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Canadian Ecclesiastical Gazette;

OR MONTHLY CHURCH REGISTER FOR THE DIOCESES OF QUEBEC, MONTREAL, TORONTO, AND HURON.

VOLUME V.

TORONTO, SEPTEMBER, 1858.

No. 9.

SYNOD.

We are requested to state that the Grand Trunk Railway Company, with their usual liberality, have consented to give a free return ticket to all delegates who travel to the meeting at Kingston by their line; this boon has been refused by the Great Western.

WIDOWS AND ORPHANS' FUND.

We remind the Clergy that the collections on account of this fund are appointed to be taken up in the month of October. The amount received last year from this source was only £382 15s. 6d. They will see the necessity of exerting themselves to increase this fund, when they consider that there are already eight widows, most of them entirely dependent on the small allowance they receive from the Society,—also the orphans of two clergymen. The sum actually required to meet the pensions is £480. Every year is adding to the number of claimants. The Society, therefore, should not only be enabled to pay the pensions from the proceeds of the sermons, but also to add something to the investment fund, as yet only amounting to £8,129.

The Book and Tract Committee of the Church Society are going to send to the Christian Knowledge Society for books and tracts, having disposed of the greater portion of those lately imported. The sum they have to remit is small, consequently they have determined to delay for a fortnight, so as to give parties an opportunity of forwarding a list to the Secretary of what publications they require, together with the money.

N.B.—All orders for Books, Tracts and other publications of this Society should be sent to the Secretary of the Society, in all cases accompanied by the money.

THE BISHOP OF HURON.—His Lordship the Bishop of Huron has been prostrated, for the past few days, by a severe attack of ague.—*Colonist*.

The Lord Bishop of Toronto will hold his next General Ordination in the Cathedral, Toronto, on Sunday, the 10th of October. Candidates for Holy Orders, whether of Deacon or Priest, are requested to communicate without delay to the Rev. H. J. Grasett, B.D., Examining Chaplain, their intention to offer themselves, and to be present for examination in the Library of the Parochial School-house, at Toronto, on the Wednesday previous to the day of Ordination, at 9 o'clock, A.M. They are required to be furnished with the usual testimonials, and the *Si Quis* attested in the ordinary manner.

We have on our table a well got up little book, entitled "Tales, Sketches and Lyrics," by the Rev. R. J. MacGeorge. We have read the first legend—a Legend of Bethlehem—and pronounce it a very beautiful production. We regret to learn that the Rev. gentleman has published his work for the purpose of enabling him to visit the old country, where his wife has for some time been invalided. With the name of the Rev. Mr. MacGeorge all are familiar, but few are acquainted with the amount of missionary labour he has undergone in this Diocese, since he entered it in 1841. Several parishes are, under God, indebted to him for their present position. He kept alive the desire for the regular ministrations of the Church by his periodical visits. He used to officiate on Sundays at Streetsville, Hurontario (where he built a church), Churchville, Norval, Hornby (where he completed a church), Sydenham, Dundas Street, Port Credit, Brampton; and on week days he visited Milton, Etobicoke, Edmonton, Middle Road, Toronto Township and Albion. When the temporalities of the Church were in danger, no man worked more energetically and disinterestedly to avert the threatened calamity than Mr. MacGeorge; and, however people may differ in their opinion, as to his theological views or style, all will admit that self has been the last thing he thought of, and his amiable, simple and truth-loving nature ensures him the best wishes of all. May he prosper in his journey, and the cause of his absence be speedily and happily removed.

SYNOD BILL, ENACTED AUGUST, 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."

Whereas doubts exist whether in the Act passed in the Session held in the nineteenth and twentieth years of Her Majesty's Reign, intituled, "An Act to enable the Members of the United Church,

of England and Ireland in Canada, to meet in Synod," sufficient provision is made for the representation of the Laity of the United Church of England and Ireland in the Synods by the said Act authorised 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.

Ecclesiastical Intelligence.

DIOCESE OF TORONTO.

PROCEEDINGS OF THE SYNOD OF THE DIOCESE OF TORONTO

SECOND DAY.

St. BARNABAS DAY, FRIDAY, June 11

Divine Service in St George's Church at 9 a.m. Prayers were said by the Rev. J. A. Morris. The Lessons were read by the Revs. E. Denroche, and F. Tremayne.

The Synod met in the School-house of St. George's Church.

His Lordship the Bishop took his seat at 11 o'clock, a.m.

There was a full attendance of members, several

delegates having arrived who were not present on the previous day.

The minutes of the previous day were read by the Rev. Secretary and approved.

MOTIONS.

The Hon. J. H. CAMERON moved, and the Hon. P. B. DEBLACQUIERE seconded,

That the business reported by the Executive Committee be first taken up in the order in which the subjects, to be considered, are reported on.—*Carried.*

The Hon. J. PATTON moved and the Rev. W. LANGTRY seconded,

The 4th rule of the Constitution be amended, by providing that there shall be one representative or delegate for each congregation, and no more.

Mr. FARRELL moved in amendment, and Col O'BRIEN seconded,

That all after the word "There" shall be struck out, and the following words substituted, "Shall be elected for each congregation, one or more representatives not exceeding three in number, one of whom it is recommended shall be annually re-elected. To be inserted in lieu of the 4th section of the constitution.—*Lost.*

The original resolution was then put and *lost.*

CANON ON THE DIVISION AND FORMATION OF PARISHES.

The Rev. Dr. LETT moved the adoption of the Canon respecting the division and sub-division of Parishes of which he had given notice, the Hon. P. B. DEBLACQUIERE seconded, and which, after certain amendments, was carried as follows:

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.

Do it therefore enacted, by the authority of the Right Rev. the Lord Bishop, the Clergy, and the Lay Delegates in solemn Synod assembled:

1. That the Clergyman and the Churchwardens of each settled cure, now established, do within six months after the adjournment of this Synod, from time to time, hold a conference or conferences with the Clergyman and Churchwardens of the adjacent Parishes or Cures, and, by mutual agreement, arrange and define the boundaries of their respective Parishes or Cures, 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.

2. 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 authorising 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.

3. That the boundaries of a Parish or Cure being once defined, approved and declared, may not be disturbed within the space of five years, except in the case of new Parishes, and that every Cure whose boundaries have been so defined, approved and declared, shall be and is declared to be a "Parish," and that the Incumbent thereof be entitled the "Rector of said Parish."

4. 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 or parties, and when the Bishop of the Diocese shall be satisfied that the provisions of the 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 or Parishes 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 or they be required to state his or their reasons in writing within one month, to the Lord Bishop, who is to decide on their validity.

5 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 one shilling.—*Carried.*

DIVISION OF ENDOWMENTS.

The Hon. J. H. CAMERON moved, and the Hon. P. B. DEBLACQUIERE seconded,

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.—*Carried.*

Committee—Revs. Dr. Patton, R. J. Grasset, D. E. Blake, Dr. Fuller, Hon. P. B. DeBlacquiere, Hon. J. H. Cameron, and Hon. James Patton.

ALTERATIONS IN THE CONSTITUTION.

Mr. FARRELL moved, and the Hon. P. B. DEBLACQUIERE seconded,

That in article No. 2 of the Constitution, after the word "Meetings" the following words be inserted "or at any meeting specially called by the Incumbent for that purpose."—*Carried.*

The Rev. Mr. FARRELL moved, and the Hon. P. B. DEBLACQUIERE seconded,

That in Article No. 14, the following clause be added. "But in the event of the Bishop refusing his assent to any measure adopted by the Clergy and Laity, such motion may be brought forward at the next meeting of the Synod, and if again adopted by the Clergy and Laity, the power of the Bishop to 'veto' it shall cease."—*Lost.*

CANON ON THE FORMATION OF VESTRIES FOR FREE CHURCHES.

Col. O'BRIEN moved the adoption of the following Canon, of which he had given due notice, and the Rev. T. B. READ seconded,

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 an act passed in the present reign, entitled, "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 interest 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.—*Carried.*

LESSENING THE AMOUNT OF DRUNKENNESS.

Rev. Dr. SHORTT moved, and the Rev. HENRY SHARR seconded,

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 Synod.

Committee.—The Rev. R. V. Rogers, M.A.; the Rev. Dr. Shortt, Mr. Neil McLeod.

ALTERATION IN THE CONSTITUTION.

The Rev. Dr. BEAVEN moved, and the Rev. Dr. FULLER seconded,

That the third clause of the Constitution be amended by adding thereto the following words: the assessment shall then be received from the representatives of parishes, after the rate fixed by the committee appointed for that purpose, and no representative shall be permitted to act as such until the assessment is paid. *Approved by the majority—to be considered next Synod.*

PROVINCIAL SYNOD.

Col. O'BRIEN moved, seconded by the Rev. D. E. BLAKE,

That 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 authorising the same in Canada.

The Hon. J. H. CAMERON moved as an amendment that the following words be added, and Mr. KIRKPATRICK seconded:

And that at the coming Session to be held this day, 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.

The original motion, with amendment, was then *Carried.*

W. B. Simpson brought up the following report on

DEFAULTING PARISHES.

Your Committee have the honour to report that they have carefully looked over the list,

submitted by the Treasurer, of the Parishes and Congregations which have not yet paid up their assessment, and they beg leave most respectfully to say that, with three exceptions noted on that list which they do not desire to particularise further, but the circumstances of which warrant a remission, they cannot in justice to those Congregations which have paid, recommend that any should be excused from the payment of that which has been assessed under a formal resolution, and which is so justly due; but on the contrary, that they should be called upon to pay up the several amounts that are due without further delay, by a circular framed on the terms of the Report.

Your Committee would further recommend that the list of arrears of those Parishes and Congregations now forming part of the Diocese of Huron, be forwarded, together with copies of the Treasurer's, and of this Report, to the Lord Bishop of that Diocese.

W. B. SIMPSON,
HERBERT MORTIMER,
SAMUEL B. HARMAN.

The Synod then adjourned at six p. m

EVENING SESSION.

FRIDAY, June 11, 1858.

The Venerable the Archdeacon of York, having obtained leave, brought up the report of the Committee, on

THE MAINTENANCE OF THE CLERGY.

The Committee appointed to take into consideration the best means of raising a Sustentation Fund for this Diocese, having given to this subject the fullest deliberation the time would allow, beg leave to offer the following preliminary remarks:—

1. That it is not expedient or desirable that Clergymen should be appointed to Parishes or Missions with such support only as may be obtained from the direct and voluntary contributions of the congregations to whom they minister.

2. That this system of direct voluntary support would operate, as a rule, most injuriously to the present interests of the Church; as having a tendency to fetter and cramp independency of action on the part of the clergy so employed, and in most cases to leave them without an adequate maintenance

3. That the prevalence of such a system would be detrimental, prospectively, to the best interests of the Church; as being calculated to deter the youth of the country from offering themselves as candidates for the Ministry.

4. That inasmuch as no surplus revenue from the Commutation Fund can be expected to be available for the support of new missions, to any extent, at least for a considerable time to come, it becomes necessary that means should be adopted without delay for supplying a fund for this purpose.

Your Committee would, therefore, recommend the adoption of the following resolutions:—

1. That it is expedient to raise in this Diocese, in all Parishes and Missions within the same, a fund, year by year, for the purpose of furnishing stipends to the Clergy at present unprovided with a fixed salary, from funds irrespective of direct voluntary contributions, and to extend missionary operations within the same.

2. That the Trust Committee of the Church Society be the Treasurer and Manager of all funds raised for this purpose.

3. That a committee of three Clergymen and three Laymen to be appointed annually by the Lord Bishop to form a Central Board under the direction of the Bishop, for apportioning all moneys thus raised.

4. That the Incumbent of each Parish, together with the Churchwardens and Lay Delegates of the same for the time being, be a Local or Parochial Board for raising funds for this object within the same; and that the amount so raised be transmitted to the Bank of _____ at the credit of the Trust Committee, on or before the 31st day of December, in each year.

5. That the Central Board do appropriate annually not less than three-fourths of the amount raised within the bounds of any Rural Deanery, to the support of the Incumbents or Missionaries within the said Rural Deaneries respectively, and that the Archdeacons, or in their absence the Rural Deans respectively, shall represent to the Bishop of the Diocese the special case or cases in which such appropriation is required.

6. That in no case shall more than one hundred pounds currency per annum be paid to any Clergyman from this Fund; and that no stipend be paid from this Fund, except upon the condition that the sum of not less than one hundred pounds currency per annum be supplied by the congregation or congregations to which such Clergymen shall be appointed to minister.

7. That the Lord Bishop of the Diocese be respectfully requested to issue a Pastoral Letter, at his convenience, setting forth the importance and necessity of the Fund thus required to be raised, and urging upon both Clergy and Laity the duty of an immediate and hearty co-operation in the endeavour to secure it.

8. That in order to provide relief with as little delay as possible, to the cases of hardship and distress which already exist from the want of a fixed stipend by several of the Clergy of the Diocese, the Lord Bishop be respectfully requested to appoint a collection in the several Churches and stations of this Diocese, on some Sunday intervening between the next missionary collection and that for Widows and Orphans, to be applied to this special object by the Central Board, under direction of the Lord Bishop.

NOTIONS.

Mr. J. W. GAMBLE moved, and Dr. O'MEARA, seconded,

That the report from the Sustentation Committee just read, together with the report of the Committee 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 Synod — *Carried.*

The Lord Bishop then named the following Select Committee:

Archdeacon of York, Rev. Dr. Beaven, Rev. H. J. Grasset, J. W. Gamble, Esq., T. C. Street, Esq., S. B. Harman, Esq.

The Hon. J. H. CAMERON moved, and C. J. CAMPBELL seconded,

That the election of representatives to the Provincial Synod be now proceeded with, in the separate orders of the Clergy and Laity, and that a committee of three clergymen and three laymen be appointed to declare the result of each election. *Carried.*

The Lord Bishop then named the following on the Committee:

For the Clergy.	For the Laity.
Rev. Dr. Lett,	S. B. Harman,
“ “ Patton,	J. Bovell,
“ “ Lewis,	C. J. Campbell.

The committee for the clergy reported the election of the Venerable the Archdeacon of York, Rev. Dr. Patton, Rev. Dr. Beaven, Rev. J. G.

Geddes, Rev. Dr. Lett, Rev. Dr. McMurray, Rev. G. Whitaker, Rev. Dr. Lewis, Rev. Mr. Givins, Rev. Mr. Osler, Rev. Mr. Kennedy, and Rev. Dr. Fuller.

The committee for the Laity reported the election of Hon. Mr. Cameron, J. W. Gamble, Dr. Bovell, Col. O'Brien, Mr. Simpson, Col. Kingsmill, Clarke Gamble, Hon. Mr. Patton, Mr. Harman, Mr. Street, Hon. Mr. DeBlaquiere, and that two gentlemen had an equal number of votes, viz., J. C. Campbell and Hon. Geo. Boulton.

Mr. Campbell having announced his wish to retire in favour of Mr. Boulton, the latter was declared a Delegate.

CANONS.

The Rev. Dr. BEAVEN moved, and the Hon. J. H. CAMERON seconded,

That the "Canon on the Queen's supremacy" be adopted, and that the report be printed and distributed with as little delay as possible, and brought up again at the Autumn Session. — *Carried.*

CONSTITUTION OF SYNOD.

Hon. J. H. CAMERON moved, and J. W. GAMBLE seconded,

That the constitution and Rules of the Synod be now adopted, as brought before the Synod at the last meeting. — *Carried unanmously.*

CHURCH MUSIC.

The Rev. E. DENROCHE moved, and the Rev. Dr. O'MEARA seconded,

That the Rev. Dr. Beaven, Rev. Robt. Shanklin, Rev. Henry Brent, Judge Boswell, Wm. B. Simpson, together with such Rev. Professors of the University of Trinity College, Toronto, as are versed in ecclesiastical music, be a Committee of Synod on Church Music; and that this committee shall have power to add to their number not only any brother Synodmen they may deem advisable; but also such honorary members of committee as they may consider qualified to forward the work. — *Carried.*

W. B. SIMPSON moved, and Dr. BOVELL seconded, That the Report of the Committee on Church Music be printed and sent to every Congregation in this Diocese.

Carried.

Dr. BEAVEN moved, and Rev. J. FLETCHER seconded,

That the Committee on the Provision of a book of Hymns and Psalms for this Diocese be re-appointed, with power to add to the number of the Committee at their discretion.

Carried.

ELECTION OF LAY DELEGATES.

Col. O'BRIEN moved, and Dr. BOVELL seconded, That whereas it is desirable that all due care and caution should be taken to insure the due election of the Lay Delegates, by properly constituted Parishes or Congregations,

Be it enacted, — That all Lay Delegates shall, each one, before taking his seat in Synod, produce to, and deposit with, the Lay Secretary, or some other Officer of the Synod, appointed to receive the same, a certificate of his election, in the following:

FORM,

To be signed by the Chairman of the Meeting.

THIS IS TO CERTIFY, that at a meeting held this day for the purpose of electing Delegates to represent this Cure or Parish in Synod, being the Parish of _____

being a Communicant of above one year's standing, and of the full age of twenty-one years, was elected by the Laymen within this Cure, who have the right to vote at such election by virtue of their having, in accord-

ance with the 2nd clause of the Articles of the Constitution of the Synod of this Diocese, declared themselves, in writing, in the book kept for that purpose, to be members of the United Church of England and Ireland, and to belong to no other denomination.

And such certificate shall be considered and taken as sufficient proof of due election—but without such certificate, the Delegate presenting himself shall be required, before taking his seat, to afford sufficient proof that the requirements of the Synod have been fully complied with in his election.—*Carried.*

OBSERVANCE OF THE LORD'S DAY.

Rev. R. V. ROGERS moved, and Dr. SHORT seconded,

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 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.—*Carried.*

SUSTENTATION OF THE CLERGY.

The Hon. Mr. PATTON moved, and the Hon. J. H. CAMERON seconded, that the following resolution, of which he had given notice, be referred to the Select Committee on the Sustentation of the Clergy:

"That whereas the growing necessities of the Church are not sufficiently met by the provisions of the Church Society, in so far as relates to the establishment of Missions and sending forth Missionaries into destitute parts, it is advisable that a Committee of seven be named, whose duty shall be to make such recommendations as will best secure the object in view, and to report to the Synod before the close of the present Session.—*Carried.*

The Rev. Mr. READ moved, and the Rev. H. B. OSLER seconded,

That the following resolution be referred to the Select Committee on the

SUSTENTATION FUND.

Whereas the Church being now thrown to a much greater extent upon the voluntary system, it has become necessary that that system should be worked in a more regular manner than has heretofore been the case.

In order therefore to extend the missions of the Church, and to provide for their more proper maintenance, it is desirable that all the parishes or missions in the Diocese of Toronto be divided into five classes.

No. 1.—To consist of newly-formed and poor places, from which no stated amount shall be required for the first three years, during which time they shall prepare to conform to the requirements of the second class.

No. 2.—To be required to contribute towards the support of a resident minister not less than the sum of £75 or £50, to be paid half-yearly into the hands of the Churchwardens, and by them to the incumbent.

No. 3.—To contribute in like manner not less than the sum of £—.

No. 4.—To contribute in like manner not less than the sum of £—.

No. 5.—To contribute in like manner not less than the sum of £—.

And that no Parish shall be entitled to have the benefit of a resident Clergyman continued to it, which fails to fulfil the conditions attached to that class in which it has been placed.

That in order to carry out this system, the Lord Bishop be respectfully requested to nominate one experienced Clergyman and one Layman in

each rural Deanery, who, with the rural Dean as Chairman, shall form an Ecclesiastical commission in and for the Deanery.

That it shall be the duty of the Commissioners to visit each Parish in the Deanery as soon after their appointment as conveniently may be, to confer with the Clergyman and Churchwardens, and obtain from every proper source, all available information upon which the ability of the Parish or Mission may be estimated, to classify the several Parishes accordingly. And further, to visit from time to time all new places, where it may be desired to form missions, to judge of their claim to be exempt (for the time before specified) from stated payments, or to place them at once in their proper classes. And further, to report the result of all their investigations to the Bishop, and to the Diocesan Appeal Commission, hereinafter mentioned.

They shall also use such means as may be deemed most effective to obtain liberal contributions to the mission or sustentation fund of the Church Society in every place they visit, especially the more wealthy, in order that relief may at once be given to those places evidently incapable of sustaining a clergyman unaided.

And all places desirous of being formed into new Parishes shall apply to the Rural Dean, in order that the enquiry before named may be made.

That the Churchwardens of every Parish, on Easter Monday in each year, report to the Chairman of the Ecclesiastical Commission the fulfilment or otherwise for the past year, of the terms required for their parish, who shall report the same touching all the parishes of the Deanery to the Diocesan Appeal Commission.

INDIAN MISSIONS.

The Rev. Dr. O'MEARA moved, and Dr. WILSON seconded,

That a Committee of this Synod be appointed to determine what are the best means of carrying on and increasing the Indian Mission.—*Carried.*
His Lordship named the following as the Committee.—Dr. D. Wilson, Revs. Dr. O'Meara, McMurray, H. J. Grassie, Hon. Mr. DeBlacquiere.

PARSONAGES.

The Rev. Dr. PATTON moved,
That a Committee be appointed on the subject of Building Parsonages, Repairs and Delapidations of the same, and to report thereon at next meeting of the Synod.—*Carried.*

His Lordship named the following as the Committee:—Rev. Dr. Patton, Rev. R. V. Rogers, Rev. Dr. Beaven, Hon. J. H. Cameron, Thos. Kirkpatrick, Judge Jarvis.

NOTICE TO MEMBERS.

Mr. ELLIS moved,
That in future, Circular Notices be forwarded to each Clergyman and Lay Delegate separately, at least one fortnight before the time of meeting of the Synod, and the place and time of such meetings be as far as possible particularly described, so as to economise as much as possible the time of those required to attend.—*Carried.*

CHURCH IN INDIA.

Mr. KIRKPATRICK moved, and the Hon. GEORGE BOUTON seconded, the following address to the Church in India:

We, the Bishop Clergy, and Laity of the United Church of England and Ireland, of the Diocese of Toronto, in Synod assembled, desire unitedly to convey to the Church in India the expression of the deep sympathy we feel on behalf of our Christian brethren, who, in the trials they have been called upon to endure,—have been counted worthy to suffer in the cause of our Common Lord and Master. We unite in assuring them of our

continual remembrance of them at the Throne of Divine Grace, in earnest prayer, not only for their speedy deliverance from their present afflictions, but that the trial of their faith might be formed unto praise, and honour, and glory, at the appearing of Jesus Christ.

We desire to rejoice in the manifest evidence of the revival in our Church of the missionary spirit in which the first Apostles and Evangelists fulfilled the last command of their risen and ascended Lord, to go forth to all nations, and preach the Gospel to every creature; and we derive fresh assurance from the evidence we have that such self-denying labour is receiving the sanction of the Great Head of the Church, in the evident fulfilment of the Divine promise: "Lo, I am with you always, even to the end of the world."

That the Divine Redeemer, who freely shed his precious blood for us, and who, as the Captain of our Salvation, was made perfect through suffering, may call forth new life to the Church from the blood of her martyred sons, and cause her present trials in the furnace of affliction, to refine and purify her, and strengthen her noble triumphs in the evangelization of the heathen, is the earnest prayer of the members of this branch of the Church. We desire to assure our brethren, that while we affectionately remember them in our prayers, and desiring to feel for and with them in this time of trial and affliction, it is our determination, to the utmost extent of our means, to aid practically in the promotion of the great cause of evangelizing the British Empire in India, and planting among its benighted races, the glorious banner of the Gospel of Christ, as the noblest monument by which Britain can perpetuate the remembrance of those triumphs of her arms, whereby so vast an empire has, under Divine Providence, been committed to her care.—*Carried.*

ALTERATION OF RULES.

The Hon. J. H. CAMERON moved, and the Hon. GEORGE BOUTON seconded,

That the seventh rule, regarding Committees, be altered, so as to make the notice of business, given by the Executive Committee, a notice for the first day of meeting of the Synod.—*Carried.*

THE SERMON.

The Rev. J. T. M. BLACKMAN, LL.D. moved, and S. B. HARMAN seconded,

That the thanks of this House be tendered to Rev. F. L. OSLER, M. A., for his useful and appropriate sermon preached before the Synod yesterday; and that the same be printed for the use of members and for circulation in the country generally.—*Carried.*

ADDRESS TO THE BISHOP OF HURON.

The Rev. STEPHEN LETT, LL.D., moved, and the Rev. Rural Dean PATTON, D.C.L., seconded,
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.—*Carried.*

The following committee were appointed by the Lord Bishop: The Venerable the Archdeacon of York, and the Rev. Rural Dean Fuller, D.C.L.

THE LATE CLERICAL SECRETARY.

The Rev. E. DENROCHE moved, and the Rev. Dr. BOSWELL seconded,

That this Synod would express its deep regret for the melancholy occasion of the absence of the late Clerical Secretary, the Rev. J. G. GODES, from this meeting, and would acknowledge with gratitude the great ability and courtesy with which he discharged his onerous duties during its previous Sessions.—*Carried.*

THANKS TO THE LADIES OF TORONTO, AND TO THE RECTOR OF ST. GEORGE'S.

The Rev. Dr. PATTON moved, and the Rev. Dr. BLACKMAN seconded,

That the thanks of this Synod be respectfully tendered to those Ladies who so kindly and generously provided the lunch in the Orphan's Home: and also that thanks be tendered to the Rector and congregation of St. George's for the use of their parochial school-house for holding this Synod.—*Carried.*

AUTUMN SESSION.

In the absence of Dr. LEWIS, the Rev. R. V. ROGERS moved, and the Rev. H. PATTON seconded,

That the Lord Bishop be respectfully requested to convene the next Synod at the city of Kingston.—*Carried.*

The Lord Bishop thereupon announced his intention of adjourning the Synod, to assemble in the city of Kingston in the coming autumn.

The Rev. R. V. ROGERS moved, and the Hon. GEORGE BOULTON seconded,

That the thanks of this Synod be respectfully offered to the Lord Bishop, for his patient, judicious, and impartial conduct whilst presiding at its present Session.—*Carried.*

His Lordship then pronounced the Apostolic Benediction, and prorogued the Synod.

A FEW BRIEF OBSERVATIONS UPON THE REPORT OF THE COMMITTEE ON CANONS, &c., &c.,

ADDRESSED TO THE MEMBERS OF SYNOD.

The Report of the Committee on Canons, &c., &c., was presented at the meeting of Synod, in June last, ordered to be printed for circulation, to afford members of Synod an opportunity to consider the same, and form a deliberate judgment respecting the various recommendations it contains; and, therefore, it is quite admissible for any member of Synod to offer such remarks as may, in his judgment, tend to elucidate the subject.

Much praise is undoubtedly due to the major part of the Committee, for its elaborate Report, and for the pains taken to arrive at a practical solution of the questions referred: it nevertheless appears to me that the Report in respect to the order in which the subjects embraced in the reference are discussed, is fairly open to objection. In the first place, a body of Canons is put forth, and recommended for adoption; and then the state of the English statute law, affecting ecclesiastical affairs, is discussed. Such arrangement is manifestly faulty. The Synod Act does indeed enable the Synod to frame constitutions, and make regulations for enforcing discipline, and for the convenient and orderly management of the property affairs and interests of the Church, but with the express proviso that 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 the Province. The more natural and safer course, therefore, would have been first to examine and determine what laws or statutes affecting ecclesiastical affairs are now in force in this Province, and then to frame constitutions and regulations, so as not to come in conflict with them.

In the following remarks I shall, therefore, follow that order, and proceed accordingly to examine, in the first place, what ecclesiastical laws are now in force within this Province.

The Report, with reference to this branch of the subject, contains the following general state-

ment—(p. 37, Report of proceedings of Synod, 1858). "The Committee beg to report that they have examined into the state of the English statute law affecting ecclesiastical affairs, and they find that almost the whole of the English Acts on this subject are so restricted in their own text, or in their very nature, as not to apply to the colonies; and when, in an early period of the history of this colony, the English statutes were adopted, the ecclesiastical portion was excepted."

It may, perhaps, conduce somewhat towards presenting a clearer view of the subject, here to review the leading principles which regulate the application of the laws or statutes of a sovereign state to its dependencies. Such review, on an occasion like the present, must necessarily be extremely cursory; but, in using brevity I shall at the same time aim at perspicuity and precision.

Without further preface then, I remark, that the generally received opinion respecting the relation of dependencies to the sovereign state is, that dependencies are properly divisible into two distinct classes, and that their relation to the superior state varies, with respect to the laws by which they are bound, accordingly as the dependencies are properly referable to one or other of those classes.

The first class comprehends such colonies in distant countries, where the lands are claimed by right of occupancy only, by finding them desert and uncultivated and peopling them from the mother country. And with reference to this class, it has been held, that if an uninhabited country be discovered and planted by English subjects, all the English laws then in being, (which are the birthright of every subject) are with certain restrictions, which it is unnecessary here to particularise, immediately there in force.

The second class embraces such countries as being already cultivated, have been gained by conquest or ceded by treaties. In such conquered or ceded countries as have already laws of their own, the king may by his legislative authority in virtue of his prerogative alone, alter and change those laws; but till he actually does change them, the ancient laws of the country remain. Thus at the time of the conquest of Ireland by king Henry II., the Irish were governed by what they called the Brehon law; but king John, in the 12th year of his reign, ordained and established by his letters patent, that Ireland should be governed by the laws of England; and this doctrine, so early put in practice, has in more recent times been maintained by Lord Mansfield, in his elaborate and learned argument to prove the king's legislative authority by his prerogative alone, over a ceded conquered country.

Those conquered or ceded countries are moreover subject to the control of the Imperial Parliament, though not bound by any of its acts, unless when the sovereign legislative power sees it necessary to extend its care to any of its subordinate dominions, and for this purpose mentions them expressly by name, or includes them under general words, in some statute or statutes; in which case there can be no doubt but that they are bound by its laws.

Again, with respect to their interior polity, the colonies of England have a form of Government granted them by the sovereign state, borrowed for the most part from that of England, with power to make laws for their own interior regulations not contrary to the laws of England; and with such rights and authorities as are specially given them in their several constitutional charters. But it is particularly declared by the 7 & 8 Wm III., ch. 22. that all laws, by-laws, &c. &c. &c., which shall be in practice in any of the plantations in America, repugnant to any law made or to be made in the kingdom of England relative to the

said plantations, shall be utterly void and of no effect.

Canada belongs to this second class of colonies, having been ceded by France to England; and there are, consequently, three distinct modes by which the laws of England may be introduced and have force within it, viz., 1st. By the exercise of the prerogative of the Crown. 2nd. By the colony being expressly named or included under general words, in a statute or statutes passed by the imperial legislature. 3rd. By voluntary adoption on the part of the provincial legislature.

I shall now proceed to examine whether by any or all of the above modes, any portion of the ecclesiastical law of England has been introduced into this province, and if so, to what extent?

The 14th Geo III., ch. 83, sec. 17, amongst other things, enacts, that his Majesty, his heirs and successors, may by his or their letters patent under the great seal of Great Britain, erect courts of ecclesiastical jurisdiction within and for the Province of Canada, and appoint from time to time, the judges and officers thereof, as his Majesty, his heirs and successors shall think necessary and proper, for the circumstances of the said province. The prerogative of the crown thus expressly recognised and reserved in theory, was brought into practical effect by a subsequent statute 31st Geo. III., ch. 31, sec. 40, which provides that certain rectories about to be established, and the incumbents thereof, shall be subject to the spiritual and ecclesiastical jurisdiction and authority which have been lawfully granted by his Majesty's royal letters patent, to the Bishop of Nova Scotia, or which may hereafter by his Majesty's royal authority, be lawfully granted or appointed to be administered and executed within the said provinces, or either of them respectively, by the said Bishop of Nova Scotia, or by any other person or persons, according to the laws and canons of the Church of England, which are lawfully made and received in England.

Thence we learn that the Crown previously to the passage of the 31st Geo III., had, by virtue of the prerogative alone, granted spiritual and ecclesiastical authority to be executed and administered within the Provinces of Upper and Lower Canada, according to the Laws and Canons of the Church of England; that the Imperial Parliament at the time it sanctioned the erection of certain Rectories in Canada, and their endowment out of the public domain, took advantage of that state of things, and placed the Rectories under the spiritual and ecclesiastical jurisdiction and authority already established in the Provinces; and consequently that the ecclesiastical law of England has been introduced, and is in force in Canada, in respect to all the Incumbents of the Church of England. This view of the case has been altogether overlooked in the Report.

It may indeed be argued against it, that the 38th, 39th, and 40th sections of the 31st Geo. III., cap 31, have been repealed; but said repeal does not annul or invalidate the Royal Letters Patent granting to the Colonial Bishops ecclesiastical jurisdiction and authority, to be executed and administered according to the Canons and laws of the Church of England, and it has been expressly provided, that it shall not affect the *Parsonages or Rectories* that have already been erected according to law. The Provincial Statute in question, only varies with respect to them, the mode of presenting; and for that purpose provides, that henceforth the right of presentation shall vest in and be exercised by the Church Society of the Church of England Diocese within which the same is situated, &c. and it was therefore properly held, that upon the Consecration of the Bishop of Huron, the Rectory of London was "*ipso facto*" vacant, and subject to all the ecclesiastical laws

of England concerning Institution, Induction, and Lapsus.

The second mode by which the ecclesiastical laws of England may be introduced and have force within the Province, is by the Imperial Legislature, in some statute or statutes, expressly naming or including the Colony under general words.

The Report is rather full with reference to this mode, and how far ecclesiastical affairs in Canada are thereby affected. It states in substance, (pp. 37 and 38) that the Act of Uniformity, 13 and 14 Car. 2nd., cap. 4, by which the present Prayer Book is enforced, is expressly restricted in section 1, and in other parts, to the Kingdom of England, Dominion of Wales and Town of Berwick on Tweed, that although the Act of Uniformity, 1 Eliz., cap. 2, sec. 3, enforced the use of the then Book of Common Prayer, not only in the above named places, but also in other of the Queen's Dominions, yet that it set aside by the more recent Act of Car. II., which, whilst enacting in sec. 23, that previous laws for uniformity, shall apply to the revised Prayer Book, expressly makes the same restriction as in sec. 1, to the Kingdom of England, Dominion of Wales, and Town of Berwick on Tweed; and therefore that the only Acts affecting the Colonies, are those that regulate the appointment of Colonial Bishops, the Act 13th Eliz., cap. 12, and the Act 31st Geo. III., cap. 31.

The above statement is calculated, though no doubt unintentionally, to entirely mislead the Synod. It is true that the Act 13 & 14 Car. II., cap. 4, is expressly restricted in its very text to the Kingdom of England, Dominion of Wales, and Town of Berwick on Tweed. It may also be true that the 1st Eliz., cap. 2, although including the Colonies under general words, is nevertheless restricted by the more recent Act of Car. II., to the above named places; but it is a grave mistake to assert that the 13th Eliz. cap. 12, as quoted in the Report, or indeed in any form, is, as a mere Act of the Imperial Legislature, of force in this Province. 1st. Because by the 5th A., cap. 5, which confirms 13th Eliz. cap. 12, the clauses of the original Act, which were repealed or altered by subsequent Acts, are expressly declared to be no longer of force in England; and 2nd. Because although the Act in its original form includes the Dependencies of England under general words, that is set aside by the more recent Act 5 A., cap. 8, which provides, that the 13th Eliz., cap. 12, with the restrictions above named, shall henceforth be maintained in the Kingdom of England, Dominion of Wales, and Town of Berwick on Tweed; such restriction to the above named places being a necessity arising out of the union between England and Scotland, which was just then effected.

Again, some of the provisions of the 13th Elizabeth, ch. 12, are so restricted in their very nature, as not to apply to the colonies. Thus, section six, which is wholly omitted from the copy of the act given in the report, cannot possibly be supposed to apply to this Province, for it enacts "That none hereafter shall be admitted to any benefice with cure, of or above the value of £30 yearly in the Queen's books, unless he shall then be a bachelor of divinity, or a preacher lawfully allowed by some bishop within the Realm, or by some one of the universities of Cambridge or Oxford"

Again, the 13 & 14 Car. II., cap. 4, alters the sense in which the 36th article of the 39 to which subscription is required by the 13 Eliz., ch. 12, is to be understood; but since the act of Car. II. does not, in the opinion of the committee, apply to this Province, neither can the alteration, consequently by affirming that the act of 13 Eliz.,

ch. 12, is here in force as originally passed, we are necessarily involved in the absurd conclusion, that the articles are to be subscribed in a different sense here and in England. Mr Hallman, moreover, in his constitutional history of England, gives it as his opinion, strongly supported by collateral evidence, that the act of Eliz. requires subscription to nothing more than to all the articles which only concern the confession of the true faith, although he admits that the practice was otherwise.

The report further seeks to substantiate the assertion, that the act of Eliz. as originally passed is of force here, by remarking, that it was under this act that proceedings were taken in England against Archdeacon Denison. Now even were the assertion correct, that the act is, without alteration, of force in England, it would not as a matter of course, be so here. But it is well known, that Archdeacon Denison's case was not decided under this act taken *per se*, but as modified by the 3 & 4 Vic., ch. 86, which as a general rule enacts, that no suit under the act can be sustained, unless brought within two years after the commission of the offence. Upon all these grounds I contend that the 13 Eliz. ch. 12, cannot, in the manner contended for in the report, be of force in this Province.

The only remaining acts which, according to the report affect the colonies, are those which regulate the appointment of colonial bishops, and the 31 Geo. III., ch. 31. Of the former nothing is explicitly said in the report. Respecting the latter, I have already endeavoured to point out its force and significance in relation to this Province. The committee have, however, according to their own admission, advisedly abstained from pronouncing any opinion as to what part of it may or may not be still in force: but surely it must, to say the least of it, be deemed a rash proceeding for the Synod to adopt a body of rules and regulations, without knowing, or being advised of the exact state of the law; seeing we are strictly bound by statute not to come into conflict with it.

This may be a fit place to point out another act, affecting the Church in the colonies, which has nevertheless been overlooked in the report. The 3rd & 4th Vic., ch. 33, makes provision for allowing bishops or ministers of the Protestant Episcopal Church of Scotland, and also the Protestant Episcopal Church of the United States of America, to officiate occasionally in the Churches and Chapels of the United Church of England and Ireland. Its 4th and 5th sections enact, that the Church in the colonies is to be regarded for the purposes of this act, as the Church of England; from which, it may, I think, be strongly inferred, that the act of uniformity 13 & 14 Car. II., ch. 4, must be regarded as in some way or other having force in this province, and as that act is in its text restricted to the kingdom of England, Dominion of Wales, and town of Berwick on Tweed, it can only have force here, either by virtue of the royal prerogative, or by the method which I now proceed to consider.

The third mode by which the laws of the superior state may be introduced and have force within a dependency, is by voluntary adoption on the part of the dependency, by the colony adopting them under the authority of its constitutional charter, either in whole or in part, or copying the spirit of their own law from them as its original; in which case the law receives its obligation and authoritative force, from being the law of the country.

The statement of the report on this head is, "That when in an early period of the history of this colony the English statutes were adopted,

the ecclesiastical portion was excepted" (p. 37, Proceedings of Synod 1858).

Although not explicitly so stated in the Report, allusion is here made, I presume, to the provincial statute 32 Geo. III., ch. 1, which at its 3rd section enacts, "that from and after the passing of this act, in all matters of controversy relative to property and civil rights, resort shall be had to the laws of England as the rule for decision of the same." If it be contended that the words "property and civil rights" are not of sufficient amplitude to embrace ecclesiastical rights and dues; how untenable that opinion is, may be seen from the proviso contained in a subsequent section. The 6th section enacts "that nothing in this act contained shall vary or interfere with any of the subsisting provisions respecting ecclesiastical rights or dues within this province." Hence, it is clear that the words "property and civil rights," may properly embrace ecclesiastical rights and dues, for otherwise there would be no need for the proviso. The fact is, that at the time of the passing of this act there were some subsisting provisions respecting ecclesiastical rights and dues, which could only be carried into effect by resort being had to the French law then of force in Canada, and also some provisions affecting the Church of England in Canada, for carrying out of which resort must have been had to the ecclesiastical law of England; and the provincial legislature thinking it most prudent and convenient to allow the subsisting provisions in either case, to stand on the footing upon which they were placed by the constitutional acts 14 Geo. III., ch. 83, and 31st Geo. III., ch. 31, only provided that all subsequent ecclesiastical provisions should come under the operation of this act.

Be that as it may, I cannot see any thing in the act that can justify the assertion that the ecclesiastical portion of the English statutes was excluded.* That portion was introduced into the Province, as already observed, by the exercise of the royal prerogative, confirmed by 31st Geo. III. ch. 31; and for the provincial statute in question to have had the effect alleged, it should in express words have restrained the prerogative, and repealed so much of the constitutional act, as refers to the matter.

From the foregoing considerations I conclude, that in relation to the Church of England in Canada, the ecclesiastical law of England is in force in the Province, both by virtue of the royal prerogative and the allowance of the provincial legislature.

I now turn to the consideration of the second branch of the report, which embodies such of the English canons as with certain specified alterations the committee recommended should be declared by the Synod to be in full force in this diocese.

It is not my intention to notice the various alterations it is proposed to make in several of the canons. These are comparatively of minor importance, and may possibly, by friendly consultation and a little mutual concession and forbearance, be easily arranged so as to meet the views of all parties. My attention shall be rather directed to the inquiry; 1st, Are there any fundamental objections which *a priori* should induce the Synod as a composite body, to withhold its assent from these canons? And 2nd, Are the provisions introduced for the establishment of an ecclesiastical court for the trial of clergymen, in consonance with the tenor and spirit of the English canons and ecclesiastical statute law.

* Note.—Several Provincial statutes recognise the English Canons as of force in the Province, and bind the Church here to the observance of them in the management of its affairs.—See Church Temporalities Act, sec. 15.

To me there appears to be a well-founded objection to a body composed, as our Synod is, of three distinct orders, with co-ordinate legislative powers, adopting canons affecting, as the proposed canons for the most part do, only one of its orders. Such a procedure is inequitable and suicidal, and if sanctioned, must in its practical working, indirectly if not directly, fetter the freedom, and consequently detract from the dignity of the Synod's proceedings. In the diocesan conventions of the Protestant Episcopal Church of the United States, which, in their composition bear a close analogy to our Synod, no such thing is tolerated. We find that in all of them, canons applicable to all the orders are uniformly in force.

But further, if the reasoning in the previous part of this statement be correct, it may well be doubted, whether the proposed canons, or any others differing from the canons of 1603, would, if adopted, legally bind the whole clerical order. It may indeed be said that the Synod is empowered by statute to frame constitutions and make regulations for enforcing discipline in the Church "any rights of the Crown to the contrary notwithstanding." But it must be borne in mind that the privileges, duties, and responsibilities of the Rectors at least, are clearly defined and guaranteed by statute; and to introduce canons affecting only a portion of the clerical order, would obviously be invidious, and must necessarily give rise to disputes and hostile feelings concerning the Synod's jurisdiction. These appear to me to be solid fundamental objections, which may fairly be urged against the adoption of the proposed canons.

2nd. The canons providing for the establishment of a Diocesan Court, seem in their provisions to fall short of that spirit of equity and fair consideration for the accused, which so much distinguishes the English canons and ecclesiastical statute law. This defect may possibly be attributable to some supposed peculiarity in the circumstances of the country, which may be deemed by some sufficient to justify a departure from English precedent. I shall however notice a few of the provisions which seem to me most liable to objection.

The 2nd canon, § 1, provides, "that the trial of a minister, whether priest or deacon, shall be on presentment in writing specifying the offence of which he is alleged to be guilty with reasonable certainty as to the time, place and circumstances." No limit as to the time within which a suit may be commenced is here assigned, and it is consequently possible under the canon, to present for an offence an indefinite number of years after it is alleged to have been committed. The church and parliament of England have, however, adopted a different principle. The 3 & 4 Vic., ch. 86, § 3, expressly provides that no suit or proceeding under the act can be sustained unless commenced within two years after the commission of the offence complained of; and nothing short of a conviction in a court of law for an offence, will justify any proceedings in consequence of the offence, supposing two years to have elapsed since it was committed.

Again, sections 2, 3, & 5 of said canon provide that in the absence of the bishop, the archdeacon or his commissary may receive presentments, constitute the court and pass sentence, which shall have the same force and effect as if pronounced by the bishop, with the proviso, that if upon the return of the bishop the accused shall shew satisfactory cause to induce belief that justice has not been done, the bishop may in his discretion grant a rehearing. Thus the accused has the privilege of only two hearings, whereas by the English Clergy Discipline Act, 3 & 4 Vic., ch. 86, four several hearings are granted him before he can be finally condemned. 1st. Before

the commissioners of the bishop. 2nd. Before the bishop or commissary and his assessors. 3rd. Before the court of appeal of the province, and 4thly. Before the judicial committee of the privy council. Our Synod acknowledges by an express canon, the Queen's supremacy; our diocese is within the province of Canterbury, and we profess a desire to maintain our connection with the church in England unimpaired; but by refusing an appeal to the two latter courts, we practically deny, in a very important particular, the supremacy of the Queen and the primacy of the archbishop; and not only so, but actually come into conflict with the statute law; for the English statute, 24 H. VIII., ch. 12, intitled, the Act of Submission of the Clergy to the King's majesty, and the 25 H. VIII., ch. 19, which determine the particular order and method of appeals, extend, by the generality of the words, to all the Queen's dominions.—(Bolingbroke's Eccl. Law., vol. 1.) Several other stringent provisions have been introduced into the English act, to guard against even the semblance of injustice or partiality in hearing and deciding causes, which are not however, to be found in the proposed canon; but I shall not dwell longer on the subject by advertising more particularly to them. The defects already pointed at, are at least of sufficient magnitude to demand at the hands of the Synod a most careful revision of those canons.

It was proposed to postpone the adoption of the report for this among other reasons, viz., to afford time to consider, could an officer authorized by law to administer oaths to witnesses, be employed for that purpose by the proposed court, and a hope was expressed that such might legally be done, as it would afford considerable protection to the clergy. They will perhaps best promote the welfare of the church and protect themselves, by resolving to continue as heretofore under the firm but equitable and judicious rule of their venerable Diocesan, until the canons are at least made sufficiently comprehensive so as to apply with equal force to the several orders of which the Synod is composed, and to be more in harmony with the spirit and letter of that portion of the ecclesiastical law of England which is in force in the Province.

I have only in conclusion to add, that I have in the foregoing statement endeavored to develop the views and opinions I expressed and advocated in committee, and subsequently in Synod at its last meeting. These views of necessity could not at the time receive any very lengthened consideration, and I have, therefore, availed myself of this means respectfully to invite the attention of members of Synod to them.

D. E. BLAKE.

Thornhill, Aug. 1858.

COLLECTIONS UP TO SEPTEMBER 8th.

Collections appointed to be taken up in the several churches, chapels and missionary stations, in the Diocese of Toronto, in the month of July, in behalf of the Mission Fund of the Church Society.

Previously announced.....	\$585 80
St. James's, Kingston, per Rev. R. V. Rogers	4 00
Etohicoke, Parochial Branch, special ...	1 35
Northport, per Rev. T. Bousfield	1 00
St. Paul's, Cayuga.....	\$ 6 00
St. John's, "	2 00
Per Rev. T. W. Allen	8 00
Caledonia	6 50
Cayuga	4 78
Per Rev. B. C. Hill.....	11 28

Sarnia	8 50
Trinity Church, Moore	4 13
St. Mary's, "	2 50
Butters	1 38
Sombra	1 93
Per Rev. J. G. R. Salter.....	18 44
Elora, Per Churchwardens.....	6 70
St. Peter's, Cobourg	35 35
St. Peter's School House	1 55
Boarns, "	3 20
Per Venerable Archdeacon Bethune...	40 10
Christ Church, Ottawa, per Churchwardens	40 00
St. John's Church, Smith's Falls 4 60	
St. James's, Port Elmsley	2 40
Per Rev. J. B. Worrell	7 00
St. George's, Kingston, per Rev. A. Stewart	19 10
Barrie, per C. Williams, Esq	7 67
Christ Church, Scarborough	6 25
St. Paul's	3 75
St. Jude's	2 00
Per Rev. W. Belt	12 00
122 Collections, amounting to.....	\$762 44
WIDOWS AND ORPHAN'S FUND, 16TH YEAR.	
(Collections up to September 8th.)	
Etohicoke Parochial Branch, special	\$ 5 25
Moore, per Rev. A. Williams	10 00
	15 25
GENERAL PURPOSE FUND, 16TH YEAR.	
(Collections up to September 8th.)	
Moore, Parochial Branch, per Rev. A. Williams	32 00
STUDENTS' FUND, 16TH YEAR.	
(Collections up to September 8th.)	
Louth, per Rev. A. Dixon.....	8 00
Christ Church, Scarborough'	4 00
St. Paul's	3 25
St. Jude's	2 00
Per Rev. W. Belt	9 25
	12 25
ANNUAL SUBSCRIPTIONS.	
Rev. R. J. MacGeorge	5 00
" F. Tremayne	10 00
" W. Belt, 16th year.....	5 00
	20 00
BOOK AND TRACT FUND.	
Rev. S. Girvin's subscription	2 54
EASTERN EPISCOPAL ENDOWMENT FUND.	
Just as our paper was going to press we received a note from the Rev. Dr. Lauder accompanied by a list of subscribers to the Eastern Episcopal Endowment Fund; not having room for all the names, we give below the total amount contributed in the several parishes or missions named.	
Franktown	£ 42 4 4
Ca'ton Place	194 10
March	82 15 6
Huntley	67 10 0
Gouldbourne	17 19 4
Fitzroy Harbour	65 10 0
Camden	7 10 0
Gananoque	75 5 0
Richmond	18 15 0
	£571 18 8

REPORT OF THE NEWCASTLE DISTRICT BRANCH OF THE CHURCH SOCIETY, FOR THE YEAR ENDING MARCH 25th, 1858.

Through the merciful goodness of our Heavenly Father, we are once more permitted to meet together, in order to report the proceedings of this Branch of our Church Society during the past year, and to take counsel for its further increase and development. Your Committee are fully sensible of the very limited measure of success which has attended their labours during the past year, and might plead in extenuation the critical nature of the times, and the extreme difficulty of procuring money for missionary purposes, did they not feel, in its full force, the obligation which all christians are under, to dedicate to the service of Almighty God, a much larger proportion of their substance than they commonly do. There are many conspiring causes which prevent the growth and extension of the Church in this Diocese: and amongst the chief may be mentioned, the very inadequate support of the Clergy. Until an adequate and settled maintenance be provided for the Clergy, it is in vain to hope for any considerable addition to their ranks, and consequently, for any great extension of the ministrations of the Church. Young men will be deterred from entering on a profession which demands great self-denial. The sacrifice of much worldly enjoyment—and the exercise of the highest talents, unless they can see some reasonable prospect of a competent provision. The surest way to cripple and paralyze the energies of the Church is to refuse a proper measure of support to her ministers; and this has been abundantly shewn within the last few years, by the unbounded extravagance which has characterized all classes of the community; and the utter disregard for the cause of God and true religion which had so fearfully marked our times. Men and money are the two great requisites in the work of Church extension; if the latter be furnished, there will be no difficulty in procuring the former. But if the people withhold the means of spreading the Gospel, the work of God will be left undone, and the most unhappy consequences will ensue. Instead of peace and happiness, truth and justice, religion and piety, a worldly and avaricious spirit will abound, vice and immorality will fearfully increase, and a general infidelity will overspread the land. "Righteousness exalteth a nation, but sin is a reproach to any people," and the Church of God is the best safeguard against all false doctrine, heresy and schism."

The following reports have been received from the various parishes in connexion with this Branch. —

CONORNO —The complaint of hard times, though often unjustifiably indulged in, is this year no fiction, and the indisputable fact of its existence has in some degree impaired the returns to the Society. The ladies, dividing the town and neighbourhood into sections, worked with great zeal and assiduity; but it was in vain to combat against an unyielding pressure.

During the year, by special subscription and otherwise, £400 have been raised in this parish, independent of the ordinary Church revenue; one half of which has been applied to the introduction of gas into St. Peter's Church and the procuring of a new bell, and the remaining £200 has been appropriated to the liquidation of the debt upon the Church. This is now reduced to £125, and it will be further diminished against Easter Monday.

The amount of receipt and expenditure is as follows:—

RECEIPTS.	
Balance from last year	£ 3 1 7½
Subs. paid, W. Gravely	£ 2 0 0
Collected by Mrs. Goodeve, and Mrs. Clark	9 18 1½
" " by Mrs. Cameron and Mrs. J. Calcutt	9 11 10½
" " by Mrs. D. Tooko and Miss Rowe	2 12 1½
" " by Miss McKeys and Miss Denn	8 7 6
" " by Mrs. A. Burnham and Miss Bennett	15 16 10
" " by J. L. Wilcocks, Esq.	1 5 0
" " by Mrs. S. Smith and Miss Bennett	8 4 4½
" " by Mrs. D. Boulton and Mrs. Graveley	17 9 4½
" " by Mrs. Bethune and Mrs. C. Clark	22 15 0
" " by Mr. Penton	0 10 0
Subs. transmitted direct to Parent Society	94 0 2½
Society	5 0 0
	£102 1 10

EXPENDITURE.	
Paid for Sunday School Reward Books	£ 9 7 1
Paid tuition of pupils at Mr. Down's	2 1 0
80 Reports at 10d each	3 6 8
Paid to Parent Society	21 14 4
Paid share to Branch of Christian Knowledge Society	3 0 0
Paid to Cemetery Fund	27 10 0
Paid to Church Building Fund	27 10 0
Subscription direct to Parent Society	5 0 0
	99 9 1
Balance in Treasurer's hand	£2 12 9

CLARE.—The people of this parish are actively engaged in building a new church in the village of Newcastle. This undertaking, involving a large outlay, will require the combined exertions of all the members, and will tax their christian liberality to the very utmost. Still the Committee feel no inclination, on that account, to make the undoubted claims which the Society has to the undivided and hearty support of Churchmen. Being the only institution in the Diocese, under episcopal sanction, for the furtherance of the important objects it seeks to attain, no local enterprise, or general pecuniary embarrassment, should be offered as an excuse, either for withholding or lessening the measure of support hitherto extended to it.

The subscription lists not having yet been returned by the collectors, the exact amount raised within the bounds of the association cannot be stated. It is confidently hoped, however, that it will not be less than that of any previous year. But should this hope not be realised, the Committee are prepared to recommend that a larger proportion be transmitted to Toronto than is required by the constitution; as they are unwilling that the great work should be in the least degree impeded by any lack of individual liberality.

CAVARE.—The lists not having as yet been received from the collectors in this mission, the exact amount subscribed cannot be ascertained. It is confidently expected, however, that the whole

sum raised this year will amount to about £30, viz., £16 from St. Paul's Parochial Association, and the same sum from St. John's Association.

It is worthy of remark also, that at the annual Parochial meeting, a resolution was proposed, by the special desire of the people themselves, and unanimously adopted, to send the whole amount subscribed and collected, to the Parent Society, instead of the one fourth as heretofore. It was understood that this resolution was adopted in order to make some amends for a falling off last year in the amount raised for the Society. It could not, however, be intended by this arrangement to deprive this District Branch of the one fifth already appropriated, viz., one tenth for the maintenance of a depository; and one tenth for the formation of a Travelling Missionary Fund. The desire on the part of the parishioners to pay over (the whole amount raised) to the funds of the Parent Society, is exceedingly creditable to their zeal and liberality.

Much improvement has also been made in the interior of St. Paul's Church, chiefly through the exertions of a lady of the congregation.

GRAFTON.—In this parish the claims of the Society have been fully explained and urged upon the members of the Church, and the effect has been exceedingly satisfactory. On no previous occasion has the appeal to our people been more personal and direct—every Church family having been applied to by the two gentlemen who kindly undertook the arduous task of collection. The result has exceeded our most sanguine expectations. The collectors scarcely met with more than one or two refusals in the whole parish. So that, notwithstanding the severe monetary pressure, and in a little community of Churchmen, few and widely scattered, the sum of \$88 has already been subscribed—nearly the whole of which has been paid in—and there is reason to hope that the final amount will not fall much short of \$100.

Your Committee feel that the two collectors, who exerted themselves so perseveringly on behalf of the Society, deserve the cordial thanks of all earnest and sound-hearted Churchmen. And they are of opinion, that whatever may be the backwardness of some of our people, to contribute to the cause of the Church, still the success of our institutions depends in a great measure upon the hearty good will and personal exertion of those who are appointed to plead their cause, and to urge their claims upon our members. Any timidity or backwardness will be sure to meet with disappointment. The Church requires the individual exertion of all her friends, and we know that united effort can accomplish almost any thing, for "union is strength."

To be Continued.

SUBSCRIPTIONS RECEIVED TO SEPT. 10.

TO END OF VOL. V.
Judo McM., Perth; Rev. B. C. H., York, Grand River; R. B., Mono Mills; Rev. J. G., South Polten; (in full to April 1858.)

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