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Canadian Ecclesiastical Gazette

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

VOLUME IX.

TORONTO, OCTOBER 15, 1862.

No. 20.

Is it desirable that the *Ecclesiastical Gazette* cease to be published? Let our readers put the question to themselves. If the answer be in the negative, let them strive to increase the subscription list, or hit upon some scheme which will encourage the publisher to continue it after the 1st January next.

Ecclesiastical Intelligence.

DIocese OF TORONTO.

Our report of the proceedings of the Provincial Synod has been copied from the *Montreal Gazette*. The outlines of the speeches are necessarily very brief, and we find that on all questions they are not accurate. There are two questions which have excited a great deal of interest, viz.: the succession to the Metropolitan See, and the extension of the Diaconate—particularly the latter. We shall gladly, therefore, insert a more lengthy account of the views expressed by the several speakers, if they will kindly furnish us with their notes.

TRINITY COLLEGE.

We have great pleasure in informing our readers that a prize has been founded at Trinity College, as a memorial of the late Mrs. John Hamilton, of Hawkesbury, by the family of the deceased, under the following regulations:

I. That the prize be called "The Hamilton Memorial Prize;" that it be of the value of Thirty Dollars, and that it be awarded annually according to the result of an examination in scripture history, including such books illustrative of scripture history, antiquities, and interpretation, as may from time to time be appointed.

II. That all students belonging to the theological class, as well as all others who have passed through their theological course, and have not attained M.A. standing, shall be eligible as candidates.

III. That the examination shall take place at the end of the Lent term in each year.

IV. That all students belonging to the theological class at the time, shall be required to attend the examination.

V. That the examiners be empowered to withhold the prize, if no candidate be found worthy of it.

Any students, eligible as candidates under rule II., who have completed their theological course, may learn the subjects for the first examination, by application to the Provost, and they are requested to give him notice if it be their intention to present themselves on that occasion.

COLLECTIONS UP TO 11TH OCTOBER.

| MISSION FUND. | |
|------------------------------|----------|
| Previously announced..... | \$596.66 |
| St. George's, Newcastle..... | \$ 9.00 |
| Walsh's school-house..... | 1.85 |
| Per Rev. H. Brent..... | 10.25 |

| | |
|---------------------------------|------|
| Christ's Church, Scarboro'..... | 3 75 |
| St. Paul's, "..... | 2.25 |
| St. Jude's, "..... | 1.75 |
| Per Rev. Mr. Belt..... | 7.75 |
| Seymour..... | 2.05 |
| Percy..... | 1.72 |
| School-house..... | 0.33 |

| | |
|------------------------------------|----------|
| Per Rev. F. J. S. Groves..... | 4.10 |
| 135 collections, amounting to..... | \$618.76 |

| WIDOWS' AND ORPHANS' FUND. | |
|--|-------|
| St. John Evangelist's, Toronto, per Rev. T. S. Kennedy..... | 11.29 |
| St. Phillip's, Weston, per churchwarden | 22.17 |
| St. Mark's, Carleton West, per St. George Scarlett, Esq..... | 5.25 |
| St. Andrew's, Grimsby, per Rector..... | 5.00 |
| St. Peter's, Barton..... | 4.50 |
| St. Paul's, Glanford..... | 3.50 |

| | |
|---------------------------|-------|
| Per Rev. G. A. Bull..... | 8.00 |
| St. John's, Ancaster..... | 14.00 |
| St. James', Dundas..... | 5.00 |

| | |
|---------------------------|-------|
| Per Rev. F. L. Oster..... | 19.00 |
| Sandusk..... | 2.47 |
| Nanticoke..... | 1.25 |
| Jarvis..... | 4.68 |
| Hagersville..... | 2.60 |

| | |
|-----------------------------------|-------|
| Per Rev. S. Briggs..... | 11.00 |
| 12 collections, amounting to..... | 80.71 |

| PAROCHIAL BRANCHES. | |
|--|-------|
| Scarboro', per Rev. Mr. Belt, additional, 20th year..... | 10.00 |

DIocese OF HURON.

The Lord Bishop of Huron will (D.V.) hold his next general ordination in St. Paul's Cathedral, London, on Tuesday, the 28th of October. Service in the Cathedral at 11 a.m.

Candidates, whether for deacon or priest, are required to communicate without delay with the Rev. J. Walker Marsh, examining chaplain, and to present themselves for examination at London, on Thursday, the 23rd inst., at 10 a.m., with the St. Quis, and usual testimonial properly attested. London, October 2nd, 1862.

PROVINCIAL SYNOD OF THE CHURCH OF ENGLAND.

(Continued from the *Montreal Gazette*.)

PROCEEDINGS OF THE COURT.
The next two clauses were carried without alteration.

The Court of Appeal may sit in any diocese, at such times and places as the court shall, from time to time, order and direct.

The appellant shall give notice of appeal to the respondent, and the bishop of the diocese,

in the court of which the judgment appealed from is given, within one calendar month after such judgment.

Mr. E. CARTER moved that "15 days" be substituted for "one month," in the latter clause, but this was lost.

Hon. J. H. CAMERON moved the next clause: "The appellant shall give the respondent within two calendar months after such judgment given, a bond with sufficient sureties, to be approved by the registrar of the court of appeal, in the sum of \$100, to secure the respondent for the costs of appeal in case the appeal is dismissed."

This also passed after a short discussion, the Rev. Mr. BLEASDELL suggesting that \$200 be substituted instead of \$100, and another gentleman \$100. No change was made however.

The next two clauses were adopted without alteration:

"Every appeal shall be prosecuted to a hearing by the appellant within one year after such judgment given, if the court of appeal shall sit within such period of one year, and if the court of appeal shall not so sit, then at the first sitting of the court of appeal after such year shall have expired."

"The appellant shall, within three calendar months after such judgment, bring into the court of appeal and file with the registrar thereof a transcript of all the proceedings and judgments appealed from, certified to be correct by the registrar of the diocesan court, or the bishop of the diocese, whose judgment is appealed against."

The next clause was put: "If any of the proceedings in the next preceding four sections are not taken within the times respectively limited therefor, the appeal shall be considered dismissed, and the judgment appealed from shall stand."

Mr. E. CARTER moved that the words "in the discretion of the court be dismissed" be inserted instead of "shall be dismissed."

Another amendment was also put, but both it and Mr. Carter's were lost.

The clause was then adopted without alteration.

The concluding clauses were adopted without discussion.

"The appellant shall give the respondent one calendar month's notice in writing of the hearing of the appeal."

"The court of appeal shall make rules and orders, as to the forms of procedure and practice, fees and costs, as such court shall from time to time deem necessary."

The Hon. J. H. CAMERON then moved that the canon, as amended be sent back to the Upper House for approval.

The motion being carried, The Rev. PROLOCUTOR intimated that he would depart from the usual course in transmitting messages to the Upper House, and appoint a committee to take up the canon.

He named a committee accordingly, and it being six o'clock, it was announced that the meeting would be adjourned until ten o'clock on

Monday morning, with the understanding that the canon on the succession of the Metropolitan be first taken up.

The Rev. PROLOCUTOR then pronounced the benediction.

FIFTH DAY.

The delegates to the Lower House of Synod assembled in the Synod room at ten o'clock on Monday morning, when the meeting was opened with prayer by the Rev. Prolocutor. The clerical secretary then read the minutes of the proceedings on Saturday, which on receiving a few corrections were duly approved.

NOTICES OF MOTION.

A number of notices of motion were handed up.

COURT OF APPEAL.

The very Rev. the DEAN OF MONTREAL now, accompanied by the committee appointed for the purpose, carried to the Upper House the amended canon on the Court of Appeal. The Dean said on returning to the Lower House that their Lordships stated they would take the amendments into their consideration, and report their decision to the Lower House.

SUCCESSION TO THE METROPOLITAN SEE.

Hon. Justice McCORD moved that the canon framed by the committee on the Metropolitan See be now received, and considered clause by clause. He said as chairman of the committee appointed to draft this canon, he would now read it to the House—(published by us in our last). Though the matter in question was of great importance, nevertheless it had been condensed into a very narrow compass. The committee consisted of two lay and two clerical delegates from each diocese, forming twenty in all, and he was happy to say that out of those twenty, nineteen met, and that the great majority assented to the canon now submitted. The whole question was involved simply in this: by the letters patent the Bishop of Montreal and his successors were declared to be Metropolitan in this Province. Those letters patent, as worded, had seemed to settle the matter entirely. On application to Her Majesty, however, she had been pleased to alter the patent so as to permit this House, if it saw proper, to alter the succession. This was the question before them to-day. The speaker thought there was not much difficulty in proving that fact, and to support his view read the clause of the patent appointing the Bishop of Montreal and successors Metropolitan, "subject to such rules, regulations and canons as shall and may be made in respect thereof by the bishops, clergy and laity of the Church of England and Ireland in Canada, under the said recited act." The first portion of the clause related to the appointment of the Metropolitan, and the second gave this House power to alter the succession. The House had now to decide as to its views on this important subject.

Hon. J. H. CAMERON rose to second the resolution. The canon reported by the committee was one which, after a great deal of consideration on his part, he believed applicable to the best settlement of the difficulty which they all felt encompassed the subject now under consideration. It had been urged, both in the committee and out of it, that by the letters patent themselves had been fixed the Metropolitan See; and that, therefore, whatever right they had to deal with the succession to the see, they had no right to touch the see itself. He thought those who held that opinion might search in vain through the letters patent from the commencement to the

end without finding one single word which stated that the Diocese of Montreal was the Metropolitan See. It was ordained that the Lord Bishop of Montreal should be Metropolitan Bishop, but there was not a word to the effect that Montreal should be the Metropolitan See. Apart then altogether from this view, he would be glad if any delegate could point out to him any where in the letters patent any statement that the diocese of Montreal should be the Metropolitan See.

Mr. E. CAMERON here stated that in the clause of page three of the letters patent, the hon. gentleman would find such a statement, where the words occurred—"being placed under the said Metropolitan See of Montreal."

HON. MR. CAMERON continuing, said even these words were not sufficient for the purpose of proof. What he wanted to know was was it in any clause ordained or declared that the diocese of Montreal should be the Metropolitan See?

Mr. HURON—Yes, in the second clause it is stated—"And we will and ordain that the said Bishops of Quebec, Toronto, Huron, and Ontario, and the bishops of any other See that may hereafter be erected in Canada respectively, shall be suffragan bishops to the said Lord Bishop of Montreal and his successors."

HON. MR. CAMERON—Where was there a word saying "we will and ordain that the Diocese of Montreal shall be the Metropolitan See of the Province of Canada?" Mr. Cameron now read the recital of the patent to support his view of the matter, and the clause at the top of page five of the letters ending with the following proviso:

"Subject, nevertheless, as to the succession to the Metropolitan See to such rules, regulations and canons as shall and may be made in respect thereof by the members of the Church of England and Ireland in Canada under said recited act." If the Bishopric of Montreal was always to be the Metropolitan See, where was the use of giving them any power over the succession? There was no use in giving them power over the succession if they never could elect any other Bishop Metropolitan but the Bishop of Montreal. They had, therefore, the power over the succession. If the Crown had intended the Bishops of Montreal to be always Metropolitan, there was no necessity for saying a word about the succession. He maintained two things were required in the letters patent to give the power to the Diocese of Montreal contended for. First, there was no clause in the patent prescribing that the Diocese of Montreal should be the Metropolitan See; and second, if there was, the fact of their having power to deal with the succession showed they had the power over it. They had the right to deal with it, the right not merely upon reason but upon authority—that of those in a position to be the Crown's legal advisers. The latter had declared that the powers of the Crown were as to the succession subject to our decision; and further, "that the said several powers and authorities are subject to the rules, regulations, and canons the said general assembly may, from time to time make under and by virtue of the said recited act." The law advisers of the Crown declared that all powers having been conferred upon the assemblies of the church for the purpose of making canon—that ecclesiastical law and constitution required, that no power they can exercise can by virtue of the Queen's prerogative be overridden,—that their will was supreme in matters concerning the church, they being convened "for the general management and good government of the church." After the synod act was passed it was said that Her Majesty was advised by a large section of her cabinet not to as-

sent to it at all; and he (Mr. Cameron) had remained six months in England striving to obtain that assent. A cabinet minister was reported to have declared that if Her Majesty gave her assent, any minister so advising her would be liable to impeachment. He had been requested to draw up a memorial on the subject, with which he complied, and in which he set forth the constitutionality of the act, maintaining the right of the Queen to assent. Some of the law officers of the Crown declined to advise the signing of the act, but the Judicial Committee sanctioned it, and to that we owe it that we have the power of dealing with this question under the act and framing that ecclesiastical constitution which we were in want of before. After a thorough investigation of all matters and a long consideration of them, the act was finally assented to; every point that could be thought of or suggested by the law officers of the Crown, had been looked into, and the result of the opinions of those officers since had been that as an ecclesiastical assembly they (the Provincial Synod) had the power to deal with matters according to their own desires so long as they did not interfere with the rights guarded by the Provincial Parliament, or act in any way against the canons recognized by the Imperial Parliament. Every power which could be given had been given them, and therefore it was that they had the power to abrogate and annul the exercise of any of the authority vested by prerogative in Her Majesty, and which she had given them the right to exercise. By reason and by authority, then, were they empowered to deal with the Metropolitan succession. They were told by some that the Metropolitan being appointed by the Crown when it had the right to exercise that power, and before ever the Provincial Synod met at all, the Synod had no supreme jurisdiction in this matter. Every one of the powers and all the authority in connection with this matter were subordinate to the powers of this Synod, or there was no use in their sitting here at all, in fact they had no right whatever. But if they had the election of their bishops, and could determine who was to sit over them in the councils of the church, would any one say they could have this higher power and not have the power to determine where should be the Metropolitan See? The invariable practice of the Primitive Church with regard to the sees of bishops and archbishops was not fixity in one position. A large portion of the church in Africa never had a Metropolitan See, and when they found an exception in any portion of the ancient church, they had a right to look at that exception, perhaps but showed the general rule, but at the same time it shewed also that exceptional circumstances justified exceptional cases. The bishops of the Scottish church did the same thing this canon proposed we should do—they elected their own primate, and this church was nearer the Canadian branch of the church in its constitution than any other portion of the Episcopal Church, electing their own bishops, and being a voluntary church, entirely separated from the State, and having power to make their own regulations, they were a voluntary association of members of the Church of England in Scotland. So they (the Canadian branch) had a distinct existence in the present day and would stand, by that canon, in the same position, with regard to the points referred to as the Scottish church. The speaker here explained the reason for the fixity of bishops and Metropolitan's Sees in Great Britain. Those offices formerly included an extensive temporal jurisdiction, and contained with regard to England not merely spiritual jurisdiction but temporal power, and thus bishops of the church were barons of the

empire, and it was in consequence of their temporal position and not their spiritual, that a locality had to be fixed for their jurisdiction. But the same reasons for such a state of things did not exist in Canada. And as in this country there could be no question of temporal power, but solely of spiritual jurisdiction, there could be no reason why the office of Metropolitan should not be as well exercised by the Bishop of Quebec or the Bishop of Huron. Various plans had been proposed to meet the difficulty involved in the appointment of Metropolitan. Some proposed to elect the senior bishop, and some proposed other plans. With regard to seniority it was true they had the example of the American church before them in favour of this course. He had heard, however, clergymen of the church in the United States declare that if the constitution were to be framed again they would do the very thing which this canon proposed. They declared the appointment of the senior bishop was not the wisest course; it might happen that the senior bishop was enfeebled by age, and thus prevented from discharging efficiently the duties of his office. In the other case, if the Metropolitan should become old he would become old in his office, and not, being old, be elected by accident. He (Mr. Cameron) did not believe the seniority principle should be adopted. The principle of a fixity of see, and the appointment of bishops might, in theory, be the best. But how often had men been appointed in England who were said afterwards not to have been the best fitted for the office; and often had it been a charge against the ministry in England that for some particular purpose a man had been chosen, not the best qualified to perform the duties of diocesan or archbishop. With us there was no such appointing power, and the consequence was the election by each diocese of the person thought best qualified, and thus they had the best men from which to select the Metropolitan. When they had placed men in the office of bishops there was no reason why they should not give them the power to select a Metropolitan. Surely the Synod acting in this matter would do nothing that would tend to create among themselves discord or separation, which they were all trying to prevent or put down; and while shewing to the people a commendable unanimity on many points on which it was considered there could be no agreement during this Synod, they should not introduce among themselves, by throwing the election of Metropolitan into the hands of the Provincial Synod, any element of discord. (Hear, hear) When they took the whole matter into consideration, when they saw the authority the Crown and Provincial Parliament had given them, and when they saw the manner in which primitive usage had been departed from in this case,—and when they considered the Scottish church by which the first bishop in the American church had been consecrated, when they found the principle had worked so well, he did think it would be wisest and best for this Synod, in the course they had to pursue, in the providence of God, to endeavour to meet this question in the way in which he thought it could be best met—by placing in the hands of the learned, able and religious men appointed over them the power of declaring who should be their own head—who should bear and exercise Metropolitan jurisdiction in this country. To those who had advocated the Bishop of Montreal always being Metropolitan he had only to say such would not be satisfactory either to the clergy or laity of many of the dioceses of this country. It would not be proper for the Synod, which was the higher body, to be directed in this matter by the diocese of Montreal, which

was only an inferior jurisdiction. Besides, at any time any Synod might reverse the acts of the previous Synod, and exercise an authority against the wish of all the other dioceses. He hoped that all present would feel that the wisest course and the one most consonant with the interests of the church was to invest with the power in question, these reverend fathers in God whom they had set over them for the well-being of the church. (Applause.)

Rev. Mr. BLEASDELL fully concurred in the Ven. Bishop of Quebec's reasons for having the Metropolitan in the Diocese of Montreal. He believed Mr. Cameron's remarks did not meet the difficulty of the case. He did not know the advantages there were to be derived from the proposed change, therefore he would give it every opposition he could. He considered this question of the greatest importance to them. A strong argument in favor of his views was that the practice he advocated had been that of the church from the earliest to the present time. The words which had been put in the patent last session would again turn out to be bones of contention, and he called attention to their dangerous character. He considered it would be unwise to remove the Metropolitan See from the Diocese of Montreal, which in every respect was the most important of this Province. The inhabitants of Montreal had with their well known spirit erected here a Cathedral like of which they of the present generation might not expect to see again in the Province; and he feared it would be inexpedient to adopt a measure which would lead to any such change as that proposed. The expedient adopted by the Scottish church in difficult circumstances, should not be adopted by this Synod as a principle, and no argument ought to be drawn from that fact. He believed it would be unwise to adopt the practice of the church in the United States, which had been determined by the democratic spirit of the people there. The canon before the House should not, he believed, be adopted. He would move, in amendment, seconded by the Rev. J. C. Davidson, "That the canon for the election of the Metropolitan, in the way proposed, be not received, but that the office be vested or remain with the Bishop of Montreal."

Dr. BOVELL rose to move an amendment, but it was with considerable reluctance that he attempted to offer an amendment to the canon brought up by such a committee. He thought the Synod ought to weigh well whether it would not be more desirable to refer the canon back again to the committee, so that it might come up for consideration on another occasion. To adopt it in its present shape would be detrimental to the very best interests of the church. He thought a very great principle was involved in the proceedings they were about to take. It was the custom of the Primitive Church that the Metropolitan See should be fixed. Very recently we had passed through a painful period, when much anxiety had been felt in England that we would not put forth those efforts which were supposed to be necessary to our preservation. Much the same feeling at this moment animated the English bishops with reference to the colonial church. At the Provincial Synod of Canterbury some of the bishops stated that they did not know whether the colonial church wished to sever itself from the connection which ought so closely to bind it to the mother country. How much better then would it not be to wait and see what action would be taken on this question in England. He thought they should consider the matter well and pause before they committed themselves irretrievably by electing a Metropolitan. The speaker then went on to allude to the prac-

tice of the church in Scotland, where the title of Metropolitan was not given, but a president was elected. If there were legal impediments, however, why the church in this Province should not have a fixed Metropolitan See, let us know what they were; but he did not believe that there were such impediments. So far from hampering themselves by any deviation from English custom, they ought first to see what action the church in England would take. By prematurely deciding upon the course they would take, they would only fetter themselves in their future movements. There was no reason for haste, and he, therefore, asked the Synod to pause, and refer the matter to another committee, so that having the benefit of increased experience they might arrive at some wholesome and judicious decision. He would, therefore, move the following resolution, seconded by the Rev. Mr. Roe:—

"Whereas, it is the duty of the church in this Province to conform herself as far as possible to the model of the Primitive church, and more particularly are we in duty bound to keep closely to the principle which governs the mother church in England: and whereas, according to that model, with only one exception, the Metropolitan See in each ecclesiastical province has always been fixed in one city: and whereas, according to the most ancient precedent the Metropolitans were elected by the bishops of the whole province: and whereas, as yet by Provincial act of Parliament each diocese in this province has the right of electing its own bishop; therefore,

Resolved, That, the House of Bishops concurring, a joint committee of the two Houses of this Synod be appointed to confer with the Synod of the Diocese of Montreal with the view to devise some measure for the election of the Metropolitan, and to ensure that the Metropolitan See remain fixed at Montreal, which shall receive a share in the election of the whole church in the province, without depriving the diocesan Synod of Montreal of the right of electing their own bishop; and to report to the next meeting of the Provincial Synod, and that the following canon be referred to the committee:—

"When a vacancy occurs in the Metropolitan See, the senior bishop shall within — days from the occurrence of such vacancy, summon a special meeting of the House of Bishops, and of the Synod of the Diocese of Montreal, to be held simultaneously in the city of Montreal within not less than — days, nor more than — days from date of such summons, for the purpose of electing a successor to the See. The House of Bishops shall then select a fit and proper person to hold the office of Metropolitan, and shall nominate him to the Synod of Montreal for election. If the Synod of the Diocese of Montreal shall decline to elect the person first nominated to them, the House of Bishops shall nominate a second, and so on until an election is made."

Dr. BOVELL's motion having been read, the Rev. Mr. BleasdeLL consented to withdraw his amendment.

Rev. Mr. Roe then rose to second Dr. Bovell's. He said that he did so with a great deal of pleasure. He alluded to the fact of the Metropolitan being fixed in the primitive church, and said that the head of the church in Scotland was formerly no more than a presiding officer. When the church was established in America after the Revolution, it was doubtful if Episcopacy would be allowed in the country, and a Metropolitan See could not be created. The Hon. Mr. Cameron had said that it would be highly undignified for this House to propose names to the Diocesan Synod for election; but that was the very course adopted by the primitive church. The people

had a voice in the election. He thought it would not be difficult to discover some way by which the whole church in the province might be allowed to have a voice in the election.

A LAY DELEGATE said to decide this question was the chief reason for their being called together, and he thought it would be very undignified to send the matter back to the committee. He protested against it, as it would put off the question for three years, and what was to be done if any thing should happen in the meantime.

REV. MR. BALFOUR said the question was a very grave and important one, and it was desirable that it should have deep consideration. He felt inclined to look with favour upon the views contained in the amendment; but he did not think they could come to any conclusion at present. He was disposed to pay honour and respect to the letters patent. Originally the bishops were assuredly the only governors of the church, they exercising their authority within the jurisdiction of the States in which their Sees were placed. The fixed See had been the universal practice. With respect to the difficulties which stand in the way of a fixed See in this province, he thought that some way might be found to meet the necessity of complying with the ancient practice, and also the wishes of our most gracious Sovereign. They were all opposed to innovation.

ED. CARTER, Esq., then moved the following resolution, seconded by the Rev. PROVOST WHITAKER:

1. Inasmuch as by the act of the legislature of this province, under which this general assembly is constituted, power is conferred upon diocesan synods to elect a bishop in such dioceses, having jurisdiction within the limits thereof, but no authority thereby is given to appoint a Metropolitan, whose jurisdiction would extend throughout the province; and that it has pleased Her Majesty the Queen to accede to the prayer of the petitions of the several dioceses of Quebec, Montreal and Toronto, established under the authority of the said Act; and to grant Her Royal Letters Patent, appointing a Metropolitan:

2. Inasmuch as by the terms of the said letters patent, the See of the Lord Bishop of Montreal and his successors is constituted the "Metropolitan See of Montreal," and the now "Lord Bishop of Montreal and his successors, the bishops thereof for the time being," are declared to be Metropolitan bishops in the Province of Canada:

3. Inasmuch also as the succession to the said Metropolitan See, thus permanently fixed and attached to the See of the Lord Bishop of Montreal, by the said royal letters patent, is alone made subject to the rules, regulations and canons of this general assembly, but no power whatever is conferred to transfer the Metropolitan See to any other diocese, and that any canon based on the plan proposed in the report of the committee which would subject the Metropolitan See to be changed upon each new appointment of a Metropolitan, would be illegal and against the prerogative of the Queen, as exercised by the said royal letters patent.

Finally. Inasmuch as any rules, regulations or canons relating to the succession to the said Metropolitan See, must be so framed as not to take away the right vested in the diocese of Montreal, under the Synod act of electing the Bishop of Montreal upon a vacancy occurring.

Be it Resolved—That the report of the committee relating to the succession to the Metropolitan See be not adopted; but that a committee be appointed to report what measures

should be devised, as well upon a vacancy in the Bishopric of Montreal occurring, as to secure to the church at large in this province a voice in the selection of a successor, without depriving the diocese of Montreal of its privileges to elect.

MR. CARTER spoke at considerable length in support of his motion. He contended that the report of the committee could not be adopted, as it was based upon the erroneous supposition that the Provincial Synods possessed the power of transferring the Metropolitan See from Montreal, where it was now established under the letters patent, to any other diocese, and he proposed to show that this power did not exist, and that any cause providing for such change would be illegal and against the prerogative of the Queen, as exercised by the royal letters patent. It was argued by the Hon. Mr. Cameron that no words were to be found in the patent, which in effect declared the See of Montreal to be the Metropolitan See; but in this he was mistaken, as one of the last clauses in the letters patent ordains "that in case any proceedings should be instituted against any of the said Bishops of Quebec, Toronto and Huron, or any other diocese that may hereafter be erected (*when placed under the said Metropolitan See of Montreal*), such proceedings shall originate and be carried on before the Lord Bishop of Montreal for the time being, whom we hereby authorize and direct to take cognizance of the same." He also contended that there were other clauses indicating clearly that the exercise of a Metropolitan jurisdiction was clearly vested in the Lord Bishop of Montreal and his successors to the exclusion of all others, by ordaining that the bishops of every other diocese should be suffragan bishops to the said Lord Bishop of Montreal.

THE SPEAKER further stated that such being the rule established by the sovereign as the head of the church, the next question to be considered was, had the Provincial Synod the authority to alter or deviate from that rule. He urged that it was only necessary to refer to the Synod act to be convinced that the appointment of a Metropolitan was not contemplated when the act was framed—that the first clause vested the power of election of bishops in the Diocesan Synods with local jurisdiction in their respective dioceses, but did not contemplate the nomination or election of a Metropolitan, with jurisdiction throughout the province. The second clause gave no power to the Provincial Synod to make any appointment whatever, and so it was found necessary to petition the Queen for the exercise of her Royal prerogative by appointing a Metropolitan. This had been done by the letters patent. This Synod had adopted the letters patent, and had suggested certain amendments, which conveyed no other power than that of making the succession to the Metropolitan See subject to any rule or regulation of the Provincial Synod. He regretted being obliged to differ from the Hon. Mr. Cameron, but it seemed to him that there was a wide distinction between controlling the succession to a Metropolitan See, and the transferring that See, thus permanently fixed by the letters patent, to a diocese other than the one mentioned in the letters patent.

AFTERNOON SESSION.

MR. E. CARTER continued his address which he began in the morning, urging additional reasons for the opinions he stated in the morning, to the effect that the Synod could not pass a canon, having the effect of annihilating the provisions of the Queen's patent by which the Bishop of Montreal is constituted the Metropolitan of Canada. In case the Diocese of Mon-

tréal should hereafter have to elect a Bishop successor to the present, who believed that under the patent he was the Metropolitan, and supposed that the House of bishops under this canon should appoint a metropolitan, the result would be a humiliating conflict of jurisdiction; or even if there were none, the courts might interfere and set aside the decisions of the Metropolitan Court, as having no effect for want of authority.

THE REV. PROVOST WHITAKER seconded motion in amendment by Mr. CARTER. It was said that the patent in this matter was waste paper. If so there was a great responsibility thrown upon the Synod. In that case the power of the Synod was most dangerous, and if not used with caution might do great mischief not only to themselves but to the church at large. But if the patent of the Queen had no legal it had moral force. Three dioceses out of four then existing; four dioceses out of five existing now had virtually petitioned the Queen for the appointment of a Metropolitan. But could any body believe that if the Queen had understood the Synod to be desirous of appointing a perambulatory dignity, she would have consented to name the first person of such a series. He thought not; but believed she would have permitted the Synod to act for itself. He held that she did not so much appoint a person to be Metropolitan, as she did create a see to be the Metropolitan see. He contended that though it was true in modern times that civil powers were attached to the sees of the church, yet even in times when bishops had barely the right to live, there were still ecclesiastical authorities attached to certain places. The sees of Canterbury and York certainly existed before any civil powers were attached to them. What advantages could there be in changing the practice of eighteen centuries? He knew of none; and he believed that all would admit that there was no other place where the delegates of the church could have met in Synod with the enjoyment of so many privileges as they recently enjoyed in Montreal. He believed that all difficulty would be removed, if the diocese of Montreal would revert to the ancient practice of the Bishop being nominated by the Bishops and confirmed by the church in the Diocese. This might be thought unfair to the Diocese of Montreal, if it were not adopted as the rule in other dioceses; but the Diocese of Montreal would have a particular motive for setting a valuable example to other Dioceses. He should be most unwilling, especially at this moment, to do any thing that would look like separating ourselves from the church in England. He hoped that the time would come for an Imperial or Patriarchal Council to be held in England, and he trusted that in that Council the Province of Canada would have her right to take place. It would be a subject for deep pain, if it should be found that any thing had been done to prevent her from enjoying that privilege.

MR. HARMAN thought that there were three objections urged to the proposed canon. 1st. That we should be governed by the course the Church of England would take. 2nd. That we should introduce no new thing. 3rd. That the thing for determination could wait. Now, no one had a greater reverence for the Church of England than himself—a church which, he believed, had been planted on the soil of England by the Apostles, and afterwards purged by the reformation from the corruptions heaped upon her by Rome. But it was another thing to follow her example in all cases—an example which sometimes would not be followed with propriety or advantage to the Church here or at large. Had the church in Canada waited till the church of

England possessed Synodical action, would the Synod be sitting there that day? Again, in England the church was still connected with the State. Here it had become law that there shall be no semblance between church and State, and when that law was passed, no protection was afforded by the Church of England to the church of Canada, neither did the Church in England, through the Bench of Bishops, protest against the spoliation of the temporalities of the church in Canada. Therefore, while it should be the endeavour of the Synod to preserve the same faith as that of the Church of England, in temporalities the Church of England had herself shown that she did not desire the church in Canada to be in all respects conformed to herself. On the second question he held that the church in Canada would not approve of the continuation of the Metropolitan dignity as an incident of the rights of the successors of the Bishop of Montreal, and he conceived that the new patent had expressly authorized the Synod to deal with the question. As to there being no need for haste, he reminded the Synod of the sudden death of Prince Albert, and contended that in case of the death of the present Metropolitan, which all hoped would be long postponed, the Synod would be in a more embarrassing position than at present, to decide the question.

Rev. Mr. STACK contended for the validity and the binding force of the patent. However he felt that it was right to do justice to his brethren of other dioceses. It was doubtless objectionable that the church in the diocese of Montreal should be able to elect a Metropolitan for the entire province. Several methods had been proposed, but all were encompassed with difficulties. Yet, as one delegate from the Diocese of Montreal, speaking, however, he believed, the sentiment of all the diocese, he would say that he desired to meet his brethren by any possible accommodation. He would not dwell upon this part of the question; but rose to protest against the disrespectful language in which so solemn a document as a patent issuing from the Crown had been treated by those who called it mere waste paper.

A DELEGATE thought it was the duty of the Synod to find out the meaning of the patent, and to adhere to it, unless under urgent necessity. He thought in the present state of feeling in England it would be very unfortunate after asking the Queen for the appointment of a Metropolitan, if the Synod should turn round and say that they regarded the patent merely as waste paper. He thought the clear intention of the patent was to make the Bishop of Montreal for the time being the Metropolitan of Canada. There could be no doubt that that was the intention in the first instance; and there was no alteration, whatever, except by the addition of the words, "subject nevertheless as to the succession to the Metropolitan See, to such rules, regulations and canons as shall and may be made in respect thereof by the Bishops, clergy and laity, &c., of the said province." He held that this did not change the original intention of the first patent. Nor did he think with Mr. Cameron that the Synodical acts conferred any power of electing the Metropolitan. The Dioceses and Synods did not conceive they had such power under the act, because they petitioned the Queen to appoint one, in order that the Provincial assembly of the whole Church might be constituted. The clause which gave the Synod power to make regulations for the good government of the Church no more authorized the Synod to make a new rule for the appointment of the head of the Church within the Province, than similar words in the constitutional acts constituting the Provincial Parliament gave the Provincial

Parliament the right to appoint the Governor-General.

Rev. Mr. DARLING thought the Rev. Provost of Trinity College had carried the Synod with him in the views which he expressed. He made some remarks in reply to Mr. Harman, expressing his opinion that the dissolution of such connection as formerly existed between church and State in Canada, was an advantage rather than otherwise, and that though even the abolition of clergy reserves was a wrong in itself, it was not without some advantages on the other side. He did not think with Mr. Harman that it would be objectionable to the rest of the province that the Bishop of Montreal should always be the Metropolitan if it were properly explained. He believed that it would be a great honour to the diocese of Montreal for it to be the Metropolitan See of the Province. That Diocese should, therefore, be willing to accept an equitable arrangement to conserve its present pre-eminence. He added that in his heart of hearts, he believed the arrangement which must be made to reconcile all sentiments, in order to keep Montreal in that position, would certainly secure to that diocese the very best man who could be found for its Bishop. He believed that some such arrangement as this would moreover tend to destroy that kind of local feeling which he feared was now creeping through the different dioceses, and which tended to make the members of the church in each of them think that the diocese was their property in such a manner that they would feel aggrieved if any clergyman not of their own body was raised to the Episcopate over them.

The Rev. Dr. FULLER rose to speak, when the Rev. PROLOCUTOR said that the Upper House had agreed to the amendment made to the Canons by the Lower House.

The Rev. Dr. FULLER then said the question should not be delayed, and cited several clauses of the letters patent to prove that the Metropolitan See should wholly be in Montreal. It was for the Synod to decide how the succession should run. He did not desire to change the See; but they should not delay the point to a period three years hence.

Archdeacon BETHUNE said he felt that the previous speakers had relieved the committee of the imputation of disloyalty to the mother church. He did not see that the migratory character of the Metropolitan See was inconsistent with the missionary character of the church. It were only right that each of the Dioceses, in its turn, should enjoy the advantages which the See would give them. This would involve a few inconveniences it is true; but they would be as nothing compared to the advantages which the whole country would derive. They should take a lesson from the exhibitions of agriculture and art, which were yearly held in different sections of the province. (Hear, hear.) He did not think it would be proper to postpone the consideration of the question. They should adopt the report and send it up to the House of Bishops, and, if necessary, appoint a committee to hold communication with their Lordships.

The Rev. Mr. PALMER concurred in this that the question should be settled this session. (Hear, hear.) There was a time when there were few clergymen in the country, and these were scattered over a vast district. This was no longer so; they were now in sufficient number to dispose of any question of importance. The words in the second clause of the synod act led him to believe that the Assembly had the undoubted right to appoint their president. Therefore, under that clause they have the legal power to appoint a president. The first patent issued by the Queen was at the instance of the Synod. It provided

that the succession to the Metropolitan See should rest in the Bishop of Montreal and his successors, unless otherwise provided for by the Assembly. He did not believe, with Mr. Carter and Mr. Dowar, that the Letters Patent were binding on them. They had an undoubted moral weight, but were overridden by the act of the Canadian Legislature vesting in them the right to appoint their president, which act, he would further say, was sanctioned by her Majesty. This, he contended, gave them the power to begin *de novo*. (Hear, hear.) Mr. Palmer concluded by suggesting that Montreal be the Metropolitan See, and that whenever a vacancy shall occur the names of three clergymen be submitted to the House of Bishops by the Synod of Montreal, and that the one who shall be selected by their Lordships be consecrated and appointed Metropolitan. This proceeding would prove the only solution.

The Rev. PROLOCUTOR here said that Dr. Bovell had agreed to withdraw his amendment, the House consenting.

The Rev. Mr. DEWAR was not in favor of delay. Were they now to allow the matter to stand over, a year would elapse before action would be taken in the matter. They were so placed that the decision of the Synod of Montreal was uncertain, and besides, if they came to a decision, they could not tell whether it would be binding on the future Synods of the Diocese of Montreal. Could these difficulties be settled, he would cheerfully vote that Montreal be the Metropolitan See.

Mr. SCOTT thought it impossible to settle the question without appealing to the Legislature. He concurred with Mr. Carter in stating that the letters patent were not waste paper.

Rev. Mr. SMYTH would have no objection to leave the election to the House of Bishops, but he thought the Metropolitan See should be fixed. It had been said that there had been some expressions which went to show that the letters patent had been treated with disrespect, and that the Synod wished to sever the connection with the mother church. Whatever action they took in the matter, he felt sure that they would be actuated by no such feelings.

Rev. Mr. MULLON concurred that it would be most disadvantageous for them to adopt the perambulating system which the Provincial Parliament had lately practised. It appeared to be a necessity that the Montreal diocese should elect their own bishop. But he thought the matter might be arranged by providing that on the decease of the Bishop of Montreal one of the remaining four bishops should be elected Metropolitan. How unseemingly it would be to elect a young clergyman Bishop of Montreal and at the same time constitute him Metropolitan, and thus place him over men who had been longer bishops perhaps than he had been in the ministry. By electing one of the four bishops the difficulty would be obviated. The bishop would then simply be translated to the Diocese of Montreal, and his place could be supplied by electing a man from the diocese from which he was removed.

By consent of the House, Dr. Bovell's amendment was here withdrawn.

Rev. Mr. PALMER then moved, seconded by Rev. Mr. BOMB, the following amendment to Mr. Carter's amendment:—

That this House most respectfully represent to the House of Bishops that this House is unable to concur in a canon for the election of a Metropolitan, reported to this House by a committee, inasmuch as this House considers it to be most for the interest of the church that the office of Metropolitan should in accordance with the ancient usage of the Church, and the practice of the church at home and abroad, be attached to a particular See.

That this House is of opinion that the See of Montreal being in the most important city in Canada and most central in position, should be appointed to be the Metropolitan See.

That with a view of offering a solution of the difficulties which surround this subject, arising from the right of the Diocese of Montreal to elect its own bishops, this House proposes to the House of Bishops the adoption of a canon to the effect that whenever a vacancy shall occur in the office of Metropolitan, the names of three clergymen shall be presented to their Lordships House by the Synod of the Diocese of Montreal, and from such three clergymen so presented one shall be selected by their Lordships, who shall upon his appointment as Bishop of Montreal succeed to the office of Metropolitan.

Rev. Mr. BOND said he had no objection to record the amendment.—He was prepared to say, and it might as well be said out boldly at once, that the Diocese of Montreal would never give up the right to elect its own Bishop, and they ought to be ashamed of themselves if they did give up that right. He thought this proposition was one which would meet with general concurrence, and he would like to see it pass.

Hon Mr. BOUTON would say, as a member of the Church of England, that there was no one more desirous of having the matter settled in the best manner possible; but all the schemes proposed were impracticable. How was it possible to carry out the proposition just read. He had no objection that the See should be fixed at Montreal, and he saw no other plan of settling the matter than by adopting the original motion. The diocese of Montreal could not be compelled to give up the right to elect their own bishop. Even if the whole bench of bishops were excluded from whence could they get a better man. He was inclined to think that Montreal was the best place for the See: but the matter should be settled without delay. If put off, the present Metropolitan might possibly not live the three years intervening before it could be brought up again, and if anything happened him what position would they then be in for a Metropolitan. He could not conceive how any member of that Synod could object to leave the election of the Metropolitan in the hands of the Bench of Bishops. He regretted exceedingly that the matter had been delayed so much, and that they had lost so much time. They knew what the delay of a committee was, and it had already been referred to as good a committee as they could find. They should act without delay, and he trusted they all had in view the welfare of the Church.

It being now six o'clock, the Rev. PROLOCUTOR pronounced the benediction, and the meeting adjourned.

SIXTH DAY.

The Lower House of the Synod met at ten o'clock in the morning, and after the proceedings had been opened with prayer by the Rev. Prolocutor, Rev. Canon Bancroft, D. D. read the minutes of the previous day's Synod, which were corrected and approved.

ORDER OF PROCEEDINGS.

Moved by the Rev. H. HOLLAND, seconded by Dr. BOVELL, that a committee be appointed to revise the order of proceedings and rules of order with a view to the incorporation of any standing orders of the House of Convocation of the Province of Canterbury, or any other rules that may appear desirable, and to report to the Synod as early as possible.—Carried.

The following was the committee then appointed:—Dr. Beaven, Rev. Mr. Marsh, Rev. Mr. Forrest, Rev. Canon Leach, Rev. Mr. Wool-

ryche; Messrs. Harman, Rowe, Simpson, II. Taylor, and Irvine.

SUCCESSION TO THE METROPOLITAN.

The debate on the motion and several amendments relative to the canon on the above subject, submitted the day before, was now resumed.

Rev. Mr. SLACK wished to ask a question.—How far did the concurrence in any motion that might be passed in this House affect the succession to the Metropolitan See as regards the Diocese of Montreal? It would be useless for them to concur in any thing before the House if they could then be told their action did not bind the above dioceses.

The PROLOCUTOR stated that the debate would be continued on Rev. Mr. Palmer's amendment (printed yesterday.)

Rev. Dr. NICOLL said a plan of the nature he was going to submit might help to meet the difficulty. If when a vacancy occurred in the See of Montreal, the diocese submitted three names to the other bishops, sending in at the same time criticisms and judgments on those names, and if their Lordships did not think any of those proposed were fit and proper persons to be appointed Metropolitan, then the action might come back to the Synod, to name as representing the bishops, and on their own part, a Metropolitan. He could not vote for any thing before the House except the original motion. But if this could be added thereto—that in case of the failure of the Diocese of Montreal to submit three names, or in case of the persons whose names were submitted not being such as the bishops should think proper for the office, the bishops should send the matter to this Synod for settlement—he would like it better still.

Rev. Mr. HOLLAND said the above scheme would in fact leave the election of the Bishop of Montreal in the hands of the House of Bishops, and he did not believe it was proper or competent for any power to take this election out of the hands of the Diocese of Montreal. This plan would involve a legal difficulty. Mr. Holland proceeded to urge the following arguments in favour of the principle of a fixed Metropolitan See: First—The ancient and universal custom of the Catholic Church, which was that of fixed Sees. Second—The practice of the Church of England both in Great Britain and the colonies. Third—The Queen's letters patent. Fourth—The propriety and evident expediency of the measure. He contended, in conclusion, that as Montreal was the head quarters of Romanism in this province, if there was a city in Canada in which the Church of England ought to exhibit her ecclesiastical system in all its integrity and establish it against the Church of Rome, this was the place. This point had weighed with him a good deal in forming his opinions, and was manifestly a point of expediency which should not be disregarded. Against his view of the matter it had been urged that the Diocese of Montreal might elect a young and inexperienced bishop, whom it would not be judicious to have elected Metropolitan. Now, according to the patent, no Metropolitan could exercise any irrevocable power, and he must be bound by the law of the church in all his acts; that would be a sufficient protection against any attempted stretch of power. He admitted the strength of the argument against the Bishop of Montreal being for all time the Metropolitan—namely, that the Diocese of Montreal would thus have the power of electing the Metropolitan; and he would go so far as to say that if the Diocese of Montreal should insist on electing their bishop without reference to the views of this Synod, he and all would succumb to the necessity for an-

other course than that he now advocated. But he could not think that that diocese would be so unreasonable, and was satisfied they would accede to such reasonable terms as the House might propose on the subject. It might be well to have a provisional canon drawn up after considering the form in which it would be right to give this House a voice in the election of the Bishop of Montreal. The terms might be discussed with the delegates of the diocese of Montreal present, and such terms as should be accepted might be embodied in an enactment. (The speaker here read his scheme, which contained the views set forth in his remarks.) If the system they should now adopt was not found to answer, it would be competent for future Synods to reverse their legislation, but if they departed from conservative measures now it would be impossible for future Synods to repair the injury.

Archdeacon BROUGH said that as regards the legal question, forming his opinions from the legal gentlemen who had addressed the House, he should say it was perfectly competent for this Synod to take such steps as they may think fit in the matter under consideration. As regards the principle involved, he agreed with Rev. Mr. Dewar that the office of Metropolitan was not one of divine institution, and hence it was competent for the church or synod to take action in the matter just as it had been for Constantine the Great or Justinian in the church of old. It was as competent for the church in this day to act in a matter not of divine institution, as it was for the church of any former period, and moreover considered they had at this day as erudite and eminent divines as any that belonged to the church at any former period. As regards antiquity, he considered we had a claim beyond that of those who existed when the office of Metropolitan was instituted, because the church was older now than 1500 years ago. (Hear, hear, and laughter.) He agreed with the Archdeacon of Toronto in his view as regards the practical utility of an ambulatory Metropolitan See. The very grounds upon which Rev. Mr. Holland had urged that Montreal should be the Metropolitan See were those which he would cite why it should not be the place. If prestige and impressions were of any value, they owed them to the protestant portion of the country, which could appreciate, and would not look down upon them. They might as well expect to make an impression on adamant as upon the class previously mentioned.

Rev. Canon BANCROFT said that after listening to the many arguments used in this debate, and having devoted an evening to the consideration of the amendment and canon, he was of opinion that the remark of the Hon. Mr. Boulton came nearer the truth than any thing he heard—standing in reference to the amendment, that it was impracticable, and they would be obliged to let it drop. He was here guarding the interests of Montreal and yet legislating for the province generally, and for all time, and he believed the amendment would be injurious to this diocese and province. If he took his own diocese he found that by obliging it to present three names for a selection of a Metropolitan, their rights were curtailed, and the election was almost absolutely nullified. How were they to agree on three men whom they were equally happy and anxious to receive into their pulpits and houses, and call them reverend fathers in God! It was always a serious matter for the dioceses to decide on one man much less than on three. It would be against the interests of Montreal also to have to send in three names, one of whom was to be bishop, because the bishops would be obliged to

elect—not the man best fitted for the office of bishop, but the best for that of Metropolitan. (Hear, hear.) Both on the question of number and that of the qualifications or quality of the bishop (Mr. Bancroft) would oppose the amendment. He was opposed also to its unsettling effect. As regards the question of feeling, their sympathies and affections should naturally cling round one man as their beloved and venerated bishop, and the diocese should not be liable to be distracted by having to choose three men for the office of bishop any more than a man should have to choose three wives. (Hear, hear, and laughter.) How could the delegates from this diocese ever throw away their right of electing their bishop. What right had they to do so. They could not bind the diocesan synod to their action in this respect either. The two questions were totally inconsistent, and he had seen no plan yet by which they could be coalesced. The twenty names in the committee which drew up the canon represented every portion of the province, and all its various opinions, and might justly be regarded as representing this Synod's views.

Several voices—No, no.

Rev. Canon BANCROFT.—A majority of the committee, 15 he believed, having agreed upon this canon—

Rev. Mr. ROE (interrupting)—The positive vote of the committee had not been taken. There was a sort of negative vote taken. But if a direct, positive vote had been demanded, he believed several members would not have voted at all, while others would have voted against the report. He himself would not have voted for the canon.

ANOTHER MEMBER.—Why did you not say so at the time? It is not right to throw out such statements at this stage.

The DEAN OF MONTREAL, asked was it not possible that some of the committee who voted for this canon might have since changed their minds on hearing the debate? He, for one, had.

Rev. Canon BANCROFT, continuing—It was impossible to say whether in 20 years or so should a vacancy occur in the Metropolitan See this city would still be the best place. It was possible the province might be extended into Rupert's Land, and the population greatly increased, and other circumstances also much altered. He was compelled to concur with Archdeacon Brough's remarks upon the Romish influences prevailing in this city, and the character of the adherents of the Romish church. The deadening, palliating influence of Rome as regards our church, was strengthening day by day, under the ultramontane influence upon us; and the act of the last legislature cutting us away from our brethren in Upper Canada, and leaving us to manage our own affairs, had left us without a ray of hope that we should ever exert any great influence for the Protestant cause in Montreal. Those who had like himself been born in Montreal would have marked the steady, onward progress of the Romish church, which progress was terrific, and threatened to absorb every other influence. And, therefore, as a legislator for the whole church he was not prepared to say Montreal should be the Metropolitan See for ever, although at the same time he would like to see it here. When a vacancy occurred here let the diocesan Synod meet and elect their bishop untrammelled by any influence, and if fit for Metropolitan let him be appointed; or let the bishops meet and appoint a Metropolitan. In any event the Provincial Synod could reverse whatever action might now be taken when it seemed best. (Hear, hear.)

Rev. Mr. WOOLRYCHE and a lay delegate im-

plored the House to come to a decision as speedily as possible, as much time had been spent and delegates were going home.

The DEAN OF MONTREAL stated he voted in favour of the canon when on the committee, but had since changed his mind on hearing the debate, and was now prepared to vote for the amendment. There was no proposition brought before the committee by which he could see how they were to preserve the rights of the Diocese of Montreal, should that be a non-perambulatory Metropolitan See. The principle reason for his changing his views, was involved in the receiving of the letters patent. He felt they should not commit such an indignity as overriding the letters patent, unless there was an absolute necessity. But in adopting this amendment the necessity in question was done away with.

The PROLOCUTOR said it appeared to his mind that it was attempted to change a fixed See to a changing one. It had been said the other dioceses would not be satisfied to see the Metropolitan See fixed here, but he believed they would be satisfied in time. He had seen great changes take place in public opinion even since they had entered upon synodical action. All the laymen he had spoke to on the subject of the elective principle, had expressed themselves entirely dissatisfied with the working of the system of electing bishops.

Several lay delegates signified their dissent from the laymen referred to by the Prolocutor. One of the lay delegates said, they were perfectly satisfied with the system, in his diocese, and hinted that the Rev. gentlemen had spoken to parties living in a diocese where the principle had not been sufficiently tried.

The PROLOCUTOR continued—With respect to future changes of sentiment he believed the tendency would be towards unity and conservatism. He believed that this city was eminently fitted for the purpose of a Metropolitan See, as it was now, and would likely continue for a long period, if not the civil at least the commercial metropolis of Canada. The presence of the deadening influences of Romanism would be another argument in his mind, for bringing here vivifying influences, and he looked up to the assembling here of the synod as likely to exert a vivifying influence. (Hear, hear.) He could not look upon this question in the same discouraging light as Rev. Canon Bancroft. The English language and literature was spreading among the French Canadians, and a missionary enterprise was in full operation, for the purpose of bringing that people into our own church. The mission was young yet, but knowing that our doctrines were the truth, he also knew that this being so they must prevail. Could they help hoping that the progress of the English language and their Protestant literature and sentiments might be brought more and more into connection with French Canadian minds, and that they would in the end prevail. The progress of the Sabrevois Mission would shew there was hope, and that the constant admission of converts into the church would make this city still more important as a metropolitanical see. With regard to the precedent of the African Church cited, he would ask where could they find in all history a case in which, after a metropolitanical see had been fixed in any one place, that see became migratory. Did not all or the majority of the sees resolve themselves into fixed sees, the tendency being to fix the see in one place. He desired to advocate the ancient principle, which was, when a vacancy occurred, for the bishops of the other dioceses to meet together in the vacant see and take counsel with the diocese and afterwards elect a bishop. This was the principle followed by the church ever since the times of the

Apostles. By this plan the Synod would still have the power of approval or rejection, and the bishops could not carry any thing against the vote of the former. This would tend to bring harmony into our councils. The principle of the primitive church was that no bishop should be forced upon a diocese without their consent. He thought Rev. Mr. Palmer's amendment appeared nearer to a specific solution than any thing yet brought forward. He would rather, however, they could have some other arrangement which would leave the nomination of metropolitanical in the hands of the bishops, and the acceptance in the hands of the synod.

Rev. Mr. PALMER then rose, as mover of the amendment, to close the debate, by replying to the objections which had been made to it. In the first place as the question, whether the see should be perambulatory or not; second, was Montreal the fittest place for the Metropolitanical See; and third, how were they to reconcile two apparently conflicting rights?—the right of this synod to legislate in the matter, and the right of the synod of the diocese of Montreal to elect its own bishop. His (the speaker's) proposition, as set forth in the amendment he had moved on the previous day, was, when a vacancy occurred in the office of metropolitanical, to present the names of three clergymen to the House of Bishops and from those three their Lordships would select one as bishop of Montreal, and he would succeed to the office of metropolitanical. It had been stated in objection to this amendment, that even if it were adopted, it could not be made binding on the synod of Montreal—there would be no security for its performance. But in answer to this he might say that if they adopted the perambulatory system, they would have no security for its permanence, because no legislation in the matter can, in the nature of the case, be final. In any future session the Provincial Synod might repeal it. He thought that the permanence of any arrangement on this subject was altogether dependent on the consent of both the Provincial Synod and the diocese of Montreal. It would not be wisdom to adopt any measure that might be found objectionable to either House. In the second place, he wished to ask was it at all likely that the diocese of Montreal would object to an arrangement which secured to them the metropolitanical see, and the exercise of their rights as electors so far as to assure them that no one shall be appointed to be their bishop who is not the object of their own free choice. But he is willing to add to his amendment the words, "if the synod of Montreal shall not present three names, the right of electing the metropolitanical shall be vested in the House of bishops." Another objection made to his amendment was that it would practically vest the election of the metropolitanical in the diocese of Montreal, the diocesan synod might elect one eminent man, and two others utterly unfit to be either bishops or metropolitanical. But could they for a moment suppose any christian assembly would adopt a course so unworthy as to nominate men who were not fit to pre-ide over it. Supposing however, that this course was adopted, he thought that it would be competent for the Provincial Synod to determine that a diocesan synod that acted in such a manner should never be able to repeat the experiment, by fixing on some other see as the metropolitanical see. Another objection had been made by the Rev. Mr. Holland, who said that the House of bishops should send down two names to the synod of Montreal, and that if that synod should reject them both, then the House of Bishops should send down two more. Now he would ask what would be the effect of this pro-

position. Why either the synod of the diocese of Montreal would feel itself obliged to accept any of those two names, or it would feel at liberty to reject them. If the diocese selected one, Montreal lost the right of electing its bishop; and if it rejected them the consequence would be an unseemly conflict between the diocesan synod and the House of Bishops. The Rev. Canon Bancroft had said that the choosing of three clergymen would nullify the rights of Montreal. But how could this be when we would secure a choice of three to the synod of Montreal. The Rev. Mr. Bancroft had also said that it might not be desirable to fix upon Montreal as the metropolitan see for ever, because it might not be the best place for it twenty years from this on account of the corrupting influence of Romanism. But he begged to differ with the Rev. gentleman upon this particular point. They should place themselves face to face with Romanism, and he thought they were all ready as one apostolical church to contend with Romanism upon the ground that the truth which they believed was the truth always held by the church of Christ. They could show a bold front, and were ready to prove the fallacies of the doctrines of Romanism.

Rev. Mr. PALMER's amendment was then put and lost, ayes being, we believe, 24.

The following amendment to Mr. Carter's amendment was then moved by Rev. Mr. Holland, and seconded by the Rev. Dr. Lauder,

"That on a vacancy occurring in this Metropolitan See, the senior surviving bishop shall summon a meeting of the other bishops at the same time and place as the Synod of Montreal meet to hold its election. That the House of Bishops shall propose to the Diocesan Synod names for election.

"That on their rejection of all the names, others shall be proposed, and so on, until the election be arrived at.

"That, provided the Diocese of Montreal elect as the bishop of that see any one of the names so proposed by the House of Bishops, he shall be nominated to Her Majesty the Queen, for confirmation as Bishop of Montreal, and Metropolitan, and his patent shall issue accordingly. But if the Diocese of Montreal shall not elect as their bishop one of the names so proposed then the clergyman so elected be nominated to Her Majesty for confirmation as Bishop of Montreal only, and the election to the office of Metropolitan shall be vested in the House of Bishops."

The mover stated that he would add to this the canon originally submitted by the committee.

Hon. J. H. CAMERON would take this opportunity of saying a few words. He thought that the original canon contained some of the same provisions as this amendment. What had been said by a gentleman on the previous day was very true. None of the amendments that had been made were practicable. The only choice was either to have the Metropolitan elected by the House of Bishops, or to say that Montreal shall always be the Metropolitan See. Was it likely that the bishops would ever send down the names of members of their own House, and then submit to the indignity of having those names rejected. There had been a great deal said about the primitive usage of the church, and the sixty of the Metropolitan see. But by the original canon they would have one of the primitive customs, in the manner in which it was provided that the Metropolitan should be elected. He then read an extract from a work on the Antiquities, by which it appeared that Primacy in Africa had always been conferred on the senior bishop. With regard to the see being fixed at Montreal, because it was a large commercial city, that was no reason. Small cities

had frequently been the seats of Bishoprics. It all came in the end to the original canon, and the election must either be left to the bishops, or the see fixed at Montreal. He objected to a matter which concerned all the Dioceses being left to the Diocese of Montreal.

Rev. PROVOST WHITAKER agreed with Mr. Cameron that it would be a delicate matter for the Bishops to present the name of one of their number to the House; but it would only be in accordance with ancient usage, for then the people had a voice in the election of a president.

Rev. Mr. HOLLAND's amendment was then put, and it also was lost.

It was then moved by Rev. J. A. MULLOCK, seconded by Rev. E. DUVENNE, that on the Metropolitan See of Montreal becoming vacant, the Synod of Montreal be requested to fill the vacancy by electing their Bishop from any of the Colonial Bishops.

This motion was put to the House without discussion, and lost, only the mover and seconder voting for it.

It being now one o'clock, the House rose.

AFTERNOON SESSION.

The Synod having re-assembled at half-past two o'clock,

The Rev. PROLOCUTOR called the meeting to order, when,

Mr. STEELE moved in amendment to Mr. Carter's amendment :-

"That the report of the committee be not now adopted, but that a committee be appointed to prepare a petition to the Provincial Parliament, praying it to declare Montreal to be the Metropolitan See, and to grant to the Synod the exclusive right of regulating the succession to that See, and to prepare a short bill to that effect, and to invite the co-operation of the diocesan synod of Montreal in taking the requisite measures to secure its passage."

He thought the only way to settle the difficulty would be to go to the Legislature. No injustice would be done to the Diocesan Synod of Montreal by adopting this course. That Diocese had, with the other Synods, requested the Queen to settle the succession. They had thereby assented to the principle. And besides they would not be deprived by any legislative action from a voice in the ultimate regulation of the question. There could be no doubt but that the Metropolitan should be elected by the voice of the whole church. If, unfortunately, the Diocesan Synod of Montreal refused to give way, the Provincial Synod, at its next sitting, would have to request the Queen to withdraw the present patent, and issue another, which would be more likely to settle the question. Some gentlemen thought it would not be advisable to go to the legislature. He saw no difficulty in that step. The act incorporating the diocesan synod of Ontario instead of the church society of the diocese, passed without any difficulty.

The motion was seconded by the Rev. Mr. HEMMING, and being put to the meeting was lost, only three members voting for it.

The Rev. Mr. FOTHERGILL moved, seconded by Mr. SCOTT, -

"That the report of the committee be not an exception, but that it be vetoed that this Synod do determine that the Metropolitan See shall be fixed in the city of Montreal."

The Rev. Mr. SLACK asked if the amendment now put were lost could the same principle be again put to the synod embodied in a different form?

After some discussion, and appeal to the rules of the Synod,

The PROLOCUTOR decided that the principle could again be introduced this session if put in another form.

This amendment was also lost.

The Rev. Mr. ROE now moved, seconded by the Rev. Dr. BLEASDELL,

"That it is the desire of this House that the Metropolitan See ought to be fixed to one city, and that the decision of Her Majesty the Queen in selecting Montreal as the Metropolitan See ought, if possible, to be maintained; that, therefore, a committee be appointed to devise some measure, in connection with the Diocesan Synod of Montreal, for the solution of the difficulties in the way of the election of a Metropolitan, and to report to the next meeting of this Provincial Synod; and that in the meantime the election of a Metropolitan be vested provisionally in the House of Bishops."

Hon. J. H. CAMERON said that the amendment was very ingeniously worded, but the first part of it reaffirmed a motion which had just been negatived—alluding to the Rev. Mr. Fothergill's amendment.

The Rev. Mr. SLACK said that the Rev. Mr. Roe's amendment was written in the morning, and could have no connection with the Rev. Mr. Fothergill's.

Objections having been made to the amendment on the ground that it contained a preamble which many of the Synod could not affirm, having previously voted adversely to it,

The Rev. Mr. ROE reminded the Prolocutor and the House that the former had decided but a moment ago that they could re-introduce the principle embodied in it.

The PROLOCUTOR said he was of the same opinion still. The same principle could again be affirmed.

After some further discussion, the motion was put to the vote, and carried by 35 to 23.

The Hon. J. H. CAMERON called for the ayes and nays. These were taken thereupon.

The Rev. Mr. HOLLAND asked what further steps would now have to be taken in the matter. He thought that it would be necessary that the canon or some portion of it would have to be adopted, in order to give effect to the vote. He would consequently suggest that the canon adopted by the committee be adopted by the Synod.

The Rev. Mr. ROE, seconded by Rev. Mr. BLEASDELL, moved—That the committee mentioned in his former amendment consist of the Dean of Montreal and Mr. Carter, the Archdeacon of Ontario and Mr. Steele, the Provost of Trinity College and Mr. Campbell, Archdeacon Brough and Mr. Lawrason, and the Revs. Mr. Roe and Mr. Irvine. Carried.

The Rev. Mr. ROE again moved, seconded by the Provost of TRINITY COLLEGE, that the resolution respecting the Metropolitan See be transmitted to the House of Bishops, and that they be requested to concur in it, and add one or more members of their body to the committee. Carried unanimously.

(To be Continued.)

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Dr. G., Toronto; G. P., Thornhill; W. P., Thornhill; W. R., Newmarket; W. G. P., Collingwood.

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