

EXTRACTS FROM THE MINUTES

OF THE

Synod of the Presbyterian Church of Canada,

IN CONNEXION WITH THE ESTABLISHED CHURCH OF SCOTLAND,

At its Third Session, Held at York,

First Session,—
York, 1st August, 1833.

Commencing on the 1st, and ending on the 8th day of August, 1833.

After Sermon by the Moderator, from Isaiah, xxi—11, 12, the Synod met and Constituted. Sederunt, When the Roll being called, Sederunt, of the Presbytery of Bathurst, Messrs. John Machar, John Cruickshank, Thomas Clarke Wilson, James Ketchan, and Matthew Miller, ministers, and Mr. John Strange, Elder; of the Presbytery of York, Messrs. William Rintoul, Alexander Ross, Robert M'Gill, George Cheyne, James Smith, and William Stewart, ministers, and Mr. Duncan Kennedy, Elder; of the Presbytery of Glengary, Messrs. Hugh Urquhart, and Archibald Connel, ministers; of the Presbytery of Quebec, Messrs. Henry Esson, Alexander Matheson, Alexander Gale, Archibald Colquhoun, and David Brown, ministers. The Rev. John Machar, was chosen moderator, when the Synod adjourned till to-morrow, at ten o'clock. Closed with prayer. Moderator chosen,

York, 2nd day of August, 1833.—This day the Synod met, pursuant to adjournment, and constituted. Mr. John Strange, Elder, from the Kirk Session of Kingston, was added to the Sederunt of yesterday. A letter to the Moderator, from the Rev. Dr. Harkness, excusing his absence on account of ill health was read. The minutes of last Session were read. Mr. Matheson called for the production of the reasons of dissent given in by Mr. John Mackenzie, and those who adhered to him, against the resolution passed at last meeting of Synod, on the subject of a Union with the United Synod of Upper Canada; when the Clerk having declared they were given in in due time they were read, and ordered to be kept in *retentis*. Second Session—

The Synod then appointed a Committee of Bills and Overtures, viz:—The moderator and clerk, Messrs. Rintoul, Matheson, Cruickshank, Ross, Esson, Connel, Smith, Stuart, Wilson, Cheyne and Gale, ministers, and Messrs. John Strange and Duncan Kennedy, Elders, with instructions to meet immediately after the adjournment of the Synod, and to report to-morrow at ten o'clock. Committee of Bills and Overtures,

The Synod called for Presbytery Books, which being laid upon the table, the following committees were appointed to examine them, viz:—the Records of the Presbytery of Bathurst, by Messrs. Archibald Colquhoun, James Smith, and Hugh Urquhart, ministers, and Mr. Duncan Kennedy, Elder—the Records of the Presbytery of York, by Messrs. Alexander Matheson, Thomas C. Wilson, and Alexander Gale, ministers, and Mr. John Strange, Elder—the Records of the Presbytery of Glengary, by Messrs. George Cheyne, William Rintoul, and William Stewart, ministers—and the Records of the Presbytery of Quebec, by Messrs. James Ketchan, Matthew Miller and Archibald Connel, ministers. The first named on these committees, to be conveners of each respectively, and the whole to report on Monday morning at ten o'clock. Committee appointed for Examination of Records,

The Moderator of the Presbytery of Quebec stated that the disputes in St. Gabriel-street Church, Montreal, had been settled according to the injunctions of last Synod.

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

The Synod then adjourned till to-morrow at ten o'clock.—Closed with prayer.

At York, Saturday, the 3rd day of August, 1833.—The Synod met and Constituted. Mr. William Duff Miller, from the Kirk Session, of Niagara, was added to the Sederunt of yesterday. The minutes were then read, when Mr. Matheson having complained that Dr. Harkness's adherence to the reasons of dissent given in by Mr. Mackenzie, as intimated in his letter to the moderator, had not been entered upon the record, moved that the adherence of Dr. Harkness, ex- Third Session,—

Dr. Harkness' adherence to dissent to be Recorded,

pressed in his letter to the moderator, of the 21th July, 1833, be received and recorded in the minutes: when the clerk moved as an amendment, that no adherence to reasons of dissent, except those that are given in instanter, be entered upon the record—but upon intimation being made to the clerk, any member may have his name added to those already on the original document. Whereupon the roll being called, and the votes taken, Mr. Matheson's motion was carried by a majority of one: and Dr. Harkness's adherence was ordered to be received and recorded. The Synod resolved to hold a diet for prayer, at half past seven o'clock, on the evening of Monday next.

Diet for Prayer,

Committee to confer with Commissioners from the United Synod,

A letter was read from Rev. W.M'Alister, of Lanark, excusing his absence from the Synod, on account of domestic circumstances. On an application from the moderator, for the appointment of a committee to confer with a committee appointed by the United Synod of Upper Canada, a copy of the resolutions of that body was produced and read, when the following committee was appointed, to receive whatever information they had to communicate; namely, Messrs. Gale, Matheson, Rintoul, and M'Gill; Mr. Gale, to be convener.

Presbytery of Glengary and certain Members admitted.

Meeting of Commission.

The Synod next called for the report of the committee of bills and overtures, which was produced, read and approved. In conformity therewith, the Synod first took up the consideration of the conduct of the Presbytery of Glengary, as also, of Dr. Harkness, and Mr. Ketchan, in neglecting to forward their reports on the state of religion, for the information of the General Assembly. When the Synod again enjoined the parties who have neglected the injunctions of the Synod in this matter, to deposit their reports in the hands of the clerk immediately, and that the moderator be requested to admonish these brethren of the necessity of a due regard and obedience to the injunctions of the several courts; and that the moderator of the Presbytery of Quebec intimate this injunction to Dr. Harkness, with a suitable admonition. The Presbytery of Glengary, as also Mr. Ketchan, were called up, and admonished accordingly. The report of the commission was called for, read and approved, and ordered to lie on the table. The Synod resolved in terms of the recommendation of the committee of bills and overtures, that there shall be at least three meetings of the commission in each year, and that four members shall form a quorum, of whom three shall be ministers; and that the commission for the time being, shall have the powers of the Synod, subject always to review of the Synod.

Committee appointed to prepare an Address to the King.

Address to His Excellency,

The Synod next resolved to transmit an address to His Majesty, containing the thanks of the Synod, for the grant of £900, for building churches and chapels, as also, a memorial respecting the Clergy Reserves and King's College, and on the interests of the Church in the Lower Province, and the moderator, Messrs. Esson, Matheson and M'Gill, were appointed to produce a draft of an address, for the eventual adoption of the Synod. The following committee was appointed to prepare an address to His Excellency, namely, Messrs. Gale, Rintoul and Cruickshank, to produce the draft to the Synod, on Monday, at ten o'clock.

Committee appointed on the Government grant of £900.

The Synod next considered the recommendation of the committee, of bills and overtures, on the method of apportioning the government grant of £900, for the erection of churches, when it was resolved, that each Presbytery be enjoined to meet this evening, at half past five o'clock, in St. Andrews church, to consider all claims for a share of the said grant coming from within their bounds, and to report as far as may be in their power, to the committee hereafter to be named, upon the following points, in regard to each application: First, sum subscribed by the people; 2nd, estimated expense of building; 3rd, numbers probable, or ascertained, of each congregation; 4th, whether there is a minister; 5th, progress, if any made, in building; 6th, amount of debt, if any; and the following committee was appointed, viz. the Presbytery of Quebec, and Messrs. Machar, M'Gill and Urquhart; Mr. Matheson, convener. The committee to form a scheme, in accordance with the information obtained from the Presbyteries, to apportion the money according to that scheme, and report to the next Session of Synod. Mr. Matheson was appointed to sit with the Presbytery of Glengary, at their meeting, at half past five, to constitute a quorum.

Interim Treasurer,

Presbytery of York,

Synod Book,

Mr. Strange was appointed Treasurer, ad interim, in the absence of the treasurer, to receive the collections for the Synod and mission funds. The moderator of the Presbytery of York, requested leave for that Presbytery, to meet for all competent business—leave granted. The Synod instructed the clerk to furnish an estimate of the probable amount of money required, to meet the expenses connected with the Synod, for the current year, that provisions may be made for the same forthwith. Mr. Matthew Miller was added to the committee of bills and overtures, which was appointed to meet this evening, at eight o'clock. The Synod then adjourned until Monday, at ten o'clock. Closed with prayer.

At York, on Monday the 5th day of August.—The Synod met pursuant to adjournment, and con-^{Fourth Session—}stituted—Sederunt as above. The minutes of last sederunt were read. The reports of the committees, appointed to examine Presbytery records, were called for—when the committee on the records of the Presbytery of Bathurst, reported as follows;—“That after a minute review of the said records, your committee find them carefully and correctly written. That your committee deem it ^{Presbytery Records,} their duty, to call the Synod’s attention to some of the proceedings of the Presbytery of Bathurst, as worthy of special remark—First, At pages 16, 17, and 18, a Formula is recorded, purporting to be drawn up in conformity to the resolution of Synod, passed at its meeting in 1832, on the subject of a Union with the United Synod of Upper Canada, and intended to be proposed for signatures, to such ministers of that Synod, as might, in terms of said resolution, apply to the Presbytery of Bathurst for admission. The refusal of Mr. William Bell, of Perth, the first applicant, as recorded in page 20, to sign the said formula, on the ground as stated in certain resolutions, transmitted to your Synod, by the United Synod, of its “being neither expressed nor contained in the original resolution, and going beyond the power given by your Synod,” would seem to your committee, to imply some ambiguity in the original resolution; an ambiguity, which, at the same time, that it may justify the Presbytery of Bathurst, in their interpretation of its requisitions, may also warrant Mr. Bell, in his view of its import, and his consequent refusal to sign the same. Under this impression, your committee, whilst they consider the substance of the said formula, as in strict accordance with the spirit of said resolution, and with the laws and practice of the Church of Scotland, would beg leave to suggest to your Synod, the necessity of giving to Presbyteries directions to guide their proceedings, in similar cases less liable to mis-construction, than those which are contained in the resolution referred to. Second, The proceedings of the Presbytery of Bathurst, in the ordination of Mr. Matthew Miller, preacher of the gospel, as recorded in pages 24, 25, and 29, seem to your committee, to be in many points highly exceptionable; as may be inferred from the omission of a call, a bond for a temporal provision, or any document, designating Mr. Miller to any specific charge, though such a document is referred to in page 29. Did the records bear that Mr. Miller had been ordained as a missionary, the omission of these documents might, in the opinion of your committee, be justifiable: but, as they can see nothing to warrant such supposition, on the contrary are led to infer, that his ordination was to the specific pastoral charge of Cobourg and Colborne; your committee deem the want of the documents referred to, as an essential defect in the Presbytery’s proceedings, which they ought to be enjoined by the Synod to rectify, as far as it is yet in their power, with the least possible delay. The ordination of Mr. Miller, at Perth, leads your committee to advert to a practice in many ways inadvisable, so far at least as respects ordinations conducted in this country: viz: that of ordaining ministers at a distance from the congregations to which they are called to minister: and they would humbly suggest, to your Synod, the propriety of enjoining Presbyteries, in all cases where it is practicable, henceforth to conduct ordinations in the face of the respective congregations where they occur.” The Synod commended the diligence of the committee, and in regard to the conduct of the Presbytery of Bathurst, in the ordination of Mr. Miller, the Synod expressed its dissatisfaction with the informality of proceeding to ordination, without having before them a call and bond for provision—and also, at the ordination having taken place at Perth, instead of at Cobourg, in the face of the people: but in consideration of the circumstances of the case, agree to no farther censure, than that the Presbytery be admonished to greater regularity in their future proceedings, and enjoined to take care that the necessary extracts from the Presbytery of Glasgow be yet procured and engrossed in their minutes: and in as much as in this case, there was no formal induction of Mr. Miller to his pastoral charge, the Synod take this occasion of declaring that wherever ordination has not taken place, in presence of the people, that an induction of the minister to his charge, should always take place shortly after ordination by appointment of the Presbytery. The Presbytery of Bathurst, was called up and admonished in terms of the preceding deliverance, and the clerk was instructed to attest the Presbytery records, cum hac nota. On the report of the committee appointed to examine the records of the Presbytery of York, the clerk was instructed to attest them, cum notis; first, that the Presbytery instruct their clerk, to inscribe his initials on the margin, where erasures have been made; second, that the moderator of Synod is requested to sign the minutes not signed by the moderator of the Presbytery, the late Mr. George Sheed, and to append to his signature, the reason why this was omitted: viz. the death of Mr. Sheed, before the minute was engrossed: third, that although at the meeting, dated West Flamborough, June 22nd, 1832, no subsequent meeting is appointed, yet the Synod declare the subsequent proceedings valid. The minutes of the last meeting not having been

engrossed, are reserved for examination next year. The Synod enjoined the Presbytery to see that their clerk be more careful in the above particulars.

On the report of the committee appointed to examine the records of the Presbytery of Glengary, the clerk was instructed to attest them, with an injunction that the Presbytery at the close of every meeting, record when and where the next is to take place; that the minutes of every Sederunt be signed by the moderator. On the report of the committee appointed to examine the records of the Presbytery of Quebec, the clerk was instructed to attest them as correct.

Papers from the General Assembly

The following papers transmitted to the moderator, were read and laid on the table, viz.—First, an extract from the records of the General Assembly of the Church of Scotland, dated Edinburgh, 18th May, 1833, signed, by John Lee, first clerk of the Church of Scotland, containing the Deliverance of the General Assembly as to Churches in the Colonies. 2d—A letter from Dr. Lee, to the Rev. Dr. Burns, of Paisley, accompanying said Deliverance; 3d—A copy of the Confession of Faith, with the Formula for Elders appended, in manuscript, by Dr. Lee; 4th—A letter from the Secretaries of the Glasgow Colonial Society. The declaratory enactment was ordered to be inscribed in the minutes, and is as follows:—

DECLARATORY ENACTMENT.

THAT it is proper and expedient for Ordained Ministers of the Church of Scotland connected with fixed Congregations in any of the British Colonies, to form themselves, where circumstances permit, into Presbyteries and Synods, adhering to the Standards of this Church, and maintaining her form of Worship and Government.

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

That it is not expedient for such Presbyteries, in the present state of education in the Colonies, to exercise the power of Licensing Probationers; but that Licentiates of the Church of Scotland, who shall be ordained by any such Presbytery to a particular charge in the manner above described, shall remain in full communion with the Church of Scotland, and retain all the rights and privileges which belong to Licentiates or Ministers of this Church; and that Members of Congregations under the charge of Ministers so ordained shall, on coming to Scotland, be admitted to Church privileges on the production of satisfactory certificates of their religious and moral character from the Minister and Session of the Congregation to which they have belonged.

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

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

And the Synod received the same as part of the constitution of this Church, and Presbyteries were enjoined to regulate their proceedings accordingly. The Synod farther resolved, that the Confession of Faith should be printed under the superintendence of the Commission; the number of copies to be at their discretion, and Presbyteries to bear their share of the expense, in proportion to the number of copies required.

Confession of Faith to be Printed,

Committee to confer with Commissioners of the United Synod,

The Synod next called for the report of the committee appointed to meet with the commissioners of the United Synod, to receive whatever information they have to communicate. This report being given in and read, as also the letter of the Rev. William Bell, of Perth, complaining of the conduct of the Presbytery of Bathrust, and a copy of resolutions of the United Synod, passed at a late meeting of that body,—after lengthened deliberation, the Synod deferred coming to a decision, and adjourned till six o'clock, in the evening—then to hold a diet for prayer, as appointed at a former Session. * * * The Synod met this evening for prayer, and called upon Messrs. Machar, James Ketchan, and Robert M'Gill, to offer their supplications unto Almighty God—and thereafter adjourned until to-morrow, at ten o'clock. * * *

Fifth Session,—

At York, on Tuesday the 6th day of August.—The Synod met and constituted. The minutes of

of last Session were read. A copy of an address to His Excellency was read, and approved. } Address to His
The tenor whereof follows : — } Excellency,

TO HIS EXCELLENCY SIR JOHN COLBORNE, K. C. B. Lieutenant Governor of the Province of Upper Canada, and Major General Commanding His Majesty's Forces therein, &c. &c. &c.

May it Please Your Excellency :

The Synod of the Presbyterian Church of Canada, in connexion with the Church of Scotland, now in Session at York, avail themselves of the opportunity afforded by their present Meeting to renew the expression of those sentiments of respect and attachment which they feel towards Your Excellency's Person and Administration, grounded on their sense of Your enlightened zeal and unwearied exertions to promote the growing prosperity of this happy and flourishing Province.

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

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

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

That Almighty God may enrich Your Excellency with every temporal and spiritual blessing—And after many years of usefulness and honor upon earth, receive You into His Heavenly Kingdom, is the earnest Prayer of,

May it Please Your Excellency ;

Your Excellency's most faithful and most obedient Servants.

In Name, Presence, and by Appointment of the Synod, at York, this sixth day of August, One Thousand Eight Hundred and Thirty-three.

(SIGNED)

JOHN MACHAR, Moderator.

The following members were appointed a deputation to present it to His Excellency, viz: The Moderator, Messrs. Rintoul, Matheson, Cruickshank & Urquhart, ministers, & Mr. John Strange, Elder.

The Synod then resumed deliberation on the subject of the Union, when it was moved by Mr. Rintoul, and seconded by Mr. Gale, that in consistency with the fact of a former Session, in receiving the declaratory enactment of the last General Assembly, as part of the constitution of this Church, the Synod cannot adopt any new measure, for promoting this Union, in advance of the measure of last year, without consulting the committee of the General Assembly : that they are, nevertheless, disposed to act up to the spirit of the resolution of last year, and to give effect to the same. And in order to remove the ambiguity, which may seem to attach to it, from the different constructions put upon a part of it, by the Presbytery of Bathurst on one hand, and some members of the United Synod on the other, as well as from a sense of the propriety of the thing itself—the Synod now declare, that it is expedient, that ministers of the United Synod, admitted into this body, should subscribe the Formula of the Established Church of Scotland ; a copy of which is subjoined :—

"I, A. B., do sincerely own and declare the above Confession of Faith, approved by the former General Assemblies of this church, and ratified by law, in the Year 1690, to be the confession of my faith; and that I own the doctrine therein contained to be the true doctrine, which I will constantly adhere to: As likewise, that I own and acknowledge Presbyterian church government of this church, now settled by law, by kirk-sessions, presbyteries, provincial synods, and general assemblies, to be the only government of this church; and that I will submit thereto, concur therewith, and never endeavour, directly or indirectly, the prejudice or subversion thereof; and that I shall observe uniformity of worship, and of the administration of all public ordinances within this church, as the same are at present performed and allowed."—Act. 11.

Amendment,

And the Synod enjoin Presbyteries, to receive into them such ministers of that body, as shall subscribe this Formula, and fulfil the other conditions of the resolution of last year; and should any difficulties in regard to those conditions occur, they further enjoin Presbyteries to refer the consideration of the same to the Synod at its next meeting, giving, however, to those who may apply for admission, the kindest interpretation of the resolutions of the Synod. It was next moved in amendment, by Mr. Matthew Miller, and seconded by Mr. David Brown, that the United Synod of Upper Canada, having declined the terms upon which it was last year declared, that the members of their body should be received into this Church, and having proposed the appointment of commissioners, with a view of arranging some new basis of Union, it is declared that to accede to this proposal would be, as it appears to this Synod, to go farther than present circumstances warrant: but being still as deeply impressed as ever, with the importance of using all proper means, for promoting a Union among the Presbyterians in these Provinces, and having just received a declaratory Act of last General Assembly, in which, among other things it is resolved, to appoint a Committee to correspond with and give advice to Colonial Churches, it is resolved by this Synod, that the whole subject under consideration be laid before said Committee, and their advice craved thereupon. The amendment was put, and the roll called, when there appeared in favor of it seven; against it, nine. The motion was next put, and the roll called, when there appeared in favor of it, nine; against it, seven,—whereupon the motion was declared to be carried. Against which Mr. Alexander Matheson entered his dissent, for reasons to be given in due time—taking instrument in the Clerk's hands, and craving extracts. To this dissent, Messrs. Matthew Miller, David Brown and John Cruickshank gave in their adherence.

Vote,

Dissent,

Overture on the Sabbath,

The Synod next proceeded to consider an Overture from the Presbytery of York, respecting the better observance of the Sabbath, which was approved and remitted to the Commission to use all discreet means for the furtherance of this important object. An Overture from the Presbytery of York, on the subject of Baptism, was next read and considered, when it was agreed to adopt the Preamble, which is as follows:—That, for as much as many who come under the ministrations of the ministers of this Church, are found to be very ignorant in regard to the nature of Baptism; and that ministers often find a difficulty in dealing with such persons when they apply for Baptism, it is expedient and proper that the Synod, with the view at once of communicating information as to the Administration of Baptism, and strengthening the hands of ministers and elders in maintaining a sound discipline in this matter—Do send a recommendation to Sessions on the subject of Baptism: and in conformity therewith, the Synod enjoined Presbyteries to see that the laws of the Church regarding this Ordinance, are duly observed.—

Overture on Baptism

Overture respecting Widows Fund,

An Overture from the Presbytery of Bathurst recommending the formation of a Ministers' Widows' Fund, was next read and approved; and the Synod appointed the Presbytery of Quebec to digest a scheme, and to Report to next meeting of Synod. An Overture from the Rev. Matthew Miller, proposing a better method of drawing the Government Allowance, was read: the tenor whereof follows:—That the Synod do appoint a Committee to draw up a memorial to His Excellency the Lieutenant Governor, praying that it be no longer required of Ministers, when drawing the Government Allowance, to forward certificates from their respective Elders of their being ministers of the places for which the allowance is drawn; but that His Excellency would be pleased to accept instead thereof, of certificates to the same effect, from the Presbyteries of the Bounds; and instead of requiring that these certificates be renewed each time that allowances are drawn, that His Excellency would be pleased to consider ministers once certified to be Pastors of certain Churches, as still continuing to be so, until intimation is given to His Excellency in the same manner, that the connexion is dissolved—the Synod engaging that such occurrence shall immediately, on its taking place, be notified to His Excellency. Farther, that should His Excellency accede to this prayer, the convener of the Commission be instructed to give due intimation thereof to the moderator of each Presbytery; and that said moderator, on receiving such intimation, shall call forthwith a meeting of Presbytery; by whom such certificates shall be granted. The Synod resolved in terms of this Overture, and enjoined the Commission to take the necessary steps. The Synod next took up an Overture from the Rev. Matthew Miller, on Calls, and the constitution of the Commission by the Pastors

Overtures respecting the mode of drawing Govern't Allowance.

Overture on Calls &c.

Matthew Miller, on Calls, and the constitution of the Commission by the Pastors

ral Connection, when it was resolved that the several Presbyteries be instructed to mature their views on these subjects; to report within three months of next meeting of Synod to the following Committee, viz. :—The moderator, and Messrs. Ketchan and Miller; and this committee be prepared to submit a full view of the matter in question to the next meeting of Synod. And farther, the Synod enjoin Presbyteries in the mean time to proceed in the ordination of ministers, with a due regard to the permanency of the pastoral connection.

An Overture from the Presbytery of Quebec on the legal recognition of Churches in Canada, was called for and read, as follows :—In consideration of the difficulties arising in the administration of the laws and discipline of our Church, from our not being a corporate body, and being unknown to the laws of these Provinces as a church court, it is humbly requested that the Synod take steps to have the decisions of our church courts recognized by the law of the land, in so far as their decisions are conformable to the laws and practice of the Church of Scotland; and that the several Presbyteries be enjoined to take this subject into serious and immediate consideration, and to report to a committee to be appointed by the Synod, on the measures they deem most advisable to attain the end proposed. And farther, that said Committee of Synod shall carefully consider such reports, and procure all other information on the subject within their power, and prepare a plan for the consideration of the Synod at its next meeting. The Synod resolved in terms of the Overture, and appointed the Presbytery of Quebec a committee to take charge of this business. A Petition of certain members of the Presbytery of Bathurst, was next called for, and read, as follows :—“ The Petition of the undersigned, members of the Presbytery of Bathurst, respectfully sheweth, that the bounds of said Presbytery are found, by experience, to be inconveniently large; and as there are now a sufficient number of ministers composing it, to admit of its being divided into two Presbyteries, it would be desirable that a separate Presbytery should be formed, consisting of the ministers of Kingston, Belleville, Cobourg and Colborne, and having for its bounds the Newcastle, Prince Edward, and the Midland Districts, together with the country within thirty miles of Kingston, —Signed, John Machar, James Ketchan, and Matthew Miller, ministers, and John Strange, Elder.” Whereupon, the Synod agreed to grant the prayer of the Petitioners; and constituted a New Presbytery, bounded as described in the Petition, and to be named the Presbytery of Kingston; and enjoined both Presbyteries to meet this evening for any competent business, appointing Mr. George Cheyne to sit with the Presbytery of Bathurst to constitute a quorum. The Clerk of the Presbytery of Bathurst was allowed an extract of this minute. The Synod next called for a Letter addressed to the moderator, by the Trustees of St. Andrews’ Church, York, which being read, the Synod appointed the following Committee to consider the whole business —and to call for all parties and documents connected therewith—viz. :—The moderator, and Messrs. Matheson, Connell, Cruickshank, Gale and Urquhart, ministers, and Mr. John Strange, elder, to report as early as possible during the present meeting of Synod. An Overture from the Rev. William Rintoul, respecting annual returns from congregations and Presbyteries, was referred to the Commission. The memorial of Colin Gregor, Teacher of the Ottawa District School; and a Petition from certain heads of Families of the congregation of L’Original, were read; and the Synod recommended to the Presbytery of Glengary to examine the qualifications of Mr. Gregor, and receive him as a Catechist, if they should see fit: and the moderator was requested to refer the said papers to the Committee of the General Assembly, craving advice.—

Overture on the legal recognition of Churches,

Petition, &c.

A new Presbytery to be called the Presbytery of Kingston, St. Andrews’ Church, York,

Overture respecting annual returns

Memorial of Colin Gregor.

At York, Wednesday, the 7th day of August, 1833.—This day the Synod met pursuant to adjournment, and constituted. The Deputation appointed to wait upon His Excellency Sir John Colborne, with the Synod’s Address, laid upon the table. His Excellency’s reply, the tenor whereof follows :—

His Excellency’s answer to address

REVEREND GENTLEMEN :

IN expressing my thanks to the Synod for this Address, I feel it incumbent on me to state, that His Majesty’s Government being aware of the great importance of aiding, at this period, the Ministers of the Gospel, and the Societies with which they are connected in their exertions to diffuse Religious Instruction through the Province; I may assure you, that the Synod of the Presbyterian Church of Canada will continue to receive that support which they must necessarily require in the discharge of their duty faithfully in a new country.

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

The Committee appointed to report on the state of St. Andrew’s Church, York, gave in their Report; the consideration of which was deferred until to-morrow, at nine o’clock, to which time the Synod adjourned. Closed with Prayer.

At York, Thursday, the 8th day of August, 1833.—This day the Synod being met and constituted, called for the Report of the Committee on the state of St. Andrews’ Church, York, which was read as follows :—

St. Andrews’ Ch

" Your Committee have to Report, that after careful examination of the Documents submitted to them, and of the parties concerned in the case of St. Andrews' Church, York, they find :

1st.—That the Rev. W. Rintoul was designated to the Pastoral charge of St. Andrews' Church, York, by the Glasgow Society, in consequence of a letter, dated 29th July, 1830, addressed to one of the Secretaries of said Society, and subscribed by certain individuals appointed Trustees of said Church by the original contributors to the building thereof—which letter contains the following conditions to be fulfilled on the part of said Trustees :—

York, Upper Canada, 29th July, 1830.

SIR—We, the undersigned, regularly constituted and appointed Trustees of the Presbyterian Congregation of St. Andrews' Church, of York, request that your Society will be pleased to ordain and appoint a Minister to preside over us—And we, on our part, promise that we will yield him that obedience required by the Kirk from a Congregation to their Spiritual superior. We further bind ourselves to secure him a Stipend of not less than Two Hundred Pounds, Halifax currency, per Annum, on the following conditions, viz :—1st, That at the end of three years from the date of his arrival in the Province, we are at liberty to make void this engagement. 2nd, That if the Congregation, at the expiration of three years, continue to approve of him as their Minister, that he shall, by a new Agreement, be appointed their Minister during his natural life, unless from some impropriety of conduct, or heresy of doctrine, he shall be deemed unworthy to hold the Office of Minister, or unless he himself, from private reasons, decline that Office.

We have to request that you will impress upon the Society the necessity of sending a Minister with all convenient despatch, as the building of the Church is already in progress ; and much depends on the Congregation being immediately organized and going forthwith into operation.

We beg further to impress upon your mind the necessity of sending to York, a man of zeal and talent, not only for the purpose of increasing the wealth and respectability of the congregation, and thereby enabling us to pay a more liberal stipend, but because there are in the College, here, a number of young Clergymen of the Church of England, of great acquirements and great zeal, and who are deservedly popular preachers, a rivalry which the Kirk has not to contend with in any part of the Province.

Signed, { H. Carfrae, James F. Smith, Alex. Murray,
Jacob Letham, John Ewart, Thos. Carfrae, Jun. W. Rose.

To Rev. DAVID WELCH, *Secretary to the North American Society, Glasgow.*

2nd—That at a public Meeting of said contributors, held on the 18th May, 1830, they did draw up and agree to a Constitution for the management of said Church, the tenor whereof follows:—

" At a general Meeting of the Subscribers to the proposed Presbyterian Church in York, the following Constitution was adopted :

1. That the Church be called St. Andrews' Church.
2. That being a Subscriber to the Church gives a power to vote for the first Trustees, to consist of seven persons, who shall manage all matters referring to the temporalities of the Church :—That vacancies in the Trustees shall be filled up by a general meeting of the subscribers and pew-holders—a subscriber being a person who has paid one pound five shillings towards the Church and a pew-holder, a person who has paid up his rate for three sittings, no subscription gives a permanent property in a pew ; these are to be let for a term not exceeding five years.
3. That these Trustees are entitled to call to the Ministry an ordained Clergyman of the Church of Scotland, or to delegate that right to any Presbytery in Scotland, or to the Glasgow Society, or to any other Society that may hereafter be formed for similar purposes.
4. That these Trustees shall be distinct and separate from the Church Session, and their meetings be separately held—though being a Trustee does not disqualify from being an Elder nor vice versa.
5. That Meetings of the Trustees be called by a clear week's notice, given by their Secretary or Chairman—that four form a quorum, and that their business be conducted like that of other Trustees, and in particular that no resolution of theirs be valid unless confirmed by a second meeting summoned as above mentioned.
6. That in any matter which these articles do not provide for, or if any doubt respecting them shall arise, the same shall be settled according to the laws and usages of the Church of Scotland : and so soon as a Presbytery shall be formed in these Provinces, such matters shall be referred to it ; and should a higher Court as a Synod be established that the same may be appealed from the inferior to the higher Court.
7. That these articles shall continue in force until they shall be altered by the vote of at least two-thirds of a meeting of the proprietors and pew-holders, which may be called by the Minister and Kirk Session, by a majority of the Trustees, or by twelve of the proprietors and

pew-holders, by giving notice of the same from the Pulpit or Precentor's desk, on three consecutive Sundays after the forenoon's service.

YORK, MAY 18TH, 1830.

COMMITTEE, { JAMES BELL, Chairman.
 { JAMES LECKIE, Secretary.

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

3rd—That said contributors at another public meeting held on the 15th March, 1831, did pass the following resolution:—

Resolved—That the present Trustees be empowered to borrow the sum of Three Hundred Pounds, to finish the church, with the exception of the Dome, and that they continue in office until the said debt is liquidated.

Resolved—That the constitution be so amended, by the adoption of an Eighth Article, with these words: That the present Trustees, John Ewart, Jacob Letham, Thomas Carfrae, jun. James F. Smith, Alexander Murray, Hugh Carfrae, and Walter Rose, be continued in office, until the debt about to be contracted to finish the church, be liquidated, and that no alteration in the constitution take place until that period.

4th—That it appears from the aforementioned documents that Mr. Rintoul accepted of the said charge for the period of three years, that the renewal and permanent settlements of his connexion with the congregation of St. Andrew's Church was to be determined at the expiry of the original engagement by the voice of the congregation, and that the Trustees, besides the powers conferred on them by the original constitution, have obtained an extension of these powers as to time limited only by the extinction of certain pecuniary obligations which they assumed upon their powers being thus extended.

5th—That while it appears that Mr. Rintoul, according to the terms of his bond has a pledge that his eventual permanent settlement shall be determined by a vote of the congregation—the congregation have at the same time invested the trustees with such powers and placed them under such pecuniary responsibilities as seems to invalidate the free right of vote originally contemplated, or as might render the exercise of it incompatible with the pecuniary responsibility of said trustees.

Under these circumstances your committee recommend that the Synod remit the case to the Presbytery of York, with the following instructions and recommendations. That the Presbytery of York, meet in York, immediately after the close of the Synod, and as their first step use their best endeavours to obtain the means of relieving the Trustees from their responsibility for the debt of three hundred pounds, either by pecuniary payment of the money, or security satisfactory to the Trustees. The final exoneration of the Trustees by the Presbytery to be conditional on the re-election of Mr. Rintoul to the pastoral charge of said Church, by the persons hereinafter declared to be entitled to vote on that question—That the voters shall be—1st. All the original subscribers to the church, as described in Art. 2nd. of the constitution—2d. Pew-holders qualified according to the terms of said article. 3rdly. All who have been in regular communion with said congregation up to this date, provided they be heads of families, or persons who have attained the age of 21 years, and establish to the satisfaction of the Presbytery, that they have held a sitting or sittings in said church during the twelve months preceding this date, either directly from the Trustees or from others—that in the event of such exoneration of the Trustees, as above described being obtained, the Presbytery, shall appoint a meeting within three weeks of this date, for registering the voters, and thereafter, so soon as they shall see meet bringing the question to a decision. Your committee further recommend, that the Synod express deep regret that the parties have been brought into circumstances by which the sacred connexion between pastor and people, may be dissolved in a manner so much at variance with the spirit and constitution of our church, and use every possible endeavour to prevent the recurrence of similar irregularities.

Whereupon the Synod approved the Report, adopted the recommendations thereof, and enjoined the Presbytery of York to meet this evening at half past 6 o'clock, to take the necessary steps in this business. The clerk was instructed to furnish the Trustees of said Church, as also the Presbytery of York, with a copy of this deliverance. Mr. Rintoul, for himself, took instrument in the clerk's hands, and craved extracts, which were granted.

The Report of the committee appointed to draw up a scheme for distributing the Government Grant for building Churches, was given in, and in conformity therewith, the Synod approved of the following rules and conditions to regulate the distribution of this or any similar grant that

{ Distribution of Gov't Grant for building Churches

may be obtained—First, That there must be a legal deed, securing the Church to Trustees, acknowledging the jurisdiction of the Synod. Second, That there must be a sufficient provision made for the minister from pew rents, or voluntary contributions. Third, If there be no minister settled in the Church, that evidence be produced, that effective measures are taken for obtaining one. Fourth, That Churches thus aided, must have agreed to a constitution satisfactory to the Presbytery. Fifth, That the sum of money to be granted shall be paid by order of the convener of the commission, to the moderator of the Presbytery to which it is granted, and that he deliver it over to the Trustees, upon sufficient evidence that the preceding conditions have been fulfilled : and also on a sufficient bond being given, that the money shall not be devoted to any other object than the advancement of the building. And that a Report shall be made to the convener, by the Presbytery, that the monies granted, have been properly applied. Sixth, That L. 400, currency, be assumed, as the average cost of a church, adapted to the state of new settlements. Seventh, That when the people have subscribed and paid L. 300, or upwards, a grant of L. 100 shall be made—if less than L. 300 currency, shall have been subscribed, and paid by the people, the grant shall be reduced proportionably. Eighth, That a conditional bond be given to the Trustees, that the money shall be paid when the building is finished, and that the Presbytery have sufficient evidence, that the building has been completed before the money is granted on the bond, a discretionary power being invested in the Presbytery, to pay the money immediately to the Trustees, when the preceding conditions have been complied with, or sufficient evidence being produced, that the building shall in due time be completed. With reference to those principles, and also to certain specialties in the several cases, the Synod made the following appropriation of the present grant, viz : to Perth, £80 ; Cobourg, £75 ; Ramsay, £60 ; Beckwith, £50 ; Lanark, £35—To Vaughan, £30 ; Galt, £80 ; Guelph, £45 ; Aldborough, £25 ; Ancaster, £25 ; Amherstburgh, £15 ; Zorra, £50 ; Thorah and Eldon, £50. To L'Original, £50 ; Front of Charlotteburgh, £25 ; Indian Lands, £50 ; Martintown, £75 ; Lochiel, £25 ; amounting in all to £845, currency. The Synod delayed assisting several places, having very urgent claims, in consequence of their applications not having been made through the Presbyteries of the bounds, but resolved that so soon as their applications shall be forwarded, in the proper way, examined and approved, due consideration shall be given to the claims of each, and in proportion to the means at the Synod's disposal. The Synod ordered a copy of its proceedings in this business to be laid before His Excellency Sir John Colborne, together with a full statement of the numerous and urgent cases that exist in all parts of the colony, yet requiring aid.—A Memorial from the clerk was brought before the Synod, by the Moderator, of the following tenor:—"The Clerk of Synod respectfully Memorializes this Venerable Court--That he has discharged the duties of his Office now for three Sessions, without receiving any emolument, and craves that the Synod may take his case into consideration, and grant a honorarium for past services; and also that the Synod may be pleased to fix the Clerk's Salary at £15 per annum, in addition to the fees of office, to be regulated by the Synod, according to a fixed scale." Whereupon the Synod agreed to grant the sum of L. 30 for his service during the years 1831 and 1832; and further granted the sum of L. 15 per annum, for discharging the duties of his office. The Presbytery of Quebec was appointed a committee to correspond with the Presbyteries in British North America, connected with the Church of Scotland, and to consult with them whether it be practicable to delegate annually corresponding members in the manner of the Synods in Scotland.

The convener of the committee appointed to prepare the draft of a Memorial to the King on the subject of the Clergy Reserves, reported that they had not been able to proceed in this matter, on account of the lengthened Sessions of the Synod, whereupon this business was referred to the commission, with an injunction to draw up this memorial with all convenient despatch, and transmit the same to the Lieut. Governor, praying that it may be laid before His Majesty. It was recommended to the Presbytery of Quebec, to prepare a similar memorial to be transmitted by the moderator of the Synod, through Lord Aylmer, the Governor-in-Chief. The commission was also to be instructed to communicate to the committee of the General Assembly on colonial Churches, the thanks of this Synod, for the paternal care manifested by the General Assembly, for colonial Churches, and to inform that venerable body that the Declaratory Enactment passed at last General Assembly has been received by the Synod, with all dutiful submission, and acknowledged as an essential part of the Constitution of this Church; and further to crave the General Assembly to use its influence to secure to the Synod all its legal rights as connected with the Church of Scotland, and to obtain if possible from His Majesty's Government, that wherever in a British Colony a minister of the Church of Scotland officiates as chaplain to the military, he shall receive the customary allowance, and also that the General Assembly caution Presbyteries at home, not to ordain ministers to Canada, upon a call and bond, unless these have been certified by Presbyteries in this country.

Clerk's Salary,

Synodical Correspondence,

Report of Committee, &c.

Memorial to the General Assembly

The clerk of the mission committee, was instructed to prepare an Extract of the minutes of that to a scheme of appointments for missionaries, to be printed and distributed among the Presbyteries, and the Synod recommended copies thereof to be sent to the p...

Abstract of the minutes of Synod. The Report of the Mission Committee of the Lower Province was called for, read, and approved; and that committee was instructed to furnish the clerk of the Synod with an abstract of the same, to be appended to the printed abstract of the Synod minutes.

The Synod, in consequence of the absence of the Treasurer, John M'Lean, Esquire, of Kingston, received no report on the state of the Mission or Synod Funds—but Presbyteries were enjoined to see that collections be made in all their congregations, within six months, for the mission fund; and within twelve months, for the Synod fund; and that the same be forwarded to the Treasurer within these periods respectively. And the Treasurer was requested to furnish the clerk of each Presbytery with an abstract of his account.

The following was appointed a standing Commission to watch over the general interests of the Church, and to transact the business specially referred to it, viz.: the Moderator, and Clerk of Synod, Messrs. Rintoul and Ketchan, ministers, and the Hon. Archibald M'Lean and Mr. John Strange, Elders—and in conformity with a resolution passed at a former Session, the Synod appointed three ordinary meetings of the Commission, to be held in each year, viz.: the first immediately after the close of the Synod; the second at York on the third Wednesday of January next; and the third at Montreal on the first Thursday of August next, at 2 o'clock; and it was resolved, that all members of the Synod may sit as members of the Commission at its ordinary meetings.

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

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

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

The Synod then appointed its next ordinary Meeting to be held at Montreal, in St. Gabriel-street Church, on the first Thursday of August next, at 6 o'clock, P. M. Closed with prayer and a blessing.

JOHN MACHAR, MODERATOR.
ROBERT M'GILL, SYNOD CLERK.

SYNOD ROLL.

THIRD SESSION--YORK: 1833.

1.—PRESBYTERY OF BATHURST.

Eld'rs. { JOHN MACHAR, Kingston.
JOHN CRUICKSHANK, Bytown,
THOMAS C. WILSON, Perth,
WILLIAM M'ALISTER, Lanark.
JAMES KETCHAN, Belville.
MATTHEW MILLER, Cobourg & Colborne.
JOHN STRANGE, Kingston.
THOMAS M'KAY, Bytown.
JOHN ROWAT, Belville.

2.—PRESBYTERY OF YORK.

Ministers. { WILLIAM RINTOUL, York.
ALEXANDER ROSS, Aldborough.
ROBERT M'GILL, Niagara.
GEORGE CHEYNE, Amherstburgh.
JAMES SMITH, Guelph.
WILLIAM STEWART, Dumfries.
Eld'rs. { DUNCAN KENNEDY, York.
WILLIAM DUFF MILLER, Niagara.
WILLIAM DUFF, Amherstburgh.

3.—PRESBYTERY OF GLENGARY.

Ministers. { JOHN MACKENZIE, Williamstown.
HUGH URQUHART, Cornwall.
ARCHIBALD CONNELL, Martintown.
(Vacant,) Lochiel.
JOHN M'GILIVRAY, Williamstown.
Eld'rs. { Hon. ARCH'D MACLEAN, Cornwall.
NEIL MACINTOSH, Martintown.

4.—PRESBYTERY OF QUEBEC.

Ministers. { JAMES SOMERVILLE, } Montreal.
HENRY ESSON, }
JAMES HARKNESS, D. D. Quebec.
ALEXANDER MATHESON, Montreal.
EDWARD BLACK, Montreal.
ALEXANDER GALE, Lachine.
JOHN CLUGSTON, Quebec.
ARCHIBALD COLQUHOUN, Chateaugay,
Duncan Moody, Dundee.
David Brown, Val Cartier.
William Mair, ————
Elders. { James Lesslie, Montreal.
John Anderson, —
James Fleming, —
James Campbell, M. D. —