

the adjudication of rights purely civil, it is essential that they be precisely defined. This ought to be done in what is technically called THE CONSTITUTION OF THE CHURCH, or that system of rules according to which it is to be guided as an ecclesiastical body. These are enacted, or sanctioned by the spiritual judicatures, as the rules for managing the temporal affairs contained in the act of Incorporation are sanctioned by the civil Legislature. The principal points which such an instrument should embrace are,

1. The full recognition of the authority of the spiritual judicatures in all matters of doctrine, discipline, and worship.

2. A specification of their right to determine and judge of the qualifications of all office-bearers in the church, whether ministers, elders or deacons—and to constant supervision of the same.

3. A specification of the manner in which the election of the minister shall be conducted—the time within which such election shall be made—the consequences of delaying beyond that time—the mode of supplying the pulpit during the vacancy—the provision for the ministers maintenance.

4. The right of the Presbytery to define the limits of the parish, or the sphere of the minister's pastoral labors.

5. The right of the Session to appoint collections for religious and charitable purposes, as in their discretion they may see fit.

The constitution of every church should embrace these points, and any other that may be thought necessary for the better maintenance of order according to the laws and usages of the Presbyterian church. It would serve many useful purposes were the Synod

to prescribe a general form for all new churches.

The propriety of endeavoring to obtain an act of Incorporation for the Synod of Canada, from the Colonial Legislature, was first urged upon the attention of the Synod by the Hon. Wm. Morris, at their meeting in 1835; but neither at that time, nor since, has the subject been fairly taken up by any of our church judicatures. The necessity of such a measure however is daily becoming more apparent, and the time is now fully come for discussing the question previous to a formal application to the Legislature. We intended to lay before our readers a copy of an act of Incorporation for the Presbyterian churches passed by the Legislature of New Brunswick in 1832. But as the following draft—copied chiefly from an act passed by the Legislature of New York, is fuller and more precise—we give it only to avoid repetition. We need not say that some alterations have been made in it to adapt it to our own institutions:—

DRAFT OF AN ACT OF INCORPORATION, &c

WHEREAS it is expedient and necessary, that the congregations of the Presbyterian church of Canada, in connection with the church of Scotland, already formed into an ecclesiastical community, governed according to its own laws, customs and usages, *quoad spiritualia*—should obtain an act of Incorporation for the mere secure management of their temporal affairs—Be it enacted, &c.

- 1st. That the Elders and Deacons of every Presbyterian church or congregation now or hereafter to be established in this Province, in connection with the church specially designated as aforesaid, and elected according to the rules and usages of the said church, shall be the Trustees for every such church or congregation, and it shall be lawful for the said Trustees, if not already incorporated, to assemble together as soon as they shall deem it convenient, and execute under their hands and seals a certificate certifying the name or title by which they and their successors