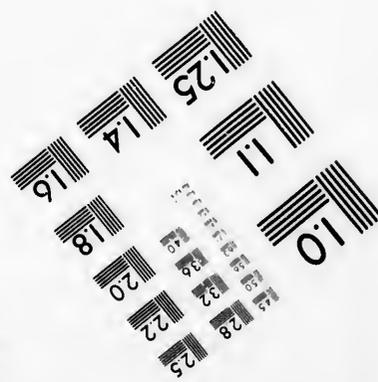
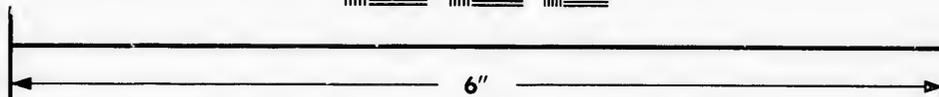
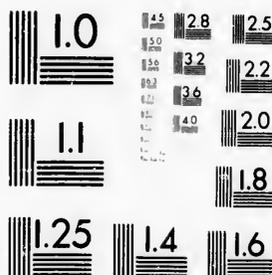
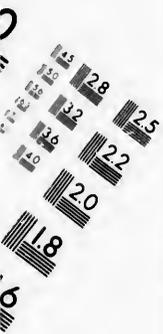


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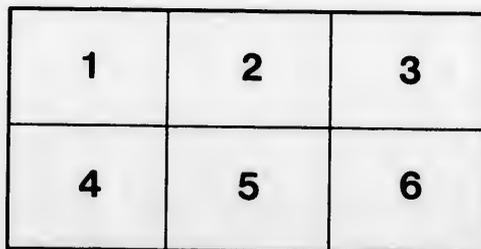
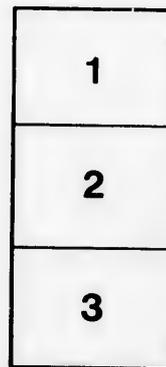
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CONSTITUTION

RULES AND CANONS

—OF THE—

Incorporated Synod

—OF THE—

DIOCESE OF HURON.



London, Ont. :

LAWSON & JONES, PRINTERS.

1893.

# Incorporation

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# CONSTITUTION

—OF THE—

## Incorporated Synod of the Diocese of Huron.

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1. The said Incorporated Synod shall consist of the Bishop of the said Diocese, who shall be head of the Synod, and any Suffragan or Coadjutor Bishop thereof, the Priests and Deacons of the same licensed by the Bishop or Suffragan or holding any diocesan office, or performing any diocesan work with the Bishop's sanction, and of the lay delegates or representatives elected or to be elected according to the Constitution of the said Synod, as the same existed at the time of the passing of the Act of Incorporation, or as it may from time to time be altered by the said Synod after the passing of the Act; and so far as the financial affairs of the Synod are concerned, the following shall also be members thereof, that is to say, the life members of the Church Society of the Diocese of Huron, and such other members of the said Society who, prior to the passing of the Act, appeared on the books of the said Society as having contributed in annual subscriptions to the said Society the aggregate of fifty dollars; provided always that each and every of said life or other members of the Church Society seeking admission to any meeting of the Synod under the authority of this section shall, before being admitted thereto, deposit with the Secretary of the Synod a certificate from the Incumbent of the parish where such member for the time being resides that he is eligible to be elected a lay member of the said Synod.

2. Clergymen who have been members of the Synod, but who have become superannuated, or invalidated, with the Bishop's consent, shall retain all their privileges as members of the Synod.

3. The lay representatives shall be communicants of at least one year's standing; and shall be elected annually, during Easter week, by each duly organized congregation, from among their own number, at a meeting legally convened. And it shall be the duty of the Wardens of each congregation to provide a book in which each member of the congregation of the full age of twenty one years shall subscribe his name as being a member of the Church of England,

as belonging to no other religious denomination ; and such, and no others shall be entitled to vote at the election of the Lay Representatives. Each representative shall continue in office until his successor is appointed.

4. The Incumbent or his assistant shall preside at the election ; and in their absence a chairman, elected by a majority of those present.

5. The number of representatives shall be as follows : For every congregation, *one* ; when registered voters exceed fifty, *two* ; and when they exceed one hundred and fifty, *three* ; and at each meeting it shall be the duty of the chairman to have the list read over and the names of all those who have died, or who have become disqualified, shall be erased previous to the election.

6. It shall be the duty of the Secretaries to forward to each Clergyman, before Easter in each year, a copy of the form of certificate printed below for each Parish or Mission under his charge ; and in case of a Parish or Mission being vacant, the Certificate shall be forwarded to the address of the Churchwardens.

FORM OF CERTIFICATE.

DIOCESE OF HURON.

Town (or Township) of . . . . . Congregation of . . . . .  
number of registered voters . . . . . I hereby certify that at a meeting of this congregation, held on . . . . . day . . . . . 18 . . . . Mr. (or Messrs.) . . . . . was (or were) duly elected a representative (or representatives) to the Synod for the current year.

.....  
Chairman.

7. If a vacancy occur by the death, removal, or resignation of any representative, the Clergyman shall proceed to hold a new election within one month, due notice being given by him during Divine Service, on some Sunday preceding the meeting, provided that no such election shall take place between the time that the See becomes vacant and the election of a Bishop, saving and except when a vacancy occurs by death, removal or resignation during the above interval, or within one month previous to the vacancy of the See.

8. It shall be the duty of the chairman, within six days after the election of representatives, to send to the secretaries of the Synod the certificate above referred to, taking care, when more than one is elected, to give the number of registered voters. A committee of two shall be appointed by the Bishop to act in conjunction with the secretaries in the examination some day before the meeting of the Synod, of the certificates as to election of lay representatives

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said committee to report on first day of session of Synod, immediately after the election of secretaries.

9. That the Synod shall meet annually on the third Tuesday in June, or at such other time or times as may be deemed expedient by the Bishop, who shall appoint the time and place of meeting, and shall adjourn or prorogue the Synod as may appear to him most for the welfare of the Diocese.

10. Each Clergyman within the Diocese shall send to the Bishop, through the Secretary-Treasurer, the name of any congregation hereafter established under his charge; describing its locality, in order that it may be recorded in the book in which a list of the congregations is kept.

11. (a) When the Bishop is not present he shall appoint a deputy as chairman to preside in his place.

(b) A quorum of the Synod shall consist of the chairman and not less than thirty of each order of the Clergy and Laity, respectively, except when electing a Bishop, when there shall be present not less than seventy-five of each order of the Clergy and Laity, respectively.

(c) Whenever it shall be made to appear that a quorum is not present, the chairman may declare the Synod adjourned to the next ordinary hour for assembling. If there be then no quorum, he may again declare the Synod adjourned to the next ordinary hour for assembling. Or he may in either case declare the Synod adjourned *sine die*.

12. An honorary Clerical and an honorary Lay Secretary shall be chosen annually by the Synod, from among the members thereof, who shall remain in office until the next annual meeting of the Synod. Their duty shall be to take minutes of the proceedings of the Synod and to prepare the same for printing in the Annual Journal and within a reasonable time after the close of the session of Synod to faithfully deposit with the Secretary-Treasurer of Synod for safe keeping, all books and papers relative to the concerns of the Synod which may be in their possession; to attest the public acts of the body, and in case of a vacancy in the See, to summon the Synod for the election of a Bishop.

13. A Secretary-Treasurer shall be appointed by vote of Synod, whose duty it shall be to attend to all business of the Synod when not in session, including the receipt and taking charge of all moneys belonging to the Synod, under the direction of the Bishop, the Executive Committee and the officers of the Synod; and to be the custodian and guardian of all papers and documents relating to the affairs of the Synod.

14. The paid officers of the Synod shall be the Secretary-Treasurer and an assistant, if required, also the auditors; the Secretary-Treasurer shall furnish security to the satisfaction of the Bishop and the Executive Committee. Provided that neither the Secretary-Treasurer nor his assistant shall be eligible to sit or vote as a member of the Synod.

15. There shall be annually elected by the Synod, immediately after the election of the secretaries, two auditors, whose duty shall be to examine all accounts of the Secretary-Treasurer, and to report on them to the Executive Committee.

16. There shall be an Executive Committee, presided over by the Bishop, ten of whom shall form a quorum, consisting of thirty Clergymen and thirty laymen, who shall be elected annually by ballot out of the members of the Synod by each order respectively. In the absence of the Bishop he may appoint in writing a member of the Executive Committee to act as his deputy in the chair, and failing such appointment the Committee shall elect a chairman for the sitting from the members present. Lay representatives of the Synod, duly elected as members of the Executive Committee and Provincial Synod, shall remain members as aforesaid, until their successors on the said Executive Committee and Provincial Synod shall have been elected by the Synod. Immediately after the election of the Executive Committee the Bishop shall appoint a time during the session of Synod at which a meeting of the Committee shall be held for the purpose of organizing and appointing any necessary sub-committees that may be required to take action before the first regular quarterly meeting in September. It shall be the duty of the Executive Committee to manage and administer all the funds, lands and property of the Synod, of what kind or nature soever and generally to exercise all the powers and functions of the Synod except those of a legislative character in accordance with the Constitution and Canons thereof, without further or other authority from the Synod, than is herein contained as fully and effectually to all intents and purposes as the Synod can or may do. It shall be the duty of the Executive Committee to prepare in due form all such matters as the Bishop may desire to have brought before the Synod and all such other matters as may be forwarded to them, through the secretary by any member of the Synod, and to have such portions printed as may appear to them expedient; and a circular containing a statement of such business to be submitted to the Synod shall be forwarded to each Clergyman and representative two weeks before the meeting of the Synod, which shall stand first in the order of the day.

17. (a) On the day appointed for the assembling of the Synod

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Divine Service with Holy Communion shall be held in the forenoon, at which it shall be the duty of all the members of the Synod to be present, and every meeting of the Synod shall be preceded by public morning prayer.

(b) The proceedings of the Synod shall every day be opened with prayer in a form prescribed by the Bishop.

18. If any vacancy occur from death, removal or resignation of any officer, notice of such vacancy shall be given to the Executive Committee, and the Bishop shall appoint a successor until the next meeting of the Synod.

19. The Executive Committee shall meet in London in the months of March, September and December, on such day as the Bishop may appoint, and in the month of June, on some day during the week in which the Synod meets; provided, however, that the Bishop shall have the power of calling the Committee together at any time. And when the See becomes vacant by the death of the Bishop, or in case of the incapacity of the Bishop, the honorary secretaries of the Synod shall summon a meeting of the Executive Committee which shall elect a chairman of the committee who shall administer the Diocese so far as the financial business is concerned, and sign all cheques until the consecration of a Bishop.

20. In order to more fully promote the objects of the Synod annual subscriptions and donations shall be collected from each congregation in such manner as shall be deemed most effective, and every endeavor made to augment the resources of the Synod. All money raised shall be transmitted to the Secretary-Treasurer. An annual missionary meeting shall be held or sermon preached in each Church or other suitable place, and a collection made for the Maintenance and Mission Fund of the Diocese. Six collections shall be made annually, the proceeds of two of which shall be devoted to the Widows' and Orphans Fund, and the proceeds of the other four to Missionary purposes, and at such other time and for such purposes as the Bishop may direct. The collections shall be forwarded to the Secretary-Treasurer of the Synod within days after being made. It shall be the duty of every Clergyman to give notice of these collections, and to call the attention of his congregation to the importance of the objects, and their claims for liberal support.

NOTE:—*Motion adopted by the Church Society, June, 1870.*

*Resolved*,—That the Bishop be requested to urge on the Clergy and Laity of the Diocese the propriety of arrangements being made for sending to the Society the whole amount collected from each congregation on the Sundays appointed for the special collections for the Widows' and Orphans' and for the Mission Fund.

21. All moneys shall be paid by cheques signed by the Bishop (and in his absence, by the person administering the Diocese, or during the vacancy of the See by —, and countersigned by the Secretary-Treasurer and assistant.

22. No act or resolution shall become law without the concurrence of the Bishop, and a majority of the Clergy and Laity present ; provided that, ordinarily the votes of the whole Synod shall be taken collectively ; but that at the desire of the Bishop, or at the request of not less than five members of the Synod, the votes of each of the above named orders shall be taken separately.

23. In case of a vacancy in the See, it shall be the duty of the secretaries of the Synod, within ten days from their knowledge of such vacancy, to give notice thereof to every Clergyman and Lay Representative ; and at the same time to summon a meeting of such Clergymen and Lay Representatives, to be held at London within six weeks, for the election of a Bishop, and to give at least one month's notice thereof. At such meeting for the election of a Bishop, the senior dignitary present shall take the chair, and be entitled to vote. The Clergy and Lay Representatives present shall vote separately by ballot, and the majority of the votes of each order present shall determine the choice, provided always, that it shall be competent for such meeting to postpone the election to such further period as to them shall seem expedient.

24. (a) Every proposition for an alteration of the Constitution, or of any Canon of the Synod, or to repeal any Canon, must be sent to the Executive Committee, to the end that due notice thereof may be given in the Convening Circular.

(b) No motion proposing an alteration of a Canon, or to repeal a Canon, or to alter the Constitution of the Synod, shall pass unless it be agreed to by a majority of two-thirds of the Clergy and lay representatives respectively, present when the vote is taken. But this last proviso shall not apply to amendments to the order of proceedings, or rules for the preservation of order, or rules for committees as hereinafter enacted.

(c) When a motion is made to enact a new Canon, or to repeal or amend a Canon, or to alter or amend the Constitution of the Synod, the principle of the proposed measure shall first be discussed on a motion "that it be read a first time," to which amendments shall be in order.

(d) If a motion to read a first time be carried in the affirmative the Synod shall forthwith resolve itself into the committee of the

whole for the discussion of the clause or clauses and details of the proposed measure

(e) On the work of the committee being concluded, the Synod shall resume its sittings, and the chairman shall report the Canon, or motion to the Synod with amendments or otherwise.

(f) If any amendments have been made in committee of the whole, the form of motion shall be "that the amendments be agreed to by the Synod," to which motion amendments cognate thereto shall be in order.

(g) When the form of the proposed Canon or motion has been finally determined, or when the proposed Canon or motion has been reported from committee of the whole, without amendment, the chairman shall put the motion "that the Canon, or motion, be read a second time," and if agreed to it shall pass, or it may be referred back to the committee of the whole for specific amendment.

(h) If the work of the committee of the whole be interrupted by a motion to report progress being carried, the chairman shall report to the Synod accordingly, and the Synod may, upon motion, direct the committee to sit again at such time as it may appoint.

(i) Should the hour of adjournment arrive while the Synod is in committee of the whole, the Synod shall resume its sittings and may direct the committee to sit again after routine business at the next sitting.

(j) A vote in committee of the whole shall be taken of the members collectively, or by orders if required.

(k) In committee of the whole the quorum shall be the same as the quorum of Synod. If it shall be made to appear at any time there is not a quorum present, the committee shall rise, and the chairman having reported to the Synod accordingly, the committee may be directed, on motion, to sit again in the same manner as when progress is reported,

(l) Any motion may, by resolution or by direction of the chairman, be referred to the committee of the whole, in which case it will be subject to the same course of procedure as a new Canon, or a motion to repeal or to amend a Canon.

(m) A corrected copy of the proceedings of the Synod, printed under the direction of the honorary secretaries, shall be accepted as the official record of such proceedings, subject to the approval of the next succeeding meeting of the Synod, and such copy, being

approved by the Bishop, and the seal of the Synod attached thereto, shall be signed by the Bishop, and preserved as the authentic minutes of the Synod.

25. Each Clergyman shall make an annual statistical report to the Bishop, according to the form to be supplied by the secretary, under the Bishop's direction; which report shall be forwarded to the Bishop within one month after Easter.

36. The following objects for which the Church Society was incorporated, shall be included amongst the objects for which the Synod is incorporated :

FIRST.—For the encouragement and support of Missionaries and Clergymen of the Church of England within the Diocese of Huron, and for creating a fund toward the augmentation of the stipends of poor Clergymen, and towards making a provision for those who may be incapacitated by age or infirmity, and for the Widows and Orphans of the Clergy of the said Church in the said Diocese.

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

THIRDLY.—For granting assistance, where it may be necessary, to those who may be preparing for the Ministry of the Gospel in the said Church, within the said Diocese.

FOURTHLY.—For circulating in the said Diocese the Holy Scriptures, the book of Common Prayer of the said Church, and such other Books and Tracts as shall be approved by the Executive Committee

FIFTHLY.—For obtaining and granting aid towards the erection, endowment and maintenance of churches according to the establishment of the said Church in said Diocese; the erection and maintenance of parsonage houses; the setting apart of burial grounds and church yards; the endowment and support of parsonages and rectories, according to the same establishment, and the management of all matters relating to such endowments.

#### ORDER OF PROCEEDINGS.

(1) Divine Service with Holy Communion shall be held in the forenoon of the day appointed for the assembling of the Synod, and each meeting of the Synod shall be preceded by public morning prayer.

(2) The proceedings of the Synod shall every day be opened with prayer in a form prescribed by the Bishop.

(3) On the first day of meeting the Synod shall assemble for Divine Service at 10 a. m., and for business at 2.30 p. m.

The ordinary hours for assembling and adjournment after the first day shall be as follows:—Assembling, 10 a. m., 2.30 p. m. and 7.30 p. m. Adjournment, 1 p. m., 6 p. m. and 10 p. m.

(4) On the assembling of the Synod for business the clerical secretary shall call the roll of the Clergy, and the lay secretary the roll of the lay representatives, who shall respectively answer to their names, and, if a quorum be found to be present, the Synod shall proceed to business.

The names of those members recorded as present when the roll is called at the opening of the Synod for business, with the names of any other members subsequently recorded as present, shall be the roll of such Synod for all purposes.

A member in attendance may at any time claim to have his name placed on the roll, and notice to that effect shall be given by the chair at the commencement of every day's proceedings.

#### ORDER OF BUSINESS.

(5) The order of business at the opening shall be as follows:—

(a) Election of secretaries and auditors, who shall hold office until their successors are appointed.

(b) Receiving report of committee on certificates and Synod assessments, further reports of which committee may be made at any time.

(c) The Bishop's charge.

(d) Receiving report of the executive committee.

(e) Receiving reports of other committees of Synod.

(f) Receiving petitions or memorials.

(g) Receiving notices of motion.

After disposing of the foregoing business the Synod shall adjourn.

At the evening sitting on the first day of meeting the order of business shall be as follows:

(a) Receiving reports of committees.

(b) Receiving petitions or memorials.

- (c) Receiving notices of motion.
- (d) Consideration of the report of the executive committee, a motion for the adoption of which report shall be put by the chair.
- (e) Consideration of reports of other committees of Synod in the order in which they have been received, a motion for the adoption of which shall be made by the chairman or other member of each committee.
- (f) Business submitted by the Bishop
- (g) Business submitted by the executive committee.
- (h) Motions of which notice has been duly given in the order of notice.

At all other sittings the other business shall be as follows :

- (a) Confirmation of minutes of previous days' proceedings.
- (b) Receiving reports of committees.
- (c) Receiving petitions or memorials.
- (d) Receiving notices of motion.
- (e) Consideration of reports of committees.
- (f) Business submitted by the Bishop.
- (g) Business submitted by the executive committee.
- (h) Motions of which notice has been duly given in the order of notice.

#### **RULES FOR THE PRESERVATION OF ORDER.**

- (1) All questions of order shall be decided by the chairman.
- (2) All motions shall be made in writing.
- (3) All motions shall require one day's notice except motions to adjourn, motions to suspend the standing orders, and motions relating to privilege, or any point of order arising during the debate, all of which shall be in order at any time.
- (4) A member moving to suspend the standing orders shall state his object in so doing.
- (5) Motions to adjourn or suspend standing orders shall be put without debate.
- (6) A motion or amendment to a motion, after being read from the chair, shall only be withdrawn by consent.
- (7) Every motion, unless moved by the chair, shall require a seconder.
- (8) On a vote being called for, the *ayes* and *noes* shall respectively rise at the call of the chair, and remain standing while the

count is taken. Whenever a count is taken, the numbers *pro* and *con* shall be entered on the minutes.

(9) An amendment to an amendment to a motion may be proposed, but no further amendment shall be in order until the second amendment has been disposed of.

(10) Amendments to a motion to adopt a report shall be in order if cognate to any of the subject matters thereof.

(11) No member except by unanimous consent shall speak more than once to the same motion or amendment, except the mover of such motion or amendment, who shall be entitled to reply.

(12) No member, except by consent, shall speak at one time more than twenty minutes.

(13) No member shall leave the Synod during a sitting except by permission of the chair.

(14) The foregoing rules of order shall relate so far as applicable to proceedings in committee of the whole, except that the rule limiting members to one speech on a motion or amendment, shall not be in force in committee of the whole and that, in committee of the whole, speeches shall be limited to ten minutes.

(15) Report of committees and petitions or memorials shall be received without debate except on a question of order.

(16) In any unprovided case resort shall be had to the rules of order of the House of Commons of Canada.

#### RULES REGARDING COMMITTEES.

(1) All committees unless named by the Synod shall be appointed by the chairman, who in that case shall announce the names to the Synod previous to entry upon the minutes. Unless otherwise directed the mover of the resolution for the appointment of a committee shall be convener.

(2) The reports of committees (except reports of progress merely) shall be in writing and signed by the chairman.

(3) A quorum of a committee shall consist of a clear majority of its members, unless the Synod otherwise directs.

(4) The executive committee shall have power to make such rules as may be necessary for the proper and orderly disposal of the duties assigned to it.

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RULES OF THE EXECUTIVE COMMITTEE.

1. That all applications for aid from the Synod must be with the secretary-treasurer at least three days before the meeting of the Executive Committee, otherwise they cannot be entertained until the following meeting.

2. That grants made from the general purpose fund, and not claimed before the expiration of two years be cancelled.

3. That it shall be the rule of the Executive Committee, that whenever an application for a grant from any of the funds of the Synod in behalf of any Parish or Mission is under consideration the parties in connection with such Parish or Mission making such application, if present, shall be respectfully requested to withdraw while such application is discussed.

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## CANONS.

### I.—On the Election of a Bishop.

The Bishop of the Diocese shall be elected in the manner laid down in the Constitution of the Synod.

### II.—On Certificate of Election.

The Bishop elect shall receive from the chairman and secretaries of Synod a certificate of his election by the Clergy and Lay Representatives, in accordance with the rule of the Diocese.

Such Bishop elect shall, previous to his consecration resign all the preferment which he holds in the Church, except in the case of a coadjutor, who shall resign all such preferment previous to his taking full charge of the Diocese.

### III.—On the Election of a Coadjutor Bishop.

When the Bishop of the Diocese shall feel himself unable to perform his duties, by reason of age or other permanent cause of infirmity, or be incapacitated by mental infirmity from discharging his Episcopal duties, a Coadjutor Bishop may be elected by, and for the Diocese in the manner provided in Canon 1. The Coadjutor Bishop shall in all cases succeed the Bishop in case of surviving him. The Coadjutor Bishop shall perform such Episcopal duties and exercise such Episcopal authority in the Diocese as the Bishop shall assign him; and in 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; if any difference shall arise between the Bishop and his Coadjutor respectively regarding the same, the matter shall be decided by the House of Bishops of the Province.

### IV.—On the Appointment of Dignitaries and other Officers, and their Duties.

There shall be in the Diocese the following Dignitaries and other officers, viz.:

One Dean of the Cathedral, together with Canons to constitute the Chapter; one or more Archdeacons; and such number of Rural Deans as may be required; one Chancellor; one Registrar, and, when necessary, one Commissary.

2. The appointment of these dignitaries and officers shall be vested in the Bishop, and the offices of Rural Dean, Chancellor,

Registrar and Commissary, shall be held during his pleasure, but

3. In case of the resignation or removal, by reason of age or infirmity of any dignitary, he shall be entitled to retain his rank.

4. The duties of the several dignitaries and officers shall be assigned by the Bishop, and printed for their instruction in the appendix of the Minutes of Synod.

5. The Chancellor shall be a communicant of the Church, of the degree of Barrister-at-Law, of at least ten years' standing; he shall advise, assist and act with the Bishop, or in his absence, with his Commissary, in all matters of discipline or cases of difficulty or doubt when requested by the Bishop or his Commissary; and before entering upon his duties he shall swear that he will to the utmost of his understanding deal uprightly and justly in his office, without respect of favor or reward.

#### V.—On Candidates for Orders.

1. Candidates for the Holy Orders of Deacon or Priest shall be required to take a degree in Arts in some university, and attend the theological course in some college in connection with the Church, or with the approval of the Bishop, have attended the theological course in some church college; but these requisites may be dispensed with when the Bishop considers the Candidate possesses special qualifications.

2. No person shall be admitted into the Holy Order of Deacon until he shall have been examined by one or more Presbyters appointed for that purpose by the Bishop. At his examination he shall satisfy the examiners that he is sufficiently acquainted with the Hebrew, Greek and Latin languages; that he is fairly conversant with the Old and New Testament Scriptures, with the Greek Text of the Gospels and the Acts, with Christian Evidences, with the History of the Canon of Holy Scripture, and of the Church (especially that of the Church of England), and with the Articles, Creeds and Formularies of the Church both in their history and interpretation, and that he can compose a sermon on any given text of Holy Scripture.

3. Before a candidate's admission to examination, the Bishop must be satisfied of his good life and conversation, by letters' testimonial, in the usual form, and by an attestation that the form, usually called "*Si Quis*" has been publicly read in the congregation of which he is member; and no one, unless in special cases with the consent of the Bishop, shall be admitted to Deacon's orders who is over forty years of age.

4. No one shall be promoted to the Order of Priest until he shall have passed an examination in the Greek text of the Epistles, together with a full examination in some of the higher branches of the subjects mentioned in clause 2.

**VI.—Candidates for Orders who have been Ministers of other Denominations.**

1. When a person who, not having had Episcopal ordination, has been acknowledged as a Minister or licentiate among any denomination of Christians, shall desire to be ordained in the Diocese, he shall give notice thereof to the Bishop, which notice shall be accompanied with a written certificate from at least two Presbyters of the Church, stating that, from personal knowledge of the party, or satisfactory evidence laid before them, they believe that his desire to leave the denomination to which he has belonged, has not arisen from any circumstances unfavorable to his religious faith and moral character, or on account of which it may be inexpedient to admit him to the exercise of the Ministry in this Diocese, and they shall also add what they know, or believe on good authority, of the circumstances leading to said desire.

2. If the Bishop shall think proper to proceed, the party applying to be received as a candidate shall produce the same testimonials of literary qualifications as are required of other candidates; and also a testimonial from at least six members of the denomination from which he came, or six members of the Church, or six persons in part members of the denominations from which he came, and in part members of the Church, satisfactory to the Bishop, that the applicant has for the three years last past lived piously, soberly and honestly; and also a testimonial from at least two Presbyters of the Church, that they believe him to be pious, sober and honest, and sincerely attached to the doctrines, discipline and worship of the Church.

3. Candidates admitted as above may, at the expiration of a period of not less than one year, unless the Bishop shall see fit, for special reasons, to shorten the time, be ordained, on their passing the same examination as other candidates for Deacon's orders; and in the examination special regard shall be had to those points in which the denomination from whence the came differs from the Church, with a view of testing their information and soundness in the same; and also to the ascertaining that they are adequately acquainted with the Liturgy and offices of this Church, provided that in their case, the testimonials shall be required to cover only the time since their admission as candidates for orders, and provided also, that the provisions of the Canon concerning candidates for orders, as far as the same relates to the age of the person to whom the dispen-

sation may be granted, and the mode and restrictions, in and under which the same may be granted, shall apply to the persons mentioned in this Canon.

4. When any person who has been acknowledged as a Minister among any other denomination of Christians, shall apply for order in this Diocese, the Bishop shall require of him, in addition to the above qualifications, satisfactory evidence that he has resided at least one year in this Dominion previous to his application.

#### VII.—On the Licence to Clergymen.

That every Clergyman doing duty within the Diocese, except in cases provided for by the Constitution, shall be licenced by the Bishop to some particular charge within the same, according to the form in the appendix; and no Clergyman shall be considered as duly licenced unless he holds such a licence from the Bishop and is residing and doing duty in the place, Parish or Mission to which he is licenced. Provided that the Bishop may, for good and sufficient cause, dispense with the condition of residence.

#### VIII.—On Admission of Strangers to Officiate.

1. No Minister or other person shall be permitted to officiate permanently or occasionally, in any congregation of this Church except he shall have been Episcopally and Canonically ordained, and shall also conform to the doctrine and discipline of the Church.

2. No Clergyman shall officiate in any congregation in this Diocese for more than one month, without a written licence under the hand of the Bishop, and no Clergyman who has availed himself of this implied permission shall be allowed to officiate again in the same Church within a period of three months, unless he obtain the licence of the Bishop; providing that Clergymen holding the Bishop's licence for temporary duty shall not be considered members of the Diocesan Synod.

3. Every Clergyman who officiates in any congregation in the Diocese shall be required to inscribe in a book, which shall be kept in the vestry for that purpose, his name, his present preferment, and the day when he so officiated in the Church.

#### IX.—On Lay Readers.

Lay Readers may be appointed by the Bishop on the recommendation of any Clergymen who may require assistance in his Parish or Mission, or who, from illness, may be unable to perform all his duties; and in case of a vacant or new Mission, on the recommendation of the Archdeacon or the Rural Dean.

**X.—On the Patronage of Crown Rectories.**

Respecting presentation to the Rectories in the Diocese of Huron.

*Whereas*, By the provisions of the fourth section of the Consolidated Statutes of Canada, Chapter seventy-four, entitled "An Act Respecting Rectories," the right of presenting an Incumbent or Minister to any Parsonage or Rectory is vested in, and is to be exercised by the Church Society of the Church of England Diocese within which the same is situated, or in such other person or persons, bodies politic or corporate, as such Church Society by any By-Law or By-Laws to be by them from time to time passed for that purpose, may think fit to direct or appoint in that behalf.

*Be it therefore Enacted*, By the Church Society of the Diocese of Huron, constituted by the provisions of the Act of the Parliament of the late Province of Canada, entitled "An Act to Incorporate the Church Society of the Diocese of Huron, and for other purposes therewith connected," and by and under the provisions thereof, and by and with the consent and sanction of the Bishop of the said Diocese, and in the exercise of the powers conferred upon them by the first mentioned Act, that the patronage of the Rectories vested by Act of Parliament in this Society shall be exercised by the Bishop of the Diocese.

*And be it further Enacted*, By the authority aforesaid, and by and with the like consent and sanction of the Bishop of the said Diocese, that this By-Law shall take effect upon and from and after the twenty-second day of September, A. D. 1858.

**XI.—On Patronage.**

1. Whenever a vacancy shall occur in any Rectory or other Parish, by the death, removal or resignation of the Clergyman, the Churchwardens of each several congregation within the Parish shall, within fifteen days of such vacancy, summon a meeting of the registered voters (as defined in the Synod Constitution) of their congregation, for the purpose of electing one representative member, and, if desired, one additional representative for every twenty-five of such registered voters, and the representatives so elected by the several congregations shall form collectively a committee for conference with the Bishop.

2. The Churchwardens shall, within three days after the holding of said meetings, send to the Bishop the names of the persons elected to form the said Committee,

3. The Bishop shall call together such Committee at such time and place as he shall see fit; and, after conference with them proceed at once to appoint a Clergyman to such vacant Parish. Provided that should the congregation fail to elect such Committee, or should the Committee (of which the majority shall for all purposes form a quorum) neglect to obey the Bishop's summons, he shall then himself appoint an Incumbent.

4. Before any appointment shall be made to a vacant charge under this Canon, arrangements satisfactory to the Bishop shall be made in regard to any arrears of salary due to the late Incumbent.

5. This Canon shall apply to all but Travelling Missions.

#### XII.—On Synodical Rectories.

Every Parish which contributes not less than \$500 per annum toward the stipend of its Clergyman and provides him with a suitable residence or its equivalent, shall be classed as a Rectory, and its Clergyman entitled to be styled Rector.

#### XIII.—On Notice to be Given on Leaving a Parish or Mission.

Whenever an Incumbent desires to discontinue the services of his Curate or Assistant, he shall give three months notice to such Curate or Assistant, and also to the Bishop.

Whenever a Curate or Assistant desires to resign his position in relation to the Incumbent, he shall give the same notice to the Incumbent and to the Bishop.

Whenever a Clergyman desires to resign his charge, he shall give three months' notice to the Bishop and also to the Churchwardens, provided always that the above rules shall not necessarily interfere with any arrangement approved by the Bishop, and which the above parties may agree upon for a more speedy separation. But no Clergyman shall be allowed to refuse stated Sunday services to a congregation accustomed to them, without the consent of the Bishop.

#### XIV.—To Provide for the Rearrangement of the Parishes and Missions of the Diocese.

1. The Executive Committee is hereby empowered from time to time to rearrange the Parishes and Missions of this Diocese, subject in all cases to the Bishop's approval of any rearrangement.

2. Such rearrangement shall be made after due enquiry by a Commissioner or Commissioners to be appointed by the Bishop, into the case of any parishes or Missions that will be affected by any proposed changes.

3. Before taking action on the report of the Commissioner or Commissioners referred to in the preceding section, the Executive Committee shall by the secretary-treasurer duly notify the Clergymen and Churchwardens of any Congregation that will be affected thereby, and shall appoint a time to hear any objections that may be urged against the proposed rearrangement, after which hearing the decision of the Executive Committee, subject to the approval of the Bishop shall be final and conclusive.

4. In the event of the stipend of any Clergyman being temporarily diminished by any rearrangement made under the authority of this Canon, the Executive Committee may, on the recommendation of the Bishop, make to such Clergyman a grant or grants from the Mission Fund sufficient in amount to secure such Clergyman against pecuniary loss; but this section shall not apply to arrears due by congregations to Clergymen.

#### XV.—On Repairs and Dilapidations.

1. It shall be the duty of every Parish or Mission to provide a residence for the Clergyman, and, before an Incumbent takes possession of a parsonage, the Bishop shall direct the Archdeacon or Rural Dean to ascertain and certify the state of repair of the parsonage. When the Rectory or parsonage and outhouses are put in possession of a Clergyman in a state of good repair, it shall be the duty of the Clergyman to keep the same in good repair and condition, ordinary wear and tear, accidents by fire or tempest excepted; and if the Clergyman shall suffer said buildings to go out of repair, it shall be the duty of the Rural Dean to request him to remedy the same; and in case he shall decline or neglect to do so, the Rural Dean shall notify the Archdeacon of such neglect on the part of the Clergyman, and if, on representation made to him by the Archdeacon and Rural Dean, the Clergyman shall still neglect to make the necessary repairs, then the Archdeacon and Rural Dean shall report the same to the Diocesan Synod, together with an estimate by a competent mechanic of the cost of such necessary repairs.

2. It shall be the duty of the Churchwardens to insure and keep insured the houses and buildings on the premises held by the Incumbent, and whenever any improvements or repairs become necessary, from the lapse of time, such as new roofing, external or internal painting, new fencing to protect the premises, the expense of these and all similar repairs and improvements shall be borne by the Parish, and in no case shall the Clergyman be accountable for any damage or dilapidation that may occur through the negligence or unwillingness of the Vestry to carry out such necessary improvements or repairs; but it shall be the duty of the Clergyman, under such circumstances,

to report at once to the Rural Dean the condition of the premises and the unwillingness of the Vestry to improve and protect the same; and if, on further inquiry, the Rural Dean finds that the Vestry refuse to take action in the matter, then he shall report the same to the Archdeacon; and if, upon their representation the Vestry still refuse or neglect to make the necessary repairs, then it shall be their duty to report the same to the Synod, provided that, when there is more than one congregation in a Parish or Mission, it shall be the duty of each to bear its proper share in the repairs of the parsonage and outbuildings in such proportion as shall be determined by the Archdeacon and Rural Dean.

3. The Rural Deans shall make an annual report to the Synod on the state of repair of all Churches, parsonages, etc., within their respective deaneries.

4. That in cases where the Rural Dean himself is an interested party in any Church or parsonage, then the Archdeacon shall act in the premises; and in case of the Archdeacon being an interested party, then the Rural Dean shall act.

#### **XVI.—On Restraining undue Expenditure in Church Building.**

In all Parishes or Missions where assistance is required from the Synod to aid in building a Church or Parsonage, and in all Parishes or Missions where assistance is given under the Canon for managing the Mission Fund, towards the Clergyman's stipend, all such assistance, both in Church building and in assisting in the support of the Clergyman, shall be dependent upon the following rules being complied with:

That before any Church or Parsonage shall be commenced in such Parish or Mission, a report shall be made by the Clergyman and the people interested in the erection of said Church or Parsonage, to the Executive Committee, containing the following particulars, a copy of which shall be sent to the Rural Dean:

1. When a Church is about to be built, the locality and distance from any other Church, and the number of Church families within a circle of five miles of the proposed Church; and when Parsonage is to be built, its position with reference to the Churches in the Mission.

2. What kind of Church or Parsonage is proposed to be built and what it is estimated to cost.

3. What amount is subscribed towards the said Church or Parsonage, and in what manner; and what amount has been paid.

of the premises. 4. The assurance that the building of the said Church or Parsonage will not interfere with nor lessen the amount subscribed by the congregation or Mission towards the Clergyman's stipend.

at the Vestry refuse. 5. That the plans of such proposed Church or Parsonage shall be laid before the Executive Committee.

the same to the Vestry still refuse. That it shall be the duty of the Executive Committee to decide the duty of each what should be the amount spent upon, and what should be the size and outbuildings and material of such Church or Parsonage, and what sum should be granted by the Synod towards the erection of such Church or Parsonage; such grant from the funds of the Synod to be made on the following conditions:

1. That the deed for the site of the Church or Parsonage, free and unincumbered, shall be vested in trust in the Synod.

is an interested person. 2. That no larger or more expensive Church or Parsonage be built than shall be agreed upon by the Synod.

Church Building. 3. That no contract shall be given out until at least one half of the subscription list for said Church or Parsonage shall be actually paid and in hand; nor shall such contract cover work which shall cost more than fifty per cent. beyond the money in hand.

required from the Vestry. 4. That the grant from the Synod shall not be paid until the Church or Parsonage is enclosed and roofed, and, so far, paid for, but not by the debt being assumed by any person or persons, unless such person or persons relieve the congregation or Mission from all future liability for the same; and further, before such grant is paid, the Churchwardens and Vestry, or Building Committee, shall promise in writing that they will not engage in any further work upon the Church or Parsonage until the money necessary for such further work is actually in hand.

be commenced by the Clergyman. 5. That before any grant shall be made by the Synod towards the building of any Church edifice in this Diocese, the eligibility of the locality and district; the site shall be certified by a Churchwarden from each of the two neighboring Parishes or Missions, and also by the Incumbent thereof. Church families; and when The said certificates to be forwarded to the Rural Dean, and reported on by him to the next meeting of the Executive Committee.

#### XVII.—On Parochial Registers.

posed to be built. There shall be kept in every Parish and Mission a Parochial Register and Preacher's book, as at present set forth by the authority of the Bishop, for use in the Diocese.

and Church or Parsonage has been paid.

### XVIII.—On Church Hymnals.

That no Hymnals shall be used in the public worship of God within this Diocese except such as have received the sanction of the Synod.

NOTE.—In June 1875, the following resolution was carried:

*Resolved,* That this Synod seeing the necessity for the adoption of a Hymnal for the Diocese without delay, do recommend that the books known as "Bickersteth's Hymnal Companion to the Book of Common Prayer," "Kemble's Hymn Book," and the "Hymnal published by the Society for promoting Christian Knowledge," be recognized as suitable Hymnals for the Diocese.

### XIX.—On the Formation and Organization of Vestries, and Declaring and Defining the Duties and Powers of such Vestries.

Under the authority of the Act of Parliament of the Province of Ontario Incorporating this Synod (38 Vic., cap. 14) and with the sanction of the Bishop of the Diocese of Huron, be it enacted.

#### WHO SHALL BE MEMBERS OF VESTRY.

1. That hereafter, each and every male member of any Church of the Church of England in this Diocese, of the full age of twenty-one years, and holding a pew or sitting therein by purchase heretofore made or under lease from the Churchwardens of such Church, shall be a member of the Vestry of such Church; and such members shall form the Vestry of such Church. Provided always that, after that any such Church has been opened for service for one year, and pews or sittings held therein for that period under lease or conveyance from the Churchwardens, no person shall be allowed to vote at any Vestry meeting who shall not have held a pew or sitting in the Church for six months previous to such meeting, or who shall not have paid all arrears of rent or dues on his pew or sitting.

And in any Church of the said Diocese in which the seats are free, the Vestry shall consist of all those male members of the congregation of such Church, of the full age of twenty-one years, as shall declare themselves in writing, in a book provided for the purpose by the congregation, to be members of the Church of England, and that they attend worship in such Church, and contribute not less than \$2 per annum to its support, and do not belong to any other congregation. Provided always that after such Church has been opened for service one year, no person shall be allowed to vote at any Vestry meeting who has not signed such declaration at least six months before.

And in any Church in which a portion of the sittings are free, such male members of the congregation, of the full age of twenty-one years, occupying said sittings as shall declare themselves in writing, in a book provided for the purpose by the congregation to be members of the Church of England, and as not belonging to any other congregation, and shall have contributed to the support of such Church not less than \$2 per annum, shall have a right to vote at such Vestry meetings. Provided always that after such Church has been opened for service one year, no person shall be allowed to vote at any Vestry meeting who has not signed such declaration at least six months before.

Any person claiming to vote in virtue of the declaration referred to in the last two sections may be required to make the declaration anew at any Vestry meeting at which he proposes to vote.

#### ORGANIZATION OF VESTRIES IN NEW CHURCHES.

2. In the case of a Church just opened, or just about to be opened for service, the Vestry shall be organized and constituted as follows: The Incumbent for the time being of such Church shall call a meeting of the congregation, by notice given during Divine Service on two preceding Sundays, naming the day, hour and object of such meeting; and at such meeting the Incumbent shall preside, and shall first nominate as his Churchwarden a member of such congregation, and, in case it is the opinion of the meeting, expressed by a resolution there passed, that the pews and sittings in the said Church should be rented to those requiring the same, and that such resolution is not contrary to any conditions under which such Church has been built, given, granted, devised or endowed, the said Churchwarden so named shall, forthwith, in accordance with the terms of such resolution, proceed to offer the pews and sittings to rent (or such letting may, if the meeting prefer it, be postponed to an adjourned meeting, of which like notice as aforesaid shall be given), and whenever and so soon as, in the opinion of such meeting or adjourned meeting, sufficient of the pews and sittings have thus been disposed of, the members of the Vestry thus created shall proceed to elect one of their number as and for a Churchwarden. But in case the members of any such congregation, at such meeting as aforesaid, decide that the pews and sittings in such Church shall be free, or in case the Church has been built, given, granted, devised or endowed, on such condition, then, and in such case, the Churchwarden so named by the Incumbent, as aforesaid, shall proceed to obtain the signatures of those present and willing to sign such a declaration of membership as aforesaid, and such members of Vestry, thereby constituted, shall forthwith proceed to elect one of their members a Churchwarden. Provided always that such

election of Churchwarden, as aforesaid may be postponed to an adjourned Vestry meeting, of which due notice shall be given.

#### ANNUAL ELECTION OF CHURCHWARDENS.

3. A meeting of each Vestry shall be holden on Monday or Tuesday in Easter week in each and every year after due notice thereof given at any time during divine service on Easter Sunday, for the purpose of appointing Churchwardens for the ensuing year, and for the transaction of other business; and at such meeting one Churchwarden shall be nominated by the Incumbent of the Rectory, Parish, or Mission to which the said Church belongs, and the other shall be elected by a majority of those present and entitled to vote at such Vestry meeting, as aforesaid. In case of the Incumbent declining or neglecting at such Vestry meeting to nominate a Churchwarden, then both of the Churchwardens for the current year shall be elected by the members of the Vestry present; and in case the members of such Vestry shall neglect at such Vestry meeting to elect a Churchwarden, then both such Churchwardens for the current year shall be nominated by the Incumbent

#### QUALIFICATION OF CHURCHWARDENS.

4. No person shall be eligible to the office of Churchwarden except a member of the Church of England, of the full age of twenty-one years, who is also a member of the Vestry of the Church.

#### FILLING VACANCY IN OFFICE OF CHURCHWARDEN.

5. If from any cause a Vestry meeting shall not have been held on Monday or Tuesday of Easter week, the nomination and election of Churchwardens as aforesaid, may take place at any subsequent meeting, to be called in manner hereinafter provided; and in case of the death, resignation in writing to the Incumbent, declining to accept office, or change of residence to ten or more miles from the Church of which he was chosen Churchwarden, of either of the said Churchwardens, a vestry meeting shall be thereupon called for the nomination by the Incumbent, or for the election by the said Vestry, as the case may be, of a new Churchwarden, in the place of the one deceased, or who may have resigned, or declined to act, removed, as aforesaid.

#### TERM OF OFFICE.

6. The Churchwardens shall hold their office for one year from the time of their appointment, or until the nomination or election of a

postponed to their successors, except in case of a nomination or election to fill up the vacancy occasioned by death, resignation, declining to act, or removal, as aforesaid, and in such case the person so nominated or elected shall hold the said office until the next annual Vestry meeting, or until the appointment of his successor.

## CHURCHWARDENS TO BE A CORPORATION.

7. The Churchwardens appointed as aforesaid shall, during their term of office, be a corporation to represent the interests of such Church, and of the members thereof, and shall and may sue and be sued, answer and be answered unto, in all manner of suits and actions whatsoever, and may prosecute indictments, presentments and other criminal proceedings for and in respect of such Churches and Church-yards, and all matters and things appertaining thereto, and shall in conjunction with the Rector or Incumbent, make and execute leases to pew holders, at their charge, when by them requested; and such Churchwardens shall grant certificates to those who shall have rented pews or sittings, and such Churchwardens and their successors may as a corporation hold such real estate as may be given, granted or devised to them for the use of their Church, as a site for a Church, a parsonage, or a school-house, and may from time to time, with the approval of their Vestry, signified by a resolution passed at a meeting of such Vestry, mortgage such real estate for the purpose of raising money to be expended in the erection thereon of a Church, a parsonage, or a school-house, as the case may be.

## CHURCHWARDENS TO LEASE PEWS.

8. It shall be the duty of the Churchwardens, except in free Churches, from time to time, to lease and rent pews and sittings, upon such terms as may be settled and appointed at Vestry meetings, to be holden for that purpose, as hereinafter provided; and such pews and sittings shall be subject to such annual rent or other dues as may from time to time be rated and assessed in respect thereof at such Vestry meetings.

## FORMER SALE OF PEWS CONFIRMED.

9. In case of the absolute purchase of a pew in any Church, as aforesaid, before the passing of these rules, the same shall be construed as a freehold of inheritance, not subject to forfeiture by change of residence, or by discontinuing to frequent the same, and the same may be bargained, sold and assigned to any purchaser thereof, being a member of the Church of England; and such purchaser, provided the same shall have duly assigned and conveyed to

him, shall hold the same with the same rights, and subject to the same duties and charges, as the original purchaser thereof.

PEW-HOLDERS SECURED IN QUIET POSSESSION.

10. Any pew-holder, whether by virtue of an original purchase completed before the passing of these rules, or by lease, and a person renting a pew or sitting, shall, during their rightful possession of such a pew or sitting, have a right of action against any person injuring the same, or disturbing him or his family in the possession thereof.

CHURCHWARDENS AND THEIR ACCOUNTS.

11. All Churchwardens appointed as aforesaid shall keep, and cause to be kept, proper books of account, which, with all other books kept by them as Churchwardens, shall be the property of the Vestry, and shall be carefully preserved by the Churchwardens, and shall be open for inspection by any member of the Vestry at all reasonable times. In such books the Churchwardens shall duly enter all moneys received and paid by them on account of the Church of which they are Wardens. The Churchwardens shall, every year at the annual Vestry meeting, or at an adjourned meeting to be held within a fortnight after the said annual meeting, render in writing a just, true and perfect account, fairly entered in a book to be kept for that purpose, signed by the Churchwardens, 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 the 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 shall be verified by oath before the Justice of the Peace, who is authorized by the Church Temporalities Act (3 Vict., cap 74, sec. 9) to administer the same; or the correctness of such account shall be certified to by two auditors, who may be appointed by the Vestry at any annual meeting, but not at an adjourned meeting. In 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 all sums of money, goods, chattels, books and other things which shall be in their possession. In case any retiring Churchwarden or Churchwardens shall make default in rendering a correct account as aforesaid, or in delivering over such money, goods, books, and other things as aforesaid, it shall be in the power of the succeeding Churchwardens to take proceedings at law or in equity for such default. Provided always that the same process may be enforced against any Churchwarden or Churchwardens removed or become

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incapable of acting, from any of the causes before mentioned in this Canon, or against the representatives of any deceased Churchwarden. The Churchwardens, or in their absence their substitutes or the time being, shall immediately after any service at which a collection has been made, proceed to the Vestry room of such church, and there, in the presence of the Incumbent or other officiating Clergyman, carefully count the collection and enter the amount of the same with the date and their initials in the "Preacher's book."

SPECIAL VESTRY MEETINGS MAY BE CALLED.

12. It shall be in the power of the Incumbent of any such Rectory, Parish or Mission, as aforesaid, or of the Churchwardens hereof, to call a Vestry meeting whenever he or they shall think proper so to do; and it shall be his or their duty so to do upon application being made for that purpose in writing by at least six members of such Vestry as aforesaid, and in case upon such written application being made as aforesaid, such Incumbent or Churchwardens shall refuse or neglect to call such meeting, then one week after such demand is made it shall be in the power of any six of such members of the Vestry to call the same by notice to be affixed on the outer Church door (or Church doors where more than one) at least one week previous to such intended meeting.

When a special Vestry is called the special object for which it is called shall be stated in such notice.

CHAIRMAN AND SECRETARY OF VESTRY MEETING.

13. At all Vestry meetings the Rector or Incumbent of the Church shall preside as Chairman when present, and in his absence the Curate or Assistant Minister, or in the absence of both the Incumbent and the Curate or Assistant Minister such person as the majority present at such meeting shall name; and the Vestry clerk, when there is one, and present, or in case there be no Vestry clerk, he be absent, then such person as the Chairman shall name shall be secretary of such Vestry meeting, and the proceedings of such Vestry meeting shall be entered in a book to be kept for that purpose, and preserved in the custody of the Churchwardens.

VESTRY TO REGULATE RENT CHARGE AND PEW RENTS.

14. The rent charge to be paid upon pews holden in freehold, which shall have been required before the passing of these rules, and the rent to be paid for pews and sittings in pews leased or rented, shall be regulated from time to time by the majority of members present at any such lawful Vestry meeting as aforesaid, and no alteration shall be made therein except at the usual annual Easter Vestry meeting (of which intended alteration notice shall have been publicly given when calling such Vestry meeting); or such alteration may

be made at a special Vestry meeting called for such purpose, of wh<sup>o</sup> t  
two Sundays' notice shall be given, and so expressed in the noong  
calling the same; and further, the charges to be made for leases s<sup>er</sup>est  
in like manner be regulated at such Vestry meeting as aforesaid. egl  
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APPOINTMENT OF SUBORDINATES BY INCUMBENT AND CHURCHMEN  
WARDENS AND ORDERING OF SERVICES BY INCUMBENT. ipor  
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15. The appointment or dismissal of the clerk of the Church, the  
the organist, the Vestry clerk, the sexton and other subordinate  
servants of the Church, shall rest wholly with the Incumbent and  
Churchwardens for the time being, and their salary and wages sh<sup>al</sup>  
be brought into the general account, to be rendered as aforesaid Clerg  
such Churchwardens, but the amount of salary or wages to be pecor  
to any such officials shall be fixed from time to time by the Vest<sup>ry</sup> of th  
but the ordering of all the services of the Church shall be entiminis  
under the direction of the Incumbent. ract  
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CEMETERIES AND CHURCHYARDS.

16. The charges payable for burial plots, and on breaking  
ground in cemeteries and church-yards, for the purpose of bury  
the dead, and all matters of like nature therewith connected, shall  
regulated by the Vestry of each Church. the c

VESTRY MAY MAKE NECESSARY BY-LAWS.

17. It shall be in the power of the members of such Vestry,  
such Vestry meetings as aforesaid, to make by-laws for the regulati  
of their proceedings, and for the management of the temporalities  
the Church, Parish or Mission to which they belong, provided in th  
same are not repugnant to these rules, the Act incorporating th<sup>e</sup> shall  
Synod, or to the Canons of the Church of England, or of this Syn<sup>od</sup> acco

SYNOD ASSESSMENT.

18. The Churchwardens of any such Church as aforesaid sh<sup>al</sup>  
from time to time, out of the funds of the Church, pay to the sec<sup>re</sup>  
tary-treasurer of the Synod, for the time being, the amount of  
annual or other assessment charged, or which may hereafter at a  
time be charged or assessed by this Synod against such Church  
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**XX.—On Differences Between Clergymen and their Congregation** shal  
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In case of difficulties existing between a Clergyman and h  
congregation, or any causes arising, owing to which the continuanc  
of the connection between Pastor and people may become injurio<sup>s</sup> \$10 f

purpose, of which the Church: Upon the request of the Clergyman or of the congregation, expressed in the meeting called for that purpose, or in the event of either party neglecting to act upon this Canon, then in the exercise of his own discretion, the Bishop shall appoint a commission, consisting of five members of the Committee of Discipline, to investigate and report upon the said matters of difficulty; and the Bishop shall decide whether, in his judgment, the report of the commissioners shall be acted upon and carried out. In case the said commissioners may not recommend a severance of the relation of Pastor and Clergyman, but that some other course should be pursued by either the Clergyman or congregation, then, on the Bishop approving of the same, if such Clergyman or congregation neglect or refuse to comply with such recommendation, the Bishop may proceed, according to the Canons of the Diocese, to suspend the Clergyman from the exercise of any ministerial duties within the Diocese, as for contumacy, unless he retract such refusal; and in the case of a congregation refusing to comply with such recommendation, it shall be prohibited from being represented in the Synod of the Diocese; and the Bishop shall withhold from such congregation all Episcopal visits and the right of confirmation, until they retract such refusal and submit to the terms of recommendation.

The Committee of Discipline herein referred to shall consist of the clerical members of the Executive Committee.

### XXI.—On Superannuation.

In order to provide for the administration of the Superannuation Fund; be it enacted as follows, viz:

1. Every Clergyman of at least ten years and over active service in the Diocese of Huron, and not being under ecclesiastical censure, shall be entitled to share in the benefits of the Superannuation Fund, according to the provisions of this Canon.

2. Every clergyman who shall be placed on the list of superannuated clergymen shall receive an annual allowance of \$300, and an additional sum of \$15 for each and every year above ten years of active service in the Diocese, but in no case shall the said allowance exceed in the aggregate the sum of \$600, including the amount paid to the original commuted Clergy: service in the Diocese of Toronto previous to the establishment of the Diocese of Huron to count.

*Proviso*:—That no Clergyman at present on the list of superannuated Clergymen shall have his annual allowance reduced, nor shall such change affect or apply to any Clergyman doing duty in this Diocese, and who had served the full term of ten years at the time of the amendment of the Canon at last Synod (Dec. 6th, 1888).

**NOTE**—The said Clergyman shall be entitled to the former allowance, \$400 per annum and \$10 for each year of active service over ten, the aggregate not to exceed \$600.

3. Any Clergyman of less than ten years service, unable from sickness or accident to continue duty, may have his case dealt with by the Executive Committee at their discretion.

4. Every Clergyman who desires to be superannuated must forward to the secretary-treasurer of the Synod an application in writing, setting forth the full particulars of his case. He must also procure a physician's certificate (said physician to be named by the Executive Committee), stating the causes which render him unfit for duty, and the Executive Committee shall after due investigation have power to place such Clergyman upon the superannuation list of the Diocese.

5. Whenever it shall appear to the Bishop or the Executive Committee that the interests of the Church require that any Clergyman of the Diocese should from any cause be superannuated, the Executive Committee to be appointed as hereinafter provided, shall have power to enquire into such case, and if it shall appear to them that such Clergyman ought to be superannuated, they shall report the case to the Executive Committee; provided that no case shall be entertained by the Executive Committee unless it shall have been first brought before them in writing, signed by the Bishop, or by at least four members of the Executive Committee.

6. The Committee of Enquiry shall consist of five Clergymen of the Diocese of not less than ten years' standing in Priests' Orders, two of whom may be named by the Clergyman in question with such one month after written notice, and three shall be balloted for by the Executive Committee, unless the Clergyman shall refuse to name the two, when the five shall be balloted for. Such enquiry shall be held privately, but a record of the proceedings shall be made in writing for the use, if required, of the Executive Committee, and on application in writing by the said Clergyman, a copy of the proceedings shall be furnished to him.

7. Any superannuated Clergyman being under sixty-five years of age shall, if able, be subject to perform occasional clerical duties at the call of the Bishop, on payment of ordinary travelling expenses, and he may be placed in charge of such Parish as, in the opinion of the Bishop, he may be able to serve.

8. Whenever it shall appear to the Bishop and the Executive Committee that a Clergyman who has been superannuated ought to return to active duty, he shall cease to be on the superannuation list, save and except in the case of those referred to in clause 7, provided always that such Clergyman may demand a medical examination by a physician to be named by the Executive Committee.

9. In case any Clergyman who has been placed on, or withdrawn from, the superannuation list is dissatisfied with the action of the Executive Committee in his case, he shall have the right of appeal against such action to the Synod.

### XXII.—On the Discipline of the Clergy.

1. Every Clergyman holding any charge under the jurisdiction of the Bishop of the Diocese shall be amenable to the Bishop for offences committed by such Clergyman, in the manner and according to the provisions set forth in this Canon of Discipline.

2. The Clerical members of the Executive Committee shall be the Committee of Discipline for the purposes of this Canon.

3. Every Clergyman shall be liable to trial for any crime or immorality, or for any scandalous or disorderly conduct, or for publishing or circulating, or causing to be published or circulated, any document or documents, whether anonymous or otherwise, calculated to defame or injure the Church in this Diocese or elsewhere, or which unjustly reflect upon the character of its duly constituted authorities, or for teaching or maintaining doctrines contrary to the teaching of Holy Scripture, as set forth in the Liturgy and Articles of the Church of England, such teaching or maintaining being by way of writing, or printing, or preaching, or teaching, or circulating books containing such unsound doctrine; for holding service in any other Clergyman's Church or Parish without his consent; for irregularity or indecorum in the performance of Divine offices; for contumacy or disrespectful conduct towards the Bishop; for the introduction of innovations and novelties in the performance of Divine worship; for schism or separating himself from the communion of the Church; for discontinuing the exercise of the Ministry without lawful cause; for exercising any lay profession or occupation inconsistent with his sacred calling; for living in the habitual disuse of public worship, or of the Holy Communion; or who may otherwise act in a way inconsistent with his position as a Clergyman; or who becomes from any cause unfit or unable to discharge the duties of his office; or whose usefulness in any Parish to which he has been appointed appears to be gone; or for the violation of the Constitution or Canons of this Diocese.

4. When the Bishop shall be informed by three members of the Church or by three Presbyters that a Clergyman is liable to trial under clause 3, or whenever the Synod, or the Executive Committee of Synod, shall by resolution passed by two-thirds vote of the members present, declare that in their opinion a Clergyman named in the motion is liable to trial under said clause 3; or whenever the Bishop

shall think that the interests of the Church require it, he shall give a commission under his hand and seal, directed to three members of the Committee of Discipline and naming one of them chairman, for the purpose of making enquiry as to the grounds of such charge or report. For all or any of the purposes of the said investigation, the committee shall have the right upon at least six days previous notice in writing to such Clergyman, or left at his residence to enter the Parish or Mission of such Clergyman, and there or elsewhere in their discretion, prosecute such enquiry, and upon at least six days previous notice in writing to him, or left at his residence signed by the chairman of the committee, specifying such charge or report, summon such Clergyman to appear before the committee at the time and place mentioned in the notice to answer such charge or report; and if he neglect or refuse to attend before the committee upon such summons; or if he attend and will not answer any question put to him by any member of the committee touching such charge or report, (without assigning any cause or without reasonable cause) they shall forthwith report him for contumacy to the Bishop who may thereupon pass sentence of suspension upon him for contumacy, but such sentence may be subsequently reversed by the Bishop in his discretion. In all respects other than in this Canon provided, the mode of conducting the preliminary investigation shall be entirely in the discretion of the committee. After investigation held, the committee or a majority of them, shall forthwith report to the Bishop the result of such investigation, together with the evidence taken therein, and they shall state whether in their opinion the accused should or should not be brought to trial on such charge or report.

5. When it is decided that a trial shall be held, the presentment shall be in writing, framed by the chancellor, addressed to the Bishop upon the report of the commissioners appointed for the preliminary investigation, hereinbefore provided for, specifying the offences of which the accused is alleged to be guilty, with reasonable certainty as to time, place and circumstances. But, except for crime or immorality, no proceeding shall be instituted or complaint entertained under this Canon after one year from the time of the alleged commission of the offence.

6. The Bishop shall nominate five members of the Committee of Discipline as a Board of Triers, and shall cause a copy of the charges and the names of the said Triers to be served on the accused, who shall, within seven days after such service have the privilege to object to any one or more, not exceeding three, of such members. In case of such objection, the Bishop shall forthwith nominate the requisite number to complete the Board of Triers.

The said five Clergymen shall form a board for the trial of the accused, and shall meet at such time and place as the Bishop shall direct, and shall elect their own chairman, and shall have power to adjourn from time to time (not extending over more than six months in all) and from place to place (but always within the Diocese), as they shall think necessary.

7. A written notice of the time and place of the first meeting of the board shall be served by the Chancellor, under the direction of the Bishop, at least fourteen days before such meeting, on the accused, on one of the prosecutors (if any) and on each member of the Board of Triers. All notices and papers contemplated in this Canon may be served by a summoner or summoners, to be appointed for the purpose by the Bishop, and whose certificate of such service shall be evidence thereof. In case of such service by any other person, the facts shall be proved by such person. A written notice or paper delivered to a party, or left at his place of residence, shall be deemed a sufficient service of such notice or paper.

8. If, before a trial commences, or during its progress, it shall be deemed desirable to amend, add to, or strike out any allegations in the complaint or presentment, it shall be competent to the Board of Triers to do so, taking legal advice if they should deem it necessary, and the trial on such amended complaint or presentment shall henceforth proceed as if it had been the original complaint or presentment.

9. If, before the appointment of a Board of Triers, the Clergyman presented shall confess the truth of the allegations contained in the presentment, the Bishop shall proceed to pass sentence; but if he shall not confess them as before mentioned, he shall be considered as denying them.

10. If a Clergyman presented, after having had due notice, shall not appear before the board appointed for his trial, the board may, nevertheless, proceed as if he were present, unless for good cause, they shall see fit to adjourn till another day.

11. If, at the time appointed for the first meeting of the Board of Triers, the whole number of five shall not attend, then those who do attend, being not less than three, shall proceed to the trial, and a majority of those attending shall decide all questions. They shall appoint a secretary, who may be one of their own number, whose duty it shall be to keep a record of all proceedings had before the board. Any vacancy or vacancies occurring in the Board of

Triers, through death, resignation or otherwise, pending the inquiry shall be filled up by the Bishop from the remaining members of the Committee of Discipline, and no proceeding pending under this Canon shall abate by reason of any member or members of the board ceasing to be a member or members of the Committee of Discipline, but the proceedings and finding of the board shall be as valid and binding upon all concerned as though the board had continued throughout all members of Committee of Discipline.

12. When the Board proceeds, to the trial, they shall hear such evidence as shall be produced, which evidence shall be reduced to writing and signed by the witnesses respectively. If, on any day during the trial, the accused shall confess the truth of the charges stated in the presentment, the Board may dispense with hearing further evidence, and may proceed at once to state their opinion on the Bishop as to the sentence that ought to be pronounced.

13. Upon the application of either party to the Board of Triers, and it being made satisfactorily to appear to them that the attendance of any material witness cannot be procured upon the trial, they may appoint a commissioner to take the testimony of any such witness; and both parties may attend and examine the witness. The examination, being reduced to writing, shall be as nearly as possible in the words of the witness, and signed by said witness.

The testimony thus taken shall be transmitted to the board certified by the commissioner, under his seal, and shall be received by them as evidence.

14. Advocates or proctors who may be either Clergymen or laymen shall be allowed on either side; and if any difference of opinion shall arise as to the propriety of any question put, or point of order, the Board of Triers shall decide all such matters taking legal opinion if they deem it desirable.

15. In every case in which, from the nature of the offence, it shall appear to the Bishop, after due enquiry, that great scandal is likely to arise from the Clergyman accused continuing to perform the services of the Church while such charge is under investigation, the Bishop shall cause a notice to be served on the accused at the same time with the service of the copy of the charge or at any time pending the proceedings, inhibiting the accused from performing any services in the Church until the matter shall have been finally decided, and the Bishop may make provision for the service of the Church during the period of suspension, which suspension shall not exceed three months.

16. The triers to whom the examination or trial of any accused

ending the inquiry person shall be committed, shall be bound not to divulge the sentence recommended until such time as it has been approved and confirmed by the Bishop ; and further, that they will at no time whatsoever disclose the vote of any particular member of the board.

Committee of Board shall be as a declaration in the following form of words, or in such other words as he or she shall consider or declare to be most binding upon his or her conscience :

17. Every witness, before examination, shall be asked to make a declaration in the following form of words, or in such other words as he or she shall consider or declare to be most binding upon his or her conscience :

" I, [A. B.] a witness at the trial of [C. D.] do most solemnly declare, in the presence of Almighty God, and as I shall answer to God at the great day of judgment, that the evidence I am about to give shall be the truth, the whole truth, and nothing but the truth."

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

19. The Board, having deliberately considered the evidence, shall declare in writing signed by them, or a majority of them, their decision on the charges contained in the presentment, rendering their verdict of guilty, not guilty, or not proven, on the several counts presented ; also stating the sentence which, in their opinion, shall be pronounced, and their decision, together with the evidence, shall be delivered to the Bishop, who shall pronounce such Canonical sentence as shall appear to him to be proper, provided the same shall not exceed in severity the sentence recommended by the board, and the accused shall, during the continuance of such sentence, except in cases of removal or admonition, be deemed to be under Ecclesiastical censure.

20. Every Clergyman, whose case may have been disposed of and decided adversely to him, and who shall think himself aggrieved by such decision, or who shall make it appear that new evidence, having an important bearing on the case, has been discovered since the trial, of the existence of which he was not aware at the time of the trial, may within six months petition the Bishop for a new trial, or a rehearing of the case, either upon objections to be taken to the decision upon the facts, or because the judgment is not sustained by the laws and Canons of this Ecclesiastical Province, or of the Diocese, or for other cause or causes ; or he may apply by petition to the Bishop for an arrest of sentence or judgment, upon causes to be shown ; and in either case the Bishop shall, upon receiving such petition, refer the same and the whole subject, together with the evidence and the report made by the Board of Triers, to the Committee of Discipline, and their decision on the above questions, being

trial of any accus

approved by the Bishop, shall be final in so far as this Diocese is concerned.

In the event that a new hearing or trial be granted, the case shall be transmitted to a Board of Triers, appointed as provided in Section 6, who shall proceed to hold a new trial, according to the rules hereinbefore set forth, within one month of the notice of such new trial being given to them by the Bishop.

21. Before pronouncing sentence, the Bishop shall summon the accused, and any three or more of the Clergy, to meet him at such time as may in his opinion be most convenient, in some Church of the Diocese, which shall for that purpose be open at the time to all persons who may choose to attend, and the sentence shall then and there be publicly pronounced by the Bishop, or by some person commissioned by him.

22. The following sentences may be pronounced, and punishments imposed upon offending Clergymen, viz.: Admonition; suspension from the exercise of his office; withdrawal of licence, removal from his charge in the Church; deposition or degradation from his sacred office.

23. For the offences set forth in the first column hereinafter written, the sentences set forth opposite to the same in the second column, and none others, shall be passed by the Bishop or person commissioned by him, upon any person found guilty thereof.

FIRST COLUMN.

UPON TRIAL AND CONVICTION.

- 1.—For crime or immorality.
- 2.—Scandalous or disorderly conduct, or for publishing or circulating, or causing to be published or circulated, any document or documents, whether anonymous or otherwise, calculated to defame or injure the Church in this Diocese, or elsewhere, or which unjustly reflect upon the character of its duly constituted authorities.
- 3.—For irregularities in the performance of Divine offices, or for the introduction of innovations or novelties in the performance of Divine Worship; for holding service in any other Clergyman's Church or Parish, without his consent; for permitting unauthorized persons to officiate in the Church.

SECOND COLUMN.

- 1.—Suspension; withdrawal of licence; removal; deposition.
- 2.—Admonition; suspension *ab officio* for not more than one year, or less than three months; withdrawal of licence; removal; deposition.
- 3.—Same as No. 2, except deposition.

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COLUMN.

Withdrawal of licence  
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- 4.—For schism, or separating himself from the Communion of the Church.
- 5.—For contumacy; for disrespectful and disobedient conduct towards the Bishop.
- 6.—For discontinuing the exercise of the Ministry without sufficient cause or leave of the Bishop.
- 7.—For exercising any lay profession or occupation inconsistent with the duties of his sacred calling, excepting in cases which are provided for by the Canons of the Diocese with regard to disabled Clergymen; or for otherwise acting in a way inconsistent with his position as a Clergyman, or becoming from any cause unfit or unable to discharge the duties of his office, or where his usefulness in any Parish to which he may have been appointed appears to be gone.
- 8.—For living in the habitual disuse of public worship, or of the Holy Communion; for violation of the Constitution or Canons of the Church in Canada or of this Diocese.
- 9.—Habitually and advisedly maintaining or affirming doctrine contrary or repugnant to the Word of God, as set forth in the Formularies and Articles of religion in the Book of Common Prayer.

- 4.—Suspension for one year; withdrawal of licence; removal; deposition.
- 5.—Admonition; suspension *ab officio* for not more than one year.
- 6.—Admonition; suspension; withdrawal of licence; removal.
- 7.—Same as No. 6.
- 8.—Admonition; suspension *ab officio* for not more than one year; withdrawal of licence; deprivation; deposition.
- 9.—Admonition; inhibition from the performance of clerical functions; withdrawal of licence; removal; deposition.

24. When sentence is pronounced in accordance with the above Schedule, it shall also be specified upon what terms, if any, the disability shall cease. When the penalty of suspension is inflicted, the Clergyman shall not exercise the functions of his Ministry in his own congregation or elsewhere, on pain of deprivation or deposition by the Bishop, he being satisfied that the suspended Clergyman has so transgressed; and during such suspension the Bishop may appoint another Clergyman to supply the place of the suspended Clergyman, and may apply a part of the income or emoluments of the Parish, Mission or Cure to the payment of such substitute.

25. When a verdict of not proven is rendered, it shall be in the power of the Board of Triers to say whether, in their judgment, it is desirable for the interests of the Church that the accused should be removed to some other charge; and it shall be in the discretion of the Bishop to carry out this recommendation.

26. When the sentence of removal or deposition is pronounced,

the connection between the Minister so removed or deposed and the Huron Parish or congregation shall be *ipso facto* severed, and all offices, revenues, issues, profits and emoluments which he may have held by virtue of such office or Ministry from which he has been removed shall wholly cease and determine.

27. Whenever a Clergyman is deposed or degraded from the Holy Ministry, the Bishop who pronounced the sentence shall, without delay, give notice of such sentence to the Ministers and Churchwardens of the several congregations of the Diocese, and also to the Bishops of the Anglican Communion.

28. It shall be the duty of the Chairman of the Board of Triers to see that all the proceedings of the Triers, as well as the sentence in each case and the Bishop's action thereon are duly recorded by the Secretary to the Board in a book to be provided for that purpose; which book shall be kept in the custody of the Secretary-Treasurer of the Synod.

29. All the expenses necessarily incurred by the Commissioners or Board of Triers, in any investigation or trial under the Canon, in the event of a verdict of not guilty or not proven being returned, the legitimate costs of the accused shall be paid by the Synod out of the Synod Expense Account.

### XXIII.—On Collections.

1. No person shall be permitted to collect money for any Church purpose beyond the bounds of his own Parish, within this Diocese or proceed to any other Diocese for the same purpose without the sanction of the Bishop in writing.

2. Any person before collecting in any parish, shall obtain the sanction of the Clergyman of said Parish.

3. Such person on returning from his collecting tour shall forthwith submit to the Bishop the subscription list and account for money received.

4. When the collection is for the benefit of any Parish or congregation in this Diocese, the said Parish or congregation shall give a guarantee that all expenses connected with the said collection shall be paid by them, so that all the funds obtained by appeal to other parishes shall be applied to the object for which they were collected.

### XXIV.—On the Submission to Arbitration and the Confirmation of the Award between the Dioceses of Toronto and Huron.

#### A. ON THE SUBMISSION TO ARBITRATION.

Whereas the joint Committee of the Dioceses of Toronto and Huron

Huron has failed to agree to any apportionment of the funds and securities of the late Diocese of Toronto, in which this Diocese has a joint interest, and as it is most desirable to ensure peace and harmony between the Church Societies of these Dioceses, that a further effort should be made for an equitable and final apportionment of such property and funds,

Be it therefore enacted by and under the authority of the Act of Incorporation of the Church Society of the Diocese of Huron (22 Vict. cap. 65, 1858), and by and with the sanction of the Bishop of the Diocese,

That the apportionment to the Church Society of the Diocese of Huron of part of the lands, property and funds of the Church Society of the Diocese of Toronto be and the same is hereby submitted to the decision of the Bishops of Toronto and Huron together with the Honorable Sir James Buchanan Macauley, who, at his option, shall either act with the said Bishops, in which case the decision of the majority shall be final, or as umpire when his decision alone shall be final, and that upon the concurrence of the Church Society of the Diocese of Toronto in this reference, the necessary bonds of submission to the proposed arbitration be prepared and executed under the seal of this Society.

#### B.

#### ON THE CONFIRMATION OF THE AWARD.

Be it therefore enacted by the Church Society of the Diocese of Huron, under the authority of their Act of Incorporation (22 Vict 1858, cap. 65), and by and with the sanction of the Bishop of the said Diocese, That the following be the By-Law to confirm the award made between the Church Societies of the Dioceses of Toronto and Huron by the Right Reverend the Lord Bishop of Toronto and the Right Reverend the Lord Bishop of Huron and the honorable Sir J. B. Macauley.

Whereas, The Right Reverend John, Lord Bishop of Toronto, the Right Reverend Benjamin, Lord Bishop of Huron, and the Hon. Sir J. B. Macauley, Knight, have made their award in certain matters pending between the Church Society of the Diocese of Toronto and the Church Society of the Diocese of Huron, in the terms set forth at length in the award signed and sealed by the above named parties. And, whereas, it is advisable and necessary that the Church Society of the Diocese of Huron shall confirm the said award and authorize the provisions thereof to be effectually carried out,

Be it therefore enacted that the said recited award be and the same is hereby accepted and confirmed.

Be it also enacted that the President of the Society shall make and execute all such acts, releases, deeds and conveyances as may be required to complete and carry out the provisions of the award.

**XXV.—On the Episcopal and Archdeacons' Fund.**

The Episcopal Fund, and securities received from the Diocese of Toronto, in relation thereto, shall form one fund, from the income of which \$400 shall be paid to an Archdeacon, and the balance after paying the necessary expenses, shall be paid to the Bishop.

**XXVI.—On the Appropriation of the Commutation Fund.**

1. All accrued interest over and above that required for the payment of the original Commuted Clergymen, and for the payment of expenses connected with the fund, or of any rate for which the fund may be assessed, shall be appropriated in the following manner in order:—

2. To form a Superannuation Fund which shall be administered in accordance with the provisions of Canon XXI.

3. After the above claims have been fully and first satisfied in the order as set forth in this Canon, the balance, if any, shall form part of the Clergy Maintenance and Mission Fund.

4. This Canon shall take effect from and after April 1, 1876, and all provisions, By-Laws and Canons respecting the Commutation Fund and the surplus interest thereof, shall be and are hereby rescinded from and after the said date, and all grants made in pursuance of any such By-Laws or Canons shall, from said date, absolutely cease and determine.

**XXVII.—On the Widows and Orphans' Fund.**

Be it enacted,—

1. That all rents, issues and profits of lands or tenements held by the Synod for the relief of the Widows and Orphans of Clergymen, and all moneys given or granted for the same purpose by individuals, or appropriated to the fund by the Synod, shall be put to the credit of the Widows and Orphans' Fund.

2. That the Synod shall and will put to the credit of the Widows and Orphans' Fund yearly and every year on the 31st day of March a sum of money equal to five dollars for every Clergyman in the Diocese, which sum shall be considered as a part of the income of the said fund.

Society shall make conveyances as man provisions of the sum of \$5.00 annually to the said Fund, or have become a life member of the former Church Society of the Diocese, and his compliance with this, subject to all other provisions in this Canon contained, shall entitle his Widow and Orphans, if any, to the benefits provided for them by this Canon.

**Widows' Fund.**

Provided always, that in case of default made by any Clergyman in any of the payments required hereunder, then such an annuity shall be paid to his widow and orphans as shall be in the same proportion to the full annuity as the total sum paid by him to the amount required under the Canon.

**Commutation Fund.**

A record shall be kept by the Synod of the names of every Clergyman complying with the requirements of this Canon, and the same shall be reported to the June and December meeting of the Executive Committee of Synod.

And the Secretary-Treasurer shall be directed to issue a notice of such default, but failure to send such notice shall not exempt from any of the provisions of this clause.

4. That every Clergyman entering the Diocese and receiving written license, and every person ordained in the Diocese under thirty years of age, shall receive all the benefits of the Widows and Orphans' Fund, on complying with the conditions of this Canon. But all others shall pay in addition to the requirements of Sec. 3 of this Canon, an entrance fee according to the following scale :--When over 30 years and under 35 years, a fee of \$20; when over 35 years and under 40, a fee of \$30; when over 40 years and under 45, a fee of \$40; when over 45 years a fee of \$50; to be paid within six months of such entrance into the Diocese, in one payment, or, under the sanction of the Bishop, by annual instalments of five dollars; and in case such Clergyman shall decease before such instalments be paid, that then such instalments as they become due shall be deducted from the annuity payable to his widow and orphans. The same scale of payments according to the ages specified to apply to every Clergyman who remarries and is desirous of availing himself of the provisions of this Canon; said payment to be made within six months after such remarriage.

**Widows' Fund.**

"But the widow and orphans (excepting those by a former marriage) of any Clergyman who shall hereafter marry after he has attained the age of 60 years, shall not be entitled under this Canon or otherwise to any benefit from the Widows' and Orphans' Fund of the Diocese." (Passed June 18, 1891.)

5. If a Clergyman is ordained within three months previous to the close of a financial year, he shall be exempt from any annual subscription for that financial year, but this shall not be held to alter his liability to pay an entrance fee.

6. Every leave of absence of a Clergyman must be in writing signed by the Bishop, and must be forwarded by the recipient to the Secretary-Treasurer of the Synod for registration within one month from its date.

7. The absence of a Clergyman from the Diocese for over two years shall be deemed a forfeiture of all claims upon the Fund.

8. In case of decease of any Clergyman, all payments of annual subscriptions then in arrear by him shall be considered due to the end of the financial year previous to said decease.

9. That the Secretary-Treasurer shall lay before the Synod at its meeting in June, in each year, a statement of all the lands belonging to this fund, and of all the moneys invested or in his hands at the close of the financial year belonging to the Widows and Orphans Fund, and of all moneys received and paid on account.

10. That from and after the passing of this Canon, the Synod will pay to the widow of every Clergyman of this Diocese who, from the passing of this Canon, or from the time of his appointment in the Diocese, shall have been a subscriber of five dollars per annum to the funds of the Synod, or shall have become a life member of the Temperance Church Society, and who shall have complied with the requirements of this Canon, such an annuity not exceeding Two Hundred Dollars, as the income of the Fund will permit, payable in four equal annual payments on the first days of January, April, July and October in each year, the first of such quarterly payments to be made on the day above mentioned next following the death of her husband, except in the case of the widows and orphans of those Clergymen who are on the Commutation Fund, or who are paid by any other Society, whose annuity shall commence from the time that their payment from the Commutation Fund or said Society ceases, such payments to be continued during her natural life, or so long as she shall remain a widow; and when more than two children, a further annuity not exceeding Forty Dollars, as the income of the Fund will admit, for each child over the number of two children of said widow, under eighteen years of age, provided that no more than one hundred dollars a year be paid for orphans in one family, except when orphans alone are left, and then a pension of sixty dollars for each child shall be paid up to two hundred dollars in one family. In case of the death or the remarriage of any widow, the annuity of sixty dollars

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or each, up to two hundred dollars a year, shall be paid to the guar-  
antians of such children. All annuities to the orphans of Clergymen  
shall cease upon their attaining the age of eighteen years or upon  
their marriage. All annuities under this Fund shall in case the in-  
come of the Fund prove insufficient to meet them in full, be paid in  
such equal proportions as the income will allow, unless steps shall be  
taken by the Synod to pay them according to the above scale, and all  
annuities paid from this Fund shall be subject to such changes and al-  
terations of this Canon as the Synod shall from time to time deem  
necessary to be made.

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Widows and Orphan  
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11. Any Clergyman marrying while he is on the superannuation  
list of the Diocese shall forfeit all claim whatever upon the Widows  
and Orphans' Fund, saving and excepting the rights of children by a  
former marriage. Nevertheless the Synod may make a grant for a  
limited number of years to the widow of any superannuated Clergy-  
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12. That all money to the credit of this Fund that may not be  
required to meet the annuities payable to the widows and orphans of  
the Clergy, shall be from time to time invested in some good and  
sufficient security, upon the recommendation of the Executive Com-  
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13. Every widow or guardian of any of the orphans of Clergy-  
men desiring annuities from the Widows and Orphans' Fund, shall  
apply by memorial to the Synod for such annuity, setting forth the  
time of decease of such Clergyman, the name of his widow and the  
names and ages of each of the children, as the case may be.

14. Every annuitant on the Widows and Orphans' Fund shall  
annually, on the first day of January, make one of the following de-  
clarations in the presence of a Clergyman or Magistrate, which  
declaration shall be attested by the Clergyman or Magistrate before  
whom it is made.

DECLARATION TO BE MADE BY A WIDOW.

I.....do hereby declare that I am the widow  
of the late Rev.....and that I am entitled  
to an annuity from the Widows and Orphans' Fund of the Diocese  
of Huron ; and that I am still a widow, and further, that my children,  
as named below, are under the age of eighteen :

Names and ages of Children..... | Description.....  
Name of Clergyman or Magistrate..... | Residence .....

DECLARATION TO BE MADE BY THE GUARDIAN OF CHILDREN.

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

Names of Children and their ages.....  
Name and description of Clergyman.....  
Signed before me.....Magistrate

15. That should any doubt hereafter arise as to the interpretation of the Canon, or the construction which should be put upon any or any of its clauses, such doubts shall be referred to the Executive Committee, who shall make a report thereupon to the Synod, their decision upon such a doubt, when sanctioned and confirmed by the Lord Bishop of the Diocese, shall be final.

16. When any Clergyman shall have been sentenced, under the Canon on the Discipline of the Clergy, to suspension or removal from the performance of clerical functions, he shall, *ipso facto*, forfeit all claim upon the Widows and Orphans' Fund. Provided, always, that if such suspension or removal be for less than five years, the sentenced Clergyman may, on his restoration, revive his claim on the Widows and Orphans' Fund by paying to the Secretary-Treasurer of the Synod all arrears of entrance money and annual subscriptions due by him at the time of or subsequent to the passing of sentence.

Should a Clergyman, sentenced to suspension or removal for a stated period not exceeding five years, die while under sentence, his widow and family shall be entitled to enjoy the benefits of the Widows and Orphans' Fund on payment of all arrears, as required by the foregoing clause. But this clause shall not apply to any case in which this sentence has been passed without such express limitation.

**XXVIII.—On the Expenditure of the Clergy Maintenance and Mission Fund.**

*Preamble.*—Whereas it is expedient, in the administration of the Diocesan Funds for the maintenance of the Clergy, to recognize the seniority of parochial service in the Diocese, be it therefore enacted as follows, viz :—

1. There shall be a fund known as the Clergy Maintenance and Mission Fund, which shall consist of the proceeds of such investments and general offerings of the Diocese as are available for the purposes of this Canon.

OF CHILDREN.

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on :

2. That the duty of maintaining the Clergyman and providing him with a residence shall rest primarily upon the parish receiving his services.

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3. That no Clergyman shall be a recipient from the Clergy Maintenance and Mission Fund whose parish is deemed able to support him according to the scale hereinafter provided.

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4. That every Clergyman shall be entitled to receive from the Clergy Maintenance and Mission Fund such a sum as, with the amount for which, as hereinafter provided, his parish is assessed, shall suffice to bring his stipend to the amount required, as in the scale hereinafter provided ; but no Clergyman shall receive from this Fund a sum exceeding \$400 per annum.

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5. That at the September meeting of the Executive Committee there shall be appointed annually from the members of said Executive Committee, a Committee to be called the Maintenance and Missions Committee, whose duty it shall be to assess all the parishes in the Diocese for such sums as the Committee deem them able to contribute towards the maintenance of their Clergymen. The assessment of each parish, when made, shall continue unchanged for a period of five years, the first of such periods to date from June 30th, 1890 ; provided that if there be a change of incumbency, or that after one year from assessment it shall be shown to the satisfaction of the Maintenance and Missions Committee, that the financial ability of any parish has been, since such assessment, seriously impaired, it shall be in the power of said Committee to reopen the matter of assessment, and to reassess the parish for the unexpired portion of such period.

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6. That the Maintenance and Missions Committee shall consist of the Bishop, who shall be chairman, and five Clergymen and five laymen, of whom three of each order shall be elected by ballot by the Executive Committee, and the remainder be nominated by the Bishop. Five members of the Maintenance and Mission Committee shall be a quorum.

7. That within one month after the assessment has been made, the Secretary-Treasurer shall notify the Incumbent and Churchwardens of each Parish assessed of such assessment. All appeals against assessments shall be signed by the Churchwardens and forwarded to the Secretary-Treasurer not later than one month from the date of each notice. All appeals shall be considered by the Maintenance and Missions Committee, and, if not allowed by them, shall be submitted, with the report, to the Executive Committee at the meeting next ensuing.

8. Whenever it shall be found by the Maintenance and Mission Committee that a parish is more than three months in arrear in the

payment of its assessment to any Clergyman receiving a grant from this Fund the Bishop may, on the recommendation of the Executive Committee, remove the Clergyman in charge of such parish, and shall not fill the vacancy until the arrears are paid and satisfactory assurances are given that the assessment amounts will be duly paid in the future.

It shall be the duty of the Clergyman to make a report to the Maintenance and Missions Committee not later than 10th July, each year, in the following form :—

REPORT TO M. AND M. COMMITTEE

*For the year June 30th, 18...., to June 30th, 18....*

CONGREGATION.	ASSESSMENT JUNE 30th, 18..	ARREARS, IF ANY, AND UNPAID, JUN 30th, 18..

(Signed).....

9. That the scale of grants shall be as follows :—

In each case such an amount as shall, with the parish assessment, make up the stipend per annum as follows :—

- a. For Deacons, - - - - -
- b. For Priests of less than 5 years in active service in the Diocese, - - - - -
- c. " 5 and less than 10 years do.
- d. " 10 " 15 " do.
- e. " 15 years and over, do.

Proviso I. That the above incomes for Priests shall be subject to the proviso in clause 4, and that in the assessment of parishes a provision of a house be regarded as equivalent to \$100, except in the case of Deacons.

Proviso II. That if the available income of the Clergy Maintenance and Mission Fund be at any time insufficient to provide income according to the foregoing scale, then a *pro rata* reduction, to the extent of the deficiency, shall be made.

such deficiency, may be made by the Maintenance and Mission Committee, of all incomes except those of Deacons, and Priests entitled to receive less than \$800 per annum.

Proviso III. That the seniority of the Clergy shall be calculated by the number of years of actual parochial service in the Diocese actually completed on the 30th June in each year.

10. That only such Clergymen as are ordained by the Bishop of the Diocese, or, having come from another Diocese, have been ordained not more than three years, are not more than thirty years of age, and have not received an outfit therein, and are appointed to a parish necessitating the keeping of horse, shall receive the sum of \$100 as an outfit, and this sum shall be given upon condition that at least three years' service be given in the Diocese by the Clergyman receiving the grant.

11. That no Deacon receiving \$600 per annum, or Priest \$800 per annum, at the time of the passing of this Canon shall be adversely affected by the provisions of sub-sections a, b, c, of clause 9.

**XXIX.—On the Election of Delegates to the Provincial Synod and of any Committees of the Synod Elected by Ballot.**

1. The election shall take place first in the order of business on the third day of the annual session of the Synod.

2. Four Clergymen and four laymen shall be named by the Chair to act as scrutineers of the vote of each ballot for Delegates to the Provincial Synod, and four of either order out of which members are to be elected, as scrutineers for each Committee that it may be necessary to elect.

3. Printed lists shall be prepared, alphabetically arranged, of the Clerical and Lay members of the Synod, including the names of all Delegates whose election has been certified to the Secretaries in accordance with the Constitution, for delegates to the Provincial Synod and each Committee on which members are to be elected, specifying in each case the number to be elected. In case of the election of Committee on Discipline, the list shall only contain the names of those Clergymen who are eligible for election. The list for each several Committee being distinguished by being printed on paper of different color. (\*)

(\*) NOTE.—Sessions of 1878 and 1884. Resolved.—That in future the ballot papers for the Executive Committee shall denote the members for the past year and state the number of quarterly meetings at which each was present, and the counties arranged alphabetically, showing the residence of each delegate.

4. Provided always, that in the event of anyone being elected to act in any capacity under this Canon, who, by action of the Synod during the session may be declared not a legal member of the same, his election shall be void, and the person who obtained the next highest number of votes shall be elected instead.

5. The lists shall be furnished to the members of the Synod by the Secretaries on the first day of session, and they shall bring completed the third morning, each member, who desires to vote, having put a cross opposite the names of the persons he votes for on the various lists.

6. The order of proceedings shall be varied on the third day of session, by the report of the Committee on Lay Delegates being presented and dealt with immediately after No. 6, of order of proceedings, (d) and the calling of the roll postponed until after this report has been disposed of.

7. As each name is called, the person called shall deposit his voting papers in the ballot boxes to be provided for the purpose, one for each Order for each set of papers.

8. On the balloting being declared closed by the Chairman and scrutineers may, with the permission of the Chair, forthwith retire for the purpose of counting the ballots, and as soon as the count is concluded shall report the result to the Chairman, who shall announce to the Synod the names of the members elected. For the purpose of quorum, the scrutineers, while engaged in their duties, shall be counted as present.

#### NUMBER OF DELEGATES TO PROVINCIAL SYNOD.

9. That in the ballot for delegates, each Clergyman and Layman shall vote for not more than sixteen of their respective Orders, and that the scrutineers be directed to report the names of the sixteen Clergymen and laymen respectively who shall have received the highest number of votes; the first twelve of each order to be considered as the Representatives of this Synod to the Provincial Synod, and the other names to be considered as substitutes; in case of sickness or other good cause why the Representative appointed may not be able to attend the meeting of the Provincial Synod, and in case of the same being required, they shall be taken in the order in which their names appear on the Scrutineers' report, and the Secretary of the Provincial Synod shall be notified of the change, at least one week before the meeting of the said Synod.

10. That all ballot papers containing more votes than required for the Committee being voted upon, shall not be counted; and the Scrutineers shall report every such case to the Synod when announcing the result of the ballot.

anyone being elected **XXX.—Clergymen Entering the Diocese over Fifty Years of Age.**  
 action of the Synod. No Clergyman hereafter entering the Diocese, either by ordina-  
 member of the same, or by transfer from another Diocese, being at the time more than  
 obtained the nomination or by transfer from another Diocese, being at the time more than  
 fifty years of age, shall share in the benefits of either the Superannua-  
 tion or the Widows and Orphans' Fund before he has served ten  
 years in this Diocese.

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**XXXI.—Canon declaring the true construction of the Constitution,  
 Rules of Order, and Canons of the Synod, in the  
 matter of Amending Canons.**

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 When any proposed Canon or proposed amendment to a Canon  
 regularly before the Synod for discussion, in accordance with the  
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 order without further notice; and this has been, and is, and shall  
 hereafter be the true construction of the Constitution and Rules of  
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## B I L L .

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**An Act to enable the Synod of Huron to consolidate and manage its Trust Funds.**

WHEREAS the Incorporated Synod of the Diocese of Huron, at their meeting in the month of June, A.D., 1890, adopted a resolution for the consolidation of the trust funds of the said Synod, and referred the matter to the Executive Committee of the said Synod, to take such steps, including legislation by Parliament, as might be necessary to carry the same into effect ; and whereas pursuant thereto, the said Executive Committee, at their meeting in December last, adopted the following :—

1. That the several trust funds and securities now, or which shall at any time hereafter be held by the Synod, be consolidated into one fund, so as to form but one investment account, and that the profits derived therefrom, after payment of expenses, be distributed to those entitled, *pro rata*, according to the respective capital of each trust.

2. That for the purpose aforesaid, all securities for money held by the Synod upon any trust, and all income-producing real estate vested in and managed by the Synod, on the 30th day of April, 1891, shall be valued as of that date (less any interests and rents past due at the time, and accrued interest and rents) ; and the amount of such value, together with any cash held by the Synod at that date, belonging to the capital of and of the trust funds of the Synod, shall form the capital of said consolidated fund, and the amount in value of the securities of any trust ascertained as aforesaid, together with any cash capital held by the Synod at that date for such trust, and the amount of the value of the real estate, if any, then belonging to the trust shall be deemed to be, and be treated as, the amount of the total capital of such trust. Provided, always, that in valuing such real estate, the value thereof shall be taken to be such an amount as if invested at six per cent. per annum, would produce about, but not more than, the amount of the net income then being derived from such real estate. But in case of sale of such real estate by the Synod at any time thereafter, then the amount of the net proceeds of such sale shall be substituted in the capital of such trust, and the capital of said consolidated fund, for the amount of the value of such real estate ascertained as aforesaid.

3. That the amount of all interest and rents past due, and of interest and rents accrued at said 30th day of April, 1891, upon any or any of the trust funds of the Synod shall immediately thereafter be ascertained, and the amount thereof, less expenses, be credited

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the trusts to which they pertain respectively, and be paid to those entitled thereto in two equal payments, on the first days of August and November thereafter. Provided, nevertheless, that in case a loss should occur upon any of such securities, whereby any part of such past due interest or accrued interest or rents are lost, after the amount of same shall have been disbursed as aforesaid, then, and in such case, such loss shall be a charge upon the future income of the trust to which belonged the security upon which such loss occurred.

4. That immediately after the 30th day of April in each year, the net profits of said consolidated fund for the previous year, up to said 30th day of April, shall be ascertained and be carried to the credit of the income of the various trust funds forming said consolidated fund, *pro rata*, according to the amount of the capital fund of each, ascertained as aforesaid. And the amount of the net profits of said consolidated fund for the coming year shall then be approximated, and each *cestui que trust*, entitled to receive the income of any of such trust funds, shall be paid quarterly, on the first day of August, November, February and May, (*pro rata*, according to his interest in the premises), a sum equal to such proportionate part of the amount of said approximated profits as the executive committee of the Synod shall, from time to time, sanction. And on the first day of August following his *pro rata* share of the balance, if any, of the then past year's income, according to the profits of the said year, ascertained as hereinbefore provided. And such payment shall be a full discharge of the trust by the Synod as regards said year's income of such trust.

5. That the Legislature of Ontario be applied to for an Act enabling the Synod to carry the foregoing into effect.

And whereas the said Synod have petitioned for an Act accordingly, and have shown that an Act will greatly facilitate the objects for which the several trusts to which the said funds belong were created; 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. It shall be lawful for the Incorporated Synod of the Diocese of Huron to consolidate into one fund the trust funds and securities, including income-producing real estate, now or which shall at any time hereafter be held by the said Synod, so as to form but one investment account, and to distribute the income and profits derived

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therefrom, after payment of expenses, to and among those entitled, *pro rata*, according to the respective capital of each trust, and to do all things necessary for fully effectuating that object.

2. It shall be lawful for the said Synod, in the exercise of the powers conferred upon them by the preceding section of this Act, and in the carrying out of the said scheme of consolidation, to adopt and follow the details and provisions set out in the said report of the Executive Committee, which is hereby confirmed and declared to be valid with power, to vary the same from time to time in such manner as the said Synod may deem expedient, and the circumstances of the case may require.

3. It shall be lawful for the said Synod to pass canons or by-laws from time to time, as they shall see fit, for more fully effectuating the objects of this Act.

