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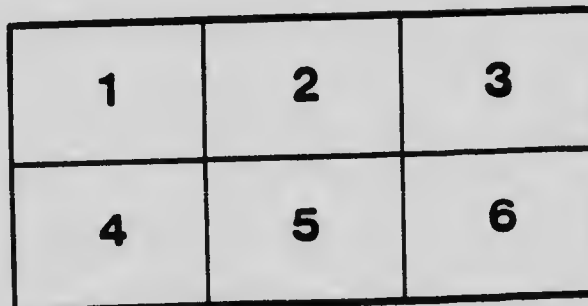
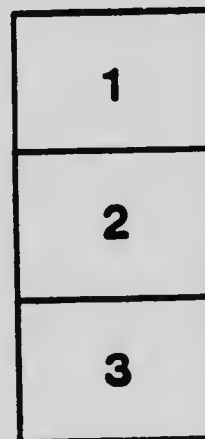
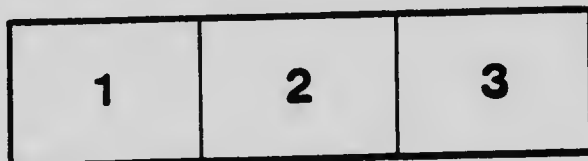
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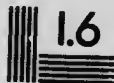
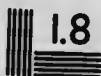
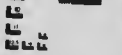
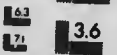
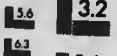
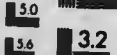
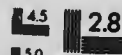
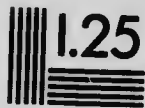
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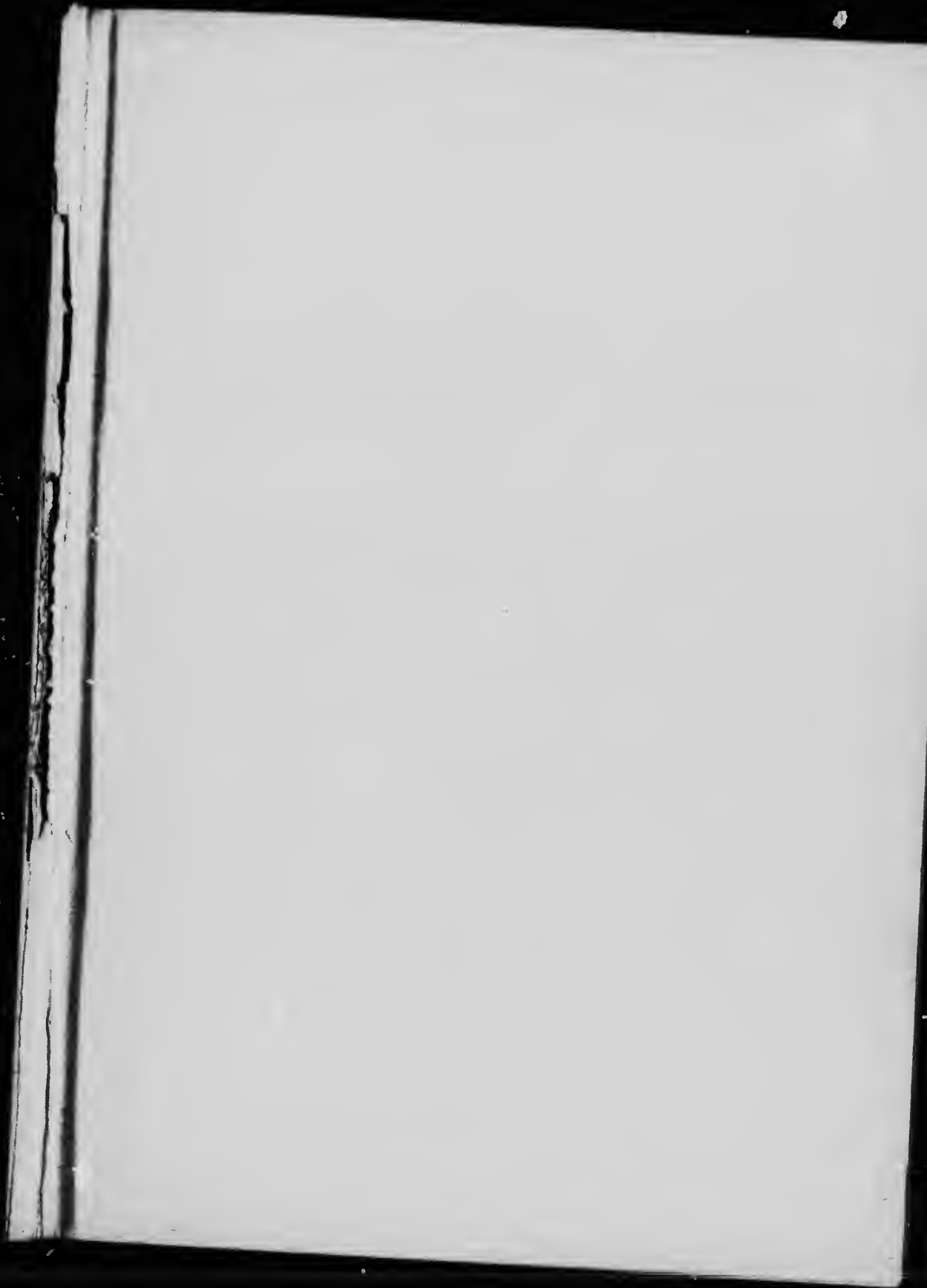
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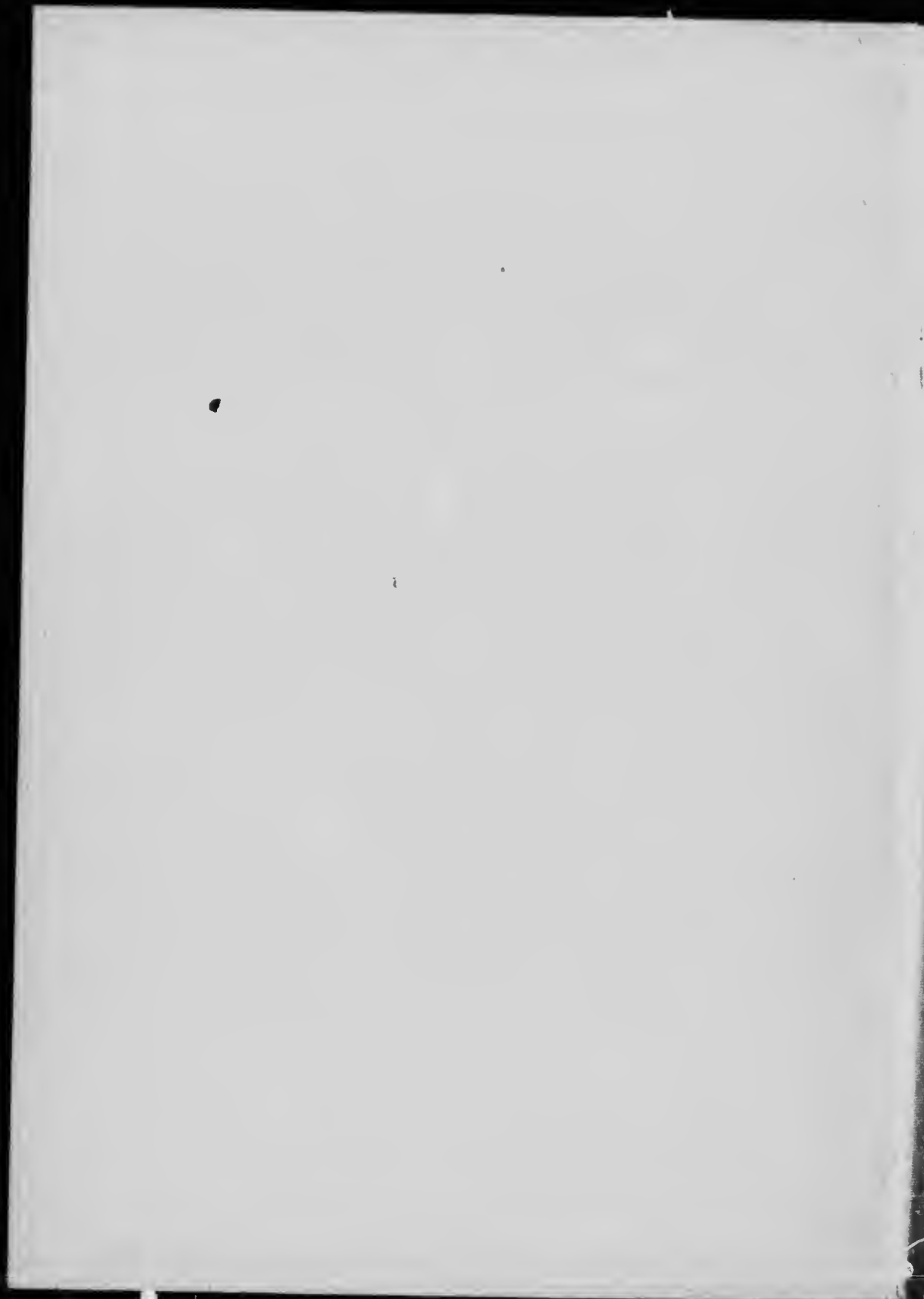
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Rules  
AND  
Forms of Procedure

IN THE CHURCH COURTS OF THE  
PRESBYTERIAN CHURCH  
IN CANADA.

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*Adopted by the General Assembly of 1889.  
Revised in 1905.*

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*Entered according to Act of Parliament of Canada, in the year  
of our Lord one thousand nine hundred and three, by  
Robert Campbell, D.D., and Robt. H. Warden, D.D.,  
Clerks of General Assembly, in the Office of the Minister  
of Agriculture.*

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## PREFATORY NOTE TO SECOND EDITION.

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When the several Presbyterian Churches in the Dominion were united in the year A.D. 1875, in the Presbyterian Church in Canada, a large Committee was appointed to deal with all matters necessary for the complete organization of the Church. In the following year a report was submitted to the General Assembly by this Committee regarding Ecclesiastical Procedure, and a special Committee was appointed to put the matter that had been prepared into complete form for presentation to the next Assembly. The Rev. George Bell, D.D., was Convener of that Committee. After presenting interim reports for two years, the Committee in 1879 made its final report, which was adopted with instructions to the Committee "to avail themselves of the suggestions of Presbyteries, for the purpose of making the Book of Forms as complete as possible; and to publish the book, thus amended, as a useful guide to the office-bearers of the Church." Before the end of that year the book was published.

The first issue of the Book of Forms being exhausted, the General Assembly of 1883 appointed a Committee with instructions "to revise the book and so to modify the rules of procedure as to bring them into conformity with the legislation of the Church enacted since the approval of the book in 1879, and to remove other imperfections." This Committee presented its work and reported to the Assembly from year to year. In 1887 the book, as revised, was sent down to Presbyteries for their consideration, and additional changes were thereafter made in view of the criticisms and suggestions of Presbyteries. The final report was presented to the last General Assembly, and recommendations were adopted, viz. :

1. "That the Book of Forms, as now submitted to the Assembly, be approved and adopted as a useful guide for the members, the office-bearers and the Courts of the Church in the transaction of ecclesiastical business."

2. "That the book be published as soon as practicable, and that Dr. Laing, Dr. Reid and W. B. McMurrich, Esq., be a Committee, with power to add to their number, with instructions to consider and determine all matters of detail, to secure the copyright and make all necessary arrangements."

The Book of Forms having been thus carefully prepared will, it is hoped, be found to exhibit in a satisfactory manner the ordinary practice of this Church in the transaction of business.

JOHN LAING,

*Convener of Committee.*

DUNDAS, ONT.

*November 1st, 1889.*

## PREFATORY NOTE TO THIRD EDITION.

In 1900, the General Assembly, moved by an overture "to revise the Book of Forms, in view of additions and changes relating to the Church's practice," appointed a Committee "to consider the prayer of the overture and report to next Assembly." The Committee reported to the General Assembly of 1901 that a revision was desirable, and the same Committee, with two additional members, was appointed to submit to the following Assembly "such changes and additions as the experience and legislation of the Church have made necessary," "it being an instruction to the Committee to introduce no changes that would imply a departure from the present constitutional practice of the Church, so as to avoid the delay and expense that would be involved in sending down the book to Presbyteries." The Committee put themselves in communication with the clerks of Synods and Presbyteries, asking for suggestions, and gave in an interim report to the Assembly of 1902, when they were empowered to issue the book, "with the amendments which the progress of legislation and the practice of the Church have made necessary." Considerable additional matter has had to find a place in this edition; but it was found desirable also to omit a considerable amount of what was embraced, especially in the Appendix, in the last edition, so that the bulk of the handbook remains about the same. One notable improvement has been, affixing the date of new legislation, so that it can be easily found in the Assembly Minutes.

The Book being thus up to date, as setting forth the law and practice of the Church, will, it is believed, be found useful to Congregations, Sessions, Presbyteries, and Synods, as well as to the General Assembly.

ROBERT CAMPBELL,  
*Convener of Committee.*

MONTREAL,

*October 1st, 1903.*

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# RULES AND FORMS OF PROCEDURE.

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## THE CHURCH.

1. The Catholic or Universal Church, which is invisible, consists of the whole number of the elect that have been, are, or shall be gathered into one under Christ, the Head thereof.
2. The Visible Church, which is also Catholic, consists of all those throughout the world that profess the true religion, together with their children. Those who constitute this Visible Church are associated in congregations for the worship of God, the maintenance of the truth, mutual edification, and the promotion and spread of the religion of Christ, all to the glory of God in the salvation of men.
3. Christ Jesus, our Lord, as the Head of His Church, has appointed its constitution, laws, ordinances, and offices. The ordinary and permanent officers of the Church are Elders, Teaching and Ruling, and Deacons. These officers meet for deliberation and united action in the several courts of the Church, namely, the Session, the Presbytery, the Synod, the General Assembly. There is also the Deacon's Court, to which are entrusted the temporal affairs of the congregation.
4. The jurisdiction of the courts extends only to those who are members of the Church ; and their decisions and enactments derive their sanction entirely from the spiritual authority wherewith Christ has invested His Church and its officers.

## THE CONGREGATION, OR PARTICULAR CHURCH.

5. A congregation is formed by a Presbytery either of its own motion or on application made by persons residing within the bounds who declare their adherence to the principles of the Church. (Under the title, congregation, in this and several other sections, an organized mission is included.) (Minutes, 1893, p. 46.)

6. Before proceeding to organize a congregation, the Presbytery gives notice to the Session of any congregation which may be affected by the proposed action, so that they may have opportunity of being heard in the matter. The Presbytery also appoints one or more of its number to meet with the persons applying, so as to obtain all necessary information, and to report. After the report of these delegates has been considered, and all parties interested have been heard, Presbytery, if it sees fit, resolves to form a congregation. Supply is then granted, and a minister of the Presbytery is appointed to take the necessary steps for organization by making up a communion roll, and constituting a Session. When a Session cannot be at once formed, an *interim* Session is appointed, unless because of distance or other reasons this seems impracticable.

7. Before proceeding to erect a place of worship, a congregation must obtain the Presbytery's approval of the site.

8. The members of a congregation who are entitled to all Church privileges are those who, on a profession of their faith in Christ and obedience to Him, have been received into full communion. The children of such persons, being within the covenant, are members of the Church, and it is their duty and privilege, when they reach the age of discretion, to enter into full communion.

9. Members of the Church are under the care and subject to the authority of the Session until they are disjoined by receiving a certificate, or have their names removed in consequence of voluntary withdrawal from the fellowship of the congregation, or from discipline.

10. Members in full communion, whose names are on the roll, on applying for a certificate of disjunction, are entitled to receive the same without unnecessary delay, unless a charge against them has been laid before the Session. It is also recommended that members of the Church who are not in full communion receive commendatory letters when removing to a distance.



11. A member who has withdrawn irregularly from the Church may, on applying for a certificate, receive it from the Session; but the certificate shall contain such statement of the facts in the case as the Session may deem for edification, it being understood, prior to such action, that parties be conferred with by the Session.

12. When a member withdraws from the fellowship of the Church and absents himself from public ordinances, or declines the jurisdiction of the Session, or leaves the bounds of the congregation while under discipline, his name may be removed from the communion roll, *cum nota* of the cause.

13. A member of the Church who has not a certificate of good standing, or whose name has been removed from the communion roll of another congregation, is not received into full communion by any Session without correspondence with the Session under whose jurisdiction such applicant formerly was. If the latter Session consents, the former may deal with the applicant with a view to a restoration to full Church privileges. If that consent is refused, the case is referred to the Presbytery.

14. All members in full communion, male and female, have the right to vote at all congregational meetings, and to them exclusively belongs the right of choosing ministers, elders and deacons. At any meeting of the congregation when matters relating to the temporal affairs of the congregation, and not affecting the order of worship, the discipline of the Church, or the disposal of property, are under consideration, adherents who contribute regularly for the support of the Church and its ordinances may vote.

15. Members of the Church have access to the Session in reference to any matter affecting themselves, their fellow-members, the congregation, or the Church; but matters touching the conduct of the minister must be dealt with by the Presbytery. The Session may be approached by petition, memorial, or complaint, made either in writing or by oral statement reduced to writing by the Session and approved by the complainant.

16. Members of the Church have access to the higher courts only through the Session, which transmits petitions, memorials, or overtures to the Presbytery. If the Session refuses to transmit any such paper, there is the right of appeal to the Presbytery, as provided for in Section 22.

17. The property of the congregation is held by trustees, appointed by the congregation, in the manner provided for in the Trust-deed. Trustees should be members of the Church in

full communion. Great care should be taken to define clearly the purposes of the trust and the powers, duties, obligations and mode of appointment of the trustees and their successors, and the perpetuation of the trust, this last point being specially important. (See Model Trust-Deed in appendix.)

18. No debt shall be contracted with security on church property, unless the Presbytery, at the instance of the congregation, shall have given its sanction, and only after minute enquiry into the circumstances of the case.

19. Meetings of the congregation are called by the authority of the Session of its own motion or on requisition in writing of the Deacons' Court or Board of Managers, or of a number of persons in full communion, or by mandate of a superior court. Meetings are called by public notice, read before the congregation on the Lord's Day; such notice specifies the object of the meeting and is given on at least one Sabbath before the time of meeting, unless otherwise and specially provided for. Congregational meetings are opened and closed with prayer.

20. Every congregation should hold an annual meeting for receiving the Report of the Board of Managers, or the Deacons' Court, and transacting any other business regularly brought before it. It is recommended that the annual report be printed and circulated among the members of the congregation.

21. At congregational meetings the minister of the congregation, or the minister appointed by the Presbytery, presides. But if the minister is absent or declines to preside, the meeting appoints one of its members to take the chair. It also appoints its secretary. The minutes of the proceedings of a meeting held for spiritual purposes are reported to the Session by the secretary, and are entered in the Session records; the minutes of meetings held for purposes not properly spiritual are reported to the Deacons' Court or Board of Managers and are entered in their records.

22. Any person who has voted at a congregational meeting and is dissatisfied with resolutions which have been adopted has the right of dissent and complaint to the Presbytery. The complaint and reasons are transmitted through the Session.

23. Congregations make returns regarding their statistics and finances in such manner as the superior courts may from time to time require.

24. While the care of the property belongs to the Deacons' Court or Board of Managers, the Session is responsible for the use made of the church edifice, including all buildings for church purposes, and has the control thereof and the custody of the key. It has been found of advantage that the Board of Management should include one or more members of Session.

## THE SABBATH SCHOOL.

25. The duty of bringing up their children in the nurture and admonition of the Lord naturally and necessarily devolves upon parents; but connected with every congregation there should be one or more Sabbath Schools, in which the children and youth of the Church may collectively receive instruction in the Holy Scriptures, and in Christian doctrine and duty.

26. The Sabbath School is under the care and subject to the direction of the Session, and the superintendent, teachers, and other officers should be appointed and hold office as the Session may direct.

27. The Session should see that due provision is made by the congregation for procuring whatever accommodation, funds, books, etc., may be necessary for the efficient working of the Sabbath School.

28. In appointing teachers great care should be exercised as to their spiritual and other qualifications. Teachers should prepare themselves diligently for the discharge of their duty, and make themselves acquainted with their scholars, visiting them in their homes as far as possible, and seeking their spiritual and temporal welfare.

29. The Presbytery of the bounds should by all suitable means assist, direct, and encourage Sessions and teachers in their important work.

30. Sessions are required to report to the Presbytery annually regarding their Sabbath Schools; in particular their statistics, finances and work, so that material may be provided for the reports to Synods and the General Assembly.

31. The youth attending the schools should be led to feel an interest in the extension and establishment of the kingdom of Christ at home and abroad, and to contribute regularly to the mission schemes of the Church.

32. Besides maintaining congregational Sabbath schools, in many places it is the duty of the Church to establish and aid in the maintenance of Mission schools for youth not enjoying the privilege of religious instruction.

33. In addition to classes for the young, the catechetical instruction of all belonging to the congregation is well entitled to careful consideration from Sessions.

## CHURCH COURTS.

### DEACONS' COURT AND BOARD OF MANAGERS.

34. Where there is a Deacons' Court the management of the temporal and financial affairs of the congregation is entrusted to it. In other cases a Board of Managers is appointed by the congregation, which takes charge of all such matters. The Deacons' Court is composed of (1) the minister or ministers of the congregation; (2) the elders; (3) the deacons.

35. The duties of deacons have special regard to the temporal and financial affairs of the congregation. More particularly it is their duty to obtain from the people contributions for the sustentation of the ministry and the schemes of the Church, and to disburse all moneys received for these purposes, subject to the approval of the congregation; to attend to the wants of the poor; to take care of the property of the congregation; to provide for the payment of the minister's stipend and other salaries, and generally to administer all matters committed to their charge as the congregation may from time to time direct.

36. Each deacon should have a district of the congregation assigned to him, within which he may more particularly discharge his duties, visiting the several families, cultivating the acquaintance of the people connected with the Church, seeking to stimulate by all proper means the liberality of the people and their interest in the affairs of the Church, and caring for the poor.

37. Deacons are appointed from among the members of the Church in full communion, in general accordance with the rules and forms observed in the election and ordination of elders. (See Section 277.)

38. Deacons hold office until death or removal by deposition, or until their resignation has been accepted by the Session.

39. The minister, when present, is chairman of the Deacons' Court. Where there are more ministers than one, they may preside alternately, or as may be agreed between them. In the absence of the minister, any member of the Court may be chosen to preside. The chairman has only a casting vote.

40. The clerk must be a member of the Court. His duty is to keep an accurate roll of the members and a faithful record of the proceedings in a book provided for the purpose, and to

take charge of all papers belonging to the Court. The minute book shall be accessible to the Deacons' Court at all times, and shall be signed by the chairman and clerk.

41. The treasurer is appointed from among the members of the Court. His duty is to keep the accounts of the congregation and to receive and disburse all moneys subject to the direction and control of the Court. Contributions for missionary and other schemes of the church are to be transmitted by him to the general treasurer of the Church.

42. The Court should hold stated meetings, at least once in three months, for the transaction of business; but a meeting may be called at any time on the authority of the chairman or on requisition by at least three members of the Court. Notice of all meetings is to be given from the pulpit, or personally to the members, except when an adjournment takes place. Every meeting is opened and closed with prayer. Three members present constitute a quorum for the transaction of business.

43. A meeting of the congregation for the transaction of general business should be held annually at such time as the Deacons' Court may determine. Notice of this meeting should be given on two Sabbaths before it is held.

44. At the annual meeting, the Deacons' Court shall present a report of their proceedings with an abstract of receipts and expenditures during the year, and a statement of the financial condition of the congregation and of the estimated outlay for the next year. The treasurer shall also submit his book of accounts duly audited.

45. The Deacons' Court has not power to contract debt on the security of the property, without the special authorization of the congregation and consent of the Presbytery.

46. The Deacons' Court and Session are independent of each other; there is, therefore, no appeal from the one to the other, nor may the procedure of the one be reviewed by the other. Both courts are directly subject to the Presbytery.

47. If the Deacons' Court exceeds its proper powers, or disregards the instructions of a superior court, any member of the Session or of the congregation in full communion may petition the Presbytery, complaining of such action; and the Court is required to furnish dissatisfied parties with extract minutes of the action complained of in the ways provided for in Section 203.

48. In congregations where there is not a Deacons' Court, the management of the financial affairs of the congregation is

intrusted to a Board of Managers. In this case the following regulations are recommended for the guidance of the Board:

- (1.) The managers shall be chosen by the congregation from among the members of the Church in full communion, at the annual meeting of the congregation, or a meeting duly called for this purpose.
- (2.) One-third of the Board shall retire each year by rotation, and their places, as also the places of any who die or vacate their office during the year, shall be filled at the annual meeting. The retiring managers may be re-elected.
- (3.) If any manager is cut off from church privileges by process of discipline or leaves the congregation, he shall forthwith cease to act as manager, and another shall, as soon as convenient, be appointed in his place.
- (4.) The duties of managers are substantially the same as those of Deacons (section 35).
- (5.) Meetings of the Board should be held at stated times, at least once in three months, for the transaction of business; but a meeting may be held at any time on the call of the chairman, by notice given from the pulpit or addressed personally to the members of the Board,
- (6.) Three members present constitute a quorum. Every meeting should be opened and closed with prayer.
- (7.) The chairman, secretary, and treasurer are appointed at the annual meeting of the congregation from among the members of the Board. If this is not done the Board appoints them at its first meeting held after the annual meeting. Their duties are the same as those set forth in sections 40 and 41. The chairman has only a casting vote.
- (8.) Any other regulations may be adopted, but they should be in harmony with the general procedure of the Church, and should have the approval of the congregation and the sanction of the Presbytery of the bounds.

### THE SESSION.

49. The Session consists of the minister, or ministers, and elders of a congregation.
50. The duty of the Session is to watch over and promote in every Scriptural way the spiritual interests of the congregation; more particularly to receive applicants for admission into the Church, to watch over those who have been baptized and to admit them into full communion, and to receive persons bringing certificates of membership from other congregations; to grant certificates to members leaving the congregation; to

watch over the Christian department of the members of the congregation ; to exercise discipline by admonition, rebuke, suspension, or exclusion from membership ; to restore to privileges ; to care for the religious instruction of the young, including the oversight of Sabbath Schools ; to determine all matters touching the order of public worship, including the service of praise ; to arrange for the dispensation of the sacraments ; to appoint congregational fasts or thanksgivings ; to appoint the time and mode of making special collections, and, where there are no deacons, to provide for the necessities of the poor ; to call congregational meetings ; to examine and judge of the qualifications of persons elected to the eldership and the deaconship ; to receive and judge of petitions ; to transmit papers to the Presbytery, and to do whatever else may, in their opinion, promote the religious interests of the congregation.

51. Each elder should have a district assigned to him. He should keep a list of the communicants and adherents residing within the same and should cultivate special acquaintance with them, visiting, counselling, and encouraging or warning them, as may be required.

52. The minister is moderator of the Session. Where there are two ministers they preside alternately, or as may be agreed between them.

53. The duty of the moderator is to preside ; to preserve order ; to take the vote ; to announce the decisions of the court and to pronounce censures. The moderator may introduce any competent business, and may express his views upon any matter under consideration. He has only a casting vote.

54. In the absence of the moderator, or when, for prudential reasons, he deems it better not to preside, another minister of the Church, having authority from him, may act as moderator *pro tempore*. When the minister has been removed by death or otherwise, or is under suspension, a moderator *pro tempore* is appointed by the Presbytery.

55. The Session appoints its clerk, whose duty it is to keep a record of the proceedings, to preserve all papers, and, when instructed, to give certified extracts from the minutes. The record is transmitted annually to the Presbytery for review.

56. The Session also may appoint a treasurer to take charge of any funds at its disposal.

57. The Session, as far as practicable, holds stated meetings for the transaction of business ; it may also hold meetings for devotional exercises and religious conference. Meetings of Session are not usually open to the congregation ; but the Session may hold open meetings when deemed advisable.

58. The moderator has power to convene the Session when he sees fit ; and he is bound to do so when enjoined by a superior court or requested by one-third of the elders. Meetings are called on the authority of the moderator, either by notice from the pulpit or by personal notice to the members.

59. The moderator and two other members constitute a quorum. When from any cause, the number of elders is not sufficient to form a quorum, application is made to the Presbytery for assessors to act with the other members until new elders have been elected.

60. All meetings are opened and closed with prayer, and this fact is recorded in the minutes.

61. When the Session has been constituted, the names of the members present are recorded. The minutes of last stated meeting and of any other meetings which have intervened, are then read, and, when sustained, are signed by the moderator and the clerk.

62. The Session keeps a roll of the members in full communion, and, as accurately as possible, a roll containing the names of all persons connected with the congregation. The roll of communicants is revised at least once a year, and more especially before application is made for moderation in a call to a minister. The Session should also keep a register of baptisms.

63. Persons desiring to be received into full communion, converse with the minister, and, if convenient, with the elder of the district in which they reside. The application is then reported to the Session, and, when satisfied of the applicants' knowledge of Divine truth, and of their Christian character and deportment, the Session receives them into full membership, and their names are added to the roll of communicants. The persons who have thus been admitted may be publicly asked to profess their faith (appendix 40). Persons not baptized in infancy are baptized before their names are added to the roll. Members of the Church who present certificates of good standing from other congregations are received by the Session, unless good cause can be shown for refusing them Church privileges. Persons thus received are entitled to all the privileges of the Church in connection with the congregation.

64. Certificates of disjunction from the congregation are granted by the Session ; but between meetings of Session, the moderator may grant certificates to members in good standing, which action he reports to the Session.

65. The Session cannot entertain a complaint against its moderator ; such complaint is transmitted through the Session



to the Presbytery ; and a copy of the complaint must be given to the minister before it is presented to the Presbytery.

66. One Session may not interfere with or review the proceedings of another. When a Session feels aggrieved by the proceedings of another Session, it may remonstrate or ask for explanation ; if not satisfied, it may bring the matter before its Presbytery. This must be done by written statement, a copy of which must first be furnished to the Session whose proceedings are called in question.

67. It is the right and duty of every Session, whether of a settled or vacant congregation, to appoint one of its elders to represent it in Presbytery and Synod. The appointment is made at least once a year, and holds good for two months after the close of the annual meeting of the General Assembly, unless within that time a new election has been made. In the event of death, resignation or removal, a new election is made without delay.

68. The elder appointed should be punctual in his attendance at these courts, and his expenses, as well as those of the minister, ought to be defrayed by the congregation. When the congregation is vacant, it is the duty of the representative elder, where no commissioners are specially appointed for that purpose, to apply to the Presbytery for supply of ordinances.

69. An extract minute of the appointment of the representative elder by the Session is presented to the Presbytery, and his name is then put on the roll ; and the roll of Presbytery, certified by its clerk, is sufficient evidence of the elder's right to sit in the Synod. When a charge consists of two or more congregations having separate Sessions, such Sessions shall be regarded as one for the purpose of representation in the Church courts.

70. An elder coming from another congregation does not hold office as a member of Session unless he has been duly elected by the congregation to which he has come, and has been inducted in the usual way.

71. The Session has the right of petition, memorial and overture to the Presbytery, the Synod and the General Assembly. Petitions, memorials and overtures must be in writing, and if addressed to the Synod or Assembly, are presented to the Presbytery for transmission.

72. The Session is responsible to the Presbytery for the use made of the church edifice, including all buildings, for church purposes, and is entitled to the control thereof and to the custody of the key (section 24).

**73.** The service of praise is under the direction of the Session and subject to its control; but due provision for it should be made by the congregation. The precentor or the conductor of the service of praise is appointed by the Session, but it is desirable, in ordinary cases, before the appointment is made, that the Session confer with the congregation or its Board of Management. Sessions are strongly urged to see to it that the service of praise be conducted in an orderly and reverent manner.

### THE PRESBYTERY.

**74.** The Presbytery consists of—

(1.) Ordained ministers within the bounds (*a*) who are pastors of congregations; (*b*), who are professors of theology in the Church, or professors in colleges connected with the Church; (*c*), who are employed by appointment of the General Assembly in some department of the work of the Church; (*d*), who have been appointed to mission fields for not less than one year, with the sanction of one of the Assembly's Mission Committees (Minutes, 1878, p. 36), (*e*) who by special enactment of the Assembly have their names placed on the roll. The names of ministers who have retired from the active duties of the ministry, with the leave of the Assembly, shall be kept on their respective Presbytery rolls, retaining all their judicial functions, so long as they reside within the bounds of the several Presbyteries to which they belonged at the date of their retirement (Minutes, 1880, p. 51).

(2.) An elder from each pastoral charge and representative elders from mission stations, in which are organized Sessions, whether the station be a single one or consist of a group.

**75.** The duties of the Presbytery are: to receive and dispose of petitions, references, complaints, and appeals from Sessions; to transmit petitions and overtures to the Synod or General Assembly; to provide for the supply of ordinances in congregations; to form mission stations and new congregations; to superintend the education of students having the ministry in view; to certify students for admission to the theological halls; to examine and license preachers of the Gospel; to moderate in calls given to ministers, and to receive, sustain, or set aside the same; to try candidates for the ministry and ordain them when found qualified; to induct into the pastoral office; to judge of matters affecting the moral character of ministers and licentiates; to admonish, rebuke, suspend, depose, or excommunicate offenders; to receive demissions,

and to loose ministers from their charges; to review the records of the Session; to adopt measures for promoting the religious life of the several congregations within the bounds, and to visit them for the purpose of enquiring into their state and redressing evils that may arise; to deal with matters sent down by the superior courts; and in general to superintend the congregations and Sessions within the bounds.

**76.** New Presbyteries are formed by the General Assembly, which fixes their bounds and appoints the time and place of their first meeting and their first moderator. After being constituted by the moderator thus appointed, the Presbytery elects its own moderator.

**77.** The moderator is a minister, and is generally appointed for six or twelve months.

**78.** The duty of the moderator is to constitute the court and preside; to open and close the meetings with prayer; to preserve order; to take the vote; to announce decisions; to pronounce sentences; to sign the minutes when sustained; to instruct part at the bar; to call meetings for emergent business; and generally to direct the business of the court.

**79.** The moderator may express his views on any matter under discussion, but if he wishes to take part in debate or to submit a motion, he leaves the chair and calls another member of the court to take his place. The moderator has only a casting vote.

**80.** In the absence of the moderator, his predecessor in office or any other minister chosen by the court may preside. Also when the moderator is a party concerned in any case before the court, the Presbytery appoints another to take his place, who, for the time being, has all the rights and functions of moderator, but in signing documents adds to his signature *pro tempore*.

**81.** The Presbytery appoints a clerk whose duty is to keep the record of proceedings and to transmit the same annually to the Synod for review; to keep an accurate roll of the members; to preserve all papers belonging to the court; and to give certified extracts from the minutes, when instructed or when they are applied for, or when the nature of the business requires that they be given.

**82.** The Presbytery also appoints a treasurer to receive and disburse any moneys belonging to the court, subject to instruction given by it.

**83.** Three members, two of whom are ministers, form a quorum.

84. After the Presbytery has been constituted, the roll is marked, and any alterations that may be necessary are made in it. The names of representative elders are put on the roll, on presentation of extract minutes of their appointment. It is competent for the Presbytery at any meeting, ordinary, special, or *pro re nata*, to put the names of elders on the roll.

85. The Presbytery should conduct its business according to the rules of order laid down for the Supreme Court, so far as these may be applicable (see Standing Orders). Such time should be set apart for devotional exercises as circumstances call for or admit.

86. The Presbytery meets at stated intervals, and at other times as frequently as its business demands. It is the duty of every member to attend the meetings, and absentees may be called to account. The time and place of next meeting are fixed and recorded before adjournment. No meeting of Presbytery can be held while the General Assembly is in Session.

87. If a Presbytery has neglected to appoint its next ordinary meeting, or if no meeting has been held on the day appointed, it shall be the duty of the moderator, or, in his necessary absence, of the clerk, to convene a meeting for the resumption of business, by letter addressed to every member on the roll of the Presbytery at the time of last meeting, and despatched at least ten days before the time fixed for the meeting. If a quorum of members is present on the day named, it shall be competent for them to proceed to business as at an ordinary meeting.

88. At the stated meeting next preceding the meeting of the Synod, the roll of Presbytery is prepared, and a certified copy of it is sent to the clerk of Synod at least eight days before the meeting of that court; also a minister and elder may be appointed to serve on the Synod's Committee on Bills and Overtures.

89. The Presbytery, besides the ordinary meetings, may hold *special* meetings for transacting particular business. But no business other than that for which they were appointed can be entered upon at such meetings.

90. If, during the interval between stated meetings of Presbytery, business should arise requiring immediate attention, the moderator has power to appoint a meeting *pro re nata*, either on his own motion or upon requisition by three or more members of the court. Such meeting is called by letter addressed to all members of the court, issued either by the moderator or by the clerk on his authority. In these letters, the time and place of meeting and the business to be taken up are specified. They

should be despatched at least ten days before the time fixed for the meeting. When the Presbytery meets, it first considers the conduct of the moderator in appointing the meeting, and, if that is approved, proceeds to business, and the moderator's circular letter is entered in the minutes. No business other than that specified in the letter can be taken up. If the moderator, when a requisition has been presented to him, declines to call a meeting, his conduct may be considered at the next ordinary meeting.

91. Special and *pro re nata* meetings may be adjourned if necessary to complete the business for which they have been called ; but it is not competent to adjourn to a date beyond that of the next ordinary meeting of the court.

92. The Presbytery should visit the congregations under its care ; call the Session and the office-bearers before it ; inquire into the state of the congregation and its affairs generally and deal with all parties as may be deemed for edification. (For questions see appendix 39).

93. A meeting of Presbytery may be held during the meeting of the Synod, with leave of that court, when any competent business may be transacted ; provided that the Synod is not sitting at the same time, and that notice of the meeting has been given in open Synod specifying the time and place of meeting by authority of the moderator of Presbytery, or by requisition of two members of Presbytery given in writing to the clerk of Synod.

94. Members of other Presbyteries when present may be invited to sit with the Presbytery, and may take part in the deliberations of the court, but they have not the right of voting.

95. One Presbytery may not interfere with or review the proceedings of another Presbytery. If a Presbytery considers itself aggrieved by the proceedings of another, it may remonstrate or ask explanation. If not satisfied, it may bring the matter before the Synod to which the Presbytery complained of belongs. This must be done by written statement, a copy being first furnished to the Presbytery whose proceedings are called in question. In the event of not obtaining satisfaction, the Presbytery which deems itself aggrieved may complain to its own Synod, but the complaint must be in writing.

96. Any minister desiring to be absent from his charge longer than two months, must obtain leave from his Presbytery.

## THE SYNOD.

97. The Synod is composed of all the ministers and elders on the rolls of the Presbyteries within its bounds.

98. It pertains to the Synod to adjust the bounds of Presbyteries within its own limits ; to take the oversight of Presbyteries ; to review their records ; to consider references and to give advice and instruction when deemed necessary ; to judge and dispose of complaints and appeals ; to dispose of overtures ; to grant to Presbyteries to take students on public trial for license ; to receive reports of Presbyteries and to consider all matters connected therewith ; and to attend to all matters assigned to it by the General Assembly.

99. The Moderator is a minister and is chosen at each ordinary meeting by open vote. Presbyteries may nominate for the office.

100. His duty is to preside at the meetings ; to open and close them with prayer ; to preserve order ; take the vote ; to announce decisions and pronounce censures.

101. The Synod appoints a clerk whose duty it is to keep the record of proceedings, which record is transmitted annually to the General Assembly for review ; to preserve its papers ; and, when instructed by the court to give certified extracts from the minutes, when instructed or when they are applied for or when the nature of the business requires that they be given. The Synod also appoints a treasurer and defines his duties.

102. The ordinary meetings of the Synod are held annually and may be adjourned when necessary, or for a special purpose.

103. A meeting *pro re nata*, may be called by the moderator on his own motion or by the requisition of at least fifteen members. The procedure in the case of such meetings is the same as in similar meetings of Presbytery (sections 90, 91).

104. Fifteen members, of whom at least eight are ministers, constitute a quorum, provided the members present belong to more than one Presbytery. It will be the duty of every Synod to prepare and put on record an obituary notice of every minister deceased since last meeting, and it will be the duty of the clerk of Synod to forward such notices to the clerk of the General Assembly.

105. The clerk of each Presbytery sends to the clerk of Synod, at least eight days before each ordinary meeting, the certified roll of his Presbytery, together with all particulars

respecting the licensing of students, the ordination, induction, reception, translation, demission, suspension, deposition and death of ministers, and changes made in congregations and mission stations during the year. These particulars are then reported to the General Assembly.

106. In special cases the Synod may appoint assessors with any Presbytery from members belonging to any other Presbytery.

107. It is also competent for a Synod to act by Commission.

108. When the business of the Synod is finished, the minutes of last sederunt are read and sustained. The Moderator then addresses the Court, and after praise and prayer, declares it adjourned to meet at a time and place previously appointed by the Court, and closes the meeting with the Apostolic Benediction.

THE GENERAL ASSEMBLY.

109. The General Assembly is the highest court of the Church, and bears the title of "The General Assembly of the Presbyterian Church in Canada." It consists of such proportion of the ministers on the roll of the several Presbyteries as may from time to time be determined by the Assembly, with consent of the Presbyteries, and an equal number of elders. The Act constituting the General Assembly, and regulating the appointment of commissioners by Presbyteries, is as follows:

110.—ACT CONSTITUTING THE GENERAL ASSEMBLY.

- (1.) The General Assembly shall consist of one-sixth of the whole number of ministers whose names are on the rolls of the several Presbyteries of the Church, and an equal number of elders.
- (2.) When the number of names on the roll of a Presbytery is not divisible by six, the sixth shall be reckoned from the next higher multiple of six.
- (3.) Each Presbytery shall elect its representatives at an ordinary meeting, held at least twenty-one days before the meeting of the General

Assembly. If any one thus elected resigns his commission, the Presbytery may, at any subsequent meeting, held not less than eight days before the meeting of the General Assembly, appoint another in his stead.\*

(4.) A Presbytery may appoint as its commissioner to the General Assembly an elder belonging to any other Presbytery of the Church, provided, always, that the person so appointed is at the time an acting member of some Session.

(5.) Ministers whose names are on the roll of a Presbytery as ministers shall not be eligible to hold commissions as elders from their own or any other Presbytery.

(6.) Each Presbytery shall, through its clerk, transmit to the Clerk of Assembly, at least ten days before the Assembly meets, a certified roll of the commissioners appointed at its ordinary meeting. A separate report of any commissions afterwards given to ministers or elders in place of such as may have resigned their commissions, shall be presented to the General Assembly by the Presbyteries as soon as convenient after the Assembly has been constituted.

(7.) The Roll to be called at the opening of the Assembly shall be made up from the rolls of the several Presbyteries, as transmitted to the Clerk of Assembly, containing the names of commissioners appointed at least twenty-one days before. At its first session the Assembly shall appoint a "Committee on Commissions," to which

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\* This is not to be understood as interfering with the Presbytery's right, if it see cause, to appoint a list of alternate commissioners and to empower its clerk to fill up from this list any vacancies that may occur. The Presbytery clerk is enjoined to report the corrected list of commissioners to the clerks of the General Assembly not less than eight days before the meeting of the Assembly.



shall be referred the reports of Presbyteries regarding commissions issued at a later date and all matters affecting the roll. On the report of this committee the Assembly shall order such changes to be made in the roll as may be required. The roll thus amended shall be the permanent roll of the General Assembly.

(8.) Forty commissioners, of whom twenty-one are ministers, shall constitute a quorum for the transaction of business. But twenty commissioners who were appointed twenty-one days before, being met at the place and time appointed, may constitute the court, and adjourn from time to time until a full quorum is present.

(9.) Presbyteries should make suitable provision for defraying the expenses of commissioners when attending the General Assembly.

111. Any representative to the General Assembly appointed by the Presbytery of Trinidad, or by any Presbytery similarly constituted, must be connected with this Church; and such Presbytery shall not be entitled to representation in the General Assembly beyond what is due to the number of its members who are in full communion with this Church. (Minutes, 1890, p. 23.)

112. The General Assembly receives and disposes of petitions, overtures, references, complaints, and appeals from inferior courts, and all other matters regularly brought before it; reviews the record of Synod; deals with matters respecting doctrine, worship, discipline, and government of the Church; prescribes and regulates the course of study of students having the ministry in view; admits ministers and licentiates from other Churches; forms new Synods and Presbyteries; corresponds with other Churches; conducts the missionary operations of the Church; receives and disposes of reports from the colleges and from the committees charged with the care of the different departments of the work of the Church; and in general adopts such measures as may tend to promote true godliness; to repress error and immorality; to preserve the unity of the Church, and to advance the kingdom of Christ throughout the world.

113. The General Assembly meets once a year. At the time appointed for meeting a diet of public worship is held when a sermon is preached by the moderator of the last Assembly, in his absence, by the former moderator. Immediately thereafter the Assembly is constituted with prayer, the roll is called and the names of those present are marked. The General Assembly elects its moderator on nominations made immediately after the Assembly has been constituted, who then takes the chair. (Minutes, 1885, p. 27—since which date Presbyteries are supposed to have ceased to make nominations, and their nominations have not been reported to the Assembly).

114. The moderator is a minister; his duties are to constitute the Assembly; to open and close each sederunt with prayer; to preserve order; to see that the business is properly conducted, and that the minutes are correctly taken; to take the vote; to announce the decisions; to sign all documents having the authority of the Assembly, and to exercise any other functions assigned to him by the court.

115. The moderator may express his views on any subject under discussion; but if he wishes to take part in debate or to submit a motion he leaves the chair, and calls another member of court to take his place. Also, if he is a party in a case, or if the Presbytery or Synod to which he belongs is a party, he leaves the chair and, with the approval of the Assembly, names another commissioner who takes his place, and for the time being has all the powers and responsibilities of the office as moderator *pro tempore*.

116. The moderator has only a casting vote during his term of office. He is *ex officio* a member of all boards or committees with the exception of those boards, the number of whose members is prescribed by the Acts of Parliament incorporating them. (Minutes, 1876, p. 79).

117. The Assembly appoints two or more clerks, to take minutes of the proceedings, keep the records, preserve all papers, give certified extracts of decisions, and conduct the correspondence of the court.

118. After the Assembly has been constituted, and the new moderator has been appointed, the first business is the receiving of the Synodical Rolls, with the accompanying reports of changes during the year. Such time is spent in devotional exercises as may be determined by the court.

119. The Assembly appoints a Committee on Bills and Overtures, a Committee on Business, and other Committees to

consider matters specially referred to them. The Assembly, if it sees cause, may appoint a Judicial Committee, to which may be referred appeals and complaints. The Assembly also appoints standing committees, which are intrusted with conducting the business of the Church in its several departments during the year, and which report annually to the General Assembly.

120. The Assembly may pass a Declaratory Act affirming what it understands to be the law of the Church regarding any particular matter : and such act may be passed without submission to Presbyteries. But any action contemplating a change in the law of the Church is dealt with according to the provisions of the following act :

#### 121.—THE BARRIER ACT.

(1.) No prepared law or rule relative to matters of doctrine, discipline, government or worship, shall become a permanent enactment until the same has been submitted to Presbyteries for consideration. Such consideration shall be given by each Presbytery, at an ordinary meeting, or a special meeting held for the purpose ; and an extract minute of the Presbytery's judgment shall be sent to the Clerk of the General Assembly, before the next meeting of that court.

(2.) The Assembly, if it sees cause, may, by a majority of two-thirds of those present, pass such proposed law or rule into an Interim Act, which shall possess the force of law, until the Presbyteries have, as herein required, reported their judgment upon it to the next General Assembly.

(3.) If a majority of the Presbyteries of the Church express their approval, the Assembly may pass such proposed law or rule into a standing law of the Church. If a majority of the Presbyteries express disapproval, the Assembly shall reject such proposed law or rule, or again remit it to the Presbyteries.

**122.** The General Assembly being the supreme court of the Church, its decisions are final. But any commissioner may dissent from its decisions for reasons assigned (section 201).

**123.** The Assembly may appoint a commission with power to finally determine any matter referred to it by the Assembly.

**124.** When the business of the Assembly is finished, the minutes of the last sederunt are read and sustained. The moderator then addresses the court, and, after praise and prayer, declares, in the name of the Lord Jesus Christ, the King and Head of His Church, that the Assembly is dissolved; indicts another General Assembly to meet at a time and place previously appointed by the court, and closes the meeting with the Apostolic Benediction.

#### STANDING ORDERS.

**125.** All papers intended for the General Assembly should be sent up to one of the Clerks of Assembly, so as to be in his hands at least eight days before the Assembly meets. These papers include

(1.) Reports transmitted from Synods of ordinations, inductions, licensures, deaths, demissions, suspensions, and deposition of ministers, and of the erection, dissolution, or changes in congregations and mission stations within their several bounds.

(2.) Overtures, references, appeals, memorials, and petitions transmitted by Presbyteries or Synods, and any papers sent on by the preceding Assembly.

(3.) Clerks of Presbyteries are to send the returns on remits to the Clerks of the General Assembly not later than the first of April in each year, that the returns may be tabulated for the Assembly.

(4.) Clerks of Presbyteries in forwarding the names of Commissioners to the General Assembly, are to append the academical distinctions to which such Commissioners are entitled.

(5.) Clerks of Presbyteries are to forward all overtures intended for presentation to the General Assembly prior to the tenth of May in each year, to the Clerks of the Assembly, so that the same may be printed and included in the stitched volume of reports, for the use of the General Assembly.

**126.** All documents sent up to the General Assembly should be on foolscap paper, with a wide margin on the left, and written on only one side of the sheet, each item on a separate sheet, so that they may be preserved in a form convenient for reference.

**127.** The reports of standing committees, of committees of Assembly instructed to report to next Assembly and the applications of Presbyteries for leave to receive ministers of other churches with accompanying documents, should be presented in print, and in a shape suitable for being bound along with the minutes of Assembly.

**128.** Parties who have causes coming before the Assembly are required to have copies of all the papers printed for the use of members, and in a shape suitable for binding with the minutes of Assembly.

**129.** The reports of standing committees should be forwarded to the clerks of Assembly at least forty days in advance of the meeting of Assembly, in order that they may be presented in bound form to the commissioners at the opening of the Assembly.

**130.** The clerks of the General Assembly, together with the clerks of Synods and Presbyteries, who may be commissioners, constitute a committee to prepare the business for the first sederunt of the Assembly, and they meet on the call of the Senior Clerk of Assembly, some time before the hour when the Assembly meets.

**131.** The Assembly appoints, as soon as possible, the following committees:

(1.) Committee on Bills and Overtures. It consists of the Clerks of Assembly, Clerks of Synods and Presbyteries, and such other ministers and elders as the Assembly may see fit to appoint. Presbyteries may nominate one person each for membership in this committee.

(2.) A Committee on Business, to consist of the Clerks of Assembly and five others, appointed by the moderator at the first sederunt.

(3.) Committees on Records of Synod and Assembly.

(4.) Committee on Classifying Returns to Remits.

(5.) Committee on the Nomination of Standing Committees. This Committee consists of not less than two from each Synod, and not more than four from any one Synod.

(6.) Committee on Commissions.

(7.) Committee on Applications for the Reception of Ministers into the Church.

(8.) Committee on Applications for leave to retire from the Active Duties of the Ministry.

(9.) Committee on Special Applications on behalf of Students.

**132.** Committees of Assembly may tender their reports from

time to time at any sederunt, immediately after the minutes have been sustained, but their final report must be given in before the Assembly closes.

**133.** Every Committee, if the Assembly has not done so, appoints its own convener and clerk. Minutes of proceedings should be made, and the report should always be presented in writing.

**134.** No committee can meet while the Assembly is sitting, or continue in session, without leave of the court.

**135.** The Committee on Bills and Overtures receives all papers intended for the Assembly, considers whether they are in proper form, expressed in proper language, and regularly transmitted; also whether they are part of the legitimate business of the Assembly; and transmits them or refuses to do so. Appeals and complaints against the decisions of the Committee may be brought directly before the Assembly to be disposed of by the court. It appoints its own convener and clerk.

**136.** The Committee on Business shall arrange the order in which matters transmitted by the Committee on Bills and Overtures shall be brought before the Assembly, reporting every morning the business of the day, which shall remain the order of business for the day, unless the Committee on Business shall recommend a change, with the unanimous consent of the Assembly.

**137.** Such portions of each sederunt as the moderator may deem proper are spent in devotional exercises.

**138.** One copy of the minutes shall be sent by mail, when issued, to each minister and ordained missionary in the Church, and to each retired minister, also to each member of session in all congregations that have contributed to the Assembly Fund during the year then preceding.

### GENERAL RULES FOR CHURCH COURTS.

**139.** The moderator takes the chair at the hour appointed, calls the members to order, and constitutes the court with prayer.

**140.** At the first assembling of the court, the roll is called and the sederunt recorded. Members coming in afterwards have their names entered on reporting themselves to the clerk.

**141.** The minutes of last ordinary meeting and of all special meetings held in the interval are then read, and on being sus-

tained are signed by the moderator. The minutes of each sederunt are read at the beginning of the sederunt following.

142. All reports and other papers intended to be brought before the court are called for and are received by the clerk. A docket of business is then prepared, consisting (1) of business arising out of the minutes; (2) of new business; and the order in which the several matters shall be taken up is determined. In the Synods and General Assembly the papers must pass through the Committee on Bills and Overtures.

143. The moderator nominates all committees of the court, unless they have been appointed by special rule or resolution of the court. If the convener is not named, the first named member of the committee is convener, and, in his absence, the second named.

144. Committees may not meet nor continue in session while the court is sitting, unless leave has been granted by the court.

145. The courts of the Church, except the Session, are open courts; but on motion made any court may sit with closed doors. This is commonly done when matters affecting character, which should not be made public, are under consideration.

146. A member of the court ought not to withdraw from attendance without leave. If he does so, he cannot dissent from any decisions of the court arrived at in his absence.

147. The moderator is charged with seeing that the minutes record correctly the proceedings of the court.

148. The clerk of a superior court, on receipt of papers from a lower court, endorses on them the date of reception, numbers the papers, and authenticates them by his signature or initials.

149. Clerks of the court are entitled to receive payment for extracts from the records and copies of papers furnished to individuals, at the rate of ten cents for every hundred words or fraction thereof.

## RULES OF DEBATE.

150. When any business has been introduced, and is before a court, it is desirable that no other business be taken up until that which is before the court has been issued.

151. No discussion is in order until a motion is before the court. Speakers should confine themselves to the matter referred to in the motion, and if they depart therefrom they may be called to order.

**152.** Every motion or amendment shall be given in to the clerk in writing as soon as it has been made, and it cannot be discussed until it has been duly seconded.

**153.** After a motion or amendment is in the clerk's hand and discussion has commenced, it cannot be withdrawn or altered without leave of the court.

**154.** When a question is under discussion, the motion before the court must be disposed of, and no other motion can be entertained unless to adjourn the court, to adjourn the debate, to lay on the table, to commit, to amend, or to take an immediate vote: and these several motions have precedence in the order in which they are herein arranged.

**155.** A motion to adjourn is always in order, and is voted on without debate.

**156.** A motion to lay on the table is voted on without debate. If carried in the affirmative, the subject to which it refers together with the motion and pending amendments, remains on the docket, and may be taken up at a subsequent sederunt, but only by a resolution adopted by a majority of the members of the court present.

**157.** Any subject with the motion and pending amendments may be referred to a committee to be considered and reported on.

**158.** A motion is amended by adding certain words or clauses thereto; by striking out certain words or clauses; by substituting other words or clauses for those in the resolution; or by striking out all after the word "resolved" and substituting another motion disposing of the matter in hand.

**159.** It is in order to propose an amendment to the first amendment, but no other can be entertained until the amendment to the amendment has been disposed of; when this has been adopted or rejected, other amendments to the amendment may be considered and disposed of one by one; when these have all been disposed of, the first amendment is voted on in answer to the question, "Shall the motion be thus amended—yea or nay?" If this is decided in the affirmative, the main motion is amended accordingly, and the discussion proceeds. Other amendments to the motion are then in order. When all amendments have been disposed of, the motion, as then before the court, is put in answer to the question, "Shall this motion be adopted—yea or nay?"

**160.** A motion to take an immediate vote is put without debate. If carried in the affirmative, the amendment or amendments pending are put to the court without further discussion; then the main motion is voted on, and the subject is disposed



of. If the motion is lost, the debate continues, just as if no such motion had been made.

**161.** A motion to reconsider a decision of the court cannot be entertained at the sederunt in which the decision was given: nor at any subsequent time, unless notice of such motion has been given at a previous sederunt. A motion to reconsider can only be made and seconded by members who voted in the majority.

**162.** A motion under discussion which consists of two or more distinct parts, shall, on the call of any two members, at any time before the final vote is taken, be divided, and each part shall be voted on separately.

**163.** When a member rises to speak, the moderator announces his name. If two or more rise at the same time, the moderator decides who shall speak first.

**164.** Every speaker addresses the moderator, and may not address any other member directly.

**165.** A member when speaking should not be interrupted, unless upon a call to order, or when the time has come for a special order of the day, or for adjournment of the court. When business is resumed, the speaker who was interrupted has possession of the floor.

**166.** Any member who is dissatisfied with the ruling of the moderator may appeal to the court. The question of sustaining the ruling of the chair is then put to the clerk, and decided without debate.

**167.** When a member in speaking utters language which another member regards as offensive or censurable, the latter may require that the words be taken down by the clerk. After this is done, the speaker is allowed to proceed. The words so taken down may afterwards be considered by the court, and, if found censurable, the speaker is dealt with as the offence may require. A party in a case, though not a member of the court, may claim this protection or incur this censure.

**168.** No member shall speak more than once to any motion or amendment, unless by permission of the court, and in explanation or to correct mistakes. The right of reply, however, belongs to the mover before the final vote is taken on the main motion.

**169.** The vote is ordinarily taken by a show of hands, but the moderator may ask members to vote by rising to their feet. At the final vote on the main motion, the roll may be called, if required by two members of the court. Ordinarily the state of the vote is not recorded, but this may

be done in regard to any vote, if required by two members of the court.

**170.** Members should not, without good cause, decline to vote; and, unless excused by the court from voting, all who do not vote are held as acquiescing in the decision of the majority.

**171.** When it is agreed that a vote be taken, the moderator may order the doors to be closed, and no further debate or remark is allowed, unless to correct a mistake. When it is discovered that a mistake has been made, the vote may be taken anew.

**172.** In order to allow greater freedom in discussion, the court, when considering any particular matter, may, on motion duly seconded, resolve itself into a Committee of the Whole. On motion duly made, a chairman is appointed, and the moderator leaves the chair.

**173.** While the court is in committee, the motions considered are not recorded in the minutes, and members are at liberty to speak more than once on any motion. A separate minute of the proceedings is taken. When the committee rises, its chairman presents a report to the court embodying the result of the committee's deliberations, or he reports progress and asks leave to sit again.

#### PETITIONS, MEMORIALS AND OVERTURES.

**174.** Every member of the Church has the right of access to any church court by petition or memorial, and he may be heard in support thereof, if he so desires. He has direct access to the Session of the congregation to which he belongs, but a petition or memorial to a higher court must, in the first place, be presented to the Session, with a request for its transmission. But it is competent for the members of a higher court to approach that court directly by overture.

**175.** A lower court transmits a petition or memorial with or without approval or concurrence, as it sees fit. Before transmitting, the court should see that the petition or memorial is in proper form and expressed in respectful language. If transmission is refused, the petitioner or memorialist has the right of appeal.

**176.** These rules apply alike to a petition or memorial from an individual, from any number of persons, from a congregation, or from a lower court.

**177.** When a number of members, an office-bearer, or a court of the church proposes the enactment of a law or rule

binding on the whole church, any change of an existing law or rule, the affirmation of a previous enactment, or injunction to observe the same, or generally the adoption of any measure appertaining to the functions of the Supreme Court, an overture on the subject is presented.

178. An overture is presented in writing, duly signed ; if it is in proper form and in respectful language, it is transmitted in the same way as a petition.

179. All petitions, memorials, and overtures intended for the General Assembly are sent by the clerks of the inferior courts, or by the parties signing them, to the Clerk of Assembly, and by him are handed to the Committee on Bills and Overtures.

#### REGULATIONS ANENT THE RECORDS OF CHURCH COURTS.

180. Church courts shall take special care that their records are carefully and correctly kept.

181. The number of each page shall be written in full where it is not printed.

182. Every page shall be signed by the clerk, and the record of each sederunt by the moderator and clerk. In case of the death or removal of the moderator or clerk, the record shall, when the minutes are confirmed, be signed by the then acting moderator or clerk, *cum nota* of the cause, in the presence of the court.

183. The time and place of each meeting shall be fully stated in words, where they are not printed.

184. Every page shall have a suitable margin, on which the items of business recorded shall be indexed.

185. The place and date of meeting shall be shortly indicated on the margin at the top of each page.

186. All numbers shall be given in words where they are not printed, as well as in figures.

187. No inferior court may erase or alter any part of its record after it has been confirmed, unless by order of a superior court.

188. All erasures, cancellings, interlineations, or other changes shall be noted in the margin with the initials of the clerk's name.

189. No unnecessary vacant space shall be left between the minutes of sederunts of the court.

## REMOVAL OF A CAUSE FROM A LOWER TO A HIGHER COURT.

190. The decisions of all church courts under the General Assembly are subject to the review of the next higher court, and may be removed thereto in one of the four following ways, namely ; (1) General Review and Control ; (2) Reference ; (3) Appeal ; and (4) Complaint. When a matter is so removed, the lower court becomes a party, and its members are not entitled to deliberate and vote in the higher court. In cases of reference, however, the lower court is not considered a party, except with respect to the preliminary question whether or not the reference shall be sustained.

### I.—GENERAL REVIEW AND CONTROL.

191. The record of every court, except the General Assembly, is reviewed by the next higher court, at least once a year, and may be called at any time. If the lower court fail to send up its record, the higher court may order it to be produced immediately, or on a day named.

192. A court may also, at any time, require the courts under its jurisdiction to produce their registers, rolls, or other official documents.

193. The higher court, after inquiring into : (1) The regularity of the proceedings minuted, (2) the correctness of the record, orders the record to be attested, if necessary *cum nota*. In connection with such review, the higher court may give special instruction or admonition to the lower, and may order any part of the record that is irregular to be cancelled or deleted; but a judicial sentence may not be reversed.

194. Notwithstanding attestation of the record, if after such review it comes to the knowledge of the higher court that a lower court neglects its duty, or has committed grave irregularities, it may take such cognizance thereof as is deemed necessary.

195. In dealing with any grave delinquency or gross irregularity, the lower court is cited to appear at the specified time and place to answer for its conduct.

### 2.—REFERENCE.

196. A reference is a representation made by a lower court to a higher, for advice or judgment.

197. Cases of particular difficulty or delicacy, the decision of which may establish an important precedent, or on which the members are much divided in opinion, or on which, for any reason, it is desirable that a larger body should first decide, are proper subjects of reference.

198. A reference is either for judgment on the whole case or for advice on some particular point where difficulty is felt. It is the duty of the lower court to exercise, as far as possible, its own judgment, before making the reference.

199. A reference as to form consists of an extract minute of the resolution to refer. This minute must be accompanied with extract minutes of all proceedings in the case and all the papers necessary for the proper consideration of the matter referred. The reference is stated by commissioners appointed for the purpose. A reference for judgment brings up all parties before the higher court, and they should therefore be duly cited that they may appear for their interests.

200. The higher court considers, first, if the reference is in proper form; and secondly, if there is ground for making it. If it is found to be informal, or appears to be unnecessary, it is dismissed; if not, it is sustained. If the reference is sustained, if there are parties in the case, they are called and heard, after which the higher court considers the whole case and decides it, or gives the advice and directions craved in the reference, and sends the matter back to the lower court that it may take such action as the case requires.

### 3.—DISSENT, PROTEST, COMPLAINT, AND APPEAL.

201. Any member of a court who has voted on a question and is not satisfied with the decision is entitled to have his dissent recorded. By so doing he relieves himself from responsibility for the decision and saves himself from censure on account of it. The dissent must be given in when the decision is announced. Reasons of dissent given in at the time, or when the minutes are confirmed at the following sederunt, if in proper language, are entered in the minutes. If the reasons are given in at a later stage, or sent to the clerk within ten days, they are kept *in retentis*. When deemed necessary the court prepares answers which are disposed of by being entered in the minutes or kept *in retentis*, according as the reasons have been entered or kept *in retentis*.

202. Members who voted in the minority may signify their adherence to a dissent, and have their adherence recorded,

either at the time, or at the following sederunt, when the minutes are confirmed, but not afterwards.

**203.** A member of a lower court may also protest for leave to complain to the higher court. A party in a cause may protest and appeal against a decision. Such protest and complaint, or protest and appeal, must be made when the decision is announced. Extracts are craved at the same time. Complainant or appellant must give in reasons to the clerk of the court within ten days, otherwise the complaint or appeal is held to be fallen from.

**204.** The court may prepare answers to reasons of complaint or appeal, and appoint some of its members to defend its action before the higher court.

**205.** The complainant or appellant having obtained certified extracts of minutes and relative documents as craved, brings the cause before the higher court. If, when the case is called, he does not appear, or fails to assign a sufficient reason for his absence, the complaint or appeal is held as fallen from; and at the last sederunt of the court, protestation is to that effect taken by the opposite party.

**206.** In cases of sickness, unavoidable detention, or inability to be present from other good cause, the appellant may be excused from appearing in person and be permitted to plead by written communication and deputy. Professional counsel is not allowed in causes.

**207.** A complaint or appeal brings up all parties concerned who must be duly cited by the clerk of the lower court.

**208.** The effect of a complaint or appeal is to arrest execution of the judgment pronounced until the matter be reviewed by the higher court. But if the reasons for complaint or appeal are deemed frivolous or vexatious, the court may resolve to disregard the complaint or appeal, and may proceed in the case; such action, however, may be appealed against, and the court, if it shall have acted improperly, is liable to censure by the higher court.

**209.** Complaints or appeals on points of form or regarding the manner in which a court conducts its business do not arrest proceedings, and the court, notwithstanding these, prosecutes the matter until it is ripe for judgment; but final judgment must not be given on the case until all such complaints and appeals have been disposed of by the higher court.

**210.** The higher court, after ascertaining that a complaint or appeal has been regularly made, and that all parties have been duly cited, calls parties to the bar and the whole of the judicial record of the lower court is read. The parties are heard,

the complainant or appellant having the right of reply. Questions may then be put by the court relative to any matter affecting the cause in hand, after which parties are removed from the bar, and the court proceeds to deliberate.

**211.** When a decision or judgment is reached, parties are recalled, and the decision or judgment of the court is announced to them.

**212.** If a complaint or appeal be dismissed, the decision of the lower court stands affirmed. If it be sustained, the decision is not necessarily reversed, but may be altered in part or in whole, and the matter may be remitted to the lower court with instructions. Or the higher court may, if circumstances appear to require it, waive altogether the merits of the complaint or appeal, and give such a decision in the original cause as is consistent with truth and justice.

#### EDUCATION AND SUPERINTENDENCE OF STUDENTS.

**213.** Parents are earnestly and affectionately reminded of the duty of dedicating to the Lord for service in His holy ministry such of their children as, by possession of the requisite qualifications, seem marked out by the Head of the Church as proper persons to receive training for this office.

**214.** Sessions and Presbyteries are enjoined to make diligent and careful enquiry whether any young men are to be found within their bounds whose attention should be specially directed to the claims of Christ upon them with respect to the ministry of His church, to aid and encourage in all proper ways suitable young men who may declare their purpose to consecrate themselves to this sacred vocation, and watchfully to keep their eye upon any who are prosecuting a liberal education, and whose piety and abilities make it desirable that their thoughts should be turned towards the ministerial office.

**215.** Presbyteries should exercise a kind and faithful supervision over students and intending students resident within their bounds, should endeavor to inculcate upon them worthy views of the office to which they aspire, and should encourage them in the course of study by which the church has wisely determined that her ministry should be reached.

**216.** It is the duty of Presbyteries to examine all who present themselves as wishing to enter on the study of Theology respecting their moral and religious character, their motives, and their general fitness to study for the ministry. If satisfied, the Presbytery certifies them to the Senate of the college which they propose to attend.

**217.** Presbyteries prescribe to students, whether in Theology or in the Preparatory course, resident within their bounds during summer, a written exercise which is read to the Presbytery. If satisfied therewith, as also with the deportment of the students, and with any mission work done by them, the Presbytery certifies them accordingly to the Senate of their college.

**218.** Students on entering Theology, or on intimating their purpose to study for the ministry, must be members of the church in full communion; and all such students are required, during their course, to be in communion with some congregation of the church in the place where they are prosecuting their studies.

**219.** Students are recommended to take, if possible, a full course in Arts in some approved college, and to obtain a degree before entering on the study of Theology.

**220.** With view of encouraging students to take a full University course; Senates and Boards of Examiners are enjoined to use their best endeavors to institute and maintain scholarships, which may be annually competed for by students taking such a course.

**221.** Students who are unable to take a full course in Arts are required, after passing a preliminary examination, to complete a three years' curriculum in some approved college, and to pass the examinations connected therewith; but in no case shall an actual attendance on college classes of less than two years be accepted unless by permission of the General Assembly.

**222.** The subjects on which University examination must be passed are as follows:

First year:—Latin, Greek, English, Mathematics, and Biology, or Chemistry, or Physics.

Second year:—Latin, Greek, English, Logic, Philosophy (Psychology), and Ancient History or Political Economy.

Third year:—English (or a modern language), Mental and Moral Philosophy, History (Mediæ al or Modern), Hebrew. It is strongly recommended that two years of Hebrew be taken in this course.

In this scheme the order of subjects may be changed.

**223.** In any case where the subjects of the course prescribed by the University are regarded by the Senate as unnecessarily high, it is granted power to accept a University examination on such portion of these subjects as may be deemed sufficient.

**224.** A student is not, except by special permission of the General Assembly, admitted to the study of Theology unless



he is a graduate in arts of some approved University, or has completed three years of a regular University course, or of the above special University course.

**225.** Students, coming from other churches, who have not already done so, are required to complete an Arts' course, at least equal to one of the above courses, before being received by the Church.

**226.** An Arts' course, as here recognized, must embrace the study of Greek, and all students admitted to Theology must have an elementary knowledge of Hebrew.

**227.** The course in Theology shall extend over three full sessions of six months each, or such other period as the Church may enact, and shall embrace the following subjects of study, viz: Apologetics, Systematic Theology, Exegetics, Biblical Criticism, Church History, Homiletics, and Pastoral Theology.

**228.** Absolute uniformity in the order of developing the course in the several colleges is not enforced; but it is recommended that Church History, including Biblical History, Systematic Theology and Exegetics, shall extend over the three sessions; that Apologetics shall extend over two sessions, and that Biblical Criticism, Homiletics and Pastoral Theology shall be taught during one session.

**229.** Besides attending the classes and preparing the ordinary class exercises prescribed by the professors, every student will be required to give in during the period of his theological studies the following discourses: (a) A homily; (b) A popular sermon; (c) A lecture; (d) A Greek and a Hebrew critical exercise with add.

**230.** At the end of each session in Theology, every student shall be certified by the several professors under whom he has studied, or by his college, with respect to the regularity of his attendance, the satisfactory performance of his work, and the propriety of his conduct; and students shall at the earliest opportunity after the close of the session, present these certificates to the Presbytery within whose bounds they expect chiefly to reside during the recess of the college.

**231.** The examinations for entrance into college classes, whether literary or theological, those held at the close of each session in connection with the work of the session, and the examinations for scholarships offered to University students, shall be conducted by the Senate or by the Board of Examiners (where such a Board exists) of the respective colleges.

**232.** The General Assembly of 1902 adopted a scheme "to be a temporary expedient, to be operative for seven years only,

for the training and employment of minister-evangelists." (Minutes, 1902, pp. 310, 311, also, Minutes, 1903, p. 61.)

**233.** Colleges are required to report annually, either directly or through their boards, to the General Assembly.

#### LICENSING.

**234.** In order to being taken on trials for license, a student of theology, on completing his course, presents or sends to the Presbytery with which he is connected a certificate from his college showing : (1) that he has completed the Literary and Theological curriculum required by this church ; (2) that he has delivered all the discourses prescribed to him, in the course of his studies ; (3) that his character and conduct are suitable to his position as a candidate for the ministry, and requests the Presbytery to take him on trials for license, or to transfer him to another Presbytery for that purpose. But no Presbytery receives an application from a student belonging to another Presbytery without an extract minute of transference.

**235.** Application may be made before the close of the student's last session, when an interim certificate may be accepted ; but no Presbytery may complete trials for license without the required certificate.

**236.** When considering the question of taking on trials for license, the Presbytery should be alone. Careful enquiry is then made as to personal religion and reasons for seeking to enter the ministry. The Presbytery, if satisfied as to the piety, prudence and good report of the student, makes application to the Synod for leave to take him on probationary trials, certifying, at the same time, that the requisite certificate has been or will be produced. Subjects may then be prescribed for public probationary trials.

**237.** If an applicant for license has studied in whole or in part in a foreign country, careful enquiry should be made so as to ascertain that no part of the curriculum of study prescribed by this church has been omitted in the course taken by the applicant.

**238.** When a Synod meets only in the autumn, application may be made and leave granted at the meeting preceding the student's last session.

**239.** Leave having been obtained from the Synod, the Presbytery proceeds with the student's public trials. These shall embrace ; Latin, Greek, Hebrew, Philosophy, Systematic Theology and Church History ; also a Greek or Hebrew critical

exercise, an Expository lecture and a Popular sermon. But the Presbytery may accept any one or all of the discourses which the student delivered during his course, and which were approved by his professor.

240. The Presbytery may dispense with examination on any subject if it is already fully satisfied with the proficiency of the applicant.

241. The members of court have then an opportunity of expressing their opinions, and the Presbytery, if satisfied, sustains the trials. If the trials are not sustained, the Presbytery may prescribe new trials or otherwise dispose of the case as it sees fit. For the purpose of efficiently conducting these examinations, it is recommended that Presbyteries assign the several subjects to particular members, who shall be a standing committee of examination for the year; but no member of Presbytery shall by this arrangement be deprived of the right of putting questions in open court should he deem it proper to do so.

242. If the trials are sustained, the Presbytery proceeds to license the student in the manner following:

(1.) The questions prescribed for license (appendix 30, III.) are put to the candidate and he is asked if he is prepared to sign the formula when called upon to do so. Satisfactory answers being given,

(2.) The moderator engages in prayer, and then addresses the candidate in words to the following effect: "In the name of the Lord Jesus Christ, the only King and Head of the Church, and by the authority of this Presbytery, I license you to preach the gospel within its bounds, or wherever God in His Providence may order your lot." The moderator then counsels him in suitable terms, and the clerk is instructed to give him an extract of license (appendix 38).

(3.) Students who have completed the second year of the Theological Curriculum of the Church, and have been appointed to the Home Mission field, may be licensed to preach, and if necessary, be ordained, but shall not be eligible for settlement in a pastoral charge until they shall have completed the examination of the third theological year; for which purpose examination papers shall be transmitted by the College in which such men have prosecuted their studies to the Presbytery in which they are labouring, to be written on under care of the Presbytery, the answers to be returned to the College for valuation. (Minutes, 1891, p. 51.)

(4.) Any student in Divinity who has successfully pursued the studies of the first year in the Theological course prescribed

by the Church, may be called to work in outlying fields by the Home Mission Committee, with the concurrence of the Presbytery, and may be ordained forthwith by the Presbytery within whose bounds he is to labour, subject to the following conditions, namely :

(a.) That the powers conveyed by ordination shall be exercised only in the Presbytery to which he has been appointed by the Home Mission Committee, with the consent of the Presbytery, and during the period of appointment.

(b.) That until the successful completion of the full course of study, he shall not be eligible for a call, and should a call be presented, the Presbytery having jurisdiction over the congregation making the call shall not sanction it.

(c.) That the person so ordained shall not be a member of Presbytery, and his appointment shall cover a period of not less than one year nor more than three years, and that his name shall be reported to the General Assembly. (Minutes, 1901, p. 72.)

243. A student under trials for license may, for good cause shown, be transferred to another Presbytery, at any stage of his trials.

#### THE CALL.

244. When a congregation becomes vacant, the Presbytery of the bounds appoints one of its Ministers Moderator *pro tem.* of the Session of said congregation. The Presbytery usually empowers the interim moderator to proceed to moderation in a call to a minister to fill the vacancy, as soon as he has satisfactory evidence that the congregation is ready to make a choice. Due notice of the moderation is given from the pulpit, and, wherever it is practicable, such notice is served on the congregation on two Sabbaths preceding the meeting.

245. On the day appointed for moderating in a call, immediately after public service, the presiding minister states the purpose of the meeting. Having ascertained that due notice has been given, he asks the congregation if they are now prepared to proceed with the call. If the congregation is not prepared, procedure is suspended, and report is made of the facts to the Presbytery. If the majority decides to proceed, the call is produced and read (appendix 5), also the guarantee for stipend. The congregation then, by regular nomination and voting, determines what name shall be inserted in the call. The minister or licentiate who has the greatest number of votes is declared elected and his name is inserted in the call, which is then read

again. Thereafter it is signed and attested by the moderator (appendix 7).

**246.** No one is eligible for a call but a minister or licentiate of this Church, in good standing ; or a settled pastor of another Church which holds the same doctrine, government and discipline as this Church (section 275).

**247.** Communicants in good standing, whose names are on the communion roll of the congregation, alone have the right to vote and to sign the call, but adherents of the congregation, being of the age of discretion, may concur in the call (appendix 8, 10).

**248.** The call and concurrence may be entrusted to the elders, that other members and adherents who have not subscribed may add their signatures, which must be attested by at least one elder (appendix 9, 11).

**249.** If the call is addressed to a minister in charge, reasons for translation are prepared by the congregation, to be presented to the Presbytery before which the call comes.

**250.** The congregation then appoints commissioners to appear before the Presbytery when the call is to be considered.

**251.** At the first meeting of Presbytery after moderation, at which it is competent to take up the matter, the minister who presided at the moderation reports fulfilment of his appointment, and he lays upon the table the call, guarantee of stipend and other relative documents, and the Presbytery proceeds to consider the conduct of the moderator and deal with the call.

**252.** When the Presbytery itself moderates in a call, it may at once consider and dispose thereof. If the court is satisfied, the call is sustained, and, in the case of a licentiate or ordained minister without charge, is presented or sent direct to him, and he is required to give his decision to the Presbytery within one month. When the call is not sustained, or is declined, the congregation is permitted again to take steps towards settlement.

**253.** If the person called is present, and, when the call is put in his hand, accepts it, then, in the case of a licentiate, an extract of licensure is required, and the Presbytery, if it deems it expedient, prescribes his trial discourses, namely : a Lecture, a Popular Sermon, and a Greek or Hebrew Critical Exercise. At a subsequent meeting these discourses are heard, and the candidate is examined in Biblical Greek and Hebrew, Theology and Church History. If these trials are sustained, the Presbytery fixes the time for ordination and induction, appoints the

edict to be served (appendix 13), and arranges for the ordination services.

**254.** The edict is read before the congregation on two Sabbaths before the ordination or induction takes place. In special cases, the Presbytery may require the edict to be read only on one Sabbath before ordination.

**255.** If the person called is a minister without charge, on accepting the call, he is required to produce a Presbyterial certificate, and the Presbytery fixes the time and makes arrangement for the induction, as in the preceding sections.

### SETTLEMENT.

**256.** On the day appointed the congregation having assembled, and the Presbytery having been constituted, the edict is returned, with attestation that it was duly served. If objections are offered, proceedings are stayed until they are disposed of. If no objector appears, the minister appointed to preach proceeds with public worship. After sermon and prayer, the moderator for the time being narrates the principal steps which have been taken towards filling the vacancy, and calls on the minister-elect to answer the questions appointed to be put to candidates for ordination (appendix 33, I.).

**257.** When satisfactory answers have been given the candidate for ordination kneels, and the presiding minister offers prayer, during which, by the laying on of the hands of the Presbytery the candidate is solemnly set apart to the office of the holy ministry, and commended for guidance and success therein to the grace of God. The moderator then gives him the right hand of fellowship, saying:—"In the name of the Lord Jesus Christ, the only King and Head of the Church, and by the authority of the Presbytery of——, I invite you to take part of this ministry with us, induct you to the pastoral charge of this congregation, and admit you to all the rights and privileges thereto pertaining." The other members of Presbytery also give the right hand of fellowship.

**258.** The minister and the people are then exhorted as to their respective duties by brethren appointed to that service. The elders, trustees and managers or deacons, are requested to remain with the Presbytery. The congregation is then dismissed with the blessing, and one of the members of Presbytery conducts the newly-inducted minister to a convenient place, where the people have an opportunity of welcoming their pastor as they retire from the church.

259. The minister ordained is required to subscribe the formula of adherence to the Confession of Faith, or to signify his willingness to do so (appendix 2), after which his name is added to the Roll of Presbytery.

260. The Presbytery then confers with the office-bearers respecting the affairs of the congregation, and gives such advice and direction as may be called for.

261. It is desirable that the managers or deacons be prepared to make the first payment of the stipulated stipend on the day of induction.

262. It is the duty of the Presbytery to call the attention of the newly-inducted minister to the regulations of the Assembly regarding the Aged and Infirm Ministers' Fund, and the claims of the Ministers' Widows' and Orphans' Fund.

263. When the person called is an ordained minister, trials are not prescribed, nor is the act of ordination repeated. In other respects the procedure is the same as in the case of a licentiate; and the minister is inducted, after prayer, by the moderator giving him the right hand of fellowship and saying:—"In the name of the Lord Jesus Christ, the only King and Head of the Church, and by the authority of the Presbytery of——, I induct you to the pastoral charge of this congregation, and admit you to all the rights and privileges thereto pertaining."

264. When the minister called is the pastor of another congregation, all the steps for calling and inducting are taken, as prescribed in the foregoing sections, except that the production of documents mentioned in Section 253 is unnecessary.

265. When the congregation calling is in the Presbytery to which the minister called belongs, as soon as the call has been sustained the minister, if present, is cited, *apud acta*, or if he is not present, by letter, to appear at the next meeting of Presbytery, to be held not less than fifteen days thereafter, and the reasons for translation, together with a copy of the guarantee of stipend, are handed or sent to him. A member of Presbytery is at the same time appointed to preach to his congregation, and give notice of the call, lodging with them a copy of the reasons for translation, and citing them to appear for their interests at the next meeting of Presbytery, with certification that if they fail to do so they will be held as consenting to the translation of their minister.

266. When the minister called belongs to another Presbytery, the call is transmitted to the Presbytery of which he is a member, with extract minutes of the proceedings, reasons

for translation, and a certified copy of the guarantee for payment of stipend. Commissioners for prosecuting the call are appointed both by the Presbytery and the congregation. Intimation is given by the clerk to the minister to whom the call is addressed, and a copy of the reasons for translation is sent to him.

267. Unless the minister called intimates to his Presbytery his intention not to accept the call and procedure is thereupon sisted, the Presbytery, at least ten days before it adjudicates thereon, cites his congregation to appear in their own interests and show cause if so advised against the translation (appendix 18).

268. If more than two Sabbaths intervene between the time when the clerk receives a call addressed to a minister belonging to his Presbytery and the next meeting of the court, the clerk shall send notice that he has received the call, to the minister and the clerk of Session of his congregation, and takes steps to see that a meeting of the congregation be held to deal with the matter, and leaves with them the reasons for translation. If the time intervening be long and the case urgent, a meeting, *pro re nata*, may be called by the moderator.

269. At the meeting of Presbytery at which the call is dealt with, all parties duly cited are expected to appear. They are heard in the following order; Firstly, the commissioners from the Presbytery, if there be such, and the commissioners from the congregation calling; secondly, the commissioners from the congregation of the minister who is called; thirdly, the commissioners prosecuting the call in reply. The minister is then asked to state his mind on the subject; and the Presbytery, if it sees fit, puts the call into the hand of the minister, who then declares his acceptance of the call, or declines it, or asks time to consider.

270. If time is asked, the period of one month is allowed. A Presbytery may for good cause refuse to put the call into the hand of the minister. Against such refusal, appeal may be taken to the higher courts. If the minister leaves it with the Presbytery to decide, and they decline to grant translation, the Presbytery notifies the commissioners and furnishes extracts of minutes in the case. From such decision appeal may be taken to the higher courts.

271. If the Presbytery grants the translation, it dissolves the connection between the minister and his congregation, to take effect at a date determined by the Presbytery. It instructs the minister called to wait the orders of the other Presbytery: and transmits to it extracts of procedure. Also with all con-



venient speed the Presbytery causes the congregation, whose minister has been so translated, to be declared vacant (appendix 17), and appoints a moderator of session *pro tempore*.

272. Ministers ordained as missionaries, but without reference to the exercise of their office in a particular charge, are set apart in the manner above stated with the necessary alterations in the questions addressed to the candidates (appendix 31, II.).

## RESIGNATION.

273. When a minister tenders the resignation of his charge, the Presbytery, unless when special circumstances render it unnecessary, cites the congregation (appendix 16), as in the case of a translation, and thereafter proceeds to accept or refuse the resignation, as it sees cause. If the resignation is accepted the Presbytery takes steps for declaring the charge vacant (appendix 20).

274. When a minister from age or infirmity, proposes to retire from the active duties of the ministry, he makes application in writing to the Presbytery, furnishing whatever information may be necessary, and, in case of infirmity, a satisfactory medical certificate. The Presbytery thereupon visits his congregation, and summons them to appear by commissioners at a subsequent meeting, that they may be heard for their interests and that the Presbytery may confer with them anent a retiring allowance to the minister, to take effect on the acceptance of his resignation, and any other matters affected by his proposed retirement. It then considers the whole matter, records its judgment, and, if it is deemed proper, sends up the minister's application, its own judgment thereon and all relative documents to the General Assembly, through the Assembly's Standing Committee on the Aged and Infirm Ministers' Fund, which shall carefully consider the same and transmit them, with its opinion in reference to the case, to the assembly for final determination.

275. When a minister in charge has been removed by death, the members of Presbytery attending the funeral meet together and record such particulars regarding him as they may deem important, leaving it to the Presbytery at its next meeting to adopt a suitable minute. They may also arrange for supplying the pulpit until the next meeting of Presbytery, at which they report these proceedings.

**276.—ADMISSION OF MINISTERS AND LICENTIATES FROM OTHER CHURCHES.**

(1.) Any minister who is a settled pastor or a professor of Theology, or who is employed by special appointment in some department of the work of the Church, in a Church which holds the same doctrine, government and discipline as this Church, if regularly called by a congregation of the Church, may be received by a Presbytery, on presenting a Presbyterial certificate; but the Presbytery, if it sees cause, may refer the case to the Assembly.

(2.) Ministers and licentiates expressly designated or commissioned by the Presbyterian Churches in Great Britain and Ireland may, on producing their commissions, be admitted by Presbyteries as ministers, or probationers of this Church.

(3.) In all cases in which an applicant for admission does not come in the manner provided above, but with a Presbyterial certificate only, he cannot be received into full standing as a minister or probationer of this Church without permission of the General Assembly.

The Presbytery, at an ordinary meeting, holds private conference with the applicant for the purpose of ascertaining his doctrinal views, his literary attainments and other particulars. If satisfied, the Presbytery records its judgment, and agrees to transmit the application, with extracts of its proceedings thereon, and relative documents, to the next General Assembly, and instructs its clerk to issue circular letters forthwith to the other Presbyteries.

If the Presbytery is unanimous in transmitting the application, it may, in the meantime, avail itself of the applicant's services.

If the Assembly grants permission, the Presbytery may, on the applicant's satisfactorily answering the questions appointed to be put to ministers or probationers, and on his signing the formula, receive him as a minister or probationer of this Church.

(4.) When the Church from which the applicant comes is not a Presbyterian Church, he is required to apply to the Presbytery within whose bounds he resides, and to produce documentary evidence of his good standing as a minister in that Church. If the Presbytery is satisfied with such evidence, they proceed to confer with him, and answers are required to the following questions :

- (a.) What course of study has he passed in Arts and Theology?
- (b.) When, where and by whom was he ordained to the ministry?
- (c.) Has he ever been connected with any other Church than that from which he brings documents, and if so, in what capacity?
- (d.) What are his reasons for applying for admission to this Church, and what has led to his change of views?
- (e.) How long has he resided within the bounds of the Presbytery?

The Presbytery further enquires as to the degree of success which has attended the previous ministry of the applicant, and if satisfied as to the probability of his usefulness in the Church, and as to his Christian character and good report, the Presbytery records its judgment on the whole case, and resolves to apply for leave to admit him. The answers given and the information obtained are embodied in a report which is transmitted to the General

**Assembly, with extract minutes and other documents.**

**A duly certified extract of the Assembly's deliverance in the matter is sent to the Presbytery, which thereupon takes such further action as is called for. (See preceding sub-section, last clause.)**

**(5.) All applicants for admission to the Church, except those referred to in sub-section 2, should appear personally before the General Assembly.**

**(6.) No application for the reception of a minister is considered by the General Assembly, unless the circular letters giving notice of such application were despatched not less than two clear months previous to the meeting of Assembly.**

**(7.) Presbyteries applying for the reception of ministers are instructed to have not fewer than one hundred copies of certificates and accompanying documents printed for the information of members of Assembly.**

**(8.) Post Cards are not to be used by clerks as circular letters.**

**(9.) In every case, a copy of the circular letter issued shall be transmitted to the General Assembly along with the application.**

### THE ELDERSHIP.

**277.** The right of electing elders is vested in the members of the congregation who are in full communion.

**278.** It belongs to the Session to determine when an addition should be made to the eldership, but it is competent for members of the congregation to petition the Session in regard to this.

**279.** When the Session has resolved to add to the number of elders, it first gives notice of this resolution to the congregation, and proceeds in one of the three ways following:

**(1.)** A meeting of the congregation is held for the purpose of nominating persons qualified to fill the office. At this meeting nominations are made and a list is agreed upon, which is then submitted to all the communicants, and they are required to return to the Session, on or before a fixed date, their votes duly signed. At a meeting held thereafter,

the Session examines the voting papers, and ascertains who are elected, of which due notice is given to the congregation.

(2.) The Session calls a meeting for election without a previous meeting for nomination, in which case the requisite number may be elected by open vote, by calling the roll or by signed voting papers.

(3.) The Session asks the members to give in on a specified day, voting papers duly signed, containing the names of persons to the number required, and may declare those who, on examination of the voting papers, have the largest number of votes, duly elected.

**280.** After the election, the Session deals with the elders-elect as to their acceptance of office. If they express their willingness to accept, the Session proceeds to satisfy itself in regard to their piety, prudence, and knowledge of Divine truth, of the government and discipline of the Church, and of the duties of the eldership.

**281.** When the Session is satisfied, it appoints the edict for their ordination to be read before the congregation (appendix 18).

**282.** On the day appointed for ordination the Session is constituted. If no valid objection has been made, the moderator after sermon narrates the previous proceedings, calls forward the elders-elect and puts to them the prescribed questions (appendix 31). On receiving satisfactory answers, the moderator proceeds by prayer to ordain the candidates to the office of Ruling Elder, commending them to the grace of God for comfort, aid and countenance in the exercise of their office. The right hand of fellowship is then given to them by the minister and elders in token of their taking part with their brethren in the oversight of the congregation. The newly-ordained elders and the people are suitably addressed by the moderator, and the names of the elders are added to the roll of Session.

**283.** Elders continue elders for life unless deposed or suspended in process of discipline. Nevertheless they may demit the office in any particular congregation, either of their own motion or when requested by the congregation or by order of a superior court. When an elder voluntarily demits his office, congregations should be cautious in again calling him to exercise it.

**284.** Elders removing from one place to another are not received into the Session of the congregation to which they come, unless they have been duly elected by the people and inducted.

## THE DIACONATE.

**285.** The right of electing deacons is vested in the members of the congregation who are in full communion.

**286.** The procedure in their election and ordination or induction is the same as in the case of elders, and is conducted by the Session. The questions to be put to deacons are to be found in appendix 35.

**287.** Only members in full communion are eligible for the office.

**288.** Deacons continue deacons for life unless deposed or suspended in process of discipline. They may, however, retire at any time from active duty in the congregation, or be removed by the Session, if it is deemed expedient in the interests of the congregation.

**289.** Deacons removing from one place to another, before they take a seat in the Deacons' Court must be elected by the congregation to which they come, and be inducted.

## DISCIPLINE.

## GENERAL PROVISIONS.

**290.** Discipline is an exercise of that spiritual authority which the Lord Jesus Christ has appointed in His Church.

**291.** The ends of discipline are the maintenance of the truth, the vindication of the authority of Christ, the removal of offences, the promotion of the purity and edification of the Church, and the spiritual good of offenders.

**292.** In the exercise of discipline, there ought to be no intermeddling with matters which are purely civil. And, while watchfulness is exercised over the flock, there should be no undue solicitude to pry into the private conduct of individuals or family concerns, or to interfere officially in personal quarrels, or to engage in the investigation of secret wickedness.

**293.** If a scandal has not been noticed in order to censure for the space of three years, it should not be revived, so as to institute process regarding it, unless the offence is of a heinous nature. But in such cases the consciences of offenders ought

to be seriously dealt with in private, to bring them to a sense of their sin and duty.

294. An offence is anything in the doctrine, principles or practice of a member of the Church, which is contrary to the Word of God. Hence nothing is to be regarded as ground for discipline which is not contrary to Scripture, or to the established regulations and practice of the Church, founded on Scripture.

295. The proper subjects of discipline are all who are members in full communion, and baptized adherents of the Church.

296. Every offence is not necessarily an occasion for the exercise of discipline. When a charge is made against any member or office-bearer of the Church, the court before which it is made makes a diligent enquiry as to the nature, the gravity and the publicity of the offence. When the offence is of a private character, the offender must first be dealt with privately. When such dealings are ineffectual, the court informs the party accused of the charge brought against him, and confers with him regarding it.

297. Judicial process is not entered on unless some competent party complains and undertakes to prove the charge; or such a *fama* exists that the honor of religion requires the matter to be investigated; or some individual, suffering under alleged slander, requests a judicial investigation.

298. Before commencing formal process the court should seek, by private conference with the accused, to remove the scandal, either by establishing his innocence or by bringing him to a voluntary confession. Only when such dealings have been ineffectual should formal process be entered on.

299. Before commencing process on the ground of a *fama*, especially in the case of a minister of the Gospel, the court must be satisfied that such *fama* really exists; and no rumor is to be regarded unless it specifies some particular sin or sins, is widely spread, generally believed and has strong presumption of truth.

300. The parties to a process are the *accuser* and the *accused*; and in process on the ground of a *fama*, the court, if it deems proper, appoints one of its members to prosecute and act as accuser, or the court itself may so act. In case of appeal, the parties become *appellant* and *respondent*.

301. Great caution is to be exercised in receiving an accusation from any person who is not of good character, who is himself under censure or process, or who is personally interested in the conviction of the accused.

**302.** Any accuser, but especially the accuser of a minister, if he fails to show good cause for the charge made, may himself be censured as a slanderer, in proportion to the malignity or rashness with which he may appear to have acted.

**303.** Primary jurisdiction over ministers and licentiates belongs to the Presbytery, and over other Church members to the Session; but the superior court may institute process when the court of primary jurisdiction has been enjoined to do so, and has refused or neglected to obey.

**304.** In the case of a minister, if an offence is alleged to have been committed without the bounds of the Presbytery to which the minister belongs, it is the duty of the Presbytery within whose bounds it has been committed, to send notice to the Presbytery of which the offender is a member, stating the grounds of the charge. The Presbytery thus notified proceeds as in case of a *jama*.

**305.** A minister who has removed from a Presbytery in which he has a charge, to reside within the bounds of another Presbytery, is required to take a certificate of disjunction from the Presbytery which he leaves, and to lodge it with the Presbytery within whose bounds he is domiciled. Should an offence be alleged before such certificate has been lodged, the Presbytery within which the minister resides shall, after notifying the Presbytery from which he came, have power to deal with the case. Other ministers without charge and licentiates are amenable to the Presbyteries within whose bounds the offence is alleged to have been committed.

**306.** No charge is received by any court until it has been reduced to writing, with particular specification of the nature of the offence, time, place and circumstances. The charge must also be accompanied by a list of witnesses, and a statement of any other evidence proposed to be adduced.

**307.** If the accused is present, he may at this stage be solemnly and affectionately dealt with in reference to the charge. If he confesses or admits the charge, the court proceeds to judgment. The confession is signed by the accused when deemed expedient by the court, and kept *in retentis*.

**308.** If the charge is denied, the accused is furnished with a copy of it and of the list and statement above referred to. Parties and witnesses are then cited to appear at a subsequent meeting, to be held, in the case of a Presbytery, not earlier than ten clear days, and in the case of a Session, not earlier than two clear days, after the service of the citation (appendix 28).



**309.** At this meeting the accused is again affectionately dealt with in reference to the charge. If he still denies it, the trial proceeds, and witnesses for all parties are examined.

**310.** If the accused refuses to obey the first citation, he is again cited to appear within a reasonable time with certification that if he does not appear, the court, besides dealing with him for contumacy, may proceed with the case as if he were present.

**311.** If the accused purposely absents or secretes himself, so that the process cannot be served on him, the court may suspend him until he appears and answers.

**312.** Before proceeding to trial or to censure for contumacy, the court must ascertain that its citations have been duly served, and make record thereof.

**313.** When the evidence is closed, parties are heard and removed, and the court proceeds to deliberate. If possible, it comes to a judgment, acquitting or condemning the accused, either wholly, or to such an extent as the evidence warrants, and pronounces sentence accordingly (appendices 30, 31).

**314.** The accused, if acquitted, cannot be put on trial a second time, upon the same charge.

**315.** Full minutes of the proceedings are kept by the clerk of the court, but no entry is made in the permanent record until the trial has been completed. If the accused is acquitted, the minutes are destroyed, and no entry of the proceedings is made in the record. If the accused is convicted, the charges, the answer and the judgment are recorded, and the whole minutes of the trial, including the citations and certificates of the service thereof, and the acts and the orders of the court relating to the cause, and the evidence adduced, are attached together and kept *in retentis*.

**316.** Except in the court of last resort, exception may be taken by either of the original parties in a trial to any part of the proceedings, and such exceptions shall be entered on the record.

**317.** In the case of an appeal or complaint, the minutes and the attached documents, together with the notice of appeal or complaint, and the reasons thereof, if any have been minuted or filed, are duly authenticated by the clerk, and transmitted to the higher court. These papers are called the "judicial record." Nothing can be taken into consideration in the higher court which is not contained in said record.

**318.** All parties are entitled to copies of the judicial record or extracts therefrom, at their own expense.

**319.** Decisions on points of order or evidence need not be minuted unless desired by one of the parties.

### CITATIONS.

**320.** Citations are in writing, but any person, either party or witness, who is present at a meeting of the court, may be cited *apud acta*. Citations must be served on parties in a case by some competent person appointed by the court. But citations to witnesses may be served by one of the parties. A certificate of the serving of citation shall in all cases be lodged with the court. Members of the Church are bound to obey the citation of any Church court, as witnesses, and, in case of refusal, are liable to censure (appendixes 22, 27, 28).

**321.** When it is judged proper by a court to proceed by libel, a copy of the libel is delivered to the person accused in the presence of the court; if the accused is not present, a copy of the libel and of the citation, signed by the clerk, are delivered to him personally, or left at his place of residence, at least ten clear days before the time appointed for hearing the case.

**322.** Every such citation must specify : (1) The court before which the accused is to appear ; (2) The time and place of appearance ; (3) The name of the accused ; (4) The name of the accuser ; and (5) A general declaration of the offence charged. A first citation must be accompanied by a certified copy of the libel, and a list of witnesses and documents intended to be produced in evidence.

**323.** Witnesses who are members of the Church are cited by authority of the court ; other persons can only be requested to attend and give evidence.

**324.** Congregations may be cited by the Presbytery, Synod or General Assembly, to appear before these courts in regard to any matter in which they may be interested.

**325.** When it is deemed necessary to cite a congregation, the citation is directed to the Session, through its moderator, with instructions to call a meeting of the congregation, for the purpose of appointing representatives to answer such citation ; for this purpose the citation is to be read from the pulpit on the Sabbath preceding such meeting of the congregation.

**326.** Citations addressed to congregations are issued in the name and by authority of the court citing, are signed by its clerk, and specify the object of the citation, together with the time and place at which appearance is to be made.

**327.** If no appearance is made at the time and place specified, the congregation may, if the case so require, be cited a second time, with certification that if no appearance be then made, they will be held as acquiescing in the decision to which the court may come.

**328.** A superior court, for sufficient cause, may cite any inferior court under its jurisdiction to appear before it. This is done by letter addressed to the moderator through the clerk, and signed by the clerk of the superior court.

## EVIDENCE.

**329.** Church courts are to be very careful in estimating the credibility of witnesses. The credibility of a witness may be affected by relationship to one of the parties; by interest in the result of the trial; by weakness of understanding; by infamy of character; by being under censure; by known rashness, indiscretion or malignity of disposition; or by other consideration.

**330.** Disbelief in the existence of God, or in a future state of rewards and punishments, or inability to understand the obligation of an oath, disqualifies for bearing testimony.

**331.** Any party in a case has a right to object to a witness, and the court decides as to the validity of the objection.

**332.** Husband and wife, parent and child may not be compelled to give evidence for or against each other.

**333.** Questions put to witnesses must be pertinent. No evidence is received except what is matter of knowledge or cause of knowledge to the witness. What a witness has heard is not to be received as evidence, unless it was said by a person since deceased, by the accused, or by some one in presence of the accused.

**334.** In order to refresh his memory, a witness may refer to writings and memoranda made by himself, provided they were not primarily made to be used when giving evidence.

**335.** It is desirable that oral testimony be corroborated by written evidence when the latter can be obtained.

**336.** Leading questions are not to be put to a witness, but on cross-examination, or in the case of an unwilling witness, greater latitude is allowable.

**337.** No witness can be required or obliged to criminate himself.

**338.** The testimony of more than one witness is ordinarily necessary to establish a charge. But the testimony of one

witness may be so corroborated by circumstantial or documentary evidence as to be sufficient.

**339.** If several credible witnesses testify to different acts of a similar nature, or to confirmatory circumstances supporting the same general charge, the offence may be considered proved.

**340.** Witnesses who are to be examined, if not members of the court, are excluded while other witnesses are under examination, unless both parties consent to their being present.

**341.** Witnesses may be examined on oath. The court may, however, accept a solemn affirmation instead of an oath. Such oath or affirmation shall be in the following terms: "I solemnly declare, in the presence of the omniscient and heart-searching God, that I will speak the truth so far as I know or shall be asked, as I shall answer to God at the great day of judgment."

**342.** Witnesses are examined in the presence of the parties.

**343.** They are first examined by the party producing them, then cross-examined by the opposite party, thereafter the party producing the witness, or any member of the court desiring to put questions may do so through the moderator.

**344.** Depositions are taken down in writing, read over to the witnesses, and signed by them. The questions in full are not recorded, unless desired by one of the parties as being important.

**345.** When witnesses cannot attend, their evidence may be taken by commission of the court, or through another church court; but both parties must receive notice of the time and place appointed for the taking of such evidence, and have a right to be present and cross-examine the witness. Evidence taken by one court, and regularly attested, is received as valid by any other court.

**346.** Any person convicted of an offence may afterwards apply for a fresh trial on the ground of newly-discovered evidence. And the court, if satisfied that the evidence proffered is material, and could not with reasonable diligence have been offered sooner, may grant the application. When the new evidence has been taken, the court, using the whole evidence in the cause, proceeds to judgment, as if no former judgment had been given; and the new judgment supersedes the former.

**347.** If, in the prosecution of an appeal, new evidence is offered, which in the opinion of the appellate court has an important bearing on the case, that court may refer back the cause to the inferior court for a new trial, or, with the consent of parties, may receive the further evidence and bring the case to an issue.

348. After the evidence for the prosecution and the defence has been heard, evidence in reply may be adduced by the prosecution.

349. All documents adduced in evidence, or authenticated copies of the same, must be lodged with the clerk of the court.

## CENSURES.

350. The censures of the Church are admonition, rebuke, suspension, deposition from office, and excommunication, all which are pronounced by the moderator in the name of the court.

351. *Admonition* consists in solemnly addressing the offender, placing his sin before him, warning him of his danger and exhorting him to greater circumspection. It is administered in private.

352. *Rebuke* is a higher form of censure resorted to after conviction or confession of scandalous sins. It may, if the court judge necessary, be publicly administered.

353. *Suspension from Church privileges* may be for a longer or shorter time: it is added to rebuke, when in the judgment of the court it is necessary in order to impress the offender, and to give public testimony to the Church and the world against the offence.

354. *Suspension from office* is either with or without limit of time. Suspension of an office-bearer from Church privileges is uniformly accompanied with suspension from office; but the latter does not necessarily involve the former (appendix 30).

355. A member or office-bearer of the Church, while under suspension, should be the object of deep solicitude and earnest dealing, in order to bring him to repentance. When the court which inflicted the censure is satisfied of the penitence of the offender, or when the time of suspension has expired, (if no new scandal has arisen), the censure is removed, and he is restored. This restoration is accompanied with admonition. Restoration to privileges may take place without restoration to office.

356. *Deposition* of an office-bearer consists in depriving him of his office, and follows upon confession or conviction of heresy or of gross immorality (appendix 31).

357. Deposition of a minister, or suspension *sine die* involves the dissolution of the pastoral tie. The sentence of deposition or suspension is read before the congregation, and the charge is forthwith declared vacant. In suspension for a

limited period, the Presbytery decides whether dissolution of the pastoral tie shall take place or not.

**358.** *Excommunication* is the highest censure of the Church, and is resorted to only in cases of peculiar aggravation, where the offence is obstinately denied, although fully proved; or, if acknowledged, is justified, and where the individual continues impenitent and contumacious. It consists in solemnly casting the offender out of the Church.

**359.** When suspension or deposition from the ministry has taken place, the Presbytery immediately sends notice thereof to all the Presbyteries of the Church.

**360.** A Session does not proceed to deposition or excommunication without reference to the Presbytery for advice.

**361.** Contumacious resistance of the authority of a Church court may warrant the infliction of any ecclesiastical censure.

**362.** When a minister has been deposed, he is not restored without the authority of the Supreme Court.

**363.** When an offence is committed in presence of a court, or confession of guilt is voluntarily made without a charge being brought, after the offender has been fully heard, the court may proceed to judgment without further process. But the nature of the offence, the judgment of the court, and the reasons therefor must appear on the record.

**364.** Every report injuriously affecting the character of a minister is not to be made the subject of judicial inquiry; but only such reports as imply a serious offence, and are so prevalent that the interests of religion require their investigation.

**365.** When, however, a complaint is made against a minister regarding minor matters, such as acts of negligence, or disputes with the Session or congregation, which affect his reputation and usefulness, the Presbytery makes investigation without formal process, dealing with the parties interested, with a view to the removal of the offence. When this end is not attained, the dealing may result in a dissolution of the pastoral tie, or in a formal process, by resolution of the Presbytery, or on demand of the minister. In no case, however, is a Presbytery to countenance measures tending to sacrifice a minister to the unreasonable feelings of his Session, or of a party in his congregation.

**366.** When an office-bearer in good standing, without regular dismissal renounces the communion of this Church by joining another Christian body, his irregular conduct is noted in the record of the court having jurisdiction, and his name

is erased. If a charge is pending against him, it may still be prosecuted. If the body which he joins is not evangelical, he may, without trial, be declared no longer an office-bearer of the Church, or be deposed, as the interests of the truth may require.

## LIBEL.

**367.** When a charge against a minister or licentiate is preferred in writing, accompanied with probable evidence, or when there is a *fama* so clamant as to demand judicial investigation, the Presbytery, in the first place, institutes a private inquiry by precognition, either before itself, or by means of a committee, respecting the charge or *fama*. The party accused shall have ten days notice of this inquiry, and have an opportunity of making explanations. If he wishes to be present during the inquiry, the Presbytery may grant his request. Witnesses must not be precognosed in each other's presence.

**368.** When it appears from the inquiry that there exists probable ground for the charge, and the party accused, after having been closely and affectionately dealt with, denies, or makes insufficient admission of guilt, the Presbytery resolves to proceed by libel (appendices 23, 24, 25). The charges preferred in the libel are at the instance of the Presbytery, when proceeding on a *fama*; or of the accusers, when there are accusers.

**369.** The Presbytery, if it sees fit, appoints one of its members to act as prosecutor, but where the indictment is at the instance of a private party, such party may be required to prosecute. When the libel has been approved generally by the Presbytery, a day is fixed for considering the relevancy thereof. The accused is duly notified of this meeting, and furnished with a copy of the libel.

**370.** A libel is held to be relevant when, (1) the offence specified is properly a subject of Church censure; and (2) the facts specified amount to the offence charged. When the Presbytery meets the accused is asked if he has any objections to the relevancy of the libel, and the court proceeds to consider the question. If found relevant, and further dealing with the accused fails to produce any satisfactory result, the libel is served on the accused, and he is furnished with a list of witnesses to be called, and of documents to be produced in probation. By consent of parties, the trial may at once proceed, or a day is fixed for this purpose. (For mode of procedure at trial, see preceding sections.)

**371.** If the charge or charges be found *proven*, in whole or in part, the Presbytery then proceeds to the infliction of adequate censure.

**372.** When in course of process a libel has been found relevant, the accused *ipso facto* ceases to exercise the functions of his office until the libel has been finally disposed of.

### RESTORATION OF OFFENDERS.

**373.** As one end of Church discipline is the spiritual good and reclamation of such as offend, so when that end has been attained, restoration to privileges is the duty of the Church courts.

**374.** If the censure was public, the restoration should also be public; in other cases, it should be private.

**375.** When anyone who has been suspended desires to be restored, he applies to the Session or Presbytery under whose care he is. The Court, if satisfied with his profession of penitence and purpose thenceforth to live a consistent life, removes the censure, and re-admits the penitent to the privileges of the Church, subject to the following provisions :

**376.** Where suspension has been inflicted by another Session or Presbytery, restoration should not take place without the approval of the court which pronounced suspension. In order to this, the court applying for restoration should furnish the evidence it has of the contrition of the offender to the court which suspended him and ask its consent.

**377.** Ministers who have been deposed may be restored to membership by a Session after leave has been granted by their Presbytery, but they can be restored to office only by the Presbytery after leave has been granted by the Supreme Court. Nor should that leave be granted until there is good reason to believe that the scandal has passed away, and that the restoration of the applicant will promote the interest of true religion.

**378.** Elders who have been suspended or deposed may be restored to church privileges by the Session, but only with leave of the Presbytery. They cannot be restored to their office except by the Presbytery.



## SCHEMES OF THE CHURCH.

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**379.** The Schemes of the Church are the following: Theological Education, Home Missions, Augmentation, Foreign Missions, French Evangelization, Widows' and Orphans' Fund, Aged and Infirm Ministers' Fund, Assembly Fund.

**380.** These schemes are managed by boards and committees, which are appointed by the General Assembly, and act under such regulations as the Assembly may from time to time adopt.

**381.** It is the duty of all congregations to contribute to these schemes. And for the more efficient discharge of this duty, it is earnestly recommended by the Assembly that missionary associations be formed in every congregation. Contributions, as received, should be forwarded to the treasurers of the Church without unnecessary delay.

For the regulations under which these schemes are conducted see Appendix.

## APPENDICES.

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### FORMS THAT MAY BE USED IN THE FOREGOING PROCEDURE.

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#### 1.—BASIS OF UNION.

(1) The Scriptures of the Old and New Testaments, being the Word of God, are the only infallible rule of faith and manners.

(2) The Westminster Confession of Faith shall form the subordinate standard of this Church: the Larger and the Shorter Catechisms shall be adopted by the Church and appointed to be used for the instruction of the people: it being distinctly understood that nothing contained in the aforesaid Confession or Catechisms, regarding the power and duty of the civil magistrate, shall be held to sanction any principles or views inconsistent with full liberty of conscience in matters of religion.

(3) The government and worship of this Church shall be in accordance with the recognized principles and practice of Presbyterian Churches, as laid down generally in the "Form of Presbyterian Church Government" and in "The Directory for the Public Worship of God."

The General Assembly of the year 1889 did further adopt, with the approval of Presbyteries, the following resolution:

“Subscription of the formula shall be so understood as to allow liberty of opinion in respect to the proposition, ‘A man may not marry any of his wife’s kindred nearer in blood than he may of his own.’” (West. Conf., Chap. xxiv., Section 4.)

2.—FORMULA TO BE SIGNED AT ORDINATION OR INDUCTION OR RECEPTION OF A MINISTER,

I, A. B., hereby declare that I believe the Westminster Confession of Faith, as adopted by this Church in the basis of union, and the government of this Church by Sessions, Presbyteries, Synods, and General Assemblies, to be founded on, and agreeable to, the Word of God; that I own the purity of worship at present authorized by this Church; and that I engage to adhere faithfully to the doctrine of the said Confession, to maintain and defend the said government, to conform to the said worship, to submit to the discipline of this Church, and to follow no divisive course from the present order established therein.

*A. B., Minister at*

3.—PETITION TO MODERATE IN A CALL.

*To the Rev. the Presbytery of*

Your petitioners, the Congregation of \_\_\_\_\_, respectfully request your Reverend Court to take steps to moderate in a Call; and we do hereby assure you that a guarantee for the payment of an annual stipend amounting to \_\_\_\_\_ dollars, will be ready on the day of moderation.

(*Place and date.*) *A. B., Chairman* } of the meeting.  
*C. D., Secretary*

4.—NOTICE OF MODERATION IN A CALL.

In the name and by appointment of the Presbytery of \_\_\_\_\_ and in answer to a petition of the congregation of \_\_\_\_\_ a meeting will be held in this Church (or in the Church at \_\_\_\_\_), on the \_\_\_\_\_ day of \_\_\_\_\_ instant (or next), at \_\_\_\_\_ o’clock, forenoon (afternoon or evening), for the purpose of moderating in a call to a minister.

(*Place and date.*)

*A. B.*

## 5.—CALL.

We, office-bearers and members of the congregation of being communicants, desirous of promoting the glory of God and the good of His Church, being destitute of a fixed pastor, and being satisfied by our experience (*or by good information*) of the piety, literature, ministerial abilities and prudence, and also of the suitableness to our edification of the gifts of you, A. B., have agreed to invite, as we by these presents do invite and call you to undertake the office of pastor among us, promising you, on your acceptance of this our Call, all due respect, encouragement, and obedience in the Lord, and further engage to contribute to your suitable maintenance, as God may prosper us. In witness whereof we have subscribed this Call on this the \_\_\_\_\_ day of \_\_\_\_\_ in the year \_\_\_\_\_

(*The names follow.*)

## 6.—CALL TO A MINISTER TO BE COLLEAGUE, OR ASSISTANT AND SUCCESSOR.

Same as Form C, omitting the words "being destitute of a fixed pastor," and inserting after "pastor among us" the words—in the capacity of colleague (*or assistant and successor*), to

## 7.—ATTESTATION OF CALL BY OFFICIATING MINISTER.

That in pursuance of appointment of the Presbytery of this Call has this day been moderated in, and that the communicants to the number of \_\_\_\_\_ have by themselves, or by me at their request, subscribed the same, is attested by me.

(*Place and date.*)

A. B., *Minister officiating.*

## 8.—CONCURRENCE IN CALL.

We, the subscribers, adherents of the Congregation of hereby express our concurrence in the Call to

(*The names follow.*)

### 9.—ATTESTATION OF CALL BY ELDER.

That communicants belonging to the Congregation of \_\_\_\_\_, to the number of \_\_\_\_\_ have in my presence subscribed, or by their request have had by me their names subscribed to the Call in favor of \_\_\_\_\_, is attested by

(Place and date.)

A. B., *Elder.*

### 10.—ATTESTATION OF CONCURRENCE BY THE OFFICIATING MINISTER.

That adherents of the Congregation of \_\_\_\_\_ to the number of \_\_\_\_\_ have this day signed this Concurrence in the Call to \_\_\_\_\_ is attested by

(Place and date.)

A. B., *Minister officiating.*

### 11.—ATTESTATION OF CONCURRENCE BY ELDER.

That adherents of the Congregation of \_\_\_\_\_ to the number of \_\_\_\_\_ have in my presence subscribed, or by their request have had by me their names subscribed to, the Concurrence in the Call to \_\_\_\_\_ is attested by

(Place and date).

A. B., *Elder.*

### 12.—GUARANTEE FOR MINISTER'S STIPEND.

We, the Congregation of \_\_\_\_\_, hereby represent to the Presbytery of \_\_\_\_\_, of the Presbyterian Church in Canada, that the estimated annual revenue of the said Congregation for the maintenance of religious ordinances among themselves is \_\_\_\_\_ dollars (\$ \_\_\_\_\_), and we hereby agree to pay out of the said revenue, as it shall be collected, and as the first charge thereon, the sum of \_\_\_\_\_ dollars in monthly (or quarterly) payments to the Rev. \_\_\_\_\_, so long as he is minister of the said Congregation, with use of manse and glebe or rented house; and, further, we engage to use our utmost diligence to the end that the said Rev. \_\_\_\_\_ may regularly receive the stipend herein named.

(Place and date.)

A. B., *Chairman* } of the meeting  
C. D., *Secretary* }

### 13.—EDICT OF ORDINATION AND INDUCTION.

The Presbytery of \_\_\_\_\_ having completed the necessary steps for the ordination and induction of Mr. \_\_\_\_\_, called to be minister of this Congregation (or colleague or assistant and successor to Rev. A. B., minister of this charge), notice is hereby given that the said Presbytery will meet in this Church or in the Church at \_\_\_\_\_, on the \_\_\_\_\_ day of \_\_\_\_\_ instant (or next) at \_\_\_\_\_ o'clock forenoon (afternoon or evening), for the purpose of ordaining the said Mr. \_\_\_\_\_ to the Holy Ministry, and inducting him to the pastoral charge of the said Congregation, and notice is hereby given to all concerned that if any of them have any objection to offer to the life or doctrine of the said Mr. \_\_\_\_\_, they may repair to the Presbytery, which is to meet at the time and place aforesaid, with certification that if no valid objection be then made, the Presbytery shall proceed without further delay.

By order of the Presbytery of \_\_\_\_\_  
 (Place and date.) \_\_\_\_\_ C. D., Presbytery Clerk.

### 14.—EDICT OF INDUCTION.

The same as Form K, omitting the words "ordination and" and for ordaining the said Mr. \_\_\_\_\_ to the Holy Ministry and inducting him," substituting the words "inducting the said Mr. \_\_\_\_\_."

### 15.—FORM OF MINUTES OF KIRK-SESSION.

(Place and date.)

The Session met this day by citation from the pulpit, (by personal citation), (pursuant to adjournment) and was constituted with prayer. Sederunt, Rev. M. N., minister, moderator; C. D., E. F., G. H., Elders.

The Minutes of last meeting were read, (amended) and sustained.

(C. D. was elected to represent the Session at all meetings of the Presbytery of P. and the Synod of R. during the current ecclesiastical year) (or other business).

The meeting was closed with prayer.

(Signed) \_\_\_\_\_ A. B., Moderator.  
 \_\_\_\_\_ C. D., Session Clerk.

### 16.—FORM OF MINUTE OF AN ORDINARY MEETING OF PRESBYTERY.

(Place and date.)  
Which day the Presbytery of A. met and was constituted with prayer. Sederunt, Rev. B. C., moderator; D. E., F. G., and H. K., ministers; and Messrs. L. M., O. P., and R. S., ruling Elders.

The Minutes of last meeting were read (corrected) and sustained.

(Specify the several items of business transacted).

The Presbytery appoints its next meeting to be held at \_\_\_\_\_, the \_\_\_\_\_ day of \_\_\_\_\_, which having been publicly intimated, this meeting was closed with prayer.

(Signed)

Moderator

Presbytery Clerk.

### 17.—FORM OF MINUTE OF A *PRO RE NATA* MEETING OF PRESBYTERY.

(Place and date.)

Which day the Presbytery of A. met in consequence of a circular letter transmitted to the members by the Moderator, the tenor whereof follows (here take in), and was constituted with prayer. Sederunt, Rev. B. C., Moderator; D. E., F. G., and H. K., Ministers; and Messrs. L. M., O.P., and R. S., ruling Elders.

It was moved, seconded, and unanimously agreed that the Presbytery approve of the action of the Moderator in calling the meeting to consider the urgent business specified in the circular letter.

(The business of the meeting then follows.)

The meeting was closed with prayer.

(Signed)

A. B., Moderator.

F. G., Pres. Clerk.

### 18.—CITATION IN CASE OF TRANSLATION.

A Call from the Congregation of \_\_\_\_\_ to the Rev. A. B., minister of this Congregation, having been laid before the Presbytery of \_\_\_\_\_, the said Presbytery has agreed to cite, and accordingly hereby cites, the Session and Congregation to appear at a meeting of the said Presbytery to be held at \_\_\_\_\_ on the \_\_\_\_\_ day of \_\_\_\_\_ instant (or next) at \_\_\_\_\_ o'clock forenoon (afternoon or evening), that they may give reasons,

if they have any, why the Rev. A. B.'s translation should not be proceeded with, with certification that if no appearance be made, they shall be held as consenting to his translation.

(*Place and date.*) C. D., *Presbytery Clerk.*

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### 19.—CITATION IN CASE OF RESIGNATION.

The Rev. A. B., Minister of this Congregation, having laid his resignation before, etc., (as in preceding form, substituting "resignation" for "translation.")

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### 20.—INTIMATION DECLARING A CHARGE VACANT.

In consequence of the translation (resignation, death or deposition) of the Rev. A. B., formerly minister of this pastoral Charge, the Presbytery of \_\_\_\_\_ hereby intimates and declares the Charge to be vacant, and calls upon all parties concerned to proceed, with all convenient speed, and according to the laws and practice of the Church, to the obtaining of a minister to fill the vacancy.

(*Place and date.*) C. D., *Presbytery Clerk.*

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### 21.—EDICT FOR ORDINATION OF ELDERS AND DEACONS.

Whereas Messrs. A., B., C., members of this Church, have been duly elected to the eldership, or deaconship, by this Congregation, and have been approved by the Session, notice is hereby given that the Session will proceed to ordain them to that office on the \_\_\_\_\_ day of \_\_\_\_\_, at \_\_\_\_\_ o'clock (a.m.) unless some valid objection has been given unto the Moderator within ten days from this date.

(*Place and date.*)

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### 22.—CITATION TO A PARTY ACCUSED.

To A. B., etc. :

You are hereby required to appear before the session of C., at a meeting to be held in \_\_\_\_\_ on the \_\_\_\_\_ day of \_\_\_\_\_ at the hour of \_\_\_\_\_, to answer to a charge of (*here state the nature of the offence charged*), made against you by D. E., (or by the said Session.)

(*Place and date.*) G. H., *Session Clerk.*



## 23.—LIBEL.

## (1.) FOR IMMORALITY.

Mr. A. B., Minister of the Congregation of  
 licentiate), under the care of the Presbytery of (or

You are indicted and accused at the instance of C. D., of  
 (or of the said Presbytery, or of E.F., a member of the said  
 Presbytery, appointed to prosecute the matter after men-  
 tioned) : That albeit by the Word of God and the laws of the  
 Presbyterian Church in Canada (*state the denomination of the  
 offence charged as drunkenness, etc.*) is an offence of a heinous  
 nature, unbecoming the character and sacred profession of a  
 minister of the Gospel and severely punishable by the laws  
 and rules of this Church. Yet, true it is, and of verity that  
 you, the said A. B., are guilty of the said offence ; in so far  
 as on the                    day of                    one thousand nine hundred  
                   years, or on one or other of the days of that month,  
 or of the month preceding or following, you, the said A. B.,  
 did (*describe the place and circumstances of the offence charged*) ;  
 All which or part thereof being confessed by you, or being  
 proven against you, the said A. B., by the said Presbytery of  
                   , before which you are to be tried ; you, the said A. B.,  
 ought to be punished according to the rules and discipline of  
 the Church, and the usages observed in cases for the glory of  
 God, the edification of the Church and to the terror of others  
 holding the same sacred office.

Signed at                    in name, presence, and by appointment of  
 the Presbytery of                    this                    day of                    19                    , by

(*To be signed by the parties libelling*)

When the offence is aggravated by particular circumstances,  
 such as by being committed on the Lord's Day, the aggravation  
 should be expressed thus : "Drunkenness, aggravated by its  
 having been committed on the Lord's Day," and "It being the  
 Lord's Day."

When a course of conduct is charged the complaint will run  
 thus : "Drunkenness habitually indulged in," and after speci-  
 fying the special acts charged, if any, there should be added,  
 "And further, you, the said A. B., are a habitual drunkard,  
 and during the period between the                    day of                    and the  
                   day of                    , you indulged in the said habit of in-  
 toxication, and were seen on various occasions within that  
 period under the influence of liquor. In particular (*specify  
 the particular occasion to which the proof is to be directed.*)

## 24.—LIBEL.

## (2) FOR HERESY.

Mr. A. B., Minister of the Congregation of \_\_\_\_\_ (or licentiate), under the care of the Presbytery of \_\_\_\_\_

You are indicted and accused at the instance of C. D., of \_\_\_\_\_ (or of the said Presbytery, or of E. F., member of the said Presbytery, appointed to prosecute the matter after mentioned); That albeit to hold and teach that (*state the erroneous doctrine ascribed to the accused*) is contrary to the Word of God, and the Standards of the Presbyterian Church in Canada. (*Here it is desirable to refer to the particular passages of Scripture and of the Standards founded on.*) Yet, true it is, and of verity, that you, the said A. B., hold, and have taught, the erroneous doctrine above stated, in so far as in a book (pamphlet or sermon) written by you and published (*describe the publication on which the complaint is founded*) on page \_\_\_\_\_ thereof you have stated (*quote the language complained of*). All which, or part thereof being confessed by you, or being found proven against you, the said A. B., by the Presbytery of \_\_\_\_\_ before which you are to be tried, you, the said A. B., ought to be visited with such censure as the laws and discipline of the Church in such cases prescribe, in order that the pure doctrine of God's Holy Word, as held by this Church, may be vindicated and maintained, or to be otherwise dealt with in the premises as to the said Presbytery may appear expedient and proper.

Signed at \_\_\_\_\_ in the name, presence and appointment of the Presbytery of \_\_\_\_\_ this \_\_\_\_\_ day of \_\_\_\_\_ 19 \_\_\_\_\_ years.

*To be signed by the party libelling.*

If the charge be founded on oral statements, then the libel will run: "In so far as in a sermon preached by you in the Church of \_\_\_\_\_ on the \_\_\_\_\_ day \_\_\_\_\_, or about that time you stated that," (*give the language used*).

Or the charge may run in a different form, as "That it is the doctrine of God's Holy Word, and of the Standards of this Church that (*state the discourse impugned, and give necessary references*) this doctrine has been denied, or at least views and opinions inconsistent therewith, and subversive of the same, have been promulgated by you, the said A. B., in so far as in a book, etc."

## 25.—ANOTHER FORM OF LIBEL.

*To Mr. A. B., Minister at C. (or preacher of the Gospel.)*

You are indicted by the Presbytery of D. at the instance of E. and F. or at the instance of the said Presbytery (*this if by fama*), to appear at G., on the            day of, etc., to answer to the following charge, namely, that you, the said A. B., did on the            day of           , or on (*give time and describe the offence charged*), which conduct of yours was contrary to the Word of God and the laws of the Presbyterian Church in Canada, and inconsistent with your position as a Minister or preacher of the Gospel.

Signed in name and by appointment of the Presbytery of D.  
at            this            day of

*Moderator.  
Clerk.*

## 26.—ORDER BY THE PRESBYTERY TO BE ENDORSED ON THE LIBEL.

At           , the            day of            19           , the Presbytery appoints a copy of the foregoing libel, list of witnesses, specifications of documents, and this deliverance to be served on the said Rev. A. B., and enjoins him to appear before the Presbytery within            at           , on the            day of           , to answer to the said libel; said service to be made at least ten clear days before the day of compearance, and grants warrant for citing witnesses for both parties.

C. D.,  
*Presbytery Clerk.*

## 27.—CITATION WITH LIBEL.

*To the Rev. A. B.*

Take notice that you are summoned to appear before the Presbytery of            at            and within            at            o'clock            on the            day of            19           , to answer to the libel, a copy of which is prefixed.

Dated the            day of            19           .

(Place.)

C. D.,  
*Presbytery Clerk.*

## 28.—CITATION OF WITNESSES.

To R. S.

You are hereby required, as a member of the Presbyterian Church in Canada, to attend a meeting of the \_\_\_\_\_ to be held within \_\_\_\_\_ at \_\_\_\_\_ on the \_\_\_\_\_ day of \_\_\_\_\_ at the hour of \_\_\_\_\_, there and then to give evidence, as far as you know, concerning a charge of (*state the charge shortly*), against A. B. (*or in a case between A. B. and C. D.*).

Dated the \_\_\_\_\_ day of \_\_\_\_\_ 19 \_\_\_\_ .  
(Place.)

C. D.,  
Presbytery Clerk.

## 29.—CERTIFICATE OF SERVICE TO BE ENDORSED ON CITATION.

Served a copy of the within on A. B. (*or R. S.*) by delivering the same to him personally (*or leaving the same with a grown-up person at his dwelling-house*), on the \_\_\_\_\_ day of \_\_\_\_\_ 19 \_\_\_\_ .  
Officer.

## 30.—SENTENCE OF SUSPENSION OF A MINISTER.

“Whereas in the trial of your case by this Court, you, A. B., have been found guilty of \_\_\_\_\_, we the Presbytery of \_\_\_\_\_ do hereby suspend you from exercising the office of the Christian Ministry, or any part thereof, until satisfactory evidence of repentance be submitted to this court.”

## 31.—SENTENCE OF DEPOSITION OF A MINISTER.

Whereas, A. B., Minister of \_\_\_\_\_, has been proved before the Presbytery of \_\_\_\_\_ to be guilty of \_\_\_\_\_, the said Presbytery adjudge him totally disqualified for the office of the Christian Ministry. They, therefore, in the name and by the authority of the Lord Jesus Christ, depose from the office, and degrade from the rank of a Christian Minister, the said A. B., and do hereby prohibit him from exercising the functions of the Christian Ministry, or any part thereof.

## 32.—MINUTE OF DEPOSITION.

The Presbytery having duly considered the libel served on Mr. A. B., Minister of C. \_\_\_\_\_, on the \_\_\_\_\_ day of \_\_\_\_\_, together with the proof adduced thereon, *or* together with his confession of his guilt, whereby he was found to have been

guilty of \_\_\_\_\_, did by their vote depose the said A. B., like as they hereby do, in the name of the Lord Jesus Christ, the King and only Head of this Church, and by virtue of the power and authority committed by Him to them, depose the said A. B. from the office of the Holy Ministry; prohibiting and discharging him to exercise the same, or any part thereof, in all time coming. The Presbytery further declare the Church and Congregation of C. \_\_\_\_\_ to be vacant from this date.

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**33.—I.—QUESTIONS TO BE PUT TO MINISTERS AT ORDINATION OR INDUCTION.**

1. Do you believe the Scriptures of the Old and New Testaments to be the Word of God, and the only infallible rule of faith and manners?
2. Do you believe the Westminster Confession of Faith, as adopted by this Church in the Basis of Union, to be founded on and agreeable to the Word of God, and in your teaching do you promise faithfully to adhere thereto?
3. Do you believe the government of this Church by Sessions, Presbyteries, Synods and General Assemblies to be founded on and agreeable to the Word of God, and do you engage as a Minister of this Church to maintain and defend the same?
4. Do you own the purity of worship at present authorized by this Church, and do you undertake to conform thereto?
5. Do you promise to give a dutiful attendance in the Courts of this Church, to submit yourself in the spirit of meekness to the admonitions of this Presbytery, to be subject to it and the superior courts, to follow no divisive course, but maintain according to your power the unity and peace of the Church?
6. Are zeal for the glory of God, love to the Lord Jesus Christ, and desire of saving souls, so far as you know your own heart, your great motives and chief inducements to enter (or continue in) the office of the ministry?
7. Have you directly or indirectly used any undue means to procure this call?
8. Do you engage in the strength and grace of our Lord Jesus Christ, to live a holy and circumspect life, to rule well your own house, and faithfully and diligently to discharge all the duties of the ministry to the edification of the body of Christ?

## II.—QUESTIONS TO BE PUT TO MISSIONARIES AT ORDINATION.

1. Do you believe the Scriptures of the Old and New Testaments to be the Word of God, and the only infallible rule of faith and manners?

2. Do you believe the Westminster Confession of Faith, as adopted by this Church in the Basis of Union, to be founded on and agreeable to the Word of God, and in your teaching do you promise faithfully to adhere thereto?

3. Do you believe the government of this Church by Sessions, Presbyteries, Synods and General Assemblies, to be founded on and agreeable to the Word of God, and do you engage as a Minister of this Church to maintain and defend the same?

4. Do you own the purity of worship at present authorized by this Church, and do you undertake to conform thereto?

5. Do you promise to give a dutiful attendance in the Courts of this Church, to submit yourself in the spirit of meekness to the admonitions of this Presbytery, to be subject to it and the superior courts, to follow no divisive course, but maintain according to your power the unity and peace of the Church?

6. Are zeal for the glory of God, love to the Lord Jesus Christ, and desire of saving souls, so far as you know your own heart, your great motives and chief inducements to enter (or continue in) the office of the ministry?

7. Do you engage, in the strength and grace of our Lord Jesus Christ, to live a holy and circumspect life, and to rule well your own house? Do you devote yourself to the office of Missionary of this Church, engaging in this solemn undertaking with a deep sense of its responsibilities, and, in the discharge of its arduous duties, do you resolve to endure hardness as a good soldier of Jesus Christ, that when the Chief Shepherd shall appear, you may receive a crown of righteousness that fadeth not away?

## III.—QUESTIONS TO BE PUT TO CANDIDATES WHEN LICENSED TO PREACH THE GOSPEL.

1. Do you believe the Scriptures of the Old and New Testaments to be the Word of God, and the only infallible rule of faith and manners?

2. Do you believe the Westminster Confession of Faith, as adopted by this Church in the Basis of Union, to be founded on and agreeable to the Word of God, and in your teaching do you promise faithfully to adhere thereto?

3. Do you believe the government of this Church by Sessions, Presbyteries, Synods and General Assemblies, to be founded on and agreeable to the Word of God, and do you engage as a Minister of this Church to maintain and defend the same?

4. Do you own the purity of worship at present authorized by this Church, and do you undertake to conform thereto?

5. Do you engage, in the strength and grace of our Lord Jesus Christ, to live a holy and circumspect life, and faithfully to preach the Gospel as you may have opportunity?

6. Do you promise to submit yourself in the Lord to the several courts of this Church?

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#### 34.—QUESTIONS TO BE PUT TO ELDERS BEFORE ORDINATION.

1. Do you believe the Scriptures of the Old and New Testaments to be the Word of God, and the only infallible rule of faith and manners?

2. Do you believe the Westminster Confession of Faith, as adopted by this Church in the Basis of Union, to be founded on and agreeable to the Word of God, and do you promise faithfully to adhere thereto?

3. Do you believe the government of this Church by Sessions, Presbyteries, Synods and General Assemblies, to be founded on and agreeable to the Word of God, and do you engage as a Ruling Elder of this Church to maintain and defend the same?

4. Do you own the purity of worship at present authorized by this Church, and do you undertake to conform thereto?

5. In accepting the office of Elder, do you engage, in the strength and grace of the Lord Jesus Christ, faithfully and diligently to perform the duties thereof; watching over the flock of which you are called to be an overseer, and in all things showing yourself to be a pattern of good works?

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#### 35.—QUESTIONS TO BE PUT TO DEACONS BEFORE ORDINATION.

1. Do you believe the Scriptures of the Old and New Testaments to be the Word of God, and the only infallible rule of faith and manners?

2. Do you believe the Westminster Confession of Faith, as adopted by this Church in the Basis of Union, to be founded on and agreeable to the Word of God, and do you promise faithfully to adhere thereto?

3. Do you believe the government of this Church by Sessions, Presbyteries, Synods, and General Assemblies, to be founded on and agreeable to the Word of God, and do you engage as a Deacon of this Church to maintain and defend the same?

4. Do you own the purity of worship at present authorized by this Church, and do you undertake to conform thereto?

5. In accepting the office of Deacon, do you engage in the strength and grace of the Lord Jesus Christ, faithfully and diligently to perform the duties thereof?

### 36.—CERTIFICATE OF MEMBERSHIP.

This certifies that the bearer, M. \_\_\_\_\_, leaves the Congregation of \_\_\_\_\_ at this date in full communion of the Presbyterian Church in Canada, and is hereby commended to the fellowship of the Church of Christ wherever God in His providence may order \_\_\_\_\_ lot.

(Place)

*Moderator.*

(Date)

*Clerk of Session.*

There are \_\_\_\_\_ baptized children in the family of Mr. \_\_\_\_\_ who are commended to the care of any Session to whom this certificate is presented.

OR

This Certifies that the bearer, Mr. \_\_\_\_\_, was at one time a member in full communion of the Presbyterian Church in Canada, connected with the \_\_\_\_\_ congregation of \_\_\_\_\_, and that his name was removed from the roll of communicants on or about (\_\_\_\_\_ date). *The reason may, (if the Session sees fit, be given more or less fully, but it should be in the form of a simple historical statement of the dealings of the Session.*

(Place.)

*Moderator.*

(Date.)

*Clerk of Session.*



## 37.—COMMISSION FOR ELDER.

This certifies that Mr. \_\_\_\_\_ is an elder of the congregation of \_\_\_\_\_, and that at a meeting of the Session held at \_\_\_\_\_ on the \_\_\_\_\_ day of \_\_\_\_\_ 19\_\_\_\_, he was appointed to represent the Session at the meetings of the Presbytery of \_\_\_\_\_, and the Synod of the bounds.

(Place.)

(Date.)

*Moderator.**Clerk of Session.*

## 38.—CERTIFICATE FOR A MINISTER OR A LICENTIATE.

This certifies that Mr. \_\_\_\_\_, lately minister at \_\_\_\_\_ in the Presbytery of \_\_\_\_\_, is a minister of the Presbyterian Church in Canada, in good and regular standing. He is hereby, at his own request, transferred to the care of the Presbytery of \_\_\_\_\_ and commended to the confidence of the brethren.

Given this \_\_\_\_\_ day of \_\_\_\_\_ in the year 19\_\_\_\_, by order of Presbytery.

(Place.)

*Presbytery Clerk.*

OR

This certifies that Mr. \_\_\_\_\_ was ordained as a minister (or licensed to preach the Gospel) by the Presbytery of \_\_\_\_\_ in the Presbyterian Church in Canada, on the \_\_\_\_\_ day of \_\_\_\_\_ 19\_\_\_\_, and that he is at this date in good and regular standing as a minister (or licentiate) of this Church.

Given this \_\_\_\_\_ day of \_\_\_\_\_ in the year 19\_\_\_\_, by order of Presbytery.

(Place.)

*Presbytery Clerk.*

## 39.—QUESTIONS FOR PRESBYTERIAL VISITATION.

## I.—TO THE MINISTER.

I.—Do you endeavor to preach the Gospel faithfully?

II.—Do you make earnest preparation for the conduct of public services?

III.—How do you administer the ordinance of baptism?

IV.—Do you visit the people pastorally, from house to house, and how often?

V.—Do you visit the afflicted attentively?

VI.—Are you conscientious and regular in your attendance on Church courts?

VII.—Have you any Bible classes, and what is the average attendance?

## II.—TO THE ELDERS.

I.—Do you, as far as your time and circumstances permit, visit, advise, and pray with the families of your district?

II.—Do you watch carefully over the members of the congregation generally, and report to Session cases requiring discipline?

III.—Are you attentive in visiting the afflicted?

IV.—Do you regularly and conscientiously attend meetings of Session, and, as you may be appointed, the meetings of other Church courts?

V.—Do you attend and take part in prayer meetings?

## III.—TO THE SESSION.

I.—Is there a sufficient number of Elders, and is there a district allotted to each?

II.—Have you stated or occasional meetings for conference and prayer?

III.—Do you take careful oversight of the conduct and training of the youth, and do you use diligence that they may be led to feel and discharge the obligations resting upon them by virtue of their dedication to God in baptism?

IV.—Do you take supervision of Sabbath Schools within your bounds? Are they efficiently conducted?

V.—Has the congregation contributed to all the schemes of the Church during the past year, and to what amount?

VI.—Do you take order that the service of praise is conducted in a becoming manner?

VII.—What, so far as you are able to judge, is the state of religion within your bounds?

VIII.—Are the financial affairs of the congregation entrusted to deacons or managers?

IX.—Are there any matters affecting the congregation which you wish to mention to Presbytery?

X.—Produce the Session record and any other books or registers kept by you.

## IV.—TO THE DEACONS OR MANAGERS.

I.—What stipend do you give your minister?

II.—Do you deem that a competent provision?

III.—Are the pecuniary obligations of the congregation to your pastor promptly fulfilled?

IV.—Do the people manifest becoming liberality in contributing for Church purposes?

V.—How is the stipend obtained?

VI.—How often do you meet for business?

VII.—Are your statistics and finances regularly reported to the General Assembly?

VIII.—Produce the Congregational record and any other books kept by you.

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#### 40.—QUESTIONS FOR ADMISSION TO FULL COMMUNION.

1. Do you believe the Scriptures of the Old and New Testaments to be the Word of God; and do you take them as your only rule of faith and conduct?

2. Do you believe that the doctrines of this Church, as set forth in the Shorter Catechism, are in accordance with the Word of God?

3. Do you take God the Father as your Father; God the Son as your Saviour; God the Holy Spirit as your sanctifier and guide?

4. Do you promise, depending on the grace of God vouchsafed, to live as becomes the Gospel of Christ?

5. Will you contribute from time to time of your substance as God may prosper you, for the maintenance and advancement of the cause of Christ?

6. Will you be subject to the authority of this Session in the Lord, and in subordination to the Higher Courts of the Church?

Having thus received your profession of faith in Christ and obedience to Him, I receive you into the fellowship of the Church. May God bless you and keep you.

(The use of these questions is not obligatory; Sessions have power to receive to full communion in any way they may deem for edification, afterwards putting the questions publicly.)

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#### 41.—FORM OF OVERTURE.

At  
bytery of  
being constituted,—

(Place and date), which day the Pres-  
met according to adjournment, and

*Inter alia.*—The Presbytery agreed to transmit the following overture to the General Assembly—

Whereas the number of young men entering College, having the ministry in view, is decreasing year by year, so that the outlook is a serious one for the Church, it is humbly overtured by the Presbytery of \_\_\_\_\_, That the General Assembly shall take the question of the future supply of ministers into



# MICROCOPY RESOLUTION TEST CHART

(ANSI and ISO TEST CHART No. 2)



4.5

5.0

3.6

4.3

7.1

10

15

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31.5

36

45

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71

88

112

140

175

224

280

350

440

560

700

880

1120



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consideration, and adopt such measures as may be most effectual for meeting the emergency which faces the Church (or other matter).

The Presbytery closed with prayer.

(Signed)

A. B., *Moderator.*

C. D., *Pres-Clerk.*

Extracted from the records of the Presbytery of \_\_\_\_\_, by  
C. D., *Pres-Clerk.*

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#### 42.—DUTIES OF THE AGENTS OF THE CHURCH.

##### I. Agent for the Western Section.

He shall act as General Agent and Treasurer for the several schemes in the Western Section of the Church. In this capacity, it shall be his duty:—

1. To prepare and issue notices and circulars as to the collections and contributions ordered by the Assembly, and correspond with defaulting congregations.

2. To receive and acknowledge all sums contributed for the schemes.

3. To make all payments for the schemes, keep the accounts and prepare periodical statements as well as annual financial reports.

4. To manage the Ministers' Widows' and Orphans' Fund, and to be Treasurer of the Aged and Infirm Ministers' Fund.

5. To receive the payments for the Assembly Fund and discharge all accounts pertaining to the general business of the Church. He is authorized to employ whatever assistance he may require in the discharge of the above duties.

The present General Agent of the Church also acts as Treasurer of Knox College and of the Presbyterian College, Montreal.

##### II. Agent for the Eastern Section.

1. He shall act as secretary of the Home and Foreign Mission Boards in the Eastern Section of the Church and of the Board of Superintendence of the Theological Hall at Halifax. As such, he shall convene these Boards, keep the minutes and conduct all correspondence connected with the same. Under Home Mission Work shall be included the distribution of probationers. He shall also prepare and submit to the Assembly, the annual reports of the Boards.

2. He shall act as general treasurer for all the schemes with the exception of the Ministers' Widows' and Orphans' Fund, in the Eastern Section of the Church. As such it will be his duty.

(1) To receive and acknowledge all sums contributed to the schemes.

(2) To take the the general management of all the Funds, make investments of the same, and collect interest.

(3) To transact all the financial business of the schemes make all payments connected with the same, and prepare the annual accounts.

(4) To transact all the business of the Hunter Fund for Church-building, under the charge of the Synod of the Maritime Provinces, it being understood that that Fund shall bear its due proportion with other funds of his salary as agent (minutes 1876, pp. 76, 77).

All agents of the Church are instructed to report directly to the minister of a congregation, from the members of which any contributions are received as well as the Treasurer of any particular Fund (minutes 1894, p. 31).

#### 43.—THEOLOGICAL COLLEGES.

Presbyterian College, Halifax.

Morrin College, Quebec.

Presbyterian College, Montreal.

Queen's College, Kingston, Theological Department.

Knox College, Toronto.

Manitoba College, Winnipeg.

#### APPOINTMENT OF THEOLOGICAL PROFESSORS.

In the appointment of a professor in any of the Theological Colleges of the Church, the Board of Management of said College shall nominate to the Assembly the person whom they deem suitable for the position, and the appointment rests with the Assembly. This shall be the mode of appointment in all the Colleges unless when the Assembly has specially determined otherwise. Further, when an appointment fails to be made in any of our Theological Colleges, where nomination is required, intimation thereof shall be made by the Board of said College so that Presbyteries may have the opportunity of submitting names to the governing body of the College in question, and in the case of all the Theological Colleges the name to be presented to the Assembly, by the College Board or governing

body, shall, if possible, be made known to the Church at least four weeks before the General Assembly is called to decide upon any nomination or appointment (Minutes, 1894, p, 53).

#### COLLEGE REGULATIONS.

It is not necessary to give the regulations affecting the several Colleges. All needed information can be found in the Calendars of the Colleges, a copy of which may be obtained on application to the authorities of the Colleges.

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## SCHEMES OF THE CHURCH.

### REGULATIONS OF HOME MISSION COMMITTEE, PRESBYTERIAN CHURCH IN CANADA.

*(Eastern Section).*

The Roll of laborers is made up of two classes ;

1.—Ministers and probationers.

2.—Students and other laymen, designated Catechists.

1.—*a.* The first class must satisfy the Committee of good standing as licentiates or ministers without charge, in connection with some Presbytery of the Church.

*b.* When their names are entered on the roll, they shall receive appointments by the Committee to the Presbyteries for such a term as may be agreed upon. The Committee can only appoint to Presbyteries. Presbyteries alone have the right of appointing to congregations or mission stations. The Committee can only make appointments for such a number as the Presbyteries apply for from time to time. It is not bound to keep all its men in constant employment.

*c.* The Committee is at liberty to notify a man at any time that it has no more work for him, if Presbyteries intimate that they do not want him.

*d.* When the Committee, or its Sub-committee, which usually meets once a month, makes an appointment, it is the duty of the Secretary of the Committee to inform the person appointed and the Presbytery to which he is sent of the same ; but the Committee throws upon the appointee the responsibility



of seeking information from the Secretary of the Committee, as to what Presbytery he is sent to ; and from the Clerk of such Presbytery as to what congregation he is to serve during the period of his appointment.

*e.* It is the duty of each licentiate and minister on the roll to report to the Presbytery in which he has labored, such information concerning the field and his work and the amount paid him by the people, as will enable the Presbytery to give full information to the Committee, and the Committee to determine the amount to be paid out of the Home Mission Fund for his services.

*f.* Presbyteries may appoint an ordained missionary to a field for a year, provided the people raise at least \$400. In this case, his name goes off the Home Mission roll and is placed on the roll of the Presbytery. His salary is usually \$700 per annum. Of this sum the Committee pays whatever amount is agreed upon by it and the Presbytery, never, however, exceeding \$300 per annum. He is required to report, at the close of his year, through the Presbytery to the Committee.

*g.* The remuneration to laborers of the first class is ten dollars per week and board. It is expected that places supplied will pay the greater portion of this amount. Laborers, in conjunction with Presbyteries, should take steps to have the people do their duty in this regard, so that the Home Mission Fund may not be unduly burdened.

2.—*a.* Laborers of the second class must present certificates showing that they are students in Theology in good standing in some approved institution, or a certificate from some Presbytery, showing that such Presbytery believes them qualified for the work and is willing to receive them into its own territory for service.

*b.* The Committee's roll of laborers of the second class is made up in the order of advancement in study, and in employing them preference is given other things being equal, to those more advanced in the College courses, and in order of application after notice from Secretary, it being understood that all who desire employment shall make personal application from year to year, indicating their College status and the Presbytery by which they have been certified.

*c.* When the Committee agrees to enter their names on the roll, they must accept appointments at the hands of the Presbytery to which they are sent, and it is their duty, so soon as they are appointed, to obtain instructions from the Clerk of the Presbytery in whose bounds they are to labor. At the close of their term of service they must report to the Presbytery on

forms furnished by the Committee, giving full statistics and such other information as may aid the Presbytery in dealing with the field.

Should the work of a Catechist be interrupted, terms of payment will be decided in view of the merits of the case.

*d.* The remuneration of Catechists is \$7.00 per week and board. It is expected that the mission fields will raise all they can of this amount, and Catechists are required to perfect such organization for collecting money as will secure as much as possible for self-support and for the Funds of the Church. Travelling expenses to field of labor are paid by the Committee.

*e.* Catechists' bills cannot be paid till approved and recommended by Presbyteries and ordered by the Home Mission Committee.

*f.* No grants can be made to laborers of either class until full reports of work have been received by the Committee.

*g.* Any gifts of money made to any laborer during his term of service must be reported by him, and counted as part of his remuneration, in so far as may be necessary to make up his full payment for service.

*h.* Books for the entry of names of families, communicants and other particulars of the mission fields will be furnished by the Secretary, and must be returned to him at the close of the season.

*i.* All half-fare travelling permits for Catechists are to be obtained through the Secretary, and must be returned to him at the close of each season's work.

*j.* All information as to appointments will be given by the Secretary immediately after the semi-annual meetings in April and November on application made to him by the appointees. (See above sec. 1, sub-sec. *d.*)

*k.* Missionaries are distinctly forbidden to make any promises about returning to the same field for another season, as all appointments are and must be in the hands of the Committee and the Presbyteries.

*l.* The Committee is in no way responsible for the payment of any laborer whose name is not on its Roll, or who has not been appointed by the Committee or its Sub-committee.

*m.* Attention of all laborers is specially directed to the Assembly's regulation as above, sec. 2, sub-sec. *c* (concerning the schemes). All congregations and Mission Stations are enjoined by the Assembly to make contributions to the Home Mission Funds, and no grants can be paid where this is not done.

n. The Committee hold semi-annual meetings in April and December. Catechists are, as a general rule, appointed at the April meeting, and their reports considered and bills settled in November.

(*Western Section.*)

THE ASSEMBLY'S COMMITTEE.

The Assembly's Home Mission Committee (Western Section) is appointed yearly by the General Assembly, and consists of the Convener, the General Secretary, the Synodical Superintendents, the Minute Secretary, a representative from each of the Presbyteries in Ontario and Quebec, a representative from each of the two Western Synods, and such additional members as the Assembly may see fit to appoint.

The Committee is entrusted by the General Assembly with the supervision of the whole Home Mission work of the Western Section of the Church. While grants are recommended by Presbyteries and Synodical Committees, the determining of these rest with the Assembly's Committee, as does also the appointment of all missionaries.

The Committee meets annually in the spring, and the Executive annually in the autumn; but during the intervals between these meetings the business requiring attention is transacted by a sub-committee of the Executive.

PRESBYTERIES.

Each Presbytery takes the supervision of the mission fields within its bounds, and has its own Home Mission Committee, to the Convener of which all missionaries are amenable, and from whom they receive instructions.

Presbyteries are expected to ascertain the needs of the various fields and the amounts they are prepared to contribute for the support of ordinances, and to report annually to the Assembly's Committee, on schedules provided for the purpose.

The Assembly's Committee, at its spring meeting, considers these reports and fixes the grant to each field for the ensuing year.

The liability of the Assembly's Committee is limited strictly to the grant promised.

Conveners of Presbyteries shall send to the Minute Secretary, on the schedule provided, at least one week before the spring and autumn meetings of the Committee, the half-yearly claims for services rendered in the mission fields in the preceding half-year.

All mission fields requiring aid shall be visited by Presbyteries annually between October and March, with a view to secure increased contributions, and the result of the visitation (with the Presbytery's judgment thereon) shall be reported to the Assembly's Committee.

[The members of the Assembly's Committee from the two Western Synods represent not the Presbyteries but the Synods. The Presbyteries have their representatives on the Synodical Committees. These Committees receive each year from the Assembly's Committee certain fixed sums for the prosecution of mission work within their bounds, and they determine the grants that are to be paid to individual fields, subject to the approval of the Assembly's Committee. Presbyteries report directly to these Synodical Committees, and through them to the Assembly's Committee.]

In New Ontario and in the two Western Synods there are Home Mission Superintendents, to whom is entrusted in connection with the Synodical Committees and under the direction of the various Presbyteries, the general supervision of the work that is being done in the various fields in their respective districts.

#### FIELDS.

The mission fields are such as are recommended by Presbyteries and approved by the Assembly's Committee, and are of two classes :

- a.* Fields supplied by students or catechists.
- b.* Fields supplied by ordained missionaries.

#### MISSIONARIES.

The roll of missionaries shall consist of Ministers, Licentiate, Students having the ministry in view, and Catechists, each of whom must be certified to the Assembly's Home Mission Committee by some Presbytery of the Church.

Ordained missionaries appointed by the Assembly's Home Mission Committee for a period of one year or longer (to a particular mission field) are entitled to have their names placed on the Presbytery roll.

Under ordinary circumstances the Assembly's Committee appoints to Presbyteries the number of missionaries they require to supply their fields, and Presbyteries allocate the missionaries so appointed as they deem best.

If any missionary refuses to go to the Presbytery to which he has been allocated, he shall not be employed in any field under the care of this Committee until next half-yearly meeting, unless with the consent of the Presbytery first choosing him.

It is distinctly understood that the practice of making private arrangements shall not be countenanced, except in the case of a settled minister who desires to secure a student to assist him in his own congregation, in which case the name of the missionary shall be reported to this Committee.

SPECIAL REGULATIONS REGARDING FIELDS SUPPLIED BY  
ORDAINED MISSIONARIES.

Any field desiring the services of an Ordained Missionary shall make application through the Presbytery to the Assembly's Home Mission Committee, to be put on the list of Ordained Mission Fields. The qualifications for a place on that list shall be the following ;—

a. The field shall raise at least \$350 per annum for the missionary's salary.

b. The rate paid for salary shall be not less than \$4 per communicant (or \$6.50 per family where the ratio of members to families is exceptionally large or small).

c. The field shall contribute annually to the Home Mission Fund.

No field shall receive more than \$300 per annum from the Home Mission Fund.

SALARIES OF MISSIONARIES.

a. Ordained Missionaries :

*British Columbia.*

Where neither horse nor house is required.....	\$750
Where horse but not house is required .....	800
Where house but not horse is required .....	825
Where both house and horse are required .....	875

*Manitoba and the N. W. T.*

Where house is not required.....	700
Where house is provided.....	750
Where house is required but not provided .....	800

*Ontario and Quebec.*

Where house is not required.....	600
Where house is provided.....	700
Where house is required but not provided .....	750

b. Students: Summer half-year, \$6 per week, with board and travelling expenses to the field. Winter half-year, \$7 per week, with board and travelling expenses to the field.

c. Catechists : \$5 and board per week for summer; \$5.50 and board per week for winter.

d. Approved Catechists : \$500 per annum when appointed for at least one year.

e. Laborers from the Old Country who have been educated in whole or in part in Training Institutes, \$6 and board per week for the whole year. When any of these laborers have been enrolled as theological students in any of the colleges of the Church, they will be entitled to the remuneration of students.

The salaries of missionaries are made up of the contributions from the people in the field and the grants from the Home Mission Fund. All correspondence regarding salaries on the part of missionaries should be with the Conveners of the Home Mission Committees of the Presbyteries within whose bounds they may be laboring.

Every field is expected to contribute to the full measure of its ability, and the grant promised by the Assembly's Committee is only drawn upon to the extent that may be necessary to meet the salary of the Missionary.

Presents of money received from the people in the field by missionaries laboring in fields that have a grant from the Home Mission Fund are to be reported by the Convener of the Presbytery to the Assembly's Committee, and the Assembly's Committee shall deal with each case on its merits.

#### TRAVELLING EXPENSES OF MISSIONARIES.

The travelling expenses of all missionaries appointed by the Assembly's Home Mission Committee are paid to their respective fields of labor; but the Committee will not hold itself liable for the travelling expenses of any missionary in Ontario or Quebec, unless a grant to meet such expenses is specifically made at the time of his appointment.

Students laboring in Ontario and Quebec are not entitled to their return expenses.

Students from Eastern colleges giving at least ten months' continuous service in the Synods of Manitoba and the N. W. T. and British Columbia are entitled to their return expenses.

Students from Manitoba College laboring in the N. W. T. or British Columbia are entitled, after six months' service, to their return expenses from their fields of labor to the Western boundary of the province of Manitoba; the rule contained in the preceding section to apply to those who give ten months' continuous service.

In no case are the return expenses of ordained missionaries paid.

## DUTIES OF MISSIONARIES.

1. To report to the Convener of the Home Mission Committee of the Presbytery to which they are appointed as soon as they reach their fields of labor, and to receive their instructions from him, making no changes in the working of their fields without his approval.
2. To organize, as far as possible, a Sabbath School at each station, and at such other points as may be deemed advisable.
3. To visit all the families and others connected with their fields as frequently as a due regard to other duties will permit.
4. To notify the Presbytery's H.M. Convener if at any of the stations there is no Board of Management, and, under his instructions, to arrange for such being appointed.
5. To arrange through the Managers for collections being taken at the public services, and judiciously to aid the Managers in circulating subscription lists or carrying out other systematic methods for the support of ordinances.
6. To arrange for a joint meeting each half-year of the Boards of Management of the several stations, or at least of the chairmen and secretary-treasurers of these Boards.
7. To take up the required collections for Presbytery and Synod Funds, and for the Schemes of the Church, and to forward the same to the respective treasurers. It is expected that every Student will adopt some method of securing a generous contribution to the Assembly's Home Mission Fund.
8. To send full reports concerning the work in their fields to the Convener of the Presbytery's Home Mission Committee, promptly filling up and returning the blank forms he may send from time to time.
9. To give regular and continuous supply during the time of their appointment, and on no account to absent themselves from their fields of labor over Sabbath (except in case of an exchange of pulpits) without the consent of the Presbytery's Home Mission Convener.
10. In the case of missionaries occupying fields supported by individual congregations, to prepare with the utmost care, and forward each half-year to the General Secretary of Home Missions, letters descriptive of the conditions they find existing in their fields, and of any features or incidents of their work that may be likely to maintain and deepen the donors' interest in it.

Above all, missionaries are urged to bear in mind that *the supreme purpose of the Christian Ministry is to lead men to Christ, and to build them up through faith unto holiness.*

To this end missionaries are earnestly entreated to "take heed unto themselves," as well as to their teaching; "seeking

continually the aid of the Holy Spirit, so that they may commend themselves to every man's conscience in the sight of God."

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## AUGMENTATION SCHEME REGULATIONS.

### I.—BY WHOM ADMINISTERED.

1. The Augmentation Scheme is administered by Committees (Eastern and Western) appointed annually by the General Assembly.

2. The Western Committee consists of the Convener and Secretary, together with fourteen other members, five of whom shall be the conveners of the Augmentation Committees of the Synods of (a) Montreal and Ottawa, (b) Toronto and Kingston, (c) Hamilton and London, and Secretaries of (d) Manitoba and the North-West, and of (e) British Columbia.

3. The Synods of the Western Section shall annually appoint Synodical Augmentation Committees, consisting of the Conveners of Augmentation Committees of Presbyteries within their bounds, together with such a limited number of other members as the respective Synods may deem desirable.

### II.—HOW FUNDS ARE TO BE PROVIDED.

1. All congregations are instructed to contribute to the fund.

2. It is hoped that the fund will be largely increased by generous contributions from individual members of the Church, as also by donations from Young People's Societies, Sabbath Schools, etc., and by bequests.

### III.—HOW THE LISTS SHALL BE MADE UP.

1. The list of augmented charges shall embrace only such charges as have pastors duly called by the people and inducted by the Presbytery, and as, in the judgment of the Presbytery and the Assembly's Committee, are entitled to assistance in the support of the ministry. Such charges, when vacant, may be retained on the list, and, at the discretion of the Committee, may be accorded a grant for supply until settled.

2. New congregations formed by Presbyteries and other congregations, in their judgment, in circumstances requiring aid, may, on consultation with the Committee or its Executive, be added to the list from time to time.



3. Congregations shall not be placed or continued on the list (unless by permission of Assembly) except on the following conditions: (a) They shall contribute towards minister's stipend at least \$450 per annum (\$500 per annum in Manitoba, North-West and cities) and a manse or rented house, or make an allowance of \$50 per annum towards house rent (\$100 in cities). (b) They shall contribute at not less than the rate of \$4.50 per member (or \$8 per family in cases where the ratio of members to families is exceptionally large or small) towards stipend. (c) They shall contribute towards the Augmentation and other Schemes of the Church.

#### IV.—SPECIAL CONDITIONS AS TO A PLACE ON THE LIST.

The following special conditions shall be observed by Presbyteries and the Committee, before admitting a congregation to a place on the list, viz.:

1. In view of exceptional circumstances in certain cases, as for instance where there is not full work for a minister on account of the small number of families in a locality, or on account of the proximity of another congregation, or where there might be a re-arrangement of congregations so as to secure greater economy and efficiency in carrying on the work, the Committee, after correspondence with the Presbyteries, shall have discretionary power to withhold aid or to grant less than the full amount required to make the stipend \$750 and a manse, and Presbyteries are instructed, where in their judgment the circumstances require it, to make application for a reduced grant.

2. The Committee is empowered to withhold until next General Assembly supplement in cases where Mission Stations have been erected into pastoral charges, or where existing congregations have been divided, if, in the judgment of the Committee, it is undesirable to make such grant.

3. Before a settlement shall take place in any congregation requiring aid, the congregation shall be visited by the Presbytery with a view to increase the contributions of the people, and the result of the visitation shall be reported to the Committee, who may withhold grants, if they are not satisfied, till the General Assembly has given judgment in the case.

4. All congregations requiring aid shall be visited by Presbyteries annually, between May and October, with a view to secure increased contributions, and the date and result of the visitation (with the Presbytery's judgment thereon) shall be reported to the Committee through the Synodical Committee.

5. No grant shall be made to any congregation for the year succeeding the March meeting of Committee, where arrears of stipend are reported as due on the 31st December preceding, until such arrears of stipend have been paid.

6. The maximum grant to congregations in the Synods of Montreal and Ottawa, Toronto and Kingston, Hamilton and London shall be \$250, and in Manitoba and the North-West and British Columbia \$300.

#### V.—PRINCIPLES OF DISTRIBUTION.

The minimum stipend in aid-receiving congregations shall be: (1) \$700 in the case of an unmarried man, not requiring a house; (2) \$750 and a manse, or an allowance of \$50 where there is no manse, in the case of a man requiring a house; (3) \$850 and a manse, or an allowance of \$50 where there is no manse, in Manitoba and the North-West. (In the case of an unmarried man, not requiring a house, in Manitoba and the North-West, the Committee fixed the minimum stipend at \$800.) (4) In cases where the cost of living is exceptionally high, the Augmentation Committee shall have power to make a larger grant. (5) The Augmentation Committee shall have power to recognize exceptional liberality on the part of aid-receiving congregations by making an increased grant. All subject to conditions of Sec. IV.

#### VI.—DUTIES OF SYNODICAL COMMITTEES.

1. To co-operate with the General Assembly's Committee in the general supervision of the field and the work within the bounds of the respective Synods.

2. To hold an annual meeting before the March meeting of the Assembly's Committee, these meetings to be so arranged that the Convener and Secretary of the Assembly's Committee may be present to consult and advise with each Synodical Committee. Presbyteries shall prepare schedules and extract minutes for their meetings as they prepared them for the meetings of the Assembly's Committee.

The business at these meetings shall be:—(a) To revise the list of Augmented congregations as sent up by Presbyteries; to give judgment as to grants asked, and to report them to the Assembly's Committee. (b) To arrange, as occasion may require, for co-operation with Presbyteries in the visitation (1) of particular districts in which re-arrangements seem desirable in the interests of the fund, and (2) of congregations in which special

dealing may be necessary for reducing grants. (c) To make arrangements for stirring up interest, especially in aid-giving congregations, and so securing liberal contributions to the fund.

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BOARD OF MANAGEMENT OF THE CHURCH AND  
MANSE BUILDING FUND.

*Incorporated by Dominion Statutes, 46 Vict., Ch. 97 ;  
and 51 Vict., Ch. 107.*

REGULATIONS ADOPTED BY THE GENERAL ASSEMBLY,  
JUNE, 1887.

1. The Fund shall be called The Church and Manse Building Fund of the Presbyterian Church in Canada for Manitoba and the North-West.

2. The amount to be aimed at in the first place shall be one hundred thousand dollars, (\$100,000); the Fund shall be raised by subscriptions and bequests.

3. The management of the Fund shall be entrusted to a Board of fifteen members, twelve of these to be appointed annually by the General Assembly. The other three members of the Board shall be the Superintendent of Missions for Manitoba and the North-West, the Convener of the Home Mission Committee of the General Assembly, Western Section, and one member to be appointed by the said Committee. The Board shall have power to fill any vacancies made by death or resignation until the meeting of the next General Assembly thereafter. The usual place of meeting of the Board shall be at Winnipeg.

4. All applications for aid in the erection of churches or manses shall be made to this Board through the Presbytery within whose bounds the congregation is situated, and before being considered by the Board must be recommended by the Presbytery, but the Board shall be sole judge as to the merits of the application, and the nature and amount of aid to be given.

5. The money constituting the Fund shall be at the discretion of the Board, either invested, and the revenue accruing therefrom given in the form of grants to congregations to assist in the erection of churches or manses, or the capital shall be employed to make loans or grants to such congregations.

6. Such loans shall be for a limited number of years, and at a moderate rate of interest. For good reasons the Board may remit the interest.

7. The assistance given, when in the form of a grant, shall not exceed one-fifth of the total cost of the building; and when in the form of a loan shall not exceed fifty per cent. of the cost, unless in either case the circumstances are by the Board deemed exceptional. The money shall be payable only when the building can be used for service, in the case of grants. In the case of loans, the money voted may be paid in instalments as the work of construction advances. No grant, however, is to be made or loan effected until the Board is satisfied that a valid title to the property, or a bond to that effect, has been secured by the congregation, and that the deed is in the form approved by the General Assembly.

8. Save in exceptional circumstances, no loan shall exceed \$700.

9. It shall be competent for the Board, with the approval of the General Assembly, to make changes in these regulations, but such changes shall have due regard to the proper preservation of the capital entrusted to the Board.

10. The Board shall report its transactions annually to the General Assembly.

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#### BOARD OF FRENCH EVANGELIZATION.

The following regulations have been tentatively adopted by the Board :

I. The operations of the Board of French Evangelization shall have respect ;

(1) To colportage in any district of the Dominion where the population is wholly or partially French.

(2) To mission schools in any district where there is no efficient public school open to French Protestants, and where a sufficient number of scholars can be secured to warrant their establishment ; also the mission schools at Point-aux-Trembles, or at such other places as may be deemed desirable.

(3) To mission stations partly or wholly French, which, having been recommended by Presbyteries and approved by the Board, have been placed on the list of aid-receiving stations ; provided always that no application for aid shall be entertained by the Board on behalf of any station unless the Presbytery of the bounds shall have made arrangements with

the people for contributing according to their ability to the salary of the missionary, and the Presbytery shall see to the implementing of such engagements.

(4) To congregations wholly or partly French, not self-sustaining, but prepared to contribute at least \$200 per annum, at the rate of at least \$2.25 per communicant, and in which, in the judgment of the Presbytery, a pastor is desirable,—such congregations having made application to the Presbytery of the bounds and furnished satisfactory information in regard to their statistics, financial position and prospects, and having received the approval of the Presbytery (which application and information shall also be laid before the Board) may be placed on the list of congregations receiving grants.

Cases in which the application of this rule appears to affect injuriously congregations now on the list or seeking to be placed on it, shall be reported to the General Assembly and grants made only when its sanction has been given.

(5) To mission stations and congregations, wholly or partly French, reported by Presbyteries, but not receiving aid.

II. The list of aid-receiving mission stations and congregations shall be revised annually at a meeting of the Board held in .....previous to which applications must be made by Presbyteries, for grants for all fields within their bounds.

III. The list of laborers shall consist of colporteurs, teachers, students, licentiates and ordained ministers of this Church speaking the French language. Each of these must be recommended to the Board by some Presbytery, except in the case of teachers.

IV. The Board shall prepare and send to missionaries blank forms for their reports so as to ascertain the peculiar circumstances, necessities and general state of the mission stations and congregations throughout the Church.

V. The executive shall consider the reports thus rendered and distribute the missionaries among the Presbyteries, as in view of the detailed information before them may be deemed advisable.

VI. Missionaries in fields receiving aid from the funds of the Board shall be paid at the following rates :

1. Colporteurs, a minimum of \$30 per month, including travelling expenses.

2. Students, at the rate of \$35 per month for the summer, with travelling expenses to the field. In cases where the field is upwards of 150 miles from the place of departure, a portion of the travelling expenses from the field may also be paid.

3. Licentiates or ordained ministers, not inducted into the pastoral charge, at a minimum rate of \$8 per Sabbath.

4. Ministers ordained and regularly inducted into the pastoral charge hereafter at the rate of \$750 per annum with manse,—except in cities or large towns, when on application duly made by the Presbytery, it may be increased to \$1000, with an allowance for house rent.

5. That the salaries of ordained missionaries appointed by the Board to a field for a term of not less than one year, be fixed after consultation with the Presbytery of the bounds.

VII. The Board shall not be responsible for the salary of missionaries beyond the amount of aid promised by it to the stations or congregations, and for the time during which they may have labored in said stations or congregations.

VIII. The Board shall prepare a full annual report of its operations, to be submitted to the General Assembly, and shall publish from time to time such information as may serve to call forth the interest and liberality of the Church.

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#### MINISTERS' WIDOWS' AND ORPHANS' FUND.

##### *Synod of the Maritime Provinces.*

##### RULES OF MANAGEMENT, ADOPTED BY THE GENERAL ASSEMBLY, JUNE, 1903.

I. The management of the Fund shall be entrusted to a committee of twelve, five of whom shall be a quorum, who shall elect their Chairman, Secretary and Treasurer, and who shall be the Trustees of the Fund, in whose name all obligations shall be taken: the said committee to be nominated by the Synod of the Maritime Provinces and appointed by the General Assembly annually, the ministerial members of the Committee to be contributors to the Fund.

II. The Trustees shall meet by notice from the chairman, through the Post Office, to each member, and at least one week before the time of meeting, or by regular adjournment from one meeting to a specified date.

III. It shall be the duty of the Secretary to keep a regular minute of all the proceedings of the Trustees, and also a record book in which shall be inscribed a correct record from the schedules, forwarded to him, of the names and dates of birth of all ministers contributing, the names and dates of birth of their wives and children, the names of widows and orphans in receipt of aid, and such other statistics as may be required, and

he shall also prepare an annual statement to be submitted to the Synod and General Assembly of such changes as may have taken place during the year preceding in the statistics of the ministers contributing, and of the state of the fund in general.

IV. The Treasurer shall every year prepare an account to be laid before the Synod and General Assembly, of the sums of money received and expended since the previous statement, and also a general statement of the funds and effects in the hands of the trustees.

V. Ministers ordained and being inducted or appointed to any congregation within the bounds of the Synod of the Maritime Provinces, or to any congregation of the late Synod of the Maritime Provinces in connection with the Church of Scotland which did not enter the union, may be admitted to the benefits of the Fund by entering on or previous to the first of July, three years after ordination, and paying the regular rates from that date with interest.

VI. Each applicant shall be required to furnish the committee, in writing, with a statement of the date of his birth, and if married, of the date of his wife's birth, and also a statement of the name and date of the birth of each of his children under 18 years of age.

VII. There shall be two classes of beneficiaries, and every person on becoming a member shall signify which class he chooses; and the choice being once made, he shall not afterwards have the power of rising to the higher class; but he shall at any time have the liberty of taking the lower class, it being understood that no part of the sum already paid or due by him can be returned or abated to him, and that his widow or orphan children will henceforth be entitled only to the annuity of the class then chosen by him.

VIII. Every person coming on the Fund shall pay annually on or before the first day of July in each year, at the following rates:—

	Class I.	Class II.
Ministers under 35 years of age .....	\$6 00	\$12 00
“ between 35 and 45 .....	7 50	15 00
“ “ 45 and 50 .....	9 00	18 00

The application of any minister over fifty years of age shall be made the subject of special consideration.

In the case of ministers permitted to retire by the General Assembly, a deduction of one third shall be made from the above rates, and in the case of ministers without charge, a similar deduction may be made by the Committee if it sees cause.

There shall also be chargeable a marriage equalizing tax (not paid annually, but only on occasion of marriage) for every year exceeding five that the minister's age exceeds that of his wife, at the following rates :—

	Class I.	Class II.
Under 45 .....	\$2 00	\$ 4 00
“ 60 .....	4 00	8 00
“ 69 .....	6 00	12 00

The same to be paid on every subsequent marriage, except when he marries a widow already on the Fund, with the understanding that the Committee shall have power in special cases to remit or reduce the amount. In all cases he shall be bound to furnish a statement of the date of his own birth, and that of his wife.

X. Members not making payment of their annual rates on or before the first day of July in each year, shall be subject to the following fines :—

Class I.	Class II.
10 cents.	20 cents.

for each month thereafter until payment is made; and those in whose case arrears have accumulated to the amount of four annual rates, shall be liable to forfeit their membership, and all privileges connected with the Fund, and shall have no claim to money they have paid into it. Intimation shall in all cases be sent to ministers in arrears before they shall be cut off from the benefits of the Fund.

X. A member shall be entitled at any time to redeem his annual rates by the payment of a single sum, or to commute them into an increased payment, to cease on his attaining the age of sixty-five (65), according to the Tables framed for the use of the Fund.

XI. The annuities to widows shall be follows :—

Class I.	Class II.
\$97.50	\$195.00

But in order to enable the widow to recover an annuity, six payments of annual rates shall be made, such payments, so far as they have not been made, to be deducted yearly from the annuity.

XII. Annuities to widows shall be payable half-yearly, on 1st January and 1st July of each year, commencing at the first of these dates succeeding the husband's death, and ending at the term succeeding the death of the widow, or her subsequent marriage.



XIII. There shall also be paid to each orphan child of any member the sum of \$27.50 when on the higher class, until such child shall reach the age of 18, and for those on the lower class one-half the above amount. In the event of the decease of both parents, payment shall be made as follows:—When on the higher class, to the eldest orphan two-thirds of the amount payable to the widow, and \$27.50 to each additional orphan, but the aforesaid payment to the eldest orphan shall be transferred on his reaching the age of 18, to the next orphan in age, and so on in succession till the youngest have reached the said age; and when on the lower class according to the same percentage. In the case of orphans over 18 years of age, whose fathers died while paying into the Fund, incapacitated either physically or mentally for earning their own living, the Committee shall have the power of continuing the annuity for such time, and to such an amount as they may see fit.

XIV. The funds, so far as they are not required for immediate application or expenditure, shall be invested in security on real estate, or in savings banks, or in government or municipal securities, or in deposits or stock of any of the chartered banks of the Dominion, in the name of the Trustees.

XV. There shall be an investigation of the funds of the Institution every fifth year, and a revision of the rates, when the amount of annuities to widows and orphans may be increased or diminished as the state of the funds shall warrant, or the amount of the annual rates may be altered. But no alteration in these shall take place at other times.

XVI. These rules shall only be altered every fifth year, and no such alteration shall be made until considered by the Committee, and the proposed alterations submitted to a meeting of those in full standing as contributors, and adopted by a majority of those present, and afterwards submitted to Synod and Assembly, and approved by them.

XVII. All differences or disputes that may arise in regard to sums due shall be referred to arbitrators, of whom the Trustees shall name and elect one, the other party one, and if necessary third to be chosen by these two, being persons not beneficially interested directly or indirectly in the funds of the Institution.

XVIII. In the case of any minister, a widower or unmarried, having made 40 payments, and having reached the age of 70 years, on his agreeing to relinquish all claim upon the fund, he shall be entitled to receive the sum of \$300 when on the highest class, and \$150 when on the lowest.

XIX. In the event of any minister or professor ceasing to be a minister or professor of the Church by resignation, depri-

vation, or in any other way, it shall nevertheless be in his power to uphold and continue the right and interest of his widow and children to participate in the benefits of the Fund, by making regular payment of all sums payable under these regulations.

XX. Every minister on the Fund shall be required to furnish annually to the Secretary a notice of the changes in his family, by birth, death, or marriage, which shall be duly entered on the Record Book.

XXI. The annuities payable to widows and orphans being intended as an alimentary provision, form no part of the estate of the contributor, and shall not be assignable or subject to arrestment, or other legal proceedings at the instance of his creditors, but shall be paid only to the widows, and the tutors and guardians of the children, and in case the widow shall be under any legal or natural disability, or in case the children shall have no tutors or guardians, it shall be competent for the Trustees of the Fund to name two or more persons as Trustees to manage and apply the annuities in such a manner as shall appear to them to be most for the benefit of such widows or children.

XXII. The Committee shall have power to deal with the cases of ministers coming from beyond the bounds of the Synod of the Maritime Provinces, and inducted or appointed to congregations of the said Synod, or to congregations of the late Synod of the Maritime Provinces in connection with the Church of Scotland, which did not enter the union, or entering the service of either Church as ministers or professors, which do not come within the operations of Rule V., provided application be made on or before the first day of July two years after their aforesaid induction or appointment.

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### MINISTERS' WIDOWS' AND ORPHANS' FUND.

(WESTERN SECTION).

Ministers of the Church at present not connected with any similar fund, and any minister who, after this date, shall be admitted to participate in the benefits of this Fund, under 30 years of age, shall pay an annual rate of \$8; between 35 and 40 years of age, \$10; between 40 and 50 years of age, \$12 per annum. The application of any minister over 50 years of age, to be admitted to the benefits of the fund, shall be made the subject of special consideration.

That any minister who may, at the time of his induction, decline to join the fund, may be allowed to do so within four years from the date of his induction, on condition of his contributing a sum equivalent to the total payments he should have made, provided he had connected himself with the fund at his induction, together with interest at the rate of 5% per annum. The rates are payable in advance on the 1st of November for the year then commencing. Any minister withdrawing from the Church shall continue to enjoy his rights in this fund, on condition of his paying annually into the fund \$12 in addition to the rates previously paid by him.

That the following be the scale of annuities payable to the widows and orphans: Each widow shall receive one hundred and fifty dollars (\$150) per annum. If a widow have children, she shall receive, in addition to her own annuity, for one child, twenty dollars (\$20) per annum; for two children, thirty-six dollars (\$36) per annum; for three children, fifty dollars (\$50) per annum; and ten dollars (\$10) per annum for each additional child; but she shall not receive anything from the fund for children over eighteen years of age.

In the event of the decease of both parents, if there be only one orphan, the Board shall pay for the benefit of such orphan, one hundred and fifty dollars (\$150) per annum; if there are two orphans, twenty dollars (\$20) shall be added to the allowance made for one; if there are three orphans, sixteen dollars (\$16) more shall be paid on their behalf, and if there are four orphans, fourteen dollars (\$14) shall be added to the allowance, and ten dollars (\$10) shall be given for each additional orphan, but no allowance shall be made for children over eighteen years of age.

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#### AGED AND INFIRM MINISTERS' FUND.

The following rules to guide the administration of the Fund, East and West, were adopted by the Assembly of 1902 (Minutes, 1902, p. 67).

1. The Fund shall be sustained by annual congregational contributions, ministers' rates, donations and bequests.
2. The invested capital shall not be entrenched upon for the purpose of paying annuities, and all bequests made to the Fund shall be added to the capital, unless otherwise ordered by the testator.
3. (a) Settled pastors, ordained missionaries, home and foreign, professors in colleges and church agents, shall, in order to participate in the full benefits of the Fund, pay into it an

annual rate of:—For ages 25 to 30, at the date of connection, \$6; for age 31 to 35, \$7; for age 36 to 40, \$9; for age 41 to 45, \$10; for age 46 to 50, \$12; for age 51 to 55, \$16.

(b) Ministers already connected with the Fund will be required to pay these rates, but only the rate called for at the age of actual connection.

(c) That in the meantime, and until the Assembly shall see fit to reconsider the matter, ministers' rates shall be capitalized, and shall not be used in the payment of current annuities.

4. When a minister resigns his pastoral charge without leave from the General Assembly to retire, but continues in the service of the Church as a preacher, he shall continue to pay into the Fund his rate as in Rule No. 3, otherwise his annuity shall be only in proportion to the time of service as pastor.

5. When a minister resigns his pastoral charge, and transfers his services to another Church, or gives himself to another vocation, he shall forfeit all claims to benefit from the Fund, beyond the repayment of one-half of the amount paid by him into the Fund. But in the case of a minister leaving the Ministry of our Church, and who has transferred his services to a sister Presbyterian Church, or is engaged in cognate work within the bounds of our Church, the annual rate in future will be \$10.

6. The rate shall be paid on or before the fifteenth of January in each year, subject to a charge of twenty cents for each month in arrears.

7. The regular procedure, with a view to the retirement of a minister, and placing his name on the list of beneficiaries, is as follows:

(a) When a minister from age or infirmity proposes to retire from the active duties of the Ministry, he shall make application in writing to the Presbytery, furnishing whatever information may be necessary, and, in case of infirmity, a satisfactory medical certificate.\* The Presbytery thereupon shall visit his congregation, and summon them to appear by commissioners at a subsequent meeting, that they may be heard for their interests, and that the Presbytery may confer with them anent a retiring allowance to their minister, to take effect on the acceptance of his resignation, and any other matters affected by his proposed retirement. The Presbytery shall then consider the whole matter, record its judgment, and send up the minister's appli-

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\* By the action of the Assembly the Medical Certificate must be from a doctor named by the Committee.

tion, together with its own judgment thereon, and all relative documents, to the General Assembly, through the Assembly's Standing Committee on the Aged and Infirm Ministers' Fund, which shall carefully consider them, and transmit them with its own opinion in reference to the case to the Assembly for final determination.

8. (a) When a minister is allowed by the General Assembly to retire after ten years' service, he shall receive, if the state of the fund permit, an annuity of seventy-five dollars (\$75), with ten dollars (\$10) for each additional year of service up to thirty and for each additional year of service over thirty and up to forty, twelve dollars and fifty cents (\$12.50).

(b) Annuities shall be paid either in quarterly or half-yearly instalments.

9. A minister who has not paid the annual rate into the Fund shall receive only one-third the amount to which he would have been otherwise entitled, except so far as the following act of the Assembly passed in 1895 may affect the same: That every minister, hereafter ordained, or inducted, be obliged to connect himself with the Aged and Infirm Ministers' Fund, and pay the fixed rate, or lose all benefit in the Fund (Minutes of General Assembly, 1895, page 46).

10. When a minister is allowed to retire after less than ten years' service in this Church, his case shall be made the subject of special consideration by the Assembly.

11. When a minister's health is impaired, but not so much as to render him wholly unable to discharge the duties of his profession, the Committee may grant him half the allowance to which he would be entitled in case of complete disability.

12. When a minister, admitted to the benefits of the Fund on account of infirmity, recovers his health sufficiently to engage actively in remunerative employments, the annuity shall be reduced or discontinued.

13. When a minister who has paid rates to the Fund attains the age of seventy years, he may claim the privilege of retiring from the active duties of the Ministry, and of being placed upon the Fund.

14. When a minister is mainly dependent upon his annuity from this Fund, the Committee shall have power, after careful inquiry, to grant such additional allowance as the conditions of the Fund will permit, such additional allowance in no case to exceed one hundred dollars.

15. When a minister is removed by orderly translation from one section of the Church to another, he shall, from the date of

his translation, pay the rate into the Fund of the section to which he is translated, and he shall have a claim to an interest in it on his retirement, by leave of the Assembly, to the full extent of the period of his services in both sections.

In regard to Rule 15 in the amending draft, it was moved and unanimously carried that the two Funds, East and West, be amalgamated, and placed under one Committee of Management. This, however, will require to be formally considered by both sections, so that meanwhile No. 15 will stand.

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### ANNUITIES TO BE PAID TO RETIRED OR INFIRM FOREIGN MISSIONARIES.

When an ordained or medical missionary, either through infirmity or old age, retires, with the sanction of the Committee, from Foreign Mission service, he receives from the Foreign Mission Fund, after ten years' service in the field, an allowance of one hundred dollars (\$100) a year, and ten dollars (\$10) a year for every additional year of service up to forty years, after which the allowance is four hundred dollars (\$400) a year. This allowance is made up from the Aged and Infirm Ministers' Fund and the Foreign Mission Fund; and the Foreign Mission Committee pays the rates required by the Aged and Infirm Ministers' Fund. Rates are paid for the Medical Missionaries appointed by the Foreign Mission Committee, so that they are entitled to receive annuities in the same way in which they would be entitled if ordained (Minutes 1891, p. 37).

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### DISTRIBUTION OF PROBATIONERS.

The General Assembly in 1900 adopted the following regulations for the distribution of Probationers (Minutes 1900, pp. 66, 67).

#### I.—COMMITTEES.

1. That a Committee on the supply of vacancies be appointed for the Western Section of the Church, including the Provinces of Quebec and Ontario, it not being possible to include the districts of the Maritime Provinces, Manitoba and British Columbia, on account of the extent of territory over which they spread, and other geographical considerations.
2. That this Committee shall consist of six members, appointed annually by the General Assembly, so chosen as to entail the least expense consistent with efficiency.

3. That it shall be the duty of this Committee to meet at least quarterly for preparing and publishing a quarterly scheme of distribution, and the discharge of other competent business.
4. That they shall call for and receive from Presbyteries in the Section reports of the names of all vacancies in their bounds prepared to call, and the names of Licentiates and Ministers without charges available for employment among these vacancies.
5. That in preparing the roll of Licentiates and Ministers without charge, applying for appointments, care shall be exercised to have it composed only of those whose qualifications fulfil the requirements of the Presbyterian Church.
6. That each Licentiate or Minister may have his name continued for appointments two years from the date of its insertion on the roll, when it shall be dropped, unless satisfactory reasons can be assigned for its being retained for a longer period.
7. That in making distribution the Committee shall observe such order as is most likely to secure a hearing for the probationers in all the vacancies, thus giving the opportunity of mutual acquaintance.

## II.—PROBATIONERS.

1. That the roll of Probationers shall consist of all Licentiates and Ministers without charge, certified by Presbyteries and accepted by the Committee.
2. That in the order of names a distinction shall be made between Licentiates and Ministers, the first place being assigned the latter.
3. Probationers will be expected to fulfil the appointments given them, unless relieved by the Presbytery to whose bounds they are sent, notice of such relief to be at once sent to the Committee, who may appoint others in their places.
4. It shall be competent for the Committee to withhold or withdraw appointments from probationers against whom formal complaints of inefficiency or unacceptableness have been made by several congregations in which they have officiated, and also from probationers who, without sufficient cause, have failed to fulfil their appointments, due intimation to be sent to them, and to the Presbytery certifying them.
5. The Committee shall send a copy of the list, as soon as completed, to each Probationer on the list, and to the Convener of supply in each Presbytery to which they appoint Probationers; and Probationers and Conveners of supply are required

to acknowledge receipt of such list by the first mail. Probationers are also required to apply to the Conveners of supply for the Presbyteries to which they have been assigned by the Committee, for necessary information regarding their appointments.

6. In accepting a call Probationers shall at once give notice to the Convener of the Committee, and to the Presbytery's Convener in charge of vacancies, within whose bounds he has been assigned.

7. Unless in exceptional cases, Probationers are to remain in the vacancy through the week, and undertake such pastoral work as may be required by the Session.

### III.—PRESBYTERIES.

1. Three weeks before the close of each quarter, Presbyteries shall, through the Convener of their Committee on the supply of vacancies, report to the Convener of the Assembly's Committee vacancies in their bounds prepared to call for at least one-half supply Sabbaths of the quarter.

2. That they report the names of all Licentiates open to appointments at the time of licensing them, and the names of ministers available for work, but these shall be only of such as have had stated charge of congregations in their bounds for a period of not less than four years, unless in some special cases.

3. That a name which has once appeared on the roll shall not be admitted a second time unless the person has withdrawn to engage in mission work under a Presbytery, or the Home Mission Committee, or from some special reason.

4. The attention of Presbyteries is called to the regulation in force, that "Students shall not be employed to fill the pulpits of congregations prepared to call, except in cases of special emergency; nor shall ministers in settled charges be employed to the exclusion of those on the Roll of the Committee, except by special permission of the Presbytery."

5. That in making application for supply each quarter, Presbyteries shall have opportunity of stating objections to the appointment of any probationer on the list, and shall send the same to the Committee for their consideration.

### IV.—REMUNERATION.

That the following scale of remuneration be required for the services of each probationer per week, with board:—

In vacancies in which the salary paid the former pastor was \$1,000, or less, \$10; in vacancies in which the salary paid the



former pastor was more than \$1,000, \$1 additional for each \$100, or fraction of \$100 above \$1,000.

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## FOREIGN MISSION REGULATIONS.

### *Provision for Missionaries ; Outfits, Travelling Expenses, Salary and Furlough.*

1. The provision which the Church makes for her missionaries is fixed upon the principle of giving only what is necessary for their comfort and health.
2. All provision made by these regulations for the children or orphans of missionaries, whether as annual allowance or for travelling expenses, shall apply to children under eighteen years of age, and to these only.
3. Ordained missionaries, under appointment, receive at the rate of \$750 per annum, and their necessary travelling expenses, while engaged in the services of the Committee, visiting the Churches prior to their departure, but all contributions obtained by them from the congregations visited are paid into the Foreign Mission Fund, unless the Committee has sanctioned collections for some special object.
4. The outfits given to missionaries vary according to the circumstances of the field to which they are appointed. (See special regulations.)
5. Medical missionaries may receive, in addition to the ordinary outfit, such a sum for the purchase of books, medicines and surgical instruments as the Division appointing them may consider necessary. The articles so purchased are the property of the mission and remain in its possession.
6. When an ordained missionary who has received a medical training is called to practice medicine in his field he may receive a similar grant upon similar conditions.
7. Missionaries receive all their necessary travelling expenses to their field of labor.
8. The salaries of missionaries vary in different countries according to the expense of living. They may be increased or diminished, but no reduction shall take effect until at least six months' notice has been sent to the missionaries affected thereby. The salary of a missionary begins when he reaches his field of labor and ceases when he leaves it. (For the salaries presently paid in the different fields, see special regulations.)

9. In addition to the salary a house is usually provided for a missionary, or house rent paid, and such allowance is made as may be necessary for a teacher of the language.

10. The furloughs allowed to missionaries, to rest and recruit, vary with the distance and circumstances of the field. (See special regulations.)

11. Missionaries returning on furlough with the sanction of the Division of the Committee appointing them, receive all their necessary travelling expenses, both in coming home and returning to the field.

12. An ordained missionary or a medical missionary coming home on furlough, with the sanction of the Division of the Committee appointing him, receives furlough allowance at the rate of \$750 a year. An additional allowance may be made for house rent at the discretion of the Committee.

13. Furlough allowance begins when missionaries arrive in Canada and ceases when they leave for their field of labor.

14. Missionaries coming home without the sanction of the Division of the Committee appointing them, forfeit all right to travelling expenses and furlough allowance unless reasons are given which are satisfactory to the Committee.

15. Missionaries on furlough, when fulfilling appointments by the Committee, receive their travelling expenses, but all the contributions obtained by them from congregations visited are paid into the Foreign Mission Fund, unless the Committee has sanctioned collections for some special object.

#### *Provision for Aged and Infirm Missionaries.*

1. When an ordained or medical missionary, either through *infirmity or old age*, retires with the sanction of the Committee from Foreign Mission service, he receives from the Foreign Mission Fund, after ten years' service in the field, an allowance of \$100 a year, and \$10 a year for every additional year of service up to forty years, after which the allowance is \$400 a year. This allowance is made up from the Aged and Infirm Ministers' and the Foreign Mission Funds, and the Foreign Mission Committee shall hereafter pay the rates required by the Aged and Infirm Ministers' Fund.

2. When a lady missionary, appointed by the Committee, whether a medical practitioner, nurse or teacher, either through *infirmity or old age*, retires, with the sanction of the Committee, from Foreign Mission service, she receives from the Foreign Mission Fund, after ten years' service in the field, an allowance of \$50 a year, and \$5 a year for every additional

year of service up to forty years, after which the allowance is \$200 a year. In the event of marriage, her allowance is discontinued.

3. Missionaries thus retiring receive all their necessary travelling expenses to the country where they wish to reside.

4. Missionaries retiring from Foreign Mission service, without the sanction of the Committee, forfeit all right to travelling expenses and retiring allowance.

5. Furloughs taken with the sanction of the Committee are reckoned as service in the Foreign Field.

6. If missionaries retiring through ill-health should so far recover as to be able to follow some remunerative occupation, the allowance may be reduced or withheld at the discretion of the Committee.

*Provision for the Widows and Orphans of Missionaries in China, India, and the New Hebrides.*

1. The Committee pays for Ordained Missionaries the annual rates required, and places them in connection with the Ministers' Widows and Orphans' Fund, and to retain that connection.

2. In the case of a widow who has spent at least twenty-five years in the foreign field, the Committee pays her such a sum as along with her allowance from the Ministers' Widows' and Orphans' Fund, makes her income from Church funds, apart from that of her children, \$200 a year.

3. The widows and children, or orphan children of Ordained Missionaries, have all the expenses involved in their removal from the mission field to the country where they are to reside, paid.

4. The orphan children of Ordained Missionaries receive annually, in addition to the amounts secured to them from the Ministers' Widows' and Orphans' Fund, the following sums: for one child, \$50, and for each additional child, \$25.

5. The Committee makes allowances to the widows and orphans of medical missionaries, securing to them the same income as is provided by the Ministers' Widows' and Orphans' Fund, and by these regulations, for the widows and orphans of ordained missionaries. It provides also in the same manner for the expense of the removal of the widow and the orphan children of a medical missionary from the mission field to the country where they are to reside.

## SPECIAL REGULATIONS.

1. *The New Hebrides.*

1. A missionary under appointment receives £30 sterling for outfit, and, if married, he receives an equal amount for his wife.

2. The salary of a missionary is £175 sterling a year, with £10 sterling a year additional for each child when at home, and £20 sterling for each when the children are away from their parents at school.

3. Missionaries may take a furlough of six months in Australia at the expiration of every five years.

4. During this furlough their salaries, together with allowance for children, shall be paid in full, as when in the field.

5. After two such furloughs they may, with the sanction of the Mission Synod and the Eastern Division of the Committee, take their third furlough for one year to Canada, under the conditions of the General Regulations with regard to travelling expenses and furlough allowance.

6. In the event of a missionary wishing to return to Canada for his second furlough, after one furlough in Australia, and obtaining the sanction of the Mission Synod and the Eastern Division of the Committee, he may do so on condition of paying one-half of his travelling expenses.

2. *Trinidad.*

1. The salary of an ordained missionary is £300 per annum.

2. The salary of a lady teacher is £85 sterling per annum.

3. All missionaries and teachers sent from Canada are entitled, after five years of service, to a furlough of six months.

4. Lady teachers receive furlough allowance at the rate of £42 10s. per annum.

5. Each missionary, while having a large share of discretion in working his own field, is subject, in the general management of the work, to the Mission Council.

6. Missionaries have power to appoint teachers in their respective fields, but agents to be engaged in evangelistic work require to be examined and sanctioned by the Mission Council.

3. *Formosa.*

1. A missionary under appointment receives \$150 for outfit, and if married, he receives \$100 for his wife.

2. The salary of an ordained or a medical missionary, if married, is \$1,400 a year, with \$40 a year additional for each child; if unmarried, he receives at the rate of \$1,000 a year.

3. After six years' service missionaries are allowed a furlough of twelve months to Canada.

#### 4. *Honan.*

1. A missionary under appointment receives \$150 for outfit. The wives of missionaries, \$100. Unmarried women sent out as missionaries receive for outfit \$150.

2. The salary of an ordained or medical missionary, if married, is \$1,200 a year; if unmarried, \$800 a year.

3. Unmarried women, sent from Canada, receive \$500 a year.

4. After six years' service missionaries may take a furlough of twelve months to Canada.

5. Unmarried women on furlough are allowed at the rate of \$300 a year.

#### 5. *Central India.*

1. A missionary under appointment receives \$150 for outfit. The wives of missionaries, \$100. Unmarried women sent out as missionaries receive for outfit \$150.

2. The salary of an ordained or medical missionary, if married, is \$1,200 a year, with \$100 a year additional for each child, and \$140 for medical or hill expenses; if unmarried, \$800 a year, with \$90 additional for medical or hill expenses.

3. Unmarried women sent from Canada receive \$730 a year.

4. After seven years' service missionaries may take a furlough of twelve months to Canada.

5. Unmarried women on furlough are allowed at the rate of \$300 a year.

#### 6. *Manitoba and the North-West.*

The salary is in each instance determined by the Western Division of the Committee when the appointment is made.

The foregoing regulations shall be binding in all cases except those in which the Division entrusted with the care of the mission may determine otherwise.

## REGULATIONS FOR ADMINISTERING THE CENTURY FUND.

### HOME MISSIONS (WEST) FOR BUILDING FUND, NORTH BAY AND ALGOMA.

- (1) That in the meantime the interest alone be used.
- (2) That it be given in free grants, according to the judgment of the Home Mission Committee (West), to aid mission stations in church and manse building.
- (3) That application be made through the Presbytery of the bounds, which shall make full report to the Committee concerning the title to the property and the circumstances and prospects of the field, for which application is made.

### CHURCH BUILDING FUND, N.B., P.E.I., AND NEWFOUNDLAND.

The recently incorporated Board of Trustees submitted regulations to the Synod of the Maritime Provinces in October last, and the following, which were then adopted by the Synod, are now adopted by the Assembly.

The Fund shall be employed in the following manner:—A portion of it, at the discretion of the Committee, may be used in loans at interest, on church buildings, to be repaid in instalments, extending over such a period of years as may be determined on; and the remainder be kept invested, and the annual income therefrom be employed in grants to aid congregations in erecting places of worship, or in liquidating debts on churches.

The Fund shall be administered by the Board, under the following regulations:—

- (1) "All applications for aid shall come through the Presbytery of the bounds; who shall forward to the Board such recommendations as they may deem proper, and such information as they may consider necessary, to enable the Board to judge in the case."
- (2) "Before receiving any aid, congregations shall afford to the Board satisfactory evidence that the Church is held, by a secure title, in connection with this body, and also that it is duly insured."
- (3) "The amount guaranteed, either as a donation or a loan, shall be given on the condition of such efforts on the part of the congregation as may be agreed upon."
- (4) "The amount loaned shall be secured to the Board by a bond and mortgage on the church, or the bond of the trustees, or otherwise to the satisfaction of the Board."

(5) "Congregations which have received loans from the Fund, shall in all cases keep their churches insured, at least to the amount borrowed from the Fund, over and above all indebtedness, and loss if any shall be payable to the Board. All policies of insurance and renewals shall be deposited with the Board."

(6) "In case a congregation which once received aid from the Fund, and which has not had its property insured, shall lose its church by fire, it shall not receive aid from this Fund."

#### FOREIGN MISSIONS (WEST) BUILDING FUND.

1. That the Fund shall be used for the erection of Church or other Mission buildings in Foreign Mission fields.
2. That out of the capital of this Fund and its interests accruing, there be expended in the first year the sum of ten thousand dollars per annum, should such expenditure be required.
3. That applications for aid shall come through the Mission Council or Presbytery having oversight of the field, which shall obtain and forward to the Committee such information as will enable it to reach a judgment in the case.
4. That the Committee shall have the right to make appropriations apart from any applications from the field, should the circumstances in their judgment warrant.

#### FOREIGN MISSIONS (EAST) BUILDING FUND.

The following regulations were adopted by the Synod of the Maritime Provinces last October, and are now adopted by the Assembly :—

1. That the Fund be known by the designation "The Century Foreign Mission Building Fund, Eastern Section."
2. That the amount of the Fund be invested, and that only the interest accruing therefrom be employed.
3. That the Fund shall be used for the erection of Church buildings in Mission fields or the liquidation of debt upon them.
4. That the Fund be employed in free grants for the above objects.
5. That all applications for aid shall come through the Mission Council, Presbytery, or whatever body is entrusted with the general oversight of the financial affairs of the Mission field by which the application is made, with such recommendations as they may deem proper, and such information as they may consider necessary to enable the Committee to judge in the case.

6. That the Committee shall have the right to make appropriations apart from any applications from the field, should the circumstances in their judgment warrant.

#### AUGMENTATION (WEST) BUILDING FUND.

1. That in the meantime the Fund be for the purposes of erecting Manses in augmented charges in Ontario and Quebec.

2. That meanwhile interest alone be used, and in free grants, according to the judgment of the Assembly's Augmentation Committee.

3. That application for a grant must come through the Presbytery of the bounds, which—if it recommended the making of the grant—shall report as to the title to the property, the total cost and the proportion that the congregation may be expected to subscribe.

4. That the Assembly's Augmentation Committee be instructed to apply the interest for this year as wisely as possible, and to report to the next Assembly any additional regulations, or changes in regulations, that its experience may suggest.

#### FRENCH EVANGELIZATION (BUILDING FUND).

1. That until otherwise ordered by the General Assembly, the capital be invested and the interest alone be expended.

2. That the Board be authorized to make loans or grants in aid of buildings for Mission purposes on the recommendation of Presbyteries, according to the circumstances of each application, to an annual amount not exceeding the accrued interest.

3. That the Board be instructed, before making a loan or grant, to satisfy itself as to the title to the property. (Minutes, 1902, pp. 52, 304, 305.)



## MODEL TRUST DEEDS.

## FORM OF DEED FOR NOVA SCOTIA.

This indenture made            day of            in the            year  
of our Lord, one thousand nine hundred and            between  
(name of grantor) of            in the County of            (occupation)  
and            wife of the said            of the first part, and  
of            in the County of            Trustees, as hereinafter  
mentioned, of the second part. Whereas by the laws of this  
Province any religious society or congregation of Christians in  
Nova Scotia, having occasion to take a conveyance of land for  
any purpose in connection with such society or congregation, are  
entitled and empowered so to do ; and whereas the Presbyterian  
Congregation of            in connection with the Presbyterian  
Church in Canada have occasion to take a conveyance of the  
lands and premises hereinafter described ; and whereas, in pur-  
suance of Section Seventeen of Chapter Fifty of the Revised  
Statutes of Nova Scotia (third series), the said parties of the  
second part have been appointed by the said Presbyterian Con-  
gregation of            Trustees for the purpose hereinafter men-  
tioned. Now, this Indenture witnesseth, that the said party  
of the first part, in consideration of the sum of            of lawful  
money of Canada, to him well and truly paid by the said parties  
of the second part, the receipt whereof is hereby acknowledged,  
hath given, granted, bargained, sold and conveyed, and by  
these presents doth give, grant, bargain, sell and convey unto  
the said parties of the second part, and their successors in  
office, all and singular, that certain parcel or tract of land and  
premises, situate, lying and being            (herein insert description  
of property)            to have and to hold the said parcel or tract  
of land, with the appurtenances and privileges thereto belong-  
ing, to them the said parties of the second part, and their suc-  
cessors in the trust, as hereinafter appointed forever. Upon  
trust, nevertheless, that is to say: upon trust for the site of a  
Presbyterian Church (*Manse and Burying Ground if neces-  
sary*), and to permit the Presbyterian Congregation aforesaid,  
or any person or persons in its behalf, who may be about to  
erect such            for the said congregation, free access to  
the said land, for the purpose of erecting the same, and after  
the same is erected, for the proper and needful reparation of  
the same from time to time, and upon further trust, at all times  
hereafter to permit the minister of the said congregation, or  
any duly accredited minister, with the sanction of the Kirk  
Session of the said congregation, to preach and perform reli-

gious services in the Church erected, or to be erected, upon the same. And it is hereby declared, that in the event of the death, removal, resignation, withdrawal, or dismissal from membership with the said Presbyterian Congregation at aforesaid, of any of the said parties of the second part, or their successors, Trustees in this trust, then in any of such cases the said congregation at a meeting duly called in pursuance of Section Seventeen of the Chapter hereinbefore mentioned, shall and may appoint a person or persons in the room and place of such of the said parties of the second part, and their successors, as may die, remove, resign, withdraw, or be dismissed as aforesaid, such Trustees so named and appointed by the said congregation being members in full communion with the said Church, and resident within the bounds of the said congregation, and such persons so appointed, and their successors, shall have the same powers, rights and duties, and be subject to the same trusts as the said parties of the second part, and such appointments shall be regularly recorded in the Minute Book of the said congregation, and such record duly signed by the Chairman and Secretary of the meeting at which such appointments are made, shall be taken and admitted as evidence of such persons being authorized Trustees in Law and Equity, and such duly appointed Trustees, together with the Minister of the said congregation, shall form a Board for the transaction of the affairs of the said (Church, Manse or Burying Ground, as the case may be), at the meetings of which Board three members shall form a quorum, and be competent to transact the business of the said trust, subject to revision by any meeting of the said congregation, duly called as aforesaid, whose instructions the said parties of the second part, and their successors in this trust, shall be bound to carry into effect.

*(Insert the usual covenants if deemed necessary).*

In witness whereof the said parties have hereunto set their hands and seals the day and year first above written.

Signed, sealed and delivered }  
in the presence of }

FORM OF DEED OF CONVEYANCE OF LAND TO TRUSTEES OF  
CONGREGATION FOR THE USE AND BENEFIT OF CON-  
GREGATIONS IN NEW BRUNSWICK.

Congregation, incorporated under provisions of Act of General Assembly of New Brunswick, 22 Victoria, Cap. 6; see also Act 38 Victoria, Cap. 99, making valid and effectual the provisions of first named Act.

This Indenture, made the \_\_\_\_\_ day of \_\_\_\_\_ in the year of our Lord one thousand nine hundred and \_\_\_\_\_ between \_\_\_\_\_ (name of party or parties conveying) \_\_\_\_\_ of \_\_\_\_\_ County of \_\_\_\_\_ and Province of New Brunswick, in the Dominion of Canada (description of party conveying) (if party has wife add and \_\_\_\_\_ wife of the said \_\_\_\_\_ who becomes a party hereto in token of her relinquishment of dower and right of dower in the lands and premises hereby conveyed, and of all her interest and title to the same in law or equity) \_\_\_\_\_ of the first part; and \_\_\_\_\_ (Names of Trustees of Church) being at the present time the Trustees chosen and appointed of \_\_\_\_\_ (here fill in name of Church of which they are Trustees) being a body politic and corporate by the name of \_\_\_\_\_ (here fill in particularly the corporate name of Church) and as such corporate body, of the second part. Whereas the congregation of the Presbyterian Church (here fill in the place, naming town or city, county, and Province of New Brunswick) are a congregation in connection with "The Presbyterian Church in Canada," and the above-named persons of the second part are Trustees of said Congregation, duly chosen and appointed under the provisions of the Act of the General Assembly of the said Province of New Brunswick, entitled "An Act for incorporating the Synod of the Church known as the Presbyterian Church of New Brunswick and the several congregations in connection therewith," passed in the twenty-second year of Her late Majesty Victoria, and which said Act and the several clauses and provisions of same are made applicable to the several congregations of said Churches in New Brunswick in connection or communion with the said "Presbyterian Church in Canada," by virtue of the Act of the General Assembly of the Province of New Brunswick aforesaid, passed in the thirty-eighth year of Her Majesty Victoria, entitled "An Act respecting the union of certain Presbyterian Churches therein named," and whereas the said Trustees and their successors, to be chosen and appointed as by first mentioned Act is directed and mentioned, are by said first Act constituted a body politic and corporate in deed and name, and shall have succession forever by such name as shall be specially given and named by such respective congregation as the corporate name of such Congregation, the name of the said Congregation of which the said parties of the second part are Trustees as aforesaid, being specially named as (here fill in particularly the corporate name of Church); and the Trustees of such have power and capacity to purchase, receive, take, hold and enjoy for the sole use and benefit of the respective congregation worshipping in the Church in the place aforesaid, and by whom the choice and appointment

of such Trustees may have been made ; and whereas the said congregation of the said (*here fill in corporate name*) are desirous of purchasing and taking a conveyance of the lands and premises hereinafter mentioned and described, for the use and benefit of the congregation of said respective Church aforesaid, in accordance with the provisions of the said first recited Act. Now this Indenture witnesseth, that the said party (*or parties*) of the first part, for and in consideration of the sum of lawful money of Canada, to him (*or them*) well and truly paid by the said the parties of the second part in their corporate capacity as Trustees aforesaid, the receipt whereof is hereby acknowledged, hath (*or have*) given, granted, bargained, sold and conveyed, and by these presents doth (*or do*) give, grant, bargain, sell and convey unto the said the Trustees of (*here fill in the name of Church*) and their successors, the following lands and premises situate, lying and being in the (*fill in place, County and Province*) and described as follows : (*here fill in description of lands*). To have and to hold the same, with all rights, privileges and appurtenances thereto belonging, unto the said the Trustees of (*here fill in corporate name of Church*) and their successors in office for ever, chosen and appointed as by said before recited Act of Assembly is directed and mentioned : for the use of the said respective Congregation aforesaid, according to and under the provisions of the said Act of the General Assembly, so passed in the twenty-second year of the reign of Her late Majesty.

*(If thought necessary, the usual covenants of warranty may be inserted as follows) :—*

And the said party of the first part doth for himself, his heirs, executors and administrators, covenant to and with the said, the Trustees of (*corporate name*) and their successors in office, that he is seized of the said land and premises hereby conveyed, or intended so to be, as a good estate of inheritance, free from all incumbrance, and that he has good right and title to sell the same in manner aforesaid, and that he, his heirs, executors and administrators, will for ever warrant and defend the same unto the said the Trustees of (*corporate name*) and their successors for ever.

*(If grantors being more than one person, covenants as follows) :—*

And the said A. B., C. D., etc., do for themselves, their respective heirs, executors and administrators, covenant to and with the said the Trustees of (*corporate name*) and their successors in office, that they and each of them are jointly seized and possessed of the said lands and premises in said indenture

or deed, named and conveyed or intended so to be, as a good estate of inheritance, in fee simple, free from all incumbrance, and that they and each of them, their and each of their heirs, executors and administrators will for ever warrant and defend the same, unto the said the Trustees of (corporat. name) and their successors for ever.

In witness whereof the said party (or parties) of the first part hath (or have) hereto set his (or their) hand and seal the day and year first above written.

Signed, sealed and delivered, }  
in presence of

L. S.

It is not necessary that the party of second part should execute the deed, but if desirable to do so, it should be executed by the Chairman of Trustees signing his name as Chairman of Trustees, and affixing the seal of the Corporation.

E. G. A. B., Chairman of Trustees of [Corporate Seal.]  
[Corporate Name.] by order of Trustees.

FOR THE PROVINCE OF QUEBEC.

On this                    day of                    one thousand nine hundred and                    , before the undersigned Notary Public for the Province of Quebec, residing at the                    , came and appeared of the first part; and                    as "The Trustees of the Presbyterian Church at                    ," of the second part, which said parties declared unto me, said Notary, as follows: Whereas there exists at                    in the County of                    in said Province of Quebec, a congregation of Presbyterians, in connection with the Presbyterian Church in Canada; and whereas the said congregation desires to take a conveyance of the land hereinafter mentioned, and for that purpose (as appears by the minute of appointment hereto annexed, and signed by the parties and the undersigned Notary for identification) have—pursuant to the Act of this province, intituled "An Act respecting the Union of certain Presbyterian Churches therein named," being chapter 62 of the 38th year of Her Majesty Victoria—appointed the parties of the second part Trustees, to take such conveyance under the provisions of said Act, and to hold and possess the same to themselves and their successors, by the name of "The Trustees of the                    Presbyterian Church at                    " under the provisions of said Act. Now, these present and I, the said Notary, witness that the said party of the first part acknowledged and confessed to have sold and conveyed; and by these present, doth sell and convey, with promise of warranty against all evictions and encumbrances, unto the said parties of the second part present and accepting thereof for themselves and their successors, in their capacity aforesaid, forever, the follow-

ing property, to wit :                   The parties of the second part declared to have a perfect knowledge of the said property, having seen and viewed the same previous hereto, and being satisfied therewith. The property sold was acquired by the party of the first part, as follows :                   The said property is held under the tenure of                   . The party of the first part declared and covenanted that the said property is free and clear of all encumbrances whatsoever. To have, hold, use, and enjoy the said, sold premises unto the parties of the second part and their successors, in their capacity aforesaid, as their own proper freehold forever, by virtue of these presents, and to enter upon and take possession of the property forthwith. The present sale and conveyance is thus made for and in consideration of the price or sum of                   . And it is hereby declared that the said parties of the second part and their successors shall hold the said land for the sole use and benefit of the said congregation, as well for the site of a Church, Chapel, Meeting House, School, Manse, Glebe, or Burial Ground (as the congregation may direct), as for the support and maintenance of Public Worship and the propagation of Christian knowledge, according to the doctrines, discipline and modes of worship of the said Presbyterian Church in Canada. And upon further trust, that the said parties of the second part and their successors shall and will well and truly obey, perform and fulfil, and permit and suffer to be obeyed, performed and fulfilled, with respect to the said lands, and to any Church, or other building or buildings now erected, or to be erected upon said lands, or to any burial ground (if the said lands, or any part thereof, shall be used as a burial ground), the lawful orders and directions of, respectively, the said congregation, the Deacons' Court, if any, the Kirk Session of the said congregation, the Presbytery and the Synod, within whose bounds and under whose inspection and ecclesiastical jurisdiction the said congregation shall from time to time be, and the General Assembly, or other Supreme Court of the said Presbyterian Church in Canada, whether under its present name, or any other name it may from time to time hereafter assume ; provided that, and so far only as such orders and directions are, and shall be, within the scope of the authority of such persons and bodies respectively, according to the laws, customs and usages of the said Church. And with respect to the election and appointment of successors to the said parties of the second part, such successors shall be appointed in the manner specified in the fifth section of the said Act, 62nd of the 38th year of Her Majesty Victoria. And with respect to the powers of said Trustees, it is hereby declared that they shall be the powers conferred on such Trustees by the aforesaid Act.

And for security of the said balance of consideration, price and interest, the parties of the second part did specially hypothecate the property hereby sold in favor of the party of the first part.

NOTE.—*This clause to be omitted when no balance remains to be paid.*

NOTE.—*Any special clause which the parties may agree upon may be inserted here. If there be a balance due to the vendor he may probably require the usual insurance covenant clause.*

And at the passing of these presents, appeared and intervened, Dame \_\_\_\_\_, wife of the party of the first part, and by him duly authorized, who ratified and confirmed the present sale, and voluntarily renounced to all right of dower, whether customary or conventional, and all other matrimonial rights which she or her children, born or to be born, may or might have upon said property hereby sold.

NOTE.—*This clause may be omitted when there is clearly no dower, but it is advisable to insert it to save trouble and enquiry afterwards, to show that there was no dower.*

Done and passed at \_\_\_\_\_ in the office of \_\_\_\_\_ the said Notary, under the number \_\_\_\_\_ thousand \_\_\_\_\_ hundred and \_\_\_\_\_ and signed by the said parties, with, and in the presence of the said Notary, subscribing after these presents had been to them duly read.

#### FORM OF DEED FOR ONTARIO.

This Indenture, made the \_\_\_\_\_ day of \_\_\_\_\_ one thousand nine hundred and \_\_\_\_\_, in pursuance of the Act respecting short forms of Conveyances, between (*Grantor*) of the first part, (*Trustees*) of the second part, and \_\_\_\_\_ wife of the said party of the first part, of the third part. Whereas the (*Congregation*) are a congregation of the religious body known as the Presbyterian Church in Canada; and whereas the said congregation desire to take a conveyance of the lands hereinafter mentioned, under the provisions of the Act respecting the property of Religious Institutions in the Province of Ontario, and subject to the provisions of the Act passed in the thirty-eighth year of Her Majesty's reign, intituled "An Act respecting the union of certain Presbyterian Churches therein named;" and whereas the said congregation have appointed \_\_\_\_\_ Trustees, to whom and their successors, to be appointed in the manner hereinafter specified, the said lands may be conveyed, and who may take, hold and possess the same by the said name of \_\_\_\_\_ under the provisions of the said Acts. Now this Indenture witnesseth, that in consideration of \_\_\_\_\_ now paid by the said parties of the

second part to the said party of the first part, the receipt whereof he doth hereby acknowledge, he, the said party of the first part, doth grant unto the said party of the second part, their successors and assigns forever, all and singular To have and to hold the said lands of the said parties of the second part, their successors and assigns, upon the trusts hereinafter expressed and declared. And the said party of the first part covenants with the said parties of the second part, that he has the right to convey the said lands to the said parties of the second part, notwithstanding any act of the said party of the first part; and that the said parties of the second part shall have quiet possession of the said lands, free from all incumbrances; and that the said party of the first part will produce the title deeds enumerated hereunder, and allow copies to be made of them at the expense of the said parties of the second part; and that he, the said party of the first part, has done no act to encumber the said lands; and that he will execute such further assurances of the said lands as may be requisite. And the said party of the third part hereby bars her dower in the said lands. And it is hereby declared that the said parties of the second part, and their successors, shall hold the said lands for the sole use and benefit of the said congregation, for the site of a church or meeting house, burial ground and residence for the minister (as the said congregation may from time to time direct), and for the support and maintenance of public worship, and the propagation of Christian knowledge, according to the doctrines, discipline, and modes of worship of the said Presbyterian Church in Canada, and subject to the provisions of the said Acts. And upon further trust that the said parties of the second part, and their successors, shall and will well and truly obey, perform, and fulfil, and permit and suffer to be obeyed, performed and fulfilled, with respect to the lands; and to any Church or other building or buildings now erected, or to be erected upon the said lands; or to any burial ground, if the said lands or any part thereof shall be used as a burial ground, the lawful orders and directions respectively of the said congregation, the Deacon's Court, if any, the Kirk Session of the said congregation, the Presbytery and Synod respectively, within whose bounds and under whose inspection and ecclesiastical jurisdiction the said congregation shall from time to time be, and the General Assembly or other Supreme Court of the Presbyterian Church in Canada. And with respect to the election and appointment of new Trustees, it is declared that a general meeting of the said congregation shall be held on the in the year one thousand nine hundred and and on the in every fifth year thereafter, called by a written notice, read to the congregation at the close of public worship,



on each of the two next preceding Sabbaths, by the officiating minister, or other person appointed to read the same; but if, from any cause, the meeting shall not be held on that day, then it shall be called in like manner for some other day, at the request of the Trustees, or of seven members of the congregation in full communion; and any such meeting may be adjourned as occasion shall require; and at such regular or adjourned meeting the said congregation shall elect and appoint Trustees by the votes of the majority of the members of the congregation in full communion then present; such Trustees to be members of the Presbyterian Church in Canada in full communion. And it is hereby further declared that the said Trustees shall respectively hold office until the appointment of their successors, except in the case of death, resignation, or ceasing to be a member of the Presbyterian Church in Canada in full communion; and that in case any Trustee shall, during his term of office, die, resign, or cease to be a member of the Presbyterian Church in Canada in full communion, the remaining Trustees shall have all the powers of the full board; and shall, for all purposes of these presents, be the Trustees of the said congregation; unless the congregation shall think fit to appoint a new Trustee, or new Trustees, in the place of any Trustee or Trustees so dying, resigning, or ceasing to be a member of the Presbyterian Church in Canada in full communion; but the said congregation may, at any special meeting called by written notice, read to the congregation by the officiating Minister, or other person appointed to read the same, at the close of Public Worship on each of the two next preceding Sabbaths, which notice shall be given at the request of the remaining Trustees, or of any seven members of the congregation in full communion, appoint by the votes of a majority of the members of the congregation in full communion then present, a new Trustee or new Trustees, to fill for the residue of such term of office, any vacancy or vacancies caused as aforesaid. And it is hereby further declared that a minute of every such election or appointment, whether made at a regular meeting, or at any adjourned or special meeting, shall be entered in a book to be kept for the purpose, and shall be signed by the person who presides at the meeting; and such minute, so signed, shall, for all purposes connected with these presents, be sufficient evidence of the fact that the persons therein named were elected and appointed at such meeting; but the omission or neglect to make or sign such minute shall not invalidate the election or appointment. And it is hereby further declared that in case at any time the said Trusteeship shall for any reason become wholly vacant, so that there shall be no remaining Trustee, the Moderator and Clerk

of the Presbytery, within whose bounds and under whose jurisdiction the said congregation shall be, shall thereupon forthwith become and be Trustees under these presents until others are duly appointed, and at any time thereafter the Presbytery may cause notice to be given from the pulpit at each diet of worship on two consecutive Sabbaths, requiring the said congregation to proceed to the appointment of new Trustees; and if the said congregation shall not in the meantime have appointed new Trustees in the manner hereinbefore provided, it shall be lawful for the said Presbytery, after four weeks from the last giving of such notice, to appoint new Trustees to act for the residue of the then current term of office, every such appointment to be made by resolution duly entered in the minutes of the Presbytery, and communicated to the congregation by notice from the pulpit; and the Trustees so appointed shall from the time of communication of their appointment to the congregation, be the Trustees for the residue of such term of office for the purpose of these presents. Provided also, and is hereby declared, that if at any time there shall cease to be an organized congregation entitled to the use, benefit and enjoyment of the said lands, then, and as often as that shall occur, it shall be lawful for the Presbytery within the bounds of which the said land is situated, to fill any vacancy in the said Board of Trustees, and the said lands shall thenceforth be held subject to such trusts, and for such purposes for the benefit of the Presbyterian Church in Canada, as the General Assembly or other Supreme Court of the Church may declare, limit or appoint.

In witness whereof, the said parties of the first and third parts have hereto set their hands and seals, and the said parties of the second part have hereto set their common seal.

Signed, sealed and delivered }  
in the presence of }

PROVINCE OF MANITOBA.

By Manitoba Statute, 46 and 47 Vict., ch. 36, a form of deed for Church property is given, but the system of land transfer, known as the Torrens system is now partially in force, and will probably be made compulsory at an early date. Congregations desiring to take advantage of the Acts respecting the holding of lands by Trustees (Con. Stat. Man., ch. 50; 46 and 47 Vict., ch. 36), should hold their annual meeting on the *third Tuesday in January*, in each year.

## NORTH-WEST TERRITORIES.

The system of land transfer known as the Torrens system is in force under Rev. Stat. Can., ch. 51, and Dominion Stat. 50 and 51 Vict., ch. 30. The holding of lands in trust for religious societies and congregations is provided for by Ordinance No. 5 of 1886.

## MODEL DEED.

This indenture made (in duplicate) the \_\_\_\_\_ day of \_\_\_\_\_ in the year of our Lord one thousand nine hundred and \_\_\_\_\_ In pursuance of the Act respecting Short Forms of Indentures :

Between \_\_\_\_\_ of the first part, and as Trustees for the congregation of \_\_\_\_\_ Church, in the County of \_\_\_\_\_ in the Province of Manitoba, being a congregation of the Presbyterian Church in Canada, of the second part.

Witnesseth that in consideration of \_\_\_\_\_ lawful money of Canada, now paid by the said parties of the second part, to the said part \_\_\_\_\_ of the first part (the receipt whereof is hereby acknowledged) the said part \_\_\_\_\_ of the first part do grant unto the said parties of the second part, their successors and assigns forever :

All and singular, th \_\_\_\_\_ certain parcel \_\_\_\_\_ or tract of land \_\_\_\_\_ and premises situate, lying and being

To have and to hold unto and to the use of the said parties of the second part, and their successors, as Trustees for the congregation of \_\_\_\_\_

\_\_\_\_\_ Church, in the said County and Province forever.

The said part \_\_\_\_\_ of the first part covenant with the said part \_\_\_\_\_ of the second part that \_\_\_\_\_ ha \_\_\_\_\_ the right to convey the said lands to the said part \_\_\_\_\_ of the second part, notwithstanding any act of the said part \_\_\_\_\_ of the first part.

And the said parties of the second part shall have quiet possession of the said lands free from all encumbrances.

And the said part \_\_\_\_\_ of the first part covenant with the said parties of the second part that \_\_\_\_\_ will execute such further assurances of said lands as may be requisite.

And the said part of the first part covenant with the said parties of the second part that ha done no act to encumber the said lands.

And the said part of the first part release to the said parties of the second part all claims upon the said lands.

(DOWER)

In witness whereof, the said parties hereto have hereunto set their hands and seals.

Signed, sealed and delivered }  
in the presence of }

Received on the day of the date of this indenture from the said part of the second part the sum of dollars, the consideration therein mentioned.

Witness :

*Endorsement.*

Manitoba :  
County of

I,  
of the of  
in the County of

TO WIT :

make oath and say :

1. That I was personally present, and did see the within instrument and duplicate thereof duly signed, sealed and executed by the part thereto.
2. That the said instrument and duplicate were executed at the
3. That I know the said part
4. That I am a subscribing witness to the said instrument and duplicate.

Sworn before me at  
in the County of  
this day of  
in the year of our Lord, 19

A Commissioner for taking Affidavits in B. R., &c.

FORM OF DEED FOR THE PROVINCE OF BRITISH COLUMBIA.

*This Indenture,*

Made the day of in the year of our Lord,  
one thousand nine hundred and in pursuance of the  
"Religious Institutions Act," and in pursuance of the "Real

Property Conveyance Act," between  
British Columbia of the First part, and

in the Province of  
of the Second Part.

*Whereas*, the congregation of \_\_\_\_\_ are a congregation in connection with the Presbyterian Church in Canada, *and whereas*, the said congregation are desirous of taking a conveyance of the lands hereinafter mentioned and described for the site of a church, meeting-house, hospital, school or manse, *and whereas*, the said congregation have appointed the said parties of the second part Trustees to whom and their successors in perpetual succession to be appointed in the manner hereinafter specified the said lands may be conveyed, and who may take, hold and possess the same by the name of the Trustees of \_\_\_\_\_ under the provisions of the said acts

*Now, this Indenture witnesseth*, that, in consideration of the premises and of the sum of \_\_\_\_\_ Dollars lawful money of Canada, now paid by the said parties of the second part to the said party of the first part \_\_\_\_\_ (the receipt whereof is hereby acknowledged), \_\_\_\_\_, The said part \_\_\_\_\_ of the first part *do grant* unto the said parties of the second part, their successors and assigns *forever*, all and singular, that certain parcel or tract of land and premises, situate, lying and being in the Province of British Columbia, in the \_\_\_\_\_ of \_\_\_\_\_ and more particularly described as follows :—

*To have and to hold* the said lands to the said parties of the second part ; their successors and assigns, to the use of the said parties of the second part, their successors and assigns, upon the trusts hereinafter expressed and declared.

*And* the said part \_\_\_\_\_ of the first part covenant with the said parties of the second part *that* \_\_\_\_\_ had the right to convey the said lands to the said parties of the second part, notwithstanding any act of the said part \_\_\_\_\_ of the first part, and the said parties of the second part shall have quiet possession of the said lands free from all encumbrances.

*And* the said part \_\_\_\_\_ of the first part covenant with the said parties of the second part *that* \_\_\_\_\_ will execute such further assurances of the said lands as may be requisite.

*And* the said part \_\_\_\_\_ of the first part covenant with the said parties of the second part *that* \_\_\_\_\_ ha done no act to encumber the said land.

*And* the said part \_\_\_\_\_ of the first part release to the said parties of the second part all \_\_\_\_\_ claims upon the said lands.

*And* it is hereby declared that the said parties of the second part and their successors shall hold the said lands for the sole use and benefit of the said congregation for the site of a church,

meeting-house, hospital, school or manse (as the said congregation may from time to time direct) and for the support and maintenance of Public Worship and the propagation of Christian knowledge according to the doctrines, discipline and modes of worship of the said Presbyterian Church in Canada and subject to the provisions of the said "Religious Institutions Act."

*And* upon further trust that the said parties of the second part, and their successors, shall and will well and truly obey, perform, and fulfil and permit and suffer to be obeyed, performed and fulfilled with respect to the said lands and to any church or other building or buildings now erected or hereafter to be erected upon the said lands the lawful orders and directions respectively of the said congregation, the Kirk Session of the said congregation, the Presbytery and Synod respectively within whose bounds and under whose inspection and ecclesiastical jurisdiction the said congregation shall from time to time be and the General Assembly or other Supreme Court of the Presbyterian Church in Canada.

*And* it is hereby further declared that in the event of death, removal, resignation or withdrawal or dismissal from membership with the said congregation of any of the said parties of the second part or their successors, Trustees in this trust, then, in any of such cases the said congregation may, at the regular annual meeting thereof or at any special meeting called by written notice read to the congregation by the officiating minister or other person appointed to read the same at the close of public worship on each of the two next preceding Sabbaths which notice shall be given at the request of the remaining Trustees or of any seven members of the congregation in full communion, appoint by the votes of a majority of the members of the congregation in full communion then present, a new Trustee or new Trustees to fill any vacancy or vacancies caused as aforesaid, such Trustees so named and appointed being members in full communion of the said congregation and resident within the province.

*And* such person or persons so appointed and their successors shall have the same powers, rights and duties and be subject to the same trusts as the said parties of the second part.

*And* it is hereby further declared that a minute of every such election or appointment as aforesaid, whether made at a regular annual meeting of the congregation or at any special meeting, shall be entered in the minute book of the said congregation and shall be signed by the chairman and secretary of the meeting at which such appointments are made and such minute shall for all purposes connected with these presents be sufficient evidence both at law and in equity of the fact that the persons

therein named were elected and appointed at such meeting; but the omission or neglect to make or sign such minute shall not invalidate the election or appointment.

*And* it is hereby further declared that in case any Trustee shall die, resign or cease to be a member in full communion, the remaining Trustee or Trustees shall have all the powers of the full board, and shall for all purposes of these presents be Trustees of the said congregation until the congregation shall appoint a new Trustee or new Trustees in the place of any Trustee or Trustees so dying or resigning or ceasing to be a member of the congregation in full communion.

*And* it is hereby further declared that in case at any time the said Trusteeship shall become wholly vacant, so that there shall be no remaining Trustee, the Moderator and Clerk of the Presbytery within whose bounds and under whose jurisdiction the said congregation shall be, shall thereupon forthwith become and be Trustees under these presents until others are duly appointed, and at any time thereafter the Presbytery may cause notice to be given from the pulpit at each diet of worship on two consecutive Sabbaths, requiring the said congregation to proceed to the appointment of new Trustees, and if the said congregation shall not in the meantime have appointed new Trustees in the manner hereinbefore provided, it shall be lawful for the said Presbytery, after four weeks from the last giving of such notice, to appoint new Trustees who shall be members in full communion of the said congregation, every such appointment to be made by resolution duly entered in the minutes of the Presbytery, and communicated to the congregation by notice from the pulpit, and the Trustees so appointed shall, from the time of communication of their appointment to the congregation, be the Trustees for the purpose of these presents.

*Provided also*, and it is hereby declared, that if at any time there shall cease to be an organized congregation entitled to the benefit, use and enjoyment of the said lands, then, and as often as that shall occur, it shall be lawful for the Presbytery, within the bounds of which the said land is situated, to fill any vacancy in the said Board of Trustees, and the said land and building or buildings erected thereon shall be thenceforth held subject to such trusts, and for such purposes for the benefit of the Presbyterian Church in Canada, as the General Assembly or other Supreme Court of the Presbyterian Church in Canada may declare, limit or appoint.

*In* witness whereof the said parties hereto have hereunto set their hands and seals.

Signed, sealed and delivered }  
in the presence of }

## LAND REGISTRY ACT.

## FOR MAKER OF A DEED.

I hereby certify that \_\_\_\_\_ personally known to me, appeared before me and acknowledged to me that the person mentioned in the annexed Instrument as the maker thereof, and whose name \_\_\_\_\_ subscribed thereto as part \_\_\_\_\_, that \_\_\_\_\_ know the contents thereof, and that \_\_\_\_\_ executed the same voluntarily, and that \_\_\_\_\_ of the full age of twenty-one years.

In testimony whereof I have hereto set my hand and Seal of Office at \_\_\_\_\_, this \_\_\_\_\_ day of \_\_\_\_\_ in the year of our Lord one thousand nine hundred and \_\_\_\_\_

NOTARY PUBLIC, OR JUSTICE OF THE PEACE.

## FORM OF MORTGAGE.

This indenture made \_\_\_\_\_ day of \_\_\_\_\_ one thousand nine hundred and \_\_\_\_\_

In pursuance of the Act respecting short forms of Mortgages:

Between

\_\_\_\_\_ hereinafter called the "Mortgagors" of the first part, and "The Board of Management of the Church and Manse Building Fund of the Presbyterian Church in Canada for Manitoba and the Northwest," \_\_\_\_\_ hereinafter called the "Mortgagees" of the second part.

Witnesseth, that in consideration of \_\_\_\_\_ dollars of lawful money of Canada, now paid by said Mortgagees to the said Mortgagor \_\_\_\_\_ (the receipt whereof is hereby acknowledged), the said Mortgagor do grant and mortgage unto the said Mortgagees, their successors and assigns forever.

All and singular th \_\_\_\_\_ certain parcel \_\_\_\_\_ or tract \_\_\_\_\_ of land and premises, situate lying and being \_\_\_\_\_

Provided this Mortgage to be void on payment of \_\_\_\_\_ dollars of lawful money of Canada, with interest \_\_\_\_\_ at \_\_\_\_\_ per cent. per annum as follows: \_\_\_\_\_ and Taxes and performance of Statute Labor \_\_\_\_\_

The said Mortgagor covenant with the said Mortgagees that the Mortgagor will pay the mortgage money and interest, and observe the above proviso.

That the Mortgagor ha \_\_\_\_\_ a good title in fee simple to the said lands: And that he ha \_\_\_\_\_ the right to convey the said lands to the Mortgagees: And that on default the Mortgagees shall have quiet possession of the said lands, free from all encumbrances.



And that the said Mortgagor will execute such further assurance of the said lands as may be requisite.

(TITLE DEEDS.)

And that the said Mortgagor ha done no act to encumber the said lands.

And that the said Mortgagor will insure and keep insured the buildings on the said lands to the amount of not less than dollars currency.

And that the said Mortgagor do release to the said Mortgagees all claims upon the said lands, subject to the said proviso.

Provided that the said Mortgagees on default of payment for may giving notice enter on and lease or sell the said lands.

Provided that the Mortgagees may distrain from arrears of interest.

Provided that in default of payment of the interest hereby secured, the principal hereby secured shall become payable ; provided that until default of payment the Mortgagor shall have quiet possession of the said lands.

Received on the day of the date of this Indenture from the Mortgagees the sum of dollars, being the full consideration therein mentioned.

In witness whereof, the said parties hereto have hereunto set their hands and seals.

Signed, sealed and delivered  
in the presence of J

---

## FORMS FOR BEQUESTS, Etc.

---

### SYNOD OF THE MARITIME PROVINCES.

The Board of the Presbyterian College, Halifax, being incorporated by the Legislature of Nova Scotia and the Parliament of Canada, is entitled by these Acts to receive, hold and dispose of—in accordance with the will of the Donors—legacies or donations, in lands, money, or other securities, made or given for the promotion of any of the schemes or religious objects of the Church—Eastern Section—except the Ministers' Widows' and Orphans' Fund of the Synod of the Maritime Provinces.

## FORM OF BEQUEST FOR THE COLLEGE ITSELF.

I devise and bequeath to the Board of the Presbyterian College, Halifax, the sum of (if land, describe it; if money, name the time when it is to be paid).

If persons wish to state their object more definitely, they may do so thus:—I bequeath to the Board of the Presbyterian College, Halifax, the sum of (if land, etc., as above) to be applied for the support of the said College, or for the Professorial Endowment Fund, or in aid of young men studying for the Ministry.

## FOR OTHER RELIGIOUS OR MISSIONARY PURPOSES.

I bequeath the sum of (if land, etc., as above) to the Board of the Presbyterian College, Halifax, to be applied in aid of the funds of the Foreign Mission Committee, Eastern Section, or of the Home Mission Committee, Eastern Section, or of the Augmentation Committee, Eastern Section, or of the Aged and Infirm Ministers' Fund, or to assist the Congregation of in erecting a place of worship.

## FOR MINISTERS' WIDOWS' AND ORPHANS'.

I bequeath to the Trustees of the Ministers' Widows' and Orphans' Fund of the Synod of the Maritime Provinces, the sum of (if land, etc., as above).

## FORM OF ACKNOWLEDGMENT.

Which may be taken before any Justice of the Peace of County where lands are situate, or before any Judge of Supreme or County Courts, or Notary Public, or Registrar of Deeds in County, or before a member of Executive or Legislative Council of Province.

Province of New Brunswick, County of to wit :

Be it remembered that on the day of in the year of our Lord one thousand nine hundred and , before me, the subscriber (*description of person taking the acknowledgment*) personally came and appeared the grantor (*or grantors*) and acknowledged that he (*or they severally*) executed and delivered the foregoing deed freely and voluntarily for the uses and purposes therein set forth.

(*If wife has to acknowledge, add*)

Also afterwards on same day and place, personally appeared before me, wife of , and being examined separate and apart from her husband, acknowledged that she executed

said deed freely and voluntarily, without fear, threat, or compulsion from her husband, or dread of his displeasure.

---

### FORMS OF BEQUEST.

I bequeath to Queen's College at Kingston, the sum of \$ \_\_\_\_\_; and I direct that the receipt of the Treasurer for the time being of the said College, shall be a sufficient discharge to my executors for the said legacy.

I bequeath to the Corporation of Knox College, Toronto, or the Presbyterian College of Montreal, the sum of \$ \_\_\_\_\_, and I direct that the receipt of the Treasurer for the time being of the said College, shall be a sufficient discharge to my executors for the said legacy.

I devise to the Corporation of Knox College, Toronto, or the Presbyterian College of Montreal, or the Trustees of Queen's College at Kingston, all and singular (*describe lands*).

I bequeath to the Home Mission Fund, or the Foreign Mission Fund, or French Evangelization Fund, or Aged and Infirm Ministers' Fund, or Ministers' Widows' and Orphans' Fund of the Presbyterian Church in Canada, the sum of \$ \_\_\_\_\_, and I direct that the receipt of the Treasurer for the time being of the said Church shall be a sufficient discharge to my executors for the said legacy.



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