

# MINUTES

OF THE

**Synod of the Presbyterian Church of Canada, in connection  
with the Church of Scotland, begun at York, the  
1st day of August, and concluded the 8th  
day of August, 1833 years.**

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SESSION III.  
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DIET I.

*At York, and within St. Andrew's Church there, the first  
day of August, One Thousand Eight Hundred  
and Thirty-three years :—*

After sermon by the Rev. Alexander Mathieson, Moderator for the past year, from Isaiah, chapter 21st, verses eleven and twelve, the Synod of the Presbyterian Church of Canada, in connection with the Church of Scotland, met, and was constituted with prayer, when the Roll\*

\* No Roll of the Synod appears to have been preserved, hitherto, either in the written Record, or in print. This want will be supplied, as far as possible, by the "Memoranda from Presbytery Records," in the Appendix. The first Roll which occurs is found on the last page of the Printed Abstract for this year, and is as follows :—

1. PRESBYTERY OF BATHURST.

CONGREGATIONS.	MINISTERS.	ELDERS.
Kingston .....	John Machar .....	John Strange.
Bytown .....	John Cruickshank .....	Thomas McKay.
Perth .....	Thomas C. Wilson .....	
Lanark .....	William McAlister .....	
Belleville .....	James Ketchan .....	James Rowat.
Cobourg and Colborne .....	Matthew Miller .....	

2. PRESBYTERY OF YORK.

York .....	William Rintoul .....	Duncan Kennedy.
Aldboro' .....	Alexander Ross .....	
Niagara .....	Robert McGill .....	William Duff Miller.
Annherstburgh .....	George Cheyne .....	William Duff.
Guelph .....	James Smith .....	
Dumfries (Galt) .....	William Stewart .....	

3. PRESBYTERY OF GLENGARY.

Williamstown .....	John McKenzie .....	John McGillivray.
Cornwall .....	Hugh Urquhart .....	Hon. Archibald McLean.
Martintown .....	Archibald Connel .....	Neil McIntosh.
Lochiel .....		

4. PRESBYTERY OF QUEBEC.

Montreal .....	James Somerville .....	{ James Lesslie. John Anderson.
	Henry Esson .....	
Montreal .....	Alexander Mathieson .....	{ James Fleming. James Campbell, M. D.
Montreal .....	Edward Black .....	
Quebec .....	James Harkness, D. D. ....	
Lachine .....	Alexander Gale .....	
Quebec .....	John Clugston .....	
Chateaugay .....	Achibald Colquhoun .....	
Dumfries .....	Duncan Moody .....	
Chatham .....	William Mair .....	

being called,—Sederunt, of the Presbytery of Bathurst, Messrs. John Machar, John Cruickshank, Thomas Clarke Wilson, James Ketchan and Matthew Miller, *Ministers*; of the Presbytery of York, Messrs. William Rintoul, Alexander Ross, Robert McGill, George Cheyne, James Smith, and William Stewart, *Ministers*: and Mr. Duncan Kennedy, *Ruling Elder*: of the Presbytery of Glengary, Messrs. Hugh Urquhart and Archibald Connel, *Ministers*; of the Presbtery of Quebec, Messrs. Henry Esson, Alexander Mathieson, Alexander Gale, Archibald Colquhoun, and David Brown, *Ministers*.

The Rev. John Machar was chosen Moderator.

The Synod adjourned till to-morrow at ten o'clock, a. m., and was closed with prayer.

DIET II.

*St. Andrew's Church, York, 2nd August, 1833.*

This day the Synod met pursuant to adjournment, and was constituted with prayer.

Mr. John Strange, Ruling Elder from the Kirk Session of Kingston, was added to the Sederunt.

A letter to the Moderator, from the Rev. Dr. Harkness, excusing his absence, on account of ill health, was read.

The Minutes of last session were read.

Mr. Mathieson called for the production of the reasons of dissent given in by Mr. John McKenzie, and those who adhered to him, against the Resolution passed at the last meeting of Synod, on the subject of a Union with the United Synod of Upper Canada: when, the clerk having declared that they were given in, in due time, they were read, and ordered to be kept *in retentis*.

The Synod next appointed a committee of Bills and Overtures, viz:—The Moderator and Clerk; Messrs. Rintoul, Mathieson, Cruickshank, Ross, Esson, Connel, Smith, Stewart, Wilson, Cheyne and Gale, *Ministers*; and Messrs. John Strange and Duncan Kennedy, *Ruling Elders*; with instructions to meet immediately after the adjournment of the Synod, and to report to-morrow at Ten o'clock, A. M.

The Synod called for Presbytery books, which being laid upon the table, the following committees were appointed to examine them, viz: The Records of the Presbytery of Bathurst, by Messrs. Archibald Colquhoun, James Smith and Hugh Urquhart, *Ministers*; and Duncan Kennedy, *Ruling Elder*.

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The Records of the Presbytery of York, by Messrs. Alexander Mathieson, Thomas C. Wilson, and Alexander Gale, *Ministers*; and John Strange, *Ruling Elder*.

The Records of the Presbytery of Glengary, by Messrs. George Cheyne, William Rintoul, and William Stewart, *Ministers*.

The Records of the Presbytery of Quebec, by Messrs. James Ketchan, Matthew Miller, and Archibald Connel, *Ministers*; the first named in these committees to be Conveners of each respectively, and to report on Monday morning at Ten o'clock, a. m.

The Moderator of the Presbytery of Bathurst received permission for that Presbytery to meet any time during the present session of the Synod, for special business.

The Synod then adjourned till to-morrow at Ten o'clock, and was closed with prayer.

### DIET III.

*St. Andrew's Church, York, 3rd August, 1833.*

The Synod met and was constituted with prayer.

Mr. William Duff Miller, from the Kirk Session of Niagara, was added to the Sederunt.

The Minutes were then read, when Mr. Mathieson having complained that Dr. Harkness' adherence to the reasons of dissent, given in by Mr. McKenzie, as intimated in his letter to the Moderator, had not been entered upon the Record, moved, that the adherence of Dr. Harkness, expressed in his letter to the Moderator of 24th July, One Thousand Eight Hundred and Thirty-three, be received and recorded in the Minutes.

When the Clerk moved as an amendment, that no adherence to reasons of dissent, except those which are given in *instanter*, be entered upon the Record; but that upon intimation being given to the Clerk, any member may have his name added to those already on the original Document.

Whereupon the Roll being called, and the votes taken, Mr. Mathieson's motion was carried by a majority of one, and Dr. Harkness' adherence ordered to be received and recorded.

The Synod resolved to hold a Diet for Prayer at half-past seven o'clock on the evening of Monday next.

A letter was read from the Rev. William McAlister, excusing his absence from the Synod on account of domestic circumstances.

An application was made by the Moderator for the appointment of a Committee to confer with a Committee appointed by the United Synod of Upper Canada. A copy of the resolutions of that body was produced and read, when the following Committee was appointed to receive whatever information they have to communicate, viz:—Messrs. Robert McGill, Alexander Mathieson, Alexander Gale, and William Rintoul; Mr. Gale to be Convener.

The Synod next called for the report of the Committee on Bills and Overtures, which was produced, read and approved.

In conformity therewith, the Synod first took up the consideration of the conduct of the Presbytery of Glengary, as also of Dr. Harkness and Mr. Ketchan, in neglecting to forward their reports on the state of religion, for the information of the General Assembly, when the Synod again enjoined the parties who have neglected the injunctions of the Synod in this matter, to deposit their reports in the hands of the Clerk immediately, and that the Moderator be requested to admonish these brethren of the necessity of a due regard and obedience to the injunctions of the several Courts, and that the Moderator of the Presbytery of Quebec intimate the injunction to Dr. Harkness with a suitable admonition. The Presbytery of Glengary, as also Mr. Ketchan, were called up and admonished accordingly.

The report of the Commission was called for, read, and approved of, and ordered to lie on the table.

The Synod resolved, in terms of the recommendation of the Committee of Bills and Overtures, that there shall be at least three meetings of the Commission in each year, and that four members shall form a quorum, of whom three shall be ministers, and the Commission for the time being shall have the power of the Synod, subject always to review of the Synod.

The Synod next resolved to transmit an address to His Majesty, containing the thanks of the Synod for the grant of Nine Hundred Pounds for building Churches and Chapels, as also a memorial respecting the Clergy Reserves and King's College, and on the interests of the Church in the Lower Province, and the Moderator, Messrs. Henry Esson, Alexander Mathieson, and Robert McGill, were appointed to produce a draft of an address for the eventual adoption of the Synod. The fol-

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lowing Committee was appointed to prepare an address to His Excellency, viz:—Messrs. Alexander Gale, William Rintoul, John Cruickshank, to produce the draft to the Synod on Monday at ten o'clock, A.M.

The Synod next considered the recommendation of the Committee of Bills and Overtures, on the method of apportioning the Government Grant of nine hundred pounds, for the erection of Churches, when it was resolved that each Presbytery be enjoined to meet this Evening, at half-past five o'clock, in St. Andrew's Church, to consider all claims for a share of said grant coming from within their bounds, and to report as far as may be in their power, to the Committee hereafter to be named upon the following points, in regard to each application: First, Sum subscribed by the people: Second, Estimated expense of building: Third, Numbers probable, or ascertained, of each congregation: Fourth, Whether there is a minister: Fifth, Progress, if any, made in building: Sixth, Amount of debt, if any: and the following Committee was appointed, namely, the Presbytery of Quebec, Messrs. Machar, McGill, and Urquhart; Mr. Mathieson to be Convener, with instructions to form a scheme in accordance with the information obtained from the Presbyteries, to apportion the money according to that scheme, and report to the next Sederunt of Synod.

Mr. Mathieson was appointed to sit with the Presbytery of Glengary, at their meeting at half-past five o'clock, P. M. Mr. Strange was appointed Treasurer, *ad interim*, in absence of the Treasurer, to receive the collections for the Synod and Mission Funds.

The Moderator of the Presbytery of York requested leave for that Presbytery to meet for all competent business.—Leave was granted.

The Synod instructed the Clerk to furnish an estimate of the probable amount of money required to meet the expenses connected with the Synod for the current year, that provision may be made for the same forthwith.

Mr. Matthew Miller was added to the Committee of bills and overtures, which was appointed to meet this evening at eight o'clock.

The Synod adjourned till Monday, at ten o'clock, A. M., and was closed with prayer.

## DIET IV.

*St. Andrew's Church, York, August 5, 1833.*

The Synod met, pursuant to adjournment, and was constituted with prayer.

The Minutes of last Sederunt were read.

The Reports of the Committees appointed to examine Presbytery Records were called for,—when the Committee on the Records of the Presbytery of Bathurst reported as follows:—"That after a minute review of the said Records, your Committee find them carefully and correctly written; That your Committee deem it their duty to call the Synod's attention to some parts of the proceedings of the Presbytery of Bathurst, as worthy of special remark—First, at pages sixteen, seventeen, and eighteen, a formula is recorded, purporting to be drawn up in conformity to the resolution of Synod, passed at its meeting in One thousand eight hundred and thirty-two, on the subject of a Union with the United Synod of Upper Canada, and intended to be proposed for signature, to such ministers of that Synod, as might, in terms of said resolution, apply to the Presbytery of Bathurst for admission. The refusal of Mr. William Bell, of Perth, the first applicant, as recorded in page 20, to sign the said formula, on the ground as stated in certain resolutions, transmitted to your Synod by the United Synod, of its 'being neither expressed nor contained in the original resolution, and going beyond the power given by your Synod,' would seem to your Committee to imply some ambiguity in the original resolution; an ambiguity, which, at the same time, that it may justify the Presbytery of Bathurst in their interpretation of its requisitions, may also warrant Mr. Bell in his view of its import, and his consequent refusal to sign the same. Under this impression, your Committee, whilst they consider the substance of the said formula, as in strict accordance with the spirit of said resolution, and with the laws and practice of the Church of Scotland, would beg leave to suggest to your Synod the necessity of giving to Presbyteries directions to guide their proceedings, in similar cases less liable to misconstruction than those which are contained in the resolutions referred to. Second, the proceedings of the Presbytery of Bathurst, in the ordination of Mr. Matthew Miller, Preacher of the Gospel, as recorded in pages twenty-four, twenty-five, and twenty-nine, seem to your Committee to be in many points highly exceptionable, as may be inferred from the omission of a Call, a Bond for a temporal provision, or any document designating Mr. Miller to any specific charge, though such a document is referred to in page twenty-nine. Did the records bear that Mr. Miller had been ordained as a Missionary the omission of these documents might, in the opinion of your Committee, be justifiable, but

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as they can see nothing to warrant such a supposition, on the contrary are led to infer that his ordination was to the specific pastoral charge of Cobourg and Colborne, your Committee deem the want of the documents referred to an essential defect in the Presbytery's proceedings, which they ought to be enjoined by the Synod to rectify as far as it is yet in their power, with the least possible delay. The ordination of Mr. Miller at Perth, leads your Committee to advert to a practice in many ways inadvisable, so far at least as respects ordinations conducted in this country, viz: that of ordaining Ministers at a distance from the Congregations to which they are called to minister, and they would humbly suggest to your Synod the propriety of enjoining Presbyteries in all cases when it is practicable, henceforth to conduct ordinations in the face of the respective congregations where they occur."

The Synod commended the diligence of the Committee, and in regard to the conduct of the Presbytery of Bathurst on the ordination of Mr. Miller, expressed its dissatisfaction with the informality of proceeding to ordination without having before them a call and bond for provision, and also at the ordination having taken place at Perth instead of at Cobourg in the face of the people, but in consideration of the circumstances of the case agree to no farther censure than that the Presbytery be admonished to greater regularity in their future proceedings, and enjoined to take care that the necessary extracts from the Presbytery of Glasgow be yet procured and engrossed in their minutes; and inasmuch as in this case there was no formal induction of Mr. Miller to his pastoral charge, the Synod take this occasion of declaring that whenever ordination has not taken place in presence of the people, that an induction of the minister to his charge should always take place, shortly after ordination by appointment of the Presbytery.

The Presbytery of Bathurst was called up and admonished in terms of the preceding deliverance, and the Clerk was instructed to attest the Presbytery Records *cum hac nota*.

On the Report of the Committee appointed to examine the Records of the Presbytery of York, the Clerk was instructed to attest them *cum notis*; First, that the Presbytery instruct their Clerk to inscribe his initials on the margin where erasures have been made; Second, that the Moderator of Synod is requested to sign the Minutes not signed by the Moderator of the Presbytery, the late Mr. George Sheed, and to append to his signature the reason why this was omitted, viz: the death of Mr. Sheed before the minute was engrossed; Third, that although at the meeting dated West Flamborough, Twenty-second of June, One thousand eight hundred and thirty-two, no subsequent meeting is appointed, yet the Synod declare the subsequent proceedings valid. The Minutes of the

last meeting recorded not having been engrossed are reserved for examination next year. The Synod enjoined the Presbytery to see that their Clerk be more careful in the above particulars.

On the Report of the Committee appointed to examine the Records of the Presbytery of Glengary, the Clerk was instructed to attest them, with an injunction that the Presbytery at the close of every meeting record when and where the next meeting is to take place, and that the Minutes of every Sederunt be signed by the Moderator.

On the Report of the Committee appointed to examine the Records of the Presbytery of Quebec, the Clerk was instructed to attest them as correct.

The following papers transmitted to the Moderator were read and laid on the table, viz: First, an extract from the records of the General Assembly of the Church of Scotland, dated Edinburgh, Eighteenth May, One thousand eight hundred and thirty-three, signed by John Lee, *Cl. Eccl., Scot.*, containing the deliverance of the General Assembly as to Churches in the Colonies; Second, a letter from Dr. Lee to the Rev. Dr. Burns of Paisley, accompanying said deliverance; Third, a copy of the Confession of Faith with the formula for Elders appended in manuscript by Dr. Lee; Fourth, a letter from the Secretaries of the Glasgow Colonial Society.

The Declaratory Enactment was ordered to be inscribed in the minutes, and is as follows:—

“That it is expedient and proper for ordained ministers of the Church of Scotland connected with fixed congregations in any of the British Colonies to form themselves, where circumstances permit, into Presbyteries and Synods, adhering to the standards of this Church, and maintaining her form of worship and government.”

“That no Minister should be received as a member of any such Presbytery or Synod, when first formed, who has not been ordained by a Presbytery of this Church:—That no Minister of this Church should be afterwards received as a member who does not come specially recommended from the Presbytery by whom he was ordained, or where he has last resided; and that no Probationer of this Church should receive ordination from any such Presbytery, except on his producing extract of License, with a testimonial of his good character from the Presbytery or Presbyteries within whose bounds he has resided, down to the time of his leaving Scotland.”

“That it is not expedient for such Presbyteries in the present state of education in the Colonies to exercise the power of licensing Probationers: but that Licentiates of the Church of Scotland who shall be ordained by any such Presbytery to a particular charge in the manner above described, shall remain in full communion with the Church of Scotland, and retain all the rights and privileges which belong to Licen-

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tiates or Ministers of this Church, and that members of Congregations under the charge of Ministers so ordained, shall, on coming to Scotland, be admitted to Church privileges on the production of satisfactory certificates of their religious and moral character from the Minister and Session of the congregation to which they have belonged."

"That it is earnestly recommended to all Ministers and Probationers of this Church who remove to those Colonies in which such Presbyteries are constituted, to put themselves under the inspection of the Presbytery of the bounds within which they may reside, and in the event of their returning to this country, to produce testimonials from such Presbytery or Presbyteries of their character and conduct during their absence."

"That a Standing Committee shall be named by the General Assembly to correspond with such Churches in the Colonies for the purpose of giving advice on any question with regard to which they may choose to consult the Church of Scotland, and affording them such aid, as it may be in the power of the Committee to give in all matters affecting their rights and interests."

The Synod received the same as part of the Constitution of this Church, and Presbyteries were enjoined to regulate their proceedings accordingly.

The Synod farther resolved that the Confession of Faith should be printed under the superintendence of the Commission, the number of copies to be at their discretion, and Presbyteries were enjoined to bear their share of the expense in proportion to the number of copies required.

The Synod next called for the Report of the Committee appointed to meet with the Commissioners of the United Synod to receive whatever information they had to communicate. This Report being given in, and read, as also the letter of the Rev. William Bell, of Perth, complaining of the conduct of the Presbytery of Bathurst, and a copy of the resolutions of the United Synod, passed at a late meeting of that body, after lengthened deliberation the Synod deferred coming to a decision, and adjourned till to-morrow at Ten o'clock, A. M., and was closed with prayer.

#### DIET V.

*St. Andrew's Church, York, 6th August, 1833.*

The Synod met and was constituted with prayer.

The Minutes of last Sederunt were read.

A copy of an Address to His Excellency was read and approved, the tenor whereof follows:—

*To His Excellency Sir John Colborne, K. C. B., Lieutenant Governor of the Province of Upper Canada, and Major General Commanding His Majesty's Forces therein, &c., &c., &c.*

**MAY IT PLEASE YOUR EXCELLENCY:—**

"The Synod of the Presbyterian Church of Canada, in connection with the Church of Scotland, now in Session at York, avail themselves

of the opportunity afforded by their present meeting, to renew the expression of those sentiments of respect and attachment which they feel towards Your Excellency's Person and Administration, grounded on their sense of your enlightened zeal and unwearied exertions to promote the growing prosperity of this happy and flourishing Province.

The Synod have a deep and solemn conviction of the inseparable connection which subsists between the spiritual and temporal prosperity of communities, and of the benefits which the sacred cause of Religion must ever derive from the fostering care of the Christian Magistrate, and that Your Excellency has acted uniformly on the great principle that righteousness exalteth a nation, and eminently fulfilled those sacred obligations, political, moral and religious, which form the most intimate and indissoluble bond of union between a Government and the People;—and they feel that they are not engaged in the mere formality of compliment, but in the fulfilment of a most solemn and bounden duty, peculiarly suitable to their station and office when they thus declare the sentiments of heartfelt satisfaction with which they observe Your Excellency's enlightened and extensive support of the religious institutions of the colony.

The Synod have ordered an Address and Memorial to be prepared, which they will respectfully place in Your Excellency's hands for transmission to His Majesty, containing their acknowledgments for the sum which has been recently placed at Your Excellency's disposal for the erection of Churches and the maintenance of Ministers in connection with the Synod. And they would assure Your Excellency of their grateful sense of your kind offices in obtaining this important aid, and of their best endeavours to ensure its judicious application in accomplishing the objects for which it is granted.

The Synod would not omit representing to Your Excellency the deep interest they take in the general advancement of education in Canada, and especially their anxious desire to see the College proposed to be instituted in this place in early operation, under such a Charter as shall render it generally available, and secure to it the confidence and support of all denominations of christians in this Province of the British Empire; and would be happy to receive any information which Your Excellency may be pleased to communicate to them in relation to this interesting subject.

That Almighty God may enrich Your Excellency with every temporal and spiritual blessing—and after many years of usefulness and honour upon earth, receive you into His heavenly kingdom, is the earnest prayer of,

May it please Your Excellency,

Your Excellency's most faithful and most obedient servants.

In Name. Presence, and by appointment of the Synod at York,  
this Sixth day of August, One Thousand Eight Hundred and  
Thirty-Three.

(Signed)

JOHN MACHAR,  
*Moderator.*

The following Members were appointed a deputation to present this Address to His Excellency, viz: The Moderator, Messieurs William

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Rintoul, Alexander Mathieson, John Cruickshank, and Hugh Urquhart, *Ministers*; and John Strange, *Ruling Elder*.

The Synod then resumed deliberation on the subject of the Union, when it was moved by Mr. Rintoul, and seconded by Mr. Gale, that in consistency with the act of a former diet in receiving the declaratory enactment of the last General Assembly, as part of the constitution of this Church, the Synod cannot adopt any new measure for promoting the union, in advance of the measure of last year, without consulting the Committee of the General Assembly:—that they are nevertheless disposed to act up to the spirit of the resolution of last year, and to give effect to the same;—and in order to remove the ambiguity which may seem to attach to it, from the different constructions put upon a part of it, by the Presbytery of Bathurst on the one hand, and some members of the United Synod on the other, as well as from a sense of the propriety of the thing itself,—the Synod now declare that it is expedient, that Ministers of the United Synod, admitted into this body, shall subscribe the Formula prescribed by Act tenth of the General Assembly of the Established Church of Scotland, One Thousand Seven Hundred and Eleven, and the Synod enjoin Presbyteries to receive into them such Ministers of that body as shall subscribe this Formula, and fulfil the other conditions of the resolution of last year; and should any difficulty in regard to these conditions occur, they farther enjoin Presbyteries to refer the consideration of the same to the Synod at its next meeting, giving, however, to those who may apply for admission, the kindest interpretation of the resolutions of the Synod.

It was next moved in amendment by Mr. Matthew Miller, and seconded by Mr. David Brown, that the United Synod of Upper Canada having declined the terms upon which it was last year declared that the members of their body should be received into this Church, and having proposed the appointment of Commissioners with the view of arranging some new basis of union, it is declared, that to accede to this proposal would be, as appears to the Synod, to go farther than present circumstances warrant, but being still as deeply impressed as ever with the importance of using all proper means for promoting a union among Presbyterians in these Provinces, and having just received a Declaratory Act of last General Assembly, wherein among other things, it is resolved to appoint a committee to correspond with and give advice to Colonial Churches, it is resolved by the Synod, that the whole subject under consideration be laid before the said Committee and their advice craved thereupon. The amendment was put, and the roll called, when there appeared in favour of it seven, against it nine.

The motion was next put, and the roll called, when there appeared in favour of it nine, against it seven.

Whereupon the motion was declared to be carried.

Against this decision Mr. Alexander Mathieson entered his dissent, for reasons to be given in, in due time, taking instruments in the Clerk's hands, and craving extracts. To this dissent Messieurs Matthew Miller, David Brown, and John Cruickshank gave in their adherence.

The Synod next proceeded to consider an Overture from the Presbytery of York, respecting the better observance of the Sabbath, which was approved and remitted to the Commission to use all discreet means for the furtherance of this important object.

An Overture from the Presbytery of York, on the subject of Baptism, was next read and considered, when it was agreed to adopt the preamble, which is as follows:—That forasmuch as many who come under the ministrations of the Ministers of this Church are found to be very ignorant in regard to the nature of Baptism, and that Ministers often experience a difficulty in dealing with such persons when they apply for Baptism, it is expedient and proper that the Synod, with the view at once of communicating information as to the administration of Baptism, and strengthening the hands of Ministers and Elders in maintaining a sound discipline in this matter, do send a recommendation to Sessions on the subject of Baptism, and, in conformity therewith, the Synod enjoined Presbyteries to see that the laws of the Church regarding this ordinance are duly observed.

An Overture from the Presbytery of Bathurst recommending the formation of a Ministers' Widows' Fund was next read and approved, and the Synod appointed the Presbytery of Quebec to digest a scheme, and to report to next meeting of Synod.

An Overture from the Rev. Matthew Miller, proposing a better method of drawing the Government allowance was read, the tenor whereof follows:—

That the Synod do appoint a Committee to draw up a memorial to His Excellency the Lieutenant Governor, praying that it may be no longer required of Ministers when drawing the Government allowance to forward certificates from their respective Elders of their being Ministers of the places for which the allowance is drawn but that His Excellency would be pleased to accept, instead thereof, of certificates to the same effect from the Presbyteries of the bounds, and instead of requiring that these certificates be received each time that allowances are drawn, that His Excellency would be pleased to consider Ministers once certified to be Pastors of certain Churches as still continuing to be so until intimation is given to His Excellency, in the same manner that the connection is dissolved:—the Synod engaging that such occurrence shall immediately on its taking place be notified to His Excellency.

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Farther that, should His Excellency accede to this prayer, the Convener of the Commission be instructed to give due intimation thereof to the Moderator of each Presbytery, and that said Moderator, on receiving such intimation, shall call forthwith a meeting of Presbytery by whom such certificates shall be granted.

The Synod resolved in terms of this Overture, and enjoined the Commission to take the necessary steps.

The Synod next took up the Overture from the Rev. Matthew Miller on calls, on the constitutions of Churches, and the permanency of the pastoral connection; when it was resolved that the several Presbyteries be instructed to mature their views on these subjects, to report within three months of next meeting of Synod to the following committee, viz., the Moderator, and Messieurs James Ketchan and Matthew Miller, and that this committee be prepared to submit a full view of the matters in question to the next meeting of Synod. And farther, the Synod enjoined Presbyteries in the meantime to proceed in the Ordination of Ministers, with a true regard to the permanency of the Pastoral connection.

The Synod then adjourned till Eight o'clock, P. M., and was closed with prayer.

The Synod resumed and was constituted with prayer.

An Overture from the Presbytery of Quebec on the legal recognition of Churches in Canada was called for, and read as follows:—

“In consideration of the difficulties arising in the administration of the Laws and discipline of our Church, from our not being a corporate body, and being unknown to the law of these Provinces as a Church Court, it is humbly overtured that the Synod take steps to have the decisions of our Church Courts recognised by the law of the land, in so far as their decisions are conformable to the laws and practice of the Church of Scotland, and that the several Presbyteries be enjoined to take this subject into serious and immediate consideration, and to report to a Committee to be appointed by the Synod on the measures they deem most advisable to attain the end proposed. And farther, that said Committee of Synod shall carefully consider such Reports, and procure all other information on the subject within their power, and prepare a plan for the consideration of the Synod at its next meeting.

The Synod resolved in terms of this Overture, and appointed the Presbytery of Quebec a Committee to take charge of the business.

A petition of certain members of the Presbytery of Bathurst was next called for and read as follows:—

The Petition of the undersigned members of the Presbytery of Bathurst respectfully sheweth,—That the bounds of said Presbytery are found by experience to be inconveniently large, and as there are now a sufficient number of Ministers composing it to admit of its being divided into two

Presbyteries, it would be desirable that a separate Presbytery should be formed, consisting of the Ministers of Kingston, Belleville, Cobourg, and Colborne, and having for its bounds the Newcastle, Prince Edward, and Midland Districts, together with the country within thirty miles of Kingston.

(Signed) John Machar, James Ketchan, and Matthew Miller,  
*Ministers*; and John Strange, *Ruling Elder*.

Whereupon the Synod agreed to grant the prayer of the Petitioners, and constituted a new Presbytery, bounded as described in the Petition, to be named the Presbytery of Kingston, and enjoined both Presbyteries to meet this evening for any competent business, appointing Mr. George Cheyne to sit with the Presbytery of Bathurst to constitute a quorum.

The Clerk of the Presbytery of Bathurst was allowed an extract of this Minute.

The Synod next called for a letter addressed to the Moderator by the Trustees of St. Andrew's Church, York, which being read, the Synod appointed the following Committee to consider the whole business, and to call for all parties and documents connected therewith, viz.:—The Moderator, and Messieurs Alexander Mathieson, Archibald Connel, John Cruickshank, Alexander Gale, and Hugh Urquhart, *Ministers*; and John Strange, *Ruling Elder*, to report as early as possible to the present meeting of Synod.

An Overture from the Rev. William Rintoul, respecting Annual Returns from Congregations and Presbyteries, was referred to the Commission.

A Petition from Colin Gregor, Teacher of the Ottawa District School, and a Petition from certain heads of families of the Congregation of L'Original, were read, and the Synod recommended to the Presbytery of Giengary, to examine the qualifications of Mr. Gregor, and receive him as a Catechist, if they see fit, and the Moderator was requested to refer the said papers to the Committee of the General Assembly, craving advice.

The Synod adjourned till to-morrow and was closed with prayer.

#### DIET VI.

*St. Andrew's Church, York, 7th August, 1833.*

The Synod met pursuant to adjournment, and was constituted with prayer.

The deputation appointed to wait upon His Excellency Sir John Colborne with the Synod's address, laid upon the table His Excellency's reply, the tenor whereof follows:—

“Rev'd Gentlemen—In expressing my thanks to the Synod for this address, I feel it incumbent on me to state, that His Majesty's Government being aware of the great importance of aiding, at this period, the

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Ministers of the Gospel, and the societies with which they are connected in their exertions to diffuse religious instruction through the Province, I may assure you that the Synod of the Presbyterian Church of Canada will continue to receive that support which they must necessarily require, in the discharge of their duty faithfully, in a new country.

“With respect to the University of King’s College, I am most anxious to see it in operation, and I trust that the Institution will open in the course of the ensuing year, under a Charter which will prove satisfactory to the colony.”

The Committee appointed to report on the state of St. Andrew’s Church York, gave in their Report, the consideration of which was deferred until to-morrow, at Nine o’clock, a. m., to which hour the Synod adjourned.

The Synod was closed with prayer.

#### DIET VII.

*St. Andrew’s Church, York, 8th August, 1833.*

The Synod met and was constituted with prayer.

The Synod called for the Report of the Committee on the state of St. Andrew’s Church, York, which was read as follows:—

“Your Committee have to Report, that after careful examination of the documents submitted to them, and of the parties concerned in the case of St. Andrew’s Church, York, they find,

*First*,—That the Rev. Mr. Rintoul was designated to the pastoral charge of St. Andrew’s Church, York, by the Glasgow Society in consequence of a letter dated Twenty-ninth day of July, One Thousand Eight Hundred and Thirty, addressed to one of the Secretaries of said Society, and subscribed by certain individuals appointed Trustees of said Church, by the original contributors to the building thereof, which letter contains the following conditions to be fulfilled on the part of said Trustees:—

York, Upper Canada, 29th July, 1830.

“Sir,—We, the Undersigned regularly constituted and appointed Trustees of the Presbyterian Congregation of St. Andrew’s Church of York, request that your Society will be pleased to ordain and appoint, a Minister to preside over us; and we, on our part, promise that we will yield him that obedience required by the Kirk from a Congregation to their spiritual superior. We further bind ourselves to secure him a stipend of not less than Two Hundred Pounds Halifax Currency per annum, on the following conditions, viz: *First*, that at the end of three years, from the date of his arrival in the Province, we are at liberty to make void the engagement; *Second*, that if the Congregation at the expiration of three years continue to approve of him as their Minister, he shall by a new agreement be appointed their Minister during his natural life, unless from some impropriety of conduct, or heresy of doctrine, he shall be

deemed unworthy to hold the office of Minister, or unless he himself, from private reasons, decline that office.

Signed, H. Carfrae, James F. Smith, Alex. Murray, Jacob Letham, John Ewart, Thomas Carfrae, Junr., W. Rose.

To Rev. David Welch, Secretary to the North American Society, Glasgow.'

*Second*.—That at a public meeting of said contributors, held on the Eighteenth of May, One Thousand Eight Hundred and Thirty, they drew up and agreed to a Constitution for the management of said Church; the tenor whereof follows:—

1st. That the Church be called St. Andrew's Church.

2nd. That being a Subscriber to the Church gives the power to vote for the first Trustees to consist of seven persons who shall manage all matters referring to the temporalities of the Church. That vacancies in the Trustees shall be filled up by a general meeting of the Subscribers and Pew Holders:—a Subscriber being a person who has paid One Pound Five Shillings towards the Church; and a Pew Holder, a person who has paid up his rent for three sittings. No subscription gives a permanent property in a pew; these are to be let for a term not exceeding Five years.

3. That these Trustees are entitled to call to the Ministry an Ordained Clergyman of the Church of Scotland, or to delegate that right to any Presbytery in Scotland, or to the Glasgow Society, or to any other Society that may hereafter be formed for similar purposes.

4. That these Trustees shall be distinct and separate from the Church Session, and their meetings be separately held; though being a Trustee does not disqualify from being an Elder nor vice versa.

5. That Meetings of the Trustees be called by a clear week's notice, given by their Secretary or Chairman. That Four form a Quorum, and that their business be conducted like that of other Trustees: and in particular, that no Resolution of theirs be valid unless confirmed by a second meeting summoned as above mentioned.

6. That in any matter which these articles do not provide for, or if any doubt respecting them shall arise, the same shall be settled according to the laws and usages of the Church of Scotland; and so soon as a Presbytery shall be formed in these Provinces, such matters shall be referred to it; and should a higher Court, as a Synod, be established, the same may be appealed from the inferior to the higher Court.

7. That these articles shall continue in force until they shall be altered by the vote of at least two-thirds of a meeting of the proprietors and pew-holders, which may be called by the Minister and Kirk Session, by a majority of the Trustees, or by twelve of the proprietors and pew-holders, by giving notice of the same from the pulpit or Precentor's desk, on three consecutive Sundays after the forenoon service."

The provisions of which Constitution, however, were not made known to Mr. Rintoul previously to his accepting the conditions expressed in the bond or letter aforesaid.

*Third*. That the fifteenth of the following borrow the said debt is the exception of the adoption of Trustees, John Smith, Alex. in office, until liquidated, at that period."

*Fourth*. That Rintoul accept the renewal of the original Trustees, besides substitution, have only by the assumed upon

*Fifth*. That of his bond, be determined the same time them under a free right of cease of it income. Under these cases remit the case and recommend immediately their best end their responsibility procuring payees. The first conditional on said Church, on that question scribers to the Second, pew holders Third, all who up to this date attained the age of the Presbytery during the two Trustees or from Trustees, as appoint a meeting voters, and the question to a d Synod express

*Third.* That said contributors, at another public meeting, held on the fifteenth of March, one thousand eight hundred and thirty-one, did pass the following resolutions:—That the present Trustees be empowered to borrow the sum of Three Hundred Pounds to finish the Church, with the exception of the Dome, and that they continue in office until the said debt is liquidated:—That the Constitution be so amended, by the adoption of an Eighth Article, with these words, "That the present Trustees, John Ewart, Jacob Letham, Thomas Carfrae, Jun., James F. Smith, Alexander Murray, Hugh Carfrae and Walter Rose, be continued in office, until the debt about to be contracted to finish the Church, be liquidated, and that no alteration in the constitution take place until that period."

*Fourth.* That it appears from the aforementioned documents that Mr. Rintoul accepted of the said charge for the period of three years; that the renewal and permanent settlement of his connection with the Congregation of St. Andrew's Church was to be determined at the expiry of the original engagement by the voice of the congregation, and that the Trustees, besides the powers conferred upon them by the original constitution, have obtained an extension of these powers as to time, limited only by the extinction of certain pecuniary obligations which they assumed upon their powers being thus extended.

*Fifth.* That while it appears that Mr. Rintoul, according to the terms of his bond, has a pledge that his eventual permanent settlement shall be determined by a vote of the Congregation—the Congregation have, at the same time, invested the Trustees with such powers, and placed them under such pecuniary responsibilities as seem to invalidate the free right of vote originally contemplated, or as might render the exercise of it incompatible with the pecuniary responsibility of said Trustees. Under these circumstances your Committee recommend that the Synod remit the case to the Presbytery of York, with the following instructions and recommendations:—That the Presbytery of York, meet in York immediately after the close of the Synod, and, as their first step, use their best endeavours to obtain the means of relieving the Trustees from their responsibility for the debt of Three Hundred Pounds, either by procuring payment of the money, or security satisfactory to the Trustees. The final exoneration of the Trustees by the Presbytery to be conditional on the re-election of Mr. Rintoul to the pastoral charge of said Church, by the persons hereinafter declared to be entitled to vote on that question. That the voters shall be—first, all the original subscribers to the Church, as described in article second of the Constitution. Second, pew holders qualified according to the terms of said article. Third, all who have been in regular communion with said Congregation up to this date, provided they be heads of families, or persons who have attained the age of twenty-one years, and establish to the satisfaction of the Presbytery, that they have held a sitting or sittings in said Church during the twelve months preceding this date, either directly from the Trustees or from others. That in the event of such exoneration of the Trustees, as above described being obtained, the Presbytery shall appoint a meeting within three weeks of this date, for registering the voters, and thereafter, so soon as they shall see meet, for bringing the question to a decision. Your Committee further recommend, that the Synod express deep regret that the parties have been brought into cir-

cumstances by which the sacred connection between pastor and people, may be dissolved in a manner so much at variance with the spirit and constitution of our Church, and resolve to use every possible endeavour to prevent the recurrence of similar irregularities.

Whereupon the Synod approved of the report, adopted the recommendations thereof, and enjoined the Presbytery of York to meet this evening, at half-past six o'clock, to take the necessary steps in this business.

The Clerk was instructed to furnish the Trustees of said Church, as also the Presbytery of York, with a copy of this deliverance. Mr. Rintoul, for himself, took instruments in the Clerk's hands and craved extracts, which were granted.

The Report of the Committee appointed to draw up a scheme for distributing the Government Grant for building Churches, was given in, and in conformity therewith, the Synod approved of the following rules and conditions to regulate the distribution of this or any similar grant that may be obtained:—First. That there must be a legal deed, securing the Church to Trustees, acknowledging the jurisdiction of the Synod. Second,—That there must be a sufficient provision made for the Minister from pew rents or voluntary contributions. Third,—If there be no Minister settled in the Church, that evidence be produced that effective measures are taken for obtaining one. Fourth,—That Churches thus aided, must have agreed to a constitution satisfactory to the Presbytery. Fifth,—That the sum of money to be granted shall be paid by order of the Convener of the Commission, to the Moderator of the Presbytery to which it is granted, and that he deliver it over to the Trustees, upon sufficient evidence that the proceedings have been fulfilled; and also on a sufficient bond being given, that the money shall not be devoted to any other object than the advancement of the building. And that a report shall be made to the Convener by the Presbytery, that the monies granted, have been properly applied. Sixth, That Four Hundred Pounds, currency, be assumed as the average cost of a Church, adapted to the state of new settlements. Seventh,—That when the people have subscribed and paid Three Hundred Pounds, or upwards, a grant of One Hundred Pounds shall be made,—if less than Three Hundred Pounds, currency, shall have been subscribed and paid by the people, the grant shall be reduced proportionably. Eighth,—That a conditional bond be given to the Trustees, that the money shall be paid when the building is finished, and that the Presbytery have sufficient evidence, that the building has been completed before the money is granted on the bond, a discretionary power being invested in the Presbytery, to pay the money immediately to the Trustees, when the preceding conditions have been complied with, or sufficient evidence

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being produced, that the building shall in due time be completed. With reference to those principles, and also to certain specialities in the several cases, the Synod made the following appropriation of the present grant, viz:—To Perth, £80; Cobourg, £75; Ramsay, £60; Beckwith, £50; Lanark, £35; Vaughan, £30; Galt, £80; Guelph, £45; Aldborough, £25; Ancaster, £25; Amherstburgh, £15; Zorra, £50; Thorah and Eldon, £50; L'Orignal, £50; Front of Charlottenburg, £25; Indian Lands, £50; Martintown, £75; Lochiel, £25; amounting in all to Eight Hundred and Forty-five Pounds, currency. The Synod delayed assisting several places having very urgent claims, in consequence of their applications not having been made through the Presbyteries of the bounds, but resolved that so soon as their applications shall be forwarded, in the proper way, examined and approved, due consideration shall be given to the claims of each, and in proportion to the means at the Synod's disposal. The Synod ordered a copy of its proceedings in this business to be laid before His Excellency Sir John Colborne, together with a full statement of the numerous and urgent cases that exist in all parts of the Colony, yet requiring aid.

A memorial from the Clerk was brought before the Synod, by the Moderator, of the following tenor:—

“The Clerk of Synod respectfully memorializes this Venerable Court, that he has discharged the duties of this office now for three sessions, without receiving any emolument, and craves that the Synod may take his case into consideration, and grant a honorarium for past services; and also that the Synod may be pleased to fix the Clerk's salary at Fifteen Pounds per annum, in addition to the fees of office, to be regulated by the Synod, according to a fixed scale.”

Whereupon the Synod agreed to grant the sum of Thirty Pounds for his services during the years One Thousand Eight Hundred and Thirty-one, and One Thousand Eight Hundred and Thirty-two; and further granted the sum of Fifteen Pounds per annum, for discharging the duties of his office.

The Presbytery of Quebec was appointed a Committee to correspond with the Presbyteries in British North America, connected with the Church of Scotland, and to consult with them whether it be practicable to delegate annually corresponding members in the manner of the Synods in Scotland.

The Convener of the Committee appointed to prepare the draft of a memorial to the King on the subject of the Clergy Reserves, reported that they had not been able to proceed in this matter on account of the lengthened Sederunts of the Synod, whereupon this business was referred to the Commission, with an injunction to draw up this memorial with

all convenient despatch, and transmit the same to the Lieutenant Governor, praying that it may be laid before His Majesty.

It was recommended to the Presbytery of Quebec, to prepare a similar memorial to be transmitted by the Moderator of the Synod, through Lord Aylmer, the Governor-in-Chief.

The Commission was also instructed to communicate to the Committee of the General Assembly on Colonial Churches, the thanks of this Synod, for the paternal care manifested by the General Assembly for Colonial Churches, and to inform that Venerable Body that the Declaratory Enactment passed at last General Assembly, has been received by the Synod with all dutiful submission, and acknowledged as an essential part of the Constitution of this Church; and further to crave the General Assembly to use its influence to secure to this Synod all its legal rights as connected with the Church of Scotland, and to obtain, if possible, from His Majesty's Government, that wherever in a British Colony, a Minister of the Church of Scotland officiates as Chaplain to the Military, he shall receive the customary allowance, and also, that the General Assembly caution Presbyteries at home not to ordain Ministers to Canada, upon a call and bond, unless these have been certified by Presbyteries in this country.

The Clerk of the Mission Committee was instructed to prepare an abstract of the Minutes of that Committee, and also a scheme for appointments for Missionaries, to be printed and distributed among the several Presbyteries, and the Synod recommended copies thereof to be appended to the printed abstract of the Minutes of Synod.

The Report of the Mission Committee of the Lower Province, was called for, read, and approved, and that committee was instructed to furnish the Clerk of the Synod with an abstract of the same, to be appended to the printed abstract of the Synod's Minutes.

The Synod, in consequence of the absence of the Treasurer, John McLean, Esq., of Kingston, received no report on the Mission or Synod Funds, but Presbyteries were enjoined to see that collections be made in all their congregations, within six months, for the Mission Fund, and within twelve months for the Synod Fund, and that the same be forwarded to the Treasurer within these periods respectively, and the Treasurer was requested to furnish the Clerk of each Presbytery with an abstract of his account.

The following members were appointed a standing Commission to watch over the general interests of the Church, and to transact the business specially referred to it, viz:—The Moderator and Clerk of

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Synod, Messieurs Willam Rintoul and James Ketchan, *Ministers*, and the Hon. Archibald McLean, and Mr. John Strange, *Ruling Elders*: and, in conformity with a resolution passed at a former sederunt, the Synod appointed three ordinary meetings of the Commission to be held in each year, viz:—The first immediately after the close of the Synod; the second at York, on the third Wednesday of January next, and the third at Montreal, on the first Thursday of August next, at Two o'clock, P. M., and it was resolved that all members of the Synod may sit as members of the Commission, at its ordinary meetings.

The Moderator was requested to write a pastoral letter to the churches of which the Synod ordered two thousand copies to be printed for general distribution.

The Moderator was requested to communicate to the Glasgow North American Colonial Society, the thanks of the Synod for their exertions in sending out ministerial labourers to this destitute colony, and also for the liberal pecuniary aid granted by the society in furtherance of this object; and further to request the society not to give any pecuniary assistance in future to congregations in Canada, without the recommendation of the Presbytery of the bounds; and also to refer the cases of congregations at present assisted by them, to the examination of the Presbyteries of the bounds, that the Presbyteries may report for the information of the Society.

The following Committee was appointed to revise the Minutes, and to assist the Clerk in drawing up an abstract of the same, to be printed and distributed among the several Presbyteries, viz:—The Moderator and Messieurs Mathieson, Rintoul and Miller.

The Synod then appointed its next ordinary meeting to be held at Montreal, in St. Gabriel Street Church, on the first Thursday of August next, at Six o'clock, P. M.

The Synod was closed with prayer and the blessing.

(Signed) JOHN MACHAR, *Moderator*.