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*W. H. ...*  
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PROCEEDINGS

OF THE

TWELFTH SESSION

OF

THE SYNOD

OF THE

United Church of England and Ireland,

IN THE

DIocese of Toronto,

ON WEDNESDAY, THURSDAY AND FRIDAY, THE 8<sup>TH</sup>, 9<sup>TH</sup>,  
AND 10<sup>TH</sup> DAYS OF JUNE,

IN THE YEAR OF OUR LORD MDCCCLXIV.

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TORONTO:  
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1864.

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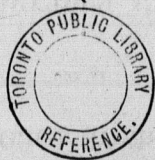
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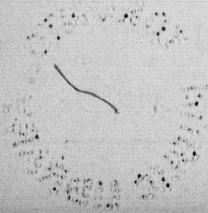
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 " J. Ambery .....

" W. Jones.....  
 " W. Checkley..... *Barrie*.

## SUPERANNUATED.

Rev. R. Leeming.

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Green,  
W. B.  
James  
Baker,  
T. Rix  
Williar  
T. M.  
Gzowsk  
S. B. I  
Craven

PROCEEDINGS  
OF THE  
SYNOD OF THE DIOCESE OF TORONTO.

FIRST DAY'S SESSION.

WEDNESDAY, 8TH JUNE, 1864.

The Synod of the Diocese of Toronto, assembled at St. James' Cathedral, at 10 o'clock; the prayers were said by the Rev. Dr. Beaven, the lessons read by the Rev. D. J. F. MacLeod, the ante-communion office by the Rev. A. Palmer, the epistle and offertory sentences by the Rev. Dr. Shortt, the sermon was preached by the Rev. John Wilson, of Grafton, from St. Matthew, 28th chapter, 19th and 20th verses, after which the holy communion was administered to the officiating clergy by the Lord Bishop, and then by them to the clergy and lay delegates. The Synod adjourned to re-assemble in St. George's Parochial School Room, at two o'clock, p.m.

AFTERNOON SESSION.

At two o'clock the synod was opened, the clerical secretary reading the appointed prayer.

The roll of the Clergy and Lay-delegates was then called over, the following gentlemen answering to their names:

The Reverends J. Lynne Alexander, J. Ambery, M.A., R. Arnold, A.B., S. B. Ardagh, B.A., William Belt, M.A., S. J. Boddy, M.A., Henry Brent, M.A., A. J. Broughall, M.A. S. Briggs, M.A., G. A. Bull, B.A., J. D. Cayley, J. Carry, B.D., V. Clement, B.D., H. C. Cooper, B.A., H. D. Cooper, B.A., G. T. Carruthers, B.A., C. Cartwright, M.A., C. A. Daniel, W. S. Darling, J. Davidson, M.A., E. R. Davies, N. Disbrow, C. H. Drinkwater, B.A., A. J. Fidler, B.A., John Fletcher, M.A., T. B. Fuller, D.D., D.C.L., J. G. Geddes, M.A., J. Gibson, Saltern Givins, W. Grant, Thomas Greene, LL.D., R. H. Harris, B.A., John Hebden, M.A., G. N. Higginson, M.A., John Hilton, T. P. Hodge, H. Holland, M.A., C. L. Ingles, M.A., W. A. Johnson, John Langtry, M.A., Wm. Logan, M.A., Alexander MacNab, D.D., J. H. McCallum, M.A., J. D. G. Mackenzie, M.A., D. J. F. MacLeod, M.A., J. Middleton, B.A., E. Morgan, F. A. O'Meara, LL.D., F. L. Osler, M.A., H. B. Osler, M.A., Arthur Palmer, M.A., T. D. Phillips, M.A., W. Clarke Preston, F. Septimus Ramsay, M.A., T. B. Read, D.D., W. Ritchie, M.A., Charles Ruttan, R. Sanders, Jonathan Shortt, D.D., A. Stewart, M.A., F. Tremayne, M.A., C. E. Thompson, M.A., Henry Wall, John Wilson, M.A., G. Whitaker, M.A.—Messrs. W. Kerr, C. J. Campbell, W. Farmer, J. Gage, P. Patterson, G. F. Frankland, W. J. Bird, George Green, Dr. Rowan, W. Wakefield, F. Farncomb, S. Patterson, S. J. Vankoughnet, W. R. Forster, O. Hammond, John Griffith, G. Buckland, John Giles, P. VanEvery, James Moore, John Duggan, H. A. Joseph, J. O'Brien, G. Page, M. Grover, A. A. Baker, James Hewes, H. B. Bull, M. G. O'Reilly, W. Powis, Lieut. Col. Strickland, T. Rixon, J. Cowan; G. McManus, J. Ellis, J. Carter, Captain Baxter, J. W. Williams, W. Y. Pettit, T. Elliott, Edgar Hallen, J. Peters, S. G. Wood, C. Brent, T. M. Benson, J. F. Saxon, Dr. Barnhart, J. W. Stewart, F. Lampman, C. S. Gzowski, R. Spratt, A. W. Otter, R. B. Denison, Dr. Clarke, James Henderson, S. B. Harman, R. A. Harrison, L. Moffatt, E. M. Carruthers, W. Atkinson, J. Craven, Dr. Bovell, A. Fleming, Chas. Magrath, H. R. O'Reilly, N. Dent, J. W.

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His Lordship the Bishop delivered his address.

## ADDRESS.

MY DEAR BRETHREN,—The discontinuance of the *Ecclesiastical Gazette* in December, 1862, was found in many respects a great inconvenience to the clergy and members of the Church throughout the Diocese, and more particularly to myself. It was therefore with much satisfaction that I saw the *Gazette* resuscitated, as it were, with a new title, *The Church Chronicle*, and placed under discreet and competent management. It has now been in existence something more than one year, and in my judgment it has been conducted with great moderation, and offers the promise of becoming of much benefit to the Church by presenting at all times a correct report of her proceedings.

For the greater convenience of regulating my confirmations it has been my practice, since the Dioceses of Huron and Ontario were established, to divide the Diocese of Toronto into three parts, and to visit each in rotation once in every three years. According to this arrangement the district of Niagara was last summer the field of my duties. I commenced at Hamilton on Sunday, the 12th of July, 1863, and finished on Monday the 26th. Thirty-one stations were visited, and the number confirmed was 744. The season of confirmation is replete with blessings to the Church; none affords greater opportunities of usefulness or yields a richer return to our labours, and to none of his duties does the zealous Pastor revert with greater thankfulness. It is the seed time of an harvest which is continually springing up to cheer him on his onward course. His own experience confirms the wisdom of his appointment; the arguments grounded on its occasional abuse only quicken his diligence in improving what he has found to be of inestimable value.

Like every other means of grace, it is at times neglected, and even sometimes profaned. But apart from its claim to respect and veneration as of Apostolic Institution, and of primitive usage, the rite itself is so attractive and beautiful that, where regularly administered, it is gradually removing all prejudice and daily advancing in favor and estimation.

Viewed as a solemn call to reflection, as an appeal addressed to the conscience and the heart of the young, as a means of promoting close and affectionate relations between them and their Pastor, at a most important period of life, it is of the greatest value. Moreover, it becomes also an occasion of securing to them the prayers of the Church, the invocation of the Holy Spirit, and the hopes of heaven.

When to all this we add the pure and lasting impressions to which it so frequently gives birth, and to which so many can appeal in after times, it is not only the season of great and eventful improvement and the dawning of new hopes and firmer resolutions, but also the commencement of a deepened spirituality and a closer walk with God; hence it cannot fail to secure the sympathy and approval of every well regulated and serious mind.

Permit me here to record for your grateful remembrance that the late Rev. William Leeming, during forty three-years the Rev. Rector of Chippawa, having constantly and generously supported the Church Society, since its organization in 1842, did not forget it in his last will, but left the liberal legacy of one thousand pounds currency towards its future support.

Before receiving this liberal legacy from the executors of the Rev. Mr. Leeming's will, the Church Society passed a resolution by an unanimous vote, to devote it to the formation of a fund to be called, 'The Leeming Mission Fund for the aid of Missions in the new settlements of this Diocese.' It is to be hoped that other persons of means, animated by the noble object to which this legacy is devoted, will follow Mr. Leeming's disinterested example, and that thus from time to time legacies may be left to the Church Society.

Mr. Leeming's bright example I am happy to state has already borne fruit, for Thos. C. Street, Esq., one of his parishioners, feeling the necessity for a division of

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his section of the parish, generously endowed it with the sum of two thousand pounds currency, thus enabling me to divide the parish, an object which I had much at heart, as it was impossible for one individual to discharge its duties if retained in its former dimensions. We have thus two moderate parishes instead of one, and the arrangement, now that it has taken place, is found a great improvement and gives general satisfaction.

I have satisfaction in stating that the Oxford declaration, with the names of all the Clergy duly appended, was forwarded to the most Reverend the Metropolitan on the 1st of May. It happened that when his Lordship's letter containing this important document reached me, two of my Presbyters were present, and when it was read they instantaneously exclaimed that every Clergyman within the Diocese would cheerfully sign it. We regard it as a document peculiarly suited to the crisis in which our beloved Church is placed, when the most open and daring attempts are making to reject every thing supernatural in the Holy Bible and to reduce Christianity to the level of Deism, and yet to retain their Professorial Chairs and Clerical emoluments. You will be pleased to learn, that twelve thousand Clergymen in England have approved of and signed the Declaration, and thus strengthened the hands of the Church and given fresh vigour to the measures which she is adopting for the preservation of the faith. Moreover, the Laity are becoming deeply impressed with the danger of the crisis, and one of the petitions, numerously signed by Laymen of high character and influence and presented to the Upper House of Convocation by the Lord Bishop of Oxford on the 3rd July, 1861, is so pertinent and weighty that I venture to call your attention to the two concluding paragraphs.

"That your petitioners would humbly represent to your Right Reverend House that it has been publicly asserted that the authors of these Essays and Reviews, or some of them, deny or appear to deny :

"The inspiration of the Holy Scripture.

"The genuineness of the prophetic books as predictions of events then future.

"The literal historical facts as related in the book of Genesis.

"The reality of miracles which, as it appears to your petitioners, necessarily implies a general denial of the supernatural conception and birth of the Son of God as very man, of the Blessed Virgin Mary, His mother.

"His transfiguration on the Mount.

"The wonderful events connected with His passion and death.

"The resurrection from the dead, and His visible ascension as man into Heaven, all which events were supernatural, and therefore miraculous."

"That your petitioners would further represent to your Right Reverend House that the authors of the aforesaid Essays and Reviews have not as yet contradicted the fearful and blasphemous heresies imputed to them; but on the contrary, they have, without any retraction, explanation or apology, authorized several editions of their said work to be published.

"That your petitioners would represent to your Right Reverend House that, unless these alleged heresies, involving as they do the whole foundation and superstructure of the one Holy Catholic and Apostolic Church, are solemnly investigated, and, on proof had, formally and synodically condemned, and their authors either reclaimed or excommunicated and deprived of their status in the Church, according to the universal custom of the Church in all ages, and of this Church in particular, a grievous wrong will be done to the weak brethren and poor of the Church, and to the little ones of Christ, who have hitherto been accustomed to look to their bishops and pastors as the accredited teachers of the truth and the lawful guardians of the faith.

"Your petitioners would, therefore, in the name of God, beseech your Right Reverend House to proceed to a synodical investigation of the said book of Essays and Reviews, in order to the acquittal or condemnation, or by God's mercy, to the reclaiming of the authors of the said book.

"And your petitioners will ever pray," &c.

In taking up the petition on the 27th of April, 1864, the Bishop of Oxford observed, that "the Church has a right to demand from us (the Convocation) that we should show that our agreement as a Church, with the Holy Catholic Church of Christ, is not a dead, passive or unmeaning adoption of words, but a living reality

capable of being brought into action when occasion shall require. This might be done by making new Articles. I need not say why I think that is an undesirable course. It might be done by new declarations; I need not say why I think that undesirable also. But if the result can be obtained for those of the Faithful, who feel their position in our Church made dangerous to themselves, by the fear that the Church, if she permits her teachers to teach error, loses one of the principal interests of membership in the Holy Catholic Church, we should set their minds at ease, and leave them rest in the Church of our fathers by letting our voice be heard with effect in condemnation of these errors. Now if that is to be done by the Church, it must be done by the Church as a body, in some synodical form. Now the action of the Convocation of Canterbury would be such an action, and my belief is that it would carry to the minds of members a conviction of safety and a power of resting in the Church which at present has been grievously shaken. Therefore it is that I venture to think our course is matter for our consideration, and I will point out what, in my opinion, should be the mode of proceeding. Nothing short of doing absolutely nothing, would be more dangerous than doing any thing rashly. I should deprecate a hasty vote condemning the books. I should deprecate anything which implied, in such a body as this, haste or anxiety to come to a decision at once and so have done with the subject. It is a grave matter, concerning the Faith of our blessed Lord, and the hopes of men. Therefore, the way in which it seems to me desirable that we should act, would be to appoint a committee of this House, to whom should be committed the communications we have received from the Lower House, and the books concerning which those communications are made, with power to the committee to report, whether or not this House ought to proceed to Synodical Judgment, to prepare the grounds on which the House should proceed, and to lay them before the House at such time as His Grace may call the House together to receive them. Of course, I lament the necessity for delay, but at the same time delay in so great a matter is wise and prudent, and is to be preferred immeasurably to any rash or hasty action, and is a right course, therefore, for us to pursue. To do nothing is impossible; to do that which in fact we are invited to do by the Lower House, is the mere and plain fulfilment of the duties of our office. But it should be done carefully, deliberately, and kindly, and it should be made perfectly clear that there is no attempt to put down opinion harshly, but that it is our simple desire to guard our Church from supposed complicity with false teaching in the persons of our Clergy." His Lordship then moved—

"That this House having received on the 21st of June, 1861, from the Lower House their resolution of June the 2nd, 1861, that in its opinion there are sufficient grounds for proceeding to a Synodical Judgment on the Essays and Reviews, that having on the 9th of July, 1861, adjourned the consideration of the subject pending the course of the then existing suit; and that suit being now concluded, resolved, that this House resume the consideration of this subject, and that a committee of this House be appointed, first to consider the communications made on this subject; secondly, to consider the book referred to in such communications, and thirdly, to report thereon to the House."

It is a matter of the utmost importance that the Convocation has adopted this wise course of proceeding, because it gives the best assurance within its reach of meeting the dissatisfaction which the judgment of the Judicial Committee of the Privy Council has excited, and which has hitherto continued to spread and deepen without opposition. This reference changes the aspect of the whole matter, and will, I trust, open the way to a judgment of a very different character and bearing.

The Church is blamed, as if she had done nothing, and yet her Synods, which are her only representative organs in her spiritual capacity, have expressly condemned the 'Essays and Reviews' in which this false teaching is contained, and her Archbishops and Bishops, speaking as her spiritual rulers, have done the same with an impressive unanimity. But an obstacle came in the shape of a law suit against two of the writers of the Essays and Reviews, and was in the way, and during its continuance suspended further proceedings, but now that the said law suit is terminated, the proceedings are resumed. Supposing, therefore, that the judgment did fasten on the Church the responsibilities which some suppose, her friends are entitled to point out that she has availed herself already of such means of acquit-

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ting herself from them as seemed to be in her power. She did not wait for lawyers to determine whether the views of the Essayists were actually irreconcilable with the terms on which the State has agreed to grant tenure of benefices. No sooner did the book acquire consideration than she hastened, as a religious community, to brand it as containing erroneous and strange doctrines. It is true, circumstances prevented this during the continuance of the suit, but the moment that these were removed the legal course is resumed. What more then could the Church do than she has done, and why should not her assailants have waited patiently for the judgment of the committee of Convocation, which I doubt not will be found most satisfactory to all the friends of the Church, and lead to the restoration of all her rights and privileges, of which she has been so long deprived?

When I purchased the Essays and Reviews and began to read them, my attention was arrested by a printed note on the fly page, addressed to the reader—"It will be readily understood, that the authors of the ensuing Essays are responsible for their respective articles only—they have written in entire independence of each other and without concert or comparison.

"The volume, it is hoped, will be received as an attempt to illustrate the advantage derivable to the cause of religious and moral truth from a free handling, in a becoming spirit, of subjects peculiarly liable to suffer by the repetition of conventional language and from traditional methods of treatment.

"The book consists of seven Essays and Reviews, six of which were written by clergymen of the united Church of England and Ireland.

"1. In many parts of the volume statements and doctrines of Holy Scripture are denied, called in question, or disparaged.

"2. It maintains that the Creeds of the Church, whether regarded as Confessions of Faith or instruments of the interpretation of Scripture, may now be set aside as no longer suitable to the present advanced intellectual condition of the world.

"3. Liberty is claimed for the Clergy and Candidates for Holy Orders to subscribe Articles of Religion and to use Formularies in public worship without believing them according to their plain and natural meaning.

"4. Attempts are made to separate Christian holiness of life from Christian Doctrine."

It is not my intention to expatiate on each of these four general heads, although they form but a very small portion of the report of the Lower House of Convocation.

I select the third only as a specimen; but first I would premise, that in many parts of the volume there is a total absence of that spirit of humility and reverence with which human reason ought ever to approach the study of Divine truth. There is likewise a confusion of the dictates of the natural conscience with Divine grace, and in some places even a substitution of those dictates for Divine grace.

In number Three, liberty is claimed for the Clergy and Candidates for Holy Orders to subscribe articles of religion and to use formularies in public worship without believing them according to their plain and natural meaning."

Now let it be remembered that the six Clergymen who desire this liberty are excluded by their own acts, and cannot make use of such liberty without becoming guilty of aggravated tergiversation. Such conduct is not perhaps uncommon in Germany, for as Bishop Lowth has said long ago: 'the Germans are better pulling down than setting up.' Their free handling of Scripture, and what is called their higher criticism, enables them to exalt unduly the authority of human reason; to lower the authority of Revelation; in regard to things divine and spiritual, to unsettle faith and to consign the reader to a helpless scepticism. What have the Germans done as regards the Bible, but polluted it with dreams and perplexities, and undermined its authority. Little did we anticipate that the deadly fruit of this false Philosophy would ever have extended to the Clergy of the Church of England, and yet what do we find:—"We had relied upon the general truthfulness, honesty, and straightforwardness of the English character; and especially on the sense of honor in well educated English gentlemen, we reckoned up with confidence the various securities which our Church has provided for the orthodoxy of her ministers.' The ordination vow of the deacon, that he unfeignedly believes all the canonical Scriptures of the Old and New Testament, and the corresponding vow of the priest, that he will give faithful diligence always so to minister the doctrine and sacraments,

and the discipline of Christ, as the Lord has commanded, and as the Church and realm hath received the same, according to the commandments of God, and that he will with faithful diligence banish and drive away all erroneous doctrines contrary to God's word. We reverted also to the three articles of the thirty-sixth canon, which all such as are to be made ministers are required to subscribe, not only when they are received into the ministry but at their institution, and collation to any ecclesiastical living, namely, that the Book of Common Prayer and ordering of Bishops, Priests, and Deacons containeth in it nothing contrary to the Word of God, and that the party subscribing alloweth the book of articles of religion and acknowledgeth them all and every one, being in number nine and thirty, to be agreeable to the word of God. We adverted also to the stringent terms in which this form of subscription is expressed, pledging the party who signs it, that he does willingly and *ex animo* subscribe to these articles above mentioned and to all things which are contained in them, and this subscription is expressly required for the avoiding of all ambiguities, and that the Thirty-nine Articles are stated in the Preface to have been drawn up for the establishing of consent touching true religion.' (Note.—See Archdeacon's Sinclair's charge to the Clergy of Middlesex, 23rd April, 1861.) It appeared to me that no Clergyman addicted to Neological opinions could subscribe such pledges without knowingly and wilfully defeating the object of the compilers of our creeds and articles and of the authorities who imposed them. I conceived, that, if such prevarication were admissible—all the rules for understanding or enforcing oaths, promises, laws and covenants must be set aside. And since our Church enjoys the blessing of a sound and Scriptural Liturgy, with which the fundamental doctrines of the atonement through Christ, the influence of the Spirit, and the efficacy of prayer are inseparably interwoven, I felt that it would be nothing better than a mockery of God for one who denies or explains away these doctrines, publicly to officiate as a minister of the Church of England.

I need not proceed any farther with this part of my subject. I may however observe, that no selection of extracts can adequately convey the melancholy spiritual evils which may be produced by the Essays and Reviews on the hearts of the ignorant and unprepared. Moreover, their supercilious tone is too often in accordance with their offensive matter. In the meantime, let us not forget the many blessings which we have enjoyed in this land as members of our holy Church, and which we still enjoy, notwithstanding the growing agitation and troubles with which she is affected, both here and in England. Let us daily remember that the Gospel is still among us in all its purity—that our parishes and congregations are still increasing, that our peace and tranquillity have not been as yet seriously impaired, and that we can, through the Divine blessing, still look forward with confidence; and, even if the religious agitations which surround us invade our borders, let us still put our trust in the Divine protection, by which we have been hitherto so graciously upheld.

Indeed a brief reference to the history of the Church in Canada will give us courage and fortitude to meet every trial that may await us. Some are still living who can remember the time when an ordinary apartment could have contained all our Clergy in Canada, and how stand matters now; we have five Bishops, upwards of two hundred and fifty Clergymen, while their number is rapidly increasing, and it is no small consolation to me to be able to witness these facts. The great majority of our people are warmly and cordially attached to the Church, and have not only a due regard and predilection for her, but will rejoice in embracing every opportunity in promoting her prosperity. We are attached to her from principle and affection, and we love her—not because we regard her as a perfect Church without spot or blemish, for she is an institution administered by human agents, and must partake somewhat of their imperfections and infirmities—but because we believe her to be truly a Christian Church, built on the foundation of the Apostles and Prophets; Protestant in her principles, sound in her doctrine, salutary in her institutions—the bulwark, under God, of the reformed religion, and a living Member of the Body of Christ. We love her, because of the Spiritual provision which she has made for the nurture of her children from the cradle to the grave, and for the abundant means with which she furnishes her Ministers for fulfilling their sacred office and for feeding the flock of Christ. We love her, because of her Catholic and comprehensive spirit of moderation and charity, even to those who are without

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her pale, and her readiness to embrace within her widely extended arms all who name the name of Jesus Christ in truth and sincerity. It is in this light that we have been taught to contemplate our Holy Church, and thus viewed, to regard her at all times with the most profound sentiments of veneration and affection.

## APPOINTMENT OF OFFICERS.

Moved by the Rev. S. GIVINS, seconded by the Rev. F. L. OSLER, that the Rev. J. G. Geddes be re-appointed clerical secretary to the synod.—Carried.

Moved by JOHN W. GAMBLE, Esq., seconded by ARTHUR ARMSTRONG, Esq., that Dr. Bovell be re-appointed lay-secretary.—Carried.

Moved by JOHN W. GAMBLE, Esq., seconded by Mr. McMANUS, that the present treasurer and auditors be continued for the ensuing year.—Carried.

Moved by Rev. Mr. BRENT, seconded by MILES O'REILLY, Esq., that the minutes having been printed in the *Church Chronicle*, the reading of them be dispensed with, and that they be confirmed.

The Rev. Dr. Lett took exception to the minutes on the ground of their inaccuracy, upon which a question was raised as to Dr. Lett's right to a seat in the synod.

Moved by Rev. A. PALMER, seconded by Rev. Dr. O'MEARA, that in the opinion of this synod the Rev. Dr. Lett is not entitled to speak or vote in the synod, but that as a clergyman visiting the synod he be invited to take a seat on the floor of the house.

Moved by Mr. HARMAN, seconded by Col. O'BRIEN, that the Rev. Dr. Lett, as an old, well-known, and highly valued clergyman of this diocese, be admitted to sit and vote in this synod.

The amendment was put and lost, forty-five voting for it and fifty-seven against it. The original motion was then put and carried, sixty-six voting for it and twenty-five against it.

The Rev. Dr. Lett then entered the following protest:

June 8th, 1864.

TO THE LORD BISHOP OF TORONTO,

MY LORD,

I beg to protest against the ruling of the synod refusing me a seat and a vote, and I will take such steps as my legal advisers shall suggest.

(Signed)

STEPHEN LETT.

The Rev. Mr. BRENT's motion, dispensing with reading of minutes, was then put and carried.

On motion of C. J. CAMPBELL, Esq., seconded by JOHN W. GAMBLE, Esq., the following gentlemen were appointed as the Executive Committee:—the Ven. Archdeacon of Toronto, Rev. James Beaven, D.D., Rev. T. B. Fuller, D.D., D.C.L., Rev. S. Givins, R.D., Rev. Jonathan Shortt, D.D., Rev. W. McMurray, D.C.L., Rev. F. L. Osler, M.A., Rev. Geo. S. J. Hill, M.A., Rev. A. Palmer, M.A., Rev. W. S. Darling, Rev. H. J. Grasett, B.D., Rev. Henry Brent, M.A., Hon. J. H. Cameron, J. W. Gamble, Esq., S. B. Harman, B.C.L., John Duggan, Esq., James Bovell, Esq., M.D., Miles O'Reilly, Esq., C. J. Campbell, Esq., J. W. Brent, Esq., Mr. Recorder Duggan, R. B. Denison, Hon. G. S. Boulton, and Robert Spratt.

Moved by S. B. HARMAN, Esq., seconded by Dr. BOVELL, that the following gentlemen be the Committee on Assessment:—the Rev. Dr. O'Meara, Rev. F. L. Osler, M. R. Vankoughnet, Rev. Mr. Stewart, and Dr. Clarke.

On motion of Rev. Dr. READ, seconded by the Rev. J. G. GEDDES, the following gentlemen were appointed the Committee on Endowment of See:—the Revs. Dr. Fuller, McMurray, Shortt and Read, Rev. Messrs. Palmer, Givins, Osler and McCollum, Hon. J. H. Cameron, Hon. G. W. Allan, T. C. Street, Esq., F. W. Cumberland, Esq., William Gooderham, Esq., C. Magrath, Esq., Arthur Armstrong, Esq., and Lewis Moffat, Esq.

Moved by Dr. BOVELL, seconded by C. J. CAMPBELL, that the same committee on Court of Discipline be continued.—Carried.

Committee on Court of Discipline:—The Archdeacon of Toronto, the Rev. Dr. Beaven, the Rev. H. J. Grasett, B.D., the Rev. Dr. Shortt, the Rev. G. Whitaker, M.A., the Rev. A. Palmer, A.M., R. A. Harrison, Hon. G. W. Allan, Hon. J. H.



Cameron, S. B. Harman, Recorder Duggan, Hon. J. Patton, C. Gamble, and Samuel Blake.

Moved by the Rev. Dr. BEAVEN, seconded by Dr. BOVELL, that the following gentlemen be appointed the Music Committee: Rev. Dr. Beaven, Rev. R. Shanklin, Rev. H. Brent, Rev. J. G. Geddes, Rev. F. L. Osler, Rev. J. Fletcher, Rev. J. Ambery, J. W. Brent, Esq., Dr. Bovell, John Carter, Esq., Rev. A. Palmer, Rev. H. Holland, Rev. J. Davidson and Dr. Strathy.

#### REPORTS OF COMMITTEES.

Dr. Bovell, for Mr. Hodgins, presented a report on a vestry manual.

##### *Report of the Vestry Manual Committee.*

The committee appointed to prepare a Vestry Manual, beg leave to report that owing to an uncertainty which was felt as to the intentions of the synod in regard to some of the powers and duties of vestries, churchwardens and parish meetings, (as recorded in the printed minutes) they have as yet been unable to complete the task assigned to them. They would respectfully recommend that the matter be again referred to a committee, with a view to a careful consideration of the whole subject.

(Signed) J. GEORGE HODGINS,  
Convener of Committee.

Toronto, 8th June, 1864.

Notice of motion was given for adoption of report.  
Committee on assessment, &c., to report to-morrow.  
Rev. Mr. Holland presented report on vacant parishes.

#### REPORT ON VACANT PARISHES.

The committee appointed to consider and report the proposed Canon for the Assessment of Vacant Parishes, beg to recommend the adoption of the following:

1. On the first vacancy occurring, next after the passing of this Canon, in the incumbency of a parish or mission in which the stipend of the clergyman is not wholly derived from local endowments, it shall be the duty of two clergymen, deputed by the Bishop, of whom the Rural Dean shall, if possible, be one, together with two lay members of the Synod, also appointed by the Bishop, to visit the said parish or mission, and confer with the several congregations thereof, for the purpose of ascertaining its resources and liabilities, and thereupon to report to the Bishop in writing the amount which the said parish or mission may be fairly expected (in proportion to its ability as compared with that of other parishes in the diocese,) to contribute annually towards its clergyman's stipend.

2. No appointment shall be made until a reasonable guarantee shall have been afforded to the Bishop, that the amount so determined will be annually contributed for the purpose aforesaid.

3. There shall be a periodical revision of such assessment by a commission as aforesaid, not less frequently than once in five years.

4. All reasonable expenses actually incurred by the commission so appointed in visiting a parish shall be defrayed by the churchwardens, out of the general funds of the parish.

5. No appointment shall be made to a vacant parish or mission until all arrears of salary, so guaranteed to the outgoing clergyman, shall have been paid, or satisfactory provision for the payment shall have been made.

Moved by Rev. Mr. HOLLAND, seconded by Dr. BOVELL, that the report of the committee on assessment of vacant parishes be received and printed with the minutes of the synod, and that the consideration thereof lie over until the next meeting of synod.—Carried.

The Rev. Dr. READ presented report on Sunday Schools the same as last year.

#### REPORT ON SUNDAY SCHOOLS.

The committee appointed at the last synod to report annually on the condition and progress of Sunday schools throughout the diocese, beg respectfully to submit their first annual report.

## ACTION OF BISHOPS AND SYNOD IN REGARD TO SUNDAY SCHOOLS.

The committee find that owing to various causes the synod, as a body, has not been able hitherto to devote as much attention to the subject of Sunday schools as could have been wished, nevertheless, it has not escaped the attention of the Bishop or of the synod, as will appear from the following extracts.

In the minutes of a conference of the British North American Bishops, held at Quebec, in September, 1851, the committee find the following declaration of the Bishops on this subject:

"We desire to express our sense of the importance, in the existing state of the Church, of Sunday Schools, especially in large towns, and we thankfully acknowledge the benefits which have resulted from the labours of pious teachers, both to themselves and to their scholars, under proper superintendence and direction. In every possible case the Sunday school should be under the personal direction of the minister of the parish or district; or otherwise the minister shall appoint the teachers, choose the books, and regulate the course of instruction. that there be no contradiction between the teaching of the school and the Church. All Sunday scholars should be instructed in the Church Catechism and regularly taken to church.

"We would carefully guard against the assumption that instruction in the Sunday school, even by the minister of the parish, may be allowed to supersede the directions of the Rubrics and Canons on the duty of catechising in church, for we distinctly recognise and assume as well the great importance, as the sacred obligation of those directions."

In a report on lay co-operation laid before the synod in 1861, the following paragraphs, bearing on the subject, occur:

"Every clergyman should endeavor, through God's assistance, to raise up about him a goodly band of the faithful, pledged to each other, and more than pledged to their common Master, to do all they can to promote His kingdom upon earth. He might select from this band the superintendent of his Sunday school, to aid him in carrying out the faithful instruction of the lambs of Christ's flock, in providing teachers and books for the Sunday schools, and to keep him acquainted with the individual cases in the school needing counsel, warnings and encouragement.

"A very important portion of every congregation consists of young men who have been confirmed but not yet settled in the world, \* \* \* the care bestowed on this class, would secure for the Sunday school an abundance of male teachers, the want of whom is generally felt."

The committee on "Parochial Statistical Reports," in its report laid before the Synod the same year, also recommend that a report embracing, among other things, information on Sunday schools, be annually furnished to the clerical secretary of the synod as follows:

8. "The number of children on the Sunday school books and the average attendance.

9. "The number of teachers divided into males and females.

10. "The number in attendance in the Bible class."

The synod at its last session also bestowed some attention to the subject, and passed the following resolutions for the appointment and guidance of this committee:

1st. That with a view to provide, as far as possible, for united action in the diocese in promoting the greater efficiency in Sunday schools, a committee be formed for this purpose, whose duty it shall be to present a report annually to this synod on the condition and progress of Sunday schools throughout the diocese, and to make such suggestions for their improvement as they shall judge expedient.

2nd. That the committee consider what steps can be taken to secure the publication of books suited for libraries and instruction in Sunday schools.

## IMPORTANCE OF SUNDAY SCHOOLS.

Déeply impressed with the great value of Sunday schools and the immense practical benefits to be derived from them, as a means of imparting sound scriptural knowledge to the young, the committee cannot too forcibly impress their sense of the duty incumbent on the clerical members of the synod to give the utmost pro-

minence to the work of Sunday schools in their several parishes or charges. As nurseries of the church, and as means, under the influence of God's Holy Spirit, of impressing lasting religious convictions on the mind, they have long since established their claims upon the active support and sympathy of the devoted minister and christian parent. The difficulty, nevertheless, of keeping up that active sympathy between the school itself and the congregation, has often been a matter of regret and disappointment to many of the clergy. The committee cannot therefore too strongly urge the importance of each minister endeavouring, by a decided personal interest in the school, and by frequently bringing the subject before his congregation, both individually and collectively, to keep alive that interest in the work which is essential, under God's blessing, to its due success.

The committee feel the necessity of calling the attention of the laity of every congregation of the diocese to this great work, as one in which they are especially called to take a part, and to promote it with their means, their sympathy and active co-operation; and of requesting their serious consideration of the high privilege and opportunity of cultivating the spirit of christian charity which the discharge of this duty affords them.

As an evidence of what has been done in this direction, the committee append to this report the printed copy of "A plea for Sunday schools," which was largely circulated in the parish of St. James', Toronto, during the latter part of 1861, and which they have reason to believe has been productive of much good. In addition to the benefits of the Sunday schools, the committee would further point to the advantages of Bible classes held during the week under the direction of the clergyman, and to which the congregation generally should be invited, as tending to promote a knowledge of Scriptural truth, and to increase reflection upon serious things; such classes would prove particularly advantageous to Sunday school teachers and young persons who have been confirmed and left the Sunday school, and are in danger of neglecting the continuance of religious improvement, and at the same time could not be wanting in deep interest to any christian mind.

#### FORM OF ANNUAL REPORT.

With a view to give effect to that part of the resolution of the Synod which relates to collecting statistics of the state and progress of the Sunday schools throughout the diocese, the committee would recommend that a printed form of blank report, to be filled up and returned, be forwarded to each Rector, Incumbent and Missionary in the diocese, as follows:

Annual report to the committee of the Diocesan Synod of the state of the Sunday school in the parish of \_\_\_\_\_ for the year \_\_\_\_\_

Number of pupils, \_\_\_\_\_ of boys, \_\_\_\_\_ of girls.

Average attendance, \_\_\_\_\_ of boys, \_\_\_\_\_ of girls.

Number of pupils confirmed during past year, \_\_\_\_\_ of boys, \_\_\_\_\_ of girls.

Number of teachers, \_\_\_\_\_ of males, \_\_\_\_\_ of females.

Number of school classes, \_\_\_\_\_ of boys, \_\_\_\_\_ of girls, mixed.

What instruction books used?

Number of volumes in library.

Number of library books taken out during the year.

What description of prizes given, (if any,) and for what object?

How are library and other expenses of school defrayed?

What amount has been collected for Sunday schools?

Are any missionary collections taken in Sunday School?

What form of school register is used?

What steps are taken (if any) to bring the subject of Sunday schools before the congregation?

What is the general condition of the school?

Any other information of interest to be added.

Are there any Bible classes held on week days?

What is the attendance of such classes?

A. B.  
Clergyman.

B. C.  
Superintendent.

## SUNDAY SCHOOL LIBRARIES.

Of the importance and influence of good libraries in Sunday schools, the committee cannot speak too highly, or urge their introduction too strongly; they at once are a means of interesting the children in the Sunday school, and of supplementing and lightening the labours of the pastor and teacher, often proving a benefit to the parents and friends, as well as to the children.

In regard to the selection of books for Sunday school libraries, the committee feel that very great benefit would arise from having selections carefully made, adapted to the circumstances of our own country, and published in the province; this object should be kept in view, yet they fear there are serious difficulties in the way of immediately accomplishing it, and therefore must at present be content with recommending the obtained libraries from the best available sources.

## BOOKS OF INSTRUCTION.

The committee feel that suitable books of instruction are essential to the success of this important institution, and think that here something can be done to meet a want that those engaged in Sunday school teaching in this country feel, by preparing new books for the purpose, or by adopting to our use books published elsewhere. As a means of promoting a more thorough course of instruction, as well as giving a more extensive range to the subject of Sunday school teaching, the committee propose the preparation of a schedule of biblical lessons and texts for use in Sunday schools, similar to the one used by some of the clergy in Montreal, a copy of which is appended to this report.

## LAY-SUPERINTENDENTS.

In regard to the management of Sunday schools, the committee are of opinion that each school should be in charge of a lay superintendent, with a sufficient number of devoted and pious teachers to help him. It is very desirable, when possible, that the clergyman should have a general and ever vigilant oversight of the school, but the details of management, the order and discipline of the schools, rest with the lay-superintendent, who should be appointed by, and responsible to, the clergyman; thus lay-agency would be worked, and lay co-operation secured.

In conclusion, the committee would suggest, in addition to the ordinary routine of the school, that the clergyman should set apart specific periods for catechetical instruction, given by himself in the school, and at stated periods to preach a sermon specially addressed to the Sunday-school scholars.

All which is respectfully submitted.

T. BOLTON READ,  
*Chairman.*

## NOTICES OF MOTION.

1. Rev. A. PALMER gives notice that to-morrow he will move the following resolutions:

That this synod avails itself of the opportunity afforded by its present session of again placing on record an expression of the sincere respect and affection which its members, in common with the whole diocese, entertains for the Venerable Bishop who has so long presided over them, and a grateful acknowledgment of the services which he has rendered to the church during his lengthened episcopate.

That influenced by the feelings expressed in the preceding resolution, and desirous of evincing their sincerity by more than words, this synod declares its readiness to take immediate steps with a view to making provision for an assistant bishop, that so while the diocese will still continue to have the benefit of the general superintendence and mature experience of its venerated diocesan, the heavy burden of his duties may be lightened, and his hands strengthened by the appointment of a co-adjutor.

2. Rev. Dr. BEAVEN gives notice that he will move to confirm the canon on building and repairing of parsonages, passed in the session of 1861.

3. Rev. Dr. SHORTT, seconded by Rev. Dr. O'MEARA, gives notice that he will move the adoption of a petition from the synod to the legislature on the subject of closing the provincial canals on the Lord's day.



4. Rev. Dr. READ, seconded by Rev. Dr. SHORTT, gives notice that he will to-morrow move, that in conformity with the resolution of the Synod and Church Society requiring it, the by-law introduced by him, and adopted at the last meeting of the Church Society, for the purpose of regulating the future appropriation of the Clergy Commutation Fund, be now confirmed by the synod.

5. Rev. Dr. READ, seconded by Rev. H. HOLLAND, gives notice that to-morrow he will move that the report on Sunday schools of last year be now adopted.

6. Robert A. HARRISON, Esq., seconded by Rev. H. BRENT, gives notice that he will move that the published minutes of the proceedings of the synod at its last session be referred to a committee, consisting of Rev. Dr. Fuller, Rev. Mr. McCallum, and R. A. Harrison, Esq., with instructions to examine, and if necessary to correct the same by the written minutes of the synod; and to cause the same, when examined and corrected, to be published uniformly with the former published reports of the proceedings of the synod, in accordance with the resolution of the synod, passed in 1859.

7. Dr. BOVELL, seconded by Rev. J. G. GEDDES, gives notice that he will move that a committee be re-appointed to consider the constitution of the Court of Discipline, with a view to such amendments as may be deemed advisable, and to report to the synod at its next sitting.

8. S. B. HARMAN, Esq., seconded by R. A. HARRISON, Esq., gives notice that he will move that a committee be appointed to collect information as to the working of the Incorporated Synod of Ontario, with a view to the consideration of having an incorporation of this Synod, to take the place of the Incorporated Church Society of this Diocese, if the report of the working of the Incorporated Synod of Ontario be favourable; committee, the Rev. the Provost, Rev. Mr. Darling, Rev. Dr. O'Meara, Messrs. Campbell, Cumberland, and Harman.

9. Dr. BOVELL, seconded by Rev. J. G. GEDDES, gives notice that he will move that His Lordship be requested to furnish to the Clerical Secretary a list of those clergymen who are licensed to the cure of souls.

10. S. B. HARMAN, Esq., gives notice that he will move that Mr. Otter, Mr. Spratt, and the Rev. H. J. Broughall, be the scrutineers of the election of the lay delegates to the Provincial Synod.

11. J. G. HODGINS, Esq., seconded by R. A. HARRISON, Esq., gives notice that he will move, that with a view to relieve the secretaries of much of the routine duties and details connected with their office during the sittings of the synod, they be authorised to employ an assistant, whose duty it shall be to give special attention to the recording and printing of the daily minutes of proceedings.

That for the information of members of Synod, a summary statement or synopsis of the whole of the unfinished business before the synod, be prefixed to the daily printed notices of motion in the order in which it is proposed to take it up.

That with a view to ascertain what resolutions and canons have received the sanction of the synod, it be an instruction to the secretaries to employ a person to collect from the official minute-book, and append to the printed minutes for this year, a copy of each canon or resolution which has been duly passed since 1858, with an index, and that a similar appendix and index for each succeeding year be prepared and inserted in future in the annual printed minutes of the proceedings of the synod.

That the compilation of the proposed list of canons and resolutions when prepared be submitted to the committee on the vestry manual for its approval, before being printed in the appendix to the printed minutes of the synod.

That the report of the Vestry Manual Committee be adopted, and that the following be the committee on the compilation of the Vestry Manual for the current year: Rev. Dr. Fuller, Rev. H. J. Grasett, Rev. W. S. Darling, Rev. A. J. Broughall, R. A. Harrison, Esq., S. Blake, Esq., T. Hodgins, Esq., and J. G. Hodgins, Esq.

Rev. Dr. BEAVEN moves that it is expedient to raise the amount required in each year by the mission board, upon the principle of appropriating definite sums to be raised by each locality, according to their means and circumstances.

The hour of adjournment, six o'clock, having arrived, it was agreed that Rev. Dr. Beaven should continue his remarks on this motion the first thing to-morrow.

Adjournment to ten o'clock to-morrow morning. Benediction by the Bishop.



## SECOND DAY.

MORNING SESSION.

*Thursday, 9th June, 1863.*

The synod assembled in St. George's Church, at 10 o'clock, a.m. Prayers were said by the Rev. Dr. Beaven, the lessons were read by the Rev. F. Trgmayne. The synod then repaired to St. George's school-room, when the minutes of yesterday's meeting were read.

On motion of Mr. HARMAN, seconded by Dr. BOVELL, Messrs. Otter, Spratt and the Rev. A. J. Broughall, were appointed scrutineers of the votes for lay-delegates to the Provincial Synod.

The Rev. Mr. BRENT moved, seconded by Dr. BOVELL, that C. J. Campbell, Esq., Rev. E. Baldwin, and Rev. Dr. Shortt, be the scrutineers of the clerical votes for delegates to the Provincial Synod.—Carried.

On the motion of the Rev. J. G. GEDDES, seconded by Rev. Dr. O'MEARA, the Rev. Geo. Mortimer Armstrong, of St. John's, New Brunswick, was invited to take a seat in the synod.

On the motion of the Rev. J. DAVIDSON, seconded by the Rev. Dr. FULLER, the Rev. Mr. Shand, of the Diocese of Michigan, was invited to take a seat in the synod.

The Rev. Dr. Beaven resumed the discussion of his motion, being the first business to be taken up. After which it was moved by Rev. Dr. BEAVEN, seconded by Dr. BOVELL, that it is expedient to raise the amount required in each year by the mission board, upon the principle of appropriating definite sums, to be raised by each locality according to their means and circumstances.—Carried.

The following committee was subsequently appointed to give effect to the above resolution:—Rev. W. Belt, Rev. H. B. Osler, Rev. A. Broughall, Rev. D. McLeod, Mr. Grover, Mr. Parsons, Mr. Pettit, Mr. H. B. Bull, of Hamilton, Mr. Fairbanks, of Oshawa, Mr. Green, of Brampton, Mr. Gaviller, Mr. Robert Spratt, and the mover.

The scrutineers of the clerical votes for delegates to the Provincial Synod, presented their report, that the following gentlemen were returned as clerical delegates to the Provincial Synod:—The Archdeacon of Toronto, the Rev. Dr. Beaven, the Rev. Provost of Trinity College, the Rev. J. G. Geddes, M.A., the Rev. Arthur Palmer, M. A., the Rev. Dr. Shortt, the Rev. W. S. Darling, the Rev. S. Givins, the Rev. H. Brent, M.A., the Rev. H. Holland, M.A., the Rev. Dr. Fuller, and the Rev. Dr. McMurray.

They also reported that the following gentlemen were returned as substitutes:—The Rev. F. L. Osler, the Rev. S. B. Ardagh, Rev. Dr. O'Meara, Rev. H. J. Grasset, B.D., Rev. Dr. Read, and Rev. A. J. Broughall, M.A.

(Signed)

JONATHAN SHORTT, D.D.  
EDWIN BALDWIN, A.M.  
C. J. CAMPBELL.

The synod agreed to take up Mr. Palmer's motion the first thing after the adjournment, and then adjourned.

## AFTERNOON SESSION.

The synod re-assembled at two o'clock, p.m.

The scrutineers of the votes for lay delegates to the Provincial Synod reported that the following gentlemen were duly elected:—Messrs. James Bovell, M.D., T. C. Street, R. B. Denison, J. W. Gamble, C. J. Campbell, S. B. Harman, Miles O'Rielly, G. S. Boulton, Lewis Moffatt, E. G. O'Brien, the Hon. Geo. W. Allan, and the Hon. J. H. Cameron.

Also, that the following six gentlemen stand next upon the list:—Messrs. S. J. Vankoughnet, James Henderson, R. A. Harrison, George Duggan, Clarke Gamble, and C. S. Gzowski.

(Signed)

ALFRED W. OTTER.  
ROBT. SPRATT.  
A. J. BROUGHALL.

The Rev. Mr. PALMER moved, seconded by the entire synod, that this synod avail itself of the opportunity afforded by the present session of again placing on record an expression of the sincere respect and affection which its members, in common with the whole diocese, entertain for the Venerable Bishop who has so long presided over them, and a grateful acknowledgment of the services which he has rendered to the church during his lengthened episcopate.—Carried by acclamation.

The Rev. Mr. PALMER then moved his second resolution, that, influenced by the feeling expressed in the preceding resolution, and desirous of evincing their sincerity by more than words, this synod declares its readiness to take immediate steps with a view to making provision for an assistant bishop; that so, while the diocese will still continue to have the benefit of the general superintendence and mature experience of its venerated diocesan, the heavy burden of his duties may be lightened, and his hands strengthened by the appointment of a co-adjutor.

The Bishop addressed the synod, and after his Lordship's address, the Rev. Mr. Palmer withdrew his second resolution.

It was moved by the Rev. Mr. SHORTT, seconded by the Rev. F. L. OSLER, that this synod, deeply grateful to the Lord Bishop of Toronto for his long and devoted services to the church in this province, having the fullest confidence in his wisdom and discretion, and desiring that his proposed co-adjutor should be one with whom he could act with the fullest satisfaction and comfort, do request his Lordship to nominate said co-adjutor, the synod hereby pledging itself to confirm such nomination. Withdrawn.

#### REPORTS OF COMMITTEES.

Col. O'Brien presented the following report on the security of church property, and gave notice of a motion to-morrow that it be adopted.

The committee appointed to report on measures advisable for the better security of church property, beg to report as follows:—

1st.—That the "Church Temporalities Act" having placed the church and churchyard under the immediate care and control of the parish, acting through its vestry, all repairs and expenses of, and attending on the same, necessarily devolves on said vestry.

2nd.—That whereas the parsonage house and glebe lands, not being unoccupied wild land, is held as a joint interest, the parish being the landlord or proprietor, and the incumbent as tenant with a life interest, it is right and reasonable that the parish should bear all expense of erection and material repairs; and that the incumbent should be responsible for all matters of repair necessary to keep the glebe buildings and premises in decent order and repair, namely:—1st. As to the dwelling, inside painting, papering, and all such other matters following on occupying the house as a dwelling, including repairs to roof, not involving renewal thereof; and to building, not requiring renewal of important matters necessary to its stability. 2nd. As to out-buildings, keeping them in like manner in decent repair. 3rd. As to gates and fences, keeping them in efficient order and repair; renewing or repairing when and where necessary, but not to include the expense of erection of new fences to protect the parsonage premises; the standard of such efficient order and repair being the municipal rule or law of the place where such exists, or otherwise the ordinary custom and rule of landlord and tenant.

3rd.—Should the incumbent, by wilful negligence, or by any act of commission or omission, suffer the said buildings, gates or fences, to go out of repair, it shall be the duty of the churchwardens to point out such dilapidations to the incumbent, and request him to find a remedy for the same; and the churchwardens may, after a reasonable space, employ a suitable mechanic or mechanics to execute the necessary repairs, and the certified expense thereof they may deduct from any funds in or passing through their hands payable to the incumbent. But should the incumbent feel aggrieved by such contemplated action of the churchwardens, he may appeal to the Bishop, who shall (if he see fit) appoint a committee, consisting of the Rural Dean, if resident within his deanery, and one or two, or more neighbouring clergymen and laymen, to be named by the bishop, or under his authority by the archdeacon, which committee, together with the archdeacon, if he is so directed by the bishop, or considers the matter of sufficient importance to require his personal

interference, shall inquire into the same, reporting their decision to the bishop or archdeacon, as the case may require, and such decision, when approved by the bishop or archdeacon, shall be final.

4th.—Should any extensive improvements or repairs become necessary from lapse of time, or otherwise the visitation of God, such as new roofings, external paintings, renewal or replacing of important matters necessary to the stability or safety of the buildings, or the erection of new fences to protect the parsonage premises; it shall be the duty of the clergyman to lay a detailed statement of the same, with an approximate estimate of the expense, before the usual Easter meeting of the vestry, having previously given notice of his intention to do so, or before a vestry meeting especially convened for the purpose; and should the members of the vestry sanction the same, the churchwardens shall forthwith proceed to effect the necessary repairs, providing for the expense thereof from the funds of the church, by parochial subscriptions, or by any other mode determined by the vestry; provided that in no case shall the property of the parish be so encumbered by the debt or mortgage as to lead to the probability of its being ultimately lost to the parish, nor shall the expense of such improvements or repairs be defrayed from any funds appropriated to or pertaining to the support of the clergyman. But should the vestry decline to sanction the necessary repairs, and the expense thereof, or should the churchwardens neglect to accomplish such required repairs when so sanctioned, the clergyman may then appeal to the bishop, who may appoint a disinterested committee, as appointed in the foregoing section (No. 3) to inspect the premises, and report upon the necessity of the proposed alterations or repairs; and as far as sanctioned, by their report, the bishop shall require the parish, through its churchwardens, to effect the same; and in case of non-compliance within the time specified by his Lordship, then the incumbent shall have authority to accomplish the same by means of money borrowed for the purpose, the amount of which should be a debt due by the parish; and which debt, together with the interest on the same, shall be discharged within a limited time named by the bishop or committee aforesaid; and in default of payment being made at the time specified, the incumbent shall notify the same to the bishop, who shall then take such further action in the premises as he in his wisdom may see fit.

5th.—That whereas it is advisable that no proper precaution shall be omitted for the preservation of the property of the church, all the buildings thereof should be insured, it shall be the duty of the churchwardens to keep such buildings constantly insured in some respectable office; and in respect of the parsonage house and premises, in default of the churchwardens doing so, the incumbent may effect such insurance, and make the expense thereof a charge on the parish.

6th.—That a book of record be kept in each church, in which shall be entered a sufficient abstract of all titles and deeds by which the lands of the said church, whether site of church, burial ground, glebe, endowment, or whatsoever they may be, are held, showing their date, by whom given, situation, quantity of land, conditions of trust or gift, where and when registered, and any other information necessary to a full understanding of the same; also, if wild and unoccupied land, whether any or what provision is made for payment of taxes, when the taxes have been paid, and what arrears of taxes may from time to time accrue.

7th.—That whereas there is much valuable, though at the time unproductive property, held as endowments for various churches or parishes, and much loss has been incurred by the sale of such lands for taxes, it is necessary to define on whom the responsibility of the payment of such taxes should rest, it is proper that in all cases where wild or waste lands are held, being unproductive, and the incumbent deriving no benefit from them, the expense of maintaining such lands, should be a charge on the parish or church for the benefit of which they are given, and in all cases where any benefit or emolument is derived from any such piece or parcel of land by the incumbent, or on his behalf, then the expense of taxation should be incurred by such incumbent as a part of the ordinary expense of his glebe or mission.

8th.—That in accordance with the foregoing, the Church Society, or other parties holding real estate or other property in trust for any particular church or parish, do send a statement of the same to the churchwardens of such church or parish to

be recorded, and that from the time of such trustee or trustees so doing they shall be exonerated from any liability for non-payment of taxes accruing after that time.

9th.—That for the convenient safe keeping of such record book, as well as other documents, papers, or records, a sufficient strong box with lock and key shall be provided by the churchwardens, and kept in the vestry of said church, and shall be at all times under such ordinary and convenient regulations as may be adopted by the vestry, open to the inspection and for the information of the parish, as well as for any properly authorised officer of the church.

10th.—For the purpose of duly enforcing the foregoing regulations, it shall be the duty of the rural deans, each in his own rural deanery, acting under the authority of the ordinary or archdeacon, carefully to examine into the same from time to time, as he may be required or have convenient opportunity; and to take such steps, in cases of neglect and failure, as may be necessary therein according to the authority with which he is clothed; also that the archdeacon shall, in his visitation, examine into all such matters, either approving of the manner in which such rules and regulations have been carried out, or otherwise if not so done, and in any case of neglect or non-compliance, to take such step as may seem to him desirable in the premises; making an entry in the record book of each church, of such examination and the result thereof.

All of which is respectfully submitted.

E. G. O'BRIEN, *Chairman.*

On motion of the Rev. Mr. HOLLAND, seconded by the Rev. Dr. O'MEARA, the Rev. Abraham Nelles and the Rev. Mr. Carmichael, of the Diocese of Huron, were invited to seats in the synod.

The Treasurer and Auditors presented the following report:

*The Treasurer in account with the Synod of the Diocese of Toronto.*

June 9, 1863...	To balance as per statement.....	\$368 94
"	...To amount received, balance of assessment for 1861-62.....	31 00
May 28, 1864...	To amount received assessment for 1863-64.....	177 90
		\$577 84
		Cr.
June 12, 1863...	By amount refunded Hamilton and Brampton.....	\$4 50
" 22, 1863...	" per Mrs. Strachan for expenses of Synod.....	5 00
" 29, 1863...	" refunded Rev. A. Houston.....	23 68
July 25, 1863...	" paid H. Rowsell.....	0 75
Aug. 7, 1863...	" " H. C. Givins, Corp. University.....	21 02
Nov. 10, 1863...	" " for Stamps.....	16 00
" 23, 1863...	" " per H. Rowsell's account.....	6 00
Dec. 7, 1863...	" " per Dr. Beaven for acc. music copied.....	47 00
April 5, 1864...	" " for postage stamps.....	18 50
" 30, 1864...	" " for engrossing declaration.....	0 88
	Balance in treasurer's hands.....	2 00
		492 51
		\$577 84

Examined and found correct.

W. M. WESTMACOTT, Auditor.  
ROBERT W. DAVIS, Auditor.

Toronto, June 7th, 1864.

Moved by the Rev. H. BRENT, seconded by Dr. BOVELL, that the report be referred to the committee on assessment and finance.—Carried.

Moved by the Rev. Dr. SHORTT, seconded by Dr. ROWAN, that the practice of total abstinence from the use of intoxicating liquors as an article of ordinary diet, hospitality or luxury, is a practice to be commended in those who feel it their duty to adopt it, especially as affording a good example to youth.



Dr. BOVELL moved in amendment, seconded by the Rev. Mr. ARDAGH, that in order to mark the extreme displeasure with which the church regards the soul destroying vice of intemperance, it is desirable that a canon should be passed, authorising the clergy to refuse to receive at Holy Communion any one who is known to be living a life of habitual intemperance.

The Rev. H. C. COOPER moved a second amendment, seconded by F. W. CUMBERLAND, Esq., that this synod, though not pledging itself at present to any definite action in reference to the subject of Dr. Shortt's motion, would express its approval of all proper means adopted by the members of the church, individually and collectively, for the suppression of intemperance.—Carried.

Moved by Dr. BOVELL, seconded by the Provost, that the committee of the court of discipline be continued, and that they be specially requested to consider the appointment of a certain number of presbyters to act as assessors to his lordship the bishop.—Carried.

Mr. Harman obtained leave to bring in his report on the registration of deeds, and gave notice that he would move to-morrow for its adoption.

The committee named at the last synod to consider the subject of registration in matters connected with the church, beg leave to submit the following

## REPORT.

Your committee feel that it must be evident that when the number of parishes or missions in this rapidly increasing diocese is considered, and the land and other property already appertaining, or likely to appertain to them is contemplated, the title deeds or other evidences of the same must be exceedingly numerous.

Your committee have, in the next place, considered the extremely insecure character of the present system of guardianship or holding of these title deeds or evidences of property, which are for the most part in the hands of churchwardens, a body of church officers perpetually changing, and who, for the reasons to which your committee will hereinafter revert, may not be deemed the right custodians of the same.

Your committee have further considered the subject of parochial registrars of births, marriages, and deaths, containing, as they do, records of incalculable value in the proof of descent, as affecting the transmission of property, and the character of families. These registers your committee believe are generally kept at the private residences of the clergy, and their risk of destruction by fire or otherwise is at all times, to say the least, possible.

Your committee feel that there may be many other papers or instruments bearing indirectly, but still with importance, on parochial and church property, which it may not be desirable should remain in parochial keeping, such, for instance, as important receipts or releases given or procured in the adjustment of church debts incurred in the course of the erection and construction of the church or church buildings, sentences of consecration, abstract of the boundaries of parishes as settled by consent or otherwise, with many other matters of a statistical character and bearing.

Your committee will not encumber their report with many reasons which present themselves why a different and more efficient plan should be adopted for the guardianship of the many important documents to which they have alluded, they will content themselves with urging a few, which they deem are sufficiently manifest to recommend themselves at once to the consideration of the synod. In the first place, with regard to real estate, this may, in many instances, have come to the church either directly from, or through the agency of local residents, who may be, or become churchwardens, and thereby the custodians of their own deeds. In the second place, in the case of the documents referred to in clause four of this report, such as releases and receipts which may be taken or procured for local residents who, as members of building committees, or otherwise, may have had large pecuniary reckoning with the then authorities, and who subsequently becoming churchwardens, may have under their own control these very receipts and releases given by themselves.

Your committee would, therefore, recommend the institution at the earliest day of



a system of registration, under the authority of the synod, to embrace the following heads, namely:

1.—All deeds, or other instruments connected with the property of the church in the way of real-estate, viz:

(a) Lots granted for the sites of churches.

(b) Lots granted for the sites of parsonages.

(c) Lots granted for sites of school-houses.

(d) Lots granted for purposes of endowment, whether in glebes or otherwise.

2.—Other property, (not real estate,) such as debentures, stocks, &c., conveyed to or settled to the use of any church or school, for the benefit or endowment thereof.

3.—Debentures, bonds, or other securities for money issued by any church in the arrangement of its liabilities.

4.—All other documents of importance connected with the settlement of the debts of or upon any churches, parsonages, or school houses, which, for the reasons above suggested, should not remain in parochial custody.

5.—Certificates of the day of the corner stone of any church, or its church buildings appurtenant, being laid.

6.—Sentences of the consecration of churches.

7.—Abstracts of the boundaries of parishes, or the sub-division thereof, as settled by mutual consent of the neighbouring clergy, or by commission from the Lord Bishop, in accordance with the provisions of the canon of synod in that behalf.

8.—The dates of appointment to any rectory or mission of the rector, incumbent, or assistant minister thereof.

9.—The names of the churchwardens appointed annually at the Easter vestries.

10.—An alphabetical registration of births, to be compiled from sheets containing copies or transcripts from the parochial registers, to be furnished annually by every parish, the said sheets containing such transcripts or copies to be carefully filed and enrolled when entered.

11.—A like registration of marriages.

12.—A like registration of deaths.

In conclusion, your committee had proposed to themselves the introduction of a canon on this important subject at the present synod, but considering the magnitude of the different points to which they have referred, they are of opinion it may be more satisfactory to the synod that the matter should receive additional consideration. They therefore respectfully submit that a committee be now appointed, to be styled the "Provisional Registration Committee," who shall at once enter upon the duties of the collection of material for a complete registration of the different matters above enumerated, with a view to ensure the due protection of the property of the church, and all statistical matters entrusted to her sacred keeping, and be a safeguard against any careless or fraudulent dealing with the same, such provisional committee to report on the same at the next meeting of synod.

All which is respectfully submitted.

The Rev. Dr. FULLER presented the report of the committee on the endowment of the see, and moved, seconded by the Rev. Mr. COOPER, that it be adopted.—Carried.

The Committee on the endowment of the see beg leave to

#### REPORT.

That they made arrangements in the month of October last, for a deputation to visit the parishes in the Niagara Rural Deanery, on behalf of the fund for the endowment of the see; and several meetings were held with a good prospect of success, but owing to pressing parochial duty, the deputation were obliged to return to their parishes.

The result of the mode adopted on this occasion convinced the committee that it was not advisable to pursue this course any further; inasmuch, as the meetings, being held on consecutive evenings, it was impossible to follow up the impression produced at the meetings, so as to secure the desired result.

Being thus convinced that this was not the best course, they came to the conclusion, to recommend to the Lord Bishop to appoint an agent, who should be able to give his whole time to the duty, and his Lordship was pleased to appoint the Rev. Dr. Read, in December last, as such agent.

Since his appointment Dr. Read has visited the parishes of Stamford, Chippawa,

Fort Erie, on behalf of the charge his grace has been pleased to assign to him. Since this important mission, in the centre of the mission, in

He has he considered the cash, \$13 Toronto, in bearing in the contri Dr. Read

This report, and in no case h

Toronto, 5

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The Rev ment and of \$432 5 sion, indep mittee, th that the b defrayed, ensuing y respectful

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Fort Erie, Welland, Drummondville, Cayuga, Walpole, in the Niagara Rural Deanery, on behalf of the fund. Most of this duty he discharged whilst continuing to discharge his duty as Rector of Thorold.

Since the 1st of March last, he has been enabled to devote himself exclusively to this important duty; and has removed temporarily to this city, as a more convenient centre of operation. Since his arrival here he has held meetings on behalf of his mission, in the parishes of St. James, St. George, and St. Stephen.

He has to report, as received in the Rural Deanery of Niagara, in promises, which he considers as perfectly good, \$170; in notes of hand, bearing interest, \$663; in cash, \$1346; making a total from that Rural Deanery of \$2188: as received in Toronto, in promises considered by him perfectly good, \$1395; in notes of hand bearing interest \$1405; in cash \$800; making a total for this city of \$3600, being the contributions in part of the three above named parishes, and a total reported by Dr. Read of \$5788.

This report is intended only to give the result of Dr. Read's work, so far as carried out, and not to show what is to be expected from any one of the places visited, as in no case had the work been completed.

T. B. FULLER, Chairman.

Toronto, 9th June, 1864.

Moved by the Rev. Dr. FULLER, seconded by Mr. GAVILLER, that this Synod views with alarm the late decision of the Judicial Committee of the Privy Council in the case of the Rev. Dr. Williams, and Rev. H. B. Wilson, as tending (if not regarded with all the guards and limitations thrown round it by the court) to shake the faith of members of our Holy Communion. That this Synod, representing that form of the United Churches of England and Ireland, planted by God's providence, avails itself of this opportunity to declare before the world its firm and undoubting conviction that the Church to which this Synod have the high privilege of belonging, maintains without reservation or equivocation the inspiration and the Divine authority of the whole canonical Scriptures, as not only containing, but being the Word of God, and that she further teaches, in the words of our blessed Lord, that the punishment of the cursed equally with the life of the righteous is everlasting.—Carried.

The Rev. Dr. O'Meara presented the following report of the Committee on Assessment and Finance:—The Treasurer's accounts to the Synod show a balance in hand of \$432 51, after the payment of all expenses up to the opening of the present session, independently of amounts handed in since the balance sheet was struck; the committee, therefore, in view of the highly gratifying state of our finances, recommend that the balance in hand, after the expenses of the present session shall have been defrayed, shall be handed over to the mission board, and the assessment for the ensuing year be the same as that of the present financial period, all of which is respectfully submitted.

(Signed)

F. O'MEARA,

Convener.

Dr. O'MEARA moved, seconded by R. B. DENISON, that the report be adopted.—Carried.

The Rev. Dr. Beaven brought up the report on the building and repairing of parsonages, the first clause of which was put and carried. The reading of the other clauses was deferred till to-morrow.

Mr. HODGINS moved, seconded by Dr. BOVELL, that the report on the vestry manual be adopted, and that the following gentlemen be the committee on the compilation of the vestry manual for the current year:—The Rev. Dr. Fuller, Rev. H. Grasett, B.D., Rev. W. S. Darling, Rev. A. J. Broughall, M.A.; R. A. Harrison, Esq., S. Blake, T. Hodgins, Mr. Recorder Duggan, and J. G. Hodgins, Esqs.—Carried.

Moved by Mr. HODGINS, seconded by R. A. HARRISON, Esq., that with a view to relieve the secretaries of much of the routine duties and details connected with their office during the sittings of the synod, they be authorised to employ an assistant, whose duty it shall be to give special attention to the recording and printing of the daily minutes of proceedings.

That for the information of the members of the synod, a summary statement or

synopsis of the whole of the unfinished business before the synod be prefixed to the daily printed notices of motion in the order in which it is proposed to take it up.

That with a view to ascertain what resolutions and canons have received the sanction of the synod, it be an instruction to the secretaries to employ a person to collate from the official minutes book, and append to the printed minutes for this year, a copy of each canon or resolution which has been duly passed since 1858, with an index, and that a similar appendix and index for each succeeding year be prepared and inserted in future in the annual printed minutes of proceedings of the synod.

That the compilation of the proposed list of canons and resolutions, when prepared, be submitted to the committee on the vestry manual for its approval, before being printed in the appendix to the printed minutes of the synod.—Carried.

The Rev. Dr. SHORTT moved, seconded by the Rev. Dr. O'MEARA, the adoption of the following petition to the legislature, praying for the closing of the canals on the Lord's Day.

*Resolved*—That the following petition from the synod of this diocese to the Legislature be adopted, and transmitted in the usual manner.

The petition of the Lord Bishop, the clergy and laity of the United Church of England and Ireland, in the Diocese of Toronto, in Synod assembled, humbly sheweth:

That your petitioners being firmly convinced that man, by nature, requires one day of rest out of seven, and that this benefit has been assured to him on the day commonly called Sunday as his alienable right by his beneficent Creator, we are deeply grieved to find that many of Her Majesty's subjects are unjustly and injuriously obliged to labor on most of the canals of the province on that day, or forfeit their means of subsistence.

Therefore your petitioners humbly and earnestly pray, that a law may be forthwith enacted, by which all the canals of the province shall be left closed from Saturday at midnight, until Sunday at midnight, as your petitioners understand has been the case for years on the Welland and Lachine canals without complaint.

And your petitioners will ever pray.

The Rev. Mr. HOLLAND moved in amendment, seconded by Rev. Dr. FULLER, that it is undesirable to approach the legislature with a petition for additional legislation on subjects which only require the enforcement of laws at present in existence.—Carried.

The Rev. Dr. READ moved, seconded by the Rev. Dr. SHORTT, that the by-law appropriating the surplus of the commutation fund be confirmed.

Upon this a discussion arose, which continued till the hour of adjournment, when it was deferred till the next day.

The Rev. Mr. HOLLAND gave the following notices of motion: 1. Adoption of canon on vacant parishes; 2. On the mode of appointing a bishop in case of the voidance of the see.

The canon on vacant parishes was ordered to be printed. The synod then adjourned till to-morrow at 10 o'clock, a.m., and the benediction was pronounced by the Bishop.

### THIRD DAY.

*Friday, 10th June, 1864.*

After morning service in St. George's Church at 10 o'clock a.m., at which the Rev. Dr. Beaven said the prayers, and the Rev. Mr. Daniel read the lessons, the Synod assembled in the School Room for business.

The Bishop addressed the Synod, announcing the death of the Rev. Peter Jacobs, Missionary to the Indians, at Manitowaning.

The minutes of the previous day were read and amended.

The Rev. H. C. COOPER moved, seconded by Dr. BOVELL, that the following gentlemen be a committee to confer with similar committees from the Dioceses of Huron and Ontario, upon the Church Temporalities Act: Rev. H. C. Cooper, Dr. Read and Dr. Beaven, S. B. Harman, R. Harrison and J. G. Hodgins.—Carried.

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The discussion on Dr. Read's motion to confirm the by-law appropriating the surplus of the commutation fund was resumed.

It was moved by Dr. BOVELL, seconded by R. B. DENISON, that the by-law appropriating the surplus of the commutation fund, be so far amended as to provide that the first \$400 accruing shall be applied to the support of missions, and the second \$400 to the senior clergyman entitled to it, and so on alternating until the surplus amounts to \$1200, when the mission board shall have \$800 per annum in perpetuity.—Lost, 21 yeas, 58 nays.

Dr. Read's motion was then put and carried.

"1st, That so much of the by-law on Mission Board of 1860, as enacted that the Mission Fund do consist of the annual surplus of the Commutation Fund, be repealed, and that the Commutation Fund shall be managed and administered as heretofore by the Clergy Trust Committee.

2nd. That before there shall be any surplus declared by the Clergy Trust Committee, there shall be always held by said Trust Committee the sum of one thousand dollars, arising out of annual permanent income over and above the amount required to fulfil the covenants into which the society has already entered, and the expenses chargeable upon the fund.

3rd. That said surplus shall be appropriated to the maintenance of the clergy of the diocese being in priest's orders, according to length of service in the diocese.

4th. That such service shall consist of the time during which the clergyman has been employed in *bona fide* parochial or missionary duty in the Diocese, and that in case there has been any intermission in the time of such service, the length of such intermission shall be deducted from the term of service from which the clergyman claims.

5th. That when two or more persons are ordained in the diocese and their service commences at the same time, he shall be considered senior who is first upon the Bishop's ordination list. But when they have been ordained out of the diocese their seniority shall be determined by the date of their licenses, from the Bishop of the diocese, being in priest's orders. And if there shall be any question of seniority not provided for in this by-law, it shall be decided by the Bishop of the Diocese.

6th. That as soon as the Trust Committee shall report a surplus of \$400, as above provided, it shall be paid to the senior clergyman of the diocese (as above defined) not being on the commutation list, and so on in respect of each successive sum of \$400 of surplus income. And it is hereby distinctly specified that this provision shall not interfere with any existing arrangement. No clergyman shall receive from this fund more than \$400 per annum.

7th. That any clergyman once placed on the list shall remain thereon so long as he continues to do duty in the diocese or is on the superannuated list thereof, but shall forfeit his claim by removing from it, not being superannuated, or for any time he may be under legal ecclesiastical censure.

8th. No clergyman accepting after this date an endowed living yielding \$400 per annum, or holding the incumbency of a church yielding, from pew rents or otherwise, \$800 per annum, shall be placed upon the list of annuitants as aforesaid, and any annuitant accepting such living shall resign his income from the Commutation Fund, and by such acceptance shall be regarded as having forfeited his present claim upon such fund. Nevertheless it shall be lawful for him, upon resigning such living or incumbency, to be again placed on the list of annuitants as soon as a vacancy shall arise. And nothing in this by-law shall be construed so as to prevent an exchange being made between the incumbent of such endowed living and an annuitant of this fund, provided such change has the sanction of the Bishop.

9th. That as soon as a surplus arises in the Commutation Fund it shall be the duty of the Commutation Trust Committee to request the Lord Bishop to furnish said committee with a list of the clergymen who are entitled to claim under this by-law.

The Rev. Dr. Beaven brought up the following report of the committee on appropriation.

The committee on the appropriation of the moneys to be raised for the support of missions, beg to report the following resolutions, which they respectfully recommend to the Synod for its approval.

1. The mission board shall, at the November meeting in each year, make an



estimate of the amount required to be raised by voluntary contribution in the ensuing year, both for the keeping up of existing missions, and for the supply of additional missionaries where they are required, and in accordance with the regulation of the board. 2. The mission board shall thereupon apportion to the several districts the amounts which they may reasonably be expected to raise. 3. The secretary of the church society shall communicate to the chairman of each district association of the church society, the amount apportioned to be raised within the district, and shall request him to call a meeting of the district board, taking special care that one or more laymen from every congregation shall be summoned to attend such meeting, the business of which meeting shall be to apportion the sums to be raised in each parish or cure, in order to make up the whole amount, on a fair consideration of the apparent means of the laity of the church in each parish or cure, together with any special helps or drawbacks which may exist in such parish or cure. 4. The chairman of the district board shall take order that this allotment be communicated to the clergyman and churchwardens of each parish or cure, and shall request them to use all diligence in connection with their parochial association, to raise the allotted amount by application to every professed member of the church within the cure, or any other equally effective manner. 5. The secretaries of the synod shall communicate these regulations to the church society, with a request that the society will take them into consideration at their August meeting, and pass a by-law in accordance with them.

JAMES BEAVEN, *Chairman.*

Dr. Beaven gave notice that he would move the adoption of the report.

Mr. J. G. Hodgins gives notice that he will move that a standing committee on parochial and diocesan statistics be appointed.

The synod adjourned.

The synod re-assembled after adjournment at 2 p.m.

The attention of the synod having been directed to an entry in the first day's proceedings inadvertently made, which was contrary to the constitution, Rule No. 18, for the preservation of order, the secretary received instructions to expunge the protest of the Rev. Dr. Lett from the minutes.

The Rev. Mr. HOLLAND moved, seconded by the Rev. Dr. O'MEARA, that the 5th canon of the election of a bishop be amended by the introduction of the following after the word "parishes" in the 4th line:—But if the result of such ballot shall shew a majority of votes in favour of placing the nomination of the bishop in the hands of the arch-bishops and bishops of the United Church of England and Ireland, or any one or more of them, then, on such nomination taking place, it shall be final, and the person so nominated shall be considered duly elected.

Mr. Harman rose to a question of order, whether Mr. Holland's motion be not contrary to the constitution, inasmuch as the proposed change had not come before the synod, through the executive committee, whereupon a discussion ensued.

The Rev. Mr. HOLLAND moved, seconded by the Rev. W. S. DARLING, that the article of the constitution which requires that any proposition for the alteration of the constitution shall first be submitted to the executive committee, be suspended, to allow of the present resolution being considered. This motion was subsequently withdrawn.

The Rev. Dr. READ moved, seconded by the Rev. Mr. HOLLAND, that the report on Sunday Schools of last year be now adopted.—Carried.

It was understood that tabular forms should be circulated after having received the sanction of the bishop.

Moved by R. A. HARRISON, seconded by Rev. H. BRENT, that the published minutes of the proceedings of the synod at its last session be referred to a committee consisting of the Rev. Dr. Fuller, Rev. Mr. McCollum, and R. A. Harrison, Esq., with instructions to examine, and if necessary to correct the same by the written minutes of the synod, and to cause the same, when examined and corrected, to be published uniformly with the former published reports of the proceedings of the synod in accordance with the resolution of this synod passed in 1859.—Withdrawn.

Moved by F. W. CUMBERLAND, Esq., seconded by C. J. CAMPBELL, Esq., that the committee on the Episcopal Endowment Fund be instructed to invest the moneys

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collected for that fund in provincial or county debentures, and that investments be regularly made whenever the sum in hand amounts to \$2000, or oftener, if advisable.—Carried.

The Rev. Dr. BEAVEN moved, seconded by Dr. BOVELL, that the following report on appropriation be adopted.

The 1st, 2nd, 3rd, 4th and 5th clauses were separately put and carried.

Mr. HARMAN moved, seconded by Dr. BOVELL, that the report of the committee on registration be received, and that the synod in receiving the same adopt the principle therein commended, of the necessity of a complete system of church registration, and that the following gentlemen be now appointed as the Provisional Registration Committee, recommended in the report, with power and authority to place themselves in communication with the rectors, incumbents, and churchwardens of parishes and missions, with a view to the collection of further material and data on this important subject; and that they are further requested to prepare a canon to be submitted to the next session of synod, to enable the proposed system to go into operation, the Rev. Messrs. Palmer, Fuller and Givins, Messrs. Harrison, Harman and Joseph.—Carried.

Moved by Dr. BOVELL, seconded by Rev. J. G. GEDDES, that the committee be re-appointed to consider the constitution of the court of discipline, with a view to such amendments as may be deemed advisable, and to report to the synod at its next sitting.—Carried.

Moved by Dr. BOVELL, seconded by Rev. J. G. GEDDES, that his Lordship be requested to furnish to the Clerical Secretary a list of those clergymen who are licensed to the cure of souls.—Carried.

Moved by Col. O'BRIEN, seconded by the ARCHDEACON OF TORONTO, that the report of the committee on the subject of the security of church property be received and printed for circulation.—Carried.

Mr. HARMAN moved, seconded by Mr. HARRISON, that a committee be appointed to collect information as to the working of the Incorporated Synod of Ontario, with a view to the consideration of having an incorporation of this synod to take the place of the Incorporated Church Society of this Diocese, if the report of the working of the Incorporated Synod of Ontario be favourable. Committee, the Rev. the Provost, the Rev. Mr. Darling, the Rev. Dr. O'Meara, Messrs. Campbell, Cumberland, and Harman.—Carried.

Moved by the Rev. H. HOLLAND, seconded by Dr. BOVELL, that the report of the committee on assessment of vacant parishes be received and printed with the minutes of the synod, and that the consideration thereof lie over until the next meeting of synod.—Carried.

Moved by J. G. HODGINS, Esq., seconded by Mr. DUGGAN, that a standing committee on Parochial and Diocesan Statistics be appointed, whose duty it shall be to collect statistical information from the various official documents obtained under the authority of the bishop, or of this synod, and to present the same annually to the synod in a condensed and systematic form, (for publication in the appendix to the minutes,) and that the committee see that the necessary blank forms of report which may be required for giving effect to this resolution, be duly provided and sent out.—Carried.

The duty of the committee shall be to collect from the various documents obtained throughout the diocese, under the authority of the bishop of this synod, such statistical information relating to the state and progress of the Church of England in the diocese as it may deem advisable. This information, when compiled, to be presented annually to the synod in a condensed and systematic form, for publication in the appendix to the minutes. The committee shall further see that the necessary blank forms of reports which may be required for giving effect to this resolution be duly prepared and sent out.—Carried.

With the approval of the bishop, the following standing committee was appointed, in accordance with the foregoing resolution, viz.:—Rev. Dr. Fuller, Rev. E. Baldwin, Rev. C. Cartwright, R. A. Harrison, F. W. Cumberland, and J. G. Hodgins.

Moved by the Rev. Dr. O'MEARA, seconded by the Rev. Dr. BEAVEN, that this synod deeply feels the loss that the church has sustained by the recent decease of the Rev. P. Jacobs, and earnestly sympathize with his bereaved widow in the loss she has sustained.—Carried.

Moved by Col. O'BRIEN, seconded by Mr. HARMAN, that the committee on security of church property be continued, and that Mr. John Duggan be placed on it, instead of Mr. Harman.—Carried.

Moved by Dr. BEAVEN, seconded by Col. E. G. O'BRIEN, that the canon on the building and repairing of parsonages be referred to the committee on the security of church property.—Carried.

The question having been asked as to the style in which the report of the proceedings of the synod should be printed, it was agreed that the cheap form should be used similar to that of 1863.

Moved by the Rev. Dr. BEAVEN, seconded by the Rev. S. GIVINS, that the thanks of this synod be given to the Rev. Mr. Wilson for his valuable sermon at the opening of the synod.—Carried.

Moved by R. A. HARRISON, Esq., seconded by S. B. HARMAN, Esq., that the thanks of the synod be given to the ladies who so kindly provided lunch daily at the Orphan's Home for the delegates attending the synod.—Carried.

Moved by the Rev. Mr. McLEOD, seconded by the Rev. J. G. GEDDES, that the thanks of the synod be given to the managers of the Great Western, Northern, and Grand Trunk Railways, for their kind consideration in allowing the clergy and lay delegates to the synod to travel to and from the synod for half fare.—Carried.

The Lord Bishop pronounced the benediction, and the synod was dismissed.

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# APPENDIX.

SUMMARY OF

## CANONS AND RESOLUTIONS

ADOPTED BY THE SYNOD

OF THE

### DIOCESE OF TORONTO,

FROM 1851 TO 1864, INCLUSIVE, WITH AN INDEX TO THE WHOLE.

(PREPARED, UNDER THE AUTHORITY OF A RESOLUTION OF THE SYNOD IN 1864, CHIEFLY  
BY J. GEORGE HODGINS, LL.B., CONVENER OF THE VESTRY MANUAL COMMITTEE,  
TO WHICH THE MATTER WAS REFERRED.)

APPROVED BY THE COMMITTEE, 6TH APRIL, 1865.



TORONTO:

PRINTED BY HENRY ROWSELL,

1865

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APPENDIX

BY THE BOARD

CANONS AND RESOLUTIONS

ADOPTED BY THE BOARD

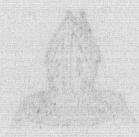
OF THE

DIOCESE OF TORONTO

FOR THE YEAR 1885

PRINTED BY HENRY LOWERY

ADOPTED BY THE BOARD



TORONTO

PRINTED BY HENRY LOWERY

1885

(a) Introduction 185

(b) General

CHAPTER.

1. Declaration

    Que

        i.

        ii.

        iii.

        iv.

        v.

        vi.

        vii.

        viii.

        ix.

        x.

        xi.

        xii.

        xiii.

        xiv.

        xv.

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2. Declaration

    i.

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    iv.

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    i.

    ii.

    iii.

    iv.

    v.

# CONTENTS.

---

	PAGE.
(a) Introductory note relative to the twelve meetings of the Synod, from 1851 to 1864 inclusive.....	7
(b) General statistical summary of the foregoing Synod meetings .....	11
<b>CHAPTER.</b>	
1. Declaration of the British North American Bishops, at a conference held at Quebec, in 1854 .....	11
i. Preliminary statement.	
ii. Convocation in Synod.	
iii. Church Membership.	
iv. Canons of 1603-4.	
v. Articles and Formularies.	
vi. Division of the Morning Service.	
vii. Psalms and Hymns.	
viii. Uniformity of practice at the Offertory.	
ix. Holy Communion—Certificate of Membership on removal.	
x. Marriages.	
xi. Parish Registers.	
xii. Intercommunion with other Reformed Episcopal Churches.	
xiii. Education: (a) General. (b) Sunday Schools. (c) Schools for the Higher Classes. (d) Collegiate Institutions. (e) Training for the Ministry. (f) Diocesan and Parochial Libraries.	
xiv. The Order of Deacons.	
xv. Maintenance of the Clergy.	
xvi. Conclusion.	
2. Declaration of the Canadian Bishops, in Provincial Synod assembled, 1861	17
i. Preliminary Declaration.	
ii. Unity of the Church—Her Doctrinal Standards.	
iii. Subjects of Synodical action.	
iv. Prayer for Divine Guidance.	
3. Declaration of the Queen's Supremacy by the Toronto Synod .....	19
4. Declaration on the part of the Synod of the Diocese of Toronto.....	19
i. Preliminary Declaration.	
ii. Unity of the Church—Her Doctrinal Standards.	
iii. Subjects for Synodical action.	
iv. Necessity for action—General Principles stated.	
v. Prayer for Divine Guidance.	

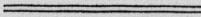


CHAPTER.	PAGE.
5. Constitution of the Synod of the Diocese of Toronto.....	22
i. Clerical Members.	
ii. Lay Delegates, or Representatives.	
iii. Time of Meeting of Synod.	
iv. Prayer before meeting of Synod.	
v. President of the Synod, <i>pro tem.</i>	
vi. Quorum of Synod.	
vii. Secretaries and Treasurer of Synod.	
viii. Finance and Executive Committees of Synod.	
ix. Concurrence of the Three Orders of Synod.	
x. Alteration of the Constitution.	
6. Order of Synod proceedings .....	26
i. First Day's Proceedings.	
ii. Order of Routine Business.	
iii. Cathedral Service during Meeting of Synod.	
iv. Continuous Meeting of Synod.	
v. Evening Meeting of Synod.	
7. Rules for the preservation of order.....	28
8. Rules regarding committees of Synod.....	28
i. Executive Committee.	
ii. Ordinary Committees of Synod.	
iii. Principal Committees of Synod.	
9. Delegates to Provincial Synod.. ..	31
10. Right of the Church to meet in Synod.....	32
11. Sub-division of the Diocese.....	34
12. Election of a Bishop.....	34
13. Constitution of vestries for free churches.....	35
14. Erection and division of parishes, and settlement of boundaries.....	36
15. Bishop's court for the trial of offences.....	38
16. Management and control of church property.....	39
i. Church Property vested in the Church Society.	
ii. Protection of Church Property.	
iii. Registration of Deeds of Church Property.	
iv. Erection of Churches and Parsonages.	
17. Church Society of the Diocese.....	41
i. Parochial Associations—Quarterly Collections.	
ii. Incorporation of the Synod—Union of Church Society with it.	
iii. Indian Church Missions.	
iv. Diocesan Board of Missions.	
v. Widows and Orphans' Fund.	
vi. Clerical Sustentation Fund.	
vii. Christmas Offertory for Clergymen.	
viii. Clergy Trust Commutation Fund.	
ix. Division of Parochial Endowments.	
x. Appointments to, and Assessments of, Vacant Parishes.	

CONTENTS.

5

CHAPTER.	PAGE.
18. Trinity College University.....	49
19. Canons on Ecclesiastical Law.....	50
20. Church music, and congregational psalmody... ..	51
21. Sunday Schools of the Diocese.....	53
22. Miscellaneous and temporary.....	53
i. Endowment of the See of Toronto.	
ii. Observance of the Lord's Day.	
iii. Thanksgiving at Seed-time and Harvest.	
iv. Increase of Candidates for the Ministry.	
v. Revival of the Diaconate.	
vi. Discrepancies in the Celebration of Divine Service.	
vii. Lay Co-operation.	
viii. Church of England Separate Schools.	
ix. Colenso and similar Heresies.	
x. The Church in India.	
xi. The Diocese of Huron.	
xii. The Diocese of Ontario.	
xiii. Addresses to the Queen.	
xiv. Address to the Prince of Wales.	
xv. Address to the Governor General.	
xvi. Resolutions of thanks to the Bishop of Toronto.	
xvii. Resolutions of thanks to various parties.	
xviii. Church Temporalities' Act.	
xix. Manual for the Guidance of Vestry and Easter Meetings.	
xx. Parochial and Diocesan Statistics.	
xxi. Uniformity in Printing Reports of Synod Proceedings.	
xxii. Intemperance, and an Inebriate Asylum.	
xxiii. Ministration in Gaols and Reformatories.	
23. Provincial Statutes affecting the Church of England and Ireland in the Diocese of Toronto.....	67
i. Church Temporalities' Act, 1841.	
(a) Trusts authorized by the Church Temporalities' Act.	
ii. Act to enable the Members of the Church of England and Ireland in Canada to meet in Synod, 1856-7.	
iii. Act to amend the foregoing, 1858.	
iv. Church Society Incorporation Act.	
v. Church Society Rectory Presentation Act.	
vi. Toronto and Huron Church Societies Land Act.	
vii. Solemnization of Matrimony Act.	



CONTENTS

18 The Winter Solstice

19 The Census in Biological Law

20 Chemical and Biological

21 The History of the ...

22 Miscellaneous and temporary

I. Movement of the ...

II. Movement of the ...

III. Teaching at ...

IV. Increase of Candidates for the ...

V. Report on the ...

VI. Disposition in the ...

VII. ...

VIII. ...

IX. ...

X. ...

XI. ...

XII. ...

XIII. ...

XIV. ...

XV. ...

XVI. ...

XVII. ...

XVIII. ...

XIX. ...

XX. ...

XXI. ...

XXII. ...

XXIII. ...

XXIV. ...

XXV. ...

XXVI. ...

XXVII. ...

XXVIII. ...

XXIX. ...

XXX. ...

XXXI. ...

XXXII. ...

XXXIII. ...

XXXIV. ...

XXXV. ...

XXXVI. ...

XXXVII. ...

XXXVIII. ...

XXXIX. ...

XL. ...

XLI. ...

XLII. ...

XLIII. ...

XLIV. ...

XLV. ...

XLVI. ...

XLVII. ...

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XLIX. ...

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LVI. ...

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# CANONS AND RESOLUTIONS.

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[NOTE.—This summary of Canons and Resolutions has been prepared chiefly by J. GEORGE HODGINS, LL.B., in accordance with a resolution moved by him, seconded by R. A. HARRISON, B.C.L., "That with a view, to ascertain what Canons and Resolutions have received the sanction of the Synod, &c."—*Session of 1864, page 28.*]

## (a) INTRODUCTORY NOTE RELATING TO THE MEETINGS OF THE SYNOD, 1851-1864.

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The *First* meeting of the Synod of the Diocese of Toronto, (then embracing the present Dioceses of Toronto, Huron and Ontario,) was held (in connection with the Bishop's Triennial Visitation of the Clergy,) in the city of Toronto, on the first of May, 1851. One hundred and twenty-seven clergy were present, and one hundred and twenty-five lay-representatives of parishes. The Rev. J. Gamble Geddes, B.A., Rector of Hamilton, was appointed Secretary, on behalf of the clergy, and Dr. James Bovell, on behalf of the lay representatives. Besides other business, two questions were proposed by the Bishop for the consideration of the meeting.

1st. Shall we, the Church of the Diocese of Toronto, take any steps to protect her property and endowments? 2nd. Shall we apply for permission from the Crown to hold Diocesan Synods or Convocations? These questions were answered in the affirmative, and the meeting adjourned on the second of May.

2. The *Second* meeting of the Synod for the Diocese was held, in connection with the Bishop's Triennial Visitation of the Clergy, in the city of Toronto, on the 12th of October, 1853. One hundred and twenty clerical members were present, and one hundred and five lay representatives. The Rev. J. Gamble Geddes, B.A., and Rev. Thomas S. Kennedy, were appointed Secretaries on behalf of the clergy, and Dr. Bovell and H. Gates, Esq., on behalf of the laity. Of this meeting, the Bishop in his address before the Synod in June, 1857, says, "The first act of this Second Conference was to declare itself a Synod." The division of the Diocese and other important matters were taken up and discussed, and the Synod adjourned on the 13th of October.

3. The *Third* meeting of the Synod was held in Toronto, on the 25th of October, 1854. Ninety-six clerical members were present, and one hundred and fourteen lay delegates. The Rev. J. Gamble Geddes, B.A., was appointed clerical secretary, and Dr. Bovell lay secretary. Of this meeting, the Bishop in his address of June, 1857, says, "A Constitution was framed, and a Declaration affixed to it, which has

met with much favor throughout the Church. The subject of ecclesiastical discipline, in regard to the clergy and laity, was also considered and discussed at some length." The Synod adjourned on the 27th of October.

4. The *Fourth* meeting of the Synod did not take place until the 1st of May, 1856. A commutation by the Clergy to the Church Society of their capitalized shares in the Clergy Reserve Fund, took place in the meantime. One hundred and thirty-nine clerical members, and two hundred and ten lay delegates were present. The Rev. J. Gamble Geddes, B.A., and Dr. Bovell, were appointed Secretaries. Of this meeting, the Bishop in his address of 1857, says, "The principal matter which occupied our attention during the session was the petition to the Legislature for a bill to remove doubts respecting the action of the Synod, and in this we were successful. But being one of these measures which are reserved for the special consideration of her Majesty in Council, it had to be transmitted to England. The Church members in our eastern [Australian] colonies, who were suffering under the same disabilities as ourselves, followed our example; and one of them, Victoria, got before us in the race, and obtained a law, while our bill was under the consideration of the Imperial Government, which enables the Bishop, Clergy and Laity, to provide for the regulation of the affairs of the Church. Had it not been for this precedent, I very much doubt whether our bill would have become law, because it goes much further than the Act for Victoria." The right to elect Bishops was also conceded. "Much important business was taken up and settled, or postponed for further inquiry, and reports received respecting the episcopal endowment for the proposed new Diocese of Ontario." The Synod adjourned on the 4th of May.

5. The *Fifth* meeting of the Synod took place (under the authority of the new Act, "To enable the members of the United Church of England and Ireland, in Canada, to meet in Synod,") on the 17th of June, 1857. One hundred and nineteen clerical members, and one hundred and fifty-five lay delegates, were present. The Rev. J. Gamble Geddes, M.A., was appointed clerical secretary, and the Rev. T. S. Kennedy, assistant. Dr. Bovell was appointed lay secretary. The principal business transacted at this meeting was the adoption of an address to the Queen, thanking Her Majesty for assenting to the new Act relating to the Synod. Various amendments were also made to the canons already in force. The entire Constitution of the Synod was also revised and republished. The meeting adjourned on the 18th of June.

A meeting of a section of the Synod of the Diocese of Toronto, was held in the city of London, Upper Canada, on the 8th of July, 1857, for the purpose of electing a Bishop for the new Diocese of Huron. Forty-two clerical members, and sixty-nine lay representatives of the various parishes in the new Diocese, were present. Secretaries, Rev. J. G. Geddes, M.A., and Dr. Bovell. On the 9th of July the election took place. 45 (twenty-two clerical, and twenty-three lay,) votes were given for the Rev. Dr. Cronyn, and 30 (twenty clerical, and ten lay,) for the Ven. Archdeacon Bethune. The vote for Dr. Cronyn, as first Bishop of the new Diocese of Huron, was afterwards made unanimous. Previously to its adjournment complimentary addresses were adopted by the Synod, and were presented to the venerable Bishop of Toronto and to the Archdeacon of York.

6. The *Sixth* annual meeting of the Synod of the now circumscribed Diocese was

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held in Toronto, on the 10th of June, 1858. Eighty-nine clerical, and eighty-eight lay members were present. Rev. Dr. Lett was appointed clerical, and Dr. Bovell lay, secretary. The principal business transacted was the consideration of a report on the English Church Canons, as applicable to Canada, and the adoption of canons on the division and formation of parishes; the constitution of vestries for free churches. Reports on church music, the hymn book, separate schools, and sustentation fund, were also considered or adopted. Resolutions were passed relating to Indian Missions, and the increase of candidates for the Christian ministry; to the observance of the Lord's day, and temperance. Delegates were for the first time appointed to the Provincial Synod. An address of sympathy to the Church in India in connection with the Sepoy mutiny was adopted. The meeting adjourned on the 11th of June.

An adjourned meeting of the Synod was held in the city of Kingston, on the 14th of September, 1858. Eighty-four clerical, and sixty lay members were present. The chief business transacted was the appointment of various committees, and the adoption of a report on the sustentation of the clergy, and on separate schools. Resolutions were also passed relating to registration of church deeds, endowment of parishes, temperance, &c. The Synod adjourned on the 16th of September.

7. The *Seventh* annual meeting of the Synod took place in Toronto, on the 7th of June, 1859. One hundred and eleven clerical, and one hundred and twenty lay, members attended. The Rev. Dr. Lett was appointed clerical, and Dr. Bovell lay, secretary. Reports of committees on canons, endowments, separate schools, divinity students, psalms and hymns, sustentation fund, assessment of parishes, building of parsonages, lessening of intemperance, were taken up and adopted. The subject of Sabbath observance was also considered. A petition to the Queen was adopted, praying her Majesty to appoint one of the Canadian Bishops as Metropolitan of Canada, to preside over the Provincial Synod. The meeting adjourned on the 10th of June.

8. The *Eighth* annual meeting of the Synod took place in Toronto, on the 12th of June, 1860. One hundred and fifteen clerical, and one hundred and sixteen lay, members were present. The Rev. Dr. Lett was appointed clerical, and Dr. Bovell lay, secretary. The revised by-laws of the Synod, with slight amendments, were adopted, also the reports of committees on the sustentation fund, commutation trust, psalms and hymns, divinity students, ministrations of religion in gaols and reformatories, and assessment of parishes. A canon providing for the erection of the Bishop's court of discipline was adopted. Resolutions were passed relating to the application of the Christmas offertory, the establishment of a board of missions, observance of the Lord's day, &c. The report upon the discrepancies in the celebration of Divine Service, submitted at the previous meeting of the Synod, was again considered and laid over. The Prince of Wales, being on a visit to British America this year, a cordial address of welcome to His Royal Highness the Prince of Wales, was adopted. The meeting adjourned on the 15th of June. A special session of the Synod was convened in Toronto on the 7th and 8th of September, 1860, to present this address to His Royal Highness.

A special session of a section of the Synod was held in Kingston, on the 12th of June, 1861, for the purpose of electing a Bishop for the proposed new Diocese of Ontario. Fifty-three clerical, and one hundred and eleven lay, members of the

proposed new Diocese answered to their names. Of the thirty-eight clergy present on the day of election, thirty-one voted for the Rev. Dr. Lewis, and one for the Ven. Archdeacon Bethune. Thirty-nine parishes also voted, by their lay representatives, for the Rev. Dr. Lewis, one for Archdeacon Bethune, and one for the Rev. W. Macauley. Delegates were elected for the new Diocese to the Provincial Synod. The meeting adjourned on the 13th of June.

9. The *Ninth* session of the Diocese of Toronto, as now constituted, was held in Toronto, on the 25th of June, 1861. Seventy-one clerical, and seventy lay, members were present. The Rev. T. S. Kennedy was elected clerical, and Dr. Bovell lay, secretary. Reports on the building of parsonages, parochial statistics, lay co-operation, and church music, were taken into consideration and acted upon. A resolution expressive of sympathy with the Venerable Bishop and the Provost of Trinity College, was debated, and finally concurred in by a combined vote of 84, (fifty-four clerical, and thirty lay,) against 24, (fourteen clerical and ten lay,) members; the lay members voting by parishes. Some amendments to the constitution and canons were made. The Synod adjourned on the 29th of June.

10. The *Tenth* session of the Diocese of Toronto, commenced on the 17th of June, 1862. Sixty-nine clerical, and eighty-four lay, members were present. The Rev. T. S. Kennedy and Dr. Bovell were elected secretaries. Amendments were made to the by-laws relating to mission boards and the election of lay delegates to the Synod. An animated discussion on separate schools resulted in the adoption of an affirmative report on the subject by a vote of 74, (Clergy, forty-five, Parishes, twenty-nine,) to 21, (Clergy, nine, Parishes, twelve.) An extended report on University education, submitted at the previous meeting of the Synod, was taken up and considered, but it was finally withdrawn. The usual reports, as well as resolutions in regard to the mission board, Sunday schools, and parochial statistics, were adopted. A memorial to the legislature was also adopted, praying for the establishment of an asylum for inebriates. The Synod adjourned on the 20th of June.

11. The *Eleventh* session of the Synod commenced on the 9th of June, 1863. Eighty-five clerical, and one hundred and sixty-six lay, members were present. The Rev. J. Gamble Geddes, M.A., and Dr. Bovell, were appointed secretaries. Reports on Sunday schools, church music and congregational singing, endowment of see, clergy trust fund, registration of deeds, and an inebriate asylum, were, after consideration, adopted. Resolutions on separate schools, and on the revival of the diaconate, were also, after considerable discussion, adopted by large majorities. The Synod adjourned on the 12th of June.

12. The *Twelfth* session of the Synod commenced on the 8th of June, 1864. Sixty-five clerical, and eighty-six lay, members were present. The Rev. J. Gamble Geddes, M.A., and Dr. Bovell were appointed secretaries. Reports on Sunday schools, endowment of see, mission and commutation funds, building and repairing parsonages, registration of deeds, &c., were adopted; other reports were deferred until next year. A resolution condemnatory of a late decision of the judicial committee of the Privy Council, in the case of the Rev. Dr. Williams, was passed, also one relating to temperance. The Synod adjourned on the 10th of June.

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Session.	Year.
1	1851
2	1853
3	1854
4	1856
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(b) GENERAL STATISTICAL SUMMARY OF THE FOREGOING SYNOD MEETINGS.

Session.	Year.	Date.	Place.	Members Present.		Secretaries of Synod.			Treasurer.
				Ci	Lay.	Clerical.	Lay.		
1	1851	May, 1, 2....	Toronto..	127	125	Rev. J. G. Geddes.	Dr. Bovell	} None appointed.	
2	1853	Oct. 12, 13...	"	120	105	" " " "	" " " "		
3	1854	Oct. 25, 27...	"	96	114	" T.S. Kennedy	H. Gates..		G. W. Allan.
4	1856	May, 1, 2....	"	139	210	" J. G. Geddes.	Dr. Bovell	S. B. Harman.	
5	1857	June, 17, 18.	"	119	155	" " " "	" " " "	" " " "	
		.....	London *	.....	.....	" " " "	" " " "	" " " "	
6	1858	June, 10, 11.	Toronto..	89	88	" Dr. Lett. ....	" " " "	J. W. Brebt.	
		Sept. 14, 16.	Kingston	84	60	" " " "	" " " "	" " " "	
7	1859	June, 7, 10.	Toronto..	111	120	" " " "	" " " "	" " " "	
8	1860	June, 12, 15.	"	115	116	" " " "	" " " "	" " " "	
		Sept. 7, 8....	"	.....	.....	" " " "	" " " "	" " " "	
	1861	June, 12, 13.	Kings'n *	53	111	" " " "	" " " "	" " " "	
9	1861	June, 25, 27.	Toronto..	71	70	" T.S. Kennedy	" " " "	" " " "	
10	1862	June, 17, 20.	"	69	84	" " " "	" " " "	" " " "	
11	1863	June, 9, 12..	"	85	166	" J. G. Geddes.	" " " "	" " " "	
12	1864	June, 8, 10..	"	65	86	" " " "	" " " "	" " " "	

\* Special session of a section of the Synod for the election of a Bishop for the new Dioceses of Huron and Ontario respectively.

CHAPTER I.

Declaration of British North American Bishops. x

(Being Minutes of a Conference of the Bishops of Quebec, Toronto, Newfoundland, Fredericton and Montreal, holden at Quebec, from September 24th to October 1st, 1851.)

[NOTE.—As a matter of interest, as well as for the information of members of the Synod, this important document—which is not otherwise generally accessible to them—is included in this collection of Canons and Resolutions.]

I. Preliminary Statement.

We, the undersigned, Bishops of the North American Colonies in the Province of Canterbury, having had opportunity granted to us of meeting together, have thereupon conferred with each other respecting the trust and charge committed to our hands, and certain peculiar difficulties of a local nature which attach to the same.



We desire, therefore, in the first place, to record our thankfulness that we have been so permitted to assemble, and our sense of the responsibility lying upon us before God and the world to promote the glory of His great name, to advance the kingdom of His Son, to seek the salvation of immortal souls, and, what we feel to be inseparably united with these objects, to establish and extend, wherever there is a demand for her services, the system, the teaching, the worship, and the ordinances of the United Church of England and Ireland.

We feel that, in the prosecution of this great work, we are surrounded by many discouragements, embarrassments and hindrances, which, by the grace of God, we are prepared patiently to encounter, and, while they may be appointed to continue, patiently to endure, but for which, nevertheless, it is our duty to seek all lawful remedy, if such remedy is to be found.

We have therefore prepared the statement which follows, of our views in relation to these subjects of our care and solicitude; and we desire to commend it to the favourable consideration of our Metropolitan, his Grace the Lord Archbishop of Canterbury, in the hope that he may be moved to assist us in obtaining relief from those evils of which we have to complain, as well as to counsel us in the disposal of questions which come before us in the exercise of our Episcopal duties.

### *II. Convocation in Synod.*

In consequence of the anomalous state of the Church of England in these Colonies, with reference to its general government, and the doubts entertained as to the validity of any code of Ecclesiastical Law, the Bishops of these Dioceses experience great difficulty in acting in accordance with their Episcopal commission and prerogatives, and their decisions are liable to misconstruction, as if emanating from their individual will, and not from the general body of the Church; we therefore consider it desirable, in the first place, that the Bishops, Clergy, and Laity of the Church of England in each Diocese should meet together in Synod, at such times and in such manner as may be agreed. Secondly, that the Laity in such Synod should meet by representation, and that their representatives be communicants. Thirdly, it is our opinion that, as questions will arise from time to time which will affect the welfare of the Church in these Colonies, it is desirable that the Bishops, Clergy, and Laity, should meet in council under a Provincial Metropolitan, with power to frame such rules and regulations for the better conduct of our ecclesiastical affairs as by the said council may be deemed expedient. Fourthly, that the said council should be divided into two houses, the one consisting of the Bishops of these several dioceses under their Metropolitan, and the other of the presbyters and lay members of the Church assembled (as before mentioned) by representation.

Upon these grounds it appears to us necessary that a Metropolitan should be appointed for the North American Dioceses.

### *III. Church Membership.*

Doubts being entertained as to who are to be regarded as members of the Church of England in these Colonies, and as such, what are their special duties and rights, we are of opinion that Church Membership requires (1) admission into the Christian covenant by holy baptism, as our Lord commanded, "in the name of the Father,

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and of the Son, and of the Holy Ghost;" (2) that all Church Members are bound, according to their knowledge and opportunities, to consent and conform to the rules and ordinances of the Church, and (3) according to their ability, and as God hath blessed them, to contribute to the support of the Church, and especially of those who minister to them in holy things. Upon the fulfilment of these duties, they may, as Church Members, claim at our hands, and at the hands of our clergy generally, all customary services and ministrations.

We cheerfully recognise the duty and privilege of preaching the Gospel to the poor, and of allowing to those who can make us no worldly recompense the same claim upon our services, in public and in private, which we grant to the more wealthy members of our flocks.

We are further of opinion that Church Members in full communion, are those only who receive, with their brethren, the Sacrament of the Lord's Supper, at the hands of their lawful ministers, as directed and enjoined by the Canons and Rubrics of our Prayer Book. Persons chosen as representatives of any parish or mission to attend any Synod or Convocation, should in every case be members of the Church in full communion.

#### IV. Canons of 1603-4.

Although it is confessedly impossible under existing circumstances to observe all these Canons, yet we are of opinion that they should be complied with so far as is lawful and practicable. But inasmuch as the retention of rules which cannot be obeyed is manifestly inexpedient, and tends to lessen the respect due to all laws, we hold that a revision of the Canons is highly desirable, provided it be done by competent authority.

#### V. Articles and Formularies—Doctrinal Standards.

Whereas the multiplication of sects, among those who profess and call themselves Christians, appealing to the same Scriptures in support of divers and conflicting doctrines, renders a fixed and uniform standard and interpretation of Scripture more than ever necessary, we desire to express our thankfulness to Almighty God for the preservation of the Book of Common Prayer, our entire and cordial agreement with the Articles and Formularies of our Church, taken in their literal sense, and our earnest wish (as far as in us lies) faithfully to teach the doctrines and to use the offices of our Church in the manner prescribed in the said book. And we desire that all the members of our Church should accept the teaching of the Prayer Book, as, under the guidance of the Holy Spirit, their best help in the understanding of Holy Scripture, and as the ground-work of the religious education of their children.

#### VI. A Bishop may authorize Division of the Morning Service.

We are of opinion that the Bishop, as ordinary, may authorize the division of the Morning Service, by the use of the Morning Prayer, Litany, or Communion Service, separately, as may be required; but that no private Clergyman has authority, at his own discretion, to abridge or alter the Services or Offices, or to change the Lessons of the Church.

*VII. Psalms and Hymns.*

Whereas the multiplication in Churches of different Hymn Books, published without authority, is irregular in itself, and has a tendency to promote division among us, we are of opinion that a judicious selection of Psalms and Hymns by competent authority would tend much to the furtherance of devotion and to the edification of pious churchmen.

*VIII. Uniformity of Practice at the Offertory.*

We are of opinion that it is desirable and seemly, and would tend to a uniformity of practice among us, that whenever a collection is made after Sermon, in time of Morning Prayer, the offertory sentences should be read, and the prayer for the Church Militant should be used.

*IX. Holy Communion.—Certificate of Membership on Removal.*

We hold it to be of great importance that the Clergy should attend to the directions of the Rubric which precede the administration of the Holy Communion, respecting "open and notorious evil livers, and those who have done wrong to their neighbors by word or deed, and those also betwixt whom they perceive malice and hatred to reign," and that the members of the Church should signify to the Minister their intention to present themselves at the Holy Table, especially when they arrive in any place as strangers, or when, being residents in such place, they are purposing to communicate for the first time. We conceive that it would greatly promote the welfare of the Church, if all our members, who may be travelling from one place to another, were furnished with a certificate of their membership and of their standing in the Church.

*X. Marriages.*

We hold that a Clergyman knowingly celebrating marriage between persons who are related to each other within the prohibited degrees, set forth in a table of degrees, published by our Church in the year of our Lord God, 1563, is acting in violation of the laws of God and of the Church, and is liable to censure and punishment; and that persons who contract such marriages should not be admitted to the Holy Communion, except upon repentance and putting away their sin. And we recommend that the aforesaid "Table of Prohibited Degrees" should be put up in every Church in our Dioceses. We are further of opinion that injustice is done our Church in withholding from our Bishops the power of granting Marriage Licenses which is exercised by the Bishops of the Roman Catholic Church: and that in several Dioceses great irregularities, and grievous evils, prevail in consequence of the defective state of the Marriage Law. We also hold that the Clergy of our Church should abstain from celebrating a marriage between persons, both of whom professedly belong to another communion, except in cases where the services of no other Minister can be procured.

*XI. Parish Registers.*

We would earnestly recommend to the Clergy of our Dioceses (even though it should not be required by the civil law) to keep accurate Registers of Marriages, Baptisms, and Burials, in their several Parishes or Missions.

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### XII. *Intercommunion with other Reformed Episcopal Churches.*

We are of opinion that it is much to be desired that there should be no let or hindrance to a full and free communion between ourselves and other Reformed Episcopal Churches; and therefore that where we derive our orders from the same source, hold the same doctrines, and are virtually united as members of the same body of Christ, those impediments which (as we are advised) are now in force through the operations of the civil law, ought to be removed.

### XIII. *Education.*

#### (a) *General.*

Whereas systems of education are very generally introduced and supported in these Colonies, either (1) excluding religious instruction altogether from the schools, or (2) recognising no distinction between Roman Catholics and Protestants; whereby no opportunity is afforded us of bringing up the children of our communion in the special doctrines and duties of our faith, to the manifest depravation of their religious principles, and with crying injustice to the Church of England, we desire to express our decided conviction:—

1. That all education for the members of our Church should be distinctly based on the revealed religion of the Old and New Testaments, with special reference to their duties and privileges as by baptism regenerate, and made God's children by adoption and grace.

2. That all lawful and honorable methods should be adopted to move the Colonial Legislatures to make grants to the Church of England as well as to the Roman Catholics, and other religious bodies, as they may require it, and according to their numbers respectively, for the education of the members of their own communion.

#### (b) *Sunday Schools.*

1. We desire to express our sense of the importance, in the existing state of the Church, of Sunday schools, especially in large towns, and we thankfully acknowledge the benefits which have resulted from the labors of pious teachers both to themselves and to their scholars, under proper direction and superintendence. In every possible case, the Sunday schools should be under the personal direction and superintendence of the Minister of the parish or district: or otherwise the Minister should appoint the teachers, choose the books, and regulate the course of instruction; that there be no contradiction between the teaching of the school and the Church, all Sunday scholars should be instructed in the Church Catechism, and regularly taken to Church.

2. We would carefully guard against the assumption that instruction in the Sunday school, even by the Minister of the parish, may be allowed to supersede the directions of the Rubrics and Canons, and on the duty of catechizing in Church; for we distinctly recognise and affirm as well the great importance, as the sacred obligation, of those directions.

#### (c) *Schools for the Higher Classes.*

Schools for the higher classes of both sexes are much required, with particular reference to assisting the Clergy in the education of their own children.



## (d) Collegiate Institutions.

Although we consider it of great importance that each Bishop should connect with his Diocese some college or like institution for the special training and preparation of young men for the Ministry of the Church; we believe that one University for the North American Provinces, with foundations for each Diocese, on the model of the two great Universities, will be required to complete an educational system, as well for lay students in every department of literature and science, as for the students in theology and candidates for the sacred Ministry.

## (e) Training for the Ministry.

In addition to the general studies pursued in the college or university, we deem it highly desirable that candidates for the Ministry should apply themselves, under competent direction, to a systematic course of reading in theology for at least one whole year, or longer if possible, previous to their taking holy orders; and that they should likewise be instructed in the duties of the pastoral office, in correct reading and delivering of sermons, in church music, architecture, &c.

## (f) Diocesan and Parochial Libraries.

We deem it very desirable also that libraries should be formed in every Diocese under the direction of the clergy, both for the clergy themselves and for their parishioners

XIV. *The Order of Deacons.*

We would wish to discontinue the practice which the necessities of the Church have sometimes forced upon us, of entrusting large independent spheres of duty to young and inexperienced men in Deacon's Orders, deeming it desirable that every Deacon should, if possible, be placed under the direction of an experienced Priest.

XV. *Maintenance of the Clergy.*

While we hold it to be the duty of Christian governments to maintain inviolate whatever endowments have been lawfully and religiously made for the establishment, support, or extension of the Christian religion; and while we acknowledge, with heartfelt gratitude, the aid given to our missions by the *Venerable Society for the Propagation of the Gospel in Foreign Parts*, to whose fostering care and bounty the Church in these Colonies owes, under God, its existence and means of usefulness, we desire to record our conviction that the Ordinances of the Church will never be rightly valued, nor its strength fully developed, until the people, for whose benefit the clergy minister in holy things, furnish a more adequate support to the institutions and to the clergy of their Church.

Further, as the *Society*, in consequence of numerous and increasing claims in all parts of the world, is compelled gradually to withdraw its aid, we desire to impress on all our flocks the duty of fulfilling their obligations in respect of the payment of their Ministers; and with a view to this object, we recommend that the churchwardens in each parish or mission should furnish every year to the Bishop a written return, duly certified by themselves and by the clergyman, of the sums paid towards his support for the current year.

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*XVI. Conclusion.*

Lastly, while we acknowledge it to be the bounden duty of ourselves and our clergy, by God's grace assisting us, in our several stations, to do the work of good evangelists, yet we desire to remember that we have most solemnly pledged ourselves to fulfil this work of our ministry, according to the doctrine and discipline of the Church of England, and as faithful subjects of Her most Gracious Majesty Queen Victoria, "unto whom the chief government of all estates of this realm, whether they be ecclesiastical or civil, in all causes doth appertain, and is not, nor ought to be, subject to any foreign jurisdiction." And we cannot forbear expressing our unfeigned thankfulness to Almighty God that He has preserved to us, in this branch of Christ's Holy Church, the assurance of an Apostolic commission for our Ministerial calling; and together with it, a confession of pure and Catholic truth, and the fulness of sacramental grace. May He graciously be pleased to direct and guide us all in the use of these precious gifts, enable us to serve him in unity of spirit, in the bond of peace, and in righteousness of life, and finally bring us to His Heavenly Kingdom, through Jesus Christ our Lord.

(Signed,)

G. J. QUEBEC.  
JOHN TORONTO.  
EDWARD NEWFOUNDLAND.  
JOHN FREDERICTON.  
F. MONTREAL.

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 CHAPTER 2.
**Declaration of the Canadian Bishops,\****In first Provincial Synod assembled, 1861.**1. Preliminary Declaration.*

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

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\* Viz.: The Bishops of Montreal, Quebec, Toronto, Huron and Ontario.

*II. Unity of the Church—Her Doctrinal Standards.*

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

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

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

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

*III. Subjects of Synodical Action.*

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

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

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

*IV. Prayer for Divine Guidance.*

Proceeding upon these principles, which as we humbly thank God, were, under His good guidance, first among the Colonial Churches, publicly set forth amongst

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ourselves, and have been sustained by the acceptance of our brethren through a large part of the Colonial dominions of our beloved Queen, we firmly rely and depend upon His continued blessing and guidance; and we humbly pray that He, who is the God of unity and peace, may ever be with us, and so chasten our affections, purify our motives, and guide our judgment, that we may be enabled to contribute to the efficiency, concord, and stability of the Church in this land.

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CHAPTER 3.

**Declaration of the Queen's Supremacy.**

*Adopted by the Synod of the Diocese of Toronto, 11th June, 1858.*

All foreign ecclesiastical power (inasmuch as the same hath no establishment or ground by the law of God) is for most just causes taken away and abolished; and therefore no manner of obedience or subjection, within Her Majesty's realms and dominions, is due unto any such foreign power; but the Queen's power, within her realms of England, Scotland and Ireland, and all other her dominions or countries, is the highest power under God; to whom all men, as well inhabitants as born within the same, do by God's laws owe most loyalty and obedience, afore and above all other powers and potentates in earth.—Session of 1858, pages 18 and 66.

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CHAPTER 4.

**Declaration on the part of the Toronto Synod.**

*Adopted by the Synod of the Diocese of Toronto, on the 26th of October, 1854, and prefixed to the Constitution of the Synod.*

*I. Preliminary Declaration.*

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

*II. Unity of the Church—Her Doctrinal Standards.*

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

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

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

*III. Subjects for Synodical Action.*

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

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

1. To frame a Constitution for the Synod, and to regulate the time and place of its meetings, and the order and manner of its proceedings.
2. To provide for the proper exercise of Ecclesiastical discipline, in regard to both Clergy and Laity.
3. To provide for the extension and temporal well-being of the Church, and the support of the Clergy and school-masters, for the maintenance of public worship, and the diffusion of a sound religious education.
4. To promote and regulate the building and consecration of Churches, and the erection of Parsonages and school-houses.
5. To provide for the division of the Diocese into Parishes, with regulations for future sub-divisions.
6. To provide, with consent of the Crown, where needed, fit regulations for the appointment of Bishops, Priests and Deacons.
7. To regulate the fees for marriages and other offices of the Church.
8. To provide, with the consent of the Crown, for the division of the Diocese into new Dioceses, either forthwith, or at any future period.
9. To procure from the Colonial Legislature any laws, or modification of laws, which the circumstances of the Church may require.

*IV. Necessity for Action—General Principles Stated.*

These are subjects which will supply abundant employment for our Synods, and

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they are such as the circumstances of the Church in this Province imperatively require her Clergy and Laity to deal with. In adopting Synodical action upon such a principle, we feel that we shall not be infringing the royal prerogative; and we are the more free to enter upon such action from having learned that a high legal authority in the Mother Church has declared that there is no real impediment to the action of Diocesan Synods, and from knowing that the Imperial Legislature has affirmed the principle that the Colonial Church ought to have the power of assembling for the management of its internal affairs.

Though we could have desired that an Act of the Imperial Legislature (founded on the views of the Archbishops and Bishops, and other well-informed persons, both at home and in the colonies) should have laid down the basis of such a constitution as should have been suitable for the action of synodical assemblies, in all the colonies, in order that the unity of all parts of the Church might be completely preserved; yet the exigency of our affairs does not admit of any further delay. If, at any future period, such constitution should be framed by adequate authority, we shall cheerfully modify what has been done by ourselves, so as to bring it into conformity with the decisions of such authority.

Meanwhile we have reason to trust that the other Dioceses of British North America will adopt a line of conduct similar to our own, and thus enable us to confer with them; so that, by mutual consultation, such a constitution may be adopted as will mark our unity, both of principle and sentiment, and form the basis of combined action for many generations to come. We trust, likewise, that by the same means, or through the action of the Crown, the whole of these Dioceses may be united into one Ecclesiastical Province under its proper Metropolitan, and with its Provincial Council; which may frame Canons for our joint action, and be a Court of Appeal, if questions should arise in any Diocese which cannot be settled by the Synod of the Diocese itself.

#### V. *Prayer for Divine Guidance.*

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

(Signed) JOHN TORONTO.

Attested by { J. GAMBLE GEDDES, *Clerical Secretary.*  
JAMES BOVELL, *Lay Secretary.*

[NOTE.—The Synod also passed a resolution requesting the Bishop to transmit a copy of the foregoing declaration "to the Archbishop of Canterbury, with a view of having it laid at the foot of the throne," and also "to the several Bishops of the [British] North American Dioceses, with a view to their advice and co-operation upon the principles therein set forth, so as to produce uniformity on Colonial Church Government."—See Minutes of Proceedings, Session of 1854, pages 18-21.]



**Constitution of the Diocesan Synod.\***

(Originally adopted by the Synod on the 17th of October, 1854, and amended by the Synod in 1856, 1857, 1858, 1860, 1862, and 1864.)

[NOTE.—In 1853, a resolution was passed, of which the following is an extract:]

(a) That a committee for general purposes, [i.e., a Provisional Executive Committee,] be appointed by this Synod \* \* \* to frame rules and regulations for the future guidance of this Synod, touching the future election of delegates to the Synod, the mode of procedure at meetings thereof, and all things necessary to insure order and dispatch therein. \* \* \* .—Session of 1853, page 18.

[NOTE.—In 1854, this executive body, styled a "Provisional Committee," brought in a report containing a "Declaration" on the part of the Synod, and a "Constitution and Rules," &c.—(See pages 18-21, 29-36 of Proceedings.) The report, with a slight alteration, was concurred in, (pages 29, 30,) and the following resolution adopted:]

(b) That a committee be named by the Bishop to consider and report to the next Synod on the Constitution and Canons, &c., of the Protestant Episcopal Church in the United States, whether any, and what part of such constitution may be advantageously embodied in the constitution of the Church in this Diocese.—Session of 1854, page 36.

[NOTE.—The next meeting of the Synod was held in 1856, but no report was presented by this committee. Several suggestions on the subject were made, and the following resolution was passed:]

(c) That the Executive Committee be authorized to revise the constitution of the Synod, and the rules and resolutions thereof; that said committee do report to the next meeting of Synod, and that the constitution, so revised, be printed and forwarded to the clergy and lay delegates one month previous to the meeting thereof.—Session of 1856, pages 34, 35.

[NOTE.—In 1857 the Executive Committee reported several amendments to the constitution and rules, (pages 15-17 of Proceedings,) many of which were adopted and embodied in the revised constitution, &c.—(Pages 30-36.) At the Toronto meeting in 1858, the constitution, &c., underwent further amendment, and, as revised, will be found on pages 77-89 of the Synod Proceedings of 1858. An Act was also passed by the Legislature in that year, embodying some of the regulations relating to the election of lay delegates.—(See statutes, chapter 23, ii. of this collection of Canons and Resolutions.) Further amendments were made to the constitution and rules in 1860, 1862, and 1864, as noted in the following canons:]

**I. Clergy.**

1. The Synod shall consist of the Bishop of the Diocese; of the Priests and Deacons, the same licensed by the Lord Bishop, or holding office in any College or School under the jurisdiction of the Bishop, and not under ecclesiastical censure;

\* See Chapter 10, of this collection of Canons and Resolutions.

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and of Lay Representatives to be elected as hereinafter provided.—See Proceedings of the Synod, No. 1, Session of 1860, on pages 142 and 180 of printed minutes.

2. Clergymen who have been members of the Synod, from whom the Bishop has not withdrawn his license, and who have become superannuated in consequence of age or infirmity, may continue to attend the meetings of the Synod, and vote thereat.—No. 7, Session of 1860, page 144.

## *II. Lay Delegates, or Representatives.*

[NOTE.—The following Canons are based upon the provisions of the Synod Amendment Act (22nd Vict., chap. 139), which will be found under the head of *Provincial Statutes*, chapter 23, iii., of this summary of Canons and Resolutions.]

3. The Lay Representatives shall be male Communicants of at least one year's standing, of the full age of twenty-one years, and shall be elected annually at the Easter meeting held by each Minister having a separate cure of souls; or at any meeting specially called by him for that purpose. And all laymen within the cure, of twenty-one years of age or upwards, who shall have declared themselves, in writing, in a book to be provided for such purpose by the parish, to be "Members of the United Church of England and Ireland, and to belong to no other religious denomination," shall have the right of voting at the election. Provided, however, that no person shall have the right of voting in more than one Church or congregation within the same year.—No. 2, Session of 1860, page 142; see also page 180. Amended at the Session of 1862, pages 15 and 34.

3½. The Minister himself, if present, shall preside at the election; and, in his absence, the Curate or Assistant Minister, or in case neither the Minister nor his Assistant be present, a chairman to be elected by a majority of those present.—No. 3, Session of 1860, on pages 143 and 180.

4. If any lay representative is elected for more than one parish, he shall within ten days after the notice of his election, select the parish for which he will sit and vote, and notify the same to the Secretaries of the Synod, who shall within one week thereafter, notify the Minister of the other parish or parishes for which such representative shall have been elected, and thereupon such Minister shall proceed to the election of another lay representative in his place, upon giving two months' notice of such election, and the voters at such new election shall be the voters registered at the last prior election.—Session of 1860, page 180; see also page 143.

5. The number of representatives to be elected within any cure shall not exceed three.—No. 4, as amended, Session of 1860, pages 143 and 180.

6. Within seven days after such election the chairman of the meeting shall send to the Treasurer the amount assessed on his parish or cure, as hereinafter provided, together with a certificate of such election according to the following form:

This is to certify that at a meeting held this day for the purpose of electing representatives in Synod for this cure or parish, being that of \* \* \* \* \* A.B., C.D., and E.F., being communicants of at least one year's standing, of the full age of twenty-one years, and who have communicated at least three times during the previous year, were elected by the laymen within this cure, who have the right to vote at such election by virtue of their having declared themselves in

writing in the book prepared for that purpose to be members of the United Church of England and Ireland, and to belong to no other religious denomination.

(Date)

I also forward herewith the assessment of the parish, being \$  
And on such certificate shall be endorsed as follows:

\_\_\_\_\_ Chairman.

Toronto, \_\_\_\_\_

To the Secretaries of the Synod.

GENTLEMEN—I have received the Synod-dues on this parish or cure; you can therefore enter the names of the lay delegates on the Synod list.

Your obedient servant,

\_\_\_\_\_ Treasurer.

Which certificate, so endorsed by the Treasurer of the Synod, shall by him be forwarded to the Secretaries, who shall enter the names of the lay delegates on the Synod list, to be printed and sent to each member of the Synod one month before the meeting thereof.

The chairman of meeting shall likewise furnish each representative with a similar certificate; and such certificate shall be taken as sufficient proof of the election; but without it any person presenting himself as a representative shall be required, before taking his seat, to afford sufficient proof that the requirements of the Synod have been complied with in his election; and representatives shall continue in office until their successors are appointed.—No. 5, Session of 1860, pages 143, 144, and 180.

7. If any lay representative is elected for more than one parish, he shall within one week after receiving notice thereof select the parish for which he intends to sit and vote, and shall signify the same to the Secretaries of the Synod, who shall at once notify the Minister of the other parish or parishes for which such representative shall have been elected; and thereupon such Minister shall proceed to call a new election by giving due notice thereof on two consecutive Sundays, such new election to take place within fifteen days from the receipt of the notification from the Secretary of the Synod. And in the event of the erection of a new parish or cure, or of a vacancy occurring in the number of representatives of any parish or cure, either by death or otherwise, the Minister of the said parish or cure shall in like manner, and within the same period, proceed to hold a new election to fill such vacancy, and the voters at the last election shall be entitled to vote at such new election without further registration.—No. 6, Session of 1860, page 144, as amended at the Session of 1861, pages 279, 280, and 304, 305; Session of 1862, pages 34, 35.

8. The Secretaries of the Synod shall transmit to the Church Society a certified list of the lay delegates elected to each Synod two weeks at least before the annual meeting of the Church Society.—Session of 1860, page 206, and Session of 1861, page 289.

9. When the chairman of the meetings for the election of lay delegates send the names of the delegates elected to the Treasurer of the Synod he shall send the annual subscription of one dollar of each lay delegate to the Church Society, if such lay delegate desires to become an incorporated member of the Society, unless such lay delegate is already an incorporated member of the Society.—*Ibid.*

10. The Synod by the Bishop, with most for the welfare

11. During one at morning and evening blessing on the people

ALMIGHTY FATHER and elders to me promised, throughout world: vouchsafe, about to assemble, patience, love, and they may seek truth may be more effected into the fold, and sanctified; through our Lord.

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III. *Time of Meeting of Synod.*

10. The Synod shall meet annually; the time and place of meeting being appointed by the Bishop, who shall adjourn, prorogue, or dissolve the Synod, as may appear most for the welfare of the Diocese.—No. 8, Session of 1860, pages 144 and 180.

IV. *Prayer before Meeting of Synod.*

11. During one month previous to the meeting of the Synod each Minister shall, at morning and evening service, use the following form of prayer, for the Divine blessing on the proceedings of the Synod.—No. 9, Session of 1860, pages 145 and 180.

ALMIGHTY FATHER, who in the beginning of the gospel didst cause the apostles and elders to meet together under the guidance of Thy Holy Spirit; and hast promised, through Thy Son Jesus Christ, to be with Thy Church to the end of the world: vouchsafe, we pray Thee, to be present with the Synod of this Diocese now about to assemble [or now assembled;] give unto them the spirit of wisdom, patience, love, and of a sound mind; and so direct, sanctify and govern them, that they may seek truth and peace; and that through them the saving gospel of Christ may be more effectually preached and ministered, Thy dispersed sheep gathered into the fold, and Thy holy Church stablished, strengthened, settled, united and sanctified; through the merits and intercession of the same Jesus Christ, Thy Son our Lord.

V. *President of the Synod, (pro tem.)*

12. When the Bishop is not present, he shall appoint a Deputy, being a Dignitary or senior Clergyman of the Diocese, to preside in his place.—No. 10, Session of 1860, pages 145 and 180.

VI. *Quorum of Synod.*

13. A quorum of the Synod shall consist of not less than one-fourth of the whole number of the Clergy and one-fourth of the congregation within the Diocese, represented by, at least one delegate; and no business shall be transacted without a quorum.—No. 11, Session of 1860, pages 145 and 180.

VII. *Secretaries and Treasurer of the Synod.*

14. There shall be two Secretaries, one from the Clergy, the other from the laity, who shall be elected annually on the first day of the Synod, with power to appoint an Assistant Secretary; and whose duty it shall be to keep regular minutes of all proceedings of the Synod, to record them in a book provided for that purpose; to preserve all papers, memorials, and other documents; to conduct the correspondence, and to attest the public acts of the Synod. and who shall deliver all records and documents to their successors.—No. 12, Session of 1860, page 145.

15. With a view to relieve the Secretaries of much of the routine duties and details connected with their office during the sittings of the Synod, they be authorized to employ an assistant, whose duty it shall be to give special attention to the recording and printing of the daily minutes of proceedings.—Session of 1864, page 27; see also Order of Proceedings, chapter 6, sections 3 and 4, page 27.

16. There shall be a Treasurer of the Synod, who shall receive and disburse all



moneys collected and paid under its authority; and two Auditors, who shall annually inspect and report on the condition of the accounts.—No. 13, Session of 1860, pages 146 and 180.

### VIII. Finance and Executive Committees of the Synod.

17. A Finance Committee shall be appointed annually, to fix the assessment to be levied from each parish for the ensuing year. The current expenses of the Synod shall be defrayed under the joint authority of the Secretaries and the Treasurer.—No. 14, Session of 1860, page 146.

[For Executive Committee, see Rules regarding Committees of the Synod, chapter 8, No. 1, page 29, and No. 9, page 32.]

### IX. Concurrence of the three Orders of the Synod.

18. No act or resolution of the Synod shall be valid without the concurrence of the Bishop, and of the majority both of the clergy and of the laity present; and if a difference should be found to subsist between the orders, after a vote is taken, then the subject under consideration shall stand over to the ensuing Synod. This rule not to refer to the election of a Bishop.—No. 17, Session of 1860, page 146.

### X. Alteration of the Constitution.

[See Rules regarding Committees of the Synod, chapter 8, No. 3, page 30.]

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## CHAPTER 6.

### Order of Synod Proceedings.

(Originally adopted in 1854; amended in 1856, 1857, 1859, 1860, 1862, 1863 and 1864.)

#### I. First Day's Proceedings.

1. The first meeting of the Synod in each Session shall be preceded by public morning prayer and a sermon, together with the Holy Communion, and the collection at the offertory shall be devoted to missionary or other purposes, on the recommendation of the Executive Committee.—Session of 1860, pages 147 and 180.

2. After divine service on the first day of meeting, the Lay Secretary shall attend at the place of meeting of the Synod, to receive the certificates of the lay representatives, who shall be examined by the Secretary, and a committee of two, to be appointed for that purpose. No representative shall be permitted to act as such until the assessment upon his parish is paid.—Session of 1860, page 147.

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3. The Clerical Secretary shall then call over the roll of the Clergy, to be furnished by the Bishop, and mark the names of those in attendance; and the Lay Secretary shall call over the names of the several parishes and their representatives.—Session of 1860, page 147.

4. The election of Secretaries shall then be made by the Clergy and Laity, respectively, and a Treasurer and two Auditors shall be appointed; all of which officers shall hold their respective offices until their successors shall be appointed.—Session of 1860, page 147.

## II. Order of Routine Business.

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

- (1.) Reading, correcting, and approving the Minutes of the previous meeting.
- (2.) Appointing Committees.
- (3.) Presenting, reading, and referring Memorials and Petitions, and correspondence.
- (4.) Presenting Reports of Committees, and of the Treasurer and the Auditors.
- (5.) Giving notice of motions.
- (6.) Election of Delegates to Provincial Synod.
- (7.) Taking up unfinished business.
- (8.) Considerations of motions.—Session of 1860, page 147; amended in 1862, page 20.

6. An address from the Bishop shall be in order at any time.—Session of 1860, pages 147 and 148.

7. For the information of the members of Synod, a summary statement or synopsis of the whole of the unfinished business before the Synod, shall be prefixed to the daily printed notices of motion in the order in which it is proposed to take it up.—Session of 1864, pages 27, 28.

## III. Cathedral Service during Session of the Synod.

8. At the meetings of the Synod it is desirable that the services of the session should, as much as possible, resemble the cathedral services of the mother church; and for that purpose a precentor of the Synod be appointed, who shall be charged from year to year with carrying out this order; and the Rev. Dr. Beaver be appointed precentor."—Session of 1862, page 88.

## IV. Continuous Meeting of Synod.

9. The deliberations of the Synod shall be carried on continuously, and shall not be adjourned for the purpose of proceeding with the annual meeting of the Church Society.—Session of 1863, page 18.

## V. Evening Meeting of the Synod.

10. Should an extra evening session of the Synod be desired, in accordance with the recommendation of the Executive Committee, notice thereof be given not later than 5 o'clock, p.m., on the same day."—Session of 1862, page 40.

**Rules for the Preservation of Order.**

*(Originally adopted in 1854, and revised in 1856, 1857, 1859 and 1860.)*

1. When the Bishop or other person presiding has taken the chair, no member shall continue standing.
2. When any member is about to speak, for the information of the Synod, he shall rise and address himself to the Chair.
3. No motion or amendment shall be considered as before the Synod (excepting such as may be proposed by the Bishop or Committees) unless seconded, and reduced to writing. To prevent surprise, no motion, except motions in course, shall be considered till the succeeding day of meeting.
4. No member shall speak more than twice on the same question without asking and receiving permission from the Chair.
5. When a question is under consideration, no other motion shall be received, unless to adjourn, to lay it on the table, to postpone it to a certain time, to postpone it indefinitely, to commit it, to amend it, or to divide on it; and motions for any of these purposes shall have precedence in the order here named.
6. Motions to adjourn, or to lay on the table, shall be decided without debate.
7. When a motion has been read to the Synod by the Secretary, it cannot be withdrawn by the mover without the consent of the Chair.
8. Each member shall have the right to require, at any period of the debate, that a question in discussion be read for his information.
9. A member called to order while speaking shall sit down, unless permitted to explain.
10. All questions of order shall be decided by the Chair.
11. All amendments to a motion shall be considered in the order in which they are moved.
12. When a proposed amendment is under consideration, a motion to amend the same may be made; but no after amendment to such second amendment shall be in order; yet a substitute to the whole matter may be proposed and received, provided it deals with the subject in hand.
13. All amendments to any question or amendment shall be decided on before the question or motion on which they arise is proposed for decision.
14. Whilst any question is being put from the Chair, the members shall continue in their seats, and shall not hold any private discourse; and when a motion is so put, no member shall retire until such motion is disposed of.
15. When a division takes place, the votes of the Clergy and Laity shall be taken separately, if required by the Bishop, or four members of each of the respective orders; and the Lay Representatives shall in all such cases vote by parishes, and when so voting, the majority shall be considered as the vote of the parish.

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

17. A question being once determined, shall not again be brought into discussion in the same session, without the special sanction of the Bishop.

18. No protest or dissent shall be entered on the minutes of the proceedings; but, when required by any one member, the number of affirmative and negative votes shall be recorded.

19. When the Synod is about to rise, every member shall keep his seat until the Bishop, or other person presiding, has left the Chair.—Session of 1854, pages 34-36; of 1858, pages 85-87; of 1859, page 82, and of 1860, pages 148 and 149.

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CHAPTER 8.

**Rules Regarding Committees of Synod.**

(Originally adopted in 1853, and amended in 1856, 1857, 1858, 1860, 1863, and 1864.)

*I. Executive Committee of Synod.*

[NOTE.—In 1853, a resolution was first passed, similar to the following, providing for the appointment of a "Provisional" or Executive Committee, consisting of twelve clergy and twelve laymen, to be presided over by the Bishop. (See page 18 of Proceedings of that year.) In 1856, the executive committee, as at present constituted, was first appointed, (see pages 32, 33, of Proceedings). Any amendments to these canons are noted below.]

1. There shall be an Executive Committee, to be nominated and presided over by the Lord Bishop, and to consist of twenty members, ten chosen from the clergy, and ten from the lay representatives; of whom seven shall be a quorum, and whose office shall continue till their successors are appointed. In the absence of the Bishop, the committee shall elect a chairman. It shall be the duty of the Executive Committee to prepare in due form all such matters as the Bishop, or any other members of the Synod may desire to bring forward; to receive reports of all other committees; and to print such reports, or such parts of them as they may deem expedient; and to issue a circular, under the Bishop's direction, stating the time and place of meeting, the business for the ensuing Synod, and the order in which it will be discussed: which circular shall be forwarded to each clergyman and lay representative, one month before the meeting of the Synod.—No. 15, Session of 1860, page 146.

2. The business to be submitted to the Synod, and all reports of committees, shall be sent to the Executive Committee six weeks before the meeting of Synod—No. 16, Session of 1860, page 146. See No. 4, of "Delegates to Provincial Synod."

3. Any proposition for an alteration of the constitution, regulations, rules of order, or canons, shall be to the Executive Committee, and by them laid before the Synod, to be considered at the ensuing meeting; and, if approved by a majority, shall lie over to the next meeting of the Synod; and if again approved by a majority, consisting of two-thirds of both clergy and laity, it shall be adopted.—No. 18, Session of 1860, page 147.

## II. Ordinary Committees of Synod.

4. All committees shall be named by the chair, unless otherwise ordered.—No. 1, Session of 1860, page 150.

5. The reports of committees shall be in writing, signed by the chairman, and shall be received in course, unless a motion be made for their recomittal.—No. 2, Session of 1860, page 150.

6. The Chairman of the Committee, or some member deputed by him, shall explain to the Synod the bearing of any portion of the report, if requested by any member of the Synod.—No. 3, Session of 1860, page 150.

7. All reports of Committees recommending any action or expression of opinion shall be accompanied by a resolution for the action of the Synod thereon.—No. 4, Session of 1860, page 150.

8. It shall be the duty of the mover of a committee to convene the first meeting: and if he should omit to do so for the space of three months, it may be done by any other member of the committee.—No. 5, Session of 1863, page 18.

9. The mover is the chairman of the committee until another chairman is appointed by the Bishop, or chosen by the committee.—No. 6, Session of 1863, page 18.

10. With a view to ascertain what resolutions and canons have received the sanction of the Synod, it be an instruction to the secretaries to employ a person to collect from the official minute-book, and append to the printed minutes for this year, a copy of each canon or resolution which has been duly passed since 1858, with an index.—Session of 1864, page 20.

11. A similar appendix and index for each succeeding year shall be prepared and inserted in future in the annual printed minutes of the proceedings of the Synod.—*Ibid.*

12. The compilation of the proposed list of canons and resolutions, when prepared, be submitted to the committee on the vestry manual for its approval, before being printed in the Appendix to the printed Minutes of the Synod.—*Ibid.*

## III. Various Committees of Synod.

13. The Principal Committees of the Synod are as follows:

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| 1. The Executive Committee.   | 9. Support of Missions.     |
| 2. On Assessment and Finance. | 10. Incorporation of Synod. |
| 3. Endowment of See.          | 11. Music and Singing.      |
| 4. Court of Discipline.       | 12. Sunday Schools.         |
| 5. Securing Church Property.  | 13. Vestry Manual.          |
| 6. Registration of Deeds, &c. | 14. Diocesan Statistics.    |
| 7. Temporalities Act.         | 15. Inebriate Asylum.       |
| 8. Sustentation Fund.         | 16. Vacant Parishes.        |

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## CHAPTER 9.

**Delegates to the Provincial Synod.***(Adopted in 1859, and amended in 1862 and 1863.)*

[NOTE.—The Diocesan and Provincial Synods' Act of 1856-7, (see ii. of chapter 23, of this collection,) having provided that "The Bishops, Clergy, and Laity of the United Church of England and Ireland, in this Province, may meet in general assembly within this Province, by such representatives as shall be determined and declared by them in the several dioceses, the following resolutions were adopted by the Synod in 1858 :]

1. As it is most desirable, for the well being of the Church in this province, and essential to the harmonious and consistent working of synodical action through its various dioceses, that there should be a general controlling power, aided by the advice and assistance of the bishops, acting as a united body, his lordship the Bishop of this Diocese be respectfully solicited to communicate to the Bishops of the several Canadian Dioceses, in order that steps may be taken as immediately as possible for the formation of a Provincial Synod, under the provisions of the Act authorizing the same in Canada. And that representatives from this Diocese, consisting of twelve clergymen and twelve laymen, be chosen by ballot to attend such Provincial Synod, if convened before the next meeting of the Synod of this Diocese.—Session of 1858, page 61 ; see also pages 65, 66.

[NOTE.—The Bishop, in his address before the Kingston meeting of the Synod, (page 112 of Proceedings,) explained the cause of delay in calling together the Provincial Synod. In his address before the Synod in 1859, he also referred to the subject, (page 19,) and expressed his belief that the Provincial Synod would be called together during that year. The following resolution was therefore passed :]

2. That twenty-four Delegates to the Provincial Synod be elected, viz., twelve clergymen and twelve laymen.—Session of 1859, page 83.

[NOTE.—Up to 1862, the mode of electing Delegates to the Provincial Synod was not definitely fixed. In that year, however, the following resolutions on the subject were adopted, the system of "election by lot" having been first negatived.—Page 21 of Proceedings:]

3. That the election of delegates to the Provincial Synod shall be the first order of the day, after notices of motion, at the morning session, on the second day of the meeting of the Synod, and shall take precedence of all other business.—No. 1, Session of 1862, pages 20, 21.

4. That two clerical and one lay member of the Synod shall act as scrutineers of the votes of the clergy, and two lay and one clerical member of the Synod as scrutineers of the votes of the laity; the scrutineers for each order to be appointed on motion, by the members of each order separately.—No. 2, *Ibid.*

5. That ballot boxes shall be provided to receive the votes of the clergy and laity respectively. That upon each member of the Synod depositing his vote, a mark shall be placed opposite his name on the roll by the secretary of the order to which he belongs, and that upon the requisition of any three members of the Synod, the number of votes deposited shall be compared with the number of those who have



voted upon the occasion. That the scrutineers shall hand over the votes to the secretaries of the Synod, whose duty it shall be to preserve them until the election of delegates shall be completed, and then destroyed at the end of the session.—No. 3, *Ibid.*

[NOTE.—The Provincial Synod is further referred to in the Minutes of Proceedings for 1859, 1860, and 1862, pages 83, 151, 175, 179, 268, 270, 280 and 305. In 1862, the following motion, in regard to the Provincial Synod, was proposed, viz., "That in the event of circumstances arising to prevent the attendance of any of the delegates, clerical or laymen, to the Provincial Synod, their places shall be supplied by those [whose names are] highest upon the list of votes; and it shall be the duty of the delegates unable to attend, to advise the Secretary of the Synod thereof in due time, who shall then, under the direction of his lordship the Bishop, notify the parties designated to attend in their place." To this motion an amendment was carried, as follows]:—

6. That the Executive Committee be requested to suggest some mode by which, in the event of any of the clerical or lay delegates to the Provincial Synod being unable to attend, substitutes may be provided.—Session of 1862, page 41.

[NOTE.—In 1863, the Executive Committee made a report on the subject, (page 13 of Proceedings,) which was adopted, (page 16,) and the following resolution was passed:]

7. When the election of delegates to the Provincial Synod takes place, six clergymen and six laymen be chosen by the same ballot, to attend such Provincial Synod, whenever from sickness or other cause the delegates are unable to be present. And whenever any delegates are unable to attend as aforesaid, they shall be excused from such attendance upon notifying the Secretary of the Synod of the fact, at least a fortnight previous to the meeting of the Provincial Synod; who shall then notify the substitutes, selecting them in the order in which they stand in the list, that they are required to attend the said meeting instead of the delegates excused; and it shall be the duty of the Secretary of the Synod duly to certify the election of the said substitutes, in the same manner and at the same time he certifies the election of the delegates to the Secretary of the Provincial Synod, in accordance with the 28th section of the constitution thereof.—Session of 1863, pages 16 and 24.

8. In publishing the list of delegates to the Provincial Synod, in the beginning of the Report [of Proceedings] the name of a dignity of the church [if elected] should head the list, and the name of the [other members] should be printed in alphabetical order.—Session of 1862, page 40.

9. The Executive Committee be directed to provide for the expenses of the Provincial Synod, *pro rata*, on the several parishes.—Session of 1862, page 41.

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## CHAPTER 10.

### Right of the Church to meet in Synod.

[NOTE.—At the Triennial visitation of the Clergy of the Diocese of Toronto, in May, 1851, one of the questions brought before the clergy and laity then present,

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by the Bishop, was as follows: "Shall we, the Church of the diocese of Toronto, apply for permission from the Crown to hold diocesan synods or convocations?" The Bishop further remarked, "If this question be decided in the affirmative, the most expedient and proper method of proceeding will be to petition Her Majesty the Queen, through His Grace the Archbishop of Canterbury, for leave to hold diocesan synods, a copy of the petition to be at the same time forwarded through His Excellency the Governor-General, Lord Elgin, to Her Majesty's principal Secretary of State for the Colonies." In response to the question the following resolution was passed:]

1. That this meeting is of opinion that for the more effectual exercise of the discipline of the Church, and the more advantageous management of its temporal affairs, it is expedient and desirable to apply to the Crown for the establishment of a diocesan synod or convocation, consisting of the laity, as well as the clergy, so as best to meet the requirements of the Church in this diocese, and that [a committee named] do draft a memorial to the Queen, founded on the episcopal charge of the lord Bishop.—Session of 1851, page 12.

[NOTE.—At the next visitation of the clergy, held in 1853, the right of the Church to meet in Synod was again brought up, and a protest on the subject proposed as follows: "That we, the members of the Church in the Diocese of Toronto, meeting by invitation of the lord Bishop, beg to record our solemn and respectful protest against the present informal system of assembling the Church, and as solemnly and respectfully declare our right to meet as a Synod, refusing to admit the right of interference from any quarter." After some discussion the following resolution was substituted for the protest:]

2. That this meeting, convened by the lord Bishop, and composed, *firstly*, of the lord Bishop of the diocese, *secondly*, of the clergy of the diocese, and *thirdly*, of the lay representatives of the several congregations of the diocese, are the Diocesan Synod of this diocese, and that we now proceed to the transaction of business which we have commenced.—Session of 1858, page 7.

[NOTE.—In addressing the Synod in 1854, the Bishop remarked that the meeting "had been postponed, in the hope that the Imperial Government would redeem its pledge, and pass a measure to remove the disabilities which are by some supposed to exist in regard to the Colonial Church assemblies. This hope has not been realized; but \* \* \* the best legal authorities, and among them, I believe, the Solicitor-General of England, have arrived at the conclusion that whatever difficulties may stand in the way of national and provincial convocations of the clergy, they do not extend to diocesan synods," (pages 3 and 4 of the Proceedings.) At the same meeting of the Synod, a constitution and rules for its government were adopted (pages 31-36.) At the next meeting of the Synod (in 1856) doubts having arisen as to the power of the Synod to make certain rules and regulations, the following resolution was passed:]

3. That a committee of seven members, four clerical and three lay, be appointed to draft a petition to the three branches of the legislature, for the passage of an act to enable the Bishop, clergy, and laity, of the United Church of England and Ireland, to make rules and regulations for the management and government of the affairs of the Church in Canada, and also to draft a bill to be brought in upon such petition, and to report such petition and bill with all convenient speed.—Session of 1856, page 15.

[NOTE.—This committee reported at the same session a petition and bill, which were adopted, (pages 17-19,) and presented to the legislature. In the same year the necessary act was passed, but it was reserved by the Governor-General for the

signification of Her Majesty's pleasure thereon. The assent of Her Majesty, together with the act itself, were communicated to the Synod in 1857, (pages 12-14. See also chapter 23, ii., of this collection of Canons and Resolutions.) The constitution was amended, and the following resolution was passed: ]

4. That his lordship, the president, be requested to nominate a committee to draft an address to Her Most Gracious Majesty the Queen, expressing the gratitude with which the Synod accepts the relief from the disability under which it was supposed to labour, and assuring Her Majesty that our best efforts will be used to employ the power of local self government, so graciously bestowed, as a means of cementing that union by which we hope to continue an integral portion of the United Church of England and Ireland.—Session of 1857, pages, 18-24, 29, 30.

NOTE.—At the Kingston meeting of the Synod, in 1858, the Bishop, in his address, (page 113 of Proceedings,) stated that some interruption to the course of synodical action having occurred in the Diocese of Quebec, an explanatory act was passed in that year, "To explain and amend the act intituled 'An Act to enable the members of the United Church of England and Ireland, in Canada, to meet in Synod.'" See session of 1858, pages 149, 150; and also chapter 23, iii., of this collection of Canons and Resolutions. No further action has, therefore, been taken on this subject.]

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#### CHAPTER 11.

### *Subdivision of the Diocese.*

*(Originally adopted in 1857, and again in 1860.)*

1: In the event of a subdivision of the Diocese, the portion intended to form the new Diocese shall be bound in all their public proceedings by the Constitution of the Diocese of which they formed a part, until the said new Diocese shall be fully organized by the election and consecration of the Bishop.—Session of 1860, page 151.

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#### CHAPTER 12.

### *Election of a Bishop.*

*(Originally adopted in 1857, and amended in 1860.)*

[NOTE.—In 1857, a canon on this subject was passed; but in 1859, the following resolution, on the mode of electing a Bishop, was passed: ]

1. That a committee be appointed to consider whether any and what modifications are or may be necessary to be made in the mode of electing Bishops.—Session of 1859, page 100.

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[NOTE.—In 1860, this committee brought in a report on the subject, (page 155 of Proceedings), and moved the following resolutions:—(1.) That in the event of a vacancy of the See, or the erection of a new See within the limits of the present Diocese of Toronto, the bishops of the Province of Canada be requested to present the names of three Clergymen to the Synod of the Diocese in question, of whom the Clergy and Laity, in Synod assembled, shall be called upon to elect one as Bishop of the said diocese. (2.) That this recommendation be not understood necessarily to apply to the case of the first election of a Bishop in the new diocese to be formed in the eastern part of the present Diocese of Toronto. (3.) That if, after ballots, no election shall have taken place, the Bishop shall be requested to present a second time the same number of names. These resolutions were negatived and the following revised canons were adopted:]

2. In the election of a Bishop to a vacant See, or to a new See, the Clergy and Laity shall vote separately by ballot; the Clergy by individuals, and the Laity by Parishes. A majority of votes in each order shall determine the choice, provided that two-thirds of the Clergy entitled to vote be present, and two-thirds of the Parishes entitled to vote be represented; otherwise two-thirds of the votes of each order shall be necessary to determine the choice.—Session of 1857, page 36; of 1860, page 150.

3. On a vacancy in the See, the senior Archdeacon, or in his absence the Archdeacon next in order of seniority, or in the absence of an Archdeacon, the senior Rural Dean, shall, within one week from the occurrence of such vacancy, summon a meeting of the Clergy and Lay Representatives, to be held at the expiration of twenty days from the date at which such meeting shall be summoned, to elect a successor to the See, in cases where provision for the sustentation of the Bishop has been made and accepted by the Governor-General of the Province, or person administering the government thereof; and when no such provision has been made, then so soon after such provision shall have been made and accepted.—Session of 1860, page 150.

4. Any Clergyman elected to be a Bishop, and holding at the time of such election any preferment or benefice, shall resign such preferment or benefice prior to his consecration.—Session of 1857, page 37; of 1860, page 151.

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#### CHAPTER 13.

### **Constitution of Vestries for Free Churches.**

*(Adopted by the Synod in 1858.)*

Whereas there are many churches in the country, in which, by reason of there being no pews or sittings held by the members of the congregation thereof, no vestry can be legally formed for the direction of said churches, the management of their property, or other necessary matters; and whereas by the Act of 19 & 20 Vic.,

intituled, "An Act to enable the members of the United Church of England and Ireland, in Canada, to meet in Synod," authority is given to the Bishops, Clergy and laity, members of the said United Church of England and Ireland, meeting in Synod, "to frame constitutions and make regulations \* \* \* for the convenient and orderly management of the property, affairs and interests of the Church: Be it enacted, that in all such churches in this Diocese where by reason of the seats being free no vestry can be formed, the members of the congregation of each said church shall have power and authority to constitute and form a vestry. And such vestry shall consist of such members, being of the full age of twenty-one years, as shall declare themselves in writing, in a book to be procured for that purpose by the congregation, to be members of the United Church of England and Ireland and habitually attending worship in such church. And being so formed and constituted, such vestry shall have the same power and authority, and do and perform such matters and things as are possessed and done by vestries formed of holders of pews or sittings in other churches.

Provided always, that such vestry shall have no power or authority to interfere with, alter or change any right, rule or custom existing in such church by virtue of any gift, endowment or regulation of the Bishop of the Diocese, or right or interest reserved by him. Such right, rule, custom or reserved right or interest being set forth and recorded, either in a deed of gift or endowment, or by order of the Bishop, in the book hereinbefore directed to be provided for the enrolment of the members of the vestry. And which record shall be duly authenticated by the then incumbent of such church, and by the first (not less than three) members of the congregation then enrolling their names.—Session of 1858, pages 59, 60, 88, 89.

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CHAPTER 14.

**Erection and Division of Parishes, and Settlement  
of Boundaries.**

*(Adopted in 1858, and amended in 1859 and 1862.)*

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[NOTE.—The question of fixing parish boundaries first occupied the attention of the Synod in 1853, when the following resolution was passed:]

1. That this Synod is of opinion that great practical advantages would be attained if fixed territorial limits were defined, for the guidance of each clergyman having cure of souls within the Diocese, and therefore respectfully urge upon his lordship the Bishop of the Diocese, the propriety of devising and carrying out, so far as he may feel himself empowered, a scheme of division by which this desirable object may be secured.—Session of 1853, page 17.

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[NOTE.—The question did not come up again during the Sessions of 1854 or 1856, but in 1857, it was brought before the Synod.—(See pages 19 and 25 of Proceedings.) The consideration of it was, however, deferred until the next session, when the following resolutions were passed :]

Whereas it is expedient that defined local bounds be assigned to each settled cure, duly organized within this Diocese, and also that provision be made for the division and sub-division of existing parishes. Be it therefore enacted, by the Synod :

2. That the clergymen and churchwardens of each settled cure, now or hereafter to be established, shall from time to time, hold a conference or conferences with the clergymen and churchwardens of the adjacent parishes, and report the same to the Lord Bishop for his consideration, and should his Lordship approve of the same, then the boundaries so arranged, approved, and declared, shall be the boundaries of the parishes or cures aforesaid; and that the expenses attending the commission shall be borne by the parishes interested, in such proportion as the commissioners may deem just.—No. 1, Session of 1858, pages 87 and 88\*; amended at the Session of 1862, page 41.

3. That in cases where the boundaries cannot be arranged by such mutual agreement, then that the Bishop be requested to issue a commission to two clergymen, and to one lay representative, none of whom shall be locally connected with said parish or cure, directing and authorizing them to investigate the merits of the case, and to decide thereon and report their decision to the Lord Bishop for his consideration, and should his lordship approve of the same, then the boundaries so arranged, approved and declared, shall be the boundaries of the parishes or cures aforesaid.—No. 2, Session of 1858, pages 67, 87, and 88.\*

4. That the boundaries of a parish or cure being once defined, approved and declared, may not be disturbed within the space of five years; and that every new and distinct parish that shall be erected as hereinafter provided, shall be deemed, and is hereby declared to be a parish or benefice with cure of souls; and that the right of presentation, upon avoidance, to the said benefices, unless legally vested in some other person or persons, shall vest in, and be exercised by the Bishop of the Diocese; and that after collation, institution, and induction by the Bishop, the person so appointed to any such benefice shall be styled, and to all intents and purposes deemed, the Rector of the said Parish.—No. 3, Session of 1858, pages 57, 87, and 88\*; amended at the Session of 1859, pages 82 and 90.

5. When any of the parishioners residing in any parish or any adjoining parishes, shall desire to have a new and distinct parish erected, the said parishioners shall present a memorial to the Lord Bishop, stating fully the reasons moving them thereto, also the proposed boundaries of the contemplated new parish, and whether the rector or rectors of the parish or parishes aforesaid be a consenting party, and when the Bishop of the Diocese shall be satisfied that the provisions of XVII. section of the Church Temporalities Act have been complied with, or that the means for the worship of God have been provided, that then his Lordship shall declare said portion of the parish to be a new parish. In cases where the rector of the existing parish or parishes withholds his or their consent from the preliminary memorial, that he be required to state his reasons in writing, within one

month, to the Lord Bishop, who is to decide on their validity.—No. 4, Session of 1858, pages 57, 87, and 88.\*

6. That the boundaries of every parish erected under the authority of this Canon, be entered and registered in a book to be kept by the Secretaries of the Synod for that purpose, and that a copy thereof be furnished to any person applying, on payment of a fee of twenty cents.—No. 5, *Ibid.*

[NOTE.—A description of the boundaries of various parishes in the city of Toronto, under the foregoing canons, will be found in the *Church Chronicle* for May, 1863, pages 22, 23.]

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CHAPTER 15.

*Bishop's Court for the Trial of Offences.*

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1. That the Bishop be requested to erect his Court, under the authority conferred by his Patent, at an early day.—Session of 1859, pages 82 and 90.

2. That the Synod declares the Bishop's Court to be the Court for the trial of all offences of the Laity as well as of the Clergy, against the provisions of the Act constituting the Synod, or against any of the rules, regulations or Canons passed by the Synod.—*Ibid.*

3. That the Synod adopt the Imperial Statute 3 & 4 Vic., ch. 86, commonly called The Church Discipline Act, with the exception of the 24th section of that Act, as the rule for guidance in the administration of the Bishop's Court in reference to the Clergy, so far as the same may be applicable to the circumstances of this Diocese, and the Bishop of the Diocese shall exercise all the powers conferred by that Act, notwithstanding that he may be the patron of any preferment which may be effected by any proceedings taken under that Act.—Session of 1859, pages 90 and 105-118; amended at the Session of 1861, page 278. For copy of the Act, see also Session of 1860, page 178.

4. That a committee be appointed to consider the best constitution for the trial of offenders under the Church Discipline Act.—Session of 1862, page 37. Committee continued.—Session of 1863, page 18.

5. That the committee be re-appointed to consider the constitution of the Court of Discipline, with a view to such amendments as may be deemed advisable, and to report to the Synod at its next sitting.—Session of 1864, pages 25 and 31.

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## CHAPTER 16.

**Management and Control of Church Property.***I. Church Property vested in the Church Society.*

[NOTE.—The following is an extract from the report of a joint committee of the Synod and Church Society, laid before the Synod at the Session of 1860, (pages 184 and 206,) and adopted by it at the Session of 1861, page 289.]

1. That the Synod shall vest in the Church Society the management and control of all the property of the Church, in or over which the Synod may or might exercise jurisdiction, either alone or concurrently with the Church Society. Provided that any by-laws respecting such property passed by the Church Society shall be submitted to the Synod, in the same manner and to the same effect as by-laws of the Church Society respecting the Sustentation, Mission, and Widows and Orphans' Funds.—Confirmed, Session of 1861, page 289.—See "*Church Society of the Diocese*," Chapter 17, on page 41.

2. That the Synod confirm the by-law on the Board of Missions by a distinct resolution.—*Ibid.*

3. That it would tend to the harmonious working of the Synod and Church Society if the Secretary of the Church Society were also the Assistant Secretary of the Synod.—*Ibid.*

*II. Protection of Church Property.*

1. That a committee be appointed for the purpose of inquiring into and reporting upon the best means by which the property of the church, especially as regards payment of taxes on unoccupied lands, insurance, and repairs of buildings, &c., can be protected, either by commissioners, as in England, or otherwise, as may be considered better adapted to the laws and circumstances of this province.—Session of 1862, page 39.

*III. Registration of Deeds of Church Property, &c.*

1. That a committee be appointed to take into consideration the best mode of proceeding for the registry and safe custody of all deeds relative to Church property.—Session of 1858, page 146.

[NOTE.—A Report of this Committee was presented at the Session of 1859, [pages 65 and 99]; nothing further was done on this subject until 1862, when the committee on registration of deeds, &c., was re-appointed, and, in 1863, presented its report (see Session of 1862, page 39, and of 1863, page 23.) In 1863, the committee was continued, and, in 1864, presented its report on the subject, (see Session of 1863, page 18, and of 1864, page 25.) This report was concurred in and the following resolution adopted]:—

2. That the report of the committee on registration be received, and that the Synod in receiving the same adopt the principle therein commended, of the necessity of a complete system of church registration; \* \* \* that the Provisional Registration Committee recommended in the report be appointed, with power and authority to place themselves in communication with the rectors, incumbents and churchwardens of parishes and missions, with a view to the collection of further materials and data on this important subject; and that they are further requested to propose a canon to be submitted to the next session of Synod, to enable the proposed system to go into operation.—Session of 1864, page 31.

#### IV. Securing Church Property.

1. That until the proposition of S. B. Harman, Esq., for a regular registration of deeds, be adopted, the Rural Deans should require from the several churchwardens a detailed statement of the church property within their several parishes, on the 7th of April in each year; and that the several Deans report to the Archdeacon on the 7th of May in each year, for the information of the Synod.—Session of 1863, page 24.

[NOTE.—A report of the committee on the subject of the security of Church property, was laid before the Synod in 1864 and adopted.—See Minutes of that year, pages 22-24 and 31.]

#### V. Erection of Churches or Parsonages.

1. That a committee be appointed on the subject of building parsonages, repairs and dilapidations of the same, and report thereon at the next meeting of the Synod.—Session at Toronto of 1858, page 55.

[NOTE.—At the meeting held at Kingston in the same year, (1858) a report from the committee on parsonages was laid before the Synod, (see pages 124-130,) and its consideration postponed until the next year, (page 144.) In 1859 this report was taken up and referred to a new committee (see page 82), together with amendments by the Rev. E. Blake, A.B., to a proposed canon on the subject.—(See pages 102, 118-124.) In 1860 another report was presented to the Synod, incorporating several of Mr. Blake's suggestions.—(See pages 176, 178.) In 1861 this report was referred to a committee (page 278). A series of canons founded on the report was proposed by the committee and submitted for the adoption of the Synod. The report was concurred in and the canons approved, but they were laid over for confirmation at the next meeting of Synod, (pages 290-294.) In 1862 the canons did not come up for confirmation, nor was the committee on the subject re-appointed. In 1863, however, the following resolutions were passed:]

2. That a committee be appointed to draw up recommendations for congregations about to erect churches or parsonages, and to embody such recommendations in a report to be submitted to the Synod.—Session of 1863, page 16.

3. That in future an annual report, duly authenticated, be made to the Synod on account of churches, parsonages and endowments, in course of erection or formation, in the parishes or missions of the Diocese.—*Ibid*, page 17.

[NOTE.—In 1864 no report was presented to the Synod on the subject, but a motion was made to confirm the canons of 1861. The canons were, however, subsequently referred to the committee on the securing of Church property.—See pages 19, 27, and 32.]

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## CHAPTER 17.

**Church Society of the Diocese.***I. Parochial Associations—Quarterly Collections.*

Whereas the wants of the Church in this Diocese are most pressing and urgent, and the Church Society affords to each individual the best means of co-operation in promoting the cause of true religion amongst us: Be it therefore

*Resolved*,—1. That it is the bounden duty of every member of the Church, clerical and lay, to promote and carry out, to the best of his ability, the various objects contemplated by the Church Society, and for this purpose the Clergy, Churchwardens, and Lay Delegates of each parish or mission are earnestly entreated to give to this excellent Institution the full benefit of their aid and influence, by the establishment of Parochial Associations, and the Quarterly Collections.—Adopted in 1858, but not entered in the minutes of that year. See Session of 1859, pages 84 and 85.

2. That this Synod respectfully request his Lordship the Bishop of the Diocese, to appoint deputations to hold meetings in the several parishes within the Diocese, in order to set forward the claims of the Church Society, and, in conjunction with the parochial authorities, to establish associations in connection therewith, where they are not already established, in accordance with the spirit of the resolution adopted by this Synod at its last session.—Session of 1859, page 86.

[NOTE.—See also paragraphs 1, 2 and 3, of Chapter 6, on the "Management and Control of Church Property," page 39.]

*II. Incorporation of the Synod—Union of Church Society with it.*

[NOTE.—In 1860, a motion was made that a petition be presented to the Provincial Parliament, praying for an Act for the Incorporation of the Synod. In amendment the following resolution was passed:]

1. That the resolution just moved be referred to a committee, to consider whether such measures cannot be adopted, under the constitution of the Synod and of the Church Society, as shall provide for the harmonious working of the two bodies, without the necessity of an appeal to the Legislature, and if such measures cannot be adopted, then to apply for an Act of Incorporation, if they shall deem it advisable.—Session of 1860, pages 178, 184, 188, and 201.

[NOTE.—To this committee several resolutions were referred.—See minutes of 1860, pages 184, 193, 194. In 1864, the following resolution was passed:]

2. That a committee be appointed to collect information as to the working of the Incorporated Synod of Ontario, with a view to the consideration of having an incorporation of this Synod, to take the place of the Incorporated Church Society of this Diocese, if the report of the working of the Incorporated Synod of Ontario be favourable.—Session of 1864, page 31.



*III. Indian Church Missions.*

[NOTE.—The subject of Indian missions in Canada, was first brought before the Synod in the address of the Bishop, at the session of 1854. (page 7.) In that address the Bishop gave an account of his visit to missions at Great Manitouwahning Island and Garden River, and stated that the Rev. Dr. O'Meara had gone to England to solicit aid in their behalf. At the next session, held in 1856, the following resolution was passed:—]

1. That a committee of this Synod be appointed to consider the state of our Indian missions, and that measures shall be taken for securing their efficiency and permanence.—Session of 1856, page 82.

[NOTE.—In 1857, the committee presented a detailed report on the number of missions already established, and making various suggestions. The report was ordered to be laid on the table.—(Minutes of 1857, pages 25-28.) At the June meeting, in 1858, the Bishop referred in his opening address to his visit to the Indian Missions at Garden River, the Narrows, and Manitouwahning—(Page 14.) The following resolution was subsequently adopted:—]

2. That a committee of the Synod be appointed to determine what are the best means of carrying on and increasing the Indian missions.—Session of 1858, pages 70 and 124.

[NOTE.—At the Session of 1859, a report on Indian missions was laid before the Synod. (pages 28, 29,) but there is no record of its having been adopted. In 1860, however, a joint committee of the Synod and Church Society, agreed that the standing committee of the Church Society should form a Diocesan Board of Missions, which should report annually to the Synod. The by-laws of this Board are also to be submitted to the Synod for its approval.—(Session of 1860, pages 201-204.) Except in the Bishop's annual address in 1862, (page 12,) the subject of Indian missions has not since been brought before the Synod as a separate matter.]

*IV. Diocesan Board of Missions.*

1. That the resolution [of a Committee appointed to revise the Constitution and By-laws of the Church Society of the Diocese of Toronto,] on the subject of the Board of Missions, be referred to the Committee, to whom was referred the resolution on the Incorporation of the Synod, and that the Church Society be requested to appoint a Committee to co-operate with the Committee of the Synod, and that the resolutions of such joint Committee, on being approved of by the Church Society, shall be considered as the resolutions of this Synod, and be acted on accordingly until reported to the next meeting of Synod.—Session of 1860, pages 183, 184.—See also pages 193, 194.

[NOTE.—A meeting of this joint Committee was held on the 5th of July, 1860, and the following By-laws for the establishment of a Mission Board was adopted and communicated to the Synod. In 1861 a committee was appointed on the subject of a consolidation of the revenues and resources of the Church.—(page 303 of Proceedings.) At the same session the By-laws adopted by the Mission Board in 1860, were confirmed by the Synod as follows:—See pages 276, 289, 303, 304.]

Whereas it is desirable for the better securing the ministrations of religion throughout the Diocese that there be a systematic plan for the payment of the stipends of missionaries, whether settled or travelling.

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2. Be it enacted, that the Standing Committee of the Church Society be constituted and empowered to act as a Diocesan Board of Missions; and that a fund, to be called the Mission Fund, be under their control, to be administered as hereinafter provided.

3. That the said Mission Fund do consist of—

- a. Commutation Trust Fund, [repealed at the Session of 1864, page 29.]
- b. The moneys at the disposal of the Central Board, for the management of the Sustentation Fund.
- c. All collections for missionary purposes, made in churches or stations throughout the diocese.
- d. All subscriptions to the Church Society, not specially appropriated to any other object, with the exception of one-fourth to be applied to the general purposes of the Society.
- e. All donations and legacies for missionary purposes, regard being had to the direction of the donor or testator.—No. 1, of Session of 1860, pages 202 and 203.

4. a. That the Board of Missions assumes the payment of their stipends to all missionaries who have been up to this date [June 19th, 1862,] licensed by the Bishop to minister within the limits of any district association of the Diocese; provided the committee of such district association shall, from time to time, place the board in possession of sufficient funds to cover the stipends, or shall fulfil such stipulations as may have been, in special cases, entered into with the board.

b. That the board will be ready to assume the same obligation in reference to such missions as have had promises made to them of any district association, and have been accepted by the board as having claims upon its consideration, before any other new missions are provided.

c. That after such missionaries or missions have been provided for by the board from the funds contributed by their respective district associations, any surplus there may be shall be applicable to the payment of missionaries in any part of the Diocese, when the Bishop shall see fit to appoint a clergyman to minister in any mission recommended to his lordship by a district committee through the Mission Board.

d. That the incumbents of settled parishes which shall pay or secure, through the district committee, the stipends of their minister, or any portion thereof, shall be entitled to draw the same amount from the board.

e. Resident Clergymen, for whom the parish provides a residence and guarantees to the Board of Missions £100 per annum, shall receive from the Board £50 per annum as stipend, if the funds of the Board permit, and if, considering the exigencies of the case, in regard to other destitute parts of the Diocese, it shall appear to the Board expedient to grant it. Session of 1862, pages 30, 31.

5. That all District Branches now employing a travelling missionary or missionaries shall be entitled to the maintenance of such missionaries, on transferring their funds to the Board of Missions, and on their continuing to contribute the necessary funds, (including the funds so transferred,) for his or their support, provided that

such district branches recommend the same. But that in all other cases the requirements of the District Branches for missionaries be submitted by each locality to the Board of Missions, who shall decide upon the order in which the said requirements are to be carried out according to their urgency and necessity; but that the appointment of all missionaries rests absolutely with the Bishop, and that no Clergyman shall be recognised by the Board, unless he shall have previously received his lordship's License.—No. 4, Session of 1860, page 204.

6. That the Board of Missions shall have power to make such rules and regulations to carry out this by-law as they may deem necessary.—Session of 1860, pages 202-204. No. 3, Session of 1860, page 203; see also Session of 1861, pages 276, 289, 303, 304; amended at Session of 1862, page 31. See also the same Session, page 17.

7. That the Mission Board be required to report to the Synod at its annual meeting.—Session of 1863, page 18.

8. That it is expedient to raise the amount required in each year by the Mission Board, upon the principle of appropriating definite sums, to be raised by each locality according to their means and circumstances.—Session of 1864, page 21. See also *Church Chronicle* for September, 1864, pages 81, 82.

#### V. Widows and Orphans' Fund.

[NOTE.—As some indefiniteness appear to exist in regard to the by-laws which have been adopted by the Church Society, and sanctioned by the Diocesan Synod, we can only make the following reference to the subject, viz., Session of 1860, page 201; of 1861, pages 276, 277, 287-289; of 1862, pages 16, 17; *Church Chronicle* for 1863, pages 8, 39, 52, 54, 70, 87, and 137; *Chronicle* for 1864, pages 50 and 135; and for 1865, page 178.]

#### VI. Clerical Sustentation Fund.

[NOTE.—Independently of the discussion and resolutions on the Clergy Reserve question, which occurred during the earliest meetings of the Synod, and which ended in the settlement of that question and the commutation of their stipends by the clergy, (See *Clergy Trust Commutation Fund*), the question of the sustentation of the clergy also occupied the early attention of the Synod. In 1853, the following resolutions on the subject were passed:]

1. That this Synod are unanimously of opinion that as in the Jewish Church they who ministered about Holy things lived of the sacrifice, and they who waited at the altar were partakers with the altar; even so in the Christian Church, it is by our Lord ordained that they who preach the gospel should live of the gospel.—Session of 1853, page 17.

2. That in the opinion of this Synod, one of the most serious practical difficulties connected with the Church in this diocese is the want of an assured respectable income for its ministers in general. That in consequence of the existence of this evil, the people are perishing for lack of knowledge; there are comparatively few ambassadors of Christ to send to them; the present clergy are, many of them, seriously crippled in their means; the hearts of the young discouraged from entering the ministry, while the wealthier classes of the community, actuated by a like fear, rather hold back than encourage their sons to take the Orders.—*Ibid.*

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3. That it is the duty of every member of the Church in this diocese, lay as well as clerical, to use the most strenuous efforts for the removal of the aforesaid evil; and that it is in an especial manner incumbent on the members of this Conference respectfully to tender to the proper authorities, upon the present occasion, the advice which their experience and local knowledge enables them to give, respecting the most beneficial mode of appropriating the funds accruing from permanent sources, and which were set apart by the 3rd and 4th Vic., ch. 78, for the support and maintenance of Public Worship and the propagation of religious knowledge, according to the principles of the Church of England, in this diocese; as also to consider of and recommend such measures as may seem best calculated to secure, by means of voluntary contribution, the efficient and continuous aid which the exigencies of the Church imperatively demand.—*Ibid.*

[NOTE.—In his address to the Synod, in 1854, (page 9,) the Bishop having suggested, as one of the topics for consideration, the propriety of taking some steps "for commencing and establishing a Church Sustentation Fund," the following resolution was passed:]

4. That the lord Bishop be requested to name a committee for considering what methods should be adopted for the permanent sustentation of the clergy, in accordance with the recommendations of his lordship, in his opening address to the Synod; and that this committee have power to add to their numbers, and be authorized to employ a secretary, and take such other measures as may appear to them expedient for obtaining the fullest information.—Session of 1854, page 12.

[NOTE.—At the following session, in 1856, a somewhat similar motion was moved and seconded, but it does not appear to have been carried. In 1857, the Bishop again brought the motion before the Synod (page 9) in the following words: "In leaving the Episcopal, I pass to the Sustentation Fund, because they have something of an untoward connection. Hoping much from the Sustentation Fund in aid of our commutation, I was eager to begin operations last autumn, but was overruled by many of the best friends of the Church, and persuaded that we could not succeed till the Episcopal Endowment funds were completed. I confess that I yielded with some repugnance," etc. Nothing further was done on the subject during 1857, but at the Toronto session of the Synod in 1858, a committee on Clerical Sustentation was appointed, (page 16); and during the same session this committee brought in a report (pages 62-65) which was dealt with by the Synod, as follows:]

2. That the report from the Sustentation Committee just read, together with the report of the Church Society upon the same subject, be printed and furnished to each member of the Synod, and that both reports be referred to a select committee to take the same into consideration, and report thereon to the executive committee, in order that their opinion and recommendation may be printed before the next meeting of the Synod.—Session of 1858, page 65.

NOTE.—Two other notices of motion on the same subject were referred to this select committee.—(Pages 68, 70.) At the Kingston meeting of the Synod, in 1858, the Bishop again brought the matter before the Synod, (pages 114, 115,) and the select committee presented a report, (pages 120-122,) which, with a slight amendment, was adopted.—(Page 144.) An annual permanent committee was also appointed to form a Central Board to apportion all moneys raised throughout the Diocese as a sustentation fund.—(Page 121.) In 1859, the matter was again brought before the Synod in the Bishop's address, (pages 16, 17 of Proceedings.) At the same Session the Central Board submitted its first report, (pages 87, 88,) but there is no record of it having been concurred in by the Synod. In 1860 the Central



Board was re-appointed.—(Page 141.) A report from the Board was also laid before the Synod, (page 171,) during the same Session, (page 181,) and the Central Board was merged in the Diocesan Board of Missions.—(Pages 181,-184, and 201,-204.) See *Church Society of the Diocese*, Chapter 17, page 41.]

### VII. Christmas Offertory for the Incumbent.

1. That the offertory of the respective congregations of the Church throughout the Diocese on Christmas day every year, shall be devoted to the sole use of the Incumbent of the Church in which the offertory is made.—Session of 1860, page 181.

### VIII. Clergy Trust Commutation Fund.

[NOTE.—This fund originated from the commutation by the clergy of their Clergy Reserve stipends in 1855-1857; a brief detail of which will be found in the Proceedings of the Synod for 1860, page 187. A sketch of the history of the Clergy Reserve Fund question, (down to the period of the secularization of the fund,) will be found in the Bishop's address before the Synod in 1854.—(Pages 11,-17 of the Proceedings.) An account of the commutation of their stipends by the clergy was given by the Bishop in his address before the Synod in 1856.—(Pages 3,-5 of Proceedings.) The following resolution on the subject will be found on page 35:]

1. That the lay-delegates embrace this opportunity unanimously, of informing the clergy with what admiration and gratitude they have witnessed their unbounded liberality and devotion to the cause of religion, by surrendering to the Church the commutation money lately received by them from the government, and to assure them that they on their parts will endeavour to spread abroad among the people the desire of imitating so bright an example of self-denial and zeal.—Session of 1856, page 35.

NOTE.—The Bishop further referred to the commutation act of the clergy in his address before the Synod in 1857, (pages 4, 5, and 6, of Proceedings,) but no further action was taken in the matter during that session. No reference to the subject appears in the Minutes of the Synod for 1858 or 1859. In 1860, however, a report to the Church Society on the subject was laid before the Synod, (see pages 186,-188) and by a joint resolution of the Church Society and of the Synod, the Commutation Trust Fund was transferred to the Diocesan Board of Missions appointed that year. (See pages 208 and 289 of Synod Proceedings.) In 1861, a report from the Clergy Trust committee to the Church Society was laid before the Synod. (pages 275, 276, see also page 304.) A similar report was also laid before the Synod in 1862, (pages 35, 36,) and in 1863, (pages 15, and 22, 24.) No report, however, on the subject appears from the minutes to have been laid before the Synod in 1863; but one was laid before the Church Society, and it will be found in the *Church Chronicle* for June, 1864, pages 39, 40. A series of by-laws, which had been adopted by the Church Society in May, (see *Church Chronicle* for June, 1864, pages 40, 41,) were brought up for confirmation by the Synod at this session, and received its sanction as follows:]

1. That so much of the by-law on Mission Board of 1860, as enacted that the Mission Fund do consist of the annual surplus of the Commutation Fund, be repealed, and that the Commutation Fund shall be managed and administered as heretofore by the Clergy Trust Committee.—Session of 1864, pages 20 and 29.

2. That before there shall be any surplus declared by the Clergy Trust Committee, there shall be always held by said Trust Committee the sum of one thousand dollars,

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arising out of annual permanent income, over and above the amount required to fulfil the covenants into which the Society has already entered, and the expenses chargeable upon the fund.—*Ibid.*

3. That said surplus shall be appropriated to the maintenance of the clergy of the Diocese being in priest's orders, according to length of service in the Diocese.—*Ibid.*

4. That such service shall consist of the time during which the clergyman has been employed in *bona fide* parochial or missionary duty in the Diocese, and that in case there has been any intermission in the time of such service, the length of such intermission shall be deducted from the term of service from which the clergyman claims.—*Ibid.*

5. That when two or more persons are ordained in the Diocese, and their service commences at the same time, he shall be considered senior who is first upon the Bishop's ordination list. But when they have been ordained out of the Diocese, their seniority shall be determined by the date of their licenses, from the Bishop of the Diocese, being in priest's orders. And if there shall be any question of seniority not provided for in this by-law, it shall be decided by the Bishop of the Diocese.—*Ibid.*

6. That as soon as the Trust Committee shall report a surplus of \$400, as above provided, it shall be paid to the senior clergyman of the Diocese (as above defined) not being on the commutation list, and so on in respect of each successive sum of \$400 of surplus income. And it is hereby distinctly specified that this provision shall not interfere with any existing arrangement. No clergyman shall receive from this fund more than \$400 per annum.—*Ibid.*

7. That any clergyman once placed on the list shall remain thereon so long as he continues to do duty in the Diocese, or is on the superannuated list thereof, and shall forfeit his claim by removing from it, not being superannuated, or for any time he may be under legal ecclesiastical censure.—*Ibid.*

8. No clergyman accepting after this date an endowed living yielding \$400 per annum, or holding the incumbency of a church yielding, from pew rents or otherwise, \$800 per annum, shall be placed upon the list of annuitants as aforesaid, and any annuitant accepting such living shall resign his income from the Commutation Fund, and by such acceptance shall be regarded as having forfeited his present claim upon such fund. Nevertheless it shall be lawful for him, upon resigning such living or incumbency, to be again placed on the list of annuitants as soon as a vacancy shall arise. And nothing in this by-law shall be construed so as to prevent an exchange being made between the incumbent of such endowed living and an annuitant of this fund, provided such change has the sanction of the Bishop.—*Ibid.*

9. That as soon as a surplus arises in the Commutation Fund, it shall be the duty of the Commutation Trust Committee to request the Lord Bishop to furnish said committee with a list of those clergymen who are entitled to claim under this by-law.—*Ibid.*

#### IX. Division of Parochial Endowments.

1. That a committee of six members be appointed to consider whether any, and

what means can be devised for the better regulation, management, and division of endowments of Churches, and to report thereon at the next Synod.—Session of 1858, page 59.

[NOTE.—In 1859, two reports were presented to the Synod on the subject, (see Minutes of that year, pages 63, 54, and 71, 72,) and a committee was appointed for the following purpose:]

2. To examine carefully all orders in Council, Crown grants and deeds relating to churches, parishes and glebes. To ascertain the trusts upon which any church property is held, and whether those trusts have been fulfilled. To take such steps as they may consider necessary for enforcing compliance with such trusts. To report especially upon the case of any township, city, town or parish, in which there exists more than one church, but with an endowment appropriated only by or to one church only. To suggest a basis of division, in cases in which they consider it advisable to apportion an endowment among several churches.—Session of 1859, page 54.

[NOTE.—In 1859, a resolution was introduced to provide for the limitation of incomes derived from endowments (see minutes of that year, pages 83, 84). In 1860 this resolution was referred to the committee on endowments. A report was brought in at this Session, (pages 193, 194,) but it was referred to the committee on the incorporation of the Synod.—(See pages 193, 194.) The committee on endowments was re-appointed.—(See Minutes of 1860, page 175.) In 1861, no report was made, but the committee was re-appointed, and the following resolution passed.]

3. That a committee on Rectorial and other endowments be appointed, and that the committee inquire into the circumstances under which the endowment now enjoyed by the Cathedral Church of St. James was originally granted, with a view, without any interference with the rights of the present rector, that the same should, in the event of a vacancy, be so adjusted, if it be found that such was the original intention, that the different churches in the city might participate in the said endowment, or that the same might be appropriated to founding a full cathedral staff.—Session of 1861, pages 289, 290.

[NOTE.—Nothing further was done on the subject of parochial endowments during the Sessions of 1862, 1863, or 1864.]

#### X. *Appointments to, and Assessment of, Vacant Parishes.*

[NOTE.—In 1863, the draft of a series of canons on the appointment to, and the assessment of, vacant parishes, was laid before the Synod, and the following resolution passed:]

1. That a committee be appointed to consider and report upon the \* \* \* canon [relating to the appointment to, and assessment of, vacant parishes].—Session of 1863, page 15.

[NOTE.—A report from this committee was laid before the Synod in 1864, (see page 16 of Proceedings,) and the following resolution was passed:]

2. That the report of the committee on assessment of vacant parishes be received and printed, and that the consideration thereof lie over until the next meeting of Synod.—Session of 1864, page 16.

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## CHAPTER 18.

*Trinity College University.*

NOTE.—The first reference to Trinity College in the proceedings of the Synod occurs in 1853, when a vote of thanks was unanimously passed to the churchmen of the United States, for their magnificent contribution (at the solicitation of the Rev. Dr. McMurray, a deputation for that purpose,) in aid of the college, of ten thousand dollars, in money, land and books.—(See printed minutes, page 7.) In 1859, Trinity College is referred to in a report on the increase of divinity students. (Page 43.) In 1860, it is suggested, in a report on the same subject, that “married men residing out of college,” be allowed to hold exhibitions in the university.—(Page 198.) In 1861, several objections having been made, chiefly by the Bishop of Huron, to the nature of the instructions given to the divinity classes in Trinity College, the Bishop of Toronto delivered a special address to the Synod on the subject, at the meeting in June (pages 237, 260.) A discussion having arisen on the subject, the following resolution was proposed, (see below.) To this resolution two amendments were made, viz: (1.) “That inasmuch as the motion (proposed below,) if persevered in, would have the effect of exhibiting to the world a divided Synod, it is inexpedient to entertain it.” (2.) “That the Synod desires to express its deep sympathy with our venerable Bishop in his late trials and difficulties, in consequence of the differences in regard to Trinity College, and its sincere hope that those difficulties may be happily removed by the increased usefulness and efficiency of the institution.” This amendment was rejected by a vote of 82, (fifty-three clergy and twenty-nine parishes,) to 27, (fourteen clergy and thirteen parishes,) and a resolution carried by a vote of 84, (fifty-four clergy, and thirty parishes,) to 24, (fourteen clergy, and ten parishes,) as follows:]

1. That the Synod desires to express its deep sympathy with our Venerable Bishop in his late trials and difficulties, in consequence of the imputations cast upon the teachings of Trinity College, and with the Rev. Provost, as the exponent of that teaching, and declares its continued confidence in the college and its administration.—Session of 1861, pages 285, 286.

[NOTE.—A motion was subsequently proposed on the amendment of the Toronto University Act, but it was withdrawn, and the following resolutions adopted:]

2. That a petition be presented to the Legislature at its next session, praying for aid to Trinity College, for the specific purpose of completing its buildings and further extending its usefulness.—Session of 1861, page 295.

3. That a committee be appointed to watch the course of legislation with reference to university education, and the endeavour, under the direction of the Lord Bishop, and by conference either with the members of the Legislature or with the Government, or with any other bodies appointed by the Government, so to guide and mould such legislation as to make it consistent with the interests of the Church, and the improvement of provincial university education.—*Ibid.*

[NOTE.—In 1862, this committee presented an elaborate report on the subject of university education in Upper Canada, (pages 22-29 of minutes.) When the report was proposed for adoption, a discussion arose and several motions on the subject were made as follows: (1.) “That the report on university education be adopted and printed.” In amendment it was moved, (2.) “That the report be

re-committed, in order that it be amended, so as to state definitely the principles which the church cannot concede on behalf of Trinity College, and to guard against misconception on the part of the church at large, and that the same committee be appointed to watch the course of legislation, in concurrence with the Bishop and authorities of Trinity College." In amendment to this amendment it was moved, (3.) "That the report lie on the table, and that a committee be appointed to watch the future course of legislation on this subject." It was further moved in amendment to the amendment, (4.) "That the report on university education be not now adopted." The report was however withdrawn, and the motions fell to the ground.—Page 35. No proceedings on the subject took place in 1864.]

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CHAPTER 19.

*Canons on Ecclesiastical Law.*

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1. That a committee be appointed to examine what part of the ecclesiastical law of England, and of the Church in Scotland and the United States, in communion with the Church of England, is applicable to this portion of the Church; to advise such additions as may be required by the circumstances of this country, and to report to the next meeting of the Synod a body of canons corresponding with the results at which they may arrive.—Session of 1856, page 31.

[NOTE.—No report on the subject was presented by the committee in 1857. In 1858 an elaborate report was laid before the Synod at the Toronto meeting.—(See pages 17-40.) The canon on the Queen's Supremacy was alone adopted, and the consideration of the remaining canons was postponed until the autumn session (pages 18 and 66.) At the Kingston meeting in September, the following resolution was passed:]

2. That the report of the committee on Canons be referred back to the committee, together with the letter of the Rev. D. E. Blake in reference thereto, and that the Hon. John Hillyard Cameron be added to the committee, and that they be empowered to call to their aid such legal advice as they can obtain.—Session of 1858, page 137.

[NOTE.—In 1859 the committee brought in another report on the subject, which was adopted.—(See pages 29-33, and 90.) In 1860, when the canons adopted the previous year came up for confirmation, the following report of the committee on the subject was adopted:]

3. The Committee on Canons beg to report, that in view of the probability of the meeting of a Provincial Synod of Canada, they deem it advisable not to bring forward for discussion, on the present occasion, any portion of the collection of Canons made by them, but to await the action of that body.—Session of 1860, pages 151 and 181.

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## CHAPTER 20.

**Church Music and Congregational Psalmody.**

1. That whereas it is highly desirable that every branch of Divine Service should be conducted with as much ecclesiastical propriety and devotional reality as possible, and whereas there is room for improvement generally throughout the congregations of this Diocese, in celebrating the praises of Almighty God, and of His Christ, a committee of Synod be appointed to take into consideration, and to suggest uniformity in choral, congregational, and ritual singing, to the exclusion of all light and unseemly music from the sanctuary, and the more general adoption of the singing of God's own word, as set forth in the Psalter, or Songs of David, as appointed to be used "daily," throughout the month.—Session of 1857, pages 24, 25.

2. That a committee be appointed by this Synod to consider by what means congregational psalmody can be best encouraged, and also whether it might not be expedient to give the sanction of the Synod to the Hymn book now generally used in the Diocese, and to make such additions to it as may render it more generally useful for congregational purposes; or to adopt and sanction as the Hymn book of the Diocese another collection, which may more fully meet the requirements of the Church than that which is at present used in it.—Session of 1857, pages 19, 25.

[NOTE.—In June, 1858, two elaborate reports on the foregoing subjects were laid before the Synod (pages 40-47). Two committees were appointed, viz: On Church Music and on a Psalm and Hymn book for the Diocese. The following resolution was passed:]

3. That the report of the committee on Church Music be printed and sent to every congregation in the Diocese.—Session of 1858, page 67.

[NOTE.—In September, 1858, two reports, viz., on Church Music and Psalms and Hymns, were laid before the Synod, (pages 122, 123,) and the committees on these subjects re-appointed.—(Page 144.) In 1859, two reports on the same subjects were submitted to the Synod, (pages 65, 67-70.) The committee on Church Music was continued, (page 99.) The report on Psalms and Hymns was received, and the following resolution passed:]

4. That the committee be authorized to take such measures as they may think fit for the circulation of their Hymn book, and transmit copies to the Bishops of Quebec, Montreal, and Huron, with a view of obtaining their opinion and suggestions thereon.—Session of 1859, pages 102, 103.

NOTE.—In 1860 the committee on Psalms and Hymns, and Church Music, submitted reports on those subjects, (pages 152, 171-174.) The report on Psalms and Hymns was adopted, (page 189.) The committee on Church Music was enlarged, and further directions were given to it, (page 199.) The following resolution was also passed:]

5. That the committee on Church Music be authorized, in order to meet the present requirements of choirs and music classes, to publish a small and cheap collection of Psalm and Hymn tunes and chants, embracing such metres as are likely to be



required for any collection of Psalms and Hymns, so that the same be done without expense to the Synod; and that with a view thereto, they shall add to their number such members of Synod as they shall understand to be acquainted with church music, and invite the aid of competent professors and persons.—Session of 1860, page 189.

[NOTE.—In 1861 a further report on Church Music was laid before the Synod, (pages 271-273.) It was adopted, and the committee re-appointed, (page 281.) In 1862, a report from the same committee was submitted to the Synod and adopted, (pages 31, 32.) The following resolution was also passed:]

6. That the lord Bishop be requested to procure the services of some efficient person as teacher of congregational singing in such of the congregations of the Diocese as may require his services.—Session of 1862, page 41.

[NOTE.—In 1863, two reports were laid before the Synod, viz: On Church Music and Congregational Singing, (pages 22, 23.) The report on Church Music alone was adopted, (page 19.) In reference to the other report the following resolution was passed:]

7. That the committee on Congregational Singing be incorporated with the Musical Committee of the Synod.—Session of 1863, page 16.

#### CHAPTER 21.

### Sunday Schools of the Diocese.

1. That with a view to provide as far as possible for united action in the Diocese in promoting the greater efficiency of Sunday schools, a committee be formed for this purpose, whose duty it shall be to present a report annually to this Synod, on the condition and progress of Sunday schools throughout the Diocese, and to make such suggestions for their improvement as they shall judge expedient.—Session of 1862, page 40.

2. That a committee be appointed to consider what steps can be taken to secure the publication of books suited for libraries and instruction in Sunday schools.—*Ibid.*

3. That the following items of statistics be added to the blank forms of Sunday School reports, viz:—1. The church population of the parishes. 2. The average attendance at the church. 3. The average attendance at the holy communion.—Session of 1863, pages 16 and 18, and Session of 1864, pages 18 and 30.

4. That the blank forms of report on Sunday Schools be printed on a separate form and forwarded to the clergy of each parish, to be filled up and returned.—Session of 1864, page 30.

5. That the tabular forms for Sunday Schools, should be circulated after having received the sanction of the Bishop.—*Ibid.*

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## CHAPTER 22.

*Miscellaneous and Temporary.**I. Endowment of the See of Toronto.\**

[NOTE.—The Bishop in his Pastoral, published on the 16th of January, 1854, having called the attention of the Rural Deans, and the clergy generally, to the necessity of raising a permanent endowment for the See of Toronto, (after the setting off the proposed new Sees of Huron and Ontario,) a meeting was called on the subject by the Rev. D. E. Blake, A.B., Rural Dean of the Home District. The meeting took place in Toronto, on the 4th of May, 1854. A committee of management was appointed, suitable resolutions passed, and assessments made. Rural Dean Fuller also called meetings on the subject in the Niagara District, and circulated subscription lists with good prospects of success. Rural Dean Osler, of the Simcoe District, by consent of his clergy, deferred action at present, the parishes being all rural. At this stage of proceedings it was deemed advisable, at the suggestion of the Bishop, to allow the matter to remain in abeyance.—Session of 1856, pages 9, 23, 25, and 29. In 1859 the subject was again brought up, and the following resolution was passed:]

1. That a Committee be appointed to take the necessary steps for the Endowment of the See of Toronto.—Session of 1859, page 103.

[NOTE.—Nothing further was done on the subject during the Session of 1860, except the re-appointment of the committee (see page 175 of Proceedings) In 1861, the Bishop also brought the matter before the Synod in his opening address, (see Proceedings, pages 264, 265.) In 1862, no report was presented, but the following resolution was passed:]

2. That the strongly expressed wish of the Lord Bishop for the endowment of the See of Toronto is a matter of such deep importance to our future peace and welfare, that the select committee appointed on the subject be directed to proceed to action without delay.—Session of 1862, page 37.

[NOTE.—At the Synod meeting in June, 1863, a report on the progress of the endowment was presented; and in August of that year, the Bishop issued a pastoral letter on the subject. See *Church Chronicle* for September, 1863, pages 81 and 82. At the Synod meeting in 1864 another report was presented, (pages 26, 27,) when the following resolution was passed:]

3. That the committee on the Episcopal Endowment Fund be instructed to invest the moneys collected for that fund in provincial or county debentures, and that investments be regularly made whenever the sum in hand amounts to \$2,000, or oftener, if advisable.—Session of 1864, pages 30, 31.

\*The present Diocese of Toronto includes the cities of Toronto and Hamilton, the counties of Lincoln, Welland, Haldimand, Wentworth, Wellington, Halton, Peel, York, Simcoe, Ontario, Durham, Victoria, Peterboro' and Northumberland, embracing 143 townships, together with the District of Algoma. In 1861, the Church of England population in the Diocese numbered 137,654. It is now doubtless upwards of 140,000

II. *Observance of the Lord's Day.*

1. That this Synod desires to sympathise with the renewed effort of our Mother Church to secure the better observance of the Lord's Day; to record its deep conviction of its vast importance to the well-being of religion, and that it bids God's speed to these and all other efforts to secure the inestimable privilege of a whole Lord's Day to every one of the human family.—Session at Toronto, June 1858, page 68.

2. That a committee be appointed to take into consideration the several laws of this Province respecting the observance of the Lord's Day, and report to the next meeting of Synod.—Session at Kingston, of 1858, page 147.

[NOTE.—In 1859, the committee above named brought up an elaborate report on the state of the law relating to the Lord's Day.—(Pages 90-95.) In 1860 this report of the committee was adopted, and the following resolution was passed:]

3. That the religious observance of the Lord's Day is a matter of the last importance to man's highest interest for time and eternity, and that a committee be appointed for the purpose of watching over the proper observance of this most important institution, in a day like this, when its sanctity is so encroached on, and when attempts are being made to undermine and destroy its eternal obligations.—Session of 1860, pages 167, 168, 179.

[NOTE.—In 1861 the subject did not come before the Synod; and in 1862 nothing further was done in the matter than to submit a letter from the Secretary of the Kingston Sabbath Reformation Society.—(Page 15, and appendix C.) In 1863 the question did not come up, but in 1864 a motion was made to petition the Legislature, praying for the closing of the canals on the Lord's Day. After some discussion the following amendment to the original motion was passed:]

4. That it is undesirable to approach the Legislature with a petition for additional legislation on subjects which only require the enforcement of laws already in existence.—Session of 1864, page 28.

III. *Thanksgiving at Seed-time and Harvest.*

1. A request to his lordship the Bishop, that a day be set apart, both in seed-time and in harvest, for the purpose of more especially asking the Divine blessing on the labours of the husbandman; and that he will appoint suitable prayers to be then used, in addition to the ordinary service of the day.—Session of 1860, page 189.

IV.—*Increase of Candidates for the Ministry.*

[NOTE.—In 1853, the subject of increasing the number of candidates for the ministry was brought before the Synod.—(See *Clergy Trust Commutation Fund*, Chapter 17, viii, page 46.) In 1858, it was again brought before the Synod, and the following resolution on the subject was passed:]

1. That the lord Bishop of the Diocese be respectfully requested to appoint a committee, who shall report to the next meeting of the Synod a plan for securing, with the Divine blessing, an increase in the number of candidates for the sacred ministry in this diocese.—Session, at Kingston, of 1858, page 141.

[NOTE.—In 1859 this committee brought in an elaborate report, (pages 43-50 of

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Proceedings,) which was considered by the Synod, and the following resolution on the subject adopted:]

2. That the report on the increase of the number of divinity students [in Trinity College] be adopted and printed; and that a committee be re-appointed [with additions] to take such further steps thereon, in pursuance of the object of the report, as they may deem expedient.—Session of 1859, page 96.

[NOTE.—The committee brought in an amended report in 1860, (pages 194-198,) when the following resolution was passed:]

3. That the report, [on the increase of Divinity Students in Trinity College,] and additions thereto, be adopted.—Session of 1860, page 199.

#### V. Revival of the Diaconate.

[NOTE.—In 1857, the subject of the revival of the Diaconate was brought before the Synod, (page 22 of Proceedings,) but no action was taken on it. In 1859, the subject "of organizing a body of Lay Readers or Catechists," was also brought before the Synod, (page 81 of Proceedings,) but with a like result. In 1863, however, the subject of a revival of the Diaconate was again brought up; a motion (as below) was made, to which the following amendment was moved: "That it is expedient, in the opinion of this Synod, that, if not inconsistent with the rules of our Church, deacons should remain for a longer period than is now customary in that order, with a view to its being made a *bonâ fide* probation and preparation for the priesthood, and that during their Diaconate they should be restricted, so far as may be practicable, to those duties which have been recognised both by the primitive Church and by our own, as their proper functions." This amendment was negatived and the original motion carried by a vote of 58 yeas to 43 nays, as follows:]

1. That the revival of the Diaconate in its full efficiency, as a separate and permanent order, would be of great service to the church.—Session of 1863, page 17.

#### VI.—Discrepancies in the Celebration of Divine Worship.

1. That the lord Bishop of the diocese be respectfully requested to appoint a committee to consider the discrepancies that prevail in the celebration of divine service in this diocese, and to suggest some mode of securing greater uniformity therein.—Session of 1858, at Kingston, page 141.

[NOTE.—This committee brought in a very full report on the discrepancies in the celebration of divine worship in 1859, (pages 34-42 of Proceedings.) Some discussion having arisen on the matter, the following resolution was passed:]

2. That the committee on discrepancies in the celebration of divine worship be allowed to sit again, with a view to the reception and consideration of suggestions on the subject; and that such suggestions be sent in before the 1st of August.—Session of 1859, page 96.

[NOTE.—In 1860 a fuller report on the subject was laid before the Synod (pages 156-165 of Proceedings.) It was read, and ordered to lie on the table (page 189 of Proceedings.) The subject does not appear to have been brought up again.]

#### VII. Lay Co-operation.

[NOTE.—In 1861, a comprehensive report was submitted by a committee (of whose previous appointment there appears to be no record in the minutes) on Lay

co-operation. Having been read and considered, the following resolution was passed: ]

1. That the report [on Lay co-operation] be printed in the *Ecclesiastical Gazette*, and be recommended to the members of the Church in this diocese to be carried out where practicable.—Session of 1861, pages 295-302.

#### VIII. Church of England Separate Schools.

[NOTE.—The question of establishing Church of England Separate, or Parochial, Schools, has been brought before every meeting of the Synod since 1851, except that of 1864. We give a summary of resolutions and proceedings on the subject as follows: ]

1. That this meeting desires to express its sense of the paramount duty of connecting religion with secular education; and, in order to carry out this obligation, they deem it to be necessary to petition the Colonial Legislature to permit the establishment of separate Church schools; and that the assessments ordinarily paid by churchmen for the support of common schools be applied to the maintenance of such as are in connection with the Church, where such appropriation is practicable and desired; and that the committee aforesaid be empowered to draft the same.—Session of 1851, page 12.

2. That a petition, substantially the same as that formerly adopted, [i.e., at the last meeting, in 1851,] be presented to the Provincial Legislature on the subject of common school education.—Session of 1853, pages 11, 14, 15.

3. That the Lord Bishop, as chairman of this Synod, be respectfully requested to nominate or appoint the committee to take into consideration the question of a separate school bill, as suggested in his Lordship's opening address.—Session of 1864, pages 17, 28, 29.

[NOTE.—At the next meeting of the Synod, in 1856, a resolution, and an amendment to it, on the subject of separate schools, were introduced, viz., "That this Synod petition the Provincial Legislature to extend the right of separate common schools to the United Church of England and Ireland, within this Province; or that this Synod adopt such other means as in its wisdom may appear best suited to secure the inestimable blessing of moral and religious education for the children of the Church within this Province." The amendment to this resolution was as follows: (1). "That this Synod earnestly desires that such measures shall be taken as shall impart to the common schools of this Province a religious character, so far as in its unhappy state of religious division can be done consistently with the rights of conscience—and to that end, that all the common schools be opened and closed with prayer, and that a portion of the Holy Scriptures be daily read therein; provided always, that no child shall be compelled to be present at such prayers or reading of the scriptures, whose parents or guardians shall object to his doing so." (2). "That this Synod does not deem it expedient to seek the establishment of any other separate schools, except those which the members of the Church shall themselves be enabled to establish, seeing that in contending for separate schools as a part of the common school system, they would only be seconding the too successful efforts of the Roman Catholic Church to inculcate its system of intolerance and superstition at the public expense." After some discussion the resolution and amendments were withdrawn.—Pages 34, 35. In 1857 the subject was again introduced, and the following resolution was moved: "That this Synod do now appoint a committee of six of its members, to take into consideration the best method of advancing the general, continuous and permanent, moral and religious,



(in connection with the secular,) education of the youth of this Province." In amendment to this motion the following resolution was adopted:]

4. That a committee be appointed to collect information regarding the working of the common school law, and report at the next meeting of the Synod.—Session of 1857, page 23.

[NOTE.—At the June meeting of the Synod at Toronto, in 1858, a report from the foregoing committee, with a draft memorial to the Legislature on the subject, was laid before the Synod.—(Pages 47-49.) At the September meeting in Kingston, this draft memorial was considered, (page 138,) and a committee of six (three clergy, and three laymen,) was appointed, (page 140,) to report as to the course of action which it was advisable to pursue in petitioning the Legislature on the subject. The committee unanimously agreed to the following resolution, which was adopted, and the committee was authorized to present a petition to the Legislature on the subject.—Pages 141, 142.]

5. That a petition be presented to the Legislature at its next session, praying that such alterations may be made in the Common School Acts for Upper Canada, as shall recognise religious instructions in the schools, by authorising the opening and closing of the schools with prayer, the reading of the Bible, the use of the Lord's Prayer, Ten Commandments, and Apostles' Creed, and the right of all denominations of Christians to impart instruction according to their religious tenets to the children of their own persuasion, at specified times, set apart for that purpose; and that if by the law, as it now stands, the members of the Church of England cannot have separate schools in cities or towns, that such further amendments be prayed for as may remove any doubts that now exist as to the right of any denomination of Protestants to have separate schools in cities and towns, on compliance with the requisitions of the 19th section of the School Act of 1850, whether the teacher of the common school in any school section in which such separate school is demanded, be a Roman Catholic or not.—Session of 1858, pages 141, 142.

[NOTE.—In 1859 the committee again presented a report to the Synod on separate schools, (page 34,) and the Chief Superintendent of Education also addressed a letter to the Synod on the subject, (page 82.) The report was virtually concurred in—the Bishop having suggested, (which was agreed to,) that in case there was no remedy from the courts of law; [should the boards of school trustees in cities and towns persist in a refusal to establish Church of England separate schools,] the matter be left to the committee, in connection with the Bishop, to propose a petition to parliament on behalf of the Synod; and that should the Bishop order the petition to be presented before a legal decision be arrived at, it should be so presented.—Session of 1859, pages 95, 96. In 1860 the question of separate schools seemed to have come up *pro forma*, and the following resolution was passed on the subject:]

6. That petitions on education, similar to those presented last year, be drawn again, signed, and sent to both branches of the Legislature.—Session of 1860, page 185.

[NOTE.—In 1861 the following resolution on separate schools was proposed. It was strongly recommended by the Bishop and adopted:]

7. That a committee, consisting of seven members, be appointed to consider what means can best be adopted, in addition to petitions to the Legislature, to secure to the United Church of England and Ireland the right of having separate schools in

towns and cities where their establishment is desirable, and their maintenance is practicable.—Session of 1861, page 284.

[NOTE.—In 1862 a report from this committee was laid before the Synod, and it gave rise to considerable discussion, (pages 15, 16, 29.) To the motion for the adoption of this report, an amendment to the following resolution was moved, (page 29,) declaring “that as members of the United Church of England and Ireland, in this Diocese, we do not desire to see any interference with the common school system, as established by law, or to demand exclusive privileges not at present shared in equally by other protestant denominations in Upper Canada.” This amendment was negatived by a vote of 74, (forty-five clergy and twenty-nine parishes,) against 21, (nine clergy and twelve parishes.) To the motion for the adoption of the report, an amendment was made as follows: “That while the Synod contends that the Church of England and Ireland in this province, has as good a right to separate schools as the Roman Catholics, it deems it inexpedient as a Church, and detrimental to the interests of general education, to commit itself to a principle which, if once acted upon by the sects so abundant in Canada, would destroy our common school system,” (page 39.) The amendment was negatived by the same vote, and the report adopted. The committee was also re-appointed. The following is the resolution adopted as above :]

8. That a respectful memorial be again presented to the Legislature, setting forth the continued desire of the Church of England and Ireland in Canada to have separate schools in cities and towns, as stated in the resolution adopted by the Synod of June, 1861. That a committee be appointed to consider what means can be best adopted, in addition to petitions to the legislature, to secure to the United Church of England and Ireland the right of having separate schools in towns and cities where their establishment is desirable, and their maintenance is practicable. And further, to respectfully remind the Government that they seek not any improper interference with the common school system, as established by law, but claim to be entitled to the same privileges, and to have a similar measure of justice meted out to them as members of the said Church as have been accorded to their Roman Catholic fellow-countrymen.—Session of 1862, pages 32, 33.

[NOTE.—In 1863 no report on separate schools was presented to the Synod, but a motion on the subject was proposed as follows: “That the establishment of separate schools is inexpedient, and a violation of the principle on which the common school system of Upper Canada is founded.” In amendment it was moved, “That whereas the committee appointed at the last Synod have not reported, it is inexpedient to move on this occasion in the matter, but that the committee be re-appointed, with instructions to report at next Synod.” After some discussion the mover of the original motion was allowed to alter his resolution so as to read as follows: “That the establishment of separate schools is unjust and inexpedient.” An amendment was subsequently moved to the amendment, which was carried upon a division, as follows :]

9. That the changes which have been introduced into the common school system of this province, are entirely at variance with the fundamental principle of that system, as understood and accepted by the people of Upper Canada, that instead of a purely secular system of education, under which all classes should be included, undue preference and special privileges have been conferred upon a distinct class of citizens; separate schools, in which religious instruction is given, being recognised as part of the government system; against this unjust preference, this Synod enters its solemn protest, and demands, as an act of common justice, that the privileges accorded to the Roman Catholic Church be freely granted to others, or that those

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now accorded to the Roman Catholic Church be withdrawn.—Session of 1863, page 18.

### *IX. Colenso and Similar Heresies.*

[NOTE.—The Bishop in his opening address, in 1863, thus referred to the Colenso heresy. “\* \* no sooner has our beloved mother church \* \* begun to recover from the infidel attack of the Essays and Reviews, which were rapidly sinking into oblivion, than a heavier blow from a deluded son of her own, the Bishop of Natal, is aimed against her,” &c. In response to this portion of the Bishop's address, the following resolution was introduced and unanimously adopted :]

1. That this Synod desires to express its grateful thanks to his lordship the Bishop for the protest which he was pleased to make in his address, against the pernicious writings of the Bishop of Natal; and also express the hope that the Church in this Diocese will, both in private as well as in public prayer, give increased devotion and thoughtfulness to that supplication in our Litany wherein we beseech to be defended from “all false doctrine, heresy, and schism.”—Session of 1863, pages 16, 18.

[NOTE.—With a view to counteract the evil tendency of the pernicious teachings of the notorious “Essays and Reviews,” and as a solemn protest against these heretical doctrines, the following document, known as the “Oxford Declaration,” was signed by the Bishops and clergy in Canada in 1864, and transmitted to the Archbishop of Canterbury. See *Church Chronicle* for June, 1864, page 47. The deistical character of the “Essays and Reviews” was fully exposed by the Bishop, in his address to the Synod in 1864. See pages 11-13 of Proceedings.]

2. We, the undersigned, bishops and clergy of the United Church of England and Ireland, in the Province of Canada, hold it to be our bounden duty to the Church of England and Ireland, and to the souls of men, to declare our firm belief that the Church of England and Ireland, in common with the whole Catholic Church, maintains, without reserve or qualification, the inspiration and the Divine authority of the whole canonical scriptures, as not only containing, but being the Word of God; and further teaches, in the words of our blessed Lord, that the “punishment” of the “cursed,” equally with the “life” of the “righteous,” is “everlasting.”

[NOTE.—Two of the writers of “the Essays and Reviews,” the Rev. Dr. Williams and the Rev. H. B. Wilson, B. D., having been condemned in the Ecclesiastical Court, for writing what was contrary to the teachings of the United Church of England and Ireland, appealed to the Judicial Committee of the Privy Council. The judgment of the committee (the Archbishops of Canterbury and York dissenting) as delivered by the Lord Chancellor of England, declared, that, on the points submitted to them on appeal, the committee did not consider the Rev. gentlemen had been guilty of writing anything contrary to any doctrine of the Church; and therefore restored them to their Ecclesiastical preferments. This decision aroused such feeling in England and in this country, that a solemn declaration to the world of their faith in the two points called in question by the above writers was signed by 12,000 clergymen in England and almost by the whole of the clergy of this diocese. (See note above.) This meeting of the Synod, composed of the clergy and lay delegates from every parish in the Diocese, affording a good opportunity for an expression of the faith of the Diocese on these important points, the following resolution was introduced, and was unanimously adopted :]

3. That this Synod views with alarm the late decision of the Judicial Committee of the Privy Council in the case of the Rev. Dr. Williams and Rev. H. B. Wilson,

as tending (if not regarded with all the guards and limitations thrown round it by the court) to shake the faith of members of our Holy Communion. That this Synod, representing that portion of the United Churches of England and Ireland, planted by God's providence in this Province, avails itself of this opportunity to declare before the world its firm and undoubting conviction that the Church, to which this Synod has the high privilege of belonging, maintains without reservation or equivocation, the inspiration and the Divine authority of the whole canonical Scriptures, as not only containing, but being the Word of God; and that she further teaches, in the words of our blessed Lord, that the punishment of the cursed equally with the life of the righteous is everlasting.—Session of 1864 page 27.

### X. *The Church in India.*

[NOTE.—At the time of the Sepoy mutiny in India, a series of resolutions, expressive of deep sympathy with its church in India, in her severe and unexpected trials, was unanimously passed by the Synod, and transmitted to the Bishops of the Church there, (see pages 71, 72, of Proceedings of the Toronto Session in 1858). In 1859, replies were received from the Bishops of Madras, Bombay and Calcutta, and were entered on the minutes, (see pages 13, 14, 22-26, and 101, of Proceedings). The following resolution was also passed in that year:]

1. That the offertory collection at this meeting of the Synod be appropriated to Foreign Missions, through the agency of the Venerable Society for the Propagation of the Gospel in Foreign parts, with a suggestion to the venerable society, that it be appropriated specially to the cause of Christ in India. Session of 1859, page 27.

[NOTE.—This offertory collection amounted to \$439.15, (page 86, 104, of Proceedings). It was transmitted to London and acknowledged in 1860. (See Proceedings of that year, page 140).]

### XI. *The Diocese of Huron.*

[NOTE.—In 1856, the question having been brought before the Synod in the address of the Bishop, a resolution was passed to memorialize the Christian Knowledge Society and Committee of English Bishops on Colonial Bishopsrics, for a grant in aid of the Episcopal Fund for the new Diocese of Huron, (page 37). A report from the Rural Deans on the Endowment Fund will be found on page 22, 23. In 1857, (the fund having been sufficient) an election of Bishop was held, when Rev. Dr. Cronyn was selected, (see introductory note, page 8). To this election the Bishop of Toronto referred in his address to the Synod in 1858, (see pages 12, 13, of Proceedings). The following resolution was also passed during the same year:]

1. That a committee be appointed to draw up an address to the lord Bishop, Clergy and Laity of the Diocese of Huron, on the occasion of their being separated from us by being constituted a new Diocese, session at Toronto of 1858, page 78, and session at Kingston in the same year, pages 130, 131.]

[NOTE.—A reply to this address was received from the Bishop of Huron, and entered on the minutes of the Kingston meeting in 1858, (pages 131, 132, 140). An address was also received from the Huron Synod in 1859, and entered on the minutes of that year, (see pages 26, 27, and 101). In regard to the meeting at London in 1857, for the election of Bishop, the following resolution was passed:]

2. That the lord Bishop be requested to appoint a committee to collect the minutes of Proceedings of a meeting of the members of this Synod, residing within the

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limits of the present Diocese of Huron, on the 8th day of July, 1857, for the purpose of electing a bishop to the then proposed see, and that said minutes, so collected, be on the minute book of this Sygod, and also printed in the report. Session of 1859, page 84.

[NOTE.—There is no record, in the printed minutes, that this resolution was ever acted upon.]

### *XII. The Diocese of Ontario.*

[NOTE.—In 1850, the question having been brought before the Synod in the address of the Bishop, (page 8 of Proceedings,) a resolution was passed to memorialize the Christian Knowledge Society, and a Committee of English Bishops on Colonial Bishoprics, for a grant in aid of the Episcopal Fund for the new Diocese of Ontario, (page 37). A report from the Rural Dean on the Endowment Fund, will be found on pages 26, 27. The Bishop in his annual address in 1857, also referred to the subject, (pages 8, 9, of Proceedings). In his address to the Synod in Kingston in 1858, (pages 113, 114,) the Bishop made a statement of the amount contributed to the endowment of the new Diocese. Nothing further was reported to the Synod in 1859 or 1860. In 1861, the endowment having been sufficient, the election of the Rev. J. Travers Lewis, LL.D., as Bishop of the new Diocese of Ontario, took place, (pages 217, 228, of Proceedings). To this election, the Bishop of Toronto refers in his address before the Toronto Synod in the same year, (pages 263, 264). Correspondence relating to the new Diocese will be found on pages 268-270. An official report of the election of Dr. Lewis will be found on pages 276, 277. An address from the new Diocese of Ontario, to the Bishop of Toronto, with his reply, will be found on page 281-284. A valedictory address to the Bishop of Ontario was also authorized, (see page 305). The consecration of the new Bishop (the first which took place in British North America) was referred to by the Bishop of Toronto in 1862, (pages 13, 14, of Proceedings). The reply of the Bishop of Ontario to an address presented to him, will be found in the Appendix, page iii., see also page 15 of Proceedings.]

### *XIII. Addresses to the Queen.*

[NOTE.—The addresses to Her Majesty the Queen will be found in the minutes for 1853, page 9; for 1857 page 29, and for 1859 page 99. That adopted in 1853 related to the authority of the Church of England and Ireland in Canada to meet in Synod, and prayed Her "Majesty to give [Her] royal sanction to such a measure as shall remove all doubt as to the lawfulness of the holding of Synods in the colonial dioceses of [Her] empire." (For assent of the Queen to such a measure see page 12 of Proceedings of 1857.) The address of 1857 contained the thanks of the Synod for Her Majesty's assent to the Synod bill. That of 1859 prayed for the appointment of a Metropolitan.]

### *XIV. Address to the Prince of Wales.*

[NOTE.—In 1860, the Prince of Wales visited Canada. The Synod at its June meeting appointed a committee to prepare a congratulatory address to His Royal Highness, (see page 184). The following resolution was also passed:]

1. That the committee on the address to H.R.H. the Prince of Wales be continued and instructed to report the address to a special meeting of the Synod, which his lordship the Bishop be requested to call for that purpose, in order to its presentation to His Royal Highness.—Session of 1860, pages 188, 189.

[NOTE.—In September, 1860, this special session was held, and an appropriate address unanimously adopted. On the 8th of September, the address was presented to the Prince, (pages 209, 212 of Proceedings). His reply to the address will be found on pages 267, 268.]



*XV. Addresses to the Governor General and to the Legislature.*

[NOTE.—In 1853, a petition to the Legislature was adopted, against the Clergy Reserve spoliation, (page 10 of Proceedings.) A congratulatory address to His Excellency Sir Edmund Head, and his reply to it, will be found on pages 19 and 30, of the Proceedings of 1856. In 1858, an address was proposed to be presented to the Governor General and the members of the Legislature, praying for separate schools, (pages 48, 53,) but it was not adopted. A similar address was proposed, but not adopted, at the Kingston meeting of 1858, (pages 138-140, of Proceedings.) An address to the same, praying for the erection of an inebriate asylum, was proposed in 1859, and adopted, (pages 64, 76, 88, 89; see also page 185 of Proceedings of 1860; page 284 of 1861; page 32 of 1862; and page 24 of 1863.]

*XVI. Resolutions of thanks to the Bishop of Toronto.*

1. That the thanks of this meeting are justly due, and are hereby most cordially tendered to the lord Bishop of Toronto, for the extraordinary degree of zeal and energy which he has manifested on the present critical emergency of the church in this Diocese, and also for the dignified, impartial and courteous manner in which his lordship has presided over our deliberations.—Session of 1851, page 12.

[NOTE.—No formal vote to the Bishop is recorded in the Proceedings of 1853 and 1854. There was no session in 1852 or 1855. In 1856, the following resolutions were passed:]

2. That the thanks of the clergy be respectfully offered to the Right Rev. the lord Bishop of the Diocese, for the valuable charge addressed by him to the clergy, at his lordship's visitation on the 30th instant, and that his lordship be requested to permit the same to be published for the most lasting edification of the clergy.—Session of 1856, page 38.

3. That the cordial thanks of this Synod be most respectfully tendered to the lord Bishop, for the great ability, the unwearied patience, and the paternal kindness, both to the clergy and laity, with which he has presided over the deliberations of this Synod.—*Ibid.*

[NOTE.—In 1857, a similar vote of thanks to the Bishop was unanimously adopted, (see page 29 of Proceedings). At the Toronto Session, in 1858, a similar vote was passed, (page 74,) and also at the Kingston Session in the same year, (page 148.) No vote on the subject is recorded in the minutes from 1859 to 1863, inclusive. An address was, however, presented to the Bishop in 1859, by the Synod of the new Diocese of Huron, (see Proceedings of 1859, pages 26, 27,) and one from the new Diocese of Ontario in 1861, (pages 281, 283). In the same year a vote of sympathy with the Bishop, in connection with Trinity College, was passed by a vote of 84 to 24, (pages 285, 286). In 1864, the following resolution was unanimously adopted:]

4. That this Synod avails itself of the opportunity afforded by the present session, of again placing on record an expression of the sincere respect and affection which its members, in common with the whole Diocese, entertain for the venerable Bishop who has so long presided over them, and a grateful acknowledgment of the services which he has rendered to its Church during his lengthened episcopate [of 25 years]. Session of 1864, page 22.

*XVII. Resolutions of thanks to various parties.*

1. To Hon. J. H. Cameron:—NOTE.—In 1856, an address was presented to Mr. Cameron by the Synod, for his exertions in regard to the clergy reserve commutation fund, and for other services, see pages 39, 40, of Proceedings.

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2. To J. W. Gamble, Esq.:—NOTE.—In 1856, a vote of thanks to Mr. Gamble for his services in the legislature was adopted, page 37.

3. To the preacher before the synod, secretary, treasurer, ladies of Toronto lunch, choir, railway companies, &c., at the close of each session.

#### XVIII. Church Temporalities Act.

1. That a committee of the Synod be now formed to consider what alterations it is desirable to have made in the Church Temporalities Act, and to prepare a petition to the Legislature in accordance therewith, &c.—Session of 1854, pages 17, 27.

2. That the committee on the Temporalities Act be discharged.—Session of 1856, page 27.

3. That his Lordship the Bishop be respectfully requested to issue a table of fees, as soon as he shall deem it expedient, in accordance with the 14th section of the Church Temporalities Act.—Session of 1858, page 140.

4. That a committee be appointed to confer with similar committees from the Dioceses of Huron and Ontario, upon the Church Temporalities Act.—Session of 1864, page 28.

#### XIX. Manual for the Guidance of Vestry and Easter Meetings.

1. That a Committee be appointed to compile from the Church Temporalities Act, the Canons of this Synod, and other authorities, a manual for the guidance of vestry and Easter meetings, and to report the same for the adoption of this Synod next year.—Session of 1862, page 38.

[NOTE.—Various resolutions were referred to this committee.—See Session of 1862, pages 38, 39; Session of 1863, pages 14, 19, and 27; Session of 1864, pages 16, 27.]

#### XX. Parochial and Diocesan Statistics.

[NOTE.—In 1861, a committee on "Parochial Statistical Reports," (the appointment of which is not recorded in the minutes) brought in a report on this subject, which appears to have been adopted, and "recommended to the clergy for their future guidance."—See pages 302, 303. In 1862, the question was again brought before the Synod, and the following resolution on the subject was adopted. In accordance with this resolution, the Bishop issued a circular letter (with form of report) to the clergy in April, 1863. See *Church Chronicle* for that month, pages 2 and 3.]

1. That it shall be the duty of every incumbent of each parish or mission within the Diocese to furnish the Secretary of the Synod, at the opening of the business of the Synod with a parochial report, giving the name of the parish, the name of the incumbent, and the name or names of the assistant minister or ministers, if any, the number of families, of individuals, the number of communicants on the parish roll, the number added since last report, the number who have died, the number who have removed from the parish, the number who have ceased to be communicants, how often the communion has been administered in public, how often in private, how often divine service has been performed on Sundays, on week-days, the average attendance on divine worship in the morning, in the evening, on week-

days, the number of parochial visits paid by the clergy, the number of visits paid by his district visitors, or their lay assistants working in the parish, the number attending the parochial school, if there is one in the parish, and the average attendance since last report, the number of teachers paid employed therein, the number of unpaid teachers who voluntarily assist in the work of the school, the number of Sunday schools, the number of teachers, (1 as male, 2 as female,) the number of male children on the roll, number of female children, the average attendance since last report, the number of males and the number of females confirmed, what church and what parsonages are in the parish or mission, whether log, frame, brick, or stone, whether they are clear of debt or not, if in debt, the amount of such debt, whether insured or not. The amount of money raised in the parish since last report: 1st, for salary of incumbents and assistants; 2nd, for the purpose of paying off the debt on the church and parsonage, and insurance of the same; 3rd, for the poor of the parish; 4th, for objects for which collections have been taken up under the direction of the Lord Bishop; 5th, for Synod dues; 6th, for extra parochial and extra diocesan purposes, and whether the deeds for the property belonging to the parish and mission have been obtained, and whether such deeds have been registered or not. That such reports be read by the Secretary of the Synod, and that a committee be appointed to draw up a report on the state of the Diocese, based upon the information afforded by these parochial reports, and that a committee be named by his Lordship to draw up such a form, have them printed and furnished to the clergy of the Diocese, to be filled up by them.—Session of 1862, pages 42, 43.

[NOTE.—In 1863, further parochial statistical information being deemed necessary, the following resolutions were passed:]

2. In future an annual report, duly authenticated, be made to the Synod on account of churches, parsonages, and endowments, in course of erection or formation in the parishes or missions of the Diocese.—Session of 1863, page 17.

3. That the Mission Board of the Church Society report to the Synod at its annual meeting.—Session of 1863, page 18.

[NOTE.—In 1864 the matter was again brought before the Synod and the following resolution on the subject passed:]

4. That a standing committee on Parochial and Diocesan Statistics be appointed. The duty of the committee shall be to collect from the various documents obtained throughout the Diocese, under the authority of the Bishop or this Synod, such statistical information relating to the state and progress of the Church of England in the Diocese as it may deem advisable. This information, when compiled, to be presented annually to the Synod in a condensed and systematic form, for publication in the appendix to the minutes. The committee shall further see that the necessary blank forms of reports, which may be required for giving effect to this resolution, be duly prepared and sent out.—Session of 1864, page 31.

### XXI. *Uniformity in Printing Reports of Synod Proceedings.*

1. That it be a direction to the present Secretaries, and also to all future Secretaries, to print the reports and all other documents of the Synod, uniformly with the

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Report of the last Session, in order that all such reports and documents may be bound in volumes.—Session of 1859, page 85.

2. The question having been asked as to the style in which the report of the Proceedings of the Synod should be printed, it was agreed that the cheap form should be used, similar to that of 1863.—Session of 1864, page 32.

3. With a view to ascertain what resolutions and canons have received the sanction of the Synod, it be an instruction to the Secretaries to employ a person to collate from the official minute book, and append to the printed minutes for this year, a copy of each canon or resolution which has been duly passed since 1858, with an index; and that a similar appendix and index for each succeeding year be prepared and inserted in future in the annual printed minutes of Proceedings of the Synod.—Session of 1864, page 28.

4. The compilation of the proposed list of canons and resolutions, when prepared, be submitted to the committee on the vestry manual for its approval, before being printed in the appendix to the printed minutes of the Synod.—*Ibid.*

5. For the information of the members of the Synod, a summary statement or synopsis of the whole of the unfinished business before the Synod be prefixed to the daily printed notices of motion in the order in which it is proposed to take it up.—*Ibid.*

6. With a view to relieve the secretaries of much of the routine duties and details connected with their office during the sittings of the Synod, they be authorized to employ an assistant, whose duty it shall be to give special attention to the recording and printing of the daily minutes and proceedings.—*Ibid.*

### XXII. Intemperance, and an Inebriate Asylum.

[NOTE.—This subject was first brought before the Synod in 1857, by notice of the following motion, which was adopted in 1858.—See session of 1857, page 28:]

1. That a committee be appointed to consider the best subsidiary or auxiliary means of lessening the amount of drunkenness, and aiding in the reformation of the inebriate, and his restoration to society; and to report at the next meeting of the Synod.—Session of 1858, pages 60, 61.

[NOTE.—In 1858, the subject of the establishment of an asylum for inebriates, was also brought before the Synod, and the following resolution was adopted:]

2. That a petition be presented to the Legislature by this Synod, praying for the establishment of an hospital or asylum, in which inebriates may be received and receive such treatment as may restore them to sobriety, and to a healthy mental and bodily condition.—Session of 1858, page 143.

[NOTE.—In 1859 the committee on Temperance submitted an elaborate report on the subject, (pages 54-65,) which was adopted, as well as a petition to the Legislature praying for the establishment of an asylum for inebriates, and suggesting amendments to the law, with a view to restrain drunkards.—Pages 88-89. The subject was suffered to remain in abeyance until 1862, when it was again brought up, and the following resolutions passed:]

5. That this Synod, through the lord Bishop of Toronto, shall memorialize the



Legislature to establish an asylum for the reception of those who are victims of intemperance, and also to express the conviction that the evils flowing from intemperance are so vast, both with reference to the welfare of the present and the future inhabitants of this province, that it would be an act of great wisdom to appoint a commission to inquire as to the best and most effectual mode of discouraging the habitual and inordinate consumption of alcoholic drinks.—Session of 1862, pages 37, 38.

6. That a committee be appointed with reference to the subject of the erection of an asylum for inebriates.—*Ibid.*, page 38.

[NOTE.—In 1863, a report from the committee on the erection of an inebriate asylum was laid before the Synod, and adopted.—(See pages 15, 18 and 24.) A motion was also made to the following effect, but it was, after considerable discussion, withdrawn at the suggestion of the Bishop: "That in the opinion of this Synod, the pledge of total abstinence from all that doth intoxicate, is not inconsistent with the requirements of the Church." To this an amendment was moved to the following effect: "That this Synod feel it to be a duty incumbent on every member of the Church, to discourage the ruinous vice of intemperance in every legitimate manner, and to inculcate the practice of sobriety on the high motives of christian principle and christian obligation." The original motion having been withdrawn, the amendment fell to the ground. In 1864 the motion was again brought before the Synod, and the following resolution on the subject was proposed: "That the practice of total abstinence from the use of intoxicating liquors, as an article of ordinary diet, hospitality or luxury, is a practice to be commended in those who feel it their duty to adopt it, especially as affording a good example to youth." To this resolution an amendment was made as follows: "That in order to mark the extreme displeasure with which the Church regards the soul destroying vice of intemperance, it is desirable that a canon should be passed, authorizing the clergy to refuse to receive at holy communion, any one who is known to be living a life of habitual intemperance." To this amendment a second amendment was proposed and adopted, as follows:]

7. That this Synod, though not pledging itself to any definite action in reference to the subject of the original motion, would express its approval of all proper means, adopted by members of the Church, individually and collectively, for the suppression of intemperance.—Session of 1864, pages 24, 25.

### XXIII. Ministration in Gaols and Reformatories.

[NOTE.—In 1858 this subject was brought before the Synod, but no formal action was taken on it.—(Page 139.) In 1860 the following resolution was passed:]

1. That the Lord Bishop be respectfully requested to appoint a committee to inquire into, and report to the Synod what steps can be taken to insure the ministration of religion in the asylums, gaols, and reformatory institutions in this Diocese.—Session of 1860, page 185.

[NOTE.—An elaborate report on this subject was prepared and laid before the Synod at the same session, but there is no record of its adoption.—(Pages 190-192.) In 1861 the following explanatory resolution was adopted:]

2. That having heard the explanations of the Rev. Chaplain of the Provincial Penitentiary, as to the arrangements made for religious instruction in that institution, this Synod fully recognises the efficiency with which the duties of the Chaplain's said office have been fulfilled.—Session of 1861, page 295.

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3. That the report of the special committee at the last session of the Synod, on reformatory institutions of the province, in so far as it contains, or may be supposed to contain, reflections on the Chaplain of the Provincial Penitentiary, be rescinded, and erased from the records of the Synod.—*Ibid.*

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CHAPTER 23.

**Provincial Statutes, affecting and relating to the Church of  
England and Ireland in the Diocese of Toronto.**

I. THE CHURCH TEMPORALITIES' ACT, 1841.

*AN ACT to make provision for the management of the Temporalities of the United Church of England and Ireland, in this Province, and for other purposes therein mentioned.*

[Royal Assent promulgated 3rd December, 1841.]

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

II. And be it further enacted by the authority aforesaid, that all pew-holders in such churches, whether holding the same by purchase or lease, and all persons holding sittings therein, by the same being let to them by churchwardens, and holding a certificate from the churchwardens of such sittings, shall form a vestry for the purposes in this act mentioned and declared.

III. And be it further enacted by the authority aforesaid, that a meeting of such vestry shall be holden on Monday in Easter week, in each and every year, after due notice thereof given during the Divine Service on the morning of Easter Sunday, for the purpose of appointing churchwardens for the ensuing year; and that at such meeting one churchwarden shall be nominated by the Incumbent of the parsonage or rectory to which the said church belongs, and the other shall be elected by a majority of those present, and entitled to vote at such vestry meeting as aforesaid: Provided, nevertheless, that in case of such Incumbent declining or neglecting to nominate a churchwarden, then both of the said churchwardens shall, for the current year, be elected in the manner aforesaid; and in case members of such vestry shall neglect to elect a churchwarden, then both such churchwardens shall, for the current year, be nominated by the Incumbent: Provided always, that if from any cause a vestry meeting shall not take place at the time aforesaid, such appointment of churchwardens may take place at any subsequent vestry meeting to be called in manner hereinafter provided; and in case of the death or change of residence to twenty-miles or more from any such church, of either of the said churchwardens, a vestry meeting shall be thereupon called, for the election, by the said vestry, of a new churchwarden, in case the one deceased or removed had been elected by the vestry, or for the nomination of a new churchwarden by the Incumbent, in case the one deceased or removed had been nominated by the Incumbent.

IV. And be it further enacted by the authority aforesaid, that no person shall be eligible to the office of churchwarden, except members of the said church of the full age of twenty-one years, and who shall also be members of such a vestry.

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

VI. And be it further enacted by the authority aforesaid, that such churchwardens, so to be elected and appointed as aforesaid, shall, during their term of office, be as a corporation to represent the interest of such church, and of the members thereof, and shall and may sue and be sued, answer and be answered unto, in all manner of suits and actions whatsoever, and may prosecute indictments, presentments and other criminal proceedings, for and in respect of such churches and churchyards, and all matters and things appertaining thereto, and shall and may, in conjunction with the Rector or Incumbent, make and execute faculties or conveyances, or other proper assurances in the law, to all pewholders holding their pews by purchase, or leases to those holding the same by lease, and shall and may grant certificates to those who shall have rented sittings; such conveyances, leases and certificates, to

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be given within a reasonable time after demand made, and at the charge of the person applying for the same; and further, it shall be the duty of such churchwardens from time to time, to sell, lease, and rent pews and sittings, upon such terms as may be settled and appointed at vestry meetings to be holden for that purpose as hereinafter provided; provided always, that any such sale, lease or renting, shall be subject to such rent-charge or other rent, as may from time to time be rated and assessed in respect thereof, at such vestry meetings.

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

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

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

X. And be it further enacted by the authority aforesaid, that it shall be in the power of the Incumbent of any such parsonage, rectory, or parish as aforesaid, to

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

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

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

XIII. And be it further enacted by the authority aforesaid, that the clerk of the church, the organist, the vestry clerk, the sexton, and other subordinate servants of the church, shall be nominated and appointed by the churchwardens for the time being, and that their salary and wages shall be brought into the general account, to be rendered as aforesaid by such churchwardens.

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

XV. And be it further enacted by the authority aforesaid, that it shall be in the power of the members of such vestries, at such vestry meetings as aforesaid, to make such by-laws for the regulation of their proceedings, and the management of the temporalities of the church or parish in which they belong, so as the same may not be repugnant to this Act, nor contrary to the canons of the said United Church of England and Ireland.

XVI. And be it further enacted by the authority aforesaid, that any deed or conveyance of land, or of personalty, that may be made to any Bishop of the said Church, in the said Province, and to his successors, for the endowment of his See, or for the general uses of the said church, as such Bishop may appoint, or other-

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wise, or for the use of any particular church then erected, or thereafter to be erected, or the endowment of a parsonage, rectory, or living, or for other uses or purposes appurtenant to such church in general, or to any particular church or parish, to be named in such deed, and any such deed or conveyance, to any Parson, or Rector, or other Incumbent, and his successors, for the endowment of such parsonage, rectory or living, or for other uses or purposes appurtenant thereto, shall be valid and effectual to the uses and purposes in such deed or conveyance to be mentioned and set forth, the Acts of Parliament, commonly called the Statutes of Mortmain, or other acts, laws, or usages, to the contrary thereof notwithstanding; provided always, that in order to the validity of such deeds and conveyances, the same shall be made and executed six months at least before the death of the person conveying the same, and shall be registered not later than six months after his decease.

XVII. And be it further enacted by the authority aforesaid, that in the event of any person or persons, bodies politic or corporate, desiring to erect and found a church or churches, and to endow the same with a sufficiency for the maintenance of such church and of Divine Service therein, according to the rites of the said Church of England and Ireland, it shall and may be lawful for him or them to do so, upon procuring the license of the Bishop, under his hand and seal, for that purpose; and thereupon, after the erection of a suitable church, and the appropriation by the founder thereof of such church so erected, and of lands and hereditaments, or other property, adequate to the maintenance thereof and of an Incumbent, and adequate to the usual and ordinary charges attendant upon such church, such provision being made to the satisfaction of the Bishop, such founder, his heir and assigns, being members of the said Church of England, or such body politic or corporate, as the case may be, shall have the right of presentation to such church, as an advowson in fee presentative, according to the rules and canons of the said United Church of England and Ireland.

XVIII. And be it further enacted by the authority aforesaid, that nothing in this act contained shall extend, or be construed to extend in any manner, to confer any spiritual jurisdiction or ecclesiastical rights whatsoever upon any Bishop or Bishops, or other ecclesiastical person, of the said Church, in the said Province of Upper Canada.—Page 1087 of Revised Statutes of Upper Canada.

#### (a) TRUSTS AUTHORIZED BY THE CHURCH TEMPORALITIES' ACT.

The Church Temporalities' Act, in its 16th section, makes valid any deed, devise, or conveyance of land, or of personalty that may be made to any Bishop of the United Church of England and Ireland in Upper Canada, and to his successors, for any of the following purposes:—

1. For the endowment of his See.
2. For the general uses of the Church in Upper Canada, as the Bishop to whom the deed shall be given and his successors may appoint; or as may be appointed otherwise in the deed, (that is, for the general uses of the Church in Upper Canada.)



to be applied under such particular direction as may be given in the deed, and not in the general discretion of the Bishop.

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

4. For the use of any particular church to be afterwards erected in Upper Canada, to be applied towards the support of such church, as the Bishop, to whom the deed shall be given, and his successors, may direct; or to be applied towards the support of such church otherwise than at the discretion of the Bishop, and under such particular direction as may be inserted in the deed.

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

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

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

8. For some use or purpose appurtenant to some particular parish (in Upper Canada), which use or purpose should be specified in the deed, and should be some use or purpose connected with the church in that parish; the rents and profits to be applied in promoting such use or purpose in such manner as the Bishop, to whom the deed is to be made, shall appoint, unless other provision shall be made in the deed.

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

1. For the endowment of such parsonage, rectory, or living.

2. For other uses or purposes appurtenant to such parsonage, rectory, or living, (which uses or purposes are to be expressed in the deed, or may be left to the discretion of the Incumbent, or left to be pointed out and promoted through the agency of some third party, as may be directed in the deed.)

[NOTE.—In order to the validity of deeds and bequests, the same must be made and executed six months at least before the death of the grantor or deviser, and must be registered not later than six months after his decease.—*Synod of Ontario, Session of 1862, pages 26, 27.*]

## II. DIOCESAN AND PROVINCIAL SYNODS ACT, 1856.

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

[10 &amp; 20 Vic., chap. 121; Passed June, 1856; Assented to May, 1857.]

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

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

II. The Bishops, Clergy, and Laity, members of the United Church of England and Ireland, in this Province, may meet in General Assembly within this Province by such representatives as shall be determined and declared by them in their several Dioceses; and in such General Assembly frame a Constitution and regulations for the general management and good government of the said Church in this Province: provided always, that nothing in this Act contained shall authorize the imposition of any rate or tax upon any person or persons whomsoever, whether belonging to the said Church or not, or the infliction of any punishment, fine, or penalty upon any person, other than his suspension or removal from any office in the said Church, or exclusion from the meetings or proceedings of the Diocesan or General Synods; and provided also, nothing in the said Constitutions or regulations, or any of them, shall be contrary to any law or statute now or hereafter in force in this Province.—*Canada Gazette*, 28th May, 1857.

I hereby certify the above to be a true copy of the bill passed by the Legislative Council and Legislative Assembly of Canada, in the Second Session of the Fifth Provincial Parliament, and reserved for the signification of Her Majesty's pleasure thereon by His Excellency the Governor-General, on Thursday the Nineteenth day of June, 1856, and subsequently assented to by proclamation in the *Canada Gazette*, bearing date the Twenty-eighth day of May, 1857.

[Signed] J. F. TAYLOR, Clerk, Legislative Council.

## III. DIOCESAN SYNOD AMENDMENT ACT, 1858.

*An Act to explain and amend the Act intituled, "An Act to Enable the Members of the United Church of England and Ireland, in Canada, to meet in Synod."*

[22 Vic, chap. 139; Assented to 16th of August, 1858.]

Whereas doubts exist whether in the Act passed in the nineteenth and twentieth years of Her Majesty's reign; intituled, "An Act to enable the members of the United Church of England and Ireland, in Canada, to meet in Synod," sufficient provision is made for the representation of the Laity of the United Church of England and Ireland in the Synods by the said act authorized to be held, and it is expedient that such doubts should be removed: therefore, Her Majesty, by and with the advice and consent of the Legislative Council and Assembly of Canada, enacts as follows:

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

2. All proceedings heretofore had in any Diocese under the aforesaid act, which have been conformable to the provisions of this act, shall be held to be valid, as if the same had taken place after the passing of this act.—Page 734 of Statutes of 1858.

## IV. CHURCH SOCIETY INCORPORATION ACT.

[NOTE.—The Act to incorporate the Church Society of the Diocese of Toronto &c., was passed in December, 1843, and received Her Majesty's assent in June, 1844, 7 Vic., ch. 68.]

## V. CHURCH SOCIETY RECTORY PRESENTATION ACT.

[NOTE.—The Act, vesting the right of Presentation to Rectories in the Church Society, or other body politic, was passed in August, 1851, and received Her Majesty's assent in May,—June, 1852.]

## VI. TORONTO AND HURON CHURCH SOCIETIES LAND ACT.

[NOTE.—The Act confirming and legalizing a certain agreement entered into between the Church Societies of the Dioceses of Toronto and Huron, relating to certain Church Lands in the Diocese of Huron, was passed in 1861, and received the Royal assent on the 8th of May of that year.—Page 366 of Statutes of 1861.]

## VII. SOLEMNIZATION OF MATRIMONY.

[NOTE.—The Act to amend the laws relating to the Solemnization of Matrimony in Upper Canada, was passed in 1857, and received the Royal assent the 10th of June of that year.—Page 345 of the Statutes of that year, and page 787 of the Consolidated Statutes of Upper Canada. In regard to marriage returns in Upper Canada, see page 414 of the Consolidated Statutes of Canada.]

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# INDEX

TO THE FOREGOING SUMMARY OF

## CANONS AND RESOLUTIONS.

A.	PAGE.	C.	PAGE.
Acts of Parliament relating to the Church of England and Ireland in Canada.....	31, 67	Candidates for the Ministry .....	16, 54
Addresses to the Synod :		Canons on Ecclesiastical law.....	13, 50
To the Queen .....	61	Catechists and Lay Readers.....	55
To the Prince of Wales.....	61	Cathedral Church of St. James endowment .....	48
To the Governor General and Legislature.....	62	Cathedral Choral Services at Synod meeting .....	27
Addresses from the Bishop to Synod always in order .....	27	Certificates of Lay Delegates.....	23, 26
Adjournment of Synod, rule for the... ..	28	Certificate of Church membership on removal .....	14
Affirmative voting in the Synod .....	29	Chairman of Synod Committees .....	30
Amendments, rule regarding.....	28	Chairman of Easter Meetings .....	23
Articles and Formularies of the Church .....	13	Christmas offertory for Clergymen... ..	46
Assessment of Vacant Parishes .....	48	Choral Services at Synod meetings... ..	27
Asylum, Inebriate .....	65	Church Property, management of.....	39, 48
Auditors of Synod accounts .....	27	Churches and Parsonages, erection of .....	40
B.		Church membership, what constitutes .....	12
Ballot boxes for election of Delegates to Provincial Synod .....	31	Church Society of the Diocese. 24, 27, 74	
Bishop's Court for the trial of offences .....	18, 38	Church Society, Church Property vested in .....	39
Bishop, mode of electing a .....	34	Church: see <i>India, Unity, Lay Delegate</i> .....	
Bishop elect to resign preferment, &c. .....	35	Clergy Trust Commutation Fund. 43, 46, 47	
Bishops of British North America, declaration of.....	11	Clerical members of the Synod .....	22
Bishops of Canada, declaration of... ..	17	Clerical, Secretary of the Synod.....	7
Bishop of Toronto, thanks to.. ..	62	11, 24, 25, 27.	
Boundaries of Parishes, settlement of, .....	36	Colenso heresy condemned.....	59
		Collections for Church Society.....	41
		College, University of Trinity... ..	10, 49, 55
		Committees of Synod.....	30
		Communion, Rubric at the Holy.....	14
		Communion to members of Synod... ..	26







L.		P.	
PAGE.		PAGE.	
Provincial	Lay Delegates, Election of	23	Parishes, division and boundaries of
31	Lay Delegates subscription to Church Society	24	Parochial endowments, division of
48	Lay Readers and Catechists	55	Parsonages and Churches, erection of
58	Legacies to Church Society	43	Parochial Associations of Church Society
59	Legislature, memorials to	62	Parochial Statistics required
27	Lewis, Rev. Dr., elected Bishop	10	Prayer for Divine Guidance
29, 30, 32	Libraries, Diocesan and Parish	16	Prayer before meeting of Synod
32	Libraries, Sunday School	52	President of Synod, <i>pro tem</i>
	Lord's Day observance	54	Prince of Wales, address to
			Printing of Synod Reports
26, 30			Privy Council decision in <i>re. Williams</i>
26			Proceedings of the Synod, order of
13			Propagation of the Gospel Society
35			Property of the Church, management of the
43			Protest not admissible on minutes
43			Provincial Synod, Delegates to
39, 43, 44			Psalms and Hymns
39, 44			
	M.		Q.
	Manual Vestry	63	Qualifications of voters for Lay Delegates
	Marriages	14, 74	Quarterly Collections for the Church Society
	Meetings of Synod, 1851-1864	7, 11	Queen, Addresses to the
	Meetings of Synod, order of Proceedings at	26	Queen's Supremacy
	Metropolitan of Canada	9, 12	Questions of Order
	Ministry, Candidates for the	54	Quorum of the Synod
	Missions, Diocesan Board of	39, 43	
	Missions, Indian Church	43	R.
	Missionaries, Stipends of	43	Rectories, Presentation to
	Motions, Notices of, in Synod	27	Reformatories and Gaols, ministrations in
	Motions in Synod to be in writing	28	Registers, Parish
	Morning Services, Bishop may shorten	13	Registration of Deeds of Church Property
	Music and Psalmody, Church	14, 51	Registration of Parish boundaries
	Mutiny in India, condolence on	60	Repairs of Churches and Parsonages
			Reports to Synod to be in writing
	N.		Reports to Diocesan Synod
	Nataf, Bishop of, heresy of	59	Reviews and Essays condemned
	Negative voting in Synod	29	Right of the Church to meet in Synod
	Notices of motions in Synod	27	Routine Business, order of Synod
	O.		S.
	Offences, Court for trial of	38	Scrutineers at election of Delegates to Provincial Synod
	Offertory, Christmas, for Clergymen	46	
	Offertory, uniformity at	14	
	Ontario, Diocese of	9, 11, 61	
	Order of Proceedings at Synod	26	
	Order, Rules for preservation of	28	
	Orders of Synod, concurrence of three	26	
	Orphans and Widows' Fund	39, 44	
	Oxford Declaration in Canada	59	
	P.		
	Parishes, assessment of, and appointment to	48	

S.	PAGE.	S.	PAGE.
Secretaries of the Synod...7, 11, 24, 25-27	54	Toronto Diocese of, extent of.....	35
Seed Time and Harvest Thanksgiving	10	Treasurers of the Synod.....7, 11, 24-21	46
Separate Schools, Church of England	15, 56.	Trinity College University.....10, 49,	32, 33
Sermon before the Synod .....	26	Triennial Visitation of the Bishop...32, 33	48
Society, Church, of the Diocese...7, 39, 41	63	Trust Fund, Clergy Commutation.....	48
Statistics, Parochial .....	11	Trusts, Church Property .....	48
Statistical Summary of Synod Meet- ings .....	67	Trusts authorized by Temporalities' Act .....	71
Statutes effecting the Church of Eng- land and Ireland, Toronto Diocese	43	U.	
Stipends of Missionaries .....	54	Unfinished business of Synod .....	27
Students at Trinity College .....	32	Union of Synod and Church Society..	41
Substitutes to Provincial Synod .....	10, 15, 52	Unity of the Church.....18, 20	55
Sunday Schools, Diocesan.....10, 15, 52	54	University of Trinity College...10, 49,	55
Sunday (see <i>Lord's Day</i> ).....	16, 39, 43, 44	University Education in Upper Cana- da. ....	16, 49
Sustentation Fund.....	11	V.	
Synod, Meetings of, 1851-1864.....	33	Vacant Parishes, assessment of .....	48
Synod first organized.....	32	Vestries for Free Churches .....	35
Synod, Right of the Church to meet in .....	25	Vestry Manual Committee.....	30
Synod, annual meeting of.....	24	Votes by Parishes at Synod.....	28
Synod dues payable by parishes.....	41	Votes of Clergy and Laity .....	28
Synod, Incorporation of.....	18, 20	Voters at Easter Meetings.....	23
Synodical Action, subjects for .....	39	Voting at the Synod, mode of.....	29
T.		W.	
Taxes on Church Property .....	62	Widows and Orphans' Fund .....	39, 44
Thanks to Bishop of Toronto.....	62	Worship, Discrepancies in the mode of celebrating Divine.....	55
Thanks to other Persons .....	63	Writing, Motions and Reports to the Synod to be in .....	28, 30
Thanks to Secretary of Synod .....	67		
Temporalities, Act, Church.....			

PAGE.  
..... 85  
11, 24-21  
10, 49, 55  
p...82, 33  
n.... 48  
..... 48  
ities'  
..... 71  
..... 27  
ety.. 41  
.....18, 20  
0, 49, 55  
ana-  
.....16, 49  
..... 48  
..... 35  
..... 30  
..... 28  
..... 28  
..... 28  
..... 20  
.....39, 44  
node ..... 55  
the .....28, 30