

MINUTES
OF
THE SEVENTH
SESSION OF THE SYNOD

OF THE
Diocese of Huron,

HELD IN LONDON, ON TUESDAY, WEDNESDAY AND
THURSDAY, JUNE 21, 22 & 23, 1864.

TO WHICH ARE APPENDED

THE "CONSTITUTION OF THE SYNOD"; "AN ACT TO ENABLE THE
MEMBERS OF THE UNITED CHURCH OF ENGLAND & IRELAND
IN CANADA TO MEET IN SYNOD"; AND THE
"CHURCH TEMPORALITIES ACT."

LONDON, C. W.:

PRINTED FOR THE SYNOD OF THE DIOCESE OF HURON AT THE "FREE
PRESS" OFFICE, NORTH STREET.

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MIXED
SESSION OF THE SYNOD

THE SYNOD OF THE CHURCH OF SCOTLAND

OF

REV. J. W.

- VEN. C. C. BROU
- REV. W. BETTR
- " ST. GEO. C
- " J. W. MAR
- " J. SMYTHE
- " G. M. INN

- REV. J. W. MAR
- " ST. G. CAU

Committee

- REV. F. W. SAND
- " J. GUNNE.

CLERIC.

- REV. J. W. MARS
- " E. L. ELWOC
- " F. W. SAND
- VEN. I. HELLMUT
- " C. C. BROUG
- REV. M. BOOMER,
- " J. McLEAN,
- " J. SMYTHE,
- " ST. GEO. CAU
- " W. BETTRID
- " J. C. USHER.
- " G. M. INNES.

SUBSTITU

- REV. F. D. FAUQU
- " R. FLOOD, A.J
- " J. CARMICHA
- " H. CAULFEIL
- " A. JAMIESON

SEVENTH SESSION.

OFFICERS OF THE SYNOD.

Secretaries.

CLERICAL.	LAY.
REV. J. W. MARSH, M.A.	S. PRICE, ESQ.

Executive Committee.

VEN. C. C. BROUGH, A.M.	G. F. RYLAND, ESQ.
REV. W. BETTRIDGE, B.D.	P. ROE, ESQ.
" ST. GEO. CAULFEILD, LL.D.	CHARLES MONSARRAT, ESQ.
" J. W. MARSH, M.A.	S. PRICE, ESQ.
" J. SMYTHE, M.A.	J. BEARD, ESQ.
" G. M. INNES.	C. HUNT, ESQ.

Committee on Ways and Means.

REV. J. W. MARSH, M.A.	S. PRICE, ESQ.
" ST. G. CAULFEILD, LL.D.	P. ROE, ESQ.

Committee on Alterations in Church Temporalities Act.

REV. F. W. SANDYS, D.D.	S. PRICE, ESQ.
" J. GUNNE.	REV. J. W. MARSH, M.A.

Delegates to Provincial Synod.

CLERICAL.	LAY.
REV. J. W. MARSH, M.A.	P. ROE, ESQ.
" E. L. ELWOOD, A.M.	T. J. COTLE, ESQ.
" F. W. SANDYS, D.D.	JUDGE HUGHES.
VEN. I. HELLMUTH, D.D.	S. PRICE, ESQ.
" C. C. BROUGH, A.M.	J. A. PENTON, ESQ.
REV. M. BOOMER, LL.D.	DR. DEWSON.
" J. McLEAN, M.A.	H. JOHNSTON, ESQ.
" J. SMYTHE, M.A.	BARON JASMUND.
ST. GEO. CAULFEILD, LL.D.	A. LEFROY, ESQ.
" W. BETTRIDGE, B.D.	G. F. RYLAND, ESQ.
" J. C. USHER.	F. DAVIS, ESQ.
" G. M. INNES.	E. BUNNELL, ESQ.

SUBSTITUTES.	SUBSTITUTES.
REV. F. D. FAUQUIER.	M. JACKSON, ESQ.
" R. FLOOD, A.M.	T. B. GUEST, ESQ.
" J. CARMICHAEL.	J. H. WILKINSON, ESQ.
" H. CAULFEILD.	C. HUNT, ESQ.
" A. JAMIESON.	

Synod

THE RIGH

CLER
REV. J. WALKER

CLERGYMEN.

- Armstrong, D.
- Brough, C. C., A. M., A. P.
- DuMoulin, J. J., Cur.
- Bettridge, W. D.
- Boomer, M., LL. D.
- Baldwin, M. S., B. A.
- Baker, J. S.

- Belcher, S.

- Caulfeild, St. G., LL. D.
- Clotworthy, W.
- Carmichael, J.
- Curran, J. P.

- Caulfeild, H.

- Cooper, R. S.
- DesBarres, T. C., M. A.
- DuBourdieu, S.,
- Elliott, F. G.
- Elwood, E. L., A. M.
- Evans, W. B., B. A.
- Evans, H., B. A.
- Flood, R., A. M.
- Fauquier, F. D.

- Falls, A. S., A. B.

- Fletcher, R.
- Fisher, A.
- Gunne, J.
- Grasett, E., M. A.
- Gibson, J. C., B. A.

MEMBERS

OF THE

Synod of the Diocese of Huron.

THE LORD BISHOP:

THE RIGHT REVEREND BENJAMIN CRONYN, D.D.

SECRETARIES:

CLERICAL.

REV. J. WALKER MARSH, M.A. ||

LAY.

SAMUEL PRICE, ESQ.

CLERGYMEN.	CONGREGATIONS.	LAY REPRESENTATIVES.
Armstrong, D.	Trinity Church, Moore	Baron Jasmund.
Brough, C.C., A.M., Archd'n	Christ's Church, Corunna	Henry J. Miller.
DaMoulin, J., Curate	St. Mary's, Froomfield	Captain James Warwick.
Bettridge, W., D.	St. John's, London Towns'p	R. R. Brough, A. Powell.
Boomer, M., LL.D.	Trinity, do do	G. F. Ryland, W. Taylor.
Baldwin, M. S., B.A.	St. Paul's, Woodstock	T. J. Cottle, J. Beard, T. Scott
Baker, J. S.	Trinity, Galt	J. Davidson, Jas. Blain.
	St. Stephen's, Port Dover	Jaffray Harvey.
	Wyoming	
Belcher, S.	St. John's, Thamesford	Dr. Dawes.
	St. George's, Thorndale	J. Shanly.
	Grace Church, Nissouri	Mr. Talbot.
Caulfeild, St. G., LL.D.	St. Thomas, St. Thomas	Peter Roe, Judge Hughes.
Clotworthy, W.	Christ's Church, Westminster,	M. Jackson.
Carmichael, J.	Paterson	
Curran, J. P.	St. Paul's, Clinton	R. Racey, W. Grigg.
	St. Paul's, Southampton	
	Christ's Church, Invermay	Richard Fenton,
Caulfeild, H.	St. George's, London Towns'p	Geo. Robson, J. Robson.
	Carlisle	Lionel G. Shipley.
	St. Mary's, McGillivray	John Corbett.
Cooper, R. S.	Paisley	F. Featherstonhaugh,
	Eldersley Townline	D. McCaw.
DesBarres, T. C., M.A.	St. Peter's, Dorchester Stat'n	J. N. Hardy.
	St. John's, Harrietsville	William Johnson.
DuBourdieu, S.	Trinity, Bayfield	George Campbell.
	St. James', Goderich Towns'p	Alfred Stonehouse.
Elliott, F. G.	St. John's, Sandwich	J. H. Wilkinson, A. Lefroy.
Elwood, E. L., A.M.	St. George's, Goderich	H. Johnston, E. W. Thomas,
Evans, W. B., B.A.	Trinity, Durham	John Kelley, W. Ennis.
Evans, H., B.A.		
Flood, R., A.M.	Christ's Church, Delaware	R. Price, R. N. Jell.
Fauquier, F. D.	Christ's Church, Zorra	Joseph Turner.
	Trinity Church, Zorra	Arthur Armstrong.
Falls, A. S., A.B.	St. Ann's, Adelaide	R. P. Tooth.
	Strathroy	James Keefer.
	St. Mary's, Metcalfe	R. Moyle.
Fletcher, R.	St. Catharine's, Katesville	Robert Bentley.
	Christ's Church, Colchester	Edward Allworth.
	St. John the Evangelist's,	Jasper Golden.
	Kingsville	
Fisher, A.	St. Charles', Dereham	
Gunne, J.	St. Matthew's, Florida	Col. Kerby, James Sturgeon.
Grasett, E., M. A.	Trinity Church, Simcoe	Aquila Walsh, Col. Wilson.
	St. John's, Woodhouse	James Covernton.
	St. Mary's, Warwick	C. J. Kingstone.
Gibson, J. C., B. A.	St. James', Brooke	E. Cowan.
	St. Paul's, Wisbeach	P. J. Allison.

CLERGYMEN.	CONGREGATIONS.	LAY REPRESENTATIVES.
Hellmuth, I., D.D., Arch- deacon, Asst. Min....	St. Paul's Cathedral, London	{ C. Hunt, C. Monsarrat, J. Dyas.
McLean, J., M.A., Curate.	Dresden.....	J. H. Hall.
Bayly, B., A.B., Asst. do..	All Saints, Windsor.....	Dr. Dewson.
Hughes, T.....	Irish Settlement.....	J. Jessop.
Hurst, J.....	Meaford.....	James Stephenson.
Hutchinson, J.....	Exeter.....	William Davies.
Hincks, J. P.....	St. Patrick's, Biddulph.....	G. W. Park.
Harris, S.....	Church of the Epiphany, Waterford.....	George Snider.
Innes, G.M.....	Middleton.....	{ T. Thompson, J. R. Cooper, C. F. Hanson.
Jamieson, A.....	Christ's Church, London.....	
Chase, H. P., Assistant....	Walpole Island.....	
Jessopp, H. B., M.A.....	Trinity, Port Burwell.....	Thomas Jenkins,
Johnson, C. C.....	St. Luke's, Vienna.....	Noble Whiteley, Jonas Copp.
Kennedy, J., M.A.....	St. John's, Holmesville.....	Robert Baker.
Kellogg, S.B.....	St. Peter's, Summerhill.....	John Pearce.
Keys, G.....	St. Peter's, Tyrconnell.....	Richard Robinson.
Lampman, A., B.A.....	St. John's, Eastwood.....	James G. Petit.
Mack, F.....	East Oxford.....	Thomas F. Mitchell.
Mockridge, J., B.A.....	Innerkip.....	
Marsh, J. W., M.A., Sec. of Synod & Ch. Society....	Sullivan.....	
Mulholland, A.H.R.....	Trinity, Howard.....	H. Burwell.
Mulholland, J. G., A.M.....	Christ's Church, Amherstburg	J. Mason, jun.
Mellish, H. F.....	Fingal.....	
Montgomery, R. A., M.A....	Meek's Settlement.....	
Miller, A. E.....	St. George's, Owen Sound...	
Nelles, A.....	Vittoria.....	Robert Campbell.
Elliott, A.....	St. James', Wilmot.....	W. Puddicombe.
Roberts, R. J., A.B., Asst.	Christ's Church, Haysville	John Cairnes,
Newman, E. E.....	Shakspeare.....	Dr. Foote.
Padfield, J.....	Trinity, Aylmer.....	W. Hemsworth.
Patterson, E., B. A.....	Shipleigh.....	
Potts, A.....	Mohawk.....	Moses Martin.
Phillips, S. H.....	and	
Rally, W. B., M. A.....	Tuscarora.....	W. Paisey.
Sandys, F. W., D.D.....	St. Paul's, Kirkton.....	Benjamin Stanley.
Salter, G.J.R., M. A.....	Trinity, Prospect Hill.....	Russel O. Gage.
Smythe, J., M.A.....	Trinity, Burford.....	W. J. Imlach, J. S. Smith.
Sanders, T.E.....	St. James', Stratford.....	
Softley, E.....	Trinity, Lambeth.....	Edward Gibson.
Smythe, W. H.....	St. George's, Hillsboro.....	Joseph Kennedy.
Sims, J. W.....	St. John's, Perch.....	
Schulte, J., D.D.....	Trinity, Mitchell.....	F. Davis.
Townley, A., D.D.....	Christ's Church, Chatham	T. B. Guest, John Robinson,
Tighe, S., A.B.....	St. George's, Sarnia.....	W. Armistage, W. Frank, jr.
Usher, J. C.....	St. James', St. Mary's.....	
Vicars, J.....	St. James', Biddulph.....	Wilfred Can.
Wood, W.....	Walkerton.....	Edwin Gaunt.
Wright, J. T.....	Teeswater.....	Thomas Hamilton.
	St. Paul's, Dungannon.....	H. J. F. Jackson.
	Christ's Church, St. Helen's	{ J. A. Penton, W. G. VanIngen.
	Young's School House.....	Dr. DeWitt, H. Martin.
	St. John the Evang't, Berlin,	Dr. Bradley.
	St. James', Paris.....	E. Bunnell, H. Racey.
	All Saints, Kincardine.....	Mr. Wellstead.
	St. John's, Bervie.....	C. St. G. Yarwood.
	Grace Church, Brantford....	M. G. Munro.
	St. James, Ingersoll.....	
	Port Rowan.....	
	St. James', Wardsville.....	
	VACANT CONGREGATIONS.	
	Mill bank.	S. Price.
	Cross Hill.	H. F. Martin.
	Trinity, Onondaga.	
	St. Mary's, Cainsville.	
	Christ Church, Port Stanley.	
	Trinity Church, Beachville.	

ON LEAVE,—E. R. Stimson, B.A. SUPERANNUATED,—G. Salmon, H. Revell, A.M.

SYNOD OF

The Synod met
 Divine service
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 Christ's Church, C
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PROCEEDINGS OF THE
SYNOD OF THE DIOCESE OF HURON.

SEVENTH SESSION.

The Synod met in London on June 21st, 1864.

Divine service was held in St. Paul's Cathedral at 11 A.M. A Sermon was preached by the Rev. F. W. Sandys, D.D., Incumbent of Christ's Church, Chatham, and the Holy Communion was administered to the Clergy and Lay Representatives.

The Synod met for business in St. Paul's School House, at 3 P.M.

The Bishop in the Chair.

After prayer by the Bishop, the Secretaries called over the rolls of the Clergy and Lay Representatives, when 49 Clergymen and 49 Lay Representatives answered to their names.

The Bishop then delivered the following address to the Synod:—

My Reverend Brethren and Brethren of the Laity,—

By God's great mercy we are permitted to come together, to hold this seventh meeting of the Synod of our Diocese. It becomes us, therefore, to be filled with devout thankfulness to the Giver of all our mercies, that in his goodness he has spared us, and allowed us to assemble in peace and safety, to take counsel concerning the affairs of our Church; and by an interchange of brotherly feeling, and a mutual manifestation of Christian love, to encourage and animate each other for the discharge of those duties which devolve upon us in our respective spheres.

May that "wisdom which is from above, which is first pure, then peaceable, gentle, easy to be intreated, full of mercy and good fruits, without partiality and without hypocrisy," be largely imparted to us during our present meeting, that all our words and all our deliberations may be so ordered of God, as shall most conduce to His glory and to the good of His Church.

In addressing you, my Reverend Brethren and Brethren, I shall first bring before you the state of the Church in our own Diocese, and of the various instrumentalities which are in operation therein for carrying on the work of God amongst us. I shall next advert to some subjects which are of great importance to the Church in Canada, and I shall lastly offer a few remarks upon some public acts of the Church at home, in which we are vitally concerned, inasmuch as we constitute a part of the Church of England and Ireland.

First, then, as to the state of our own Diocese. The number of the Clergy on the list of the Diocese is now 79. This is an increase of three over the number reported to the last Synod. During the past year, the Rev. A. Mortimer, who, for many years had been actively engaged as a Missionary in the Diocese of Toronto before it was divided, but who, because of failing health, had recently been invalidated, has been removed from amongst us, leaving a widow and large family to deplore his loss. I feel assured that all the brethren who knew and esteemed Mr. Mortimer, deeply sympathise with Mrs. Mortimer under her severe trial. The Rev. Thomas Luard, who was ordained Deacon on the 28th of October, was, seven days after his ordination, suddenly called away from the scene of earthly ministrations in the Church, to which he had for many years looked forward as the object of his most earnest desire. In the dealings of God with our young friend, thus suddenly cut off, when he was just prepared to enter upon an active course of service in the Church, the truth is emphatically impressed upon us, that God's ways are unsearchable, past finding out.

Two clergymen have in the past year left the Diocese; one of them is actively employed as Agent of the U. C. Bible Society, the other was transferred to the Diocese of Toronto. There are, at the present time, six vacancies in the Diocese, which I have been most desirous to fill, but have found it impossible to do so, chiefly for want of funds for the support of additional clergymen. These vacancies are in the more recently settled parts of the country, where the people are unable to contribute much towards the support of their clergyman. The ordinations during the past year have been barely sufficient to supply the losses which we have sustained by death and by removals from the Diocese. I have also received one clergyman into the diocese from England. Thus it is apparent that the supply of clergymen is not

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equal to the demand. The Rev. H. P. Chase, an Indian by birth, has been ordained to act as missionary to his brethren, the aborigines of Canada. He is at present employed in ministering to the Indians in the neighborhood of Sarnia and along the shore of Lake Huron. We hope and earnestly pray that a blessing may rest upon his labours, and that, through his instrumentality, many of the scattered sons of the forest may be gathered into the fold of Christ. We have now in the Diocese seven ordained missionaries, and five school masters and catechists, labouring amongst the various tribes of Indians who still remain amongst us. Still there is an extensive field in this department of missionary work, which I hope we may be enabled yet to occupy ; for it is surely a reproach to us that Pagans should yet be found in our country, living amongst us, without sufficient exertion being made to turn them from their idolatries, and to bring to them the knowledge of that precious gospel which alone makes wise unto salvation.

In the discharge of my Episcopal duties, I have, within the past year, confirmed 517 candidates ; ordained 7 Priests and 5 Deacons ; consecrated 7 churches and 3 burial grounds ; baptized 6 adult Indians and 5 children ; preached 112 sermons ; visited 49 congregations, and travelled nearly 4,500 miles.

CHURCH SOCIETY.

The progress of the Church Society of the Diocese, which since its commencement has steadily improved from year to year, is encouraging. Although the several interests in the country have labored under severe depression, because of the unnatural and destructive war which has raged in the neighboring republic, still the funds of our Society show marked improvement ; and while we would express our devout thankfulness to Almighty God for the measure of success with which he has been pleased to bless us, we would also look to Him for still greater prosperity for the time to come. We are as yet very far from the standard which our necessities and our christian duty set before us. Were we not liberally assisted by the noble societies at home, one-half of the missionaries now employed in the Diocese would be under the necessity of resigning their positions, or the congregations to which they minister, and the Church at large in the Diocese, would be under the necessity of contributing much more liberally than they have ever done. We should ever bear in mind that the day will come when the assistance afforded to us by these benevolent Societies will, in part at least, be withdrawn. So long as emigrants from England and Ireland come to Canada, as they now do, yearly, in large numbers, so long, I feel assured, will our christian brethren and fellow churchmen

at home, recognize the responsibility which rests upon them to aid us in supplying the ministrations of the Church to their poor brethren settled in our forests. Many of those who emigrate from England and Ireland, come to this country extremely poor, to seek in our forests a home and an independence for themselves and their families. Every one at all acquainted with this country, and the labors of an emigrant on a new farm, knows that, for ten or twelve years the settlers in the forest cannot, under the most favorable circumstances, do more than support his family in the plainest manner. Should his health and strength decline, or should sickness visit his family, both he and they are reduced to extreme destitution, and become dependent upon others—who are but badly able to assist them—for support and for the offices of christian kindness. If the blessings of religion, and the means of grace are to be extended to our brethren thus circumstanced, it must be done by those to whom God, in his Providence, has given the means of aiding in this work, and who, by divine grace, have been made willing to devote a portion of what has been committed to their stewardship, to the accomplishment of this blessed object.

I would, therefore, as I have frequently done in times past, urge upon all the members of the Church the duty of making every effort to extend the operations of the Church Society, and to increase its funds. To the clergy I would more particularly appeal, for I know by experience, that the success of the Society mainly depends upon them. In all the missions where the clergy are earnest in this cause, and where the objects of the Society are regularly brought before the congregations, and explained to them, we find a corresponding interest excited in the people, and a liberal response called forth. The clergy should ever bear in mind, that while it is their first and chief duty to preach Christ to the people, to set before them the way of life and salvation through him, and, as Ambassadors for him, to beseech sinners to be reconciled to God, it is also an imperative duty to do all that in them lies to render efficient, and to maintain in their efficiency; those instrumentalities for the propagation of the gospel which God, in his goodness, has committed to us. We know that it is the Divine blessing alone which can render any means effectual to the salvation of souls, but we are diligently to use the means placed in our hands, and to seek to make them as efficient in their operation, and as permanent as we can. Regularity in making all the collections in aid of the funds of the Society, and punctuality in sending to the Secretary the sums collected, will greatly facilitate the operations of the Society.

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From the Rev. J
School of Enniskillen :

"I hereby certify t
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The following is fr
Dublin :

"I have much pleas
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From John L. Moore.

"I have known the
student of Trinity Colleg

HURON COLLEGE.

Since the last meeting of Synod, Huron College has been opened for the reception of students, and thirteen gentlemen have matriculated, and out of many applications for admission, it is probable that six more will be received at the commencement of Michaelmas Term. It is a cause of devout thankfulness to Almighty God, that so large a measure of success has been granted to this effort to promote His glory and to spread His gospel. Up to the present time the business of the Institution has been conducted by the Principal, Archdeacon Hellmuth, and the Rev. H. Evans, B.A., Tutor, and we feel assured it will gladden the hearts of all who take an interest in the College, to learn that we have been enabled to secure the services of a gentleman of the highest literary attainments, as Classical and Mathematical Professor for the Institution. The Rev. W. H. Halpin, ex-scholar of Trinity College, Dublin, and late principal of the Proprietary School, Youghal, will leave Ireland in July or August, and we hope that he will enter upon his duties in the College at the commencement of Michaelmas Term. The following are a few out of a great many testimonials of a similar kind, forwarded to us concerning Mr. Halpin.

From the Rev. J. Greham, LL.D., Head Master of the Royal School of Enniskillen :

"I hereby certify that the Rev. W. H. Halpin acted as first resident assistant in the Royal School of Enniskillen for two years, viz., 1849 and 1850, and that he discharged the duties of his appointment with zeal, ability, and efficiency, as was evidenced by the progress of the classes entrusted to his charge. I also certify that Mr. Halpin received his education at the Royal School of Enniskillen, and that his College course was distinguished by first place at entrance, Royal and University Scholarships, many classical honors of the first rank, and Classical Moderatorship."

The following is from Thomas Stack, Fellow of Trinity College, Dublin :

"I have much pleasure in giving the following testimonial to the Rev. W. H. Halpin, a gentleman whom I have known for several years, and of whom I entertain a very high opinion, both as respects his scholarship and his personal character. I was his College Tutor while he was passing through the University of Dublin, and I can certify that he obtained many honors and prizes in Classics, of the first rank, and I have no doubt that he would be found highly qualified for any appointment connected with education."

From John L. Moore, D.D., Senior Fellow, Trinity College, Dublin :

"I have known the Rev. W. H. Halpin for several years. As a student of Trinity College, he was in all respects a most regular and

well-conducted person. He is a sound and elegant classical scholar, having obtained high University honors. His answering, by which he obtained his Scholarship, was of very high character, and attracted particular notice. I am confident that Mr. Halpin would discharge the duties of any position connected with education zealously and efficiently."

The following is from the Rev. P. W. Drew, Rector of Youghal:

"I hereby certify that I have had the pleasure of knowing the Rev. W. H. Halpin, Principal of the Youghal Endowed School, for several years, and I confidently believe him to be a good and godly minister of our Lord Jesus Christ's gospel, which he has faithfully and ably preached, both in the churches of this parish and in those of the surrounding neighborhood, and which he has adorned by his life and conversation. I believe him also to be an eminent scholar, and long experienced in preparing young gentlemen for the University. I most sincerely regret his intention of leaving this parish, where he has been so much respected, and I hope and trust that in whatever locality or station it may please Providence to place him, he may have the Divine blessing."

From the Very Reverend J. Howie, Dean of Cloyne:

"I have had the pleasure of being acquainted with the Rev. W. H. Halpin for several years. He has officiated in my church during my temporary absence, and I have every reason to suppose that his preaching and mode of performing Divine Service have given satisfaction to my parishioners. He is a gentleman of irreproachable character and considerable attainments."

From these testimonials, coming from the highest quarters, it is evident that in Professor Halpin our institution will have the benefit of the highest order of literary attainment, combined with sound, scriptural views of our Protestant Church. I regard the coming amongst us of the Rev. Mr. Halpin as an answer to many earnest prayers, that God would be pleased to raise up a man possessing the necessary qualifications of secular learning to fill the important post of Professor in our young institution, and to aid in impressing upon it a character for sound Protestant Christianity which, we trust, by God's blessing may never be effaced.

A College Chapel is now in course of erection, which we hope will be completed by the 1st of September. This work has been undertaken by the Principal, without any cost to the College. He, with other members of his family have liberally contributed towards its erection. The chapel, when completed, will furnish accommodation not only for the inmates of the College, but to a large number of the members of the Church in the neighborhood.

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early laid down for our guidance in managing the affairs of the College, not to incur debt or any liabilities which we are not prepared to meet. This course may render our progress less rapid than it might otherwise be, but I feel assured that in the end it will be found more conducive to the stability of the College, and to the peace and happiness of those engaged in its management.

PROVINCIAL SYNOD.

I come next to the consideration of those subjects which have reference to the Church at large in Canada; and first, concerning the Provincial Synod. I have always entertained doubts concerning the legality of this body. These doubts have been confirmed since the receipt of the despatch from his Excellency the Governor General, enclosing an extract from a despatch from the Duke of Newcastle to the Governor of the Cape of Good Hope, which despatch has been printed and placed in the hands of the members of the Synod. In order to satisfy my own mind, and for your information, I laid all the documents before A. Crooks, Esq., Q.C., and Edward Blake, Esq., of Toronto, and I obtained from them the following opinion:—

"We have considered the papers and statements laid before us by the Bishop of Huron, from which it appears among other things, that the Bishop of Montreal, as Metropolitan, and by virtue of her Majesty's Patent in that behalf, convoked and presided over the meetings of the Provincial Synods, or General Assemblies, which have taken place in Canada, and that the action of the Assembly, and of the several Dioceses which participated therein, proceeded upon the assumption that this Patent was legal and valid, and that this assumption materially influenced the action of the Diocese of Huron in the matter."

"It appears, also, that under judicial decisions arrived at, and legal opinions taken subsequently to the last meeting of the Assembly, the Patent is invalid and illegal in all its material parts, including that which assumes to give the Bishop of Montreal, as Metropolitan, power to convoke and preside over the Assembly."

"We are of opinion as follows:—

—The Meetings and organization of the Assembly were not, nor are they, under the circumstances, legal or binding on any Diocese.

—In order to the proper and legal organization of the General Assembly, it is necessary that all the Dioceses in Canada should concur in a new organization thereof.

—The refusal of any one Diocese to concur in the organization of the General Assembly, would render it impossible to effect such an organization under the Provincial Act, though, of course, a voluntary Association, independent of the Act, may be formed by the members of any one or more of the Dioceses."

ADAM CROOKS,
EDWARD BLAKE.

Toronto, April 19, 1864.

This opinion has been printed, and the Secretary will furnish a copy to every member of the Synod who may desire it.

From this it is evident that there is no such body as a legally constituted General Assembly in existence in this Province, and that if we desire to have one we must commence our proceedings anew, and every step will require to be taken in strict accordance with the Synod law. This, you will see, is the only safe mode of procedure. For if we endeavour to erect a superstructure of Canons for the government of the Church, on a basis which has been pronounced illegal and invalid, the Church will be plunged into difficulties of a most serious character. My opinion, therefore, is, that we should suspend all proceedings with reference to a Provincial Synod, until a General Assembly has been legally convoked and organized, according to the provisions of the Synod Law. Indeed, from the occurrences which have recently taken place at the Cape of Good Hope (upon which I will make a few remarks presently), I very much fear that the action of Provincial Synods, coupled with the appointment of Metropolitans, will, in every case, end in severing the Church in the Colonies from the Church of England.

METROPOLITAN PATENT.

The subject of the Metropolitan Patent will also be brought before you. This is another question which is of vital importance to the Church in Canada. It will be remembered that when the three Dioceses of Quebec, Montreal and Toronto united in a petition to Her Majesty the Queen, to appoint a Metropolitan for Canada, this Diocese declined to join in the petition. The reasons which influenced the Synod were stated by me in a letter to the Bishop of Toronto, a copy of which I placed in the hands of the then Governor General of Canada, Sir Edmund Head, to be transmitted with the petition to England. The following is an extract from the letter to which I allude:—

“The Memorial of the Bishop of Montreal to the Queen was laid before the Synod, and it was decided not to take any part in the proceeding, for the following reasons:

- 1st. It was considered unnecessary, as in our Diocesan Synods we have full power to do everything which is required for the government of the Church.
- 2nd. Were we to have a Metropolitan appointed over the four Dioceses in Canada, we should thereby be severed from the Province of Canterbury and the first step be taken towards independence and separation from the old and honored Church of England and Ireland, and the Synod could not understand how the oath of canonical obedience to the Archbishop of Canterbury could consist with a new oath to a Metropolitan in this country.

3rd. It was considered subject, as she had 19th and 20th year make appointments in the Church in this necessary officers. ment of a Metropolitan power to do the Diocesan Synod

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from the decision of any that nothing more is necessary Her Majesty, without spirit of the Synod law, in the Church, in the Synod at Her Majesty's Government while a strong feeling against the clergy and laity

I have read these letters determined at the time Metropolitan for Canada. Suggestions made to the meeting were not visionary undoing the evil which of petitioning Her Majesty has been pronounced present form, is a reproach to the advisers of Her Majesty the humiliating position a Patent which pro

3rd. It was considered disrespectful to approach Her Majesty upon this subject, as she had, by consenting to the Synod Law, passed in the 19th and 20th years of her reign, divested herself of all power to make appointments in the Church in Canada, and surrendered to the Church in this country the right to elect Bishops and all other necessary officers. Moreover, it was concluded that the appointment of a Metropolitan ought also to be by election, and that sufficient power to do this, whenever it became necessary, was vested in the Diocesan Synods by the same law.

4th. It was shown that in the present low state of the funds of the Church, and in the depressed state of the country, we were not able to undertake the expense of sending twenty-four gentlemen either to Montreal or Quebec, to remain there for eight or ten days on the business of the Synod.

These were some of the reasons which were urged in our Synod why we should not concur in the petition to Her Majesty for the appointment of a Metropolitan in Canada. I also wrote to the Archbishop of Canterbury upon the subject. The following is an extract from a letter which I then addressed to his Grace:—"The question concerning the appointment of a Metropolitan in Canada has been lately discussed in our Synods, and a difference of opinion prevails. In my Diocese the opinion is that no Metropolitan is required but your Grace, and that the appointment of any other, is not only unnecessary, but would lead to great evils, and end in the separation of the Church in Canada from the Church of England. We are now so near England, and as an appeal from the decision of any of our Bishops lies to the Queen, we think that nothing more is necessary, and that were a Metropolitan appointed by Her Majesty, without election, it would be in direct opposition to the spirit of the Synod law, which places the power of election to all offices in the Church, in the Synods of the several Dioceses. I should hope that Her Majesty's Government will not proceed to the appointment, while a strong feeling against the measure exists in the minds of many, both of the clergy and laity, in this country."

I have read these letters to show the views which I and others entertained at the time concerning the appointment of a Metropolitan for Canada. Subsequent events have proved that the objections made to the measure were valid and that the evils apprehended were not visionary. I think the opportunity is now presented of undoing the evil which has been done by the appointment, and of petitioning Her Majesty to recal and cancel the Patent, which has been pronounced illegal and invalid, and which, in its present form, is a reproach to those who conceived it. I feel assured that the advisers of Her Majesty would rejoice to be able to escape from the humiliating position in which the Crown has been placed by the issuing of a Patent which professes to confer powers which Her Majesty

had no legal authority to bestow. This may be done at once, by cancelling the Patent of the Metropolitan, and by leaving the Church in Canada to appoint its own officers, according to the provisions of the Synod Law. I commend this subject, my Rev. Brethren and Brethren, to your most serious consideration.

CAPE OF GOOD HOPE.

I said that I would offer a few remarks upon the events which have taken place in the Cape of Good Hope, and I do so because that Colony is similarly circumstanced, as to its political relations with England, to our own. A local legislature has been granted to it; and we learn from the despatch of the Duke of Newcastle to the Governor of the Cape of Good Hope, that the act of the Crown in creating a Metropolitan and professing to confer upon him coercive jurisdiction over the Church in a Colony possessed of a local legislature, was illegal and invalid. The Bishop of Capetown, acting upon the powers which he supposed were conferred upon him by the Royal Patent, convoked and presided over a Provincial Synod, and proceeded to certain judicial acts, which he thought he might legally perform. The result proved that Her Majesty had gone *ultra vires* in conferring these powers. And we now find that the Bishop of Capetown, together with the Bishop of Grahamstown, and the Bishop of Orange Free State, have felt themselves, by the position in which they have been placed, under the necessity of adopting and publishing to the world a series of resolutions, in which they assert the independence of the Church in South Africa, deny the supremacy of the Crown in causes ecclesiastical, and disclaim canonical obedience to the Archbishop of Canterbury. This is the result which I foresaw would inevitably follow from the appointment of Metropolitan and the erection of ecclesiastical provinces in the Colonies. If we value, and are desirous to maintain our position as a part of the United Church of England and Ireland,—if we desire to preserve inviolate the oath which all the Clergy have taken to uphold the supremacy of the Crown in causes ecclesiastical, and that of canonical obedience to the Archbishop of Canterbury, which Colonial Bishops have taken,—it becomes us to use every effort to have the appointment of Metropolitan of Canada, which has been made without our concurrence, and, as we believe, in violation of the spirit of the Synod Law, cancelled by the Crown. The church in the Colony would thus be left to conduct its own affairs, in accordance with the provisions of the Synod Law enacted by our own Legislature; and the union which at present exists between us and the United Church of England and Ireland would remain undisturbed. I would recommend, therefore, that an address should be presented to Her Majesty upon this subject, and forwarded through His Excellency the Governor General.

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THE JUDGMENT OF THE PRIVY COUNCIL.

The Judgment lately delivered by the Privy Council in the cases of Dr. Williams and Mr. Wilson has raised an unprecedented excitement both in England and in all parts of the British dominions. The judgment when delivered was accompanied by certain statements, which, being at first understood as forming part of the judgment, caused the greatest alarm in the minds of all the friends of the Church. The idea went abroad that these statements, emanating from the highest court in the realm—that court which represents Her Majesty in the exercise of her supremacy in causes ecclesiastical—were to be regarded as the judgment of Her Majesty, and therefore binding upon all the members of the Church. This opinion, however, has been shown by the highest legal authorities to be without foundation, and that the statements referred to are not to be regarded as part of the judgment of Her Majesty, but as merely the private opinions of those Lay Lords who constituted the Judicial Committee of the Privy Council. While we must deeply regret that men holding the high position which these noble lords occupy, should have ventured to make such statements, in opposition to the doctrines held and taught by the Church in all ages, and which have brought upon them such well-merited reproof from all quarters, we are consoled by the reflection that the two Archbishops of our Church, who were present during the sittings of the court, have protested against these statements of the Lay Lords, which they consider to be subversive of truth, dishonouring to God, and injurious to the souls of men. I will avail myself of the words of an eminent dignitary of the church in England, lately spoken at a public meeting held in the city of London. Speaking of the judgment of the Privy Council, Canon McNeile said: "A few passages from a considerable volume were handed up as a penal charge against two clergymen, who were put on their trial. After due inquiry it was decided that these few passages contained nothing to justify penal consequences. This was the sum total of the decision, not that the book was a valuable book—not that the spirit of it was the spirit of Christianity, but simply that these few passages, selected and handed up as records of accusation, did not contain, in the judgment of the astute lawyers, when compared with the standards of the Church, a sufficient ground for the imposition of penalties. That was all. But in the announcement of the decision to the country, the learned exponent of the Court made use of language which startled us from our propriety—language which seemed to call in question the great fundamental truths which are coeval with christianity. This called forth the Oxford Declaration. The charge that it is directed against Her Majesty in Council, is a mere fiction. There is nothing of the kind. We thank God, that no such decision

has been come to by Her Majesty in Council. The simple fact is that these two passages selected from the book were not, as I have just said, deemed sufficient to involve penal consequences; only let these gentlemen alter the book, let them express their opinions a little more definitely, and they may perhaps be put upon their trial with a different result." We are, therefore, at full liberty to express, in the strongest manner, our condemnation of the unscriptural sentiments of the members of the Committee of the Privy Council, without in the slightest degree compromising our loyalty, or denying the supremacy of the Crown in causes ecclesiastical, which we have sworn to uphold.

THE OXFORD DECLARATION.

As stated by Canon McNeile, the unsound and unscriptural statements which accompanied the judgment of the Privy Council, called forth the Oxford Declaration, which has been numerously signed both in England and in this country. When the Bishop of Montreal wrote to me upon this subject, I replied that as the meeting of our Synod was so near, I thought it would be better to wait until we should have the opportunity of bringing the matter before the Synods, and thus interesting the laity in it, and obtaining their assent to the Declaration. I find that the Oxford Declaration has been presented to the Archbishop of Canterbury, signed by many thousands of the English and Irish clergy; we cannot therefore now append our names to that Declaration. It remains for us to decide whether we shall adopt that declaration, or agree upon one which would more fully set forth our views concerning the statements made by the Lord Chancellor when pronouncing the judgment. The framers of the Oxford Declaration, being desirous to secure the signatures of as many of the clergy as possible, only mention two of the points alluded to by the Lord Chancellor when announcing the judgment of the Privy Council: namely, the inspiration of the Holy Scriptures, and the everlasting punishment of the ungodly, and they omit all mention of the unsound statements concerning justification by the righteousness of Christ. I think that in framing our declaration, we should introduce our views concerning this point; for it appears to me that, were we only to condemn the two errors mentioned above, we should appear to sanction (by our silence) the statements made on the vital question of the justification by the vicarious atonement and righteousness of our Lord Jesus Christ. I have prepared a form of declaration, which will be laid before the Synod, and I do not think that any objection will be made to it because it contains a statement of the doctrine of our Church on the mode of a sinner's justification before God. I should be sorry that a declaration emanating from us, should

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even appear to give an uncertain sound upon the great truth upon which the Reformation hinged, namely, the justification of the sinner through the alone merits of our Lord Jesus Christ, by faith.

My Reverend Brethren and Brethren, you will see from the statements which I have now made, that the subjects which are to come before you at our present meeting, are of the gravest character, and involve, as I believe, the well-being of the Church in this Colony, nay, its very existence as a part of the United Church of England and Ireland. I trust that we may be enabled to approach the consideration of such grave subjects with minds unclouded by prejudice and free from any wrong bias, and that a simple desire to promote the glory of God and the prosperity of his Church on earth, may influence us in all our deliberations and decisions.

ELECTION OF SECRETARIES.

Moved by Rev. J. SMYTHE, M.A., seconded by Rev. ST. GEORGE CAULFIELD, LL.D.,—

1. Resolved,—That the Rev. J. W. Marsh be the Clerical Secretary for the ensuing year. Carried.

Moved by P. ROE, Esq., seconded by G. F. RYLAND, Esq.,—

2. Resolved,—That S. Price, Esq., be the Lay Secretary for the ensuing year. Carried.

ADMISSION TO SEAT IN SYNOD.

Moved by ARCHDEACON BROUGH, seconded by DR. CAULFIELD.

3. Resolved,—That the Rev. W. Brookman be admitted to a seat upon the floor of this Synod. Carried.

MINUTES OF LAST SESSION.

The Minutes of the last Session being printed and in the hands of the members, it was agreed to defer approving them until to-morrow morning, in order to give the members time to read over the printed copy.

Moved by VEN. CHAS. C. BROUGH, seconded by Rev. Dr. TOWNLEY.

4. Resolved, that the rule of the Constitution relative to the reading of the proceedings of the last meeting of Synod be suspended till to-morrow morning. Carried.

COMMUNICATIONS.

The following letter was read by the Clerical Secretary :—

Kingston Sabbath Reformation Society }
Kingston, June 9th, 1864. }

The Secretary of the Reverend Synod of the Diocese of Huron.

Reverend Sir:—

The Committee of the Kingston Sabbath Reformation Society, having had the subject of the unlawful and oppressive labor and traffic extensively prosecuted on most of the Canals of the Province of Canada on the Lord's Day under their serious consideration, and being earnestly desirous to use every means in their power to have a stop put to this alarming state of things, feel confident that their present appeal to the Reverend Synod of the Diocese of Huron, on behalf of the Lord's Day and the sufferers from its desecration above referred to, will not be in vain.

It is understood that the Welland and Lachine Canals have been kept closed during the hours of the Sabbath by authority of the Government for years past. No just reason can be assigned why the other canals should be kept open for traffic on the Lord's Day, the Government employees and laborers on all of them being equally entitled to the undisturbed rest of the Sabbath, by royal charter from the King of kings.

As anything like general and united action cannot be expected at this advanced period of the session of Parliament, and it is of primary importance that public opinion should be thoroughly aroused, and powerfully and harmoniously expressed, upon this great philanthropic and God-honouring movement, it is thought best to recommend that preparations should be made by all the Evangelical Churches in Canada at their Synods, &c., to petition Parliament soon after its assembling in 1865.

The Reverend Synod of the Diocese of Huron is, therefore, most respectfully requested to take this matter into their deliberate and prayerful consideration, and to adopt such measures as to them, in their wisdom, may seem meet, for securing the transmission of petitions early in 1865 from the Reverend Synod, and all the congregations, to the three branches of the Legislature, praying for the enactment of a law by which all the Canals in the Province shall be kept closed from Saturday at midnight until Sunday at midnight, as it is understood has been the case for years, without complaint, on the Welland and Lachine Canals. Again commending this subjects, in all its bearings, to your best and most thoughtful consideration, I have the honor to be, with great respect, Reverend Sir,

Your most obedient servant,

JOHN MAIR, M.D., EDIN.,
Secretary.

REPORTS OF COMMITTEES.

Report of Committee on Ways and Means not ready; asked for time. Granted.

REPORT OF COMMITTEE ON SUNDAY SCHOOLS.

The Committee appointed by his Lordship the Bishop, on the subject of Sunday Schools, have the honor to present the following Report:—

The subject of Sunday Schools is one which we feel must, for the future, occupy a prominent position, not only in the working of separate churches,

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but also in this Synod, if our Church is to exercise upon the rising generation that influence which is essential to her well-being, and to their continuance within her pale.

This may not appear so palpable to those of our clergy whose churches are situated in towns or large villages, as they are, perhaps, less liable to have their younger members drawn away. But in country missions it is otherwise; there it is manifest that unless some well-digested system is adopted, in order to instil into the minds of the young the distinctive principles of our Church's teaching, we must expect to find that, in a few years, the number of its adherents will have considerably diminished. At present our Church members consist, for the most part, of those who have themselves emigrated to this country, or whose parents did so, and they retain a love for old associations which binds them to us. No such feeling is likely to exist in the minds of the children now growing up, unless we can establish a like principle by the means of our Sunday Schools.

There can be no need to make any remarks upon the importance of Sunday Schools; upon this no difference of opinion can exist. No one who has had charge of a parish or mission for any length of time, and who has established a system of efficient Sabbath School instruction where it did not exist before, can fail to have observed that since its establishment his influence has vastly increased, and that it is through the agency of his school, directly or indirectly, that he can best win his way to the hearts of his people, and establish in the affections of both old and young a firm attachment.

TEACHERS.

The first subject that presents itself is that of obtaining teachers, and the duties required of them. There can be no doubt but that here lies the great difficulty, in the way of the establishment of Sunday Schools in many Mission Stations; yet, we cannot believe that these difficulties are in all cases insuperable. We are persuaded that if those who have hitherto failed, were to set to work with the determination to succeed, although they had to commence with but a single teacher, and a single scholar, they would not be long in establishing a respectable school. If pains were taken to explain from the pulpit how simple the duties are, and to place in the hands of those disposed to teach, question books to aid them in the preparation of the lessons, as well as to guide them in the conduct of the class, there are many who, through diffidence and distrust of their own abilities, now hold back, could be persuaded to assist. We make this statement, not, as may be by some supposed, through ignorance, or want of experience as to the circumstances of many Missions; for is it not a fact, that in some places where for a long time no Sunday School was established in connection with the Church of England and Ireland, because of the difficulty and imagined impossibility of obtaining teachers, other parties have been successful? Surely what they have accomplished, though in the face of difficulties, we can and ought to accomplish under difficulties no greater. If they have succeeded where we have failed, it only proves, either that the members of our Church are less intelligent as a class than others, which is not the case, for in this respect we have the advantage, or that they are less zealous, or that we have come short of our duty in not giving that prominence to the subject of Sunday School instruction, which its importance demands.

In order to remedy this evil for the future, we would recommend the establishment of Bible Classes or Teachers' Meetings, wherever practicable, so that the minds of those of sufficient age to take classes, may be furnished for the work. The most essential qualification for a Sunday School teacher is personal piety; this, we feel, is not always to be found, and were we to exclude from

the work all of whose spiritual state we could not speak with confidence, our efforts would fail for lack of laborers. We would, therefore, recommend the adoption of question books, to be hereafter decided upon, so as thus to ensure an instructive lesson to the scholars, and such as, under God's blessing, may realize the promise, that in watering others the teachers may themselves be watered.

SUPERINTENDENT.

We would strongly urge that, wherever practicable, the clergyman should personally superintend the school; but where this is impossible, which will in country missions often be the case, the person selected for this work should be one of known and personal piety, whose character will command the respect and confidence both of teachers and scholars. We lay great stress upon this, because upon the judicious choice and appointment of a superintendent, will, to a great extent, depend the supply of teachers.

Your Committee would suggest the following plan for the management of Sunday Schools:—

1st.—Open with singing and prayer. The Sunday School Liturgy now issued by the Church Society on application, is recommended, as, by the use of a liturgy, the children not only learn a large number of connected scripture texts, but also acquire the habit of responding, and thus add impressiveness and solemnity to our Church services.

2nd.—The collect for the day to be committed to memory, and questions asked upon it. A question book, published by the Church of England Sunday School Institute, is recommended.

3rd.—A lesson from Scripture and Catechism.

4th.—That in Sunday Schools where the senior classes are sufficiently advanced, the Thirty-nine Articles of the Church shall form a regular subject of their instruction.

LIBRARY.

The management and supply of a Library has always been a difficult matter; yet we feel that the establishment of a library is a great inducement to the children to attend, as well as adds considerably to the general interest, success and usefulness of the school, and we would, therefore, earnestly urge this upon the consideration of Churchmen. And to create an interest in this matter, we would recommend that a sermon should be preached once a year upon the subject of Sunday Schools, introducing some facts connected with the work, and especially the details and progress of the school in which the congregation naturally feels most interested.

We would further recommend that each clergyman be requested to make an annual return of his different schools, according to a form hereafter to be decided upon. This return to be forwarded to a secretary to be appointed, whose duty it shall be to arrange such information, so that it may be submitted to the Secretary of the Church Society, to be embodied in the report if deemed expedient.

In order to give a practical form to the above suggestions, we would recommend the formation of an Association, to be called "The Church Sunday School Association of the Diocese of Huron," to consist of a President, Secretary, and Treasurer, and a Standing Committee of Laymen and Clergymen, to hold stated meetings. Such officers and Committees, to be elected by the Synod, annually. The object of such Association to be: the obtaining and circulating

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interesting information upon Sunday School work generally; also, to select and recommend books for the use of libraries, and for gifts.

In conclusion, your Committee would urge the absolute necessity of some active steps in connection with this important work. Let our Sunday Schools be regarded as the nursery of the Church, let them be tended carefully and watched and prayed over diligently, and future generations will have cause to bless God that of His infinite mercy he has used them as the instrument, not only of blessing to the country at large, but of imparting prosperity and renewed vitality to our branch of the Christian Church.

All which is respectfully submitted.

GEORGE M. INNES, CHAIRMAN.

The Rev. G. M. Innes gave notice that he would move the adoption of the Report on Sunday Schools.

REPORT OF THE COMMITTEE ON THE OCCUPANCY OF GLEBES AND PARSONAGES.

To the Venerable the Synod of the Diocese of Huron:—

The Committee appointed to consider and report on the subject of the time of occupancy of Glebes and Parsonages by the families of deceased or superannuated Clergymen beg leave to report:—

That, having given to this subject their best attention, they are of opinion that the families of deceased Clergymen should be permitted to retain, for a period of six calendar months after their decease, the possession, use and occupation of the Parsonages, with the root crops then on the ground held by such Clergyman previous to his decease.

All which is most respectfully submitted.

CHARLES C. BROUGH, *Chairman*.
JOHN GUNNE.

London, C. W., D. H., }
June 18th, 1864. }

The Ven. Archdeacon Brough gave notice that he would move the adoption of the Report of the Committee on the time of occupancy of Glebes and Parsonages.

REPORT OF COMMITTEE RELATIVE TO A PROVISION FOR SUPERANNUATED OR DISABLED CLERGYMEN.

Your Committee, in presenting their Report, would in the first place state that Clergymen on the commutation list are not comprehended in the provisions for support herein submitted.

All will be sensible that the position of Clergymen incapacitated by age or infirmity, and without provision for their declining days, must be truly trying, and presents a case which claims the sympathy of every member of the Church and Church institutions. Your Committee, therefore, submit for the consideration of this Synod the adoption of some measures by which to meet such cases,

and as a means leading thereto, they respectfully recommend that the Bishop be requested to direct that the collection usually taken up on the day of General Thanksgiving be devoted to the same as long as necessary. The amount in the beginning might be small, but your Committee are of opinion that an appeal to our congregations would commend itself very generally and evoke from our people a generous response. Moreover, the nucleus for a fund for the object specified would very likely gather round it benefactions, independent of special appeals, and result in an important measure of relief to the parties interested therein. Your Committee also submit whether some small portion of the surplus of the Commutation Fund, when such becomes available, might not, with propriety, be appropriated to the object in question. It will be borne in mind that a provision for aged and incapacitated Clergymen constituted, in the formation of the Church Society, one of its leading provisions.

All which is respectfully submitted.

CHAS. C. BROUGH, CHAIRMAN.

The Ven. Archdeacon Brough gave notice that he would move the adoption of the Report relative to Superannuated or Disabled Clergymen.

REPORT OF COMMITTEE ON PLAN FOR THE PUNCTUAL PAYMENT OF STIPENDS.

The Committee appointed to consider and frame some plan whereby the more punctual payment of the stipends of the Clergy may be secured, beg to report that they have given the subject their best attention, and desire to submit the following, which they recommend should be adopted as the By-Law of this Diocese, for the management of the Mission Fund, and that the Church Society be requested to adopt it and act upon it.

1. That whenever a Mission is vacant, or a new Mission about to be established, before a Clergyman is appointed thereto, it shall be previously visited by a Committee, who shall report to the Standing Committee of the Church Society, the amount which such mission is able and willing to contribute towards a Clergyman's support. A Committee for this purpose shall be appointed at each annual meeting of the Synod for every Deanery, to consist of the Rural Dean ex-officio, and of a Clergyman and Layman to be named by the Bishop.

2. That the Standing Committee, after duly weighing all the circumstances of each case, shall recommend to the Society that a certain sum be apportioned to such mission, and for a fixed period.

That it shall be the duty of the Secretary to notify the Standing Committee at each meeting of all grants which are within six months of expiring, in order that action may be taken to renew the grant if necessary, or that notice may be given at least three months before the expiration of the grant to the Clergyman and Church Wardens, that such grant cannot be renewed.

3. That it shall be the duty of the Clergyman and Church Wardens of every congregation which is brought under the provisions of this By-Law to make half-yearly reports, according to the annexed form, to the Standing Committee, which shall be sent to the Secretary of the Society by the 1st day of May, and the 1st day of November in each year, and all grants made by the Church Society, under this By-Law, shall be contingent upon these reports being regularly and punctually made.

Congrega
We the undersigned
for the past six months,
has been fully paid.

Date.....

If the above Certific
questions :

- a. What is the amount
- b. What is the amount
- c. Why has this arrears
- d. Is there any provision
4. That the Secretary
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- which are in arrears to t
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- to the Rural Dean, and re
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6. That when a missi
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possible, because that the
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contrary, until the arrear
mission.

7. That the travelling
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of the Church Society.

8. That this By-Law sh
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under it, if desired by the
with the provisions herein

FORM OF REPORT.

Congregation of.....

We the undersigned do certify that the Stipend promised to the Incumbent for the past six months, ending (at Easter or 1st October) being..... has been fully paid.

..... Incumbent.
 Ch. Warden.
 Ch. Warden.

Date.....

If the above Certificate cannot be signed, please answer the following questions :

- a. What is the amount of Stipend promised to the Clergyman ?
- b. What is the amount of arrears at (Easter or October 1st) ?
- c. Why has this arrear been allowed to accrue ?
- d. Is there any provision for paying this arrear promptly ?

4. That the Secretary shall lay these reports before the Standing Committee at the June and December Quarterly Meetings, with a list of those congregations which are in arrears to their Clergymen.

5. That the Standing Committee, after considering each case, shall decide what action is to be taken, and, if necessary, shall direct the Secretary to write to the Rural Dean, and request the District Committee to visit the mission, and to point out to such congregation, at a vestry meeting to be called for that purpose by the Clergyman, the necessity of their fulfilling their promises, if they desire to retain the services of their Clergyman.

The Committee shall report, without delay, the result of such visit, to the Secretary, in order that it may be laid before the next meeting of the Standing Committee.

6. That when a mission, after having been visited once, or oftener, as may be considered necessary by the Standing Committee, is still found to be in arrear to its Clergyman, a sum equal to, or nearly equal to, six months stipend promised by such mission, the Bishop shall be respectfully requested to remove the Clergyman to another mission if possible; and if so removed, then the arrears due by the mission to the Clergyman shall be paid to him out of the General Purposes Fund of the Church Society; and if such removal is not possible, because that there is no vacancy or no other mission in the Diocese ready to receive him, the Society shall be relieved from their obligations to such Clergyman; provided always that in no case shall a larger arrear than a sum equal to six months stipend, promised by such mission, be paid to the Clergyman under the provisions of this By-Law; and no Clergyman shall be appointed to such defaulting mission, unless good cause can be shown to the contrary, until the arrears advanced by the Society shall be repaid by such mission.

7. That the travelling expenses of the Committee of each Deanery, whenever sent to visit any Mission, shall be paid out of the General Purposes Fund of the Church Society.

8. That this By-Law shall come into force immediately upon its being adopted by the Church Society; and any mission now established may be brought under it, if desired by the parties interested, by an arrangement in accordance with the provisions herein contained, upon the express understanding that no

action with regard to arrears having accrued previous to the passing of this By-Law, be taken into account.

On behalf of the Committee,

Church Society's Rooms, London, C.W.
10th May, 1864.

PETER ROE, CHAIRMAN.

P. Roe, Esq., gave notice that he would move the adoption of the By-Law for the more punctual payment of stipends.

The following paper was prepared and circulated by the Executive Committee:—

BUSINESS TO BE BROUGHT BEFORE THE SYNOD BY THE BISHOP.

Certain Despatches and accompanying Papers, relating to the Metropolitan Patent.

A Proposed Declaration.

NOTICES SENT TO THE EXECUTIVE COMMITTEE.

1. By the Rev. J. W. MARSH.

That a Committee be appointed to meet a Committee of the Vestry of St. Paul's Cathedral, to consider the terms upon which the House now occupied by the Bishop can be obtained by the Diocese for an Episcopal Residence, and report the result to this Synod, before it adjourns.

2. By the Rev. J. GUNNE.

To amend Sec. 15, of the Constitution, as follows, viz:—"In case of a vacancy in the See, it shall be the duty of the Secretaries of the Synod, within ten days from their knowledge of such vacancy, to give notice thereof, to every Clergyman and Lay Representative; and at the same time to summon a meeting of such Clergymen and Lay Representatives, to be held at London, within six weeks, for the election of a Bishop, and to give at least one month's notice thereof. At such meeting for the election of a Bishop, the Senior Dignitary present shall take the chair, and shall vote, whether there be an equality of votes or not. The Clergy and Lay Representatives shall vote separately by ballot, and a majority of the votes of each order present, shall determine the choice."

3. By Ven. Archdeacon BROUGH.

Resolved,—That it appears to this Synod expedient that the Rule of the Church should be known to the Diocese in relation to the length of time for which notice should be given by any Rector or Incumbent, who may desire to discontinue the services of a Curate or Assistant; as also the period required when a Curate or Assistant desires to resign his position in relation to his Rector.

4. By Rev. W. H. SMYTHE.

Resolved,—That the Synod now proceed to discuss how best to secure permanent results to the Church, from the work of large and scattered missions—how best to secure a more effective co-operation of Laymen, in the direct work of the Church—and how to secure the more equitable and punctual payment of the Clergyman's salary, in Mission Parishes.

1. By REV. DR. T

A Resolution to Memorialize the Government, without the approval of the Crown on the same subject.

2. By REV. H. CAULFIELD.

That, inasmuch as from the custom of the Dean and Chapter, and the custom of the Bishop, belongs to the Episcopal See, regulations for the appointment of the Bishop, conferred by the Synod of the Diocese, in the Bishop of the

3. By REV. H. CAULFIELD.

That until action be taken by the Church Temporalities Commission, where there are no vestry meetings, who are

4. By the REV. DR. T

That it is desirable to send a Memorial to the Governor General, and to be assembled. That this end be accomplished, as that they may be of the length of the service

It is Resolved, therefore,

1. That the following Memorial be presented to the Governor General, to be used with

(The first of the two Prayers)

2. That the Prayer for the

1. To include a Prayer between the words "This Province, the Governor General, &c."

2. To include the intercession between the words "Parliament," at this time of the Prayer, if thought necessary, in the Parliament.

5. By REV. DR. SANDELL.

Resolved,—That a Commission be appointed to inquire into the state of the Dioceses of Toronto, and to report thereon, containing either a repeal of the Act, or such amendments as may be necessary in order

NOTICES OF MOTION.

1. By REV. DR. TOWNLEY.

A Resolution to Memorialise the four Archbishops, praying them to use their influence to prevent any alteration in the matter of clerical subscriptions, without the approval of their various convocations; and also to memorialize the Crown on the same subject, should it be deemed desirable.

2. By REV. H. CAULFEILD, seconded by REV. ADAM TOWNLEY.

That, inasmuch as from the nature of the function of Archdeacons and Rural Deans, and the custom of the Church, the appointment of such offices properly belongs to the Episcopal office, the Synod, in virtue of the power to make regulations for the appointment of all persons bearing office in the Church, conferred by the Synod Act, hereby vests the power of making such appointment in the Bishop of the Diocese.

3. By REV. H. CAULFEILD, seconded by REV. D. ARMSTRONG.

That until action be taken by the several Dioceses to obtain alterations of the Church Temporalities Act, it is the opinion of this Synod that, in congregations where there are no Pewholders, no persons should be admitted to vote at a vestry meeting who are not qualified to vote for Lay Delegates.

4. By the REV. DR. CAULFEILD.

That it is desirable to secure the regular and constant use of prayer for the Governor General, and for the parliament when in Session or about to be assembled. That this end can be best attained by so arranging the prayers in question, as that they may be uniform, and that their use may not add much to the length of the service—

It is Resolved, therefore,

1. That the following be the Prayer to be used in this Diocese for the Governor General, to be used when the Prayer for the Parliament is not said:

(The first of the two Prayers printed by order of the House of Bishops.)

2. That the Prayer for Parliament be altered, in order—

1. To include a Prayer for the Governor General, by the insertion of his name between the words "this Province" and the "Parliament," reading thus:—
"This Province, the Governor General, and the Provincial Parliament now assembled," &c.

2. To include the insertion of the words "about to be," in brackets, between the words "Parliament" and "assembled," reading thus,—
"The Provincial Parliament, at this time (about to be) assembled,"—thus allowing the insertion of the Prayer, if thought desirable, for a short time previous to the opening of Parliament.

5. By REV. DR. SANDYS, seconded by S. PRICE, Esq.

Resolved,—That a Committee be appointed to confer with any similar Committee of the Dioceses of Toronto and Ontario, to consider the propriety of maintaining either a repeal of the Church Temporalities Act, or such alteration may be necessary in order to meet our present altered condition.

6. By JUDGE HUGHES.

That a Committee be appointed to enquire and report to the Synod, on the practical working of the present Synod Act, in cases of appeals in connection with the subject of the despatch received through his Excellency the Governor General from the Duke of Newcastle, as laid before the Synod by the Lord Bishop.

7. By SAMUEL PRICE, Esq.

That his Lordship the Bishop be requested to appoint a Committee in each Rural Deanery, to define the limits or boundaries of every Parish or Mission within the Deanery, where it can be done, in order to prevent the confusion which at present is liable to arise from the indefinite boundaries of the sphere of duty appropriated to each Clergyman.

8. By JUDGE HUGHES.

That a Committee be appointed to consider and report at the present Synod on the propriety of procuring an Act of Parliament incorporating the Synod for all the purposes of the Church Society of the Diocese, and for repealing the Church Society Act, or for consolidating the operations of the Church Society with the work of the Synod.

CONSIDERATION OF MOTIONS.

Moved by the REV. J. W. MARSH, seconded by C. HUNT, Esq.

5. Resolved,—That a Committee be appointed to meet a Committee of the Vestry of St. Paul's Cathedral, to consider the terms upon which the house now occupied by the Bishop can be obtained by the Diocese for an Episcopal residence. The Committee to consist of Revs. Dr. Sandys, Dr. Townley, Gunne and the mover, and of P. Roe, S. Price, J. Beard and H. Johnson, Esq., and that they be requested to report to this Synod before it adjourns. Carried.

Moved by P. ROE, Esq., seconded by REV. A. NELLES.

6. Resolved,—That Judge Hughes and John Davidson, Esq., be admitted to the Committee moved for by the Rev. J. W. Marsh to meet Committee of Vestry of St. Paul's Church. Carried.

ALTERATION OF ART. XV. OF THE CONSTITUTION.

Moved by the REV. J. GUNNE, seconded by Rev. J. W. MARSH.

7. Resolved,—That the following be substituted for the present Art. XV. of Constitution of this Synod: "In case of a vacancy in the See, it shall be the duty of the Secretaries of the Synod, within ten days from their knowledge of such vacancy, to give notice thereof to every Clergyman and Lay Representative; and at the same time to summon a meeting of such Clergymen and Lay Representatives, to be held at London, within six weeks, for the election of a Bishop, and to give at least one month's notice thereof. At such meeting for the election of a Bishop, the Senior Dignitary present shall take the lead and shall vote, whether there be an equality of votes or not. The Clergy and Lay Representatives shall vote separately by ballot, and a majority of the members of each order present, shall determine the choice." Carried.

The Synod adjourned at 6 p.m. to 7½ p.m.

The Synod resumed

Moved by DR. CAULFIELD.

8. Resolved,—That Rev. Dr. Caulfield, be invited to take a

Moved by VEN. CHURCHILL.

9. Resolved,—That the subject of the resignation of the Bishop and his Curate, by the Curate, be considered. The services of a Curate to be given to the Bishop, if he desires to resign his position, to be given by a Clergyman before he reports, if possible, to the

The Bishop appointed

Brough; P. Roe, Esq.;

Moved by REV. G. HUNT.

10. Resolved,—That the motion be adopted. Carried.

Moved by Rev. J. SANDYS.

11. Resolved,—That in connection with the Association of the Diocese

That the Bishop be Proposed by the Archdeacon Hellmuth, Vice-Chancellor, Dr. Higginson, Treasurer. Rev. W. Marsh, B. Bayly, J. McL. Sandys, C. F. Hanson and L. Carried.

Moved by VEN. C. CHURCHILL.

12. Resolved,—That the subject of the families of the Clergy be considered. Carried.

Moved by VEN. ARCHDEACON HELLMUTH.

WOOD.

13. Resolved,—That the subject of incapacitated Clergymen be considered.

The Synod adjourned

service.

The Synod resumed at 7½ P.M.—the Bishop in the Chair.

ADMISSION TO SEAT.

Moved by DR. CAULFEILD, seconded by DR. TOWNLEY.

8. Resolved,—That Rev. Dr. O'Meara, of the Diocese of Toronto, being present, be invited to take a seat in the Synod. Carried.

COMMITTEE ON NOTICE.

Moved by VEN. CHAS. C. BROUGH, seconded by PETER ROE, Esq.

9. Resolved,—That the Lord Bishop be requested to appoint a Committee to consider the subject of the length of time for which notice should be given to the Bishop and his Curate, by any Rector or Incumbent who may desire to discontinue the services of a curate or assistant; as also the period required for notice to be given to the Bishop and Rector, by a Curate or Assistant who desires to resign his position, in relation to his Rector, and also the notice to be given by a Clergyman before he vacates his parish or mission. Said Committee to report, if possible, to the Synod before its final adjournment. Carried.

The Bishop appointed the following as the Committee: Ven. C. C. Brough; P. Roe, Esq.; Rev. W. Bettridge; Ven. I. Hellmuth.

Moved by REV. G. M. INNES, seconded by REV. J. SMYTHE.

10. Resolved,—That the report of the Sunday-School Committee be adopted. Carried.

Moved by Rev. J. SMYTHE, seconded by Rev. R. J. ROBERTS.

11. Resolved,—That in accordance with the recommendation of the report just adopted an association be formed, to be called "The Sunday School Association" of the Diocese of Huron.

That the Bishop be President, the Ven. Archdeacon Brough and the Ven. Archdeacon Hellmuth, Vice-Presidents; the Rev. G. M. Innes, Secretary; and Mr. Higginson, Treasurer. That the Committee be the Revs. Dr. Caulfeild, J. W. Marsh, B. Bayly, J. McLean, J. P. DuMoulin and J. Smythe; Messrs. P. Roe, J. Dugas, C. F. Hanson and L. Dampier; with power to add to their number. Carried.

Moved by VEN. C. C. BROUGH, seconded by Rev. J. Gunne.

12. Resolved,—That the Report relative to the occupation of Glebes and Parsonages by the families of deceased or incapacitated Clergymen be adopted. Carried.

Moved by VEN. ARCHDEACON BROUGH, seconded by Rev. E. L.

WILWOOD.

13. Resolved,—That the Report relative to a provision for Superannuated or incapacitated Clergymen be adopted. Carried.

The Synod adjourned at 10.15 P.M. until to-morrow morning after service.

2ND DAY, JUNE 22, 1864.

The Synod met at 10 A.M. The Bishop in the Chair.

After prayer the rolls were called by the Secretaries. Clergy present, 41; Lay Representatives 52.

The Minutes of the last Session were approved and signed by the Bishop.

NOTICES OF MOTION.

1. By the Rev. W. BETTRIDGE.

That the duties of Rural Dean be defined by this Synod.

2. Moved by the Rev. D. ARMSTRONG, seconded by ———

Resolved,—That each Clergyman in the Diocese be required to give an Annual Statistical Report of his Parish or Mission, according to a form which may be decided upon by his Lordship the Bishop, also to furnish such other information regarding the work of the Church, in his locality, as he may deem advisable; and that such Report be published with the Annual Report of the Synod and Church Society. Such Report to be made up to Easter, and forwarded to the Secretary previous to the meeting of Synod.

3. By P. ROE, Esq.

That his Lordship the Bishop be requested to call the Synod together in future, in the month of October, November or January.

4. By J. H. WILKINSON, Esq.

That in future the Constitution and Rules of this Synod, as amended, be published in each pamphlet of the Proceedings, and that two copies be mailed to the Incumbent of each Parish.

The Bishop addressed the Synod on the subject of the Patent issued by Her Majesty to the Metropolitan, and brought before the Synod the following correspondence and papers relative thereto.

Quebec, March 5, 1864.

My Lord,—I am desired by the Governor General to transmit for your Lordship's information a copy of a despatch from the Duke of Newcastle, containing an extract of a despatch to the Governor of the Cape of Good Hope.

I have the honor to be, My Lord,

Your obedient servant,

FRANCIS RETALLACK,

Acting Secretary.

The Lord Bishop of Huron, &c., &c., &c.

London, C. W.

Downing Street, February 11, 1864.

My Lord,—A correspondence arising out of the recent judgment of the judicial committee of the Privy Council, in the recent case of Long vs. the Bishop of Cape Town, has obliged me to obtain the opinion of the law advisers

of the crown, on certain Anglican communion in the state of the Church in but in which the Episcopal direct legislation. But importance, and I think the Colonial Churches of the Cape of Good Hope on these subjects.

I enclose six copies and communicate a copy to each government.

Viscount Monck.

EXTRACT OF A DESPATCH

P. E. WODEHOUSE,

In the first place I am (the contrary) the member that Church is not established for a lawful purpose which is a question, and that it would be without the consent of the Church to summon meetings of Provincial or Diocesan Synods for the purpose of deliberating on matters of such a nature as to require the judgment of the Judicial Committee.

"The Church of England, by law, is in the same situation as no worse position, and the communion may adopt, but it will be binding on those who are members."

It follows that the rules are unless in themselves contrary to the members of the Church over and over on all those who express their dissent.

So long, therefore, as the law should wish you to recognize the representative character of the Synod without inquiring into its internal constitution, it may be voted from time to time into communion.

For the present, however, the Acts of the Assize are not the imputation of illegality.

When I gave you these I was aware of the real difficulty in ascertaining the facts, and I hoped (as indeed I do) that you would be able to deal with it, and I hoped (as indeed I do) that you would be able to deal with it, and I hoped (as indeed I do) that you would be able to deal with it.

of the crown, on certain questions of much importance to the members of the Anglican communion in the Colonies. That judgment mainly related to the state of the Church in the Colonies possessing Representative Legislatures, but in which the Episcopal authority has not been made the subject of any direct legislation. But some of the questions which it has raised are of general importance, and I think it best, therefore, to communicate to the Prelates of the Colonial Churches an extract from a despatch addressed to the Governor of the Cape of Good Hope, embodying the decision to which I have been led on these subjects.

I enclose six copies of this extract, and I will have to request you will communicate a copy to each of the Bishops of the Anglican Church within your government.

I have, &c.,

(Signed)

NEWCASTLE.

Viscount Monck.

EXTRACT OF A DESPATCH FROM THE DUKE OF NEWCASTLE, TO GOVERNOR SIR P. E. WODEHOUSE, K. C. B., DATED 4TH FEBRUARY, 1864, NO. 736.

In the first place I am advised that (assuming that there is no local law to the contrary) the members of the Church of England, in a Colony in which that Church is not established, have the same liberty of assembling for any lawful purpose which is possessed by members of any other religious denomination, and that it would be lawful for a Colonial Bishop or Metropolitan, without the consent of the Crown, and without any express legislative authority, to summon meetings of the Clergy and Laity of the Church, under the designation of Provincial or Diocesan Synods, or any other designation for the purpose of deliberating on matters concerning the welfare of the Church. The powers of such a meeting may be gathered from the following extract, from the judgment of the Judicial Committee:—

"The Church of England, in places where there is no Church established by law, is in the same situation with any other religious body, in no better but no worse position, and the members may adopt, as the members of any other communion may adopt, rules for enforcing discipline within their body, which will be binding on those who expressly, or by implication, have assented to them."

It follows that the rules passed by such an Assembly as I have described (unless in themselves contrary to law) are binding, not indeed on all professed members of the Church over whom the Bishop has been appointed to preside, but on all those who expressly, or by implication, have assented to these rules.

So long, therefore, as the action of the Synod is confined within these limits, I should wish you to recognise it officially,—to treat it as being what it virtually is; the representative of the Anglican Church, and to place at its disposal, without inquiring into its internal relations or disagreements, the funds which may be voted from time to time by the Legislature in aid of the Anglican communion.

For the present, however, I have instructed you not to take official cognizance of the Acts of the Assembly, "until steps have been taken to clear it from the imputation of illegality, which at present attaches to it."

When I gave you these instructions, I supposed that the Bishop could have no real difficulty in ascertaining how far the proceedings of the Synod had assented or had appeared to violate the principles laid down by the Court of Appeal, and I hoped (as indeed I still hope) that the members of the Church

of England would be wise enough to cancel all such proceedings, and by so doing to place their institutions on a footing which would enable the Government to countenance them, and to abandon a position which must obstruct their relations with the Civil Power, and expose them to continual collision with the Law of the Colony, to disastrous litigation, and perhaps to embarrassing defeat.

With these feelings and wishes, I consider that it would be most convenient for the Bishop and the Church that I should leave them at liberty, in the first instance, to place their own construction on the judgment, and to submit for consideration such amendments of their existing rules as, with least detriment to their own position, would enable the Civil Power to give them its cordial co-operation. The Bishop, however, professes his inability to understand me, and, I assume, desires me to explain myself with more fullness. His principal difficulty is, I suppose, to ascertain what measure I hold requisite to remove the imputation of illegality to which I have alluded. The following opinions on this subject embody the advice which has been furnished me on this head.

The Judicial Committee, I am fully aware, did not decide that it was unlawful for the Bishop, with such Clergy and Laity of the Church as might concur in any scheme or arrangement for that purpose, to meet in a voluntary Synod, and to pass rules and regulations by which those who assented to them might be bound; they decided only that some of the particular acts and resolutions of the Synod in question had exceeded those lawful limits; and that Mr Long, the appellant in the case, who was not a party, and had not assented to those resolutions; could not be compelled to give notice of any meetings of such Synod, or of any proposed elections thereto, or to attend it, or to be bound by its proceedings. Mr. Long, under an express contract with the Bishop, would apparently have been bound to give that notice if the Synod had been a body recognized by the existing law of the Church of England. Their Lordships are of opinion that the Synod was not such a body.

The portion of the judgment which relates to the illegality of some Acts of the Synod is in these terms (page 16):—"The Synod which actually did meet, passed various Acts and Constitutions, purporting, without the consent either of the Crown or of the Colonial Legislature, to bind persons not in any manner subject to its control, and to establish Courts of Justice for some temporal as well as spiritual matters; and, in fact, the Synod assumed powers which only the Legislature could possess."

"There can be no doubt that such Acts were illegal."

It is obvious that in this passage reference is more particularly made to those parts of the "Acts and Constitutions" of the first Synod (the very term "Constitutions" seems to imply the assumption of some binding authority) which are mentioned in the paragraphs beginning "Various Rules," &c., and "A Consistorial Court," &c., at page 8 of the printed Judgment.

The surest mode I conceive of relieving the Assembly in question from the prejudicial effect of these errors in its past proceedings will be for some future meeting, with the concurrence of the Bishop, to review all the Acts of the former Synods for the purpose of removing from them, both in substance and in form, everything which has the appearance of an assumption of any compulsory powers, or of any attempt to create Tribunals similar to those which in countries where there is an established Church exercise a legal and coercive jurisdiction. It would be desirable expressly to declare that the Synod altogether disclaims the power of legislating, so as to bind any persons who do not voluntarily assent to, and agree to be bound by its rules; that the terms "Constitutions," "Consistorial Court," and the like, should be disused, and

that the Rule "tion, or before receiving such In they will subscri the Diocese of Ca any) of a like nat

In place of the able by the Judic the Synod to pass suitable forms of and decision of himself, or before which prevail, fo all voluntary reli assented to such r time, might reaso Upon this point I ther laid down th only agreed on th determine whether its members or no then the decision o scope of its authori forms be prescribed principles of justice

"In such cases, they derive no aut enforce their sente lished by law; an effect to the decisio agreement of the pa

Having expressed of their body whic Induction, or before rules and constitut Executive Governm tically, on his own Synod is called upon

I am informed th prescribed by that law a free and unfet

Thus he may dec bound by the resolu interference on the the Bishop to make Admissions, or Insti distinction must be Cure.

If there be no pre Bishop and the patro fice or cure in questio positive law or enact tent with the exercis

that the Rule "that all Presbyters and Deacons, before Institution or Induction, or before receiving a License from the Bishop, and as a condition of receiving such Institution, Induction or License, shall sign a declaration that they will subscribe to all the rules and constitutions enacted by the Synod of the Diocese of Cape Town" (Judgment p 8) and any other rules (if there are any) of a like nature should be rescinded.

In place of the resolutions as to the Consistorial Court, deemed objectionable by the Judicial Committee, I am advised that it would be competent to the Synod to pass resolutions recommending for the adoption of their Bishop suitable forms of proceeding (*as in foro domestico*) for the investigation, trial and decision of offences against the laws of the Church, before the Bishop himself, or before persons appointed by him, upon principles similar to those which prevail, for the necessary preservation of good order and discipline in all voluntary religious bodies; and I apprehend that all persons who had assented to such resolutions would be bound by what the Bishop, from time to time, might reasonably do in accordance with the forms so recommended. Upon this point I again refer to the words of the judgment:—"It may be further laid down that where any religious or other lawful association has not only agreed on the terms of its union, but has also constituted a tribunal to determine whether the rules of the association have been violated by any of its members or not; and what shall be the consequences of such violation, then the decision of such tribunal will be binding when it has acted within the scope of its authority, has observed such forms as the rules require, if any forms be prescribed, and if not, has proceeded in a manner consonant with the principles of justice.

"In such cases, the tribunals so constituted are not in any sense courts; they derive no authority from the Crown; they have no power of their own to enforce their sentence; they must apply for that purpose to the courts established by law; and such courts will give effect to their decision, as they give effect to the decisions of arbitrators, whose jurisdiction rests entirely upon the agreement of the parties."

Having expressed the opinion, that the Synod should repeal that resolution of their body which requires all Presbyters and Deacons before Institution or Induction, or before receiving a License from the Bishop, to subscribe all their rules and constitutions, it is proper for me to state further, to what extent the Executive Government could recognize the right of the Bishop to enforce practically, on his own authority, the resolution, which in its present form the Synod is called upon to cancel.

I am informed that it would be competent to the Bishop to adopt the course prescribed by that resolution, with respect to matters as to which he has by law a free and unfettered discretion.

Thus he may decline to confer Holy Orders on persons unwilling to be bound by the resolutions passed at such meetings, without being liable to any interference on the part of any civil court. But with respect to the power of the Bishop to make assent to such resolutions the condition of Licenses, Admissions, or Institutions of Clerks to Spiritual Offices, Benefices or Cures, a distinction must be made according to the nature of the office, Benefice or Cure.

If there be no previous contract or trust, express or implied, between the Bishop and the patron or the Bishop and the presenter, and if the office, benefice or cure in question has not been founded, endowed or established by any positive law or enactment, or by any other mode of legal foundation inconsistent with the exercise in that respect of a free and uncontrolled discretion by

the Bishop,—in these circumstances I am advised that it would be competent to the Bishop to make the license, admission or institution of a Clerk to a spiritual office, benefice or cure, conditional on his assent to such resolutions.

But if the Bishop be bound, with respect to such benefice or cure, by any antecedent contract or trust (like the engagement to appoint the nominee of Mr. Hoets), or by the terms of any legal foundation, of which assent or obedience to such resolutions forms no part, he cannot, under such circumstances, lawfully exact from any Clerk entitled to claim from him license, admission or institution to such office, benefice or cure, that such Clerk should, as a condition of receiving such license or institution, agree to be bound by such resolutions.

Within the limits thus laid down, the exercise of the Bishop's discretion, in this respect, should be recognized by the Executive Government as legitimate.

Lastly, the Bishop requires to be informed "whether the document which has been placed in his hands by the Crown is in all respects, as it confessedly is in some, an illegal instrument; whether any, and, if so, which of its provisions are valid in law; whether it conveys any rights, title or authority to the Bishop of this Diocese, and the Metropolitan of this Province, or not."

The words of the Judicial Committee, to which the Bishop, I presume, refers (page 13), are as follows:—Their Lordships state the Supreme Court of the Cape to have been of opinion "that the Letters Patent of 1853, being issued after a Constitutional Government had been established in the Cape of Good Hope, were ineffectual to create any jurisdiction, ecclesiastical or civil, within the Colony; even if it were the intention of the Letters Patent to create such jurisdiction, which they think doubtful."

"In these conclusions," they add, "we agree."

The Letters Patent, then, were *ultra vires* and invalid, if, and so far as, they purported to convey to the Bishop any power of coercive jurisdiction, irrespectively of the sanction of the local legislature, and of the consent, expressed or implied, of those over whom it might be exercised.

I am aware of no reason whatever for supposing them to be invalid, otherwise than as they may assume to grant this coercive jurisdiction. The Bishop's corporate character, and any other incidents of his Episcopal position which result from the Letters Patent, remain untouched by the recent judgment.

See House, Montreal, March 9, 1864.

MY DEAR LORD BISHOP,—I herewith send your Lordship a copy of a despatch from the Duke of Newcastle to Viscount Monck, which reached me this day, having been forwarded to me by his Grace's desire, and which you will probably think it right to lay before your Diocesan Synod at its next meeting.

I have stated, in reply, for the information of his Grace, that I should not be able to let him know whether it would be the wish of the Canadian Church "to apply for fresh and amended letters patent," until there had been an opportunity to bring the matter before a meeting of the Provincial Synod, which would not ordinarily take place until September, 1865. But in the meantime, I believed, it was well understood that, by an amendment introduced into the letters patent, as issued on the 12th of February, 1862, the authority and jurisdiction of the Metropolitan were expressly made "subject to the rules, regulations and canons that the General Assembly may from time to time make in respect thereof."

I remain, my dear Lord Bishop,
Yours very faithfully,

F. MONTREAL.

The Lord Bishop of Huron.

MY LORD,—A
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Moved by Rev

That Rule 3 in t
Rev. W. Bettridge
Carried.

Moved by the

That this Synod,
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Synod.

Moved in amer
CAULFEILD,

[COPY.]

Downing street, February 10, 1864.

MY LORD,—A correspondence which arose out of the recent case of Long vs. the Bishop of Cape Town, has led me to submit for the opinion of the law officers of the Crown the question whether any, and if so, what metropolitan pre-eminence or jurisdiction was conveyed by the letters patent, bearing date the 12th of February, 1862, which constitute the Bishop of Montreal Metropolitan Bishop in the Province of Canada.

The following is the answer which I have received:—"We think that it was competent to the Crown to constitute his Lordship a Metropolitan, and thereby to give him pre-eminence and precedence over his Suffragans; but that as to the coercive jurisdiction which the Metropolitan may exercise, and the manner in which it is to be exercised, these are matters which must be settled by the Bishops, Clergy and Laity of the Church, in the General Assembly of the Province, according to the provision of the local Act of the Canadian Legislature, 19th and 20th Vic., Cap. 121."

You will be good enough to communicate a copy of this opinion to the Bishop of Montreal, adding that it will be for his Lordship, in concert with the other authorities of the Canadian Church, to determine for themselves whether they would prefer to apply for fresh and amended Letters Patent, or to allow the existing instrument to remain in force, with the knowledge that, so far as it assumes to invest the Metropolitan with coercive jurisdiction, it is of no effect.

I have, &c.,

(Signed)

NEWCASTLE.

Governor the Viscount Monck, &c., &c.

The Synod adjourned at 1 o'clock to 3 p.m.

The Synod resumed at 3 p.m.—the Bishop in the Chair.

Moved by Rev. J. W. MARSH, seconded by Mr. RYLAND,

That Rule 3 in the Rules for Preservation of Order be suspended, to enable Rev. W. Bettridge to bring forward his resolution on Metropolitan Synod. Carried.

Moved by the Rev. W. BETTRIDGE, seconded by Mr. COTTLE,

That this Synod, finding from the despatches of his Grace the Duke of Newcastle, in the hands of this meeting, that the Patent constituting the Lord Bishop of Montreal Metropolitan of Canada is considered illegal, and that consequently no General Assembly, or Provincial Synod, according to the Act of the Provincial Legislature, now exists, the Lord Bishop be respectfully requested to appoint a Committee to act with him in conferring with the other Dioceses how to secure, on a legal basis, the establishment of the Provincial Synod.

Moved in amendment by Judge HUGHES, and seconded by Rev. H. CAULFIELD,

MONTREAL.

Resolved,—That a Committee be now appointed consisting of seven Clerical and seven Lay members of the Synod, representing so far as possible the different opinions of the Synod, to confer with his Lordship upon the most expedient course to be adopted with regard to that part of his Lordship's address which refers to the subject of the Provincial Synod, and the legal opinions which have been laid before the Synod;—the report of the Committee to be made immediately. The Committee to consist of the following:—Ven. C.C. Brough, Rev. Dr. Sandys, Rev. Dr. Townley, Rev. Dr. Caulfeild, Rev. F. D. Fauquier, Rev. G. J. R. Salter, Rev. W. Bettridge, Judge Hughes, Peter Roe, Esq., Samuel Price, Esq., John Beard, Esq., Minchin Jackson, Esq., Thos. J. Cottle, Esq., and J. A. Penton, Esq.

Moved in amendment to the amendment, by F. DAVIS, Esq., seconded by Dr. TOWNLEY,

That delegates be elected to represent this Diocese in the next Provincial Assembly or Synod, to attend to the interests of the Church in the Diocese of Huron and the Province generally.

The Synod adjourned at 6 p.m., to meet to-morrow morning after service.

THIRD DAY—JUNE 23RD, 1864.

The Synod met at 10 am.—the Bishop in the Chair.

Prayers were read by the Bishop. The rolls were called by the Secretaries.

Clergy present—30; Lay Representatives—35.

EXECUTIVE COMMITTEE.

The Bishop named the following as the Executive Committee for the current year:—

Ven. C. C. Brough, A.M.,	G. F. Ryland, Esq.,
Rev. W. Bettridge, B.D.,	P. Roe, Esq.,
Rev. St. G. Caulfeild, LL.D.,	C. Monsarrat, Esq.,
Rev. J. W. Marsh, M.A.,	S. Price, Esq.,
Rev. J. Smythe, M.A.,	J. Beard, Esq.,
Rev. G. M. Innes,	C. Hunt, Esq.,

Notice of motion by H. F. MARTYN,

That this Synod shall, at or before its adjournment appoint the place of the next meeting.

Debate resumed on the resolutions regarding the Provincial Synod.

The Synod adjourned at 1 p.m. to 3 p.m.

The Synod continued.

Judge Hughes matter.

Moved by

Resolved,—That the Bishop to take for the due and provisions of the Synod to indicate by his General Assembly on a legal basis—the of this Diocesan

The Bishop Beard and A. I. in the ballot for The Synod a

The Synod Provincial Synod The Bishop Queen on the su

TO HER M

MAY IT PLEASE subjects, the Bishop land and Ireland in assembled, humbly affection for your to the country over

We desire humbly sent, and contrary Ecclesiastical Prov included in said Metropolitan, altho Dioceses of Quebec, ment.

We desire also to said Metropolitan as your Royal prerogative has now been declared appointing said Metropolitan the government of the Synod Law passed chap. 121.

The Synod resumed at 3 p.m.—the Bishop in the Chair. Debate continued.

Judge Hughes proposed the following as a substitute for the whole matter.

Moved by Judge HUGHES, seconded by Rev. J. SMYTHE,

Resolved,—That it is expedient in the opinion of this Synod for his Lordship the Bishop to take steps, in conjunction with the other Bishops of the Province, for the due and legal constitution of a General Assembly, based upon the provisions of the Synod Act in that behalf; and that this Synod do now proceed to indicate by ballot the persons who are to represent this Synod at such General Assembly, whenever his Lordship is satisfied that everything is upon a legal basis—this resolution to remain in force until the next annual meeting of this Diocesan Synod. Carried.

The Bishop appointed Revs. E. E. Newman and S. Tighe, and J. Beard and A. Lefroy, Esqrs., to act with the Secretaries as Scrutineers in the ballot for Delegates to the Provincial Synod.

The Synod adjourned for 15 minutes.

The Synod resumed, and proceeded to ballot for Delegates to the Provincial Synod.

The Bishop submitted the following draft of an Address to the Queen on the subject of the Patent of the Metropolitan:—

TO HER MOST GRACIOUS MAJESTY QUEEN VICTORIA.

MAY IT PLEASE YOUR MAJESTY,—We, your Majesty's dutiful and loyal subjects, the Bishop, Clergy and Lay Delegates of the United Church of England and Ireland in the Diocese of Huron and Province of Canada, in Synod assembled, humbly approach your Majesty with the expression of sincere affection for your Royal person and of loyal attachment to your Crown and to the country over which your Majesty so happily reigns.

We desire humbly to bring to your Majesty's notice that, without our consent, and contrary to our remonstrance, a Metropolitan was appointed and an Ecclesiastical Province erected in Canada; that the Diocese of Huron was included in said Province, and the Bishop of Huron made Suffragan to said Metropolitan, although both he and his Diocese declined to join the three Dioceses of Quebec, Montreal and Toronto in petitioning for such appointment.

We desire also to state that, so long as we considered the Patent appointing said Metropolitan as the act of your Majesty, in the constitutional exercise of your Royal prerogative, so long we submitted to it without murmur. But it has now been declared by the highest legal authorities that the Patent appointing said Metropolitan is illegal and invalid, and that all measures for the government of the Church in Canada must be in strict accordance with the Synod Law passed in the 19th and 20th years of your Majesty's reign, chap. 121.

We would also humbly state that it is our conviction that if the office of Metropolitan in Canada is continued, the Church in this colony will be involved in confusion of the same kind with that which has terminated in separating the Church of the Cape of Good Hope from the United Church of England and Ireland, a calamity which we would most deeply deplore.

We would therefore most humbly pray your Majesty to recall and cancel the Patent appointing a Metropolitan in Canada, which has been declared invalid and illegal, and to leave the Church in this colony as it has been in time past, under the Metropolitan control of the Archbishop of Canterbury, and in the exercise of the powers conferred by the Synod Law of appointing all its own officers of every degree.

Moved by Rev. J. W. MARSH, seconded by A. LEFROY, Esq.,

Resolved,—That, in answer to the question submitted by his Grace the Duke of Newcastle in his despatch to his Excellency Viscount Monck, "whether they would prefer to apply for fresh and amended Letters Patent, or to allow the existing instrument already issued to the Bishop of Montreal, to remain in force, with the knowledge that so far as it assumes to invest the Metropolitan with coercive jurisdiction it is of no effect," the memorial to the Queen now submitted to the Synod by the Bishop be adopted, and that it be signed by the Bishop and the Secretaries and forwarded to the Queen through the Governor General, and that a copy of the same be sent to the Bishop of Montreal. Carried.

Rev. Dr. TOWNLEY demanded that the yeas and nays be taken.

CLERGYMEN.

YEAS.—D. Armstrong, Archdeacon C. C. Brough, A.M., J. P. DuMoulin, S. Belcher, St. G. Caulfeild, LL.D., H. Caulfeild, R.S. Cooper, S. Dubourdieu, E. L. Elwood, A.M., W. B. Evans, B.A., H. Evans, B.A., A. S. Falls, A.B., A. Fisher, J. C. Gibson, B.A., Archdeacon I. Hellmuth, D.D., J. McLean, M.A., J. Hurst, S. Harris, G. M. Innes, A. Jamieson, H. P. Chase, C. C. Johnson, J. Kennedy, M.A., J. W. Marsh, M.A., A. H. R. Mulholland, H. F. Mellish, J. W. Sandys, D.D., T. E. Sanders, E. Softley, F. W. Sims, S. Tighe, A.B., J. C. Usher, J. T. Wright—33.

NAYS—F. D. Fauquier, A. Lampman, B.A., J. Gunne, A. Townley, D.D.—4.

LAY REPRESENTATIVES.

YEAS—G. Ryland, Dr. Dawes, Lionel G. Shipley, James H. Wilkinson, Col. Kerby, A. Lefroy, James Keefer, J. H. Hall, Dr. Dewson, Jas. Stephenson, Noble Whiteley, Jonas Copp, Robt. Baker, W. Paisey, Joseph Kennedy, F. Davis, E. Bunnell, H. Racey, M. G. Munro, H. F. Martyn, S. Price—21.

NAYS—T. J. Cottle, J. Beard, Thos. Scott, Peter Roe, Judge Hughes, Minchin Jackson, J. A. Penton—7.

Revs. Dr. Townley and F. D. Fauquier, and Judge Hughes, each gave notice that they would enter a formal protest against the vote just taken, which they claimed should be put on the minutes.

The Synod adjourned at 6.15 p.m. to 7.30 p.m.

The Synod re
The Bishop in

REPORTS OF THE

The Rev. S. T
We, the undersig
Clergymen received

Rev. J. W. Mars
Rev. E. L. Elwoo
Rev. Dr. Sandys
Ven. I. Hellmut
Ven. C. C. Brou
Rev. Dr. Boomer

Rev. F. D. Fauqu
Rev. R. Flood...

The above list

Rev. E. E. NE

We, the undersig
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Peter Roe.....
T. J. Cottle.....
Judge Hughes..
S. Price.....
J. A. Penton...
Dr. Dewson....

M. Jackson.....
T. B. Guèst.....

The above list
firmed.

The Synod resumed at 7.30 p.m.
The Bishop in the Chair.

REPORTS OF THE RESULT OF THE BALLOT FOR DELEGATES TO THE
PROVINCIAL SYNOD.

The Rev. S. Tighe presented the following Report :—

We, the undersigned, appointed Scrutineers, beg to report that the following Clergymen received the highest number of votes :—

DELEGATES.

Rev. J. W. Marsh.....	41	Rev. J. McLean.....	34
Rev. E. L. Elwood.....	37	Rev. J. Smythe.....	32
Rev. Dr. Sandys.....	37	Rev. Dr. Caulfeild.....	31
Ven. I. Hellmuth.....	36	Rev. W. Bettridge.....	30
Ven. C. C. Brough.....	35	Rev. J. C. Usher.....	30
Rev. Dr. Boomer.....	34	Rev. G. M. Innes.....	24

SUBSTITUTES.

Rev. F. D. Fauquier.....	23	Rev. J. Carmichael.....	20
Rev. R. Flood.....	21	Rev. H. Caulfeild.....	17
Rev. A. Jamieson.....	17		

STEARNE TIGHE, A.B.,
JOHN BEARD,
J. WALKER MARSH.

The above list was put to the Synod from the Chair and confirmed.

Rev. E. E. NEWMAN presented the following report :—

We, the undersigned, appointed Scrutineers, hereby report that the following gentlemen have received the following votes :—

DELEGATES.

Peter Roe.....	35	Hugh Johnson.....	23
T.J. Cottle.....	32	Baron Jasmond.....	23
Judge Hughes.....	31	A. Lefroy.....	22
S. Price.....	28	George Ryland.....	20
J. A. Penton.....	25	F. Davis.....	20
Dr. Dewson.....	24	E. Bunnell.....	17

SUBSTITUTES.

M. Jackson.....	16	J. H. Wilkinson.....	15
T. B. Guest.....	16	C. Hunt.....	15

EDWARD EDMUND NEWMAN,
A. LEFROY,
SAMUEL PRICE.

The above list was put to the Synod from the Chair, and confirmed.

REPORTS OF COMMITTEES.

Ven. C. C. Brough, presented the Report of Committee on Notice to be given by a Rector or Curate.

The Committee appointed to consider the resolution relative to the period of notice to be given by any Rector or Incumbent who may desire to discontinue the services of a Curate or Assistant, as also the period required when a Curate or Assistant desires to resign his position in relation to his Rector or Incumbent; as also by a Clergyman previous to his vacating his charge.

This Committee recommend that a period of three months' notice be given to each of the above parties respectively, and to the Bishop of the Diocese. This recommendation does not necessarily interfere with any arrangement approved by the Bishop and agreed upon by the other parties in relation to a more speedy separation.

All of which is respectfully submitted.

CHAS. C. BROUGH, Chairman.

S. Price, Esq., in the absence of Rev. Dr. Sandys, presented the Report of the Committee on the Episcopal Residence.

The Committee to whom was referred the resolution respecting the conferring with the Committee of the Vestry of St. Paul's as to the terms upon which the present Rectory house may be purchased for a Bishop's residence, beg leave to report—

That they have ascertained that the house can be purchased for \$8,000; but in the present circumstances of the Rectory, the Committee do not consider it expedient to recommend the purchase; nor do the Committee consider the house suitable either in point of locality or in quantity of land offered for the purpose.

SAMUEL PRICE, Secretary.

Church Society's Rooms, 22nd June, 1864.

Moved by P. ROE, Esq., seconded by Rev. Dr. CAULFEILD,

That the report on the punctual payment of the stipends of the Clergy be adopted.

The report was read clause by clause, and the 6th clause was amended as follows:—

6. That when a mission, after having been visited once, or oftener, as may be considered necessary by the Standing Committee, is still found to be in arrear to its Clergyman, a sum equal to, or nearly equal to, six months stipend promised by such mission, the Bishop shall be respectfully requested to remove the Clergyman to another mission if possible; and if so removed, then the arrears due by the mission to the Clergyman shall be paid to him out of the General Purposes Fund of the Church Society; and if such removal is not possible, because that there is no vacancy or no other mission in the Diocese ready to receive him, the Society shall be relieved from their obligations to such Clergyman; provided always that in no case shall a larger arrear than a sum equal to six months stipend, promised by such mission, be paid to the Clergyman under the provisions of this By-Law; and no Clergyman shall be

appointed to such d
contrary, until the s
mission.

The report was
Moved by Rev.

21. That this Syn
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The Bishop laid
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Wa, the Bishop, Cl
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declaration:—

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Old and New Testamen
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inditing the Sacred S
Ghost."

And we believe that
Apostles, concerning th
with the happiness of th
and Homilies of our Chu

And we believe, also
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eleventh Article of our C
is the same which was p
that Christ is now the ri
He for them paid their r
His life, so that in Him a
fulfiller of the law."

And we make this de
the terms, without any re

Moved by the Ven.
PRICE, Esq.,

22. That the Declarat
be adopted, and forward
ted.

appointed to such defaulting mission, unless good cause can be shown to the contrary, until the arrears advanced by the Society shall be repaid by such mission.

The report was then put to the Synod and carried.

Moved by Rev. Dr. TOWNLEY, seconded by P. ROE, Esq.,

21. That this Synod memorialise the four Archbishops of Canterbury, York, Armagh and Dublin, praying them to use their influence to prevent any alterations being made in the matter of clerical subscriptions, without the approval of their various convocations.

And that the Revs. W. Bettridge, F. D. Fauquier, E. L. Elwood and G. M. Innes, with the mover, be a Committee to draft such Memorial at as early a period as possible, and that, upon being approved by the Lord Bishop, it shall be signed by him and the Secretaries of the Synod, and a copy forthwith forwarded to each of the above most Reverend Prelates. Carried.

The Bishop laid the following declaration before the Synod, which he recommended should be adopted:—

DECLARATION.

We, the Bishop, Clergy and Lay Representatives of the United Church of England and Ireland in the Diocese of Huron, Canada, in Synod assembled, deem it advisable, at the present time, to make this our solemn and unanimous declaration:—

We believe, that the Church of which we are members holds, in the fullest sense of the terms, the plenary inspiration of all the Canonical Books of the Old and New Testaments, and of every part of them; that they are "God's Word written," and that Holy men of God—Prophets and Apostles—when inditing the Sacred Scriptures, "spoke as they were moved by the Holy Ghost."

And we believe that the plain declarations made by our Lord and by his Apostles, concerning the everlasting punishment of the ungodly as co-extensive with the happiness of the righteous, are fully echoed in the Creeds, Articles and Homilies of our Church.

And we believe, also, that the doctrine that the sinner is justified before God only for the merit of our Lord Jesus Christ by faith, as taught in the eleventh Article of our Church, and in the Homily of the Salvation of Mankind, is the same which was propounded by our blessed Lord and his Apostles, "so that Christ is now the righteousness of all them that truly do believe in Him. He for them paid their ransom by His death. He for them fulfilled the law in His life, so that in Him and by Him every true Christian man may be called a fulfiller of the law."

And we make this declaration in the full, plain and grammatical sense of the terms, without any reserve and qualification whatsoever.

Moved by the Ven. Archdeacon HELLMUTH, and seconded by S. PRICE, Esq.,

22. That the Declaration now brought before the Synod by the Lord Bishop be adopted, and forwarded to his Grace the Archbishop of Canterbury. Carried.

Moved by the Rev. E. L. ELWOOD, seconded by the Rev. S. Du BOURDIEU,

23. Resolved—That the declaration now passed by this Synod be printed, and copies of the same be sent to the Clergy for distribution among their people. Carried.

In the absence of the Rev. Dr. Sandys, it was moved by Rev. J. W. Marsh, seconded by S. PRICE, Esq.,

24. Resolved,—That a Committee be appointed to confer with any similar Committee of the Dioceses of Toronto and Ontario, to consider the propriety of obtaining either a repeal of the Church Temporalities Act, or such alteration as may be necessary in order to meet our present altered condition. Carried.

Moved by S. PRICE, Esq., seconded by Judge HUGHES,

25. Resolved—That his Lordship the Bishop be requested to appoint a Committee in each Rural Deanery, to define the limits or boundaries of every Parish or Mission within the Deanery, where it can be done, in order to prevent the confusion which at present is liable to arise from the indefinite boundaries of the sphere of duty appropriated to each Clergyman. Carried.

Moved by Rev. S. TIGHE, seconded by Judge HUGHES,

26. Resolved,—That the thanks of this Synod are hereby tendered to the several Railway Companies for their kindness in granting free return tickets to the Clergy and Laity who are members of the same. Carried.

The Bishop, after addressing a few words of congratulation as to the manner in which the business had been conducted, pronounced the Benediction, and the Synod adjourned at 11 p.m.

The Bishop subsequently appointed the following Committee on Proposed Changes in Church Temporalities Act :—

Rev. Dr. Sandys, S. Price, Esq., Rev. J. Gunne, Rev. J. W. Marsh.

The following Protests were handed in :—

By Judge HUGHES—

PROTEST

Of the undersigned to the action of the Synod upon the Memorial to her Most Gracious Majesty the Queen, respecting the Patent of the Lord Bishop of Montreal, which purports to constitute that Right Reverend Prelate Metropolitan of the Province of Canada. I protest as follows, viz. :—

First,—Because the said Patent is already *ultra vires* and invalid for all purposes of jurisdiction, and the ecclesiastical acts of the titular

Metropolitan within voidable but void.

Second,—Because power over the other

3rd,—Because the name of honor, and right either to take the other Bishops in

Fourth,—Because titular Metropolitan Province; nor does it any power, authority, or thing within this

Fifth,—Because dignities and honor create and confer and may think meet; and Patent of dignity confer personal honor with in effect, prays her M

Sixth,—Because confers a title of honor its possessor no precedence in the Church, nor right Church, and no coercion

Seventh,—Because treat to reflect upon position in the Church by surrendering an interest serve the purpose for God, the religion of the for the issuing and holding Apostolic times.

Eighth,—Because Canada, being effectually exists any legal or official Canada and the authority Church and her authorities and her authorities Church in Scotland her Most Gracious M

Metropolitan within this Province, out of his own Diocese, are not only voidable but void.

Second,—Because the said Patent confers, in law, no Provincial power over the other Bishops in this Province.

3rd,—Because the title of Metropolitan, in point of law, is a mere name of honor, and the Patent gives the Lord Bishop of Montreal no right either to take the place of, or to have power or authority over, the other Bishops in this Province.

Fourth,—Because the said Patent does not and cannot create the titular Metropolitan an Archbishop, or Chief or Primus Bishop of the Province; nor does it, nor could it, confer upon him either supreme, or any power, authority or jurisdiction in any ecclesiastical cause, matter or thing within this Province beyond the limits of his own Diocese.

Fifth,—Because Her Majesty as the fountain and source of all dignities and honor within her realms, has the right and power to create and confer any title or dignity which she in her Royal discretion may think meet; and the said Memorial prays her Majesty to recall the Patent of dignity conferred upon the Lord Bishop of Montreal, a mere personal honor with which this Synod has no official connection, and in effect, prays her Majesty to do an ungracious act.

Sixth,—Because the said Patent only creates a personal dignity and confers a title of honor in the etiquette of the world, but in law gives its possessor no precedence as Primus Bishop either in the Province or in the Church, nor right of presiding over the deliberations of the Church, and no coercive jurisdiction whatever.

Seventh,—Because time should be given the Lord Bishop of Montreal to reflect upon the duty which he owes to the dignity of his position in the Church (as being paramount to personal considerations) by surrendering an instrument the holding of which, it is found, cannot serve the purpose for which it was intended, much less the cause of God, the religion of the Redeemer and the interests of the Church, and for the issuing and holding of which there is no precedent in the Apostolic times.

Eighth,—Because the connection and government of the Church in Canada, being effectually separated from the State, there no longer exists any legal or official connection between the Church authorities in Canada and the authorities of the Mother Church in England; and the Church and her authorities in Canada bear towards the Mother Church and her authorities the same relation as do the Protestant Episcopal Church in Scotland and the same Church in the United States; that her Most Gracious Majesty, as representing the State, has ceased to

be the supreme head and to hold official connection with the Church in Canada, and that the said Church in Canada, having ceased to be part and parcel of the State-Church system of England and Ireland, is now in fact the Protestant Episcopal Church of Canada; thrown upon her own resources and subject only, in spiritual matters, to her own Bishops, Synods and General Assemblies; and the forwarding the said Memorial praying her Majesty to recall the said Patent, which her Majesty will be or has been advised was illegal and *ultra vires*, for any purpose of conferring jurisdiction, makes the Synod obtrusive.

Lastly,—Because the said Memorial ought not at all events to be forwarded until the Lord Bishop of Montreal has seen what action this Synod has taken with regard to a General Assembly under the Synod Act, as set forth in a previous resolution passed at the present Session; and I pray this Protest to be recorded on the minutes.

D. J. HUGHES.

Presented in open Synod at London, C.W., 24th June, 1864.

By Rev. F. D. FAUQUIER—

PROTEST.

I do protest against the Memorial praying her Majesty the Queen to withdraw her Patent granted to the Metropolitan Bishop in the Province of Canada, as agreed upon by this Synod on Thursday, 23rd June, 1864.

First,—Because it is, in my opinion, disrespectful to her Most Gracious Majesty, and discourteous towards the Metropolitan.

Secondly,—Because it is opposed in spirit, if not in letter, to the counsel given by the Duke of Newcastle, in his despatch dated Feb. 10th, 1864, to his Excellency the Governor General, and by him communicated to the Metropolitan, and upon which the said Memorial is professedly based.

Thirdly,—Because it is calculated to endanger our connexion with the rest of the Church in Canada, and to deprive those who acquiesce in it of all right of appeal which may hereafter be established.

FRED. D. FAUQUIER,

Incumbent of Christ's Church, East Zorra, Diocese of Huron.

Dated this 24th day of June, 1864, at London, C.W.

By Rev. Dr. TO

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By Rev. Dr. TOWNLEY—

PROTEST

Against a certain Memorial praying her Majesty to withdraw her Royal Patent constituting him Metropolitan, from Francis Lord Bishop of Montreal, agreed upon by the Lord Bishop and a majority of the Synod of the Diocese of Huron, at its session held in London, C.W., on Thursday, the 23rd day of June, 1864.

I, the undersigned, do solemnly protest against the said Memorial, because, as it appears to me—

First,—It is highly disrespectful to her Most Excellent Majesty, and the more especially so, as it is in direct contradiction to the spirit of the counsel given in the premises by his Grace, the late Secretary of State for the Colonies.

Second,—It involves a violation of the principles of the Church of England. (See Article XXI. and Canon II.)

Third,—It is a departure from very ancient usages of the Catholic Church all over the world, as well as from what is now the practice in the British dependencies generally.

Fourth,—It is both an honor and a benefit to have the Councils of the Church presided over by one holding the Royal Commission.

Fifth,—It is an unhappy and uncalled for step towards severing the last link that connects our Colonial Church with the British Crown.

Sixth,—It tends to the entire separation of the Colonial Church from the United Church of England and Ireland.

Seventh,—It is an act of positive disrespect to the Right Reverend the Metropolitan himself; and particularly so, seeing that his Patent is already divested of all "coercive jurisdiction"

Eighth,—It is a great discourtesy, and tending to schism, to take such important action without having first consulted with the four other Canadian Prelates and their Dioceses, seeing that they are all equally interested in the office and status of Metropolitan; and this is the more to be deplored, inasmuch as it is directly opposed to that action "in concert" which the Colonial Secretary advises in his despatch, before alluded to, bearing date "Downing Street, February 10th, 1864."

Ninth,—The said Memorial is altogether unnecessary, since the Provincial Synod has ample powers, conferred by the Canadian Legislature, to deal with any further restrictions, or increased authority,

that may be deemed desirable as connected either with the office of Metropolitan, or its own functions, as well as with all other matters relating to the good ordering of the Provincial Church.

Tenth,—It would be exceedingly unwise on my part to sanction a procedure which, in my opinion, endangers our future union with the Provincial Synod and its head, and which may possibly deprive those who acquiesce in it, of the benefits of any Court of Appeal, or other advantages, which may hereafter accrue to those who maintain unbroken their relations to the Metropolitan, and to the Provincial Synod, or General Church Assembly in the Province of Canada; and thereby also, as it may perhaps ultimately prove, risk their continued close connection with the United Church of England and Ireland.

Eleventh,—That the prayer of the said Memorial is inconsistent with itself: because if the Patent constituting the Metropolitan be, as stated, "illegal and invalid," the other Colonial Episcopal Patents must be yet more so, since they still profess to give "coercive jurisdiction;" whereas, the said Memorial contains no petition for their withdrawal.

Twelfth,—That should the course now taken by its Synod lead, as is to be feared, to the isolation of the Diocese of Huron from the rest of the Church in Canada, very serious difficulties might hereafter arise in securing the lawful consecration of a successor to the Episcopate, and in maintaining purity of doctrine and discipline, in said Diocese.

It is further required by the undersigned, that this Protest be entered in its proper place amongst the official minutes of the said Synod, and that it be, in all other respects, treated as an integral portion thereof.

ADAM TOWNLEY, D.D.,

Incumbent, Paris, Diocese of Huron, C.W.

London, C.W., 24th June, 1864.

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1. The Synod shall consist of all duly licensed therein, and their Representatives elected.
2. Clergymen who have become superannuated, shall retain all their privileges.
3. The Lay representatives shall have equal standing, and shall be chosen by each duly organized congregation meeting legally convened, and by each congregation to provide for the representation, of the full age, and being a member of the congregation, and not belonging to no other congregation, shall be entitled to vote.
4. The Incumbent, or in their absence a chosen member, shall be the Moderator.
5. The number of Representatives shall be one for each congregation; when they exceed one hundred, they shall be two.

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A P P E N D I X .

CONSTITUTION

OF THE

SYNOD OF THE DIOCESE OF HURON.

ADOPTED, SEPTEMBER 22ND, 1858.

1. The Synod shall consist of the Bishop of the Diocese, of the Clergy duly licensed therein, and not under ecclesiastical censure, and of Lay Representatives elected as hereinafter provided.
2. Clergymen who have been members of the Synod, but who have become superannuated, or invalided, with the Bishop's consent, shall retain all their privileges as members of the Synod.
3. The Lay representatives shall be communicants of at least one year's standing, and shall be elected annually, during Easter week, by each duly organized congregation, from among their own number, at a meeting legally convened: and it shall be the duty of the wardens of each congregation to provide a book in which each member of the congregation, of the full age of twenty-one years, shall subscribe his name being a member of the United Church of England and Ireland, and belonging to no other religious denomination; and such, and no others, shall be entitled to vote at the election of Lay Representatives.
4. The Incumbent, or his assistant, shall preside at the election; and in their absence a chairman elected by a majority of those present.
5. The number of Representatives shall be as follows: For every congregation, *one*; when the registered voters exceed fifty, *two*; and when they exceed one hundred and fifty, *three*; and at each meeting i

shall be the duty of the chairman to have the list read over, and the names of all those who have died, or who have become disqualified shall be erased previous to the election.

6. Each representative shall receive from the clergyman, or chairman of the meeting, the following certificate :

DIOCESE OF HURON.

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

And each representative shall continue in office until his successor is appointed.

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

8. It shall be the duty of the chairman, within six days after every election of representatives to send to the Secretary of the Synod a duplicate of the certificate given by him to the party or parties elected.

9. That the Synod shall meet annually; or oftener at the option of the Bishop.

10. Each clergyman within the Diocese shall send to the Bishop, through the Secretary, a list of his present congregations, entitled to send representatives to Synod, distinguishing each by a certain name, and describing its locality, in order that they may be recorded in a book, to be kept for that purpose. Any congregation hereafter established must furnish similar information, and make application to the Bishop to be admitted to the privilege of sending representatives to Synod.

11. When the Bishop is not present he shall appoint his deputy to preside in his place. A quorum of the Synod shall consist of the Bishop, or his deputy, and not less than one-fourth of the whole number of both Clergy and Lay Representatives respectively, except in case of the Synod assembling for the election of its Bishop, when the quorum shall consist of, at least, one half of the Clergy and Lay Representatives respectively.

12. A Clerical and Lay Secretary shall be chosen annually by the Synod from among the members thereof, who shall remain in office until the next annual meeting of the Synod. Their duty shall be to take minutes of the proceedings of the Synod, to preserve its journals and records, to attest the public acts of the body, and faithfully to deliver into the hands of their successors all books and papers relative to the concerns of the Synod, which may be in their possession; and in case of a vacancy in the See, to summon the Synod for the election of a Bishop.

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13. The expenses incurred by the Synod shall be paid by the Treasurer of the Church Society, out of a special fund to be raised by the Church Society for that purpose, all accounts to be laid before the Synod, and, when passed, to be signed by the President and Secretaries.

14. No act or resolution shall become law without the concurrence of the Bishop, and a majority of the clergy and laity present, provided that, ordinarily, the votes of the whole Synod shall be taken collectively; but that at the desire of the Bishop, or at the request of five clergymen, or of five laymen, the votes of each of the above named orders shall be taken separately.

15. In case of a vacancy in the See, it shall be the duty of the Secretaries of the Synod, within ten days from their knowledge of such vacancy, to give notice thereof, to every Clergyman and Lay Representative; and at the same time to Summon a Meeting of such Clergymen and Lay Representatives, to be held at London, within six weeks, for the election of a Bishop, and to give at least one month's notice thereof. At such meeting for the election of a Bishop, the Senior Dignitary present shall take the chair, and shall vote, whether there be an equality of votes or not. The Clergy and Lay representatives shall vote separately by ballot, and a majority of the votes of each order present, shall determine the choice.

16. Every proposition for an alteration of the constitution or rules of the Synod must be sent to the Executive Committee, to be forwarded to the members of the Synod, and no alteration shall take place unless agreed to by majorities of two-thirds of the clergy and laity respectively.

17. Each congregation, through their clergymen and wardens, shall make an annual statistical report to the Bishop, according to a form to be supplied by the Secretary, under the Bishop's direction; which report shall be forwarded to the Bishop within one month after Easter.

II.—ORDER OF PROCEEDINGS.

1. Each meeting of the Synod shall be preceded by public morning prayer; and on the first day the Holy Communion shall be administered.

2. The business of every day shall be commenced by special prayer for the Divine guidance and blessing, according to a form authorized by the Bishop.

3. After prayer, the Clerical Secretary shall call over the Roll of the Clergy, as furnished by the Bishop, and mark the names of those in attendance; and the Lay Secretary shall then call over the names of the Representatives, and those present shall answer to their names, and hand to the Secretary the Certificate of their appointment; which Certificate shall then be examined by a Committee of two, in conjunction with the Secretaries.

4. The Secretaries shall then be elected by the Synod, and they shall continue in office until their successors are appointed.

5. The Order of Business on each day shall be as follows:—

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- (1) Calling the Rolls.
- (2) Reading, correcting and approving the Minutes of the previous meeting.
- (3) Appointing Committees.
- (4) Presenting, reading, and referring memorials and petitions.
- (5) Presenting Reports of Committees.
- (6) Giving notice of Motions.
- (7) Taking up unfinished business.
- (8) Consideration of motions.

6. An address from the Bishop shall be in order at any time.

7. The Synod shall meet each day immediately after divine service, and adjourn at one o'clock, p.m., meet again at three, p.m., and adjourn at seven, p.m., unless otherwise ordered by the Bishop, and, every member attending the Synod shall be in his place, and remain during each session of the Synod, and shall not leave until the final adjournment, except by permission of the Bishop or Chairman.

III.—RULES FOR THE PRESERVATION OF ORDER.

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 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; and no motion, except in course, shall be considered till the succeeding day of meeting.
4. No member shall speak more than twice on the same question, without the permission of 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. When a motion is made to amend the second amendment, the matter may be referred to the subject in hand.

12. All amendments shall be decided on before the question is put to a decision.

13. Whilst a motion is under consideration, the Synod shall continue in session, and when a motion is disposed of.

14. In voting on a motion, then those who vote in favour shall be recorded.

15. A question shall not be discussed in the Synod.

16. When the Bishop is absent, the seat until the Bishop returns.

IV.—I

1. All Communications to the Synod, and all Reports of the Synod is in Session.

2. The reports of the Synod, and the Chairman, and shall be read for their recommendation.

3. The Chairman, when he is called on, shall explain the motion, if requested by any member.

4. All Reports of the Synod, of opinion, shall be read before the Synod thereon.

5. To facilitate the effectual consideration of the Synod, there shall be a Report over by the Bishop to the Clergy, among the Clergy,

6. It shall be the duty of the Clergy to give due form all such Reports before the Synod, to them, through the Secretary, to the first day of the Synod, and the first day of the Synod, to each Clergyman present, and to each Clergyman of the Synod; who

11. 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 directly with the subject in hand.

12 All amendments to any question or amendment shall be decided on before the question or motion on which they rise is proposed for decision.

13. Whilst any question is being put from the Chair, the members shall continue in their seats, and shall not hold any private discourse ; and when a motion is so put, no member shall retire until such motion is disposed of.

14. In voting, those who vote in the affirmative shall first rise, and then those who vote in the negative, and if required the Yeas and Nays shall be recorded.

15. A question being once determined, shall not again be drawn into discussion in the same session, without the special sanction of the Chair.

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

IV.—RULES REGARDING COMMITTEES.

1. All Committees shall be appointed by the Chair, unless named by the Synod, and the names shall be publicly announced while the Synod is in Session.

2. The reports of Committees shall be in writing, signed by their Chairman, and shall be received in course, unless a motion be made for their recommittal.

3. 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.

4. All Reports of Committees recommending any action or expression of opinion, shall be accompanied by a resolution for the action of the Synod thereon.

5. To facilitate the despatch of business, and to insure a more effectual consideration of all matters to be discussed at the meeting of Synod, there shall be an Executive Committee, nominated and presided over by the Bishop, consisting of twelve members, six chosen from among the Clergy, and six from among the Lay Representatives.

6. It shall be the duty of the Executive Committee to prepare in due form all such matter as the Bishop may desire to have brought before the Synod, and also such other matters as may be forwarded to them, through the Secretary, by any member of the Synod previous to the first day of May in each year ; and a circular containing a statement of such business to be submitted to the Synod shall be forwarded to each Clergyman and Representative two weeks before the meeting of the Synod ; which business shall stand first in the order of the day.

A N A C T

To enable the Members of the United Church of England and Ireland, in Canada, to meet in Synod.

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 Bishop, 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

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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.

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 signature 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.

J. F. TAYLOR,

Clerk, Legislative Council.



II. And be it further enacted by the authority aforesaid, that all Pewholders 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 the 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 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 enacted by the authority aforesaid, That any Pewholder, 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 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 said Churchwardens), of all sums of money by them received, and of all sums rated or assessed, or otherwise due and not received, and also of all goods, chattels, and other property of such Church or Parish in their hands as such Churchwardens, and of all moneys paid by such Churchwardens so accounting, and of all other things concerning their said office, and shall also pay and deliver over all sums of money, goods, chattels, and other things, which shall be in their hands, unto such succeeding Churchwardens, which said account shall be verified by oath before one or more of her Majesty's Justices of the Peace, who are hereby authorised 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, as is aforesaid, such Vestry, fou

X. And be it shall be in the p or Parish as afor meeting whenever be his and their purpose in writin aforesaid; and in aforesaid, such I meeting, then one power of any six notice to be affixe more than one),

XI. And be it fu meetings, the Rector when present, and i meeting shall name in case there be no V man shall name sha of such Vestry Meeti and preserved in the

XII. And be it fu charge to be paid up Pews and Sittings in time at such Vestry alterations shall be n special purpose, and that the charges to b licates, shall in like n said.

XIII. And be it fu of the Church, the Or dinate servants of th Churchwardens for th brought into the gene wardens.

XIV. And be it fu on Marriages, Baptism and the charges payab yards, and in the said the Ordinary, or in cas Diocese.

XV. And be it furt

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

XI. And be it further enacted by the authority aforesaid, That in all Vestry meetings, the Rector or Incumbent of the Church shall preside as Chairman when present, and in his absence, such person as the majority present at such meeting shall name; and the Vestry Clerk, when there is one, and present, or in case there be no Vestry Clerk or he be absent, then such person as the Chairman shall name shall be Secretary of such Vestry Meeting, and the proceedings of such Vestry 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 conveyances, leases and certificates, shall in like manner be regulated at such Vestry Meetings as aforesaid.

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

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

XV. And be it further enacted by the authority aforesaid, That it shall be

in the power of the Members of such Vestries, at such Vestry Meetings as aforesaid, to make By-laws for the regulation of their proceedings, and the management of the Temporalities of the Church or Parish to which they belong, so as the same 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 personality, that may be made to any Bishop of the said Church, in the said Province, and to his successors, for the endowment of his See, or for the general uses of the said Church, as such Bishop may appoint, or otherwise, or for the use of any particular Church then erected, or thereafter to be erected, or for the endowment of a Parsonage, Rectory or Living, or for other uses or purposes appurtenant to such Church in general, or to any particular Church or Parish, to be named in such deed, and any such deed or conveyance, to any Parson, or Rector, or other Incumbent, and his successors, for the endowment of such Parsonage, Rectory or Living, or for other uses or purposes appurtenant thereto shall be valid and effectual to the uses and purposes in such deed or conveyance to be mentioned and set forth, the Acts of Parliament, commonly called the Statutes of Mortmain, or other Acts, Laws, or usages, to the contrary thereof notwithstanding: Provided always, that in order to the validity of such deeds and conveyances, the same shall be made and executed six months at 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 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 presentative to such Church, as an advowson in fee presentation, 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, or of the said Church, in the said Province of Upper Canada.