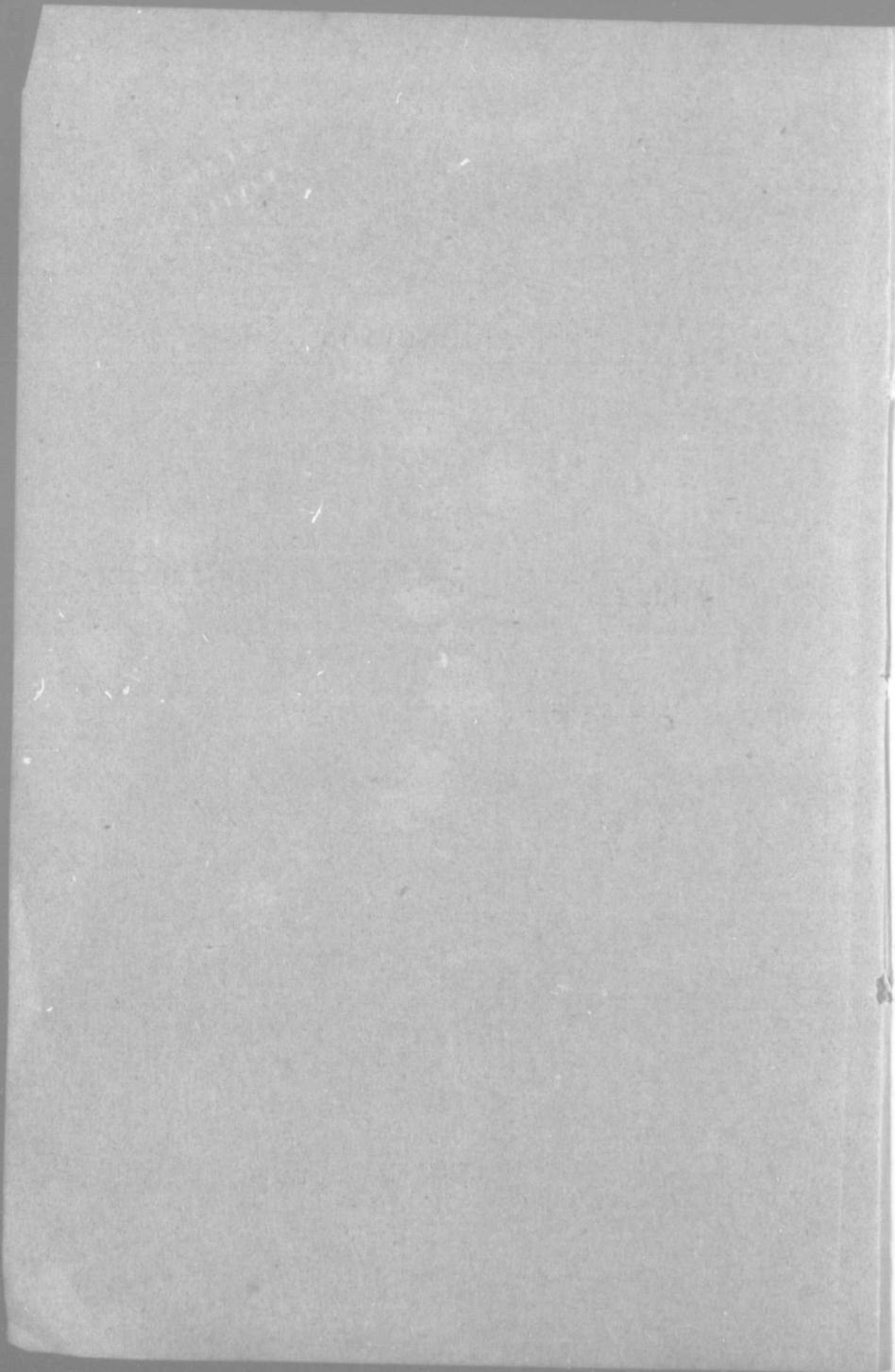


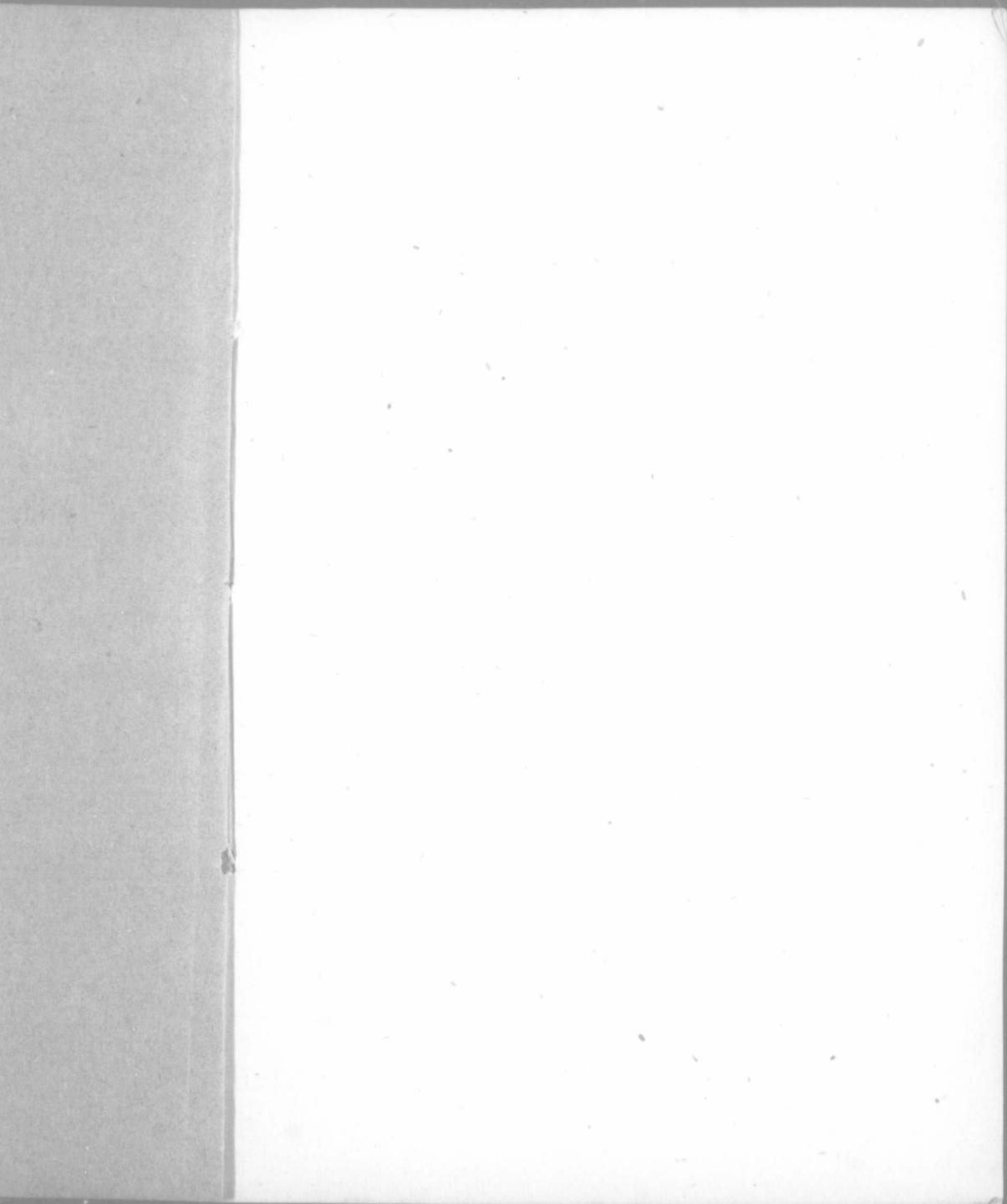
PROCEEDINGS
OF THE
FIRST SESSION
OF THE
Diocesan Synod of Newfoundland,
WITH THE
CONSTITUTION AND RULES.

1873.

J. W. M'COUBREY, PRINTER.

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Diocesan Synod of Newfoundland.

The DIOCESAN SYNOD OF NEWFOUNDLAND assembled, for its first Session, under the Presidency of the Lord Bishop of the Diocese, assisted by the Lord Bishop Coadjutor, in the Cathedral School-Room, in St. John's, on TUESDAY, June 24, 1873, at 7.30 P.M., and continued its sittings until FRIDAY, July 4th.

The following Clergymen were present :—

Rev. Thomas M. Wood	Rev. Robt. H. Taylor
“ Thomas Boone	“ A. C. F. Wood, M.A.
“ Benjamin Smith	“ John Noel
“ James C. Harvey	“ G. S. Chamberlain
“ W. K. White	“ Wm. Shears
“ A. E. Bayly	“ Wm. Pilot
“ Henry Petley, M.A.	“ Fred. Murray, M.A.
“ Geo. Hutchinson, B.A.	“ Robert T. Dobie
“ Benjamin Fleet	“ John G. Cragg
“ George M. Johnson	“ Theophilus G. Netten
“ John Kingwell	“ John Lockward
“ John Cunningham	“ Henry M. Skinner
“ Edward Colley	“ Walter Smith
“ Joseph F. Phelps	“ Christopher Meek
“ John Godden	“ John Bishop
“ Josiah Darrell	“ William Netten
“ William Kirby	“ William Rozier
“ Reginald M. Johnson	“ Alfred C. Warren
“ Alfred E. Gabriel	“ Alfred Winsor
“ Edward Botwood	“ C. Ellingham.
“ George Gardner	

The following Lay Representatives were elected for the several Missions in the Diocese, and, with the excep-

tion of those whose names are printed in italics, were present :—

MISSION. NAMES.

- Bay-de-Verde—Mr. John H. Warren.
 Bay Roberts—
 Bay of Islands—
 Belloram—Mr. Joseph Crowdy, Mr. James Collis.
 Bonavista—*Dr. J. Skelton, Mr. Thomas Clift.*
 Brigus—Mr. T. O. Jones.
 Burin—*Dr. Moran, Mr. Jas. S. Winter.*
 Burgeo—Dr. Bunting.
 Carbonear—Hon. J. Winter, Mr. D. W. Prowse.
 Catalina—Mr. J. C. Withers, Mr. Henry Cooke.
 Channel—*Mr. Edwin Duder, Mr. Prescott Emerson.*
 Exploits Burnt Island—Mr. John Goodridge, Mr. James S. Hayward.
 Ferryland—
 Fogo—*Mr. H. J. Earle, Mr. James Rolls.*
 Fox Trap—Mr. Robert Reader, Mr. William Stabb.
 Greenspond—
 Harbor Buffet—Dr. Stabb, *Mr. Richard Harvey.*
 Harbour Grace—Mr. W. O. Wood, *Mr. John L. Bell.*
 Harbour Grace and Bryant's Cove—Mr. William Webber.
 Harbour Briton—*Mr. T. R. Bennett, Mr. G. R. Snelgrove.*
 Heart's Content—*Mr. Bickford, Mr. T. Humphries.*
 Hermitage Cove—Mr. Henry Camp, Mr. Chas. S. Pinsent.
 Herring Neck—Mr. William Blackler.
 King's Cove—Mr. W. V. Whiteway, Mr. John Horwood.
 Lamaline—Mr. E. Rothwell, Mr. Henry E. Hayward.
 La Poile—*Mr. W. H. Mare, Mr. P. H. Sorsoliel.*
 New Harbour—
 Petty Harbour—Mr. Richard Allen, Mr. Jacob Chafe.
 Port de Grave—Mr. E. L. Jarvis, Hon. R. J. Pinsent.
 Portugal Cove—
 Pouch Cove—Mr. Henry Le Messurier, Mr. Philip Gruchy.
 St. John's Cathedral—Mr. Justice Robinson, Mr. Charles Crowdy.
 St. Thomas—Hon. A. W. Harvey, Mr. G. T. Rendell

St. Mary's—Mr. Thomas Woods, Mr. George LeMessurier.

St. George's Bay—Mr. William Bottom.

Salvage—Mr. Monier W. Hutchings, Mr. J. L. Duchemin.

Tilt Cove—Mr. A. O. Hayward, Mr. R. Carter.

Topsail—Mr. Wm. Swansborough, Mr. S. Churchill.

Trinity—Hon. James S. Clift, Mr. C. T. Ryland.

Twillingate—Mr. Blandford, Mr. John A. Edens.

Upper Island Cove—Mr. John W. Withers, Mr. Joseph S. Curling.

White Bay—

The Rev. J. F. PHELPS was appointed Clerical Secretary, and Mr. G. T. RENDELL Lay Secretary, of the Synod.

Mr. W. H. MARE, *Treasurer.*

Rev. W. PILOT

Mr. E. L. JARVIS } *Auditors.*

For the purpose of completing the business, left unsettled at the meeting of the Clergy and Lay Delegates held in 1871, Rule 19, and the former part of Rule 13, were suspended, and the Rules entitled,—

Order of Proceedings ;

Rules for the preservation of order ;

Rules regarding Committees ; and

Executive Committees,

were adopted. After which the business of the Synod was conducted in accordance with the Rules, some of which were altered, and the Declaration of Assent adopted by special Acts. These, in conformity with a resolution of the Synod, were incorporated in the Rules which are now printed in their amended form.

The other Acts passed by the Synod are also printed herewith.

On motion of Rev. J. F. PHELPS, seconded by Hon. R. J. PINSENT, it was

Resolved,—That the "Regulations for the Discipline

of the Clergy" be referred to a Select Committee consisting of the Members of the standing Executive Committee; and that the Bishop be requested by the Synod to nominate three gentlemen of the Legal Profession on the said Committee. Such Committee to report to the Synod at its next Session.

On motion of the Rev. G. M. JOHNSON, seconded by Dr. STABB, it was

Resolved,—That a Committee of five Clergymen, and five Lay Representatives, with the Bishop as Chairman, be appointed to consider the financial condition of the Church in this Colony, specially as affecting the stipends and emoluments of the Clergy, and to report at the next Session of the Synod on the general question of Ecclesiastical Finance. The quorum to be constituted as with the Executive Committee.

The following Committee was appointed in conformity with this Resolution:—

Rev. G. M. Johnson,	Dr. Stabb,
" E. Botwood,	Mr. W. H. Mare,
" A. C. F. Wood,	Dr. Crowdy,
" Wm. Pilot,	Mr. W. V. Whiteway,

The Clerical Secretary, The Lay Secretary,
with power to add to their numbers.

On motion of Mr. READER, seconded by Dr. STABB, it was

Resolved,—1st. That the existing provisions for Academical and Elementary education do not meet the requirements of the members of the Church of England in this Colony.

2nd.—That it is desirable that the blessings of Education on a sound religious basis should be more generally diffused among our fellow-Churchmen.

3rd.—That a Committee, consisting of five Clergymen and five Laymen, be appointed to take Educational matters into consideration, who shall make such suggestions

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as in their judgement may be necessary to place our Educational affairs in a satisfactory condition. The Committee to report at the next Session of the Synod.

The following Committee was accordingly appointed:—

Rev. G. M. Johnson,	Mr. W. H. Mare,
“ A. C. F. Wood,	Mr. W. V. Whiteway,
“ Ed. Botwood,	Hon. R. J. Pinsent,
“ Wm. Pilot,	Mr. G. Le Messurier,
“ J. F. Phelps,	Mr. R. Reader,
	Dr. Stabb.

On motion, it was Resolved that the following be an instruction to above Committee :

“ To take into its consideration the question of the sub-division of the Education grant.”

The following Resolutions were also adopted by the Synod:—

Resolved,—That the Executive Committee be specially empowered to confer with other Synods of British North America on the question of Union with a Provincial Synod.

Resolved,—That the standing Executive Committee be empowered to confer with the Committee of the Church Society, and with the Clergy, on the necessity and best method of amalgamating the Church Society with the Synod, and to complete the union of the two bodies, if they shall deem it expedient.

The following Clergymen and Lay Representatives were appointed as the

EXECUTIVE COMMITTEE:—

The Right Rev. the Coad- jutor Bishop,	Mr. Justice Robinson,
Rev. A. C. F. Wood,	Hon. R. J. Pinsent,
“ G. M. Johnson,	Mr. P. Emerson,
“ E. Botwood,	Hon. A. W. Harvey,
“ J. F. Phelps,	Mr. G. T. Rendell.

CONSTITUTION AND RULES OF THE DIOCESAN SYNOD OF NEW- FOUNDLAND.

DECLARATION OF PRINCIPLES.

I.—We, the Bishop, Clergy, and Representatives of the Laity of the Church of England within the Diocese of Newfoundland, assembled together, and intending, under God's guidance and blessing, to consider and determine upon such matters as shall appear necessary for the welfare of the Church in this Diocese, desire, in the first place, for the avoiding of all misunderstanding and scandal, to make a declaration of the principles upon which we purpose to proceed.

II.—We desire that our Church in this Colony may continue, as heretofore, in spiritual union and communion with the Church of England, and shall be entitled the Church of England in Newfoundland.

III.—We recognise and accept the Canon of Holy Scripture, as received by the Church of England, as the rule and standard of our Christian faith; we acknowledge the Book of Common Prayer and administration of the Sacraments, together with the Thirty-nine Articles of Religion of that Church, to be a true and faithful declaration of doctrines contained in Holy Scripture; we maintain the threefold order of the Christian Ministry, Bishops, Priests, and Deacons, as Scriptural and Apostolical; and we declare our firm and unanimous resolution, in dependence on Divine aid, to preserve those doctrines, and that form of Church order, and to transmit them to our posterity.

IV.—Provided that nothing herein contained shall prevent the Synod, as far as the Synod may see fit, from

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accepting any alteration in the Book of Common Prayer and administration of the Sacraments, or of the Thirty-nine-Articles of Religion, or in the version of the Bible, that may from time to time be adopted by the Church of England; or authorizing any Office, Prayer or Thanksgiving, to be prepared by the Bishop, which the peculiar circumstances of the Diocese may, in the opinion of the Synod, render desirable.

CONSTITUTION AND RULES OF SYNOD.

I.—Meetings of the Bishop, Clergy, and Laity of this Diocese shall be held, for the ordering of the affairs of the Church, the custody and management of the property, the promotion of the discipline of the members thereof, and for the inculcation and maintenance of sound doctrine and true religion throughout the Diocese, to the glory of Almighty God and the edification and increase of the Church of Christ; and their assembly, constituted as hereinafter provided, shall be called the Diocesan Synod of Newfoundland.

II.—The Synod shall meet at least biennially, at Saint John's, and at such other times and places as the Bishop shall direct, or in his absence, or on his death, as is hereinafter provided.

III.—The Bishop, or in case of his absence his Commissary, or in case of his absence any four members of the Executive Committee, shall, upon a requisition signed by nine of the Clergy, and nine Lay Delegates, summon a special meeting of the Synod; the object of such meeting being stated in the requisition.

IV.—Every Clergyman in the Diocese licensed by the Bishop, not being under sentence of suspension or deprivation, shall have a seat and vote in the Synod. The Laity shall appear and vote by their representatives.

V.—Each Mission having a separate cure of souls, may send two Lay Representatives to the Synod. The

Churches of St. Thomas and St. Mary, in St. John's, are to count as separate Missions.

VI.—A meeting for the election of Lay Representatives shall take place in each Ecclesiastical District or Mission, on the first day of October, or within two months thereafter, in the year following each Biennial Session of the Synod, at such place or places as the Clergyman shall appoint. This meeting shall be convened by the Clergyman; and in case there be no Clergyman, or in case the Clergyman fail to convene such meeting within the month, or refuse to do so when requested by three members of his Mission, then the Church-wardens, or one of them, or, if there be no Church-wardens, or in case of neglect or refusal on the part of the Church-wardens, then any five Churchmen of the Mission, or Ecclesiastical District qualified to vote, may summon such meeting, to be held at such time and place as they shall appoint.

VII.—The meeting for the election of Lay Representatives shall be presided over by the Clergyman in charge of the Mission or District; and in case of his absence or refusal to preside, by a Chairman to be appointed by the meeting, at which votes may be taken by proxy duly authenticated. The Chairman of the meeting shall give to each elected Representative a certificate of his election; and shall send the names of such duly elected Representatives to the Lay-Secretary of the Synod as early as practicable after the election; and the term of office of such Representatives shall be from the next Biennial Session of the Synod until the following Biennial Session of the Synod.

VIII.—Every Layman of the age of twenty-one years or upwards, being a member of the Church of England and of no other religious denomination, shall be qualified to vote at the election of Lay Representatives for the Mission to which he belongs.

IX.—Every Layman of the age of twenty-one years, or upwards, being a Communicant of the Church of England, shall be qualified to be elected as Lay-Representa-

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tive for any District in the Diocese. Every person so elected shall, before acting as such Representative in the Synod, sign a Declaration in the following form in a book to be kept for that purpose by the Lay-Secretary of the Synod :

“I, A. B., elected as Lay-Representative for the Mission of _____, do hereby solemnly declare that I am of the age prescribed by Rule IX. of the Diocesan Synod of Newfoundland, and that I am a Communicant of the Church of England.”

X.—If a vacancy occur in the number of the Representatives of any Mission or District, a new election shall be held within one month of the occurrence of such vacancy being communicated to the Clergyman or Church-wardens ; and the election shall be held and conducted, as near as may be, as provided in Rules VI. and VII.

XI.—The neglect or failure of one or more Missions to return Representatives shall not prevent the Synod from proceeding to business. And in case of any person being chosen as a Representative for two or more Missions or Districts he shall choose for which place he will serve, and shall with as little delay as possible notify the same to the Chairman of the meeting in the Mission the representation of which he declines, when a new election shall be held within one month of the receipt by the Chairman of such notice, to be conducted as near as may be in the manner provided by Rules VI. and VII.

XII.—A quorum of the Synod at its meeting shall consist of not less than one-fourth of the Clergy and Lay Representatives respectively, and the Bishop or his Commissary shall preside.

XIII.—The vote of each order, namely, Bishop, Clergy and Laity, shall be taken separately ; and the result of such vote shall be determined by the majority of the members present and voting in each order ; and no act or resolution of the Synod shall be valid which shall not have received the concurrent assent of the

Bishop, the Clergy, and the Laity; and all members present shall be required to vote on every question. Provided always, that so soon as the Synod shall have placed itself in connection with any Provincial Synod, an appeal on any question on which a vote of a majority of two-thirds of the Clergy and Laity of this Synod shall, in two successive sessions of the Synod, differ from the vote of the Bishop, shall lie to that Provincial Synod; and that till such connection shall have been established, an appeal shall lie to the Metropolitan for the time being of the Province in which this Diocese is placed.

XIV.—There shall be two Secretaries, one chosen by the Clergy, the other by the Laity, who shall keep regular minutes of all proceedings of the Synod.

XV.—There shall be a Treasurer of the Synod, who shall receive and disburse all monies collected and paid under its authority; and two Auditors who shall annually inspect the accounts, and report thereon to the Synod at its next Session.

XVI.—Members of the Church not being members of the Synod may be present at meetings of the Synod, subject to the directions of the Chairman; but they shall not be allowed to speak or vote: and they may be required by him to withdraw upon application of any three members of the Synod.

XVII.—At least three months' notice shall be given of each Session of the Synod, to the Clergy and Lay Representatives by the Secretaries, and no such Session shall be held during the months of January, February, March, or April.

XVIII.—Every Bye-Law or Rule, and every measure for the alteration of the Constitution, or Rules of Order of the Synod, shall be introduced as a Bill, leave having first been given by a Resolution. The Bill shall be read a first time, without debate. It shall be brought forward after notice given, on a subsequent day, and if read

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a second time, shall be committed. It shall not take effect, before it is read a third time, and passed.

XIX.—At all meetings of the Synod or Executive Committee, the Bishop's Commissary shall represent the Bishop when absent; but shall vote with the Clergy and not as a separate Order, unless he be himself of the Episcopal Order; and if he be not of such Order, then, except in the case of his temporary absence, the Acts of the Synod so constituted, not requiring immediate execution, shall be subject to the disallowance of the Bishop, to be communicated to the Executive Committee within six months.

XX.—The Synod shall, from time to time, make and establish such Rules and Regulations as shall be deemed requisite, for the purchase, sale, and exchange of property, and for the custody and management of property belonging to, or held in trust for the said Synod, or to which it shall be entitled; and for the government of all persons holding office under, or receiving emolument from the said Synod; and shall determine in what manner, and upon what condition, every Bishop, Clergyman, Trustee, Lay-reader, Church-warden, School-master, or other office-bearer, or agent, whether Clerical or Lay, shall enter upon the use and occupation of any Church, Parsonage, Glebe, or other Church property of any description, owned by, or held on trust for the Synod, or to which it shall be entitled; and in what manner, and upon what condition, all such persons shall receive their appointments respectively. And the said Synod shall have full power to fix the amount of all salaries, dues, fees, and other emoluments, payable to any person, out of the proceeds of any property owned, or held in trust for the Synod; and shall also, from time to time, make and establish rules for the appointment of Clerical members, and the election of Lay Representatives to the Synod, their number and qualification, the period of their service, the mode of filling up vacancies in their number, the meetings of the Synod, the method of raising funds to defray the necessary expenses thereof, the officers of the Synod, and the mode of their

appointment, the mode of investigating any complaints against any person, who shall have subscribed to the constitution and rules of the Synod, and generally to carry into complete operation the objects of the said Synod: Provided always that the salaries of any who have been missionaries of the Society for the Propagation of the Gospel, appointed prior to the year 1849, shall not be reduced by the Synod without their consent. Provided, further, that in the case of the Salaries of the Clergy who have been appointed Missionaries of the Society for the Propagation of the Gospel subsequently to the year 1849, it is hereby declared that the Synod undertakes to administer the said Salaries upon the grant of a block sum by the Society for the Propagation of the Gospel to the Synod, in accordance with the principles and rules governing the Society for the Propagation of the Gospel, with reference to such grants of salaries.

RULES FOR THE ELECTION OF A BISHOP.

I.—When the See is vacant, the Commissary of the late Bishop, or in his absence, the Priest Senior in Holy Orders, then resident, and officiating under the Bishop's licence in St. John's, shall within one fortnight of the date of such vacancy being brought to his knowledge, summon a special meeting of the Synod, to meet at St. John's in not less than three, nor more than nine months, from the date of such summons, but not in the months of January, February, March, or April, for the purpose of electing a successor in the See. And during the vacancy of the See, no other business shall be transacted by the Synod.

II.—No election shall take place, unless half of all the Clergy and Lay Representatives respectively be present. The vote of a majority not being less than two-thirds of each order present shall be necessary for such election, the Chairman voting with the Clergy. If the required number of Clergy, and Lay Representatives

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should not assemble at such special meeting, the members present shall adjourn to any day within one week, and so on, from time to time, until the required number of Clergy and Lay Representatives shall assemble, when the election shall be proceeded with.

The Chairman, for the purposes of this rule, shall be the Commissary of the late Bishop, or in his absence, some person to be elected by the meeting.

RULES FOR THE APPOINTMENT OF A COADJUTOR BISHOP.

I.—When the Bishop is incapacitated by reason of age or infirmity for the full discharge of his Episcopal functions, or when the Synod shall consider it desirable, a Coadjutor Bishop may be elected for the Diocese by the Synod, in the same manner as provided for the election of the Bishop in the case of a vacancy in the See, as nearly as can be observed ; and such Coadjutor shall immediately succeed as Bishop of the Diocese on the death, resignation, or deprivation of the Incumbent of the See.

II.—The Coadjutor Bishop shall perform such Diocesan duties and exercise such Episcopal authority and functions as the Bishop shall assign to him ; and in case of the Bishop's inability to assign such duties, the Coadjutor Bishop shall, during such inability, perform all the duties, and exercise all the authority and functions which appertain to the Office of Bishop.

ORDER OF PROCEEDINGS.

I.—The business of every day shall be preceded by special Prayer for the Divine guidance and blessing, according to a form authorized by the Bishop.

II.—At the first Meeting of each new Synod the Chairman, or such person as he shall appoint, shall call over

the Roll of the Clergy to be furnished by the Bishop, and mark the names of those in attendance; and also call over the names of the Lay-Representatives which have been returned to the Secretaries by the Clergymen of the respective Missions or Chairman of the Meeting, or whose Certificates shall be presented, and the names of those present shall be recorded.

III.—The election of the Secretaries, Treasurer, and Auditors, shall then be made by the Clergy and Laity, which officers shall hold their offices until their successors shall be appointed.

IV.—After this the daily order of business shall be as follows:—

Calling the Roll of the Clergy and Lay-Delegates.

Reading, correcting, and approving the Minutes of the previous Meeting.

Appointing Committees.

Presenting, reading, and referring Memorials and Petitions.

Presenting reports of Committees.

Giving notice of motions.

Taking up unfinished business.

Consideration of motions.

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

VI.—All notices of motion given by a Clergyman, or a representative of the Laity, for discussion at a subsequent meeting, shall be read over at such meeting, and may be taken up by any member present at such meeting, in the same manner as if he had himself given the notice.

VII.—Two or more Meetings on the same day shall be considered as one Meeting.

VIII.—The minutes of the proceedings of the last day of each Session of the Synod shall be read and confirmed before the Synod adjourn.

RULES FOR THE PRESERVATION OF ORDER.

I.—When the Bishop or other person presiding has taken the Chair, no member shall continue standing.

II.—When any member is about to speak for the information of the Synod, he shall rise and address himself to the Chair.

III.—No motion or amendment shall be considered as before the Synod, (excepting such as may be proposed by the Bishop or Committees), unless seconded, and reduced to writing.

IV.—No member shall speak more than twice on the same question, without asking and receiving permission from the Chair.

V.—When a question is under consideration, no other motion shall be received unless to adjourn, to lay it on the table, to postpone it to a certain time, to postpone it indefinitely, to commit it, to amend it, or to divide it; and motions for any of these purposes shall have precedence in the order here named.

VI.—Motion to adjourn or to lay on the table, shall be decided without debate.

VII.—When a motion has been read to the Synod by the Secretary, it cannot be withdrawn by the mover, without the consent of the Synod.

VIII.—Each member shall have the right to require, at any period of the debate, that a question in discussion be read for his information.

IX.—A member, called to order while speaking, shall sit down, unless permitted to explain.

X.—All questions of order shall be decided by the Chair.

XI.—All amendments to a motion shall be considered in the order in which they are moved.

XII.—When a proposed amendment is under consideration, no amendment to such amendment shall be in order; yet a substitute for the whole matter may be proposed and received, provided it deals directly with the subject in hand.

XIII.—All amendments to any question shall be decided on before the question or motion on which they arise is proposed for decision.

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

XV.—In voting, those who vote in the affirmative shall first rise, and then those who vote in the negative. Provided always that such voting shall be by ballot on the requisition of three Clergymen or three Lay-Delegates.

XVI.—A question being once determined, shall not again be drawn into discussion in the same session, without the special sanction of the Bishop or other person presiding.

XVII.—No protest or dissent shall be entered on the minutes of the proceedings, but when required by any one member, the number of affirmative and negative votes shall be recorded.

XVIII.—When the Synod is about to rise, every member shall keep his seat until the Bishop, or other person presiding, has left the chair.

RULES REGARDING COMMITTEES.

I.—The proposer of any Select Committee shall submit a list of persons to be appointed, subject to amendment by the Synod.

II.—The reports of Select Committees shall be in writing, signed by the Chairman, and shall be received in course.

III.—The Chairman of such Committee, or some member deputed by him, shall explain to the Synod the bearing of any portion of the report, if requested by any member of the Synod.

IV.—All reports of such Committees, recommending any action or expression of opinion, shall be accompanied by a resolution, for the action of the Synod thereon.

V.—When the Synod resolves itself into a Committee of the whole, as contemplated in Rule XVII., the Bishop, or, in his absence, his Commissary, shall always be the Chairman of such Committee; and when the Synod resumes, the report of such Committee shall be made to the Bishop, or in his absence to his Commissary, by one of the Secretaries.

EXECUTIVE COMMITTEES.

I.—There shall be a Standing Executive Committee, appointed by the Synod at its first Session, to consist of the Bishop, five Clerical and five Lay Members, of whom five Members shall be a quorum,—of which quorum the Bishop or his Commissary shall always be one, except in the contingency referred to in the 3rd Rule of the Constitution.

II.—At each biennial Session of the Synod, the two Clerical and the two Lay Members of the Committee, whose names respectively shall stand at the head of the list, shall go out of office, and the Synod shall fill up the

vacancies ; but all such members shall be eligible for re-appointment. If any vacancy shall occur between the sessions of the Synod, it shall be provisionally filled up by the Clerical or Lay Members of the Committee, as the case may be, such appointment to be subject to the approval of the Synod at its next meeting.

III.—The Standing Executive Committee of the Synod may accept and hold, sell, exchange, let, manage, or otherwise dispose of, on behalf of and in trust for the Synod, and subject to the disposal of the Synod, real and personal property for the religious, educational, charitable and other objects thereof ; subject, nevertheless, to any special trusts existing or created at the time of the transfer to the Executive Committee. For foregoing purpose the Executive Committee shall be incorporated under the style of the Executive Committee of the Synod of the Church of England in Newfoundland.

IV.—For the purposes of the foregoing Rule the Standing Executive Committee shall, when the Synod is not in Session, have all the powers of the Synod.

V.—The said Committee may frame Bye-Laws for its own guidance, but such Bye-Laws shall be subject to revision by the Synod.

VI.—It shall be the duty of the Executive Committee to prepare, in due form, all such matter as the Bishop, or any member of the Synod, Clerical or Lay, may desire to have brought before the Synod ; they shall issue a Circular stating the time and place of meeting, the business, so far as known, for the ensuing Synod, and the order in which such business will be discussed, and shall forward the Circular to each Clergyman and Delegate one month before the meeting of the Synod. The business mentioned in the Circular shall have precedence of all other business.

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DECLARATION OF ASSENT.

No Bishop, Clergyman, Trustee, Lay-Reader, School-master, or other person shall be admitted to any Church, Parsonage, Glebe, Land, School-house, or Office, under the Synod, or receive any profit or emolument from any property held under the same, until he shall have signed a special declaration to the following effect :—

“ I, A. B., do declare that I consent to be bound by the Constitution, Laws, and Regulations, which are now in force, and which from time to time may be made, by the Diocesan Synod of Newfoundland ; and in consideration of being appointed to the _____, I hereby undertake immediately to resign and vacate the said appointment, together with all the rights and emoluments, lands and tenements appertaining thereto, in case final judgement requiring such resignation shall at any time be passed upon me, after due examination by the proper tribunal appointed, or to be appointed, by the Synod for the determination of such matters.”

Provided always, that nothing herein contained is intended to or shall interfere with the rights and interests now vested in such Bishop, Clergyman, or other person as aforesaid, unless he shall first be duly convicted of some violation of the said Constitution, Laws, or Regulations of the said Synod, and sentenced accordingly.

AN ACT

To confirm the appointment of Bishop KELLY as Coadjutor Bishop, with right of Succession.

Be it enacted by the Bishop, Clergy and Laity in Synod assembled,—

Whereas the Right Rev. JAMES BUTLER K. KELLY, D. D., having been consecrated by His Grace the Archbishop of Canterbury a Bishop of the United Church of England and Ireland in Newfoundland, and designated

to assist the Lord Bishop of Newfoundland as Coadjutor, is now, and for several years has been, such Coadjutor, and it is expedient that the Synod should now confirm his position and status in this Diocese, it is hereby enacted and declared, that the said Bishop KELLY is and shall be deemed and taken to be Coadjutor Bishop of Newfoundland, as fully and to all intents and purposes, and with the same right of Succession, as if he had been elected under the Act for the election of Coadjutor Bishops passed in the present Synod.

AN ACT

To make provision for the appointment of Clergymen to Churches and Cures of Souls.

Whereas it is expedient to make provision for the appointment of Clergymen to Churches and Cures of Souls in the Diocese of Newfoundland:

Be it therefore enacted by the Bishop, Clergy and Laity of the Church of England in Newfoundland in Synod assembled,—

1.—Except in the cases hereinafter provided, the Bishop, or in the event of his absence from the Diocese, or his inability to act, the Bishop Coadjutor, or, if there be none, the Bishop's Commissary shall present and appoint Clergymen to Churches and vacant Cures of Souls, which Clergymen, unless appointed for temporary duty, shall be removable for ecclesiastical offence only, and after due conviction of the same.

2.—In case of creation of a new Cure, or of vacancy hereafter arising in any cure of souls, Congregations of the Church, Mission, Parish or District, as the case may be, which shall, prior to any nomination, have made sufficient provision for the maintenance of their Clergymen, either by permanent investment in real or personal property, or by guarantee to the extent of at least eight hun-

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dred dollars per annum, such investment or guarantee having been approved by the Standing Executive Committee of the Synod, or by the Synod on appeal, may nominate to the Bishop or other authority one or more Clergymen, of whom one shall (in the absence of any Canonical reason to the contrary) be by him appointed to, and inducted into such cure.

3.—In the case provided for by the foregoing Section, if the Bishop or other authority should decline, for Canonical causes, to appoint from the nominated Clergymen, the Congregation may nominate another or others, and so on, or may, in the first instance, or in regard to any subsequent nomination, appeal to the Synod, upon which appeal the reasons of the Bishop or other authority, for such refusal, shall be given. While the appointment is in abeyance, the Bishop or other authority may fill the vacancy temporarily. If no nomination be made within twelve months, or if one made be waived, the Bishop or other authority may nominate and appoint.

4.—For the purposes of this Act, "Congregations" shall, in the case of permanent investments, mean such members of Congregations (being Communicants of the Church of England) as shall, for two years previously to a nomination being required, have subscribed to the funds of the Synod a sum of at least four dollars per annum. In case of guarantee, "Congregations" shall mean the parties to the guarantee, and their representatives, being Communicants of the Church of England, *unless* in the formation of the permanent investment or guarantee some other mode of voting shall have been established by the founders, or by the parties to the guarantee. Such voting being at all times confined to Communicants of the Church of England.

5.—Meetings of Congregations, in accordance with foregoing provisions, shall be held in case of permanent investment, as the founders or their representatives shall have provided. In case of guarantee, as the parties to the guarantee or their representatives shall have pro-

vided; and in the absence of such provisions, according to such regulations as the said Executive Committee shall have established, or as for the particular case (where there shall be no applicable regulations), such Committee, or, in the absence of the Bishop, four members thereof shall direct, and they shall take the necessary steps to give effect to their directions within two months after the vacancy shall have occurred in the Peninsula of Avalon, and within six months after such vacancy shall have occurred in other parts of the Diocese.

AN ACT

For shortened Services.

Be it enacted by the Bishop, Clergy and Laity of the Diocese of Newfoundland in Synod assembled,—

That the shortened Form of Service, authorized for use in the Church of England, be adopted and used by the Church of England in Newfoundland, with such modifications as the Bishop shall think convenient.

AN ACT

For Special Prayers and a Day of Thanksgiving.

Be it enacted by the Bishop, Clergy and Laity in Synod assembled,—

1.—That whenever the Order for Morning or Evening Prayer is said by any Clergyman or Lay Reader in any Church or Place of Worship within this Diocese, during the period of Six weeks before, and during the biennial or any special Meeting of the Synod, a special Prayer shall be said for the blessing of Almighty God upon the deliberations of the Synod; and that the form of such Prayer be composed and circulated by the Bishop.

2.—Also, that in further accordance with the Provisions of Article IV. of the "Declaration of Principles,"

His Lordship the Bishop be requested to prepare a form of Prayer for those at sea, to meet the peculiar circumstances of this Diocese, and that such Prayer is hereby authorized for use in the daily services of the Church.

3.—And whereas it is the duty of the whole Church of Christ to meet together, annually, for the purpose of rendering humble and hearty thanks to Almighty God who “crowneth the year with His goodness,” for all the good gifts which He has graciously bestowed upon His creatures during previous twelve months.

And whereas this godly custom has obtained in many other Dioceses, to the glory of God and the good of His Church. That in every year, at such time and with such special order for the services as the Bishop may appoint, a Day of General Thanksgiving be observed throughout this Diocese for all the blessings of the past year.

4.—Provided always that if it should please God to visit the earth with scarcity, or with famine, pestilence, or the sword, nothing herein contained shall prevent the Bishop either from suspending the said day of Thanksgiving, or from substituting for it, with a special order for the services, a day of prayer, fasting, and humiliation.

AN ACT

For providing for a Clerical Pension Fund.

(Passed 2nd July, 1873.)

Be it enacted by the Bishop, Clergy and Laity in Synod assembled,—

1.—There shall be a Fund for providing Pensions for invalid and superannuated Clergymen of the Church of England in Newfoundland, to be managed by the Standing Executive Committee of the Synod.

2.—The said Fund shall be called the “CLERICAL PENSION FUND.”

3.—All Clergymen in the Diocese holding the Bishop's

License may secure the benefit of this Fund by contributing, within twelve months from the time of obtaining their license, or from the date of the passing of this Act, Two Pounds currency per annum to the said Fund, after which they shall only be permitted to join, at the option of the Committee, on condition of paying back subscriptions, with compound interest, at six per cent per annum.

4.—Every Clergyman securing the benefit of this Fund will be required to make a yearly collection for the same in his mission, and donations shall be invited in aid of the Fund.

5.—Any Clergyman who shall have been pronounced incapable of Clerical duty in this Diocese by the Committee, and any Clergyman who shall have attained the age of sixty-three years shall be entitled on retirement to an annual dividend from the proceeds of the Fund in proportion to the number of years during which each has contributed to the Fund.

Provided, that in the case of those Clergymen who are now in the Diocese and connect themselves with the Fund, one-half the number of years they have already served be added to the term on which the above-mentioned dividend would be computed by this Rule.

Provided, also, that in the case of those Clergymen who join the Fund after the twelve months allowed in Rule III., the number of years for which they shall have paid arrears shall not be counted as part of the term on which the above-mentioned dividend would be computed by this Rule.

Provided, also, that no Clergyman shall, in any case, be entitled to a pension from this Fund who has not paid at least five annual contributions.

6.—Any Clergyman deprived of his License, according to the Rules of the Synod, shall thereon cease to be connected with this Fund.

7.—Any Clergyman leaving the Diocese before he

shall have become entitled to a Pension, shall thereon cease to be connected with this Fund.

Provided, that any such Clergyman who shall have paid at least seven annual contributions, shall be entitled to receive a sum according to the scale contained in the Schedule hereto annexed.

Provided, also, that any such Clergyman who shall have paid twenty-one annual contributions, shall be entitled to continue in connection with the Fund on payment of Four Pounds Currency per annum.

8.—The collections in Churches and Donations in aid of the Fund shall be invested from time to time in Government or other approved securities.

9.—The interest on invested funds, added to the contributions of the Clergy, shall be annually divided, in accordance with the provisions of Rule V., among the Clergy who are entitled to a pension according to that Rule.

Provided, that no pension to any Clergyman shall exceed One Hundred Pounds currency per annum.

10.—In any year in which there may be no claim on the Fund, the interest on invested funds, and the contributions of the Clergy, shall be added to the invested Funds.

11.—The annual contributions of the Clergy shall be payable in advance on the first day of July in each year, —the first payment being considered due on the first of July, 1873, or within six months thereafter, without fine.

12.—Any Clergyman neglecting to pay his contribution at the proper time, may, within one year thereafter, renew his connection with the Fund by paying the said contribution, together with a fine of two shillings and sixpence for each month for which he is in arrear.

13.—The above Rules may be amended or otherwise dealt with from time to time by the Synod of the Diocese.

SCHEDULE REFERRED TO IN RULE VII.

No. OF ANNUAL CONTRIBUTIONS PAID.	AMOUNT TO BE PAID TO A CLERGYMAN ON LEAVING THE DIOCESE.
7	£4 4 0
8	5 12 0
9	7 4 0
10	9 0 0
11	11 0 0
12	13 4 0
13	15 12 0
14	18 4 0
15	21 0 0
16	24 0 0
17	27 4 0
18	30 12 0
19	34 4 0
20	38 0 0
Above 20	} The amount of his contributions without interest.

