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PROCEEDINGS
OF THE
SECOND SESSION
OF THE
DIOCESAN SYNOD
OF
NEWFOUNDLAND,
WITH THE
CONSTITUTION & RULES,
1875.

ST. JOHN'S, NEWFOUNDLAND:
J. C. WITHERS, QUEEN'S PRINTER.

DIOCESAN

THE Diocesan for its session the Lord Bishop (the Bishop being in absence) in the Cathedral on Tuesday, June 1st, concluded its sitting.

The following

Wood, Thos.
White, Wm.
Bayly, Augustus
Harvey, James
Murray, Fred
Boone, Thos.
Petley, Henry
Hutchinson,
Jones, Bertram
Fleet, Benjamin
Cunningham
Colley, Edward
Phelps, Joseph
Williams, John
Darrell, Josiah
Godden, John
Kirby, Wm.
Johnson, Robert
Botwood, Edward
Machin, C. J.
Gardner, George
Taylor, Robert

DIOCESAN SYNOD OF NEWFOUNDLAND.

THE Diocesan Synod of Newfoundland assembled for its second Session, under the Presidency of the Lord Bishop Coadjutor of the Diocese (the Lord Bishop being unable to attend in consequence of illness) in the Cathedral School-Room, in St. John's, on Tuesday, June 22, 1875, at 8 p. m., and continued its sittings until Thursday, July 1.

The following Clergymen were present:—

Wood, Thos. M.	Wood, Arthur C., M. A.
White, Wm. K.	Noel, John M.
Bayly, Augustus E.	Chamberlain, Geo. S.
Harvey, James C.	Shears, Wm. C.
Murray, Fred. R.	Pilot, William
Boone, Thos.	Dobie, Robt. T.
Petley, Henry, M. A.	Cragg, John G.
Hutchinson, Geo., B. A.	Netten, Theophilus G.
Jones, Bertram	Lockward, John
Fleet, Benjamin	Skinner, Henry M.
Cunningham, John	Smith, Walter R.
Colley, Edward	Meek, Christopher
Phelps, Joseph Francis	Bishop, John
Williams, John Symes	Warren, Alfred C.
Darrell, Josiah	Netten, William
Godden, John	Winsor, Alfred S.
Kirby, Wm.	Curling, Joseph J.
Johnson, Reginald M.	Ellingham, Cornelius
Botwood, Edward	Waghorn, A. C.
Machin, C. J.	Massiah, Thos. P.
Gardner, George	Jeffery, Charles.
Taylor, Robt. H.	

The following Lay Representatives were elected for the several Missions in the Diocese, and, having subscribed the Declaration prescribed by Rule IX. of the Constitution, took their seats in the Synod :—

MISSION.	NAMES.
<i>Bay-de-Verde</i>	Mr. John H. Warren.
<i>Bay of Islands</i>	Mr. J. R. Roberts, Mr. Wm. H. Bagg.
<i>Belloram</i>	Mr. Joseph Crowdy.
<i>Burgeo</i>	Dr. Bunting.
<i>Brigus</i>	Mr. Augustus O. Hayward.
<i>Burin</i>	Mr. J. S. Winter, Mr. Robt. Carter.
<i>Carbonear</i>	Hon. J. Winter, M. D., Mr. D. W. Prowse.
<i>Cathedral, St. John's,</i>	Mr. Justice Robinson, Mr. Charles Crowdy.
<i>Catalina</i>	Mr. J. C. Withers, Mr. Hy. Cooke.
<i>Exploits Burnt Island,</i>	Mr. John Goodridge, Mr. Jas. S. Hayward.
<i>Ferryland</i>	Mr. Robt. Morry, Mr. Peter Winser.
<i>Fogo</i>	Mr. James Rolls.
<i>Fox Trap</i>	Mr. Robt. Reader, Mr. Wm. Stabb.
<i>Harbour Grace</i>	Mr. W. Olive Wood, Mr. W. J. Coen.
<i>Harbour Grace, South,</i> <i>and Bryant's Cove</i> }	Mr. Edwin Duder, Mr. Jos. Godden.
<i>Harbour Briton</i>	Mr. Thomas R. Bennett, Mr. G. R. Snellgrove.
<i>Harbour Buffett</i>	Dr. Stabb, Mr. Rd. Harvey.

MISSION.

<i>Hermitage Cove</i>
<i>Herring Neck</i> ..
<i>King's Cove</i> ..
<i>Lamaline</i>
<i>Petty Harbour</i> ..
<i>Port-de-Grave</i>
<i>Portugal Cove</i>
<i>Pouch Cove</i> ...
<i>St. George's Bay</i>
<i>St. Mary's Church</i>
<i>John's</i>
<i>St. Thomas's C</i>
<i>St. John's</i> ..
<i>Salvage</i>
<i>Tilt Cove</i>
<i>Topsail</i>
<i>Trinity</i>
<i>Twillingate</i>
<i>Upper Island C</i>
<i>White Bay</i>

MISSION.	NAMES.
<i>Hermitage Cove</i> ...	Mr. C. S. Pinsent.
<i>Herring Neck</i>	Mr. Wm. Blackler.
<i>King's Cove</i>	Hon. W. V. Whiteway, Mr. John Horwood.
<i>Lamaline</i>	Mr. Henry E. Hayward, Mr. Edward Rothwell.
<i>Petty Harbour</i>	Mr. T. P. Withycombe, Mr. Jacob Chafe.
<i>Port-de-Grave</i>	Mr. E. L. Jarvis, Hon. F. B. T. Carter.
<i>Portugal Cove</i>	Mr. William Tulk.
<i>Pouch Cove</i>	Mr. R. J. Pinsent, Mr. Philip Gruchy.
<i>St. George's Bay</i> ...	Mr. Thos. Woods.
<i>St. Mary's Church, St.</i> <i>John's</i>	Mr. Geo. LeMessurier, Mr. John Lester.
<i>St. Thomas's Church,</i> <i>St. John's</i>	Hon. A. W. Harvey, Mr. G. T. Rendell.
<i>Salvage</i>	Mr. Wm. Kelligrew, Mr. J. L. Duchemin.
<i>Tilt Cove</i>	Mr. H. T. B. Wood.
<i>Topsail</i>	Mr. William Swansborough, Mr. Samuel Churchill.
<i>Trinity</i>	Hon. Jas. S Clift, Mr. C. T. Ryland.
<i>Twillingate</i>	Mr. John A. Edens.
<i>Upper Island Cove</i> ...	Mr. J. W. Withers, Mr. Henry LeMessurier.
<i>White Bay</i>	Mr. Henry J. Stabb, Mr. Thos. G. Morry.

The following Lay Representatives were elected, but were unable to attend:—

<i>Bay-de Verde</i>	Mr. William Meadis.
<i>Bonavista</i>	Mr. Thomas Clift.
<i>Fogo</i>	Mr. H. J. Earle.
<i>Hermitage Cove</i>	Mr. Henry Camp.
<i>Rose Blanche</i>	Mr. P. H. Sorsosiel.
<i>Tilt Cove</i>	Dr. Alexander.
<i>Twillingale</i>	Mr. John Anstey.

The Rev. J. F. PHELPS was appointed *Clerical Secretary*, and Mr. G. T. RENDELL *Lay Secretary* of the Synod. Mr. H. COOKE was appointed *Treasurer*, and the Rev. WM. PILOT and Mr. JOHN GOODRIDGE, *Auditors*.

The Reports of the Select Committees appointed by the Synod at its first Session on Finance, Education, and Discipline of the Clergy, were presented.

The following Resolutions were adopted by the Synod:—

On motion of the Hon. W. V. WHITEWAY, seconded by Judge PROWSE,

Whereas, by an Act of the Legislature, provision has been made for subdividing the moneys appropriated for Protestant Educational purposes, which Act will come into operation on the first day of July next;

Resolved,—That the Executive Committee do watch the operation of the said Act with regard to its effects upon the Educational Institutions of the Church of England in the Colony, and collect Statistical and other information relating to the

same, and to expedient general Interests.

Resolved,—That of the foregoing Synod pledged said Committee

Resolved,—That next Session

On motion by Dr. STABB,

Resolved,—That the recommendation of the Committee on Education, the Legislature be vested in the Synod.

On motion PINSENT, it was

Resolved,—That to promote Deaf and D

On motion of Dr. S

Resolved,—That Directors of the School- many more ted, would of Education

same, and take such steps as may be deemed expedient generally to aid in advancing Educational Interests.

Resolved,—That in order to the efficient carrying out of the foregoing Resolution, each member of this Synod pledges himself to co-operation with the said Committee.

Resolved,—That the said Committee do report at the next Session of the Synod.

On motion of the Rev. WM. PILOT, seconded by Dr. STABB, it was

Resolved,—That with a view of carrying into effect the recommendation of the Report of the Select Committee on Education, regarding Female Education, the Lord Bishop of Newfoundland be petitioned to allow this building to be used for that purpose, and that the management of such School be vested in the Executive Committee of the Synod.

On motion of Dr. STABB, seconded by Mr. R. J. PINSENT, it was

Resolved,—That the Executive Committee be instructed to communicate with the Government, in order to promote Legislative action in favour of the Deaf and Dumb of Newfoundland.

On motion of the Rev. E. BOTWOOD, (in the absence of Dr. STABB), seconded by Mr. Justice ROBINSON, it was

Resolved,—That it be respectfully suggested to the Directors of the Academy that the enlargement of the School-building to a size capable of receiving many more boys than can at present be accommodated, would prove of great advantage to the cause of Education in this Diocese; and that such ad-

vantage would be increased if the fees were lowered upon such enlargement taking place.

On motion of Rev. A. WOOD, seconded by Dr. STABB, it was

Resolved,—That the Executive Committee be requested to use, as soon as possible, such means, whether by Delegation, Circular Letter, or otherwise, as may render assistance to the Clergy in the several Missions, in bringing the new scheme of Finance fully before the minds of the people.

On motion of the Rev. J. F. PHELPS, seconded by the Rev. E. BOTWOOD, it was

Resolved,—That an application be made by the Executive Committee of the Synod to the Legislature, to empower the Bishop or his Commissary, together with such Assessors as the Synod may appoint, to act as a Tribunal for the trial of such offences against the Laws Ecclesiastical as shall be defined by the Synod; such Tribunal to have the power of compelling the attendance of witnesses, and examining them upon oath.

On motion of Mr. READER, seconded by Rev. F. MURRAY, it was

Resolved,—That this Synod deeply regrets the demoralization caused by intemperance, and recognizes drunkenness to be a cause of poverty, crime, and indifference to religion, and believes that the promotion of Temperance principles in this Diocese upon the basis of the Church of England Temperance Society as established in the Provinces of Canterbury and York, will, under God's blessing, be the means of reforming the inebriate and bringing them under the more immediate influence of the Gospel, and also of guarding the young from the adoption of an awful and insidious habit.

On motion
by the Rev.

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On motion
Mr. W. O.

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On motion of the Rev. E. BOTWOOD, seconded by the Rev. F. MURRAY, it was

Resolved,—That in the opinion of this Synod it is expedient that a Branch of the Church of England Temperance Society be formed in and for this Diocese, under the Presidency of the Bishops, if it can be obtained. That it be constituted, if possible, at a public meeting convened by the Bishops of the Diocese; and be divided into, and embrace, Ruri-decanal and District Societies, as may be found practicable and most convenient.

On motion of Judge PROWSE, (in the absence of Mr. W. O. WOOD), seconded by Dr. STABB, it was

Resolved,—That the Diocesan Synod of Newfoundland, having had under consideration the Petition of the Rev. BERTRAM JONES, strongly recommend that in consideration of his long services and impaired health, a life pension of One Hundred Pounds, Sterling, per annum, be provided for him upon his resignation of the Cure of St. Paul's, Harbour Grace, and that if necessary, such pension be made in whole or in part, a charge upon that Cure, or be provided for in such other manner as the Executive Committee can best accomplish it.

On motion of the Rev. G. S. CHAMBERLAIN, seconded by Mr. J. W. WITHERS, it was

Resolved,—That this Synod, recognizing the fact that the Cathedral Church of this Diocese has accommodation insufficient to meet the wants of the Congregation attached to it as their Parish Church, desire to express their conviction of the necessity which exists for the enlarging it to an extent consistent with its position as the Mother Church of the Diocese.

Resolved,—That if it shall meet with the approbation of the Bishop, a Committee (of which the Lord Bishop of the Diocese shall be Chairman *ex officio*) be appointed by the Bishop, whose duty it shall be to receive donations and subscriptions, and to make collections for the object set forth in the foregoing Resolution.

Resolved,—That this Synod views, as a matter of great importance, the early establishment of the above fund, and pledges itself to use its exertions to the utmost of its ability in promoting and furthering its accomplishment.

On motion of the Rev. WM. PILOT, seconded by Judge PROWSE, it was

Resolved,—That it be respectfully suggested to the Rector of this Parish that increased accommodation be made for our Church people living between the Cathedral and St. Mary's District.

On motion of Mr. G. T. RENDELL, seconded by the Rev. J. F. PHELPS, it was

Resolved,—That all Amendments on ordinary Rules embodied in the Acts of this Session be consolidated with the Rules of 1871.

The following Clergymen and Lay Representatives form the Executive Committee:—

THE LORD BISHOP OF NEWFOUNDLAND,	
THE LORD BISHOP COADJUTOR OF NEWFOUNDLAND,	
Rev. G. M. JOHNSON,	Hon. A. W. HARVEY,
" E. BOTWOOD,	Mr. G. T. RENDELL,
" J. F. PHELPS,	Mr. Justice ROBINSON,
" A. WOOD,	Mr. R. J. PINSENT,
" WM. PILOT,	Hon. W. V. WHITEWAY,
	Mr. E. DUDER,

During following

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WHICH to secure a Diocese, a

Be it in Synod

I.—A ed and col and collec Diocese, e in and be be dispose such Rule time to tin land, mon ted to, an pose, to b gift or gr shall be h pursuant

II.— have the cial affair Rules as point.

During this Session the Synod passed the five following Acts :—

AN ACT

To regulate the Financial Affairs of the Diocese of Newfoundland.

WHEREAS it is necessary to adopt measures to secure a permanent support for the Church in this Diocese, and to regulate its Financial Affairs.

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

I.—All lands, monies, and other property granted and collected, and that shall hereafter be granted and collected for Church purposes generally, in this Diocese, except as hereinafter is provided, shall vest in and be placed under the control of the Synod, to be disposed of and managed under and pursuant to such Rules and Regulations as the Synod shall from time to time appoint; provided always, that if any land, money, or other property shall be given or granted to, and accepted by the Synod for a special purpose, to be designated in writing at the time of such gift or grant, such land, money, or other property shall be held and appropriated by the Synod for and pursuant to such purpose.

II.—The Executive Committee of the Synod shall have the charge of, and shall manage all the Financial affairs of the Synod, under and subject to such Rules as the Synod shall from time to time appoint.

III.—The following shall be the Rules under this Act for the guidance of the Executive Committee :

OBJECTS.

1.—The Executive Committee shall receive, manage, and expend the Revenues of the Synod, (1) in the endowment or maintenance of the Bishoprick of Newfoundland, and maintenance of the Clergy and Licensed Lay Readers; (2) in aiding the endowment, erection, enlargement, or repairs of Churches, Parsonages, or School Rooms, and in the purchase of land for Glebe, or other Church purposes; (3) in providing for sale a supply of Bibles, Prayer Books, School Books, and other religious Books and Tracts; (4) in sustaining a Special Fund for the endowment and support of the Theological College in St. John's; (5) in maintaining and increasing a separate Fund for assisting the Widows and Children of deceased Clergymen of this Diocese; (6) in maintaining and increasing a Special Fund for providing Pensions for invalid and superannuated Clergymen of the Church of England in Newfoundland; (7) in assisting to maintain a Special Fund towards defraying the expenses of the Bishop's Visitation Voyages; (8) and generally for such other Diocesan and Missionary purposes, as the Synod shall from time to time direct or approve.

RAISING OF FUNDS.

2.—The Executive Committee shall, once in every two years, review the circumstances of the various Missions in the Diocese, and assess the amount which, in the opinion of the Committee, may reasonably be expected from each Mission, during each

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year, for Church purposes. The assessment shall be communicated to the Clergyman of each Mission, with an earnest request that he will endeavour to collect the same.

3.—For the purpose of raising, with regularity and permanency, the necessary funds for the sustentation of the Church, every Clergyman in charge of any Mission shall, by himself or with the agency of others, at the commencement of each year, or as soon after as may be practicable, ascertain from every adult member of his Congregation, the amount, in money or produce, that such member will undertake to pay to the Church during the year, specifying the periods, whether weekly, monthly, yearly, or otherwise, at which the payments will be made; and such undertaking shall be entered at the time in a book provided for the purpose. The amounts thus promised shall be collected and credited punctually, and be transmitted or accounted for without delay to the Treasurer, and a notice thereof sent to the Secretary. At the end of the year, the Clergyman shall forward to the Secretary a copy of such book, for the information of the Executive Committee.

GRANTS.

4.—It shall be the duty of the Executive Committee to determine, from time to time, on the appropriation of its funds, by making grants towards the objects of the Synod, under such Rules as the Synod may from time to time establish; and before the appointment of any Clergyman to any Church, Mission, or Cure of Souls, except in those cases where the

nomination shall vest in the Congregation, the Executive Committee shall define the terms and conditions, as regards stipend, on which such Clergyman shall be so appointed.

5.—No Clergyman or Mission declining or neglecting (except under special circumstances, to be approved by the Executive Committee) to collect for the Funds of the Synod, shall be entitled to receive any grant from the same; and in the event of any Clergyman failing to send or account for to the Treasurer annually, the full amount assessed, the salary of such Clergyman shall be reduced by the amount of the deficiency; provided, that nothing herein contained shall prevent the Executive Committee, in case of extraordinary distress or otherwise in a Mission, causing a deficit in the directed assessment, from making a special allowance to the Clergyman. Provided also, that this rule shall not be held to interfere with the provisions of the Act of the Synod of 1873, entitled "An Act to make provision for the appointment of Clergymen to Churches and Cures of Souls."

6.—As soon as one year's collections shall have been made and sent in, the Executive Committee shall, through their Secretary, in the month of July in each year, notify each Clergyman of the amount, for the year following, ending June 30th, to be drawn quarterly by him; the amount of increase, if any, upon his present stipend, being based upon the increased collections of the previous year. The Executive Committee shall apportion the increase according to the Rules, and in such manner as shall

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appear to them most equitable. This Rule shall come into operation on the 30th June, 1876, for a year prior to which time the collections for that year shall be paid or accounted for to the Synod.

7.—If a Clergyman leave his Mission before the time for sending in his annual assessment, the Executive Committee shall have power to grant him a sum which shall appear equitable.

MEETINGS.

8.—Meetings of the Executive Committee shall, for the purposes of this Act, be convened at any time, either (1) by the Bishop or his Commissary, or (2) by any four members of the Committee; provided due notice of such meeting, with its objects, be given at least one day previously, to all the other Members of the Committee in St. John's.

REPORTS.

9.—The Executive Committee shall prepare and publish an Annual Report of the state of their funds, and of their investments and securities, to June 30th; which accounts, examined, approved, and signed by the Auditors as correct, shall, with the return of investments and securities, be presented to the Committee, to be by them incorporated in their next Annual Report, and submitted to the Synod at its next biennial meeting.

SECRETARY.

10.—For the efficient management of the financial affairs of the Diocese, and the proper keeping of all the accounts under or connected with the Synod,

the Executive Committee shall have power, from time to time, to appoint, and at their pleasure to remove, a competent Accountant, who shall be the Secretary of the Executive Committee, at a suitable salary, to be fixed by the Synod.

11.—The Secretary shall summon and attend all meetings of the Executive Committee, and shall arrange the business, and record minutes of the same to be signed by the Chairman. He shall prepare the Annual Report, and superintend the printing of the same; shall conduct the correspondence with the Clergy and others, on behalf of the Committee; shall be responsible for the safe custody of all books, receipts, and papers, belonging to the Committee, and in all lawful matters conform to the directions of the said Committee.

ALTERATION OF RULES.

12.—Until the next biennial meeting of the Synod the foregoing rules may, in case of necessity, be altered, repealed, or added to, by the Executive Committee, at any of its meetings; provided, that notice of such proposed alteration or addition shall have been given one month previously, to the members of the Committee; provided also, that such alteration or addition shall be submitted to the Synod, at its next meeting.

IV.—The "Standing Rules of the Clergy Widows' and Orphans' Fund," as published in the Annual Report of the Newfoundland Church Society for 1874, and hereunto annexed, are substantially adopted for the guidance of the Executive Committee,

until altered by the Synod, and if the same are not repugnant to the

V.—The Secretary shall receive all monies received for the credit of the Executive Committee, and at the end of each year, or at such other time as may be made, the Balance Sheet shall be furnished to the Clergy, and the accounts, when required, shall be

VI.—No account of the Secretary shall be signed by the Secretary of the Synod.

VII.—The Treasurer, or the Executive Committee, who shall hold office until the Synod.

VIII.—The Executive Committee shall have the said Compendium of the Hundred Dollars.

To amend the Pension Fund.

WHEREAS
Clerical Pension

until altered by the Synod, and so far as the same are not repugnant to the Rules of the Synod.

V.—The Treasurer of the Synod shall deposit all monies received by him on behalf of the Synod, immediately after receipt thereof, in Bank, to the credit of the Synod; delivering to the Secretary at the end of each day on which any deposit shall be made, the Bank Book with credit entered; and shall furnish to the Executive Committee the Treasurer's accounts, when required.

VI.—No money shall be drawn or paid on account of the Synod, except by cheque on the said Bank, signed by the Treasurer and countersigned by the Secretary of the Executive Committee.

VII.—In the event of vacancy in the office of Treasurer, or in the event of his absence or incapacity, the Executive Committee may appoint a Treasurer who shall hold office until the next appointment by the Synod.

VIII.—The amount of the Salary of the Secretary of the Executive Committee shall be determined by the said Committee, at a sum not exceeding Six Hundred Dollars per annum.

AN ACT

To amend the Act of 1873, for providing a Clerical Pension Fund.

WHEREAS in the Act of 1873, for providing a Clerical Pension Fund, it was enacted that after

twelve months from the time of obtaining their license, or from the date of the passing of the Act, the Clergy should only be permitted to join the fund at the option of the Committee, on paying back-subscriptions with compound interest at six per cent. per annum, and that the years for which such back payments may be made should not be counted as part of the term on which the dividend would be computed.

And Whereas it is expedient that facilities be afforded to the Clergy for joining this fund :

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

I.—That any Clergyman in the Diocese, holding the Bishop's License, may secure the benefit of this fund by the annual payment of the usual subscription; and such payment may begin at any time; but that the amount of pension payable to such Clergyman shall in that case be in proportion only to the number of the annual payments actually made by him.

II.—And Whereas, the conditions provided in the Twelfth Section of the said Act, on which a Clergyman who has neglected to pay his contribution at the proper time may renew his connection with the fund, are too onerous, the said Twelfth Section shall be, and is hereby amended as follows:—

Instead of the words *Two Shillings and Sixpence*, shall be read *One Shilling*, and the following words

shall be added at the option concerning age and back subscription per cent. per

III.—Every annual collection in lieu of such to the Fund.

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Be it enacted and Laity, in

I.—That Synod, the to the trial cal in a mar English Cl 86, together thereof, so f will admit.

shall be added to the Section, "and after that time, at the option of the Committee, after an enquiry concerning age and state of health, by the payment of back subscriptions, with compound interest, at ten per cent. per annum."

III.—Every Clergyman omitting to make an annual collection for the fund in his Mission shall pay in lieu of such collection the sum of One Pound, cy. to the Fund.

AN ACT

For providing for the Discipline of the Clergy.

WHEREAS it is expedient that provision be made for the Discipline of the Clergy :—

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

I.—That until further action be taken by the Synod, the Bishop shall, if occasion require, proceed to the trial of offences against the Laws Ecclesiastical in a manner analogous to that prescribed by the English Clergy Discipline Act of 3 & 4 Vic., Cap. 86, together with any subsequent Acts in amendment thereof, so far as the circumstances of this Diocese will admit.

and Sixpence,
following words

AN ACT

To amend the Constitution and Rules of the Synod and of its Executive Committee, with reference to Incorporation and Rights of Property.

WHEREAS it is expedient to amend the Constitution and Rules of the Diocesan Synod of Newfoundland with reference to Incorporation and Rights of Property.

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

I.—The First Section of the “Constitution and Rules of Synod” shall be, and is hereby amended, by adding at the end thereof the words “and shall be Incorporated by that name.”

II.—The Third Rule relating to Executive Committees shall be, and is hereby amended, and shall be read as follows:—“The Synod, by its standing Executive Committee, may accept and hold sell exchange let manage or otherwise dispose of real and personal property for the religious charitable educational and other objects thereof, subject nevertheless to any special trusts existing or created at the time of transfer or subsequently created by the Synod; and the Executive Committee may by its Chairman execute any deeds and other documents on behalf of the Synod, and use its Corporate Seal.”

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AN ACT

To amend the Constitution and Rules of the Synod with reference to the Executive Committee.

WHEREAS it is expedient to amend the Constitution and Rules of the Synod with reference to its Executive Committee.

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

That the First Rule, of "Executive Committees," be repealed, and that the following be the First Rule thereof:—

There shall be a standing Executive Committee appointed by the Synod, to consist of the Bishop, Coadjutor Bishop, or when there is no Coadjutor Bishop the Bishop's Commissary, five Clerical and six Lay Members, of whom five members shall be a quorum, of which quorum the Bishop, the Coadjutor Bishop, or the Bishop's Commissary, shall always be one, except in the contingency referred to in the 3rd Rule of the Constitution.

The last two Acts are incorporated with the Rules published herewith.

CONSTITUTION & RULES
OF THE
Diocesan Synod of Newfoundland.

DECLARATION OF PRINCIPLES.

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

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

III.—We recognise and accept the Canon of Holy Scripture, as received by the Church of England, as the rule and standard of our Christian faith; we acknowledge the Book of Common Prayer and

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administration of the Sacraments, together with the Thirty-nine Articles of Religion of that Church, to be a true and faithful declaration of doctrines contained in Holy Scripture; we maintain the threefold order of the Christian Ministry, Bishops, Priests, and Deacons, as Scriptural and Apostolical; and we declare our firm and unanimous resolution, in dependence on Divine aid, to preserve those doctrines, and that form of Church order, and to transmit them to our posterity.

IV.—Provided that nothing herein contained shall prevent the Synod, as far as the Synod may see fit, from accepting any alteration in the Book of Common Prayer and administration of the Sacraments, or of the Thirty-nine Articles of Religion, or in the version of the Bible, that may from time to time be adopted by the Church of England; or authorising any Office, Prayer or Thanksgiving, to be prepared by the Bishop, which the peculiar circumstances of the Diocese may, in the opinion of the Synod, render desirable.

CONSTITUTION AND RULES OF SYNOD.

I.—Meetings of the Bishop, Clergy, and Laity of this Diocese shall be held, for the ordering of the affairs of the Church, the custody and management of the property, the promotion of the discipline of the members thereof, and for the inculcation and maintenance of sound doctrine and true religion throughout the Diocese, to the glory of Almighty God and the

edification and increase of the Church of Christ ; and their assembly, constituted as hereinafter provided, shall be called the Diocesan Synod of Newfoundland, and shall be incorporated by that name.

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

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

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

V.—Each Mission having a separate Cure of Souls, may send two Lay Representatives to the Synod. The Churches of St. Thomas and St. Mary, in St. John's, are to count as separate Missions.

VI.—A meeting for the election of Lay Representatives shall take place in each Ecclesiastical District or Mission, on the first day of October, or within two months thereafter, in the year following each Biennial Session of the Synod, at such place or places as the Clergyman shall appoint. This meet-

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ing shall be convened by the Clergyman ; and in case there be no Clergyman, or in case the Clergyman fail to convene such meeting within the month, or refuse to do so when requested by three members of his Mission, then the Church Wardens, or one of them, or if there be no Church Wardens, or in case of neglect or refusal on the part of the Church Wardens, then any five Churchmen of the Mission or Ecclesiastical District qualified to vote, may summon such meeting, to be held at such time and place as they shall appoint.

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

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

IX.—Every Layman of the age of twenty-one years or upwards, being a Communicant of the Church of England, shall be qualified to be elected as Lay Representative for any District in the Diocese. Every person so elected shall, before acting as such Representative in the Synod, sign a Declaration in the following form in a book to be kept for that purpose by the Lay Secretary of the Synod :

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

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

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

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

XIII.—The vote of each order, namely, Bishop, Clergy, and Laity, shall be taken separately; and the result of such vote shall be determined by the majority of the members present and voting in each order; and no act or resolution of the Synod shall be valid which shall not have received the concurrent assent of the Bishop, the Clergy, and the Laity; and all members present shall be required to vote on every question. Provided always, that so soon as the Synod shall have placed itself in connection with any Provincial Synod, an appeal on any question on which a vote of a majority of two-thirds of the Clergy and Laity of this Synod shall, in two successive Sessions of the Synod, differ from the vote of the Bishop, shall lie to that Provincial Synod; and that till such connection shall have been established, an appeal shall lie to the Metropolitan for the time being of the Province in which this Diocese is placed.

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

XV.—There shall be a Treasurer of the Synod, who shall receive and disburse all monies collected and paid under its authority; and two Auditors who

shall annually inspect the accounts, and report thereon to the Synod at its next Session.

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

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

XVIII.—Every Bye-Law or Rule, and every measure for the alteration of the Constitution, or Rules of Order of the Synod, shall be introduced as a Bill, leave having first been given by a Resolution. The Bill shall be read a first time, without debate. It shall be brought forward after notice given, on a subsequent day, and if read a second time, shall be committed. It shall not take effect before it is read a third time, and passed.

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

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subject to the disallowance of the Bishop, to be communicated to the Executive Committee within six months.

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

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

RULES FOR THE ELECTION OF A BISHOP.

I.—When the See is vacant, the Commissary of the late Bishop, or, in his absence, the Priest Senior in Holy Orders, then resident and officiating under the Bishop's license in St. John's, shall within one fortnight of the date of such vacancy being brought to his knowledge, summon a special meeting of the Synod, to meet at St. John's in not less than three, nor more than nine months, from the date of such

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summons, but not in the months of January, February, March, or April, for the purpose of electing a successor in the See. And during the vacancy of the See, no other business shall be transacted by the Synod.

II.—No election shall take place unless half of all the Clergy and Lay Representatives respectively be present. The vote of a majority not being less than two-thirds of each order present shall be necessary for such election, the Chairman voting with the Clergy. If the required number of Clergy and Lay Representatives should not assemble at such special meeting, the members present shall adjourn to any day within one week, and so on, from time to time, until the required number of Clergy and Lay Representatives shall assemble, when the election shall be proceeded with.

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

RULES FOR THE APPOINTMENT OF A COADJUTOR BISHOP.

I.—When the Bishop is incapacitated by reason of age or infirmity for the full discharge of his Episcopal functions, or when the Synod shall consider it desirable, a Coadjutor Bishop may be elected for the Diocese by the Synod, in the same manner as provided for the election of the Bishop in the case of a

vacancy in the See, as nearly as can be observed; and such Coadjutor shall immediately succeed as Bishop of the Diocese on the death, resignation, or deprivation of the Incumbent of the See.

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

ORDER OF PROCEEDINGS.

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

II.—At the first Meeting of each new Synod the Chairman, or such person as he shall appoint, shall call over the Roll of the Clergy to be furnished by the Bishop, and mark the names of those in attendance; and also call over the names of the Lay-Representatives which have been returned to the Secretaries by the Clergyman of the respective Missions or Chairman of the Meeting, or whose Certificates shall be presented, and the names of those present shall be recorded.

III.—The election of the Secretaries, Treasurer, and Auditors, shall then be made by the Clergy and

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Laity, which officers shall hold their offices until their successors shall be appointed.

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

Calling the Roll of the Clergy and Lay-Delegates.

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

Appointing Committees.

Presenting, reading, and referring Memorials and Petitions.

Presenting reports of Committees.

Giving notice of motions.

Taking up unfinished business.

Consideration of motions.

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

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

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

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

RULES FOR THE PRESERVATION OF ORDER.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

XVII.—No protest or dissent shall be entered on the minutes of the proceedings, but when requi-

red by any one member, the number of affirmative and negative votes shall be recorded.

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

RULES REGARDING COMMITTEES.

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

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

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

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

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

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EXECUTIVE COMMITTEES.

I.—There shall be a standing Executive Committee appointed by the Synod, to consist of the Bishop, Coadjutor Bishop, or, when there be no Coadjutor Bishop, the Bishop's Commissary, five Clerical and six Lay members, of whom five members shall be a quorum, of which quorum the Bishop, Coadjutor Bishop, or the Bishop's Commissary, shall always be one, except in the contingency referred to in the 3rd Rule of the Constitution.

II.—At each biennial Session of the Synod, the two Clerical and the two Lay members of the Committee, whose names respectively shall stand at the head of the list, shall go out of office, and the Synod shall fill up the vacancies; but all such members shall be eligible for re-appointment. If any vacancy shall occur between the sessions of the Synod, it shall be provisionally filled up by the Clerical or Lay members of the Committee, as the case may be, such appointment to be subject to the approval of the Synod at its next meeting.

III.—The Synod, by its standing Executive Committee, may accept and hold, sell, exchange, let, manage, or otherwise dispose of real and personal property for the religious, charitable, educational, and other objects thereof, subject, nevertheless, to any special trusts existing or created at the time of transfer, or subsequently created by the Synod; and the Executive Committee may, by its Chairman, execute any deeds and other documents on behalf of the Synod, and use its Corporate Seal.

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

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

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

DECLARATION OF ASSENT.

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

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

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

AN ACT

For providing for a Clerical Pension Fund.

[Passed 2nd July, 1873.]

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

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

2.—The said Fund shall be called "THE CLERICAL PENSION FUND."

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

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

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

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

Provided, also, that in the case of those Clergymen who join the Fund after the twelve months al-

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lowed in Rule III., the number of years for which they shall have paid arrears shall not be counted as part of the term on which the above-mentioned dividend would be computed by this Rule.

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

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

7.—Any Clergyman leaving the Diocese before he shall have become entitled to a pension, shall thereon cease to be connected with this Fund.

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

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

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

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

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

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

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

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

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

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19	34 4 0
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[For Clerical Pension Amendment Act, see page 39.]

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