

PROCEEDINGS

OF

THE SYNOD

OF THE

United Church of England and Ireland,

IN THE

DIOCESE OF TORONTO,

ON TUESDAY, WEDNESDAY, THURSDAY, AND
FRIDAY, THE 7TH, 8TH, 9TH, AND 10TH DAYS
OF JUNE,

IN THE YEAR OF OUR LORD, MDCCCLIX.

TORONTO:

ROWSSELL & ELLIS, PRINTERS.

1859.

THE SYDNEY

Printed and Published by J. H. ...

THE YEAR OF TORONTO

THE YEAR OF TORONTO ...

IN THE YEAR OF ...

...

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 " John Ambery, M.A., Professor *Trinity College*.
 " J. H. Abrahall, M.A., *Trinity College School*.

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ON LEAVE OF ABSENCE.

Rev. Thos. Leech. Rev. R. J. McGeorge.

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PROCEEDINGS
OF THE
SYNOD OF THE DIOCESE OF TORONTO.

FIRST DAY'S SESSION.

THURSDAY, *June 7, 1859.*

Divine Service was celebrated in St. James' Cathedral at nine o'clock, a.m. Prayers were said by the Rev. J. G. Geddes, Rector of Christ Church, Hamilton; the Lessons were read by the Rev. T. A. Parnell, Incumbent of Mirickville; the Sermon was preached by the Rev. J. Beaven, D.D., Incumbent of Berkeley and Chester; the Holy Communion was afterwards administered to the Clergy and Lay-Delegates, after which the Synod met for the despatch of business in the school-house of St. George's Church. The Rev. Dr. Lett and the Rev. T. S. Kennedy were appointed as a Committee to examine the certificates of the Lay-Delegates and report thereon.

At two o'clock, p.m., the Synod assembled for business in the school-house of St. George's Church, the Lord Bishop in the chair.

The meeting was opened with prayer by the Ven. The Archdeacon of York.

The names of the Clergy were called over by the Clerical Secretary.

The following Clergymen answered to their names :

Revs. F. L. Osler, M.A. ; S. Houston, B.A. ; S. B. Ardagh, A.M. : E. Morgan ; E. C. Bower ; W. F. S. Harper ; G. A. Bull ; John Grier, M.A. ; James Beaven, D.D. ; J. T. Lewis, LL.D. ; F. R. Tane ; R. G. Cox ; Ven. A. N. Bethune, D.C.L. ; S. Jones, B.A. ; T. P. Hodge ; J. Langtry, M.A. ; W. Leeming ; C. L. Ingles, B.A. ; W. Logan ; Henry Brent ; Henry Patton, D.C.L. ; H. E. Plees ; G. W. White, B.A. ; Percy S. Warren, B.A. ; J. Flood ; H. C. Cooper, B.A. ; C. E. Thomson, M.A. ; J. A. Morris ; H. Holland, B.A. ; W. C. Clarke ; W. Ritchie ; J. Godfrey ; J. Chance ; J. W. Carroll : J. G. D. McKenzie, M.A. ; E. M. Stewart, M.A. ; J. Wilson ; J. G. Geddes, M.A. ; J. T. Blackman, D.C.L. ; Ven. G. O'K. Stuart, D.C.L. ; R. V. Rogers, M.A. ; J. A. Mulock ; Jas. Harris ; J. Vicars, B.A. ; A. Dixon, B.A. ; H. B. Osler ; J. VanLinge ; T. A. Parnell ; F. A. O'Meara, LL.D. ; P. Jacobs ; Geo. S. J. Hill, B.A. ; C. Forest, M.A. ; F. Tremayne, Jr. ; Edward J. Boswell, D.C.L. ; J. Davidson, M.A. ; W. B. Lauder, LL.D. ; W. McMurray, D.C.L. ; S. M. Ramsey, M.A. ; J. S. Lauder, B.A. ; E. Loucks ; R. Shanklin ; T. B. Read ; R. Garrett ; J. Hilton ; E. H. M. Baker ; W. Bleasdell, A.M. ; E. W. Beaven, M.A. ; G. B. P. Viner, B.A. ; R. Lewis, M.A. ; J. J. Bogert, M.A. ; R. L. Stephenson, M.A. ; F. W. Dobbs ; G. N. Higginson, M.A. ; T. Taylor, M.A. ; Henry W. Stewart, B.A. ; J. L. Alexander, B.A. ; T. T. Robarts, M.A. ; W. Belt, M.A. ; J. A. Preston, M.A. ; F. J. S. Groves ; J. B. Worrell ; R. Arnold, B.A. ; H. J. Grasett, B.D. ; S. G. Boddy, M.A. ; Stephen Lett, LL.D. ; W. S. Darling ; W. E. Cooper, M.A. ; J. H. McCollum, M.A. ; A. Sanson ; T. S. Kennedy ; A. J. Broughall, M.A. ; S. Givins ; D. E. Blake, B.A. ; T. B. Fuller, D.C.L. ; Wm. Ross, M.A. ; S. S. Strong, D.C.D. ; G. A. Anderson ; W. A. Johnson ; John A. Stannage ; S. Briggs, M.A. ; T. Greene, LL.D. ; J. Carry, B.D. ; J. Fletcher, B.A. ; J. Pentland, B.A. ; J. G. Armstrong, B.A. ; H. Sharpe ; B.

C. Hill, M.A.; R. Mitchele, M.A.; Geo. Whitaker, M.A.; E. K. Kendall, B.A.; E. Denroche, M.A.—Being more than one-fourth of the Clerical members of the Synod.

The names of the Lay Delegates were then called over by the Lay Secretary, when the following Delegates answered to their names:—

J. Mackelkan, M.D., W. J. Kern, M.D., Hon. J. Patton, M.L.C., E. G. O'Brien, J. Almas, E. J. Sisson, W. J. Bird, P. Patterson, D. B. O. Ford, F. B. Breger, H. Turner, Hon. G. S. Boulton, M.L.C., Judge Boswell, J. B. Harris, James Magrath, J. Telfer, Thos. C. Street, J. Mewburn, M.D., Edward Willan, F. J. Joseph, F. Farncomb, W. Gibson, S. Strickland, Kivas Tully, E. C. Fisher, W. Gamble, J. Stanton, R. Kidd, J. W. Sims, W. T. Vale, J. G. Rogers, G. S. Burrell, Miles O'Reilly, D. C. Gunn, F. A. Ball, R. A. Land, Thos. Kirkpatrick, T. D. Robinson, W. H. Bottum, James Reynolds, J. W. O. Clark, G. P. M. Ball, Arthur Armstrong, Abraham Martin, Geo. Pingel, W. J. Ridley, J. Holgate, W. Joice, R. Cowan, Wm. Kingsmill, J. W. Ball, James Baxter, N. Allen Gamble, J. Parsons, J. B. Lewis, W. Y. Pettit, H. Harwood, R. Gardiner, M. MacLeod, J. F. Flindall, Wm. Shea, Charles Rubidge, J. Peters, John Patton, Wm. Simpson, Preston Hallen, Chas. Brent, George C. Ward, J. Bowles, H. Mittleberger, J. R. Benson, J. Taylor, P. Shepherd, C. Sholl, J. Murton, G. E. Bull, C. Hall, J. Ballinger, J. Barnhart, Hon. G. W. Allan, M.L.C., G. Duggan, jr., E. H. Rutherford, Hon. J. H. Cameron, S. B. Harman, Jas. Bovell, M.D., C. J. Campbell, J. W. Brent. W. Ince, W. Gooderam, H. A. Joseph, D. B. Read, R. B. Denison, G. T. Kingston, Beverley Morris, M.D., Hon. P. B. DeBlaquiere, M.L.C., D. Wilson, LL.D., W. McKenzie, G. Pexton, E. C. Lawrence, W. Cook, A. Gaviller, A. Saulter, Abraham Brant, John Poett, H. J. Boulton, J. A. De la Hooke, M.D., L. D. Raymond, I. M. Chafee, W. Chisholm, J. W. Gamble, James Stodders, H. O'Reilly, G. Malone,

J. Hamilton, Samuel Keefer, J. G. Stevenson, A. P. Farrel, W. Marsh, J. C. T. Cochrane, H. Turner.—Being at least one Delegate for more than one fourth of the Congregations within the Diocese.

The Rev. E. J. BOSWELL moved, and Rev. S. GIVENS seconded,

That a Committee be appointed to enquire into the legality of the election of the Delegates from the parish of Prescott.—*Carried.*

His Lordship named the Rev. D. E. Blake, Rev. S. Givens, Hon. J. H. Cameron and Judge Boswell as the Committee.

Judge Boswell not being in the room, his Lordship named Judge O'Reilly in his stead.

ELECTION OF OFFICERS.

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

That the Rev. J. G. Geddes, Rector of Hamilton, be elected Clerical Secretary.

The Rev. Mr. Geddes begged to decline the office, and moved that the Rev. Dr. Lett be elected Clerical Secretary, seconded by the Rev. Dr. O'Meara.—*Carried.*

Mr. W. GAMBLE moved, and Hon. P. B. DEBLACQUIERE seconded,

That Dr. Bovell be Lay Secretary.—*Carried.*

Mr. KIRKPATRICK moved, and Hon. J. H. CAMERON seconded,

That H. Brent, Esq., be Treasurer.—*Carried.*

The Rev. Dr. McILMURRAY moved, and R. B. DENISON seconded,

That C. J. Campbell and W. M. Westmacott be Auditors.—*Carried.*

READING THE MINUTES.

The Rev. Dr. PATTON moved, and Col. O'BRIEN seconded,

That inasmuch as the Minutes of the last Synod have been printed and circulated among the Clergy and Laity of this Diocese, the reading of the Minutes be dispensed with.—*Carried.*

ADMISSION TO SEATS IN THE SYNOD.

The Rev. Charles Hamilton, and the Rev. J. Hellmuth, D.D., of the Diocese of Quebec; the Rev. C. C. Brough, A.M., the Rev. St. George Caulfield, A.B., the Rev. W. W. Marsh, of the Diocese of Huron, and H. Hoffman, of the Diocese of New Jersey, were admitted unanimously to seats in the Synod.

REPORT OF COMMITTEE.

The Hon J. H. CAMERON, having obtained leave, brought up the report of the Prescott Election Committee.

The Committee having heard the statements made for and against the election of John Patton, Esq., as delegate for Prescott, unanimously resolve that John Patton, Esq., has been duly elected.

J. HILLYARD CAMERON,
Chairman.

His Lordship the Bishop then read the following

ADDRESS:

MY REVEREND BRETHREN AND BRETHREN,

I am truly thankful to Almighty God that I am spared to meet you again in Synod, and that I am able to state that the affairs of the Church, since our adjournment in September, have proceeded prosperously; and that we now meet in peace and harmony to deliberate on the unfinished business of the last session, and such other objects of interest as may tend to the glory of our Redeemer, and the extension of His gospel in this portion of His vineyard which has been consigned to us for our more special cultivation.

In our session of June last, the Synod addressed a letter

to the Church in India, in which was conveyed an expression of the deep sympathy which we felt in her behalf, and that she had been counted worthy to suffer in the cause of our common Lord and Master—assuring her of our continual remembrance, and of our earnest prayers at the throne of grace for her effectual deliverance, and that her trials of faith might be changed into praise and glory at the appearance of Christ.

This testimony of love and affection has been received in the purest Christian spirit, as you will all feel, when the letters of the Bishops of Madras, Bombay, and Calcutta are read.

It is impossible to pass from this interesting subject without pausing a moment to look at the vast expansion of our Protestant Missions during the last few years, and the glorious position which our beloved Mother Church has taken and maintained in promoting this invaluable result. Is it not manifest that she has been chosen by Divine Providence, to take a most conspicuous and extensive share in the propagation of the Gospel, and has not God given her far greater means, and more numerous opportunities for advancing her holy mission than any other branch of the Catholic Church ever enjoyed? Her clergy are at this day exercising their authority in every quarter of the globe—laboring in India; they have recently entered China, thus opening two regions for missionary enterprise which are supposed to contain nearly one-half of the population of the whole earth. Hitherto this population has been sitting in superstition, darkness and wickedness, but now light and life have come among them. Can any one believe that our Heavenly Father, who never works in vain, would have brought about so wonderful and mighty a change as to place under the influence of one of the smallest of the Christian nations, at one extremity of the world, heathen populations at the other, infinitely more

numerous, but to manifest His wisdom, His omnipotence and goodness in diffusing amongst their millions the blessings of the Gospel dispensation? Nor is this all. In the vast continent of Australia, and in the numerous islands of the South Sea our Church is scattering her precious seed with a zeal and energy worthy of Apostolic times.

Moreover, in Africa, colonies are being planted where her doctrines, her angelic morality, her rights and discipline are brought in contact with human nature in its lowest degradation, and slowly, but surely raising it to the sublimity of Christian devotion. Nor, I trust, is our beloved Church less alive in America to the discharge of her high and sacred functions than in the other quarters of the world—her progress in the neighbouring States, and in our sister provinces, is daily offering encouraging proofs of her steady advancement. Brilliant as the prospects appear which are opening and widening in the East for our Church's religious enterprise, and calculated, as they certainly seem on the first view, to throw us in the shade, and make us seem as nothing or a very little thing, and rejoiced as we are to behold her exertions in favour of India and China, and the other numerous colonies and vast regions in the East, I have to remind you that our Church in this favoured land, though struggling with many grave difficulties, is rapidly rising to a still higher position than any other branch of our Mother Church, and becoming the portal to a much wider field for missionary operations than even China and India can ever offer. Already the Church of England stretches her arms half across the vast continent of America, from Halifax towards Vancouver's Island. She has planted one of her Bishops at the Red River, midway between the Atlantic and Pacific Oceans, and in a short time the missionaries of the Bishop of Columbia will meet those of the Bishop of Rupert's Land, with whom we are now in regular Com-

munication. The country from sea to sea will open to emigration an immense field, and continued settlements will gradually follow, churches and towns will rise, so that the younger portion of my audience may yet be able to travel, without serious difficulty, from Quebec to Victoria. But I feel overwhelmed with the vast dimensions of the Missionary expanse which stretches between Canada and the shores of the Pacific and Northern Oceans, and of which she holds the key.

I must, however, proceed to matters of more humble character.

At our adjourned session held at Kingston last September, I was requested by the Synod to issue a pastoral letter, setting forth to the Clergy and Laity the great importance of a Sustentation Fund; but till it should be in some measure realized, it was recommended that a general collection should be made in the several churches and stations of the Diocese on some Sunday towards the close of the year to meet present exigencies and supply immediate wants. In accordance with this expressed desire of the Synod, I published a pastoral letter, bearing date the 15th of November, in which I named Sunday, the 12th of December, being the third Sunday in Advent, for a collection in behalf of the objects stated. The call was very fairly answered, and it has enabled the committee appointed to apportion its proceeds to relieve many severe cases. Such appeals, may, I think, be profitably repeated from time to time. But in the present state of the Church, much more energetic measures must be resorted to before she can extend her limits, or even maintain in comfort her present position.

It has, indeed, always appeared to me, that the scheme adopted in the constitution of our Church Society, for the supply of the wants of the Church generally, if not the very best, is one of the best that has ever been proposed, but it

has never, I fear, been honestly and conscientiously worked and carried out. And because of this the Church is suffering.

How mournful is it to examine the published notices of the four annual collections, enjoined by the society, as they appear in our Secretary's reports. By some of the churchwardens they seem almost systematically ignored. Others select one or two and omit the rest, as if it were not the bounden duty of every clergyman and churchwarden to take them *all* up in their turn. They are in many parishes and stations scarcely mentioned in the congregations—no remonstrances are made concerning them to the people on account of their coldness and neglect, and yet the most bitter complainers against the Church and her poverty are the very persons who are thus guilty of doing nothing to remedy the evil.

It has sometimes occurred to me that much benefit might be derived from publishing occasionally in the *Canada Ecclesiastical Gazette* lists of the parishes omitting the collections, and the probable loss of revenue sustained by this flagrant breach of duty. I feel, indeed, persuaded that the four annual collections would more than double their present amount were the clergy and churchwardens to act, in this important matter, as before God. I mention the churchwardens on this point advisedly, because instead of taking the lead with their vestries in forwarding such things, they frequently hang back and neutralize the exertions of the clergy. As regards the Sustentation Fund, this may not be the most judicious time for pressing it forward, but we ought to take all the preparatory steps to urge it on at the first seasonable period, which cannot be far distant.

Attempts are now being made to carry out the Canon on the division of Parishes in the case of the city of Hamilton, and I am glad to learn that there is a fair prospect of a

happy result, and this will generally be the case where a candid and disinterested spirit prevails; but where, on the contrary, an exacting and selfish spirit appears, there is little hope, and in such cases it is commonly wise to adjourn proceedings until it has abated.

The rights and privileges of the Mother Church should, in all cases, be tenderly respected and frankly allowed, because, in general, the original parish is called upon to make sacrifices, and, at times, large ones, hence the propriety that those who solicit them should proceed not only generously but with the greatest delicacy.

Perhaps the canon itself may be so amended as to make it more practical, but be this as it may, the frank recognition of a just and equitable basis is an essential preliminary step to be adopted by all the parties interested. If this be satisfactorily accomplished, there will be little or no difficulty in completing the division. It will nevertheless be seen that the whole process requires much caution and tender handling to ensure an amicable conclusion.

Many difficulties have hitherto stood in the way of the regular and prompt administration of the discipline of the Church. We have been compelled to depend, in a great measure, upon moral influence, an untiring forbearance, and such remonstrances as might awaken conscience or excite the fear of public exposure. Moreover, great doubts were, till lately, entertained as to how far the judicial system of the Mother Church might be applicable to the Church in the Colonies. These doubts, however, are now removed by recent acts of the Provincial Legislature and the Imperial Government, which confers upon the Church in the Colonies the power of self-government in all things honest and lawful, I therefore trust a canon will be passed during the present session of the Synod to enforce ecclesiastical discipline in all its branches; for, although the Church has hitherto been able to proceed with comparative

order and tranquillity, it was on many occasions at the expense of much suffering, and the necessity of overlooking officially, offences which threw discredit on the Church, but which will be now judicially treated, and where found guilty, punished. Such cases, from the great increase of the clergy, will more frequently occur, and should be promptly disposed of. There is even now, one of the most aggravated character, which calls loudly for adjudication.

I mentioned at the adjourned meeting of the Synod at Kingston, in September last, that the other Dioceses in Canada were not then sufficiently advanced to warrant an early meeting of the Provincial Synod, which is in many respects so desirable to harmonious and consistent Synodical action through its several Dioceses. But I am happy to be able to inform you that matters are now more hopeful. The Bishops of Montreal, Quebec, and Huron, have summoned their respective Synods to meet during this month, and they will soon be in a position to elect delegates to the Provincial assembly. There is no reason, therefore, why we might not have our first Provincial Synod during the coming autumn.

In the meantime, the Lord Bishop of Montreal has suggested that the Bishops and Clergy and Laity of the four Dioceses of Quebec, Montreal, Toronto and Huron, respectively, assembled in Synod, should each present an address to Her Majesty the Queen, praying that Her Majesty would be graciously pleased to direct that the necessary measures be taken, in order that some one of the Bishops of the said Church, in the Province of Canada, may be appointed to the rank and dignity of Metropolitan, as has been lately done in Australia, so that sufficient authority may be vested in him for holding and presiding over the said General Assembly of the Church in Canada, and full effect be given to its canons and proceedings.

Such an address will, no doubt, be laid before you in

the course of your present session, and I trust it will be cordially entertained, and will receive your adoption.

Last year one of my clergy, unexpectedly, called the attention of the Synod, when the subject of Episcopal Endowments was before us, to the fact that the Bishop of Toronto's income expired on his decease, and that it might be wise to take steps towards meeting the deficiency, when this should take place. This suggestion I discouraged at the time with greater warmth than was perhaps necessary. It came upon me suddenly, and I felt that, without first reference had to me, there was something that savoured of discourtesy in its introduction. Not that the subject itself was distasteful to me, or, at the proper time, unworthy of consideration; for I had frequently thought and spoken of it with growing impatience while the endowments of the two new Sees of Huron and Kingston were slowly approaching their desired amount. Satisfied that nothing offensive was intended by the Rev. gentleman who mentioned the matter, and that I had expressed myself somewhat hastily, I now tender him my apology. I beg, nevertheless, to declare that I took no personal umbrage, but wished then, as I do now, to introduce the matter myself, at the proper time, to the notice of the Synod. That time has, in my judgment, arrived. The Kingston endowment, though it has lingered long, will now soon reach the desired point; and, so far, leaves the field comparatively open to this fresh enterprise. Moreover, experience and the general pressure on our country, seem to indicate that more time will be required to complete such an endowment than in days of greater prosperity.

In this point of view, and taking into consideration my advanced age, some may think that it may be already rather late, but as we could not well commence till the other endowments mentioned were substantially secured, it can scarcely be said that we have lost any time.

In touching upon these things, it seems to me that I am summing up my account with the world. I came to Canada in my twenty-second year, expressly engaged to forward, with all my strength, the cause of religion and education, and to this glorious cause I have devoted sixty years. How far I have been successful must be left for others to judge. But this I may honestly say, that my life has been one of activity and incessant labour, but by no means unpleasant. On the contrary, it has been cheered by many happy events, and I have great reason to be thankful to the Giver of all Good. My plans to promote the temporal and spiritual interests of our beloved Church, and the instruction of her children, were frequently very bitterly opposed, and some of them all but destroyed; but they were again resumed under different modifications, for I never lost hope or gave them up. Many true hearts came to my assistance, who encouraged and cheered me on, so that, notwithstanding many temporary obstacles and drawbacks, almost all I contemplated and desired has been substantially attained, though not always in the manner I intended. Doubtless, I had my seasons of anxiety, and times of withering disappointment, but I could always look with confidence at my motives, and a resolute and cheerful spirit protected me from despondency. But I fear the infirmity of garrulity is coming upon me. I must therefore conclude with requesting every member of the Synod to consider it his duty to promote harmony, peace and good will in conducting our proceedings, that the result of our labours may be as useful and happy as they have hitherto been, and as becomes an Ecclesiastical Synod.

APPOINTMENT OF COMMITTEES.

His Lordship then named the following Committees:

Executive Committee.

The Ven. The Archd. of Kingston, The Ven. The

Archd. of York, The Revs. James Beaven, D.D., D. E. Blake, A.B., T. B. Fuller, D.C.L., S. Givins, H. J. Grasett, B.D., Henry Patton, D.C.L., Jonathan Shortt, D.D., Stephen Lett, LL.D., J. T. Lewis, LL.D., W. McMurray, D.C.L., F. L. Osler, M.A.; The Hons. P. B. DeBlaquiere, J. H. Cameron, J. Patton; J. W. Gamble, Thomas Kirkpatrick, Dr. Mewburn, W. B. Simpson, S. B. Harman, Col. Kingsmill, James Bovell, Robert B. Denison, Hon. G. W. Allan; Miles O'Reilly.

Committee for Sustentation Fund.

The Archdeacon of York, Revs. Dr. Patton, Dr. Fuller, D. E. Blake; T. C. Street, J. W. Gamble, S. B. Harman.

CORRESPONDENCE.

The Clerical Secretary then read the following correspondence from the Bishops of Madras, Bombay, and Calcutta:—

TO THE REV. STEPHEN LETT, LL.D.,

Clerical Secretary to the Diocesan Synod of Toronto.

Reverend and Dear Sir,—I beg to assure you of the great gratification with which I received your letter of September 10th, 1858, forwarding a copy of the address of the Bishop, Clergy, and Laity of the United Church of England and Ireland of the Diocese of Toronto in Synod assembled, to the Bishops, Presbyters, Deacons and Laity of the same Church in India.

You are aware that in the Indian Presidencies our Church holds no Synodical assemblies, and we are unable, therefore, to reply by any Synodical act to this most Christian remembrance which our Brethren in Toronto have had of us during the troublous times through which we have been passing.

Nevertheless, I am confident that I have the cordial concurrence of the Clergy and Laity of this Diocese in

writing to express the deep feelings of respect and affection with which we return to the Lord Bishop of Toronto, and to our Brethren, both Clerical and Lay, in communion with him, our grateful response to this token of their regard. We thank them for their sympathy—most of all, for their prayers. And we humbly trust that, through the meritorious intercession of our Glorified Lord, the mercies which those prayers have asked will be graciously bestowed upon us.

That the Blessed cause of Christian Missions is reviving in our Church, we join with you in recognizing as a special ground for praise to Him from Whom all holy desires and all good councils do proceed.

And, although we cannot be insensible to the way in which recent events have raised in many minds a prejudice against the endeavour to Christianise the people of this land, we are sanguine that this will prove but a temporary hindrance, if a hindrance at all, and that the awful disclosures which have taken place of the condition of the Heathen and Mahomedan races of India will rather provoke the charity of all true Christians to redoubled efforts for their conversion. We devoutly rejoice in the assurance which we receive from your own Branch of the Church of a determination to aid, to the utmost extent of its ability, the great enterprise of evangelizing the British Empire in India.

May the God of all grace, the Lover of concord, be pleased to have respect to this act of the Diocesan Synod of Toronto toward their Brethren here, and pour down, for His dear Son's sake, the increase of His Holy Spirit on your venerable Bishop, on yourself and brother Clergy, and on all the congregations committed to their charge.

So praying, allow me to subscribe myself, Reverend and Dear Sir,

Your grateful brother and Servant,

J. BOMBAY.

P.S.—It is proper, perhaps, to add, that having laid the address from your Synod before a full assembly of my Brethren in the Presidency town, I then circulated copies of it to all the Clergy of the Diocese, and caused it to appear in the Government Gazette for the information of the Laity, reading it also in the course of my sermon from the pulpit of our cathedral Church on the morning of Christmas day.

TO THE RIGHT REVEREND

THE LORD BISHOP OF TORONTO.

My Lord,—I beg to acknowledge the receipt of your letter, and to express the grateful feeling with which both myself and the Clergy and Laity of our Church in Madras receive the expression of the deep sympathy of their brethren in the far West, and especially for their continued remembrance of them in their prayers: of their affectionate and earnest desire that the trials through which our Church has passed may be the means of calling forth new life and nobler triumphs of the Gospel, and of their determination to aid practically in the promotion of the evangelization of the British empire in India.

Whilst the Members of the Church of England in this Presidency feel grateful for this assurance of fraternal regard and prayer from their brethren in Toronto, they are at the same time sensible how well it is calculated to strengthen them under their trials; to stimulate them in their endeavours for the advancement of the Gospel; and to promote unity, peace, and concord amongst the widely scattered children of our common parent, the Church of our Fathers.

The immense distance of the Bishops in India from each other, and the absence of Synodical action here, prevent our meeting together to reciprocate the warm lan-

guage of your address in proper form. But I feel assured that throughout this Diocese but one feeling has been created among the brethren, and that is a feeling of mutual affection. The address and the letter which accompanied it have been inserted in the local Journals, and so widely circulated as to come under the observation of all who felt concerned.

I remain, My Lord,

Your faithful and affectionate

Brother in Christ,

Madras, 25th March, 1859.

T. MADRAS.

To the Right Reverend the Bishop of Toronto, and the Clergy and Laity of the Diocese in Synod Assembled.

MY LORD, REVEREND & DEAR BRETHREN,

I have received with much gratitude the kind address which you presented to myself and to my brethren, the Bishops, Clergy, and Laity within the metropolitan jurisdiction of Calcutta, expressing your sympathy on behalf of your Christian brethren, who, in the trials which they have been called upon to endure in this country, have been counted worthy to suffer in the cause of our common Lord and Master. I thankfully rejoice in the assurance of your prayer to God for us, that we may be delivered from all present peril, and that the trial of our faith may be turned unto praise and honour and glory at the appearing of Jesus Christ.

I regret that in the particular circumstances of this country it is impossible to assemble the Bishops, Clergy and Laity, so that your address might be read to them, and all might join in one common expression of thanks to you for it.

I must therefore take upon myself to answer in their name, and I rejoice to be able to assure you that the Rebellion

which has been fraught with so much peril, and disgraced by such cruelties, is almost, if not entirely, suppressed, and that we are all, in our several spheres, considering how we may best use this warning and opportunity which God has sent to promote the temporal and eternal welfare of the multitudes whom His Providence has here committed to our Queen.

You will, I am sure, not fail to pray that, as the Indian Church was faithful to our Lord in the hour of danger and affliction, so we may receive from on high the spirit of wisdom, and ghostly strength, and true godliness, in the time of our deliverance, and that we may have grace to work with one heart and one spirit for our Redeemer's glory.

I will take measures to let your address be circulated as far as possible among the Clergy and Laity, and beg you to accept the assurance of my prayer for you, that in America and Asia, and to the extremities of the earth, the name of the Lord Jesus may be magnified, and all men of English blood found faithful to His cause.

I remain, my dear Brethren,

Your faithful friend and Brother,

G. E. L. CALOUTTA,

Metropolitan in India and the Island of Ceylon.

TO THE HON. AND RIGHT REVEREND

THE LORD BISHOP OF TORONTO.

We, the Clergy and Lay Representatives of the Diocese of Huron, in Synod for the first time assembled, acknowledge and heartily respond to the feelings of brotherly kindness contained in the address of your Lordship and the Clergy and Laity of your Diocese. Although by the division of the Diocese we have been removed from your Lordship's supervision, it is not possible that we can ever forget the

many proofs we have received of your Lordship's paternal care, or the long years during which we have been connected in the bonds of Christian love and fellowship with our brethren the Clergy and Lay members of the Church in the Diocese of Toronto.

Feeling that we are all members of the same "One Holy Catholic Church," we most heartily concur in the prayer, so well expressed in your address, that we may always be found united in our councils and deliberations for the welfare of God's Church; and that we may ever be one in adherence to "the Apostles' doctrine and fellowship, and in breaking of bread, and in prayers."

J. WALKER MARSH, M.A.,
Clerical Secretary.

L. LAWRASON,
Lay Secretary.

Letters of apology were received from the Revs. Dr. Lundy, E. Morris and G. Hallen.

Also a Letter from the Rev. Dr. Blackman, complaining that his Parish was over assessed.

The Synod adjourned at three o'clock, during pleasure.

The Synod resumed its session at four o'clock, p.m.

The Clerical Secretary read a memorial from the Grand Division of the Sons of Temperance of Canada West, requesting the Synod to take action in the matter.

REPORTS OF COMMITTEES.

The REV. DR. BEAVAN brought up the following resolution from the Executive Committee :

That the Offertory Collection at this meeting of the Synod be appropriated to Foreign Missions, through the agency of the Venerable S. P. G. F. P., with a suggestion to the Venerable Society that it be appropriated specially to the cause of Christ in India.—*Carried.*

The Rev. DR. O'MEARA having obtained leave, brought up the following Report on

INDIAN MISSIONS.

While your Committee heartily concur in what has been recently urged as to the duty of the Church in this Diocese to assist in sending the Gospel to the heathen of other and distant lands, they conceive that there is a duty still more urgent, namely, that of attending to the spiritual wants of those within our own bounds who either are now, or have up to a very recent time been, heathen. The sympathies of every true member of Christ's Church must ever embrace those who are lying in the darkness and slavery of Satan's rule; but the Indians of this continent, and especially of this province, have a peculiar claim on our services, which it is impossible to neglect without incurring a serious responsibility. In the mysterious dispensations of Providence we see them wasting away before the encroachments of our settlers, and still more from the vices learned by intercourse with men bearing the Christian name. Already on this continent whole tribes have been exterminated by this wasting process: they have passed away without hearing the glorious tidings of that Gospel of Salvation which the Ministers of Christ are commissioned to go forth and preach to all. Their blood calls aloud from the ground, and if we are not prepared in the spirit of Cain to ask, "Am I my brother's keeper," we must not ignore this duty with reference to them.

This duty, as far as it has been hitherto performed within this province, has in a great measure been done by the Societies of the mother country. The New England Company, the Society for Propagating the Gospel in Foreign Parts, the Society for Promoting Christian Knowledge, and the Colonial Church and School Society having given im-

portant aid in this work ; besides which some of our Missions have been supported wholly or in part from the Imperial grant for civilizing the Indians. As it is not to be expected that, having assumed the management of our own affairs as a Diocese, the assistance that we have hither received from the societies of the mother country will much longer be accorded to us, and as the aid which has hitherto been given to our Indian Missions from the Imperial treasury is now in course of being withdrawn, it becomes necessary for us to adopt such measures as shall secure the permanence of our present Missions, and means for the extension of our Missionary field into the regions beyond that at present under cultivation. Your Committee would therefore recommend that a permanent committee of your Synod be named by the Bishop of the Diocese to collect information on the subject of Indian Missions, with a view to publication, that the members of the Church may from time to time be informed as to what is being done for Christianizing and civilizing the Indians. Your Committee would further recommend that a special collection be made, at such times as the Bishop may direct, in the several congregations of the Diocese for the maintenance and extension of that work.

All which is respectfully submitted.

FRED'K A. O'MEARA, LL.D.,

Chairman.

The Rev. DR. BEAVEN having obtained leave, brought up the following Report of the Committee on

CANONS.

That in pursuance of the duty imposed on them at the last meeting of the Synod, they have felt it to be necessary, in consequence of the letter of the Rev. D. E. Blake, specially referred to them, before considering further any particular canons, to examine with great care into

the powers conferred, whether on the Lord Bishop by the Royal Letters Patent, or on the Synod by the Synod Act, obtaining in so doing the best legal information within their reach, in regard to which they have been peculiarly fortunate.

They find then that, by virtue of the Royal Prerogative, exercised in granting the letters patent to the Lord Bishop of Toronto and his successors, (which they are advised has full legal force in this matter,) the Bishop of Toronto received authority to exercise jurisdiction within his Diocese over all persons in holy orders of the Church of England; to call them to account for offences concerning their morals or their behaviour in their office and station, and to remove, deprive or suspend them, or inflict on them any other such ecclesiastical censure or correction as they may be liable to, according to the canons and laws ecclesiastical of that Church.

That in the exercise of this jurisdiction the Bishop is required to be governed by the laws and canons of the Church of England, which are lawfully made and received in England, in the several matters and causes in which he is empowered to exercise jurisdiction.

That in order thereto the Bishop is empowered to appoint one or more Commissaries to act as his deputies in ecclesiastical matters, whom he may remove and change as he may deem fit; and that the Bishop, or his commissary or commissaries when so appointed, constitute a Court, empowered to call before him or them any person in holy orders within the Diocese, and to enquire into his conduct by witnesses, to whom they are empowered to administer oaths in due form of law, and to examine them under the sanction of the oath.

They are advised that it is extremely difficult to decide what portion of the ecclesiastical laws of England is or is not in force in this Colony; but that it may be stated that

the Canons of 1603 are at present in force in regard to the Clergy ; but not in regard to the Laity, except so far as they embody or contain ancient Canons having the nature of common law : and that the powers recited in the foregoing clauses are confined to the exercise of jurisdiction over the Clergy only.

This being the state of things before the passing of the Synod Act, by that Act the Synod is empowered to 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 any other religious communities, or of any person or persons not being a member or members of the United Church of England and Ireland : provided that nothing in the Act shall authorize the imposition of any rate or tax upon any person or persons whomsoever, whether belonging to the said Church or not, or the infliction of any punishment, fine or penalty, upon any person, other than his suspension or removal from any office in the said Church, or exclusion from the meetings or proceedings of the Synod ; and provided that nothing in the said regulations shall be contrary to any law or statute now or hereafter in force in this Province. And the Committee is advised that the Synod by this Act is empowered to make any alterations in the Canons previously in force in regard to the Clergy, for carrying out the powers above recited ; and with the same ends to make new Canons applicable to both Clergy and Laity, to suit the peculiar circumstances of this Diocese ; and that its Canons, so far as legally adopted, will be recognized and supported by the civil courts.

That, although the Committee think it not advisable at present to offer any observations on the Canons in detail, yet the subject of Church discipline is so important, that they desire to offer some recommendations in regard to it.

They therefore recommend that the Bishop be requested at an early day to erect his own Court under his patent; and that, as the exercise of discipline may be required in regard to the Laity as well as the Clergy, the Synod should formally recognize the Bishop's Court as that which should exercise jurisdiction over both Clergy and Laity; and as it is requisite that the Bishop's court should have some rules to govern it, and it is doubtful whether the English statutes on that subject are in force in this country, they further recommend that the English Church Discipline Act (3 & 4 Vic., ch. 86) so far as its provisions are applicable to the circumstances of this country, should be adopted for the guidance of the court in reference to the Clergy.

In regard to the amendment proposed by the Rev. D. E. Blake to the Canon on the Division of Parishes, which was specially referred to them, they recommend its adoption in the following modified form:

That all the words in § 2 of the Canon on the Division of Parishes, after "except in the case of new Parishes," be left out, and that the following be substituted in their place:

"And that every new and distinct Parish that shall be erected as hereinafter provided, shall be deemed, and is hereby declared to be a parish or benefice with cure of souls; and that the right of presentation, upon avoidance, to the said benefices, unless legally vested in some other person or persons, shall vest in, and be exercised by the Bishop of the Diocese; and that after collation, institution, and induction by the Bishop, the person so appointed to

any such benefice shall be styled, and to all intents and purposes deemed, the Rector of the said Parish."

The Committee beg further to recommend that the body of Canons, as already reported, excepting the Canons, Title VIII., Canons 1 & 2, in regard to Diocesan Courts, and the trial of Clergymen, be taken into consideration by the Synod, as soon as may be convenient.

JAMES BEAVEN, D.D.,
Chairman.

The following is the amendment referred to:—

AMENDMENT TO CANON ON THE DIVISION AND FORMATION OF
PARISHES.

All after the word "declared" in the latter part of the 3rd Section is expunged to the end of the section, and the following substituted instead thereof:

"And likewise every new and distinct Parish that shall be erected as hereinafter provided, shall be deemed, and is hereby declared to be a Parish, or Benefice with Cure of Souls, subject to the jurisdiction of the Bishop of the Diocese for the time being; that upon avoidance the right of presentation to said benefices, unless legally vested in some other person or persons, shall vest in and be exercised by the Bishop of the Diocese, subject to all laws in force in the Church of England concerning presentation and appointments to benefices, and lapse, and to all other laws relative to holding benefices which are lawfully made in England, so far as the Synod of this Diocese may legally enforce the same. And that after collation, institution, and induction by the Bishop as aforesaid, the person so appointed to any such benefice shall be styled, and to all intents and purposes deemed, the Rector of said Parish, and shall hold and enjoy the same, and all rights, profits, and emoluments thereunto belonging or granted, as fully and amply, and in the same manner and on the same terms

and conditions, and liable to the same duties (in so far as the Synod of this Diocese has legal authority in the premises) as the Incumbent of a Parsonage or Rectory in England."

The Hon. J. H. CAMERON having obtained leave, brought up the following Report of the Committee on

PETITION ON COMMON SCHOOLS.

The Committee on Schools beg leave to report

That the Committee took steps before the sittings of the Courts of Queen's Bench and Common Pleas in the last Term to cause petitions to be presented from the requisite number of freeholders and householders, heads of families, in the wards of St. John and St. Patrick in the City of Toronto, to the Board of School Trustees of the said City, praying for authority to establish a separate Church-of-England School in each of the said wards, and that after a considerable delay, your Committee has only this day received a communication from the Board of School Trustees declining to grant the prayer of the petitioners. Your Committee will therefore take the necessary steps to bring the question before one of the Superior Courts at the next Term in August.

All which is respectfully submitted.

J. HILLYARD CAMERON,

Chairman.

The Rev. DR. FULLER having obtained leave, brought up the following Report of the Committee on

DISCREPANCIES IN THE CELEBRATION OF DIVINE SERVICE.

The Committee, to whom was referred at the adjourned session of Synod, with the full concurrence of the Lord Bishop of the Diocese, (to whom such matters more peculiarly appertain,) the important subject of discrepancies in the celebration of Divine Service, beg leave respectfully to report,—

That in a Diocese where the Clergy have been educated at so many different "schools of the prophets," as is the case with the Clergy of this Diocese, it is not strange that there should be considerable variety in their manner of performing Divine Service; but as it was as clearly the intention of the compilers of our Liturgy that there should be uniformity in this important particular, and as it is believed by your Committee that such uniformity would greatly tend to the edification of those who worship Almighty God according to our "form of sound words," they trust that the suggestions which they have ventured to offer in this report may tend, with the Divine blessing, to promote that most desirable object. In the suggestions here offered it will be found that your Committee have studiously endeavoured to *avoid every thing like innovations in the manner of performing Divine Service*, and to *suggest* (where such a course is necessary) *simply a return to the duly established rules of the Church*, where such rules are *clear*; venturing only to offer interpretations of rules which appeared to be of doubtful construction, and to suggest rules, where none had been given by the compilers of the Liturgy.

The return to the established rules of the Church was the principle so happily adopted by the martyred reformers of our Church in the 16th century. To use the language of an eminent prelate lately deceased: "Our Church, in addition to more grievous matters, have erred from the primitive Church in her religious rites and ceremonies; and so it was one of the aims and endeavours of our spiritual fathers, the regenerators of our National Church, to bring us back to the observance of God's law in our public worship. And in pursuance of this sound principle, so far as we have erred from the rule of our reformed Church—reformed as it was on the model of the primitive Church—we would fain return from our errors and proceed in

the right way. If between the time of our martyred Reformers and our own, any intermediate generations have arisen, less vigilant in their adherence to our Ritual, as established in our Book of Common Prayer, it is the part of the present generation not to acquiesce in any irregular precedent, upon the fact being made clear to our apprehension; but to correct, amend, and renovate, by our future care, what had been innovated by their oversight."

If the great and fundamental principle of the unity of the Church is to be preserved, we should be depriving ourselves of a very important safeguard, in neglecting to uphold in practice the symmetry and exact order of our public services. It has been beautifully remarked, that the pathway to God's blessing on the Church, is "the religious unity of her children; and that such unity cannot be attained without obedience to the Church's authority and decrees."

1. Your Committee would first refer to what they deem a serious irregularity not unfrequently committed in the manner of *commencing Divine Service*. We allude to the custom in some cases of having the introductory sentences preceded by a psalm or hymn; whereas we are most distinctly instructed by the Rubrics to make this commencement by *reading certain selected portions of Holy Scripture*. Besides this deviation from prescribed authority in this custom, the commencement of the service with a psalm or hymn is at variance with the structure and symmetry of the service itself.

Praise and prayer have their allotted part. We are deemed to be of "unclean lips," until we have made our acknowledgments of guilt, implored God's pardon for it, and received the authoritative assurance that he is willing to forgive the truly penitent believer. *Then*, and not till then, do we presume to enter upon the angels' work of praising Him in sacred songs.

2. A difference prevails in the manner of saying the *General Confession*. In many congregations the people wait till the minister has completed the sentence; and then repeat it; others take up the words just after they have been said by the minister, and follow him throughout this confession in the same manner as they do in the Lord's Prayer. The phrase used in the Rubric: "after the Minister," is rather indefinite, and is, perhaps, complied with by either of the above noticed practices. The practice of immediately following the minister through each successive clause, appears to your Committee to accord most with the spirit of the Church's provisions, and with the practice that prevails in the use of similar forms in the Communion and Communion Services. We also believe that this practice imports animation and fervor to the devout feelings of the congregation.

3. We believe that the "*Amen*" at the end of the general confession, should be repeated by the minister as well as by the people; because it is a part of an act of devotion adapted to all alike. So also should it be repeated by all in the Lord's Prayer and Creed; and in all these cases it will be observed that the word is printed in the usual Roman type; where, as at the conclusion of prayers, which are said by the minister alone it is printed in italics.

4. As it is the direction of the Church, *that the Absolution should be pronounced by the Priest*, therefore not by a person in Deacon's orders only, we are of opinion, that no substitute for the absolution in any appropriate prayers contained in the Liturgy is authorised or proper. The Deacon, if no Priest is officiating, should pass on at once to the Lord's Prayer; if a Priest be officiating, it would be advisable so to arrange the service that he should pronounce the absolution.

5. A difference of practice prevailing in the manner of announcing the *Psalms of the day*, your Committee would

recommend the practice of naming the day, the particular time, whether it be morning or evening prayer, and the first of the Psalms.

6. The Rubric, in regard to the time when and where *public Baptism* should be performed, is very explicit, and of late years has been very generally observed in the rural parishes, thus that sacred ordinance, whereby children are mercifully brought into covenant with their gracious God, has happily been brought prominently before the people, and the children so baptized have had the advantage of the prayers of the congregation. We venture to assert that the benefits arising from a *uniform compliance with this rubric*, (enforced as it frequently has been by the strong recommendations of the Lord Bishop,) would far outweigh any inconveniences arising from it even in the most populous parishes; and, therefore, strongly recommend its uniform observance.

7. It is the practice of some clergymen when announcing the lesson for the day on those days when such lesson is taken from the Apocrypha, to say, "*Here beginneth such a chapter of the Apocryphal Book of Tobit, or Ecclesiasticus,*" as the case may be. This is incorrect, and should be avoided, as the term "Apocryphal" is merely a title of convenience to distinguish such books from the canonical Scriptures.

8. In some congregations it is the practice of the people to wait till ~~the~~ the minister commences the "*Te Deum*," and other portions of the Service, before rising from their seats, and also to wait till he has commenced the ante-communion service before kneeling. A regard for decency and order "demand that the people should change their postures before the minister has commenced the service of Almighty God, so that his voice may not be drowned by the noise arising from those changes of posture."

9. Before saying the collect of the day, it is the practice of some clergymen to name the collect. This is unauthor-

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ised, and appears to us allowable only where the service of the Church is performed but occasionally.

10. When the *prayers of the congregation are desired for a member thereof, an announcement should be made before the Litany*, that the prayers of the congregation are thus desired; and where the Litany is not used, before the prayer for all sorts and conditions of men. The naming of the individual to be prayed for may be left to the discretion of the minister.

11. The prayers appointed to be used in *Ember Weeks* for those that are to be admitted to Holy Orders, should, *we think*, be used in all our congregations. The Church is one; and at so solemn a time she calls for our special sympathy and prayers.

12. The proper time for *Churching of women* appears to us to be before the general Thanksgiving.

13. *The Metrical Psalms and Hymns*, sanctioned by the Lord Bishop of the Diocese, should alone be used in our Churches.

14. *The Psalm or Hymn* to be sung should always be announced by the officiating clergyman, as being a *portion* of Divine Service, and because it is the order of the Church that "nothing be proclaimed or published in the Church, during the time of Divine Service," but by the minister.

15. The officiating minister, *during all prayers at the Ante-communion Service, should stand.*

16. There is a good deal of diversity in the manner of announcing the Epistle and the Gospel for the day. We think that the rubric is quite clear; and that if clergymen will only bear in mind that in this rubric the words "Epistle," and "Gospel" are each used in two different senses, the first being the technical phrase for that particular part of the service; the latter denoting the Book of Scripture in which that part of the service is written, there need be no diversity whatever.

17. The choice of the Epistle and Gospel for the day,

when a *Sunday coincides with a holyday*, should follow that of the lessons and collect for the day, whichever may have been chosen.

18. If an additional collect, as in Advent, during the Christmas holydays, or in Lent, be said (as they should be) with the collect for the day, at Morning Prayer, it *should also be said before the Epistle*; the same rule regulating the collect in the Anti-communion Service, as that regulates the collect for the Morning Prayer.

19. We think that it would be well to countenance the practice so general, and so proper of saying "*Glory be to Thee, O Lord,*" previous to the reading of the Gospel. Though there is no authority for it in the Prayer Book, the rule for it having probably been omitted by oversight.

20. *During the saying of the Nicene Creed*, the minister's proper position is towards the Lord's table; so also when he has repeated the commandments with his face towards the people, he should turn towards the Lord's table for the collects that follow.

21. In giving notice of the Holy Communion, we think that the Church's intention would be best fulfilled, by giving the notice and reading the exhortation together, after the Nicene Creed, before the sermon; though there is undeniably a clashing of the two rubrics in relation to that point. It is believed that the practice is rather general of merely giving the notice required by reading the first sentence of the exhortation, and omitting all the remainder. This is entirely contrary to the directions given in the Prayer book. The only discretion allowed the minister in this matter, is to select between the two exhortations; but never to omit any part of that one which he conceives it his duty to use.

22. We believe that there is no authority for a prayer before the sermon, and that there should be none.

23. The reading of the *Offertory Sentences* during collections in Churches at the *prescribed time* is recommended for universal adoption—the offering of alms being part of the

business of public worship, and this should be offered in the solemn and sanctified manner directed by the Church.

24. There is considerable diversity of opinion in regard to the saying of the Lord's prayer at the commencement of the Communion Service. Some hold that the people should join in the prayer, saying it after the minister. Others contend that they should be silent, adding only the "Amen," to his repetition of it. This diversity probably arises from the fact, that the rubric preceding the Lord's prayer in this case, gives instructions for "the priest" only, without directing the people to say this prayer; and that yet, upon the first occurrence of the Lord's prayer in her service, the Church prescribes that the people should repeat it with the minister "*both there and wheresoever also it is used in Divine Service.*" We are clearly of opinion that it should be repeated here, as directed by the rubric last alluded to; inasmuch as that rubric was introduced at the last revision of the prayer-book.

25. The bread and wine for the Holy Communion should be placed on the Lord's table *immediately* before the prayer for the Church Militant.

26. The best place for the pause in the order for the Holy Communion to allow for the withdrawal of the non-communicants, is the *interval* between the prayer for the Church Militant, and the exhortation at the time of the celebration of the Holy Communion. It appears altogether irregular that the Benediction should be used previous to the departure of non-communicants. The service is then not concluded, and those who will not wait for its conclusion should not expect the closing Benediction.

27. When absolute necessity does not require that it should be otherwise, *each communicant should be addressed individually*, when the elements are being delivered to him.

28. During all the exhortations addressed by the officiating minister to the people *the latter should stand.*

29. Both minister and people should stand at the repiti-

tion of the hymn, "*Gloria in excelsis*," at the conclusion of the Communion Service.

30. There is some diversity of practice in regard to the *time when the Communion Service should be performed*. Your Committee are of opinion that the proper time for this solemn service is (according to the rubric) immediately after the conclusion of the Litany.

31. The compilers of our Liturgy appear to have omitted, through inadvertence, to appoint any proper lesson for Ash Wednesday. The consequence has been great diversity in the choice of lessons for that day. It would be peculiarly gratifying to your Committee if his Lordship the Bishop of the Diocese, would appoint proper lessons for that day's service, as his Lordship does in cases of special services for days of humiliation and thanksgiving.

Thus have your Committee endeavoured to discharge the duty assigned them according to the best of their judgment and ability. They have noticed all the discrepancies in the celebration of Divine Service of which they were aware, or to which their attention had been called, and on which they felt themselves at liberty to treat; and they have pointed out what they believe to be the preferable mode in each case. They do not flatter themselves that their suggestions will meet with the approval of all; but that, nevertheless, if adopted as the rule of this Diocese, they will, through the Divine blessing, be found to tend to the edification of our people, and at the same time conduce to His honour, whose pleasure it is that, "with one mind and one mouth we may glorify Him" who desires that there should be no schism in the body, and "who is graciously announced to us as the Author, not of confusion, but of peace as in all Churches of the Saints.

All which is respectfully submitted.

T. B. FULLER,
A. N. BETHUNE,
J. GAMBLE GEDDES,
SALTERN GIVINS.

The Rev. DR. FULLER, having obtained leave, brought up the Report of the Committee on

INCREASING THE NUMBER OF DIVINITY STUDENTS.

The Committee, to whom was referred at the adjourned session of Synod the important duty of suggesting means for increasing the number of Divinity Students, beg leave respectfully to state, that, having obtained all the information in regard to it in their power, and having given the subject much serious consideration, have agreed upon the following report:—

The declaration of our blessed Lord is emphatically applicable to this Diocese at the present time: "The harvest truly is plenteous; but the labourers are few." It is believed that there are at least 150,000 churchmen in this diocese. To minister to this large number, scattered as they are over 141 townships, there are only 130 parochial Clergy; a body quite inadequate for the due discharge of their important duties. Every year, too, sees their numbers thinned by the hand of death, whilst those who are preparing to fill their places are few indeed. For several years back those ordained by the Lord Bishop of the diocese, have averaged only *five*. At the present time there are in the Divinity Class of Trinity College but *eight* candidates for holy orders. In the six years, from 1852 to 1858, the increase of our Clergy was only *eight per cent.*, whilst the increase of population during those six years was *62 per cent.*, the increase of the teachers or ministers amongst protestant dissenters, *was from 40 to 65 per cent.*, and the increase of the priests of the Church of Rome, *was 95 per cent.*

Your Committee believe it desirable that the members of the Church throughout the Diocese should be apprised of these startling facts—not to discourage them, but to rouse them to a deep sense of the duty they owe

their God and Saviour, so that, by a dedication of themselves, or of their children, to the work of the ministry, or by the devotion of a portion of these substances to the training of Divinity Students and to the sustenance of God's ministering servants; and, above all, *by their earnest and frequent prayers*, to the Great Head of the Church, that he would raise up and send forth those who might turn sinners from the errors of their ways and build up saints in this most holy faith—the great work, for which Jesus come down from Heaven—the salvation of souls—may be accomplished amongst us.

Your Committe cannot but see in the paucity of Divinity Students for some years past, a manifest proof of want of faith amongst churchmen in this diocese. The other learned professions are crowed to overflowing; and there is no scarcity of persons to devote themselves to other honourable pursuits in which our people engage. But it is a lamentable fact, that few of our people, who have the means, without extraneous aid, of educating their sons for a learned profession, ever think of educating them for the Church.

It is true we have lately been passing through trying times. For many years we were threatened with the spoliation of the ample patrimony provided for our Church by the wise forethought of a pious King; and a few years ago an allwise and gracious Providence permitted this act of spoliation to be effected in a great measure. During this term of uncertainty *parents* and *friends* had not sufficient faith in God, to cause them to press upon their children or young friends the devotion of themselves to the sacred ministry. The very uncertain and inadequate amount of salaries received by the clergy, (in most cases not equal to the wages enjoyed by a skilful mechanic,) has had the effect of deterring young men (especially sons of the Clergy, acquainted with the struggles of their parents,) from de-

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voting themselves—at a time of life when they could not realize the support and encouragement which are the portion of the faithful Clergyman—to a profession, which required at the very outset such heavy sacrifices. And this same want of means has prevented several of the Clergy, who, otherwise, would have gladly done so, from educating their sons for the Sacred Ministry; for, with all the assistance that they could have obtained from scholarships in Trinity College, they found to their sorrow, that *duty towards their other children* forbade them spending on one a large portion of their straitened income. The slight hopes that the Lord Bishop of the Diocese could hold out to young men studying for Holy Orders, that they could depend upon obtaining the most moderate support after ordination, has prevented his Lordship from inducing many promising young men to devote themselves to a profession attended with so much privation.

But it is believed that the *worst is now past*. The Church has not been despoiled of the whole of her ample patrimony, but has been enabled, through God's overruling Providence, to save a small portion from the wreck, which, having been devoted by the Clergy (to whom it belonged) to the permanent endowment of the Church, as far as it will go, will, it is hoped, in the good Providence of God, *induce the Laity to build up an ample endowment on this good foundation*.

Another advantage anticipated from the settlement of this long vexed question is this, that our Laity will no longer be carried away with the fond idea that the Government will, in some way or other, they know not what, step in, and assist them to support their clergy, supplying their lack of service and discharge of unquestionable duties. But that, if they desire the ministrations of their Church, they must give to its support, as the Lord has prospered them; and if they wish the Church of their

forefathers—the pure Reformed Branch of Christ's Catholic Church in this land—to be extended so as to embrace within its fostering arms all their brethren scattered throughout the 44 townships in this Diocese, without a settled clergyman, they must give freely of their worldly substance for the promotion of this most desirable object.

This may at first seem a hard lesson to those hitherto accustomed to receive so much assistance from abroad; but when learnt and practised, it will bring its own rich reward with it, "in watering others they will themselves be abundantly watered of the Lord." And the sooner this lesson is learnt the better—the sooner will our people see wiped away from the Church the sad and humiliating truths noticed in this Report.

Disconnected from the State, as far as the Legislature could sever the connexion between Church and State; and, in consequence of the many calls made upon her funds by newer and feebler colonies, dropped by the Venerable Society for the Propagation of the Gospel in Foreign Parts, to which all North America is so deeply indebted, our people must become self-reliant.

Nor is it believed, that it is beyond the ability of our people to supply and more than supply this deficiency. A large portion of the wealthiest persons in this Diocese belong to our communion, while it is undeniable that many of our people are struggling for a livelihood. Let the former give of their abundance, and the latter of their penury; and let the most numerous class, those who are in comfortable circumstances, give as God has prospered them, and it will afford our venerable and indefatigable Diocesan great pleasure to invite many a young man to fulfil the dearest wishes of his kind parent's heart, by studying for the Ministry. When we remember what was effected in a few months in 1850 for the endowment of Trinity College, in response to the spirit-stirring appeal of

our lion-hearted Bishop; and when we think of the very favourable results of the exertions made and making, for the endowment of the Episcopate, your Committee are led to believe that there are ample means within the Church for meeting all its present wants; and that these means can be called forth. But *our people require more full and detailed information in relation to the crying wants of the Church*; and it is necessary that their duty, to meet those wants, should be more frequently and plainly pressed upon them. It is believed that this is one point, in which our Clergy have too generally fallen short of their duty.

Your Committee notice these points only, because no action has, as yet, been taken in this diocese for the commencement of a sustentation fund, as contemplated by the Lord Bishop; and because the establishment of such a fund would tend to remove a very great hindrance from before those desirous of preparing for the Ministry.

But *your Committee pass on to the consideration of matters more immediately within their province.*

Since the auspicious formation in 1842 of the Diocesan Church Society, one of the four annual collections taken up in the churches of the Diocese has been for students in Divinity. From the proceeds of these sermons there are, in Trinity College, four scholarships, open every year, tenable for two years; one of £30, two of £25, and one of £20 per annum.

These Scholarships have materially assisted several of our Clergy, when pursuing their theological studies; but it seems desirable that they should be more exclusively confined to students of Divinity, who can shew to the satisfaction of the Lord Bishop, that, without such assistance, their friends could not sustain them during their theological course. This fund now presents fresh claims for increased liberality on the part of Churchmen, inasmuch as the

authorities of Trinity College are prepared to dispense, in cases which are strongly recommended, with the rule which excludes married men from the enjoyment of Divinity Scholarships. And it is believed that many devout men, who have received a liberal education in the British Isles, and who have settled in Canada, will thankfully avail themselves of this fund. These gentlemen will bring to the service of the Church the education acquired in their native land, as well as the experience purchased at no small cost in this, the land of their adoption.

It is recommended to congregations, when able, and to two or three united, when one is not able, and to districts, to found Scholarships in Trinity College, with the privilege of naming the incumbent of such scholarships. By this plan young men of piety belonging to such congregations or districts might be sustained during their theological course, and, through God's blessing, become useful clergymen.

Again, your Committee would earnestly press upon parents, of means, who have sons to educate for a learned profession, to consider whether it is not their bounden duty to press upon one or more of their sons, a devotion of themselves to the highest and noblest professions to which man can aspire—that of being fellow workers together with Christ in the great work of saving souls; and whilst such parents act upon this suggestion, it is recommended to them, that they make better provision for those sons than they do for their other children; so that they may feel less the inconveniences arising from inadequate clerical incomes.

It is believed that there are *many Christian* mothers in this Diocese, who would hail with sacred pleasure the day, on which one or more of their sons should take upon themselves the vows of the Christian Ministry. Let them, then, as they regard the souls of their perishing fellow-churchmen; nay, as they regard the souls of their own offspring,

exert with their sons that influence, which mothers only can exert; and let them not fail to persuade their husbands to set apart a goodly portion of their substance for the comfortable maintenance of their sons thus dedicating themselves to the Christian Ministry.

There may be parents, of means, who would gladly act upon the suggestion here given; but whose sons, wanting grace or suitable talents, lament their inability to carry out these suggestions. But let them not despair, "the Lord's hand is not shortened, that He cannot save; neither is His ear heavy, that He cannot hear." "The effectual fervent prayer of a righteous man availeth much." Let them seek for their sons that grace, which they need; and if they offer fervent prayer through the name of the Lord Jesus Christ, they have his gracious promise, that *they shall prevail*. But even if their prayers should not be sufficiently fervent, to secure this much desired blessing; or if their sons should not possess the talents requisite for useful Clergymen, they need not yet forego the privilege of raising up one or more to serve in the sanctuary. They may take by the hand some promising youth of piety and talents, whose parents lack the means of educating him for the ministry, (it may be the son of some poor Clergyman,) and do for him what they would gladly have done for one of their own.

And may not the same duty be pressed on persons of means, who have no children of their own, to dedicate to God's service. How better could they employ those means entrusted to their care, and for the due improvements of which they will have to render a strict account, than in raising up and sustaining some worthy young man, to preach Christ Jesus to a perishing world? A gentleman connected with this country by business relations *only*, having learned the great want of Divinity Students in this Diocese, and having providentially met in one of his visits to this country a promising lad, in whom he became interested, is now educating him, preparatory to sending him to Trinity

College, with a view of his being prepared for the ministry. Your committee trust that this excellant example may find many imitations amongst those, more intimately connected with this country, than is the Christian merchant alluded to!

Clergymen and Sunday School teachers might further the increase of Divinity Students, by noticing in their parishes or classes, pious lads of promise, calling their attention to the ministry, and recommending them to the care and patronage of benevolent individuals or of the authorities of the Church.

In accordance with the practice of the inspired Apostles, as recorded in the Acts, the Church has directed that all her members should, by fasting and prayer, seek God's blessing for those ordained to the office of the sacred ministry; and in order that there may be united prayer for this most important purpose, she has fixed upon certain seasons of the year to be thus observed, the Ember Weeks.

Your Committee firmly believe that a more faithful observance than has hitherto prevailed in this Diocese of this Scriptural practice, would, under God, be not only blessed to those, for whose benefit it was specially ordered, but would also bring down God's richest blessings upon parents and children; that more of the formèr may turn the attention of their sons to the holy ministry, and that larger numbers of the latter, not counting their lives dear unto them, may devote themselves to the highest office to which man can be called—that of being fellow-workers together with Christ in saving souls.

All which is respectfully submitted.

T. B. FULLER,

H. J. GRASETT,

G. WHITAKER,

J. W. GAMBLE,

C. J. CAMPBELL.

The Rev. Dr. LEWIS having obtained leave brought up the following report of the Committee on

RE-ASSESSMENT OF PARISHES.

The Committee appointed to revise the assessment list of the Parishes of the Diocese beg leave to report as follows :

Your Committee have been unable to devise any general basis of assessment which would remedy the irregularities found to exist under the present system, they therefore have considered the case of each Parish individually, and recommend that the sum set opposite the respective names of Parishes be the assessment for the ensuing year.

Allansville	\$ 2	Cartwright	2
Amherst Island	2	Clarke	4
Arthur	2	Cornwall.....	6
Ancaster and Dundas..	4	Carrying Place	2
Barrie	4	Camden	2
Barriefield	2	Douro	2
Bath.....	2	Dunville	2
Barton	2	Etobicoke	5
Belleville	15	Elora	2
Berkeley	2	Emily	2
Brockville	10	Franktown	2
Brampton	2	Fitzroy.....	2
Bowmanville	4	Fredricksburg.....	2
Brock ..	2	Fenelon	2
Cavan	2	Fort Erie.....	2
Cobourg	15	Georgina	2
Carleton Place	2	Goulbourn.....	2
Credit	2	Gananoque	2
Collingwood	2	Garden River.....	2
Charleston	2	Grimsby	3
Chippawa	4	Georgetown.....	2

Grantham	2	Perrytown	2
Guelph.....	10	Pembroke	2
Grafton	2	Port Trent	2
Hamilton, Christ's Ch..	15	Peterborough	4
" Ascension ...	10	Picton	4
" St. Thomas'.	5	Pickering.....	2
Kingston, St. George's.	20	Prescott	4
" St. James'...	5	Penetanguishene	2
" St. Paul's....	5	Perth	2
Kemptville	4	Port Hope	2
Louth	2	Portsmouth	2
Lloydton	2	Richmond	2
Lindsay	2	Rockton	2
Lamb's Pond	2	Rice Lake	2
Mono	2	Reach	2
Merrickville	2	Saltfleet	2
Manetooahning	0	St. Catherines.....	10
Markham.....	4	Scarboro'	2
Minto	2	Sydenham	2
Mountain.....	2	Stirling	2
March	2	Seymour	2
Metcalf	2	Smith's Falls	2
Milton	2	Streetsville	2
Morrisburg	2	Stewartown.....	2
Newboro'.....	2	Toronto, St James'.....	40
Napanee	2	" St. George's...	20
Niagara	4	" Holy Trinity..	10
Newmarket.....	2	" Trinity	10
Northport.....	2	" St. John's.....	6
Ottawa.....	10	" St. Stephen's..	4
Oakville	2	" St. Paul's.....	10
Orillia	2	Thornhill.....	6
Osnabruck	2	Thorold	4
Otonabee	2	Tecumseth	2
Oakridges	2	Tyendenaga	2

Weston	2	Whitby	2
Welland	2	Wellington	2
Walpole	2	West Hawkesbury.....	2
Wellington Square.....	2	Wolfe Island	2
Woodbridge	2	York	2
Watertown	2	York Mills	4
West Gwillimbury.....	2		

In establishing the foregoing rates of assessment your Committee have taken into account the number of Churchmen and their resources in each Parish, and likewise the relative distances of Missions from Toronto. It is obviously unfair to tax Parishes which are wholly unendowed in the same ratio with endowed Parishes, and it should not be forgotten that the expenditure incurred by far distant Missions in defraying the expenses of their Ministers and Delegates, while in attendance on Synod, is very great in proportion to the distance from Toronto, while the congregations in that city have nothing to pay for the attendance of Ministers or Delegates. Your Committee would, moreover, recommend that a Committee of Revision of Assessment be annually appointed to make such change in this list as the altered state of Parishes may justify. All which is respectfully submitted.

J. T. LEWIS,
Chairman.

The Hon. J. H. CAMERON, having obtained leave, brought up the following Report from the Committee on the

REGULATION OF ENDOWMENTS.

The Committee, to whom it was referred to consider whether any and what means could be devised for the better regulation, management and division of Endowments of Churches, beg leave to Report,—

That in order to enable the Synod to deal with the Endowments that have from time to time been made by

the Crown or individuals to churches and parishes, they recommend the appointment of a Committee, whose duty it shall be,

To examine carefully all orders in Council, Crown grants and deeds, relating to churches, parishes and glebes.

To ascertain the trusts upon which any Church property is held, and whether those trusts have been fulfilled.

To take such steps as they may consider necessary for enforcing compliance with such trusts.

To report especially upon the case of any township, city, town or parish, in which there exists more than one church, but with an endowment appropriated only by or to one church only.

To suggest a basis of division, in cases in which they consider it advisable to apportion an endowment among several churches.

All which is respectfully submitted.

J. HILLYARD CAMERON,
Chairman.

Dr. BOVELL, having obtained leave, brought up the following Report from the Committee on

LESSENING THE AMOUNT OF DRUNKENNESS.

According to the original Resolution of Synod, this Committee was appointed:—“*to consider and report upon the best subsidiary or auxiliary means of lessening the amount of drunkenness, and aiding in the reformation of the inebriate and his restoration to society.*”

Your Committee beg to tender, with due submission to the Synod of the Church, the following Report, as the result of their considerations. They are of opinion that:

The first and chief means to be employed by the Church, in endeavouring to lessen the amount of drunkenness or other crime, must ever be her own manifestation of palpable purity, and entire freedom from allowance of crime

within herself. She must cause her own blessed light "so to shine" in the holy and unblemished lives of her children, that men, seeing their good works, may glorify their Father which is in heaven,—even that "Father of lights, from whom cometh every good and perfect gift," and from whom, with the Son, proceedeth that Spirit of holiness, whose *fruit* is "love, joy, peace, longsuffering, gentleness, goodness, faith, meekness, *temperance*."

To this end the Church, through her constituted agencies, must needs commence all works of general reformation with self-reformation; employing her efforts on such members of society as are also members of herself; "judgment must begin at the house of God." She must herself take the initiative; purifying her own borders, and cleansing the "household of faith" by a duteous and jealous exercise of the authority committed to her of the Lord, "for edification and not for destruction." Recollecting that her salutary Rule of Discipline was never meant to be made purposeless, or to become, by reason of desuetude, a lifeless letter; the Church is imperatively called on to take up and carry out, honestly and earnestly, the Canon of Communion contained in her Book of Common Prayer. She must use her godly authority to the preservation of her people from defiling association, and to the promotion of internal reform when needed. "Building herself upon her most holy faith and praying in the Holy Ghost, she must keep herself in the love of God, looking for the mercy of our Lord Jesus Christ unto eternal life, and of some she must have compassion, making a difference, and others save with fear, pulling them out of the fire, hating even the garments spotted with the flesh." She must thus anxiously strive to save her children from the corrupting plague of communication with persons given to habits of ungodliness, whether of inebriety or other deadly sin; for if these persons be "spots at social

feasts, how much more so when they come to feast at holy Communion, there eating and drinking damnation to themselves, not discerning the Lord's body, while they offend those who should be kept 'unspotted from the world.'" She must give earnest heed to the Apostolic injunction,—“But now have I written unto you not to keep company, if any man, that is called a BROTHER, be a fornicator, or covetous, or an idolater, or a railer, OR A DRUNKARD, with such an one, no, not to eat.” * * * * “Therefore put away from among yourselves that wicked person.” (1 Cor. v. 11, 13.) “Now,” says the Apostle elsewhere, “Now we command you, brethren, in the name of our Lord Jesus Christ, that ye withdraw yourselves from EVERY BROTHER that walketh disorderly.” * * * * “If any man obey not our word by this epistle, note that man, and have no company with him that he may be ashamed; yet, count him not as an enemy, but admonish him as a brother.” (2 Thess. iii., 6, 14, 15.)

Your Committee believe that, in order to effect the objects of the Resolution in such sort as Christians should desire, this Synod must act in its sacred capacity as a SYNOD OF THE CHURCH OF CHRIST, and must therefore give all encouragement to those in authority within her, to use the legitimate means and appliances she still possesses, as well for cutting off all just cause of offence, as for “crucifying the old man, and utterly abolishing the whole body of sin.” In this conviction the following suggestions are respectfully submitted to the lower Estates of this sacred Synod:—That said Estates do signify to the Right Reverend Bishop their firm resolve, with God's help, cordially to sustain him in his official enforcement of the rules and regulations contained in the Book of Common Prayer; knowing that they were intended to conserve the morals of the Church's members, and, by

consequence, to influence surrounding society. Reference is here more particularly made to the provisions contained in the first and second rubrics of her Communion Office, and in the first rubric of her Order for the Burial of the Dead. The former regulations provide that persons guilty of scandalous wickedness shall not be admitted to the Lord's Table *until they have truly repented and amended their naughty lives*; and the latter (pre-supposing that the Church's discipline is honestly enforced against offenders) provides that the Burial Service "*be not used for any that die excommunicate*;" in other words, for incorrigible and reprobate persons.

Your Committee would further respectfully suggest that the subordinate Estates aforesaid do signify to his Lordship their strong conviction that our Right Reverend Father is fully justified in determining that no person of intemperate habits or manifesting a strong tendency thereto, shall be admitted a Candidate for Holy Orders; likewise, that no person, being thereunto already admitted, and disgracing his holy calling, through inebriety or other scandalous offence, shall be suffered to continue in the cure of souls, or, having been on such account removed, shall be restored, until he shall have plainly proved the sincerity of his repentance by and during a long protracted period of amendment of life, and of "patient continuance in well-doing."

Your Committee, moreover, recommend that this Synod do affirm its conviction touching Lay Officers of the Church, that no person, guilty of inebriety or other deadly defilement, is fit to be appointed Sexton, Sidesman, Clerk, Vestry-clerk, Churchwarden, Chorister, Organist, Synodical Delegate, Committee-man of Church Society or of Vestry, Master of Parochial School, or Professor or other functionary in the College of the Church; for that no person of immoral character deserves the confidence of the

Church : yea, rather must such be utterly discountenanced ; for "holiness becometh the house of the Lord for ever."

Having referred, for the purposes of the Synod's resolution, to the godly discipline still legal and available in the Church, and having also made suggestions calculated to guard her offices, both Clerical and Lay, against the intrusion of offenders, your Committee would next draw attention to a fact that ought not to be overlooked, when considering *the best auxiliaries to the lessening of inebriety*. The Church has herself provided a "subsidiary means" for the suppression of immorality among her members ; for such, in truth, is her solemn Service, entitled, "A COMMINATION, OR THE DENOUNCING OF GOD'S ANGER AND JUDGMENT AGAINST SINNERS." This heart-searching Service she directs to be used not only on the first day of Lent, but "AT OTHER TIMES, as the Ordinary shall appoint." Her people are therein enjoined to seal each and every sentence of God's condemnation of the wicked with their own audible "Amen;" "to the intent that, being admonished of His great indignation against sinners, they may the rather be moved to earnest and true repentance, and may walk more warily; *fleeing from such vices, for which they affirm with their own mouths the curse of God to be due.*" Among these vices, drunkenness is distinctly specified. Why, then, should not the more frequent use of this Service (if the Ordinary think it advisable)—a Service so suggestive of fearful but yet most wholesome reflection, prove to be among the "*best auxiliary means*" for promoting the objects of the Synod's Resolution ?

Among the Church's other practical means towards averting habits of inebriety your Committee count with confidence upon her PULPITS, her PUBLICATIONS, and her SCHOOLS, both collegiate and parochial. And first, her PULPITS—The Committee believe that very excellent results would flow from the increased application to this

important topic. They would therefore respectfully suggest a more frequent delivery of discourses on this subject, of a familiar and forcible character. They should distinctly declare *the motives* to "temperance, soberness and chastity," that should influence the Christian. They should plainly shew that, as a recipient of the Baptism of Christ and sanctification of the Spirit, the Christian is bound to walk in newness of life, not in the lusts of the flesh, not in rioting and drunkenness, not in excess of wine, not in revellings and such like defilements. They should instruct him to regard his body as a temple of the Holy Ghost, and to recollect how, that "he that defileth the temple of God, him will God destroy;" and that he is therefore bound above all things to reverence his body, and studiously to guard it from desecration, as that consecrated fleshy temple wherein the Spirit of Holiness has taken up his abode, and where He has set his name.

Secondly, CHURCH PUBLICATIONS :—

Your Committee beg to recommend the preparation and circulation of plain tracts, having the same object in view, tracts that shall echo the homely and holy teachings of the pulpit, representing pointedly the real nature of the Christian's election and baptismal engagements. Simply, soundly, and powerfully should they prove that, as adopted into the family of God, he is called "into holiness," and is sacramentally bound to purity of life with a force of obligation, immeasurably beyond the responsibility belonging to any humanly devised organization. The vows of God Himself are upon him. Those tracts therefore should teach truly the great peril of their breach, (be it through drunkenness or other grievous crime;) they should at the same time set forth the sure blessings flowing from their duteous fulfilment; inasmuch as true "godliness," (which cannot exist without temperance in things lawful

and total abstinence from things forbidden,) "hath the promise of the life that now is, and of that which is to come."

Thirdly, SCHOOLS :—

Your committee are thoroughly convinced that a careful religious training up of the young, is indispensably requisite, in order to insure the continuous instillment of principles really productive of God-fearing temperance. They firmly believe that this sort of education must ever stand prominently forward, among the very "best means of lessening the amount of drunkenness," by exercising a wholesome influence on children duly taught and instructed to look on drunkenness as a terrible offence.

Your Committee proceed to offer the result of their considerations upon this question. Since many persons seem so unhappily constituted as to find it exceedingly difficult to use wines or other alcoholic drinks without yielding to a propensity to exceed the bounds of temperance, and thus, sin against the laws of God and man, what is their surest guard against criminality? Our answer is: the Christian, conscious to himself of any peculiar infirmity, will most surely be saved from "the sin that doth so easily beset him," if he yield implicit obedience to the command of God his Saviour, who "will not suffer him to be tempted above that he is able to bear, but will, with the temptation, make a way to escape, that he may be able to bear it." The Divine command instructs Christians wholly to shun, eschew, and cut off *whatsoever* is felt to be an *offence*: that is, a *hindrance* in their heaven-ward progress. If thy right eye offend thee, pluck it out and cast it from thee; for it is profitable for thee that one of thy members should perish, and not that thy whole body should be cast into hell. If thy right hand offend thee cut it off and cast it from thee, for it is profitable for thee that one of thy

members should perish, and not that thy whole body should be cast into hell." Herein is the Christian doctrine of total abstinence revealed. To this every Christian is pledged. The Divine rule of obedience will prove an effectual safeguard against drunkenness and every other besetting sin: that is to say, effectual with all who heartily and strictly follow it. It is bequeathed by Christ himself, as a holy Canon, to that Society, which He was pleased to organize for the regeneration of a lost world, even to that Church, "which is His Holy body." By this rule is every member of it bound to give up whatever he has reason to believe impedes him "in running the race that is set before him," though lawful and seemingly needful, as the right eye or the better hand. If we would induce men to *subdue their besetting sins upon Christian principles*, we must lead them to "Christ and the Church," and must shew them by our own living examples that that Church is His appointed Society and Association, His own chosen fellowship and brotherhood for the formation of total abstinence from every known provocation to sin; that it is indeed God's own glorious Guild (so to speak), for promoting temperance in the use of every gift of His, that doth not offend the Christian, that doth not hinder him in "running the way of God's commandments."

And here your Committee would observe that they deem it very desirable that this Synod should record its unqualified condemnation of the custom (prevalent both in the way of traffic and of a mistaken hospitality,) of urging upon others, through mistaken kindness, that which the supplier of it is aware, will prove an allurements to deadly sin. Conduct such as this is far worse than thoughtless. And it is extremely uncharitable to act thus by persons of known infirmity, whether they be members of the Church or not. Not only does it deserve the severe censure of the Synod, but richly merits punishment through the civil power.

Your Committee are fully of opinion that a thorough honest and earnest working out, within the Church, of her existing provisions for the promotion of godliness and virtue on the one hand, and for the suppression of drunkenness and such like scandalous offences on the other, would not only tend powerfully to the moral improvement and spiritual edification of her own people, but would also place her in the most advantageous position (because the only right position) for influencing "them that are without." The maintenance of godly discipline among her own children would prove to all men her utter detestation of the sins of the flesh, and would qualify her, as the only truly Divine Society, for the suppression of sin, consistently to "reason" with them of "righteousness and temperance and judgment to come."

As the law of our country considers drunkenness a breach of her social order, and consequently attaches penalties to the commission of this crime, we have the same right to expect their enforcement against drunkenness as against robbery or murder; yet if this Synod should urge the authorities of the State to discharge their duty in the premises, with becoming stringency, may not those in authority quote in reply the words of Christ, and say, "Thou hypocrite, first cast the beam out of thine own eye, and then shalt thou see clearly to cast the mote out of thy brother's eye." Do you yourselves enforce the Church's salutary laws against vice, before complaining of the remissness of the civil powers. Enforce first those laws of Church discipline which are now so utterly despised and neglected among you, that men may, without fear of censure or excommunication, live a life of vice, die in the Church's bosom, and be buried with the solemnity of Christian rites.

Your Committee had purposed, nevertheless, to suggest to the Synod the propriety of making application to the Provincial Legislature, praying the passage of an act for

lessening the amount of drunkenness, said act to be grounded in some respects upon the Imperial Statute, known as "the Forbes-Mackenzie Act." This contemplated practical measure has to a great extent been anticipated since the last session of the Synod by an act of the Legislature (chap. vi., 22nd Victoria) "to restrain the sale of intoxicating liquors from Saturday night till Monday morning." Your Committee have for the present to hope that its effect may prove highly auxiliary in promoting the welfare of Society by diminishing improvidence, extravagance, and drunkenness, with their miserable consequences.

Your Committee beg to observe that the Synod needs to bear in mind an important Resolution, unanimously passed at its last assembling, when it was determined that the Legislature should be appealed to "for the establishment of an Hospital, or an Asylum into which inebriates may be received, and have such treatment given them, as may restore them to Society and to a healthy mental and bodily state."

Your Committee further suggest, as an auxiliary means, the obtaining from the Legislature an act to enable the relations or connexions of the drunkard, to apply to some lawfully constituted court for such power as may enable them to place his property in trust for the benefit of the family, and even of himself, as in the case of lunatics or idiots.

Such a law your Committee believe has proved beneficial in some of the civilized states of Europe, and is, they understand, not unfrequently acted on in the Lower Province.

In conclusion, they have only to add their earnest hope and prayer that the foregoing practical suggestions upon the best means, proper to the Synod, for lessening the amount of crime, so abhorrent to every Christian principle, may tend to the temporal and eternal welfare of "the

Brotherhood," and of their fellow men, and may redound to the glory of Almighty God.

JAMES BOVELL,
Chairman.

THE PETITION

Of the Right Rev. the Lord Bishop of Toronto, the Clergy and Lay-representatives of the United Church of England and Ireland in Synod assembled.

Humbly sheweth—That there are a number of unhappy persons in this Province who, from indulgence in the habit of drinking intoxicating liquors to excess, have reduced themselves to a condition which has, on the highest authority, been declared to be "Insanity," ending not unfrequently in their own ruin and sudden destruction, but also in furnishing inmates to our Lunatic Asylums in the persons of their unhappy wives, and their still more unfortunate offspring.

That experience has proved that many of our fellow creatures guilty of intemperance would be saved, if they had an opportunity of retreating to some Asylum where they would be properly administered unto, and the habit of intemperance broken, by removal from the possibility of yielding to their strong temptation.

We therefore pray that it may seem good to the Legislature to make provision for inebriates, by the erection of suitable buildings, and such other means as may be adequate to carry into effect a system of reclamation.

And with a view to stamp with disapprobation so grievous a sin, we further pray,

That an act may be passed declaring persons known to be, or who may be proved to be habitual drunkards, disqualified from holding any public appointment, and that inebriate persons shall, on conviction before some qualified court, be declared to be incapable of managing their own affairs, and that their property be placed in trust for

the benefit of their families or themselves, as is the case with those who labour under other forms of insanity.

And your petitioners will ever pray.

The Rev. Dr. BEAVEN having obtained leave, brought up the report of the Committee on

CHURCH MUSIC.

The Committee on Church Music beg to Report that they have had several meetings during the past year, and that they have succeeded in making a collection of the names of such tunes as seemed to them more or less fitted to represent the devotional thoughts and feelings embodied in such metrical Psalms and Hymns, as are likely to be used in our congregations. From that collection they purpose to make a selection of those which appear to them best adapted for that purpose, and trust to present it, together with a collection of Chants, at the next meeting of the Synod.

They beg to assure the Synod that they have bestowed all the time and labour on the subject which they could spare from pressing duties ; and they confidently trust that the delay will enable them to produce a work somewhat worthy of the acceptance of the Synod and of the Canadian Church.

They lay their present list of Tunes on the table of the Synod, and trust that if there are any members of the Synod, who would desire to add to it, they will do so, giving references to the collections in which the best settings of such tunes are to be found. The Committee is likewise open to suggestions on any other points connected with the subject of their labour.

The Committee having so far reported progress, ask leave to continue their labour to their completion.

Mr. KIRKPATRICK, having obtained leave, brought up the following Report of the Committee on

REGISTRY OF DEEDS.

The Committee appointed to take into consideration the

best mode of proceeding for the registry and safe custody of all deeds relative to Church property, beg leave to report as follows : That they have examined the matter carefully and recommend the adoption of the following regulations.

Whereas it is desirable to establish a Registry in this Diocese in which all lands granted, conveyed, or devised, to any corporation or person in trust, for any purpose in connexion with the United Church of England and Ireland in this Diocese, shall be registered.

Be it enacted by the Synod of the Diocese of Toronto duly constituted and assembled,

1st.—That the Bishop of the Diocese shall nominate and appoint a Register.

2nd.—That the Registry office be kept at such place as the Bishop may select, and that suitable books be provided for the purpose of registering all said documents.

3rd.—That it shall be the duty of all Rectors, Incumbents, Churchwardens, Trustees, or other persons having legal custody of all grants, conveyances, or wills or parts thereof, in any way relating to land or property granted, conveyed, or devised, for the benefit of the said Church of England and Ireland in this Diocese, to transmit the same to the Register.

4th.—That it shall be the duty of the said Register to enter in the books so provided a full and exact copy of every such grant and conveyance, and a copy of the clause in every will devising such land or property, together with the date thereof and the name of the witnesses thereto, and if a probate, the court in which the same is proved.

5th. That it shall be the duty of the said Registrar to endorse on every such grant, conveyance, and will, or probate thereof, a certificate of such registry, and to return the same forthwith to the party from whom he received it.

6th. That the said Register shall keep indices shewing

the grantees, grantors, and Parishes or Churches mentioned in the grants, conveyances and wills registered.

7th. That on application by any member of the Church of England and Ireland, the said Register shall furnish a copy of any such instrument, or permit a search and examination thereof, upon payment of the fee hereafter to be arranged. And whereas it may be desirable to deposit the originals of such grants, conveyances, and wills in a safe and secure place, it is further enacted,

8th. That the Register shall retain such grants, conveyances, and wills, as the parties transmitting may be desirous of having so kept, and shall deposit them in some safe and secure place of deposit to be appointed for the purpose and approved of by the Bishop of the Diocese, and in such cases shall furnish copies thereof certified, and shall state in the certificate that the originals are so deposited, and in case the parties desire to withdraw the originals the said certificate to be produced and cancelled.

9th. That separate books be kept for the proposed subdivisions of the Diocese of Toronto, and that the books and instruments deposited, appertaining thereto, be handed over to the Register duly appointed for any new Diocese.

10th. That the Bishop of the Diocese be authorised to establish a reasonable tariff of fees to be paid to said Register.

All which is respectfully submitted.

JNO. KIRKPATRICK,
Chairman.

The Rev. Dr. BEAVEN, having obtained leave, brought up the following Report of the Committee on

PSALMS AND HYMNS.

The Committee on Psalms and Hymns beg leave to present the following report, showing, as they trust, a successful termination of the work allotted to them.

In entering on their labour they found a collection of Psalms and Hymns in use, the plan of which appears to have met with general approbation, and they conceived that by somewhat enlarging the plan and endeavouring to improve the execution, they might produce a book worthy of general adoption.

The work at present in use consists of a selection of Psalms from the New Version, a collection of Hymns arranged with reference to the seasons of the Christian year; a collection of words for Anthems; alphabetical indexes of the Psalms and Hymns; a table directing the Psalms and Hymns to be used on every Sunday, and on the principal holy-days throughout the year; and a table of occasional Hymns. This general plan they have developed in the following manner:—

First, they have made a fuller, and, as they hope, a more useful selection from the Psalms in the New Version; in a few cases altering the language, where any inconvenience or misunderstanding appeared likely to arise from the use of the words as they stand; but generally preferring to select such words as might, with propriety, be sung without alteration. Instead, however, of endeavouring to prescribe in the body of the work such verses as should be sung together, they have preferred to print all the verses selected from each Psalm without any break or division, reserving the selection of sets of verses for a table at the end, in which they recommend those which may with propriety be sung on all Sundays and holy-days throughout the year, and on certain special occasions; as being adapted, with reference more or less direct, to portions of the service for the day. In this way they still leave to those clergymen who may prefer to make their own selection of verses, a fuller liberty than exists in any other selection in use amongst us; whilst they provide for the case of those who would rather have a selection proposed for them.

They have had a little difficulty in deciding whether they should print at all any verses from the New Version of Psalms, or should not rather leave them to be sung from that version as bound up with the Prayer Book; but the majority of the Committee being in favour of the former course, that plan has been adopted.

In addition to the selection from the New Version, they have collected other translations or paraphrases of Psalms from the Old Version and other sources, which they have incorporated with the Hymns, according to their subjects; only marking them additionally as Psalms, with their proper number. In this way they have endeavoured to meet the views, both of those who would occasionally prefer to sing a Psalm in a version different from the New Version, and of those who conceived that by incorporating them with the New Version, or by printing them separately as Psalms, perplexity and annoyance might be occasioned to those members of the congregation who had no other version of Psalms than the New Version, if a Psalm were announced which they could not find in their books.

In compiling the collection of Hymns, their object has been to make such a collection as might contain Hymns suited to persons of various tastes and opinions, and still consistent with the doctrines of the Church. For this purpose they procured a large number of Hymn-books, of all schools, published for Church use within the last fifty years. From these collections, with a few Hymns from other sources, they first formed a trial collection, from which they made a selection, adapted to the seasons and days of the Church year, and the other requirements of public worship. From that selection, since the augmentation of the Committee, they have made a revised selection, with a very few additions; and that Committee itself being composed of persons of the various leading shades of opinion existing in the Church, it is hoped that this col-

lection will be found both trustworthy in doctrine and suited to the full devotional expression of the truths of our faith, and of the thoughts and feelings of Christian congregations.

The arrangement of the Hymns will be found to carry out much more completely the ground-plan of the old book, by providing special Hymns for every Sunday and other holy-day or season, and an Appendix arranged under particular subjects. And it is hoped this collection will be found to contain a greater number of the best Hymns than most other collections existing; and whilst it provides for the wants of that presumed majority, who desire to see the Hymns brought into the order suggested by our own Prayer-book, it still, they trust, furnishes those, who desire a wider liberty, with a collection of such Hymns as they approve, and from which they can make their own selection and arrangement.

Five tables or indexes accompany this book, besides the table of Psalms already mentioned: viz., a table of contents, alphabetical indexes of first lines of Psalms and Hymns, an alphabetical index of subjects, and an index of texts of scripture.

The Committee have omitted two features of the old collection, viz., the appropriation of tunes to the Psalms and Hymns, and a collection of words for Anthems. The first they have omitted, because the Committee on Church Music have not completed their labours, and because they conceive that that work would more properly come within the province of the Music Committee, being likewise persuaded that the collection of words for Anthems has never come into any extended use, they have omitted that feature of the old book.

Lastly, they propose that the substance of this Report should appear in the preface of the book, when printed.

All which is respectfully submitted.

JAMES BEAVEN,
Chairman.

The Rev. Dr. LETT, having obtained leave, brought up the following Report from the Committee on

PRINTING.

The Committee on Printing beg to Report that they have adopted all due economy in printing the Reports and other documents, as far as is consistent with the efficient working of the Synod.

All which is respectfully submitted.

STEPHEN LETT,
Chairman.

The Rev. Dr. PATTON, having obtained leave, brought up the following Report of the Committee on the

ENDOWMENT OF PARISHES.

The Committee beg leave to report,—That considering the usually precarious and unsatisfactory nature of a Clergyman's support, when it depends altogether upon the subscriptions of the Parishioners, the Committee, without disparaging the Voluntary Principle, which they regard as an important auxiliary, desire, notwithstanding, to combine with it a system of greater security and permanency. Believing, moreover, that in many Parishes it only requires that a more excellent way should be suggested in order to its being promptly and cheerfully adopted, the Committee, therefore, venture to recommend,—

I. That it shall be regarded as the duty of every Parish where no adequate endowment already exists, to commence, as speedily as possible, "A Parochial Endowment Fund," to aid in the support of the Incumbent of said Parish.

II. That it be recommended that such fund be at once commenced in each unendowed Parish, by taking up a collection for the purpose in each Church and at each Station within the same, inviting, moreover, subscriptions,

donations, and bequests of land or money for the promotion of the fund.

III. That such collections and such notices be repeated annually, until a sufficient Endowment Fund shall have been secured.

IV. That in order to encourage and assist Rural Congregations in forming such Endowment Fund, it shall be recommended to the Diocesan Church Society to grant aid to such Rural Parishes, in proportion to the amount contributed within the Parish, by adding per cent. to the amount so contributed.

V. That all gifts or bequests of real estate, and all lands otherwise acquired, shall be held by the Bishop or Church Society of the Diocese in which the Parish shall be situated, in trust, for the benefit of the Incumbent of the Parish; and that said real estate shall be managed by the Incumbent of the Parish, as in the case of present Rectors and their Glebes.

VI. That all subscriptions, donations, collections, and bequests of personal property, shall be vested in the Bishop or Church Society of the Diocese in which the Parish is situated, in trust, and shall be allowed to accumulate until the sum of £ be thus secured, after which the principal only, and all new collections, subscriptions, &c., shall be invested, and the interest shall be annually appropriated towards the Incumbent's support, and to that purpose only.

VII. That for the better management of each Parochial Endowment Fund, in the name of the Bishop or Society in which the same shall be vested, there shall be a Board of three Trustees, resident within the Parish, to which such fund shall belong, and chosen as follows, namely, one by the Incumbent of such Parish for the time being, one by the Bishop or Society in which such Fund shall be vested, and one by the Vestry of said Parish at a meeting convened

for that purpose; which Trustees so chosen shall have the management of such fund, in the name of the Bishop or Society, as the case may require, and shall invest the same in such name, to the best of their judgment; and such Trustees shall furnish to the usual annual Vestry meeting of such Parish, at Easter, a written statement in detail of the exact state of such fund, and how the same is invested: and any two of such Trustees may act in the management or investing of such fund, as effectually as if they all were present and agreed. Any vacancy in such Board of Trustees, occasioned by death, removal from the Parish, resignation or otherwise, shall be filled by the appointment of another Trustee, by the Incumbent, or by the Bishop or Society, or by the Vestry, (as the case may require,) by whom the Trustee was appointed, in respect of whom such vacancy shall have occurred; and such Trustees shall respectively hold their seats at such board, during the pleasure of the person, society or body by whom they shall have been respectively appointed; and any appointment of a Trustee, according to the provisions hereof, by any such person, society or body, shall annul and render void every former appointment of a Trustee, which shall have been made by the same person, society or body.

VIII. And for the greater security of the said fund, the Trustees appointed as above shall respectively enter into covenants to and with the Bishop, or Society, as the case may require, for the faithful administration of the said fund, as above (Rule VII.,) and of all moneys belonging to it which shall come to their hands, and also for the prompt, peaceful and faithful surrender of all moneys in their hands, with all papers and documents referring to said fund and moneys, to their successor or successors appointed as before named.

IX. That whenever it shall be deemed advisable by the Incumbent, Churchwardens and Congregation in Vestry

assembled, the monies and other personalities of the fund may be appropriated to the purchase of a Glebe, or piece of land adjacent or near to the parsonage, as an endowment appurtenant to the same, and for the benefit of the Incumbent, and in such case, Rule VI., as far as it relates to the accumulation of the Fund, shall be dispensed with, so that the whole of the Fund may, if necessary, be applied to the said purchase, but that with such exception, no portion of the fund shall, under any pretence whatever, be alienated or appropriated to any other object than for the support of the Incumbent as aforesaid. Provided, however, that in the event of the future division of the Parish, the Endowment fund thus created shall likewise be subject to division, in accordance with the rules and regulations which may from time to time be adopted by the Synod of the Diocese, for the division of Parishes, and of the endowments thereunto pertaining.

All which is respectfully submitted.

HENRY PATTON,
Chairman.

The Rev. MR. ROGERS obtained leave to defer the report of the Committee on the Laws Relating to the observance of the Lord's day till to-morrow.

J. W. BRENT brought up the following report of the Treasurer :

Report of the Treasurer of the Synod to the 6th of June, 1859.

The amount of arrears when the present Treasurer took office was—		
By Diocese of Toronto.....	£181 16 6	
Diocese of Huron.....	59 15 0	241 11 6
This amount has been paid by Diocese of Toronto	108 9 0	
Amount remitted	8 10 0	
Balance of arrears due by Diocese of Toronto..	69 17 6	181 16 6
The amount of arrears by the Diocese of Huron still unpaid		<u>£ 59 15 0</u>

RECAPITULATION.

Amount due by Toronto.....	69 17 6
" " Huron	59 15 0
Total.....	<u>£129 12 6</u>

J. W. BRENT,
Treasurer Synod.

Toronto, June 6th, 1859.

Certified as correct,

C. J. CAMPBELL,
W. M. WESTMACOTT, } *Auditors.*

NOTICES OF MOTION.

The following notices of motion were then given :

1. REV. DR. O'MEARA.—That the Report of the Committee on Indian Missions be adopted.

2. REV. DR. BEAVEN.—

- a. That the Report of the Committee on Canons be adopted.
- b. That the Bishop be requested to erect his Court, under the authority conferred by his Patent, at an early day.
- c. That the Synod do declare the Bishop's Court to be the Court for the trial of all offences of the Laity as well as of the Clergy, against the provisions of the Act constituting the Synod, or against any of the rules, regulations or Canons passed by the Synod.
- d. That the Synod adopt the Imperial Statute 3 & 4 Vic., ch. 86, commonly called The Church Discipline Act, as the rule for guidance in the administration of the Bishop's Court in reference to the Clergy, so far as the same may be applicable to the circumstances of this Diocese.
- e. That the amendment on the Canon for the Division of Parishes, proposed by the Rev. D. E. Blake, as modified by the Committee, be adopted.

3. The Hon. J. H. CAMERON,—That the Report of the Committee on Schools be adopted.

4. The Rev. Dr. FULLER,—That the Report of the Committee on Discrepancies in the Celebration of Divine Worship, be printed, for the information and consideration of the members of this Synod.

5. The Rev. Dr. FULLER,—The Report of the Committee on Increase of Divinity Students, be adopted and printed in sufficient numbers to be circulated in every Parish of the Diocese.

6. The Rev. Dr. LEWIS.—That Report on the Re-Assessment of Parishes be adopted.

7. The Hon. J. H. CAMERON,—That the report of the Committee of Endowments be adopted; and also that the Committee, recommended therein, be appointed.

8. DR. BOVELL.—That the Report of the Committee on Lessening the Amount of Drunkenness be adopted together with the petition annexed thereto.

9. DR. BEAVEN.—

(a). That the Report of the Committee on Psalms and Hymns be received and adopted.

(b). That the Committee be authorized to take measures for its being printed without delay, either by making arrangements with some publisher or in connexion with the Church Society.

10. DR. BEAVEN.—That the Committee on Church Music do obtain leave to sit again.

11. MR. KIRKPATRICK.—That the Report of the Committee on the Registry of Deeds be adopted.

12. Rev. DR. PATTON.—That the Report on the Endowment of Parishes be printed.

13. Rev. DR. LETT.—That the Lord Bishop be requested to appoint a committee to collect the minutes of proceedings of a meeting of the members of this Synod residing within the limits of the present Diocese of Huron on the 8th

day of June, 1857, for the purpose of electing a Bishop to the then proposed See, and that said minutes, so collected, be entered on the Minute Book of this Synod, and also printed in the Report.

14. Rev. WM. BLEASDELL.—That the Lord Bishop of the Diocese be respectfully requested to appoint a Committee to enquire into the nature of the authority by which the Clergy of the United Church of England and Ireland officiate in the performance of the marriage ceremony in this Province. And also whether the Provincial Legislature has any right to compel the *unremunerated services* of such Clergy in making annual returns of such marriages to their appointed officers; and also to impose a fee upon them additional to the trouble of following up such return, as it has claimed in the 20th Victoria, ch. 66.

15. Dr. BOVELL.—That his Lordship the Bishop be respectfully requested to sanction the introduction of the Special Service for the visitation of prisoners as found in the Irish Prayer Book, and adopted also by the Church in the United States.

16. The Hon. J. H. CAMERON.—That he will move the Synod to petition her Majesty, to appoint a Metropolitan over the United Church of England and Ireland in this Province.

17. Dr. BOVELL.—Moves that a Committee be appointed to consider whether any, and what modifications are or may be necessary to be made in the mode of electing Bishops.

18. Colonel KINGSMILL.—That the letters of their Lordships the Bishops of Madras, Bombay, and Calcutta, be printed and entered on the minutes.

19. Dr. BOVELL.—That the circular from the Sons of Temperance, read before the Synod by the Clerical Secretary, be duly filed, and respectfully acknowledged.

20. Mr. CAMERON.—Amendment of the constitution of the Synod in the proceedings at elections of lay delegates

within any cure, in which there is more than one church or congregation.

21. Mr. CAMERON.—Appointment of a committee who shall be empowered to take all necessary steps for the endowment of the See of Toronto.

22. Dr. BEAVEN.—To consider the propriety of adopting the first division of the Canons, already reported.

23. Rev. E. DENROCHE.—(a) That the thanks of the Synod are fully due, and are hereby gratefully accorded to the Committee upon the Hymnal, for the great labour taken in carrying out the arduous task committed to them. But that this Synod, taking into consideration that all the British North American Dioceses are to be regarded to a certain extent as outlying portions of the Province of Canterbury, in England, hereby resolves, before publishing any compilation of Church-music, or any selection of Hymns, together with portions of the metrically-translated Psalms, to forward, (through the Right Reverend the Lord Bishop of the Diocese) to both houses of Convocation of the Province aforesaid, a MEMORIAL, setting forth that, although this Diocesan Synod has been at very great pains, through its Committees, to perfect compilations and selections to the best of its ability, it has nevertheless resolved to abstain from publication, until it may have learned that Convocation is not disposed to promote uniformity throughout the whole Church, by providing authoritative selections of words, and compilations of music; and that this, the Synod of the Diocese of Toronto, doth, with all earnestness, and due humility, pray Convocation to undertake a work, worthy of its labour, a work which would be productive of great uniformity throughout the length and breadth of the united Church, and which, by reason of the largeness of the editions required, would be readily accessible to the means of the Church's poorer members.

“Moreover, that whereas the selection of Psalms, to

be sung on Sundays and Holydays, (as set forth in the Hymnal generally used in this Diocese,) is confessedly defective and incomplete, this Synod do hereby, for the present, sanction the selection of Psalms now submitted by its Committee, as being more appropriate for the services of said days, and do therefore cause the index (or list of selected stanzas) as framed by the Committee to be printed, and do also strongly advise its adoption, until such time as an authorised Hymnal be adopted, either under the sanction of the Convocation of Canterbury or of the Provincial Synod of the Church in this country, or of the Synod of this Diocese, as the case may."

(b). That the Lord Bishop is hereby requested to appoint a committee to draft said memorial under his Episcopal advice; and to forward it, at his Lordship's earliest convenience, to the Convocation.

24. Rev. T. B. FULLER.—Before the close of this session of Synod, I will move, that a deputation from the Synod be appointed to attend the General Convention of the Protestant Episcopal Church in the United States to sit in October next.

25. Dr. LETT.—On additional services.

26. Mr. DARLING.—That the Report on the Endowment of Parishes be referred again to the Committee, with directions to consider whether the objects which they seek to attain may not be better accomplished by making their proposed contributions to a general fund.

27. Mr. DARLING.—That seeing how greatly the Clergy require the prayers of their flocks in these days of danger and diversity, and in order to carry out more definitely the recommendation of the Report on increasing the number of Divinity Students, the Lord Bishop of the Diocese be respectfully requested, by Pastoral letter or otherwise, to call attention to the unhappy neglect of the Ember seasons which at present prevails, and to urge upon the Clergy

and Laity the blessings which would result to both, from general and devout observance thereof.

28. **Rev. H. HOLLAND.**—That the Bishop be requested to appoint a Committee to consist of three Clergymen well skilled in Ecclesiastical Music, whose duty it shall be to make a selection of music to be used on the various occasions of Divine Worship at the next meeting of the Synod, and to publish a programme of the same in the Ecclesiastical Gazette some time previously to the meeting of the Synod.

29. **Dr. BOVELL,**—That whereas doubts exist as to the right of the Church to enjoy separate schools when she has provided for the education of her youth, it be resolved to petition the Legislature to remove such doubts, by plainly declaring the right of the Church to have such Schools, and that they be in every sense taken to be Common Schools.

20. **REV. MR. KENNEDY.**—The appointment of a Committee to enquire into the grounds of the protests offered by the Rev. Dr. Blackman, the Rev. T. S. Kennedy, and R. B. Denison, Esq., touching the assessment which their Churches have been called upon to pay, and if they see fit to suggest a remedy for the wrong complained of.

31. **Dr. JONES.**—Will, to-morrow, move, that with the object of extending the Church Missions, it be taken into consideration by the Synod the propriety of a Parochial subscription by the members of the Church throughout the Diocese

32. **Dr. FULLER.**—Will (to-morrow) move, that it is desirable that the position of Incumbents in possession of Parsonages be clearly understood, so as to define exactly their relation in reference to the Churchwardens, and whether they should not hold their residence without rent or taxes during their incumbency, and that such parsonages should be considered part of the Church endowment.

33. **The Rev. Mr. CARRY.**—That the Report of the Com-

mittee on Drunkenness be printed; and that the Lord Bishop be respectfully requested to direct the Clergy of the Diocese to read the same during Divine Service, on some Sunday.

Amendment by T. B. READ.—That 1,000 copies of the Report of the Committee on Drunkenness be printed in pamphlet form, and circulated by the Clergy throughout the Diocese.

34. Rev. Mr. FLETCHER.—That his Lordship the Bishop of the Diocese be requested to appoint a Committee to obtain information relative to the working of the voluntary principle in the parishes where the salary of the clergyman is derived wholly or in part from the offerings of their flocks, and to report to the next Synod such information, with any suggestions upon the subject which they may think necessary.

35. Mr. KINGSTON.—That the Lord Bishop be requested to appoint a Committee to consider the best means of organizing a body of Lay Readers or Catechists, to cooperate with the Clergy in populous districts, and to minister both by prayer and preaching to congregations residing in places where the services of the Clergy cannot be constantly provided.

36. Rev. Dr. LETT.—Thanks to Mr. Grant, Superintendent of Ontario and Huron Railway.

ADJOURNMENT.

J. W. GAMBLE then moved, and the HON. P. B. DE BLAQUIERE seconded—

That the Synod do now adjourn.

SECOND DAY.

FRIDAY, *June 8th*, 1859.

Divine Service in St. George's Church at 7 A. M. Prayers were said by the Rev. Richard Lewis, Rector of Prescott.

The Lessons were read by the Rev. J. S. LAUDER, Rector of Ottawa, and by the Rev. F. TREMAYNE, Incumbent of Milton.

The Synod met in the School House for dispatch of business.

His Lordship took his seat at 10 A.M. There was a full attendance of members, several of the Clergy and Lay delegates having arrived, who were not present on the previous day.

The Secretary read a communication from the Chief Superintendent of Education for Upper Canada on the subject of Religious Instruction in Common Schools.

Hon. J. H. CAMERON moved, THOS. KIRKPATRICK seconded,

That the Communication just read be referred to the Committee on Schools, and that the rule requiring notice be suspended respecting the same.—*Carried.*

UNFINISHED BUSINESS.

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

That the Report of the Committee on Parsonages, and any amendments proposed thereto, be referred to a Committee to be now appointed.—*Carried.*

His Lordship named the following Committee: Revs. Dr. Patton, R. V. Rogers, D. E. Blake; Thos. Kirkpatrick, Judge Jarvis, J. W. Gamble.

Mr. FORD moved, Rev. Dr. PATTON seconded,

That the resolution of the last Synod, ordering that the following words be added to Canon 15 of the Rules of Order be confirmed: viz., "And when so voting, the vote of the majority of those present shall be considered the vote of the Parish."—*Carried.*

Col. O'BRIEN's motion to stand over as a notice of motion till the next Synod, viz.:

That the Canons now adopted as well as all the Canons of this Synod be transmitted to the Provincial Synod.

The Rev. S. GIVENS moved, seconded by the Hon. P. B. DEBLAQUERE,—

That twenty-four Delegates to the Provincial Synod be elected, viz., twelve Clergymen and twelve Laymen.—
Carried.

His Lordship directed that the election should take place forthwith, and named as Scrutineers, for the Clergy, Rev. Dr. Lewis, Rev. Mr. Osler; for the Laity, Col. Kingsmill, J. W. Gamble.

Col. O'BRIEN moved, and Rev. D. B. READ seconded,

That, whereas, from the gift of lands and other real estate, or property, for the endowment of any particular church, and the rapid and large increase in the value of the same, far beyond the expectation of the donor, the income of such endowment has, in some instances, and may probably in others, increase in amount beyond the requirements of the said church; and, whereas, it is desirable that all such income, over and above what may be necessary for the decent and comfortable maintenance of the Incumbent, should be applied either to the increase of the income of others not sufficiently provided for, or for the opening of new churches. Be it

Resolved,—That in all cases where the annual income of the incumbent of any rectory, church, mission or parish, derived from the endowment of the same, or from any emolument the said Incumbent may enjoy for services in the church, shall exceed, in cities, the sum of (or otherwise, as the case may be decided upon), and in all other places, the sum of , the surplus shall be paid over in trust to the Church Society of the Diocese, for the purpose of being applied to the increase of income of other clergymen, or of establishing other churches, as may be hereafter decided upon.

That any clergyman, on being inducted to a living, shall sign a sufficient document, binding himself to pay over any such ascertained surplus, as above required; and that this matter be referred to the Committee on the Division of Endowments, to ascertain and report on the best modes of carrying the same into effect.—*To stand over.*

Dr. BOVELL's motion withdrawn.

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

That the Lord Bishop be requested to appoint a committee to collect the minutes of proceedings of a meeting of the members of this Synod residing within the limits of the present Diocese of Huron, on the eighth day of July, 1857, for the purpose of electing a Bishop to the then proposed See, and that said minutes, so collected, be entered on the Minute Book of this Synod, and also printed in the Report.—*Carried.*

His Lordship named as the Committee the Rev. Dr. Fuller, the Rev. Dr. Patton, and Dr. Bovell.

The Rev. Dr. LETT moved, and Dr. BOVELL seconded.

That the following Resolution, proposed by the Rev. J. Wilson, and seconded by the Rev. J. Fletcher, and passed unanimously by the Synod, on Thursday, the 16th day of September last, and which should have been inserted in page 146 of last printed Report, after line 13, but was omitted therefrom, be printed in the Report of this Session, viz:—

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

Resolved,—That it is the bounden duty of every member of the Church, clerical and lay, to promote and carry out, to the best of his ability, the various objects contemplated

by the Church Society; and for this purpose the Clergy, Churchwardens, and Lay Delegates of each parish or mission are earnestly entreated to give to this excellent Institution the full benefit of their aid and influence, by the establishment of Parochial Associations, and the Quarterly Collections."—*Carried.*

The Rev. Dr. LETT moved, and Dr. BOVELL seconded, That it be a direction to the present Secretaries, and also to all future Secretaries, "to print the Reports and all other documents of the Synod, uniformly with the Report of the last Session, in order that all such Reports and documents may be bound in volumes."

One o'clock having arrived, the Synod adjourned.

The Synod resumed at two o'clock.

DELEGATES TO PROVINCIAL SYNOD.

The Rev. Mr. OSLER reported the following as Clerical Delegates to the Provincial Synod: Revs. D. E. Blake, Dr. Beaven, Dr. Patton, Provost Whitaker, Dr. Bethune, Dr. Lewis, J. G. Geddes, Dr. Fuller, T. S. Kennedy, Dr. Lett, S. Givens, and E. Denroche.

Mr. GAMBLE reported the following as the Lay Delegates: Hon. J. H. Cameron, Dr. Bovell, J. W. Gamble, Esq., Hon. G. W. Allan, Hon. J. Patton, Hon. G. S. Boulton, Col. Kingsmill, Hon. P. B. DeBlaquiere, T. C. Street, Esq., S. B. Harman, Esq., E. G. O'Brien, Esq., and T. B. Simpson, Esq.

NOTICES OF MOTION.

37. Dr. BOVELL.—Whereas there are in this province certain lands, or glebes, known as the Dorchester Glebes, which were set apart at the early settlement of the country for Church purposes, and which were appropriated to the Church, and are now in the hands of the Church, or claimed by the Church as the most lawful claimant of said lands, yet without having received a patent for said lands; and

it being very desirable that a clear and permanent title to the said lands be obtained, and the Government may not think it expedient, or feasible, to complete the title of said lands by granting free patents, the Synod hereby respectfully requests the Lord Bishop to appoint a Committee for the purpose of applying to the Government for the purchase of the said glebes, at the former valuation, and also to direct that a special collection be made in all the Churches for the purpose of raising the necessary funds.

38. Mr. HILTON.—Notice is given that it will be moved that the Synod do address his Lordship, requesting him to send a circular to the different Parishes, impressing upon them the necessity of sending the entire amount raised in the different Parishes to the head-quarters of the Society at Toronto.

CONSIDERATION OF MOTIONS.

The Rev. Mr. FLETCHER moved, and Dr. FULLER seconded,

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

Dr. BOVELL announced to the Synod that the sum collected at the offertory, at St. James's Cathedral, at the opening of Synod, for missions in India, amounted to £109 15s. 9d.

Synod adjourned at six o'clock.

7

THIRD DAY.

FRIDAY, *June 10th*, 1859.

Divine Service in St. George's Church, at nine o'clock.

Prayers were said by the Rev. H. B. Osler.

The Lessons were read by the Rev. G. Hoffman.

The Synod met in St. George's Church School-House.

His Lordship the Bishop took his seat at ten o'clock.

REPORT OF CENTRAL BOARD FOR SUSTENTATION FUND.

J. W. GAMBLE brought up the following report from the Central Board for Sustentation Fund :

The Committee appointed by the Lord Bishop of Toronto, to act as a Central Board, under his Lordship's direction, for apportioning all moneys raised for the Sustentation Fund, beg to report,—

That by summons from the Lord Bishop, they held their first meeting in Toronto, on Thursday, the 10th February last, when the following grants were made and sanctioned by the Lord Bishop: To the Revs. W. A. Johnson, Weston; J. Carry, Woodbridge; C. L. Ingles, Drummondville; J. Parnell, Mirickville; J. A. Preston, Rawdon; R. C. Boyer, Hillier; the sum of One Hundred and Fifty dollars each, for the year 1859, commencing from the first of January.

They held their second meeting on Wednesday, the 11th May last, when the following additional grants were made, viz.: to the Revs. S. Briggs, Nanticocke, J. W. Davidson, Newbury, each One Hundred and Fifty dollars for the year 1859, commencing from the first of January; and also the sum of One Hundred and Fifty dollars for the same period and from the same date to the Rev. P. S. Warren, of Lakefield, on condition that it be certified that a sum not less than One Hundred and Fifty dollars has been paid to this Reverend gentleman by his parishioners for the same period.

The sum of Twelve Hundred dollars has therefore been actually ordered to be paid from this fund for the present year, and One Hundred and Fifty dollars further, conditionally promised; making in all \$1,350, and leaving somewhat more than \$300 still to be disposed of, and for which applications have subsequently been received by the Chairman of the Board.

All which is respectfully submitted.

A. N. BETHUNE,
Chairman.

CONSIDERATION OF MOTIONS.

The Rev. Dr. LEWIS moved, and the Rev. J. Carry seconded,

That the report on the Re-assessment of Parishes be re-committed.—*Carried.*

His Lordship named S. B. Harman on said Committee, instead of H. W. Baker.

The Hon. J. H. CAMERON moved, and THOMAS KIRKPATRICK seconded,

That the report of the Committee of Endowments be adopted; and also that the Committee recommended therein, be appointed.—*Carried.*

His Lordship then moved the following as the Committee for enquiry into the amount and nature of endowments.

The Revs. H. Patton, D.C.L.; H. J. Grasett, B.D.; D. E. Blake, A.B.; T. B. Fuller, D.C.L.; Hons. P. B. De-Blaquiere, J. H. Cameron, James Patton, Thomas Kirkpatrick, Col. O'Brien.

Dr. BOVELL moved, and R. V. ROGERS seconded,

That the report of the Committee on Lessening the Amount of Drunkenness be adopted, together with the petition as amended, annexed thereto.—*Carried.*

THE PETITION

Of the Right Rev. the Lord Bishop of Toronto, the Clergy and Lay-representatives of the United Church of England and Ireland in Synod assembled.

Humbly sheweth—That there are a number of unhappy persons in this Province who, from indulgence in the habit of drinking intoxicating liquors to excess, have reduced themselves to a condition which has, on the highest authority, been declared to be “Insanity,” ending not unfrequently in their own ruin and sudden destruction, but also in furnishing inmates to our Lunatic Asylums in the persons of their unhappy wives, and their still more unfortunate offspring.

That experience has proved that many of our fellow creatures guilty of intemperance would be saved, if they had an opportunity of retreating to some Asylum where they would be properly administered unto, and the habit of intemperance broken, by removal from the possibility of yielding to their strong temptation.

We therefore pray that it may seem good to the Legislature to make provision for inebriates, by the erection of suitable buildings, and such other means as may be adequate to carry into effect a system of reclamation.

And with a view to stamp with disapprobation so grievous a sin, we further pray,

That an act may be passed declaring persons known to be, or who may be proved to be habitual drunkards, disqualified from holding any public appointment, and that inebriate persons shall, on conviction before some qualified court, be declared to be incapable of managing their own affairs, and that their property be placed in trust for the benefit of their families or themselves, as is the case with those who labour under other forms of insanity.

And your petitioners will ever pray.

Rev. Dr. BEAVEN moved, and the Hon. J. H. CAMERON seconded the following resolutions from the

COMMITTEE ON CANONS.

That the report of the Committee on Canons be adopted.

That the Bishop be requested to erect his Court, under the authority conferred by his Patent, at an early day.

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

That the Synod adopt the Imperial Statute 3 & 4 Vic., ch. 86, commonly called The Church Discipline Act, as the rule for guidance in the administration of the Bishop's Court in reference to the Clergy, so far as the same may be applicable to the circumstances of this Diocese.

That the amendment on the Canon for the Division of Parishes, proposed by the Rev. D. E. Blake as modified by the Committee, be adopted.—*Carried.*

The Synod adjourned at one o'clock.

Synod resumed at two o'clock.

The Rev. Mr. ROGERS, having obtained leave brought up the following report from the Committee on the

SABBATH OBSERVANCE LAWS.

Your Committee, to whom was entrusted the duty of reporting on the Laws of Canada relating to the Observance of the Lord's Day or Christian Sabbath, would state

That the only Statutes which bear upon the Sabbath observance, with the exception of a few local regulations and the recent bill of the Honorable A. Campbell, to close taverns from 7 o'clock on the Saturday evening until 7 o'clock on Monday morning, are the 7th Vic., chap. 14,

and the 8th Vic., chap. 40. An abstract of which is as follows :

7th Vic., chap. 14.—No tolls to be levied on vehicles going or returning from places of public worship on Sundays or holidays.

8th Vic., chap. 45.—No sales to be made on Sunday. No person allowed to work on Sunday at his ordinary calling (with a few exceptions detailed in the body of the Act.) Tippling prohibited at Taverns. Public meetings, games, hunting, bathing in exposed places, are also forbidden.

Sales, bargains or agreements made on Sunday are void.

Penalty for conviction not more than \$10, or less than \$5. If not paid, may be committed for any period not over three months.

On the above your Committee deem it needless to make any remarks.

They would, with permission of the Synod, briefly recapitulate the arguments :

1. For the Divine institution and perpetual observance of the Fourth Commandment.

2. Show the intimate connexion between the Scriptural observance of this law and individual and national well-being, and

3. Consequently, on the duty of the Church, as the conservator of the world's best interests, to guard so great a blessing by every means within its power.

First.—In relation to the Divine institution, &c., our remarks must be brief.

Bishop Porteus says, "From the beginning of time God blessed and sanctified the Sabbath day to purposes of religion (Gen. ii., 3.) That injunction was again repeated to the Jews in the most solemn manner at the promulgation

of their law from Mount Sinai, (Ex. xx., 8, 9, 10, 11), and once more urged upon them by Moses in Deut. v., 12.

After our Lord's resurrection, the first day of the week was, in memory of that great event substituted in the room of the seventh, and from that time to the present has been constantly set apart for the Public Worship of God by the whole Christian world, and whatever difference of opinion there may have been in other respects, in this all parties, sects, and denominations of Christians have *universally and invariably* agreed."

Your Committee would remark, that universal and invariable consent by the Christian Church is one of the safest marks of truth.

That the observance of the Lord's day is not a positive institution, abrogated together with the Jew's Ceremonial Law, is pointed out by *Dr. Wayland*, (Moral Philosophy.)

That the Fourth Commandment is one of the *Ten*; that the Ten Commandments is the sum of *the moral precepts of God to man*; that "our Saviour and the Apostles who made the most decided distinction between moral and ceremonial observance never alluded to the law of the Ten Commandments in any other manner than as of permanent and universal obligation."

Hence, your Committee concluded that the setting apart one day in seven for holy work, and in order to it, for holy rest, was a Divine appointment ever since God created man upon the earth, and is *the most ancient of laws*; that it is an institution for all times and all persons, a part of that law, which Christ came not to destroy, but to fulfil; because, it is a part of that will of God, which He came to do; and so, whilst binding on the Jew, as a memorial of his creation and temporal redemption, comes to the Christian, as a creature of God, with equal force. Yet, as the *Redeemed* of the Lord comes to him with a force, as immeasurably greater as his redemption is greater, in

itself, and in its consequences, so much greater is the obligations for Sabbath observance; now, as the blessing of a soul redeemed from sin and rejoicing in the liberty wherewith Christ makes his people free, is greater, in the body's redemption from temporal slavery, than all earthly advantages.

Second.—The intimate connexion, &c.

Your Committee would recall to the mind of the Synod the words of God to his Ancient Church.—Ezek. xx. 12. “Moreover, I gave them my Sabbaths,” &c.

Each returning Sabbath was to be a sign—an outward token or mark, conveying this *distinct* idea, of what Jehovah was in *Himself*, “I am the Lord;” and what He was to them as *a nation* and *individuals*: I am the Lord your God, that *sanctify you*; setting them apart as a nation to himself, consecrating each *believing* Israelite to his own service.

Then, the knowledge of the relation existing between God and Israel would depend on the observance of the Sabbath, as a weekly call on their allegiance, by reminding them of His Sovereignty; on their gratitude, by putting them in remembrance of their God's great goodness.

Again, it was to be *a perpetual covenant*, not to cease at any one time of their national existence, but to last so long as its end and object were required—their sanctification!

For observe, not *I have*, and so the thing finished; but *I do*, and so continue through all time, to “sanctify them.” The Sabbath was to afford a suitable opportunity to them of growth in grace and holiness: “Holiness to the Lord” was written on it by the finger of God.—Ex. xxxi. 15, 16.

They were to be “a kingdom of saints.”—Ex. ix., 5, 6.

Not here and there one was to be set apart to God's service, but the entire kingdom. Holiness to the Lord was to be the national escutcheon as well as the badge of the individual profession. When they forget this sign of

their connexion God reminds them of it by judgments which would fan and separate, refine and purify.—Lev. xx., 7, 8.

xiii., 15, 23., *Nehemiah* would tell magistrates that they are bearers of the sword of justice in God's name, and that they ought to compel the observance of the Sabbath, so far as they can, to shut shops, and forbid buying and selling; and this because of the close connexion of the highest good of society with Sabbath observance; evident as it is from the *Bible History of the Jews*, as well as from the experience of all nations.

Third.—Consequently, &c., your Committee would not presume to tell this Synod, that the Church of Christ has in its own hands the keeping of the world's best interests, except "by way of remembrance."

Far more stringent than any human law, is that bond with which the moral influence of the Church binds men's consciences. It is the Christian Ministry by the Word of God and his ordinances, together with the Church by its example, which can teach men to "hallow God's Sabbath." It is the Churchman in general, the communicant in particular, by his example, not of constraint, but willingly, of a ready mind, honoring the day,—more than this, proving his love for the day by making it his "delight"; it is this practice becoming general which will lead the world to believe, that in a strict keeping of the Sabbath there is great reward.

In conclusion, your Committee would respectfully suggest to the Synod the adoption of the following resolutions:

Resolved—1. That this Synod desires to record its solemn conviction that *one seventh portion of time is God's claim on man*, as a *physical and moral creature*, and that in strict accordance with this law—man's highest interests, for time and for eternity, are inseparably connected.

II. That this Branch of the Church of Christ in solemn

Synod assembled, claims this one seventh as the Lord's Day—emphatically “the day of the Son of Man,” as “Lord of the Sabbath,”—and binds itself individually, and would urge on those whom they represent, the sanctification of the Sabbath as a delight—“The Holy of the Lord.”

III. That our branch of Christ's Church, which is “the pillar and ground of the truth,” would remind the *Civil Power*, respectfully, yet earnestly, of that great moral, physical, and religious law—*six days, labour, and seventh day, rest.*

IV. That a Committee be appointed for the purpose of watching the interests of this most important institution, in a day like this, when its sanctity is so encroached on, and when attempts are being made to undermine and destroy its eternal obligations.

All of which is respectfully submitted.

R. V. ROGERS, A.M.

S. B. ARDAGH, M.A.

P. B. DEBLAQUIERE, M.L.C.

JAS. PATTON, M.L.C.

Mr. ROGERS gave notice that he would move the resolutions in the above report next Synod.

CONSIDERATION OF MOTIONS.

R. B. DENISON moved, and the Hon. Mr. DEBLAQUIERE seconded,

That Dr. Blackman's letter complaining of the over-assessment of his parish, also the protests of Mr. Kennedy and Mr. Denison be referred to the Committee on Assessment now sitting.—*Carried.*

The Hon. Mr. CAMERON moved, and Mr. KIRKPATRICK seconded,

That the report of the Committee on Schools be adopted.

Dr. BOVELL, in amendment,—That whereas doubts exist as to the right of the Church to enjoy separate schools

when she has provided for the education of her youth, it be resolved to petition the Legislature to remove such doubts, by plainly declaring the right of the Church to have such schools, and that they be in every sense taken to be common schools.

His Lordship suggested that it should be left to the Committee now sitting, in connexion with the Bishop, in case there be no remedy from the Courts of Law, to prepare a petition to Parliament on behalf of the Synod, and that should the Bishop order the petition to be presented before a legal decision be arrived at, it shall be so presented.—*Agreed to.*

The Rev. Dr. FULLER moved, and Rev. Mr. GIVENS seconded,

That the Committee on Discrepancies in the Celebration of Divine Worship be allowed to sit again, with a view to and the reception and consideration of suggestions on the subject, and that such suggestions be sent in before the first of August.—*Carried.*

The Rev. Dr. FULLER moved, and J. W. GAMBLE seconded,

That the Report on the Increase of the number of Divinity Students be adopted and printed, and that the Committee be re-appointed, with the addition of the Revs. Dr. Beaven, and Mr. Hilton, to take such further steps thereon in pursuance of the object of the Report as they may deem expedient.—*Carried.*

The Rev. Dr. LEWIS, having obtained leave, brought up the following amended list of Assessment of Parishes:—

Amherst Island	\$4	Barton	3
Arthur	3	Belleville	15
Ancaster and Dundas...	6	Berkeley	3
Barrie	6	Brockville	12
Barriefield	3	Brampton	3
Bath.....	4	Bowmanville	6

Brock	3	Hamilton, St. Thomas'.	6
Cavan	3	Kingston, St. George's.	20
Cobourg	15	" St. James'...	5
Carleton Place	3	" St. Paul's....	5
Credit	4	Kemptville	4
Collingwood	3	Louth	3
Charleston	3	Lloydton	3
Chippawa	6	Lindsay	3
Cartwright	3	Lambs Pond	3
Clarke	4	Mono	3
Cornwall.....	7	Mirickville	3
Carrying Place	3	Manetooahning	0
Camden	3	Markham.....	4
Douro	3	Minto	3
Dunville	3	Mountain.....	2
Etobicoke	5	March	3
Elora	3	Metcalf	3
Emily	3	Milton	3
Franktown	3	Morrisburg	3
Fitzroy.....	3	Newboro'.....	2
Fredricksburg.....	4	Napanee	2
Fenelon	3	Niagara	8
Fort Erie.....	3	Newmarket.....	4
Georgina.....	3	Northport.....	2
Goulborn	3	Ottawa.....	12
Gananoque	3	Oakville	4
Garden River.....	3	Orillia	3
Grimsby	4	Osnabruck	3
Georgetown.....	3	Otonabee	3
Glin allan	3	Oak Ridges.....	3
Grantham	3	Perrytown	3
Guelph.....	12	Pembroke	2
Grafton	3	Peterborough	6
Hamilton, Christ's Ch..	15	Picton	6
" Ascension ...	10	Pickering.....	2

Prescott	6	Toronto, Holy Trinity..	10
Penetanguishene	3	“ Trinity	10
Perth	4	“ St. John's.....	5
Port Hope	9	“ St. Stephen's..	4
Portsmouth	4	“ St. Paul's.....	12
Richmond	3	Thornhill.....	8
Rockton	3	Thorold	8
Rockwood	3	Tecumseth	3
Rice Lake	3	Tyendenaga	2
Reach	3	Weston	3
Saltfleet	3	Welland	3
St. Catherine's	12	Walpole	3
Scarboro'	4	Wellington Square.....	4
Shanti Bay	2	Woodbridge	4
Sydenham	3	Watertown	3
Stirling	3	West Gwillimbury.....	3
Seymour	3	Whitby	4
Smith's Falls	3	Wellington	3
Streetsville	4	West Hawkesbury.....	3
Stewartown.....	3	Wolfe Island	3
Trenton	4	York	3
Toronto, St James'.....	40	York Mills	5
“ St. George's... ..	20		

The Rev. Dr. LEWIS moved, and Mr. GAMBLE seconded, That the list as amended be adopted.—*Carried.*

Dr. LEWIS, having obtained leave, brought up the following Report:—

The Committee on the Re-Assessment of Parishes, to whom was referred the remonstrance of the Parishes of St. Thomas's, Hamilton, St. John's and St. Stephen's, Toronto, recommend that the sum of \$6 be refunded to the Delegates of St. John's, and \$10 to the Delegates of St. Stephen's, and that the Assessment of St. Thomas's, Hamilton, be \$6 for the present year.

J. TRAVERS LEWIS,
J. W. GAMBLE,
D. B. O. FORD.

The Rev. Dr. BEAVEN moved, and Rev. Mr. FLETCHER seconded,

That the Committee on Church Music have leave to sit again.—*Carried.*

Mr. KIRKPATRICK moved, and Hon. J. H. CAMERON seconded,

That the Report of the Committee on Registry of Deeds be adopted.—*Carried.*

The Rev. Dr. PATTON moved, and Mr. KIRKPATRICK seconded,

That the Report on the Endowment of Parishes be printed, and to be taken into consideration next Synod.—*Carried.*

The Hon. J. H. CAMERON moved, and Hon. P. B. DE-BLAQUIERE seconded,

That the following petition to her most gracious Majesty the Queen, be adopted by this Synod, and that the corporate seal shall be attached thereto.—*Carried.*

PETITION.

To the Queen's Most Excellent Majesty, &c.

The humble petition of the Bishop, Clergy and Laity of the Diocese of Toronto, in the Province of Canada, assembled in Synod, this 9th day of June, in the year of our Lord one thousand eight hundred and fifty-nine.

We, the Bishop, Clergy and Laity of the Diocese of Toronto, in the Province of Canada, assembled in Synod, beg leave humbly and respectfully to address your Majesty, and to state that, whereas your Majesty had been graciously pleased to give your Royal assent to an Act passed by the Legislative Council and Assembly of this Province, intituled, "An Act to enable members of the United Church of England and Ireland, in Canada, to meet in Synod," which Royal assent was proclaimed on the 24th day of May, 1857.

And whereas, by the said act provision is made, not only for holding Diocesan Synods in the separate Dioceses in this Province, but also for holding General Synods, wherein the Bishops, Clergy and Laity of the different Dioceses may meet in General Assembly, by such representatives as shall be determined and declared by them in their several Dioceses.

And whereas your petitioners feel assured that such meeting in General Assembly of the Province will most materially aid the general management and good government of the said United Church of England and Ireland in this Province.

Therefore, in order to enable the Bishops, Clergy, and Laity of the said Church in Canada to receive the full benefit of the provisions of the said Act, your petitioners humbly pray that your Majesty will be graciously pleased to direct that the necessary measures be taken in order that some one of the Bishops of the said Church in this Province may be appointed to the rank and dignity of Metropolitan; that so sufficient authority may be vested in him for holding and presiding over the said General Assembly of the Church in a Provincial Synod in Canada, and of holding a Court of Appeal from the Diocesan Courts of the several Dioceses in this Province, until provision shall be otherwise made by the General Assembly of the Church in this Province.

And your Petitioners will ever pray.

Dr. BOVELL moved, Rev. Mr. HOLLAND seconded,

That a Committee be appointed to consider whether any, and what modifications are or may be necessary to be made in the mode of electing Bishops.—*Carried.*

His Lordship then named the following Committee on the laws respecting the election of Bishops:

Ven. Archdeacon Bethune, Revs. Dr. Beaven, H. J.

Grasett, G. Whitaker, D. E. Blake, Dr. Patton, Dr. Fuller, H. Holland; Hons. G. W. Allan, J. H. Cameron; Martin McCleod, J. W. Gamble, J. C. Campbell, S. B. Harman, M. O'Reilly, J. Bovell.

Col. KINGSMILL moved, Mr. DENISON seconded,

That the letters of their Lordships, the Bishops of Madras, Bombay, and Calcutta, and also the address from the Synod of Huron be printed, and entered on the minutes.
Carried.

Dr. BOVELL moved, and Mr. DENISON seconded,

That the circular from the Sons of Temperance, read before the Synod by the Clerical Secretary, be duly filed, and respectfully acknowledged.—*Carried.*

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

That the fourth Canon of the constitution of the Synod be amended by adding thereto as follows :

Unless there are more churches than one, having congregations within the same cure, when the representatives therefrom shall be elected in the manner following :

If there are only two Churches having congregations, two representatives shall be elected by the larger, and one by the smaller congregation, and if there be any dispute as to which is the larger congregation, the minister having the cure shall decide thereon.

If there are more than two Churches having congregations, each congregation shall elect one representative, and the members of any congregation not having a Church shall vote in the Church nearest to the place where such congregation usually worship. Nothing herein contained shall give more than one vote in Synod to the representatives of any cure.—*Referred to the following Committee, viz:—*Revs. Dr. Lewis, D. E. Blake, Dr. Patton, H. J. Grasett; Hons. J. H. Cameron, G. W. Allan; J. C. Campbell, M. O'Reilly.

Synod adjourned.

EVENING SESSION.

FRIDAY, June 10th, 1859.

CONSIDERATION OF MOTIONS.

Dr. PATTON moved, Rev. Dr. BLAKE seconded,
That the following report be adopted.—*Carried.*

The Committee on the Building of Parsonages, Repairs, and Delapidations of same, beg leave to suggest the re-appointment of said Committee, with powers to print the Report already before the Synod, together with the amendment proposed by the Rev. D. E. Blake.

Moved by J. M. CHAFFE, and the Rev. J. CARRY seconded,

That, as far as practicable, all Reports of Committees be sent in to the Executive Committee six weeks previous to the meeting of the Synod, and that such reports, as they shall deem of importance, be printed and circulated with other papers previous to the meeting of the Synod.—*Carried.*

Rev. Dr. FULLER moved, Rev. Dr. PATTON seconded,

That the meeting of the Executive Committee for the purpose of preparing business for the Synod be held six weeks previous to its session, instead of two months previous, as is now required, and that a circular containing a statement of the business to be submitted be sent to each Clergyman and Lay Delegate as soon as possible afterwards.—*Carried.*

The Rev. Mr. BLEASDELL's motion on the marriage question, No. 14, *withdrawn.*

Rev. Dr. BEAVEN moved, Rev. M. FLETCHER seconded,

That the Report on Psalms and Hymns be received.—*Carried.*

The Rev. Dr. BEAVEN moved, and Rev. F. L. OSLER seconded,

That the Committee be authorised to take such measures as they may think fit for the circulation of their hymn-

book, and transmit copies to the Bishops of Quebec, Montreal, and Huron, with a view to obtaining their opinion and suggestions thereon.—*Carried.*

The Hon. J. H. CAMERON moved, and Hon. G. W. ALLAN seconded,

That a Committee be appointed to take the necessary steps for the Endowment of the See of Toronto.—*Carried.*

His Lordship requested the Synod to name the Committee, when the following gentlemen were named:—The Revs. Dr. Fuller, Dr. McMurray, S. Givens, D. E. Blake, and the Hons. J. H. Cameron, James Patton, George W. Allan; and T. C. Street, Esq.

Dr. BEAVEN deferred the resolution, of which he had given notice, till next Synod,—To consider the propriety of adopting the first division of the Canons, already reported.

Dr. LETT's motion to petition the Convocation of Canterbury to take steps to set forward additional services, withdrawn, as his Lordship could take action in the matter.

The Hon. G. W. ALLAN moved, and J. KIRKPATRICK seconded,

That the thanks of the Synod are hereby tendered to the Rev. Dr. Beaven for his admirable Sermon preached before the Clergy and Lay Delegates in the Cathedral Church of St. James on the first day of the meeting of this Synod.—*Carried.*

Mr. KINGSMILL moved, and Dr. PATTON seconded,

That the thanks of this Synod be tendered to the ladies who have so kindly furnished the members of it with Lunch at the Orphans' Home on each day of the Session.—*Carried.*

Rev. Dr. FULLER moved, Capt. ARMSTRONG seconded,

That the thanks of this Synod are due and are hereby most cordially tendered to their brethren of Toronto for the admirable arrangements made for extending hospitali-

ty to the members of this Synod during this Session.—
Carried.

Rev. Dr. FULLER moved, Hon. G. W. ALLAN seconded,
That the sum of Twenty-five pounds be granted to the
Secretaries to secure assistance in the discharge of their
onerous duties.—*Carried.*

Dr. FULLER moved, and Rev. S. GIVINS seconded,
That before the amount collected in that behalf be
forwarded to the Venerable the Society for the Propaga-
tion of the Gospel in Foreign Parts in aid of the cause of
Missions in India, his Lordship the Bishop be requested
to withhold the remittance for one month to give an oppor-
tunity to those, who have not yet made collections, now to
take them up and transmit them forthwith to the Treasurer.
Carried.

Dr. FULLER moved, and Rev. Mr. SHARP seconded,
That the thanks of this Synod are due and cordially
tendered to the Secretaries of this Synod for their valuable
services during this session.—*Carried.*

Two notices of motion were deferred till next Synod.

The Lord Bishop then pronounced the Apostolic Bene-
diction, and prorogued the Synod *sine die*.

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AN ACT
FOR BETTER ENFORCING
CHURCH DISCIPLINE.

3 & 4 VICTORIA, CAP. LXXXVI.

(Referred to in page 90.)

[Assented to 7th August, 1840.]

Whereas the manner of proceeding in Causes for the Correction of Clerks requires Amendment: be it enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, That an act passed in the first year of the reign of King *Henry* the Seventh, intituled *An Act for Bishops to punish Priests and other Religious Men for dishonest Lives*, shall be repealed.

Repeal of 1
H. 7, c. 4.

II. And be it enacted, That, unless it shall otherwise appear from the context, the term "Preferment," when used in this Act, shall be construed to comprehend every Deanery, Archdeaconry, Prebend, Canonry, Office of Minor Canon, Priest, Vicar, or Vicar Choral in Holy Orders, and every Precentorship, Treasurership, Sub-Deanery, Chancellorship of the Church, and other Dignity and Office in any Cathedral or Collegiate Church, and every Mastership, War-

Definition of
the Terms
"Preferm't,"
"Bishop,"
"Archbishop
and Diocese."

denship, and Fellowship in any Collegiate Church, and all Benefices with Cure of Souls, comprehending therein all Parishes, Perpetual Curacies, Donatives, endowed Public Chapels, Parochial Chapelries, and Chapelries or Districts, belonging to or reputed to belong, or annexed or reputed to be annexed, to any Church or Chapel, and every Curacy, Lectureship, Readership, Chaplaincy, Office, or Place which requires the Discharge of any Spiritual Duty, and whether the same be or be not within any exempt or peculiar Jurisdiction; and the word "Bishop," when used in this Act, shall be construed to comprehend "Archbishop;" and the word "Diocese," when used in this Act, shall be construed to comprehend all Places to which the Jurisdiction of any Bishop extends under and for the Purposes of an Act passed in the Second Year of the Reign of Her present Majesty, intituled *An Act to abridge the holding of Benefices in Plurality, and to make better Provision for the Residence of the Clergy.*

1 & 2 Vict.
c. 106.

Bishop may
issue a Com-
mission of
Inquiry.

III. And be it enacted, That in every case of any Clerk in Holy Orders of the United Church of *England* and *Ireland* who may be charged with any Offence against the Laws Ecclesiastical, or concerning whom there may exist Scandal, or evil Report as having offended against the said Laws, it shall be lawful for the Bishop of the Diocese within which the Offence is alleged or reported to have been committed, on the application of any party complaining thereof, or if he shall think fit of his own mere motion, to issue a Commission under his hand and seal to five persons, of whom one shall be his Vicar-General,

or an Archdeacon or Rural Dean within the Diocese, for the purpose of making inquiry as to the grounds of such Charge or Report: Provided always, that notice of the intention to issue such Commission under the hand of the Bishop, containing an intimation of the nature of the Offence, together with the names, addition, and residence of the party on whose application or motion such Commission shall be about to issue, shall be sent by the Bishop to the party accused fourteen days at least before such Commission shall issue.

Notice to be previously given.

IV. And be it enacted, That it shall be lawful for the said Commissioners or any three of them to examine upon oath, or upon solemn affirmation in cases where an affirmation or declaration is allowed by Law instead of an Oath, which oath or affirmation or declaration respectively shall be administered by them to all witnesses who shall be tendered to them for examination, as well by any party alleging the truth of the charge or report as by the party accused, and to all witnesses whom they may deem it necessary to summon for the purpose of fully prosecuting the inquiry, and ascertaining whether there be sufficient *prima facie* ground for instituting further proceedings; and notice of the time when and place where every such meeting of the Commissioners shall be holden shall be given in writing, under the hand of one of the said Commissioners, to the party accused, seven days at least before the meeting; and it shall be lawful for the party accused, or his agent, to attend the proceedings of the Commission, and to examine any of the witnesses; and all such

Proceedings of the Commissioners.

preliminary proceedings shall be public, unless, on the special application of the party accused, the Commissioners shall direct that the same or any part thereof shall be private; and when such preliminary proceedings, whether public or private, shall have been closed, one of the said Commissioners shall, after due consideration of the depositions taken before them, openly and publicly declare the opinion of the majority of the Commissioners present at such inquiry, whether there be or be not sufficient *prima facie* ground for instituting further proceedings.

Report of the
Commissioners.

V. And be it enacted, That the said Commissioners, or any three of them, shall transmit to the Bishop under their hands and seals the depositions of witnesses taken before them, and also a report of the opinion of the majority of the Commissioners present at such inquiry whether or not there be sufficient *prima facie* ground for instituting proceedings against the party accused; and such report shall be filed in the Registry of the Diocese; and that if the party accused shall hold any preferment in any other Diocese or Dioceses, the Bishop to whom the Report shall be made shall transmit a copy thereof, and of the depositions, to the Bishop or Bishops of such other Diocese or Dioceses, and shall also, upon the application of the party accused, cause to be delivered to such party a copy of the said report and of the depositions, on payment of a reasonable sum for the same, not exceeding two-pence for each folio of ninety words.

Bishop may
pronounce
Sentence, by
Consent,
without fur-
ther Pro-
ceedings.

VI. And be it enacted, That in all cases where proceedings shall have been commenced under this Act against any such Clerk, it shall be lawful

for the Bishop of any Diocese within which such Clerk may hold any preferment, with the consent of such Clerk and of the party complaining, if any, first obtained in writing, to pronounce, without any further proceedings, such sentence as the said Bishop shall think fit, not exceeding the sentence which might be pronounced in due course of law; and all such sentences shall be good and effectual in law as if pronounced after a hearing according to the provisions of this Act, and may be enforced by the like means.

VII. And be it enacted, That if the Commissioners shall report that there is sufficient *prima facie* ground for instituting proceedings, and if the Bishop of any Diocese within which the party accused may hold any preferment, or the party complaining, shall thereupon think fit to proceed against the party accused, articles shall be drawn up, and, when approved and signed by an Advocate practising in *Doctors Commons*, shall, together with a copy of the depositions taken by the Commissioners, be filed in the Registry of the Diocese of such last-mentioned Bishop; and any such party, or any person on his behalf, shall be entitled to inspect without fee such copies, and to require and have, on demand, from the Registrar (who is hereby required to deliver the same), copies of such depositions, on payment of a reasonable sum for the same, not exceeding two-pence for each folio of ninety words.

VIII. And be it enacted, That a copy of the articles so filed shall be forthwith served upon the party accused, by personally delivering the same to him, or by leaving the same at the residence house belonging to any preferment holden

Articles and
Depositions
to be filed.

Service of
Copy of the
Articles on
the Party.

by him, or if there be no such house, then at his usual or last known place of residence; and it shall not be lawful to proceed upon any such articles until after the expiration of fourteen days after the day on which such copy shall have been so served.

Bishop may require the Party to appear before him; and may pronounce Judgment on Admission.

IX. And be it enacted, That it shall be lawful for the said last mentioned Bishop, by writing under his hand, to require the party to appear, either in person or by his agent duly appointed, as to the said party may seem fit, before him at any place within the Diocese, and at any time after the expiration of the said fourteen days, and to make answer to the said articles within such time as to the Bishop shall seem reasonable; and if the party shall appear, and by his answer admit the truth of the articles, the Bishop, or his Commissary specially appointed for that purpose, shall forthwith proceed to pronounce sentence thereupon according to the Ecclesiastical Law.

How Notice and Requisition to be served.

X. And be it further enacted, That every notice and requisition to be given or made in pursuance of this Act, shall be served on the party to whom the same respectfully relate in the same manner as is hereby directed with respect to the service of a copy of the articles on the party accused.

Proceedings on a Hearing before the Bishop.

XI. And be it enacted, That if the party accused shall refuse or neglect to appear and make any answer to the said articles other than an unqualified admission of the truth thereof, the Bishop shall proceed to hear the cause, with the assistance of three Assessors, to be nominated by the Bishop, one of whom shall be an Advocate who shall have practised not less than five years in the Court of the Archbishop of the Province, or

a Sergeant at Law, or a Barrister of not less than seven years' standing, and another shall be the Dean of his Cathedral Church, or of one of his Cathedral Churches, or one of his Archdeacons, or his Chancellor: and upon the hearing of such cause the Bishop shall determine the same, and pronounce sentence thereupon according to the Ecclesiastical Law.

XII. And be it enacted, That all sentences which shall be pronounced by any Bishop or his Commissary in pursuance of this Act, shall be good and effectual in law, and such sentences may be enforced by the like means as a sentence pronounced by an Ecclesiastical Court of competent jurisdiction.

Sentence of Bishop to be effectual in Law.

XIII. Provided always, and be it enacted, That it shall be lawful for the Bishop of any Diocese within which any such Clerk shall hold any preferment, or if he hold no preferment then for the Bishop of the Diocese within which the Offence is alleged to have been committed, in any case, if he shall think fit, either in the first instance or after the Commissioners shall have reported that there is sufficient *prima facie* ground for instituting proceedings, and before the filing of the articles, but not afterwards, to send the case by letters of request to the Court of Appeal of the Province, to be there heard and determined according to the law and practice of such Court: Provided always that the Judge of the said Court may and is hereby authorised and empowered from time to time, to make any order or orders of Court for the purpose of expediting such suits, or otherwise improving the practice of the said Court, and from time to time to alter and revoke

Bishop may send the Cause to the Court of Appeal of the Province, and Judge of the Court may make Orders for expediting such Suits.

No Appeal
from interlocutory De-
cree.

Bishop em-
powered to
inhibit Party
accused from
performing
Services of
the Church,
&c.

the same : Provided also, that there shall be no appeal from any interlocutory decree or order not having the force or effect of a definitive sentence, and thereby ending the suit in the Court of Appeal of the Province, save by the permission of the Judge of such Court.

XIV. And be it enacted, That in every case in which, from the nature of the offence charged, it shall appear to any Bishop within whose Diocese the party accused may hold any preferment, that great scandal is likely to arise from the party accused continuing to perform the services of the Church while such charge is under investigation, or that his ministration will be useless while such charge is pending, it shall be lawful for the Bishop to cause a notice to be served on such party at the same time with the service of a copy of the articles aforesaid, or at any time pending any proceedings before the Bishop or in any Ecclesiastical Court, inhibiting the said party from performing any Services of the Church within such Diocese from and after the expiration of fourteen days from the service of such notice, and until sentence shall have been given in the said cause : Provided that it shall be lawful for such party, being the Incumbent of a Benefice, within fourteen days after the service of the said notice, to nominate to the Bishop any fit person or persons to perform all such Services of the Church during the period in which such party shall be so inhibited as aforesaid : and if the Bishop shall deem the person or persons so nominated fit for the performance of such Services, he shall grant his license to him or them accordingly, or in case a fit person shall not be

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nominated the Bishop shall make such provision for the Service of the Church as to him shall seem necessary ; and in all such cases it shall be lawful for the Bishop to assign such stipend, not exceeding the stipend required by law for the Curacy of the Church belonging to the said party, nor exceeding a moiety of the net annual income of the Benefice, as the said Bishop may think fit, and to provide for the payment of such stipend, if necessary, by sequestration of the living: Provided also, that it shall be lawful for the said Bishop at any time to revoke such inhibition and license respectively.

XV. And be it enacted, That it shall be lawful for any party who shall think himself aggrieved by the judgment pronounced in the first instance by the Bishop, or in the Court of Appeal of the Province, to appeal from such judgment: and such appeal shall be to the Archbishop, and shall be heard before the Judge of the Court of Appeal of the Province, when the cause shall have been heard and determined in the first instance by the Bishop, and shall be proceeded in in the said Court of Appeal in the same manner, and subject only to the same Appeal as in this Act is provided with respect to cases sent by letters of request to the said Court; and the appeal shall be to the Queen in Council, and shall be heard before the Judicial Committee of the Privy Council when the cause shall have been heard and determined in the first instance in the Court of the Archbishops.

What Appeals may be.

XVI. And be it enacted, That every Archbishop and Bishop of the United Church of *England and Ireland*, who now is or at any time

Archbishops and Bishops, Members of the Privy Council, to

be Members
of the Judi-
cial Commit-
tee on all
Appeals un-
der this Act.

hereafter shall be sworn of Her Majesty's Most Honourable Privy Council, shall be a member of the Judicial Committee of the Privy Council for the purposes of every such appeal as aforesaid; and that no such appeal shall be heard before the Judicial Committee of the Privy Council unless at least one of such Archbishops or Bishops shall be present at the hearing thereof: Provided always, that the Archbishop or Bishop who shall have issued the Commission herein-before mentioned in any such case, or who shall have heard any such case, or who shall have sent any such case by letters of request to the Court of Appeal of the Province, shall not sit as a member of the Judicial Committee on an appeal in that case.

Attendance
of Witnesses,
and produc-
tion of pa-
pers, &c.,
may be com-
pelled.

XVII. And be it enacted, That it shall be lawful in any such inquiry for any three or more of the Commissioners, or in any such proceeding for the Bishop, or for any Assessor of the Bishop, or for the Judge of Court of Appeal of the Province, to require the attendance of such witnesses, and the production of such deeds, evidences, or writings, as may be necessary; and such Bishop Judge, Assessor, and Commissioners respectively, shall have the same power for these purposes as now belong to the Consistorial Court and to the Court of Arches respectively.

Witnesses to
be examined
on Oath, and
to be liable
to Punish-
ment for per-
jury.

XVIII. And be it enacted, That every witness who shall be examined in pursuance of this Act shall give his or her Evidence upon oath, or upon solemn affirmation in cases where an affirmation is allowed by law instead of an oath, which oath or affirmation respectively, shall be administered by the Judge of the Court or his Surrogate, or by the Assessor of the Bishop, or

by a Commissioner; and that every such witness who shall wilfully swear or affirm falsely shall be deemed guilty of perjury.

XIX. Provided always, and be it enacted, That nothing hereinbefore contained shall prevent any person from instituting as voluntary promoter, or from prosecuting, in such form or manner, and in such Court as he might have done before the passing of this Act, any suit which, though in form criminal, shall have the effect of asserting, ascertaining, or establishing any civil right, nor to prevent the Archbishop of the Province from citing any such Clerk before him in cases and under circumstances in and under which such Archbishop might, before the passing of this Act, cite such Clerk under and in pursuance of a statute passed in the twenty-third year of the reign of King *Henry the Eighth*, intituled *An Act that no person shall be cited out of the Diocese where he or she dwelleth, except in certain cases.*

Provisions of Act not to interfere with Persons instituting Suits to establish a Civil Right, 23 H. 8. c. 9

XX. And be it enacted, That every suit or proceeding against any such Clerk in Holy Orders for any offence against the Laws Ecclesiastical shall be commenced within two years after the commission of the offence in respect of which the suit or proceeding shall be instituted, and not afterwards: Provided always, that whenever any such suit or proceeding shall be brought in respect of an offence for which a conviction shall have been obtained in any Court of Common Law, such suit or proceeding may be brought against the person convicted at any time within six calendar months after such conviction, although more than two years shall have elapsed since the

Suits to be commenced within Two Years.

Proviso.

commission of the offence in respect of which such suit or proceeding shall be so brought.

27 G. 3, c. 44.
not to apply
to Suits
against Spir-
itual Per-
sons, &c.

XXI. And be it declared and enacted, That the Act passed in the twenty-seventh year of the reign of His late Majesty King *George* the Third, intituled *An Act to prevent frivolous and vexatious Suits in the Ecclesiastical Courts*, does not and shall not extend to the time of the commencement of suits or proceedings against Spiritual persons for any of the offences in the said Act named.

Power of
Archbishops
and Bishops
as to exempt
or peculiar
Places or
Preferments.

XXII. And be it enacted, That every Archbishop and Bishop within the limit of whose Province or Diocese respectively, any place, district, or preferment, exempt or peculiar, shall be locally situate, shall, except as herein otherwise provided, have, use, and exercise all the powers and authorities necessary for the due execution by them respectively of the provisions and purposes of this Act, and for enforcing the same with regard thereto respectively, as such Archbishop and Bishop respectively would have used and exercised if the same were not exempt or peculiar, but were subject in all respects to the jurisdiction of such Archbishop or Bishop; and where any place, district or preferment, exempt or peculiar, shall be locally situate between the limits of more than one Province or Diocese, or where the same, or any of them, shall be locally situate between the limits of the two Provinces, or between the limits of any two or more Dioceses, the Archbishop or Bishop of the Cathedral Church to whose Province or Diocese the Cathedral, Collegiate, or other Church or Chapel of the place, district, or preferment respectively shall

be nearest in local situation shall have, use, and exercise all the powers and authorities which are necessary for the due execution of the provisions of this Act, and enforcing the same with regard thereto respectively, as such Archbishop or Bishop could have used if the same were not exempt or peculiar, but were subject in all respects to the jurisdiction of such Archbishop or Bishop respectively, and the same for all the purposes of this Act shall be deemed and taken to be within the limits of the Province or Diocese of such Archbishop or Bishop; provided that the peculiars belonging to any Archbishopric or Bishopric, though locally situate in another Diocese, shall continue subject to the Archbishop or Bishop to whom they belong, as well for the purposes of this Act as for all other purposes of Ecclesiastical Jurisdiction.

XXIII. And be it enacted, That no criminal suit or proceeding against a Clerk in Holy Orders of the United Church of *England* and *Ireland*, for any offence against the Laws Ecclesiastical, shall be instituted in any Ecclesiastical Court otherwise than is hereinbefore enacted or provided.

Limitation
of Suits.

XXIV. And be it enacted, That when any Act, save sending a case by letters of request to the Court of Appeal of the Province, is to be done or any authority is to be exercised by a Bishop under this Act, such Act shall be done or authority exercised by the Archbishop of the Province in all cases where the Bishop, who would otherwise do the Act or exercise the authority, is the Patron of any preferment held by the party accused.

If a Bishop is
Patron of the
Preferment
held by
accused
Party, Arch-
bishop to act
in his Stead.

Saving of
Archbishop
and Bishop's
Powers.

XXV. And be it enacted, That nothing in this Act contained shall be construed to affect any authority over the Clergy of their respective Provinces or Dioceses which the Archbishops or Bishops of *England* and *Wales* may now according to law exercise personally and without process in Court; and that nothing herein contained shall extend to *Ireland*.

Act may be
amended, &c.

XXVI. And be it enacted, That this Act may be amended or repealed by any Act to be passed in this Session of Parliament.

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AMENDMENTS TO PROPOSED CANON

ON

ERECTION, REPAIRS, &c.,

OF

PARSONAGE HOUSES.

Proposed by

REV. D. E. BLAKE, A.B.

Whereas it has from the first establishment of the Church in this Province been deemed a duty incumbent upon every Parish or Mission, to erect or otherwise provide a suitable residence, with appurtenances, for the accommodation of the Incumbent; or where no residence could conveniently be provided, to make compensation to the Clergyman in money, of no less amount in any case than £25 per annum; and whereas no uniform system for carrying the above requirements into effect has hitherto been adopted in this Diocese, and it is expedient and desirable that due provision should be made for the regulation of all matters relating to the erection of Parsonage houses, and to the repair of such as are now or may hereafter be erected in this Diocese, and to dilapidations of the same.

Be it therefore enacted by the Synod of this Diocese, constituted and assembled, by virtue of and under the authority of the Act, entitled "An Act to enable the

members of the united Church of England and Ireland in Canada, to meet in Synod as follows:

1st. That this Synod, fully recognizing it as a fundamental principle of the law of the Church, that an Incumbency implies the residence of the Incumbent in the Parish, unless a faculty to hold in plurality be granted, and that legal residence is in the Parsonage House, hereby enacts that it shall be the recognized duty of every Parish or Mission, where no Parsonage House at present exists, to erect, as soon as possible, a suitable Parsonage, with outbuildings, for the accommodation of the Clergyman; and that until such buildings are erected, it shall be the duty of the Parish or Mission to rent a suitable residence, that the Clergyman may enjoy the same free of charge, and independent of any sum that may be assigned for his salary.

2nd. That whenever it shall be deemed expedient, in any Parish or Mission wherein there is no Parsonage House, or one so inconvenient or ruinous as to require extensive alterations, additions or repairs, to build, enlarge or repair (as the case may be) the Parsonage House, the Incumbent, or in his absence the Churchwardens, shall lay a statement in writing to that effect before the Lord Bishop of the Diocese, who shall thereupon (if he see fit) issue a commission to the two Churchwardens of the Parish, and to four licensed Clergymen of his Diocese, one of whom shall be the Rural Dean (if any) of the Rural Deanery or District wherein such Parish may be situate, directing them to enquire whether there is a fit house of residence within such Parish, or whether a fit house of residence can be conveniently provided on the Glebe of such parish or otherwise; and if the commissioners, or a majority of them, shall report to the Bishop in writing under their hands, that there is no fit house of residence within such parish, and that a fit house of residence can

be conveniently provided or procured on the Glebe of such Parish, or on any land within the Parish which can be conveniently procured for the site of such house of residence, the Bishop shall, if he see fit, require said commissioners to procure from some skilful and experienced workman or surveyor a certificate containing a statement of the condition of the building (if any), and of the value of the timber and other materials on the glebe (if any), fit to be employed in building or repairing, and to be sold; and also a plan and estimate of the work fit and proper to be done in building or repairing such house of residence, with all necessary and convenient out-offices and appurtenances, which certificate being laid before the Bishop and patron, or patrons, and their consent to such proposed new buildings or repairs being obtained in writing, the Churchwardens shall proceed with such new buildings or repairs, and may after having complied with said requisitions, apply to the Diocesan Church Society on behalf of the Parish as with the sanction of the Synod, to borrow and take up at interest, upon such security as said Society may by its rules require of them, such sum of money as said estimate shall amount to, after deducting the value of timber and other materials which may be thought proper to be sold. Provided, such sum shall not exceed in amount twelve times the sum paid annually by the Parish to the Incumbent in lieu of a residence. And the requisite loan being thus obtained, the annual payment to the Incumbent in lieu of a residence shall cease and determine upon his being put into possession of such Parsonage House, and the Parish shall thenceforth, instead of said annual payment to the Clergyman, pay the interest on said loan, and the Churchwardens shall year by year deduct from the salary assigned by the congregation to the Incumbent for the time being, and his successors in the Parish, £5 per centum of the principal sum so borrowed, and annually at Easter pay into the

Church Society said per centage as a sinking fund, until the principal of said loan is fully paid and discharged, provided that the interest accruing upon said sinking fund shall annually be applied towards the reduction of the per centage deducted year by year from the Incumbent's salary; and should the Church Society see fit to decline making the loan, and the Churchwardens be consequently compelled to borrow from other parties, then, the consent of the Bishop and patron, or patrons, being first had in the manner and form aforesaid, the foregoing provisions regulating the amount of loan, the payment of interest thereon, and the repayment of the principal, shall apply as fully and have the same force and effect as if the loan had been obtained from the Church Society.

3rd. That when the Parsonage, out-buildings, and other appurtenances thereto belonging, have been erected and completed according to the plan approved of as aforesaid by the Bishop and patron or patrons, and shall have been put, in a good state of repair, into the possession of the Incumbent for the time being, or upon or at any time after the avoidance of the Parish, into the possession of a successor, it shall be the duty of the Incumbent during his Incumbency, to keep and maintain the same in as good repair and condition as when he came into possession, any thing in the nature of ornament, (to which painting, whitewashing, and papering belong,) as also ordinary wear and tear, and damage by fire and tempest, excepted. And should the Incumbent suffer said buildings to fall into such state of disrepair as to cause just apprehension that without timely repair serious dilapidation may ensue, the Incumbent shall be held responsible for the damage. And should the incumbent neglect or refuse to repair upon notice to him by the Churchwardens, then the Churchwardens shall represent the state of disrepair to the Bishop, who shall, if he see fit, issue

a commission, as in the next preceding section provided, to ascertain the exact condition of the buildings, the nature and amount of damage (if any) and the estimated cost of repairing, and upon the certificate of the commissioners, may, should he think fit, direct the Churchwardens to execute repairs so certified as necessary, and to deduct the cost and charges of such repairs from the salary assigned to the Incumbent by the congregation, provision being made in the assignment bond for such contingency: provided that the deduction so made from the Incumbent's salary shall not in any one year exceed the net income of one quarter of a year's salary from the congregation.

4th. Should any additions, alterations, or improvements, or any extensive repairs, such as new roofings, external painting, or new fences to protect the premises, become from the lapse of time or other causes desirable or necessary, the Incumbent or Churchwardens shall without loss of time represent the same to the Bishop, who shall, if he think fit, issue a commission of enquiry as in the second section provided, and proceed in all respects as in that section is directed, to meet the exigencies of the case. Provided, nevertheless, that the cost of what is above denominated "extensive repairs," shall be at the sole charge of the Parish.

5th. If an Incumbent shall subscribe liberally towards the erection of a Parsonage and out-buildings, or towards the cost of additions thereto, and yet not live to occupy or enjoy the benefits of the same for at least the space of one year, such voluntary contribution, less £10 per centum, shall be returned to his family by the Parish.

6th. The Churchwardens shall insure the buildings against fire at the cost of the Parish, in such insurance office and for such sum as may be agreed upon by the Bishop, the patron, or patrons, and the Incumbent, and should such insurance not be properly kept up, and any

loss by fire be consequently incurred, the Incumbent shall be relieved from all liability to contribute towards rebuilding and repairs, as in the second, third, and fourth sections provided, and the whole cost and charges of such rebuilding and repairs shall in that case be borne by the Parish.