

THE CONSTITUTION OF THE PRESBYTERIAN
CHURCH OF AFRICA

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PREFACE

The object of this publication is to have a Constitution of our own; heretofore, the Presbyterian Church of Africa had the use of the Practice of the Free Church of Scotland. Difficulties and exigencies peculiar to our country demanded the publication of this work. Therefore, the Synod of the Presbyterian Church of Africa, which for the time being, is the highest judicatory of the Church, at its Ordinary Meeting at Qumbu, Cape Province, from the 12th—16th April, 1912, appointed a Committee to draft a Constitution of the Presbyterian Church of Africa. After a lapse of ten years, this Committee was augmented by an additional few members at an Ordinary Meeting of Synod which met at Ekupumeni, Natal, on the 25th May, 1922. Since then, the Committee met at different times and places deliberating upon the Constitution of the Church, and reported its deliberations to several meetings of the Synod. The Constitution, as it now stands, was finally adopted by the Synod of the Presbyterian Church of Africa, at an Adjourned Meeting which met at Aliwal North, on 20th August, 1931. For the completion of this great and arduous work, all thanks are due to the untiring labours of the Committee.

CHAPTER I.

CHURCH SESSION

Composition.

1. The Church Session consists of the pastor, or pastors, and ruling elders, of a particular congregation.

Quorum.

2. Of this judicatory, two elders, if there be as many in the congregation, with the pastor, shall be necessary to constitute a quorum.

Moderator.

3. The pastor of the congregation, who presides at the Church Session, is called the Moderator of the Session; when, for prudential reasons, it may appear advisable that some other minister should be invited to preside, the pastor, in such a case, may, with or without the concurrence of the Session, invite such other minister as he or they may see meet, belonging to the same Presbytery, to preside in that case. The same expedients may be adopted in case of the sickness or absence of the pastor.

Moderator Pro Tempore.

4. A minister acting in the room of the Moderator is designated Moderator pro tempore, and signs the minutes as such.

Necessity for presence of Pastor as Moderator.

5. It is expedient, at every meeting of the Session, more especially when constituted for judicial business, that there be a presiding minister. When, therefore, a church is without a pastor, the Moderator of the Church Session shall be the minister appointed for that purpose by the Presbytery, and is called Interim Moderator and signs the minutes as such. When no ruling elders, or only one, through the death of those who held the office or otherwise, the Presbytery appoint one or more assessors from their own body to act as members of session, until a new election of a ruling elder or of ruling elders shall have taken place.

Pastor a Constituent Member.

Any pastor of a congregation, when not acting as Moderator, sits in the Church Session as a constituent member.

Collegiate Church.

In congregations where there may be two or more pastors, the senior shall preside in session, the assistant with the former's authority. This is called a Collegiate Church.

Powers of the Moderator.

The Moderator may introduce any business to the Session, and address them regarding it. He also, in common with the other members, has the right of dissent and complaint against any decision, to the Presbytery, Synod, or Assembly. He has no

deliberative vote, although, in case of an equality, he has a casting vote.

Pastor, the Supreme Teacher.

7. In a sessional meeting where a minister or pastor is required by our form of government to be present and preside, the pastor must decide all points of law and order and must be the supreme teacher of the Constitution of the Church; yet, if the members of the Session, or any member thereof, feel aggrieved by such rulings, teachings, interpretations, and decisions, they or he may file exceptions to be laid before the Presbytery to which the pastor is responsible.

Ruling Elders.

8. This designation describes their function as that of exercising spiritual oversight in the Church of Christ. The number ought to be regulated by the bounds and necessity of the people. These elders are elected for life, or until they cease to be members of the congregation, or their resignation be accepted of, or they be held and declared to have resigned through long absence from sessional meetings, or they be deposed. They may be, and usually are engaged in various departments of secular work or business. The number appointed should be sufficient, so that the burden of the duties laid upon them, should not be oppressive, or interfere with those of their ordinary callings.

Absence from Sessional Meetings.

9. If an elder absent himself from sessional meetings, for a period of six months, he shall be deposed from office.

Election of Ruling Elders.

10. The election of ruling elders belongs, in the Presbyterian Church of Africa, to the members of the congregation in full communion.

Procedure as to Election, Ordination, and Admission of Ruling Elders and Deacons.

11. The Church Session shall determine when it is expedient to have an election of Ruling Elders or of Deacons, and what number is required. The Church Session must always take such steps as will secure that the persons chosen shall be *bona fide* the choice of the majority of those communicants who take part in the election by voting, after due notice from the pulpit, stating when the election shall take place. No person can be admitted as a Ruling Elder or as a Deacon if the Session be dissatisfied with his qualifications, unless their judgment be reversed by the Presbytery or a higher court, when brought under review in an orderly manner, according to the rules of the Church. The Church Session also appoint a day and hour for the ordination or admission, as the case may be, and direct an edict to be issued to that effect by the Clerk, on a convenient Sabbath, at least ten days previously to a time specified as appointed for a meeting of Session thereant. The minister or someone authorised by him shall read the edict from the pulpit. The edict contains a statement of the steps which have been taken and the result, and if any person have any objection to the life or doctrine, and consequently to the ordination or admission of the party or parties

mentioned, that objection must be given in to the Session at the meeting, of which the time and place are specified, with certification, that if no objection be then and there given in, the ordination or admission will be proceeded with on the day and at the hour appointed. At the time specified in the edict, the Church Session having met, ascertain from the minister that the edict has been duly issued and served. The Session then direct the Session Officer to intimate at the door, that if there be any objections, the Session are now prepared to hear them. If any objections are given in, the party making an objection must substantiate it forthwith as an objection to life or doctrine. If the objection appear, in the judgement of the Session, to be substantiated, they must decline to proceed with the ordination or admission and must take the party objected to upon discipline. But if the Session find that the objections are frivolous and unsupported by evidence, it is their duty to proceed with the ordination or admission as appointed. The ordination or admission usually takes place on Sabbath in the presence of the congregation, at the close of one of the diets of public worship.

Qualifications of Ruling Elders.

12. The qualifications required of Ruling Elders are the following, viz:—(1) They must be in full communion with the congregation, and be male members thereof; (2) Each of them have attained the age of twenty-one years. (3) They must possess more or less of all the qualifications described in the New Testament—as needful for persons exercising spiritual oversight in the Church. (4) They must be "tender and circumspect in their walk, punctual in their attendance upon ordinances, and strict in their observation of the Lord's Day, and in regularly keeping up the worship of God in their families. (5) They must be men of good life and Godly conversation, without blame and all suspicion, careful for their flock, wise, and, above all things, fearing God." (6) They must be trained, by the Pastor, for a period of not less than six months, and pass examination before the Session, being examined by the pastor, or minister in charge before ordination.

Minister as a Ruling Elder.

13. An ordained Minister, who, from any cause not involving Church censure, is without a pastoral charge, is eligible as a Ruling Elder in the congregation to which he belongs.

Election of Elder formerly Ordained.

14. A person formerly ordained to the office of the eldership in a different congregation from that to which he now belongs (or in the same congregation at a previous period, having since ceased to belong to it, but having now returned to it), is regarded as retaining the status of an Elder in the Presbyterian Church of Africa. But he can only become (or be restored as) an Elder of a particular congregation, or a member of its Church Session, when he has been elected as such by the members of that congregation in full communion, either at a congregational meeting, or by voting papers or otherwise, according to the procedure adopted by the Church Session in carrying out the general principle that it appertaineth to the people to elect their own office-bearers.

Duties of Elders.

15. The peculiar duties of Ruling Elders are the following, viz :—

- (1) To sit in Session along with the Pastor, and assist in the administration of discipline, and in the spiritual government of the Church.
- (2) To take a careful oversight of the people's morals and religious principles, of the attendance upon public ordinances, and of the state of personal and family religion.
- (3) To visit the sick from time to time in their several wards, and inform the Pastor concerning the sick, the afflicted, and the dying of the congregation.
- (4) To superintend the religious instruction of the young and assist the pastor, or minister in ascertaining the qualifications of applicants for admission to sealing ordinances.
- (5) To superintend and promote the formation of meetings within their wards for prayer, reading of the Scriptures, and Christian fellowship, among the members of the Church.
- (6) To visit their several wards at least once before Sessional meetings, so as to give a clear report to the Session.

Session Clerk and his Duties.

16. Every Church Session shall elect one of its members as Clerk, to record the transactions of each meeting, to engross the same in a permanent record, and to take charge of all Sessional papers, books, and documents. When appointed, the Session Clerk, ought to make a solemn declaration before the Session that he will faithfully discharge the duties of his office. In the absence of the Session-Clerk, someone is appointed by the Session to act as clerk pro tempore. The fact of his appointment should be entered in the minutes and the minute should be signed by him as clerk pro tempore. The Session-Clerk shall continue or remain in office during the pleasure of the Session.

Mode of Convening Church Session.

17. The Church Session is legally convened by authority of the Moderator, or, by command of a Superior Court, either through public intimation from the pulpit, or through personal citation to all the individual members. The citation is held sufficient, if a reasonable time be allowed by it for the attendance of the members; the Moderator shall always convene the Session when so requested by any two or more of the Elders. No meeting of Church Session can be held at an hour when the Presbytery or Synod of the bounds is sitting, except when so authorized by Presbytery or Synod.

Adjournment of Meetings.

18. It shall be discretionary with the Church Session to make any adjournment from one saderunt (of Church Session) to another, for the object of completing unfinished business.

Duties of the Church Session.

19. The Church Session is charged with maintaining the spiritual government of the congregation; for which purpose, they

have power to enquire into the knowledge and Christian conduct of the members of the Church; to call before them offenders and witnesses, being members of their own congregation, and to introduce other witnesses, where it may be necessary to bring the process to issue, and when they can be procured to attend; to receive members into the Church; to admonish; to rebuke, to suspend, or exclude from the sacraments those who are found to deserve censure; to concert the best measures for promoting the spiritual interests of the congregation; to supervise the Sabbath School and the various societies or agencies of the congregation; and to appoint delegates to the Presbytery and Synod. The Session cannot delegate their responsibility for the religious instruction of the children of the Church. As the whole spiritual affairs of the Church are committed to the Session, the music is under their control. Singing is an important part of worship, and the choir must be subject to the Session. It is not discretionary with the Session to be represented in Presbytery and Synod; it is a duty, the neglect of which is censurable.

Disjunction or Removal.

20. The removal of a Ruling Elder or any other Church member by letter from a Church terminates his or her official relation or membership with that Church.

Order of Business.

21. The usual and approved order of business in a Church Session is as follows:—

- (1) The opening prayer and constituting of the Session;
- (2) the taking down of the sederunt by the clerk;
- (3) the reading and approval of minutes of last meeting;
- (4) business of immediate and peculiar urgency;
- (5) matters left over at former meetings, in the order of their appearance on the minutes;
- (6) new cases of discipline;
- (7) other business brought before the meeting, or naturally suggesting itself to the Session's attention.

Record of the Session.

22. Every Session shall keep a fair record of their proceedings, which record shall be, at least once in every year, submitted to the inspection of the Presbytery. Not only must the facts as to the constitution and regular closing of each meeting be correctly stated, as well as the approval of each preceding minute, but the names of all the members present must be recorded. There must be no blottings or interlinings in the record. If anything be deleted, it must be marked on the margin, and any word or words omitted must be written on the margin, and attested there by the clerk's initials. Any erasure of the minutes can be made only by authority of the Presbytery, who may call for the record at any time. Every minute ought to be signed by both the Moderator and the clerk.

Registers or Rolls.

23. Every Session shall keep registers or rolls of persons admitted to or suspended from the Lord's Table; and of the

deaths and other removals of Church members. The Session shall also keep a fair registre of marriages, and of baptisms, with the times of the births of the individuals baptized. The names of members shall be placed upon or removed from the rolls of the Church only by order of the Session. These registers or rolls shall be kept by the Pastor or Minister.

Opening and Closing of Session.

24. Every meeting of Church Session is both opened and closed with prayer. The minutes must always bear at the outset that the Session was constituted, which means that it was constituted with prayer, and, at the end, that the meeting was closed with prayer. No minute can be entertained as valid if it does not mention these two particulars. No extract from the minutes can be received which does not bear that the Session was constituted, and which is not certified by the Session Clerk as having been extracted by him from the records of the Church Session.

Approval of Minutes.

25. Before proceeding to any other business, the Session ought, at each meeting, to hear the minutes of last seditunt read, and the judgement of the Session—approving of said minutes or correcting them, ought to be recorded. The approval or correcting of the minutes does not imply any power to alter the res gestae of the former meeting. The only question is, the correctness of the minutes, as a true account of what was done.

Session not an Open Meeting.

26. The Session may hold open meetings if they see special cause; and they are specially authorized to invite the Deacons to be present at any meetings, for the sake of their advice and assistance; although in such a case, the Deacons have no vote.

Relation to the Pastor.

27. The Church Session do not stand to the Pastor or Minister in the relation of his spiritual rulers. He is not responsible to the Church Session for the discharge of his own functions, although, if he seem to neglect these, or to encroach upon the Session's functions, they can petition the Presbytery against his procedure.

Use of Church Building.

28. The place of worship is at the disposal of Pastor or Minister for the spiritual purposes of his office, but he cannot use it, or allow it to be used, for any purpose which is not of a strictly religious, ecclesiastical, or charitable nature, without the consent of the Deacons' Court. On the other hand, neither the Church Session nor the Deacons' Court can employ it for any purpose whatever without the Pastor's or Minister's consent.

Election of a Precentor.

29. No one can act as a precentor without the Pastor or Minister being satisfied with his or her qualifications and conduct, and with his mode of conducting the psalms, since the Pastor or Minister is specially responsible to the Presbytery for the mode in which all the parts of public worship are conducted.

Roll of Session.

30. The Church Session ought to keep a roll of their members, and on each occasion of change in their membership, this roll ought to be revised and inserted in the minute.

Roll of Communicants.

31. With a view to the spiritual oversight of a congregation by a Church Session, it is necessary that an accurate roll of the members in full communion be kept by the Session Clerk among the Sessional documents. A copy of this roll, revised by the Church Session, and signed by the Moderator and Clerk, must be sent to the Presbytery of the bounds, every year for attestation. In this copy of the roll sent to the Presbytery, there ought to be no blanks, in which new names could be added, and no names written on erasures, unless the same be duly noticed and attested by the Clerk's initials. The Church Session may revise or purge the Roll at any period; but it is usual to do so at the time of the dispensation of the Lord's Supper. It is regarded as necessary that the roll be so far revised or purged previously to every such dispensation, as to enable the Church Session to ascertain with accuracy who are entitled to be admitted to communion, as being already members of the congregation, or who may stand in need of admonition or other censure. It is frequently the practice, also, to re-adjust the roll immediately after the celebration of the communion, in order to make sure that the names of all persons are added to it, who not having been members of the congregation previously, have been allowed to communicate with it as members at that celebration, after satisfying the Pastor and Session with respect to their qualifications. It is expressly required that, before any steps be taken in the election of a Pastor, the Church Session shall have a Roll of communicants made up and attested, as containing the only list of those entitled to vote.

No Power over another Session.

32. One Church Session cannot interfere with or review the procedure of another Church Session. One Church Session may remonstrate with another Church Session in the spirit of the Gospel, or mutual explanations may be asked and given. The only regular mode of redress for encroachment by one Church Session on the province of another, is for the Church Session who feel that their jurisdiction has been interfered with, to petition the Presbytery upon the subject. Such petition ought to be addressed to that Presbytery which has jurisdiction over the Church Session whose procedure is complained of.

Regulation of Action for Elders Individually

33. Each Ruling Elder is allowed to exercise a large measure of discretion in the discharge of his functions individually, with a view to the religious and moral interests of the people among whom he personally labours. But it is the duty and function of the Church Session collectively to make arrangements for the division of the congregation into districts, and the assignment of these as fields of labour to the Ruling Elders individually.

No Power to Regulate or Review Deacons' Decisions.

34. It does not lie with the Church Session to arrange in detail the duties of the Deacons individually, or to control their judgement as to the manner of discharging these. It is no part of the Church Session's function to review the decisions of the Deacons' Court. If the Church Session consider that the Deacons' Court have violated the Acts of Assembly or the Laws of the Church, the only remedy, besides friendly remonstrance to which the Church Session can have recourse, is that of presenting a petition to the Presbytery.

Functions as to Resignations, etc., of Elders and Deacons.

35. It is the function of the Church Session to receive the resignations both of Elders and Deacons. No resignation of office by a Deacon is valid unless addressed to the Church Session, who exercise the same power with reference to Deacons which they do as to Elders, both in their admission to office, and in their removal from it. The Church Session may find that an Elder has ceased to be one of their number, or that a Deacon has ceased to be a member of the Deacons' Court, because he has ceased to be a member of the congregation. It is held competent for a Church Session to find that an Elder has ceased to be one of their number, because he is not resident in the Circuit, and has failed to return, within a period of twelve months, to discharge the duties of his office. The Church Session have power, in the exercise of discipline, to pronounce sentence of suspension or deposition against either an Elder or a Deacon, when they find it necessary to do so, in accordance with the word of God, and with the rules of the Church.

Session Cannot Deny Right of Petition and Complaint.

36. The Church Session shall not deny the right of petition or of complaint to any member or members of the Church in any matter of whatsoever nature, if it be prosecuted in due form and order.

A Suspended Member Joining Another Church.

37. If a suspended member should unite with another Church on profession of faith, the Session admitting him or her being ignorant of his or her former membership and suspension, should, upon discovery of these facts after conference with the accused person, strike his or her name from their roll of Church membership, as not under their jurisdiction, communicate their action to the Session suspending him or her, with reasons for it, and request said Session to proceed against him or her on separate process, for duplicity and disorder.

Session Have No Control Over Deacons' Court Funds.

38. The Church Session have no control whatsoever over the funds collected and in the hands of the Deacons of the Church or of the Deacons' Court. The management of this fund belongs exclusively to the Deacons' Court.

Mode of Constituting a Session in a New Congregation.

39. When a new congregation has been formed, and when the charge of it has been duly sanctioned as a full ministerial

charge with all congregational privileges, the right to have a separate Church Session is thereby acquired. With a view to constituting one, it is the duty of the Presbytery to name certain members of their own body to act as a Church Session in that congregation, until at least two Elders shall have been elected by the communicants, and duly admitted to their office.

Right of a Member to Petition the Church Session.

40. Any member or members of the congregation shall have a right to petition the Church Session concerning any matter of interest to him or them. The petition shall always be in writing, and may be addressed either to the Moderator or Clerk of the Church Session. The Session shall always handle the said petition in a worthy and respectable way, and the petition must be legibly written and worded in a respectable manner.

Rights and Duties of Church Members.

41. Members of the Church so constituted, male and female, in full communion and in good and regular standing, and they **only**, are entitled to participate and vote in all meetings for the transaction of business, temporal and spiritual, pertaining to the interest and welfare of such Church.

- (1) Every member of the Church has the right to lay his grievances before the Session for redress; to appeal from the decision of the Session in his or her case, or to complain to the Presbytery, against the executive course of action of the Session in any case. No member of the Church can be deprived of the aforesaid rights, but by regular trial and conviction by the Session.
- (2) When any member of the Church shall be cited for trial before the Session, he or she must have due notice (at least ten days before the appointed time) from the Session, of the nature of the charge or complaint to be laid against him or her with the specifications and the names of the witnesses to be produced against him or her, and the time and place of meeting.
- (3) When any member of the Church is so notified to appear for trial, and does not appear at the time, on the ground of his or her inability or incompetency to conduct his or her own case, the case shall wait for him or her.
- X(4) When any member of the Church shall have cause of complaint against an individual Pastor or Minister, he or she shall not bring the case before the Session, but before the Presbytery, his court of trial after acquainting the said Pastor or Minister of such complaint.

Admission to Ordinances.

42. No one can be admitted to the privilege of baptism or the Lord's Supper, in any congregation of the Presbyterian Church of Africa, without satisfying the Church Session of that congregation that he or she is qualified for admission to these privileges, in so far as man is called upon to judge, in the interpretation of

Scriptural rules. The Church Session are entitled and called upon to insist upon three qualifications, viz :—

- (1) A confession of faith in accordance with the word of God and the standards of the Church;
- (2) a life and conversation becoming the Gospel, in so far as can be outwardly seen;
- (3) a competent knowledge of religious truth, and of the nature and meaning of Christian ordinances.

Qualifications for Admission.

43. The recognized methods by which the Church Session satisfy themselves as to the possession of these qualifications are two—that of certificate, and that of examination and observation. Persons who claim admission to the use of the ordinances of Baptism and the Lord's Supper, on the ground of their having been previously in communion with other congregations, must produce satisfactory certificates from the Church Sessions of the congregation, to the effect that the parties named leave their respective congregations in full communion, and free from all ground of legitimate Church censure known to those Church Sessions. Upon the receipt of any such certificate, it is the duty of the Church Session to appoint the name of the party whom it concerns to be added to the roll. The Church Session is bound on the other hand, to grant such a certificate when asked for by any person in full communion with their congregation, and against whom no legitimate ground of Church censure can be alleged. An authentic intimation from a Pastor, Minister or Elder, that a person is in full membership with the congregation in which that Pastor, or Minister, or Elder officiates, is sometimes allowed to stand as sufficient ground for the temporary or occasional admission of the person to communion in another congregation. But, in this case, the person's name is not added to the one roll, nor removed from the other.

Duties of Pastor and Elders in Judging of Qualifications.

44. Persons, who ask for admission to the privilege of Baptism or the Lord's Supper, without having been previously in full communion with any congregation, are subject to the examination and observation of the Church Session with respect to their qualifications. Without any inquisitorial minuteness, their outward conduct may be judged of, through the observation of the Pastor or Minister, or one or more of the Ruling Elders. If there be nothing in what is thus seen decidedly inconsistent with their profession, and fitted to subject the parties to Church censure, and if no charge against them be brought before the Session, it is not competent for the Session to reject them merely on account of what the Pastor or Minister or any Elder may conceive to be the state of their minds, unless their profession or their knowledge be defective. It is usual for the Pastor or Minister to take the principal charge of examining the applicants with respect to their profession and their knowledge. The Elders, however, are entitled and called upon to give their help in this department, in so far as their doing so may seem necessary or useful. If, upon

the recommendation of the Pastor or Minister or otherwise, the Church Session are satisfied with the qualifications of the applicants, in that case, and in that case only, they are called upon to admit them to the use of ceiling ordinances, and to appoint the addition of their names to the roll. It is the approved practice for the Pastor or Minister, in dealing with applicants for admission, in his character as Moderator of Session, not only to ascertain the existence of the qualifications of which the Session are entitled to judge, but to exhort the applicants with respect to all the more hidden qualifications which the Word of God requires, and of which they themselves alone can judge. It is held to be his part, as a faithful Pastor or Minister, to leave nothing unsaid which may help the anxious and sincere, or may strike the conscience of the careless or the unrighteous. It is part of the Ruling Elders also to help in this department, as they may see cause.

Exercise of Discipline.

45. A specially important function of the Church Session, is the exercise of discipline. This function belongs to the Church Session exclusively in the first instance, with respect to all members and adherents of their congregation, except the Pastor or Minister, who is specially subject to the immediate jurisdiction of the Presbytery.

Petition to a Church Session.

46. Any member of the congregation, or any person connected with it, may present a petition to the Church Session regarding any matter which affects his or her spiritual interest, or the spiritual interests of the congregation, or the interests of the Gospel in the locality, and which asks for any procedure within the competency of the Church Session. If such a petition be worded in a manner becoming the profession of the Gospel, the Church Session ought to consider it, and to come to such competent determination regarding it as they may judge for edification. By their petition, if competent petitioners become parties at the bar of the Church Session, and have consequently the right of appeal as parties to the Presbytery or Assembly.

Congregational Meetings.

47. The Church Session shall have authority to convene a congregational meeting for the election of a Pastor, or Elders or Deacons, or for the transaction of business pertaining to the spiritual interests of the Church. It shall be the duty of the Session, to convene a congregational meeting, when a majority of the persons entitled to vote in the case, shall by petition, addressed to the Pastor or Minister and regularly signed by petitioners, request that a meeting may be called. When a congregational meeting is held for the election of a Pastor, a Minister of the Presbytery to which the Church belongs must preside, the minority, feeling aggrieved or believing their rights infringed, or believing that the actions of the majority are contrary to the government of the Church, or to the peace and welfare of the congregation, may complain to the Session, and from the Session, they may bring the matter to the Presbytery by complaint, petition, or appeal. In case of a supposed default of proper action

or the neglect or refusal of duty on the part of the Session, it is the right of the minority to demand the proper action in writing, properly signed by petitioners or complainers, and directed to the Session; and in case the Session still neglect or refuse to perform their duty, this will be a cause for complaint to the Presbytery which will be against the Session. A minority may not complain or appeal from the action of a congregational meeting directly to the Presbytery, but must first seek redress from the Session. This does not debar the right of petition. In a congregational meeting, where a Pastor or Minister is required by our form of government to preside, the Pastor or Minister must decide all points of law and order; an appeal may not be taken to the congregation from any of his rulings or decisions. If the congregation, or any member thereof, feel aggrieved by such rulings or decisions, it or he may file exceptions, to be laid before the Presbytery to which he (the Pastor or Minister) is responsible. A Church member in good standing cannot be debarred from voting by a vote of the congregation. No vote of the congregation of a Presbyterian Church of Africa can affect the rights of a member as such; all such power is vested in the Session. A congregation with the concurrence of the Session, may refer any matter of difficulty to the Presbytery for their advice or final decision. No congregational meeting can be held when the Pastor or Minister is not present except with his concurrence. No one who does not contribute his or her due share to the support of the Pastor or Minister and to the spreading of the word of God, or who is in arrears concerning such support, shall have any voice or vote in the ecclesiastical affairs of the congregation. The Church Session shall be the only body to deprive him or her of this right after due consultation. When a congregational meeting has been assembled the roll of active members, i.e. those who are entitled to deliberate and vote, shall be read, if the convening judicatory so desires. The records of a congregational meeting shall be embodied with those of the convening judicatory, and the clerk of the convening judicatory shall act as the clerk in a congregational meeting. All old records should be sent to the Presbytery for transmission to the Custodian.

Local Evangelists under the direction of the Session.

48. It shall be lawful for each Session, after proper examination as to his piety, knowledge of the Scriptures, and ability to teach, to employ, as a local Evangelist, any male member of the Church, who, in the judgement of the Session, is qualified to teach the Gospel publicly, and who is willing to engage in such service under the direction of the Session. No one, however, shall be employed as an Evangelist, if the Pastor or Minister is not satisfied with his character and qualifications. The local Evangelist shall be paid from the fund of the Deacon's Court, and the amount of his salary shall be fixed by the Deacon's Court. He shall present a report of his work to the Session at least twice a year, and the Session, may, at any time, dispense with his services, with the concurrence of the Pastor or Minister; provided due notice has been given, of a month or quarter according to the way he is paid. Any difficulty, arising from the operation of this section between the parties concerned, shall be

settled by the Presbytery, on a complaint or appeal regularly brought by either party. The Evangelist shall deliberate and vote in the Session and Deacons' Court if he is an ordained Elder of the Church. He must deal or communicate with the Pastor or Minister, concerning the affairs of the congregation.

SUPPLEMENT TO CHAPTER I.

THE DEACONS' COURT.

Composition of Membership.

1. The Pastor or Pastors of each congregation, along with the Ruling Elders and the Deacons, constitute a distinct and separate meeting, which is called the Deacons' Court.

Specialty of the Deacon's Office.

2. The name of Deacon is understood to describe exclusively the function of administering the temporal affairs of a congregation. Since the Presbyterian doctrine is, that the higher office Scripturally includes the lower, the Pastor and Ruling Elders are, therefore, not excluded from the exercise of that function. The specialty of the Deacons' office is, that it embraces of itself, no other function, and that it binds its possessor to do what he can, to prevent the ministry of the Word, or the work of the Eldership, from being hindered by the burden of temporal matters. No other rule can be laid down as to the number of Deacons in each congregation than that it ought to be in proportion to the size and position of the congregation.

Duration of Office.

3. Deacons are elected for life, or until they cease to be members of the congregation, or their resignation be accepted of, or they be held and declared to have resigned through long absence from meetings of the Deacons' Court, or they be deposed.

Election of Deacons.

4. The election of Deacons belongs to the members of the congregation in full communion. The case of a person having formerly held the office of Deacon in another congregation (or even in the same congregation), is dealt with in the same manner as that followed in the corresponding case of a Ruling Elder.

Qualifications.

5. The qualifications required of Deacons are the followings, viz :—

- (1) They must be in full communion with the congregation, and be male members of at least 21 years of age.
- (2) They must be of "honest report," having an outward walk and conversation consistent with the profession of spiritual enlightenment and spiritual feeling, and all other qualifications required in the New Testament for such officers.

Meetings.

6. The Deacons' Court ought to meet monthly or quarterly, as the case may be, according to the circumstances of each congregation, with a view to the adequate oversight of the organisation for the in gathering of the Pastor's or Minister's stipend. The question as to the frequency of meetings must depend, in some measure, on the peculiar circumstances of a congregation. The ordinary business of the Deacons' Court cannot be transacted on the Lord's Day, except in extraordinary or unavoidable cases. The Deacon's Court with the Pastor's sanction may convene a congregational meeting for matters pertaining to the temporal affairs of the congregation.

Mode of Convening the Deacons' Court.

7. The Deacons' Court is convened by citation from the pulpit, or by a personal notice to the members. It is called by the authority of the Pastor or Minister or at the request of any three members, said requisition being addressed to the Pastor or Minister, or in time of a vacancy in the pastoral charge, to the clerk of the Court. With reference to the question of an adjournment from one sederunt to another, the same principle applies which has been stated respecting the adjournment of a meeting of a Church Session. No meeting of a Deacons' Court can be held at an hour when the Presbytery of the bounds, Synod, or Assembly is sitting, except by permission of the convening judicatory.

Moderatorship.

8. The Pastor or Minister is the Moderator of the Deacons' Court when he is present. In his absence, he may depute someone, or any other member of the Court may be chosen to preside.

Quorum.

9. The quorum of the Deacon's Court is the same as that of the Church Session, except that the presence of the Pastor or Minister as one of the quorum is not necessary. The powers of the Moderator of this Court are the same as those of the Sessional Moderator.

Treasurers and a Clerk.

10. The Deacon's Court appoint one or more treasurers and a clerk from their own members. The treasurer takes charge of those congregational funds which are applicable to local purposes. The treasurer is required to give a monthly or quarterly report of the said fund to the Deacon's Court. The clerk is required to keep a separate record for the Minister of their proceedings, and to take charge of such of their papers, books, and documents as are not entrusted to the custody of a treasurer.

Rules of Deacons' Court.

11. The rules for the opening and closing, order of business, extracts, minutes, etc., of the Deacons' Court, are *mutatis mutandis* the same as those of the Church Session. The meetings of the Deacons' Court are not usually open to the public, or even to the congregation, but the Deacons' Court may hold open meetings if they see special cause.

Powers and Functions of the Deacons' Court.

12. The Deacons' Court have the management and charge of the whole property belonging to the congregation, or held for the congregation's use by the trustees appointed by the General Assembly. They have also the management and charge of all the congregation's secular affairs. They are called to receive the contributions of the congregation or its members for the objects sanctioned or allowed by the General Assembly; to make such arrangements for the ingathering of these contributions as it is required to make by the instructions of the Assembly; and to dispose of the funds raised in accordance with those instructions. The distribution of all the congregational funds is subject to the regulation of the Deacons' Court, in the exercise of their allowed discretion, or in obedience to the Presbytery, Synod, or General Assembly. The duty of attending to the temporal affairs of poor persons, connected with the congregation and to the education of their children, is specially assigned to the Deacons' Court.

The Power to Sue.

13. The Deacons' Court, as the local trustees, in local matters of the Circuit, pertaining to the property of the Church, shall always have full power and liberty to prosecute or sue, raise, and follow forth, whatsoever action, suit, or proceeding, they may think proper, in whatever court, or courts, of law or justice, for the purpose, or with the intent and object, of excluding any party or parties whatsoever, from all or any use, possession, occupation, or enjoyment of the building or place of worship, or manses, erected or to be erected, bought or to be bought, or acquired or to be acquired in any way, as said is, or any part thereof, or generally of the subjects hereby disposed, or any part thereof.

Collectors.

14. A Deacon may, with the Deacons' Court sanction, appoint collectors to assist him where it is necessary, and the Deacons' Court may appoint collectors who are not Deacons, for districts or places which have not been placed under Deacons.

Minister's Support Fund.

15. Each member of the congregation shall contribute not less than two shillings a quarter towards the support of the Pastor or Minister. The Deacons' Court, may, from time to time, raise the said amount, according to circumstances, in order to provide a sufficient support for the Minister. The money raised for the support of the Minister shall be known as the Minister's Support Fund. Candidates for membership shall contribute not less than one shilling a quarter towards the Minister's support. Adherents shall also be encouraged to contribute something towards the said support.

No Power of Discipline.

16. The Deacons' Court have no power to exercise any kind of spiritual rule, therefore, they have no power of discipline even over their own members.

Roll of Court.

17. After each change in the membership of the Deacons' Court, a Revised Roll of the members ought to be recorded in the minute.

Local Trustees.

18. The Deacons' Court shall be the local trustees to keep all such Church properties that cannot be removed from a congregation since they are in use there; and as such, they have the power to sue as set forth in Section 13 hereof.

Deacons' Court and Place of Worship.

19. The Deacons' Court are not entitled to give the use of the place of worship or of the other ecclesiastical buildings belonging to the congregation, for any purpose whatever, without the consent of the Minister. They are not entitled to withhold the use of those buildings for meetings of a strictly religious, ecclesiastical, or charitable nature, which have the sanction of the Minister. But no one of those buildings can be made use of, either by the Minister or by any other party, for any meeting which is not strictly of a religious, ecclesiastical, or charitable nature, without the consent of the Deacons' Court.

Repair of Buildings.

20. It is the duty of the Deacons' Court to see that the place of worship and other ecclesiastical buildings are kept in good condition and repair, and to take steps for raising the funds that are needful for the purpose.

Elder as Deacon.

21. It is allowable for a Ruling Elder to act as the Deacon of a district or place when there is no Deacon in the said district or place.

Sabbath Collections.

22. Both Ruling Elders and Deacons may receive the Sabbath collections of the people, according to such arrangement as may be made by the Deacons' Court.

Minister's Stipend.

23. It shall be the duty of the Deacons' Court, after the monies from their collectors have all been laid or placed on the table, to pay first of all, the Minister's stipend, before any of the monies can be applied to religious, ecclesiastical, educational, or benevolent objects. After determining the question of the Minister's stipend, it is the duty of the Deacons' Court, when there is necessity, to apply the remainder of the congregational funds, in fitting proportions, to religious, ecclesiastical, educational, or benevolent objects, whenever funds are available. The remainder of the congregational funds shall be given to the treasurer of the Deacons' Court for safe keeping. Each Deacons' Court shall report quarterly, in writing, signed by the Moderator and clerk of the Deacons' Court, to the treasurer of the Presbytery of the bounds, as to how the Minister is paid, whether any deficit or not; the said treasurer of the Presbytery shall lay on the table of the Presbytery ensuing, the said Deacons' Court's reports, with any recommendations he deems necessary.

Minister's Allowance.

24. Financial allowance shall be made by each Deacons' Court, monthly or quarterly, to cover the expenses incurred by the Minister in travelling by train or otherwise discharging the duties of his office within the circuit, and for correspondence in behalf of circuit affairs. The Minister, shall, monthly or quarterly, lay or place before the Deacons' Court all his expenses incurred when discharging his official duties, and the Deacons' Court is required to pay all such expenses.

Dissents.

25. Any member of a Deacons' Court may enter his dissent from any part of their proceedings of which he disapproves. And his dissent must be dealt with in the same manner, as a simple dissent is dealt with by a Church Session.

Petition to Presbytery.

26. Any member of a congregation or of the Church Session, or Deacons' Court, may petition the Presbytery against the proceedings of the Deacons' Court on the ground of excess of power or of disregard to acts of the General Assembly. It is competent also for the Presbytery to find that the Deacons' Court have exceeded their power or disregarded the acts of the Assembly, upon the periodical examination of the record. The Presbytery may in either of these cases, require the procedure to be altered, or censure the Deacons' Court, according to the nature of the case. The Deacons' Court may appeal to the superior courts; so also may the petitioners against the Deacons' Court's procedure, when the Presbytery reject their petition.

Annual Production of Record and Auditing of Accounts.

27. It is required that the Record of the Deacons' Court with the Treasurer's account of receipt and expenditure, after said accounts shall have been duly audited by appointment of the Court, shall be annually exhibited to the Presbytery of the bounds, for the purpose of being examined and attested by the Presbytery.

No Power of Regular Complaint or Appeal.

28. There is no right of regular appeal or complaint to the Church Session or to any of the Superior Church Courts, against a decision of the Deacons' Court. Their determinations are final, when they keep within their province, and obey the acts of the General Assembly.

Beadle, Doorkeeper, etc.

29. It belongs exclusively to the Deacons' Court to appoint and dismiss a Beadle or Church Officer, to whom is intrusted the immediate care of the place of worship; it also lies with them to appoint and dismiss the doorkeepers and any other parties employed in ministering to the comfort of the congregation when assembled.

Financial Report of the Congregation.

30. The Minister of the congregation shall, annually give a financial report of the congregation, to a congregational meeting assembled for this purpose, called either by him or by the Deacons' Court. On a fixed day, the congregation being assembled together, he shall read out the names of the members and their contributions to the Minister's stipend and to the Synodical dues. After this report, the members of the Deacons' Court may make some remarks encouraging the people to fulfil their duty towards the support of the Minister and Synodical dues.

Peculiar Duties of Deacons.

31. The peculiar duties of Deacons are these :—

- (1) To give special regard to the whole secular affairs of the congregation;
- (2) to attend to the gathering of the people's contributions to the general fund for the sustentation of the Minister, and to receive the donations which may be made for other ecclesiastical purposes;
- (3) to attend to the congregational poor, and to watch over the education of the children of the poor.

The Right of the Deacons' Court.

32. It shall be the duty of the Deacons' Court to debar any deposed or suspended party or parties, or any other party or parties having no connection with the Church, from the use, possession, enjoyment and occupation, of Church property, and, for this purpose, or with the intent and object, of excluding or preventing the said party or parties, from all or any use, possession, occupation, or enjoyment, of Church property, they have full powers and liberty to raise, prosecute, and follow forth, whatever action, suit, or proceeding, they may think proper, in whatever court, or courts of law or justice.

Deacons' Court Records.

33. Old or finished records of the Deacons' Court shall be sent to the Presbytery of the bounds for transmission to the Custodian.

CHAPTER II.

THE PRESBYTERY.

Preliminary Principle.

1. As the Church is divided into many separate congregations, these need mutual counsel and assistance, so that, they may preserve soundness of doctrine, regularity of discipline, and to enter into common measures for promoting knowledge and religion, and for preventing unbelief, error, and immorality. Hence arise the importance and usefulness of presbyterial and synodical assemblies.

Membership.

2. A Presbytery consists of all the ordained Ministers of congregations, in number not less than three, and one ruling elder from each congregation, within a defined district.

Representation in Presbytery.

3. Every congregation, which has a Pastor or Minister, has a right to be represented by one elder; and every collegiate Church by two or more elders, in proportion to the number of its Pastors or Ministers.

Function as to Applications for Assistant Pastors.

4. It lies with the Presbytery within whose jurisdiction a pastoral charge is situated, to receive, in the first instance, any representation for the calling of an assistant Pastor to the Pastor of that charge. Such a representation may be based either upon the partial inability of the Pastor to discharge, through age or infirmity, or both; or upon special considerations connected with the character and circumstances of the charge. It must proceed from the congregation, with consent of the Pastor himself. Competent evidence must accompany the representation, with respect to the alleged grounds of it. For example, if the ground be the state of the Pastor's health and strength, sufficient medical testimony must be produced. When all the material for judgement in any such case have been fully set before the Presbytery, and parties have been regularly heard on the subject at the bar, the Presbytery are called upon to give a deliverance with respect to the suitableness, practicability, and desirableness of the proposed calling, viewed in connection with the pecuniary and other arrangements by which the congregation and the Pastor wish to have it accompanied. All these arrangements must be taken into very careful consideration in coming to a judgement.

Assembly's Sanction Necessary.

5. The Presbytery cannot give effect to their own judgement with reference to allowing a congregation the liberty of calling an assistant to its Pastor; the sanction or approval of the General Assembly, is necessary to give effect to the judgement of the Presbytery. Therefore, it is needful that representations and requests from the congregation be brought to the

Presbytery in time to enable them to dispose of the matter, with a view to having the application and all needful documents transmitted to the General Assembly.

Sanction of Agreement between Parties.

6. After the General Assembly has granted leave to a congregation to call an assistant to its Pastor, and before the actual calling and induction of one, an agreement may be necessary, if not already made, between the parties, viz:—the Pastor, the Session, the Deacons' Court, and the congregation, with respect to the stipend of the assistant, and to the share which the assistant Pastor shall occupy in the duties and privileges of the pastorate. This agreement must be competently sanctioned by the Presbytery, and recorded in their minutes. Such agreement, if intimated to the person elected as assistant Pastor, before he has accepted of the call, may be held binding upon him as well as upon the other parties. In all cases in which no special agreement has been made between the parties before the settlement of an Assistant Pastor, it shall always be understood that the Assistant Pastor shall be subject to the authority of the Senior Pastor.

Procedure by Presbytery.

7. The course of procedure by the Presbytery, with reference to ordination and induction, or the induction alone of an assistant Minister, is the same with that already detailed in the case of a vacant charge.

Vacant Congregation.

8. Every congregation which is vacant for the time being, and which is regularly organised, shall be entitled to be represented by a Ruling Pastor in the Presbytery.

Commission for Elders.

9. Every Elder of the Presbytery, shall show a certificate of his being regularly appointed by the Church Session which he represents.

Quorum.

10. Any two Ministers and as many Elders, as may be present belonging to the Presbytery, having met at the time and place appointed, shall be a quorum, competent to proceed to business.

Power of Presbytery.

11. The Presbytery has powers to receive and issue all appeals, complaints, and references, that may be brought before it regularly from Church Sessions; to examine and licence candidates for the ministry; to ordain, subject to the Assembly's approval, install, remove, and judge ministers; to examine and approve or censure the records of Deacons' Courts and Church Sessions; to resolve questions of doctrine and discipline; to condemn erroneous doctrines which injure the purity or peace of the Church; to visit Churches, for the purpose of inquiring into their state, and redressing the evils that may have arisen in them; to unite or divide congregations; to form or receive new congregations, and, in general, to order whatever pertains to the spiritual welfare of the Churches under their care.

Presbytery to Attest all Records.

12. The Session and Deacons' Courts' records, communion rolls, roll of suspended members, marriage and baptismal registers, etc., must, after examination by a committee of the Presbytery, and after the said Committee has reported, remarks having been made by the Presbytery on such report, be attested by the Presbytery itself with the signatures of the Moderator and Clerk of the Presbytery. These rolls and registers should be bought by the Deacons' Court and kept safely by the Minister; they are the property of the Deacons' Court.

Record of Presbytery.

13. It shall be the duty of the Presbytery to keep a full and fair record of its proceedings, and to report to the Synod, every year, censures, ordinations, the receiving or dismissing of minister, the removal of members by death, the union or division of congregations, or the formation of new ones, and, in general, all the important changes which may have taken place within their bounds in the course of the year.

Collections Appointed by Assembly.

14. It is the duty of Presbyteries to observe carefully all those instructions of the General Assembly which are consistent with the Constitution of the Church, respecting the various collections and operations appointed or instituted by that Assembly, and carried out by means of its committees or otherwise for the furtherance of the Gospel, or for the welfare of the Church. With the view of adequately performing this duty, each Presbytery ought to give a respectful and earnest consideration to every recommendation or intimation made to it by any one of the Assembly's committees.

Special Diets of Worship, Collections, etc.

15. The Presbytery has inherently the power of appointing special diets of worship to be held; special fast-days and special days of thanksgiving to be observed; and special collections for particular objects to be made, in all the congregations under its jurisdiction. But this power requires to be exercised with great discretion and abstinence, partly for the sake of avoiding undue interference with the judgment of Church Sessions and Deacons' Courts, founded upon local knowledge, and partly from the relation of the Presbytery to the Superior Courts, and the arrangements of the General Assembly. Nevertheless, the Presbytery is entitled, both by the inherent character of its relation to the several congregations within its bounds, and by long established practice, to require a reasonable amount of contribution from each of these congregations, or from each Deacons' Court, towards the necessary presbyterial expenses.

When Presbytery shall Meet.

16. The Presbytery shall meet at its own adjournment, and when an emergency shall require a meeting sooner than the time to which it stands adjourned, the Moderator, or, in case of his absence, or inability to act, the Clerk, shall, at the request of

two Ministers, and three Elders, the Elders being of different congregations, call a special meeting. For this purpose, he shall send a circular letter, specifying the particular business of the intended meeting, to every Minister of the Presbytery, and to the Session of every vacant congregation in due time previous to the meeting, which shall not be less than ten days, and no business shall be transacted at such special meeting besides the particular business for which the court has been thus convened. If a particular time and place be specified in the application for a Pro re nata meeting of the Presbytery, the Moderator, on such application is not competent to call a meeting at a different time and place.

Sermon.

17. At every meeting of the Presbytery a sermon shall be preached, if convenient, by the Moderator or, at his request, by some other Minister; or, in his absence or inability to act, by the ex-Moderator, or one of the clerks, or some other Minister; and every particular session shall be opened and closed with prayer.

Corresponding Members.

18. Ministers in good standing in other Presbyteries or in any sister (evangelical) Churches, who may happen to be present, may sit with the Presbytery as corresponding members. Such Ministers shall be entitled to deliberate and advise, but not to vote in any decisions of the Presbytery. By Ministers "in good standing" is meant those ministers who are not under any Church censure.

Preaching Stations.

19. A congregation for the regular worship of God, and the preaching of the Gospel, may be formed and kept up under the superintendence of the Presbytery, without its having been constituted as a pastoral charge. It may be maintained under the name of a Preaching Station until its condition shall appear sufficient to enable it to call a Pastor. Such Stations are usually served by Probationers. Where no Church Session has been formed in connection with a station, sealing ordinances can be dispensed in it only through express appointment by the Presbytery, unless the congregation have been regularly placed under the jurisdiction of a neighbouring Church Session if the authority of the Presbytery be required, they appoint a Minister to preside, aided by certain Elders, whom they name.

Church Sessions at Stations.

20. It remains with Presbytery to arrange in regard to the appointment of Elders and the establishment of Church Sessions for local discipline and management in Preaching Stations within their bounds, it being understood that a Minister of the Presbytery shall act as the Moderator of every such Church Session. Whenever the Presbytery deems it expedient, the elders of such Station may still be connected with regularly established Church Session in sanctioned charges.

Sanctioning of Pastoral Charges.

21. The recognition of a congregation as entitled to the position of a pastoral charge, so as to be enabled to call a person, to be their Pastor, belongs properly and in its spiritual aspect, to the Presbytery of the bounds; their judgment, of course, on this, as well as on every other question, being subject to review by means of appeal or complaint.

Request for the Right and Moderation of Call.

22. When a congregation of a sanctioned charge is prepared for the election of a Pastor, it must obtain from its Presbytery, first, the Right and then the Moderation of a Call. For this purpose a deputation shall be appointed from the said congregation to appear at the bar of the Presbytery. It is usual for the Interim Moderator of Session, if any, to make a report to the Presbytery respecting the condition of the congregation, the amount of its agreement as to the choice of a Pastor, and its ripeness for calling one. If this report be unsatisfactory, or if the Presbytery have otherwise good reason to fear that a sufficiently harmonious call cannot be obtained, they shall hold a meeting with the congregation, and shall not proceed to moderate in a call till they exhausted all means for producing harmony, and, should these means prove unsuccessful, they shall refer the matter to the Superior Church Courts for advice.

Moderation of Call.

23. When a Presbytery is prepared to moderate in a call, it fixes a day and hour for doing so. Notice of the day and hour and intended procedure must be given from the pulpit of the vacant congregation by a minister whom the Presbytery has appointed for the purpose, seven days intervening between the notice and the day appointed. The Presbytery must moderate in a call at large, except in cases in which clear intimation is given of an harmonious desire for a person named. In such cases Presbyteries may appoint the moderation of a call to that person only. At specified time the Presbytery meet in the Church of the vacant charge, and after it has been ascertained that the notice was duly given, the Moderator (either ordinary or ad interim) conducts worship and preaches. At the close of worship he states the object of the meeting. The form of a call is produced and read, some times with a space for the name of the person to be called left blank, and sometimes with the name of the person inserted upon whose election the congregation have already agreed. The congregation are then asked, in the former case, whose name they desire to have inserted in the call. When the call has been agreed to the persons present whose names are on the Communion Roll are invited to come forward and adhibit their signatures. When a call at large is moderated in, it shall only be subscribed by those who are personally present and personally adhibit their names; but when a call is moderated in to an individual whose name is in the edict announcing the moderation, the call may be subscribed on behalf of members not present when a **mandate authorising** such subscription is produced. The Communion Roll, as specially adjusted and

attested by the Church Session, with a view to the election, ought to be produced at the time of moderating in the call, in order that no one may be permitted to subscribe to the call as a communicant whose name does appear on that Roll. After the call has been subscribed by all the communicants present who desire to subscribe it, or mandatories, the Moderator attests it as thus subscribed. If it has been subscribed by a large number of members on the Roll in proportion to the whole number, if there be no dissents given in, the Presbytery sustains it in ordinary cases. If there be dissents implying a serious division in the congregation the call cannot be sustained or found sufficient unless it be signed by a majority of the whole members on the roll, whether present or absent. Even in that case the Presbytery may find it necessary to refer the matter to the Superior Courts. But no appeal sists procedure until a Presbytery has moderated in and sustained a call.

Opportunity for Reasons Against Call.

24. Dissents from a call can be received only when they are tendered or given in immediately after the call has been attested by the Moderator. If they be accompanied by specification of reasons, either against the suitableness of the person called for filling the particular vacancy, or against the proposed settlement, they must judge on by the Presbytery, either at that meeting or at a special adjourned meeting held for that purpose. The fullest opportunity must be given to the members on the roll for stating their objections of any kind. When the objections require a special investigation, the consideration of them must be adjourned, and they be considered at a subsequent meeting, to which all parties are summoned *apud acta*, that is, they are summoned through announcement made to them in open court by the Moderator or the Clerk before the business of moderating in call is closed.

Necessity of Libel as to Some Objections.

25. If the objections do not affect the moral character or the orthodoxy of the Probationer or Minister to whom the call is addressed, the Presbytery may judge of them, and come to a determination respecting their validity, after hearing all parties, and taking such evidence as they may procure or think needful, without adopting such formal procedure, as is requisite when grave personal charges are brought forward. But when an objection made is seen to involve such a charge, that is, any charge affecting the orthodoxy or moral character of a Minister or Probationer, the Presbytery must insist upon the objectors either framing a libel or ordering indictment against the Minister or Probationer and proceeding with it in the usual way, or abandoning the objection. Of course, if a *fama* were found by the Presbytery to prevail against the person called, it might be necessary to suspend procedure until it has disposed of it, even though no objectors should take the responsibility of framing a libel or ordering an indictment.

Judgment Against Call.

26. The Presbytery may decline to sustain the call, either on the ground of the number of dissents without reasons, or on the ground of the weight due to the reasons or objects adduced. If any such judgment of the Presbytery be neither appealed from nor complained against in due form, or if the judgment be affirmed by the Superior Court, the whole proceedings as to the particular call in question fall to the ground, and a new election must take place.

When Call Sustained.

27. If the Presbytery sustain a call to a Probationer, or to an Ordained Minister not having a fixed charge, and if there be no appeal or complaint tendered in due form against their judgment, they proceed to take the necessary steps with a view to his induction to the pastoral office.

Trial of a Probationer Called.

28. If the call be to a Probationer, the Presbytery take him on trial, as it is called. They prescribe to him trials of precisely the same kind with the public trials for licence, viz.: Theology (Natural and Revealed); Church History, Sacraments, Church Government, etc. If the Presbytery sustained these trials without appeal or complaint, or if their judgment sustaining them be affirmed by the Superior Court, or if they do not sustain the trials and their judgment be reversed by the Superior Court, the Presbytery are in the circumstances for immediately fixing the day on which the induction and ordination shall take place. If, after these trials, the Probationer called be not found qualified, and the Presbytery decline to sustain the trials, they ought to frame their minute so as to put the Superior Court in clear and full possession of the grounds on which their judgment proceeds, and to enable a person appealing or complaining to state with distinctness his reasons of appeal or complaint. These grounds must not involve any charge of heresy, because that, if alleged and maintained, can be proceeded with only by libel or indictment. If the judgment of a Presbytery declining to sustain trials for ordination be not appealed or complained against in due form, or if it be not reversed by the Superior Court after appeal or complaint, intimation must be made to the congregation that the Probationer called has not been found qualified, and that a new election must take place.

Applications of Ministers of Other Denominations.

29. Any Minister or Probationer, belonging to another denomination, who desires to be admitted as a Minister or Probationer of this Church, must apply, in the first instance, to the Presbytery of this Church within whose bounds he has taken up his residence. The Presbytery has no power to admit him, but must, after a careful examination, transmit him to the General Assembly, through Synod, along with any remarks or recommendations which it may suggest or make.

Minister Supplying Two Congregations.

30. When a Minister is supplying two congregations, one as the regular Pastor, and the other as a stated supply, each of

of these Churches has the right to be represented by an Elder at the same Presbytery.

A Retired Elder.

No Ruling Elder who has retired from the active exercise of his office in the Church to which he belongs can be admitted as a member of any of our courts.

A Deposed Minister.

A deposed Minister desiring to be restored, must apply to the Presbytery that deposed him, and not to any other.

Duties of Pastors or Ministers.

31. The Pastor is expected to pray for and with his flock as the mouth of the people unto God; to read the Scriptures publicly; and to feed the flock by preaching the Word, in doing which he is called, according to circumstances, to teach, to persuade, to reprove, to exhort, or to comfort. It is his function to administer the Sacraments, and to fulfil whatever else is required for the edification of the young or the old, in the exercise of his gifts. It is regarded as part of his duty, whenever possible to do so, to visit the people of his charge especially the sick from house to house, and to give particular attention, by special visitation, to the afflicted and the dying. He is also required to do the work of an evangelist, so far as he has opportunity, in proclaiming the message of Salvation, to the ungodly. It is held to be within his province that he take a reasonable share in the raising and application of congregational funds, in the congregational care of the poor, and in the arrangements of the Church at large for such an adjustment of pecuniary resources as may glorify the Redeemer, and minister to the salvation of souls. Finally, a great amount of importance is attached to the due exercise by a Pastor, of his functions as a spiritual ruler, whether in his own Church Session and congregation, or in the Presbytery of which he is a member. The Pastor is the distinctive overseer of all branches of Church work in his assigned field. He represents the Church, which in its sphere includes the three co-working and inter-dependent agencies: The Family; the Sunday School, and the Pulpit. It is his mission to watch over and direct the shaping influences of all three of these agencies.

Three Kinds of Meetings of Presbytery.

32. (1) **ORDINARY MEETING**:—An ordinary meeting of Presbytery is the one which takes place in consequence of an expressed adjournment for ordinary business from a previous ordinary meeting or by an express appointment to the same effect by the General Assembly or the Synod.
- (2) **IN HUNC EFFECTUM**:—An in hunc effectum meeting of Presbytery is a meeting specially appointed by the Presbytery for the transaction of some particular business. This kind of meeting requires that the particular business, and the time and place of meeting, be specified in the minute of the immediately previous ordinary meeting along with the resolution to meet in hunc effectum, and that public intimation thereof be made at that ordinary

meeting. No other business can be transacted at an *in hunc effectum* meeting except that for which it has been specially appointed.

- (3) **PRO RE NATA MEETING:**—A *pro re nata* meeting of Presbytery is a meeting called during the interval between one ordinary meeting and another, in consequence of some unexpected business having arisen which requires to be immediately attended to. Such a meeting may be called by the Moderator, either on his own motion, or by a requisition addressed to him by some of the members. The specific object must be distinctly stated in the circular calling it, and no other business can be transacted at it. The circular must be sent to every member in reasonable time before the day fixed upon. When the meeting takes place, the Moderator must explain his reasons for calling it, and the Presbytery must pronounce judgment upon his conduct in doing so. If the Moderator decline to call a *pro re nata* meeting, after a requisition to do so has been addressed to him, the whole circumstances of the case may be brought before the Presbytery at its next ordinary meeting. Any member absent from a *pro re nata* meeting, may, at the ordinary meeting, raise the question as to the propriety of its having been called, or, as to the manner in which it may have been called.

Next Ordinary Meeting.

33. At each ordinary meeting the Presbytery must resolve when the next ordinary meeting shall be held, enter the resolution in the minutes, and cause public intimation of it to be made. If these requirements be neglected by a Presbytery, its power and functions are held to cease altogether until revived in a constitutional manner.

Revival of a Presbytery.

34. When from any cause it shall happen that there is no time or period fixed for the next ordinary meeting of Presbytery, it shall be competent for any three or more of its members to address a requisition to the Moderator to call a meeting of the whole members of Presbytery, for the purpose of naming a time or period at which the Presbytery shall meet and proceed with ordinary business; that the Moderator shall be bound to comply with such a requisition, and to call a meeting to be held on a day not less than 10, nor more than 15 days, from the date of the requisition, by circular letters addressed to every member on the Roll of the Presbytery; and that the meeting when held shall be considered as a *pro re nata* meeting, at which no other business can be transacted except the naming of a period for the next ordinary meeting, provided, always, that at the next ensuing meeting of the Synod, the Presbytery shall be bound to explain the causes that have necessitated their adopting this special procedure, and shall be liable to censure if the explanation be unsatisfactory.

No Meetings During Sitzings of Assembly or Synod.

35. No meeting of Presbytery can be held while either the General Assembly or the Synod of the district is sitting, except when special leave to that effect has been granted by the Assembly or Synod, respectively.

Locality, Bounds, and Name of a Presbytery.

36. The locality, the bounds, and the name of a Presbytery are fixed by the authority of the General Assembly. New Presbyteries may be erected, or new arrangements made regarding old ones, as the Assembly may judge expedient.

Election of Moderator.

37. Every Presbytery shall elect one of the Ministers included in it, as their Moderator, from year to year, as the Presbytery may think best. In the absence of the Moderator, one of the Ministers present is appointed as Moderator *pro tempore*. When once elected, the Moderator remains in office till he has performed the duty of opening the next ordinary meeting, and till his successor has been chosen.

Duties of Moderator.

38. It is the duty of the Moderator to preside in the devotional exercises of the Presbytery, to pronounce the blessings at the close of each meeting, and to act as the organ of the Presbytery in keeping order, in announcing decisions, in administering rebukes and admonitions, in instructing parties at the bar, and in calling upon members to state their views; to give their votes, or to discharge any functions which have been assigned to them. At the ordination of a Minister, or at the licensing of a Probationer, the Moderator puts the appointed questions, offers up the appointed prayers, and delivers the appointed exhortations.

Moderator has only a Casting Vote.

39. The Moderator has no deliberative vote; but, in case of an equality, he has a casting vote. He is not permitted to take part in any discussion while he occupies the chair, but he may ask leave to vacate the chair for the purpose of expressing his opinion. When this request is granted, the chair is occupied, in the meantime, as it would be in his absence.

Clerks of Presbyteries.

40. The Presbytery appoints one or more clerks, who must be members of the electing judicatory. The clerk may be appointed *ad vitam aut culpam*, or, he may be simply appointed to act as clerk during the pleasure of the Presbytery. On his appointment, he must solemnly promise to discharge the duties of his office with fidelity.

Duties of Clerk.

It is the duty of the clerk to write regular minutes of the Presbytery's procedure, to engross the same in a permanent record, after they have been approved by the Presbytery as cor-

rect, to give such extracts to parties as the Presbytery have allowed, and to take charge of all the Presbytery's papers, books, and documents.

Clerk Pro Tempore.

In the absence of the clerk someone is appointed by the Presbytery to act as clerk pro tempore; the fact of his appointment should be entered in the minute, and the minute should be signed by him as clerk pro tempore.

Salary for Clerk

The clerk of Presbytery has usually a salary drawn from contributions by the congregations within the bounds, and from fees paid for extracts. These contributions and fees are regulated by each Presbytery for itself. It is also the duty of the clerk to give due notice of the time and place of each meeting of the Presbytery and to prepare a docket of business. It is also the duty of the chief clerk of the Presbyteries under the care of the Synod to secure an annual report from the following Presbyterial Committees:—Education, Ministerial Relief and Sustentation, Vacancy and Supply, and such other committees as may be known to exist; to send a copy of these reports to the chief clerk of the Synod as soon as possible, in order that he may properly arrange them for presentation to the Synod at its next meeting.

Minutes.

41. The Minute must always bear at the outset that the Presbytery was constituted (which expression is understood to imply that it was constituted with prayer, and that a sufficient sederunt has been ascertained), and at the end, that the meeting was closed with prayer. No Minute can be sustained as valid if it does not mention these two particulars. No extract from the Minutes can be received which does not bear that the Presbytery was constituted, and which is not certified by the Presbytery Clerk as having been extracted by him from the Records of the Presbytery. The Presbytery shall, from time to time, send to the Synod its old finished records.

Approval of Minutes.

42. After ascertaining that there is a sufficient quorum of attendance, and before proceeding to any other business, the Presbytery must, at each ordinary meeting, hear the Minutes of the last ordinary meeting, and of *in hunc effectum* or *pro re nata* meeting, read by the Clerk. The Presbytery must either approve of the Minutes as read, or correct them, and approve of them as corrected. They cannot afterwards be altered, except by the authority of a higher court. The approval or correctness of the Minutes does not imply any power to alter the *res gestae* of the meeting. The only question is the correctness of the Minute as a true account of what was done. The Minute of each meeting or Sederunt must, after being approved of and engrossed in the permanent record, be signed by the Moderator and Clerk. The Sederunt of every meeting (i.e., the names of all the members present) must be accurately recorded in the Minute.

Openness of Court.

43. The Presbytery is, as a rule, an open court. But it has the power of closing its doors, and declaring its wish to be alone, for the sake of edification.

Presbyterial Visitations.

44. A Presbyterial Visitation may be appointed by the Presbytery, either of its own accord, or in consequence of a petition from the Church Session, the Deacons' Court, or other parties connected with a congregation. The object of Presbyterial visitation, when prosecuted at the instance of the Presbytery itself, is not of an inquisitorial character. Its purpose is to strengthen the hand of the Ministers, Elders and Deacons, and to give the benefit of special advice and counsel to the congregation as well as to the office bearers. It is, therefore, recommended that, when this work is entered on, all the congregations within the bounds should be, if possible, visited in rotation. Presbyteries are authorised to frame their own questions and mode of procedure, but are instructed in any case to have special regard to the work of the Minister and office bearers and the spiritual state of the membership. Apart from the general system of Presbyterial visitation, it is competent, and may sometimes be extremely desirable for a Presbytery to appoint a Special Visitation of a particular congregation, when circumstances calling for such visitation have been forced upon their notice. But this course can be justified only when the circumstances are clearly such as to call for Presbyterial interference.

Complaint Against a Minister.

45. If the complaint against a Minister involve a multitude of smaller things laid together, as several acts of negligence, or other unsuitable actions, the Presbytery ought to make a Presbyterial visitation of the congregation with which the Minister is connected. In conducting a visitation in such circumstances, they are called upon to investigate carefully the character and origin of the allegations, whether they were ever raised previously; how, if they never were, they came to be passed over; and what has occasioned their being brought forward now. If the Presbytery, at their visitation, find satisfying reasons for the matter having been broached at the particular time, they were next required to ascertain what diligence had been used in acquainting the Minister with the offence given by his procedure, and how far the offence has been continued after he was made aware of the effect produced. The inquiry is also recommended, whether any of the complainants did first, in a prudent, private way, inform any of the neighbouring Ministers of their complaints, before these had swelled out into a magnitude demanding Presbyterial interference.

Simple Rebuke of Parties.

46. If, by Presbyterial visitation or otherwise, the Presbytery find, in the way of preliminary investigation or precognition, that the complaints resolve into the Minister having committed such acts of infirmity or passion, as, considering all the circum-

stances, may be either amended, so as to satisfy the people, and to prevent any continued hindrance to the profitableness of the Ministry of the Word among them, then the Presbytery shall employ all prudent steps for satisfying both parties, for rebuking their respective errors, and doing away with the offence.

Ministerial Inefficiency.

47. (1) When a Presbytery, as the result of any competent procedure on their part, have found the state of a congregation under their charge to be seriously unsatisfactory, and after due pains in the use of counsel and admonition have failed to remedy this state of things, they shall record in their Minutes a statement of the facts brought under their notice, of the steps taken by the Presbytery, and of the results. If they are of opinion that there are *prima facie* grounds for thinking that the failure may be due to defects or errors personal to the Minister, they shall embody the said grounds in their statement; and an extract of the whole statement shall be furnished to the Minister concerned, with notice of the time when it is to be further considered.
- (2) At a subsequent meeting the Presbytery shall hear any statement the Minister may make, receiving and recording any relevant matters which he may tender to be recorded on his behalf. It shall also be competent to receive and record verbal or written statements by persons in the Communion of the Presbyterian Church of Africa, who are or have been members of the congregation, bearing on the question how far the existing state of things is to be traced to the Minister. If, finally, the Presbytery are constrained to conclude that the ends of the Ministry are not served, and that this state of things is likely to continue, and, further, that the state of the congregation is due to defects or errors personal to the Minister, they shall record their judgment upon both heads, with any additional statement of the grounds of it which they shall find to be just and necessary.
- (3) Thereupon the Presbytery may exercise the power of dissolving the pastoral tie and declaring the charge vacant. In all cases in which the pastoral tie is dissolved the Presbytery shall report specially to the Assembly all the circumstances known to them.
- (4) The procedure of the Presbytery under Sections 1 and 2, and their final judgment under Section 3, shall be subject to appeal and complaint in ordinary form to the Superior Courts, but when the Presbytery have taken the steps authorised in Section 1, they shall proceed in face of all appeals until they have disposed of all questions arising under Section 2, and until they have taken the steps authorised under Section 3.

- (5) When a Presbytery, having reached the stage of drawing up the statement prescribed in Section 1, are of opinion that *prima facie* grounds exist for thinking the unsatisfactory state of things to be due to the fault of any office bearers or members of the congregation, they shall furnish extracts of their statement of such grounds to the party concerned, and cite such party to the meeting of Presbytery at which the case is to be further considered, when they shall proceed in the same manner as in the case of a Minister.
- (6) If the Presbytery find thereafter that the unsatisfactory state of things is due to the fault of any office bearers or members, they may in such case remove from office, or order disjunction certificates to be given, or suspend or excommunicate from Church membership, as the justice of the case and the interests of the congregation may require. The provisions of Section 4 regarding complaints and appeals shall apply also to cases arising under Sections 5 and 6d.
- (7) The Presbytery, having taken their final judgment under Section 3, shall proceed to consider the question as what to do with the Minister concerned. They may transfer him to another charge, or offer him any other missionary work, or retire him with or without allowance; they may, if necessary, for the cause of religion and interests of the Church, suspend or excommunicate him, if he persists in disregarding the laws of the Church and the authority of Presbytery.

Committee of Arrangements.

48. The Deacons' Court of the Church in which the Synod shall meet, acting under the direction of its Presbytery, or of the committee appointed by the Presbytery, shall be a Committee of Arrangements, who shall provide suitable accommodation for the Synod. The Presbytery may appoint a committee, from its members, to act, in conjunction with the Deacons' Court, or its committee, as such Committee of Arrangements.

Roll of Members.

49. An accurate roll of the members of Presbytery, shall be kept by the Clerk, as authorised by the Presbytery. The names of the Ministers ought to be in the order of ordination. The roll should be regularly corrected, on the occurrence of changes.

Local Evangelists under the direction of the Presbytery.

50. It shall be lawful for Presbytery, after proper examination as to his piety, knowledge of the Scriptures, and ability to teach, to licence, as a Local Evangelist, any male member of the Church, who, in the judgment of Presbytery, is qualified to teach the Gospel publicly, and who is willing to engage in such service under the direction of Presbytery. Such licenced Local Evangelist shall report to the Presbytery at least once each year, and his licence may be withdrawn at any time at the pleasure of the Presbytery. The person securing such licence shall not be ord-

ained to the Gospel Ministry, should he desire to enter it, until he shall have served at least four years as a Local Evangelist, and shall have pursued and been examined upon what would be equivalent to a three years' course of study in theology, Church history, Church government, Homiletics, and the Bible, under the direction of the Presbytery.

Candidates for the Ministry.

51. (1) Every applicant seeking to be taken under the care of the Presbytery, as a candidate for the Ministry, shall file his application at least one month before the meeting of Presbytery, addressing the same to the Clerk of Presbytery. The applicant must send to the Clerk all his testimonials, papers, etc., bearing on his previous education and character; and no person shall be received by Presbytery as a candidate for the Ministry who has not been recommended by the session of the Church of which he is a member, under whose care he shall have been for a period of at least six months, and no exception shall be made to this rule without a unanimous vote of Presbytery.
- (2) Presbytery shall examine annually, in person or by letter, all candidates under its care, concerning their Christian experience, their progress in study, and their fidelity to the doctrines of the Church. It shall also advise with them concerning their course of study, and the institutions in which they are to pursue their studies.

Minister's Scale of Stipend.

52. The minimum stipend for a Pastor (i.e. the Minister who has received a call), shall be £130 in the urban areas and £100 in the rural, per annum: the minimum stipend for a Missionary (i.e. the Minister labouring without a call), shall be £80 to rise as means permit, per annum. The question as to the ability or otherwise of certain congregations to pay the required stipend shall be decided by the Presbytery of the bounds.

Petition as to Change of Name, etc.

53. A Presbytery cannot make any change upon its name, the particular charges and localities under each jurisdiction, the constitution of its membership, of its chief place of meeting, which is called the Presbytery seat. To obtain a change in any of these arrangements, it must present a petition to the General Assembly.

Finished Records.

54. The Presbytery shall receive on demand, old and finished records from the lower courts, for transmission to the Custodian.

CHAPTER III.

THE SYNOD

Definition.

1. A Synod is a convention of the Ministers and Elders within a larger district than that of a Presbytery, including at least three Presbyteries.

Composition and Membership.

2. The Synod is composed of all the Ministers and an Elder from each congregation in its area. It consists (1) of all the Pastors or Ministers of congregations within the area; (2) of the Professors of Theology, if any, whose appointed sphere of labour is within the area; (3) of such ordained Ministers within the area, and not having charges, as had been received as members of a Presbytery in the area, by the authority of the General Assembly; (4) of Ruling Elders from each Church Session in the area; (5) of Ministers and Elders from other Synods, who may be added by the General Assembly as Assessors to the Synod for particular purposes; with reference to these purposes, and these purposes only, they have rights of members during their appointment.

Quorum.

3. Any three Ministers belonging to the Synod, who shall convene at the time and place of meeting, with as many Elders as may be present, shall be a quorum to transact synodical business; provided, that, three Presbyteries are represented.

Corresponding Members.

4. The rule of this court as to corresponding members is the same as that of the Presbytery.

Powers, Duties and Functions of the Synod.

5. The Synod has the following powers:—

- (1) to receive and issue all appeals, complaints, and references, that are regularly brought before it from the Presbyteries, and to decide, finally in such cases all questions that do not or affect the doctrine or constitution of the Church;
- (2) to review all records of Presbyteries, and approve or censure them;
- (3) to redress whatever has been done by Presbyteries contrary to order;

- (4) to take effectual care that Presbyteries observe the constitution of the Church;
- (5) to erect new Presbyteries; and to unite or divide those which were before erected, subject to the approval of the General Assembly;
- (6) to take such order with respect to the Presbyteries, Sessions, Deacons' Courts, and people under their care as may be in conformity with the Word of God, and the established rules, and may tend to promote the edification of the Church;
- (7) to propose to the General Assembly for its adoption, such measures as may be of common advantage to the whole Church;
- (8) to appoint, if necessary, Boards, Commissions, or Committees, of any kind or nature, whether special, standing or permanent, whose duties, functions, powers, etc., shall be determined by the Synod;
- (9) lastly, to take any measures of punishment or censure, against Ministers and Elders who fail to bring the congregations' contributions to the Synodical Fund, at the Ordinary Meeting of Synod.

When and How Often to Meet.

6. The Synod shall convene, at least, once in each year; at the opening of which a sermon shall be delivered by the Moderator, or, in case of his absence, by the ex-Moderator, or one of the Clerks; and every particular Session shall be opened and closed with prayer. The Synod shall determine by itself:—

- (1) As to how often it shall meet each year, and
- (2) when and where it shall meet. The Synod shall fix the day, time, or date and place of its Ordinary Meeting.

Synodical Expenses.

7. The expenses of the meeting of the Synod shall be borne by the Presbytery of the bounds in which the Synod met.

Minutes.

8. It shall be the duty of the Synod to keep full and fair record of its proceedings, to submit them annually to the inspection of the General Assembly, to report to the Assembly the number of its Presbyteries, and of the members and alterations of the Presbyteries. The records of minutes must be carefully and legibly written, and must be uniform as to size of page with the minutes of the General Assembly. Blank spaces must be left at the end of the minutes of each session for recording any exceptions that may be taken by the General Assembly. The Assembly, may, at any time, for the interests of the Church, demand from any Synod, a copy of its records of a certain period, time, or date; this copy must be attested by the certificate of

the Chief Clerk of the Synod in writing. The Synodical minutes must be well preserved in volumes, and must be carefully paged and analysed or headed. They should be duly authenticated by the written names of the Moderator and Chief Clerk of Synod.

A Popular Meeting.

9. One of the sessions of the Synod, preferably the last, if time permits, shall be devoted entirely to a popular meeting in which members may indulge themselves by speeches.

Synodical Fund.

10. Each Circuit shall contribute annually to the Synodical Fund according to its membership, on the following scale:— 50, £1; above 50 and up to 150, £1 10s.; and for every additional 100 or fraction thereof, will equal to £1 more, etc.

Change of Place or Time of Meeting.

11. Whenever from any cause of sickness, death, or any extra-ordinary or unavoidable cause, it shall be necessary to change the place or time of the regularly appointed meeting of a Synod, its Clerk shall, at the request of the Clerks of at least two of its Presbyteries, be authorised by the Synodical Moderator, to secure another place or time, or both, of the Synodical meeting, and to issue his official call for the meeting accordingly.

Assembly's Powers, Functions, etc., Pro Tempore Vested in the Synod.

12. Since the number and position of Presbyteries, at present, do not call for a sub-division into more than one Synod and for a higher representative court, to which the Synods shall be subordinates, the powers, functions, duties, etc., of the General Assembly, are pro tempore, vested in the Synod; hence, it follows, that the Synod is pro tempore the Supreme Court of the Presbyterian Church of Africa.

Adjourned Meeting.

13. If the nature of any business before the Synod at an Ordinary Meeting, requires a postponement, it is competent for the Synod to adjourn to meet again on a day more or less distant, provided the adjourned meeting can be held previously to the time fixed for the next Ordinary Meeting.

Other Kinds of Meetings.

14. Other kinds of Synodical Meetings are the same as those of the Presbytery.

Synodical Prayer.

15. The Synod shall fix a certain hour of prayer for the outpouring of the Holy Spirit on the Synod and on the Presbyteries and Churches within its bounds, to be preceded, if possible, by the reading of the Narrative and Necrological Report.

Adjustment of Roll, etc.

16. The first act of the Synod, at an Ordinary Meeting, is to adjust its roll, or, in other words, to determine who are its members. The Presbyteries in the area or division (pro tempore, in the country. See Section 12 of this chapter), are called in a certain order determined by the Synod. When a Presbytery is thus called, a certified roll of its existing membership is produced, and its Moderator or Clerk makes an additional statement or intimation that may be necessary as to changes that have taken place on the rolls of their clerical members since the last meeting of Synod. Commissions to any Ruling Elders, whose names may not be in the certified roll of a Presbytery, are then read, and if these be found valid, and are sustained, the names of the Ruling Elders, referred to in them are added to the roll. No Ruling Elder, whose name is not in the certified roll of a Presbytery, can act as a member of Synod, unless he produce a commission appointing him to represent his Church Session in the Synod as well as in the Presbytery and unless that commission be in due form, and bear that he is bona fide an Acting Elder in the congregation. Thereafter commissions to corresponding members from neighbouring Synods are called for. If produced, the Commissions are read; and if found in regular form, they are sustained, and the names of the persons mentioned in them, are added to the roll.

Election of Moderator.

17. After the roll has been made up, the Synod proceeds to elect a new Moderator. When once elected, he remains in office till he has performed the duty of opening the next Ordinary Meeting, and till his successor has been chosen.

Duties of Moderator.

18. The principle duties of this officer are as follows:—

- (1) To open the session at the time to which the judicatory is adjourned, by taking the chair and calling the members to order;
- (2) to receive and submit, in the proper manner, all motions and propositions presented by the members;
- (3) to put to vote all questions which are regularly moved or necessarily arise in the course of the proceedings, and to announce the result;
- (4) to restrain the members when engaged in debate within the rules of order, by preventing the members from interrupting each other, and by requiring them in speaking always to address the chair;
- (5) to prevent a speaker from deviating from the subject and from using personal reflections;
- (6) to receive all messages and other communications and announce them to the judicatory;
- (7) to authenticate by his signature when necessary, all acts, orders, and proceedings of the body;
- (8) to inform the judicatory, when necessary, in a point of order or practice;

- (9) to keep notes of the several articles of business which may be assigned for particular days, and to call them up at the time appointed;
- (10) He may speak to points of order in preference to other members, rising from his seat for that purpose; and shall decide questions of order, subject to an appeal to the judicatory by any two members;
- (11) He may appoint all committees, except in those cases in which the judicatory may or shall decide otherwise.
- (12) When a vote is taken by ballot in any judicatory, the Moderator shall vote with the other members; but he shall not vote in any other case unless the judicatory be equally divided; when, if he does not choose to vote, the question shall be lost.
- (13) The Moderator has the right to name a member to perform the duties of the chair temporarily, but such substitution shall not extend beyond any adjournment.
- (14) The Moderator may read sitting, but should rise to state a motion.

Qualifications of Moderator.

19. The Moderator of the Synod must be an ordained Minister who is a member of the Synod.

Duties, Powers, Rights, etc., of Clerk.

20. The Synod appoints one or more Clerks. The Clerk must be a member of the Synod. He is appointed in the same way as the Clerk of Presbytery is appointed, regarding his continuation in office. On his appointment he must solemnly promise to discharge the duties of the office with fidelity. It is his duty to write regular minutes of the Synod's procedure, to engross the same in a permanent record, and to take charge of the Synod's papers, books, and documents. In the absence of the Clerk, or clerks, someone is appointed by the Synod to act as Clerk pro tempore. It shall be the duty of the Clerk, as soon as possible after the commencement of the sessions of every judicatory, to form a complete roll of the members present, and put the same into the hands of the Moderator; and it shall also be the duty of the Clerk, whenever any additional members take their seats, to add their names in their proper places to the said roll. It shall be the duty of the Clerk immediately to file all papers in the order in which they have been read, with proper endorsements, and to keep them in perfect order. The Clerk must enter on the minutes what is done and passed, but not what is merely proposed or moved, without coming to a vote. It is the duty of the Clerk to read all papers, etc., which may be ordered to be read; to call the roll and note the answers of the members when a question is taken by yeas and nays; to notify committees of their appointment and of the business referred to them; and to authenticate by his signature, sometimes alone and sometimes in conjunction with the Moderator, all the acts, orders, and proceedings of the judicatory. The Clerk must stand when reading or calling the judicatory. It is the duty of the Clerk of every Church judicatory to prepare a docket of business at each session or meeting of the body, and place it in the

hands of the Moderator, which should be as far as practicable the guide of the presiding officer for the expedition of business. It is the duty of the Clerk to grant extracts from the records when directed so to do by the judicatory; and such extracts shall be considered authentic vouchers of the facts which they declare, in any ecclesiastical judicatory and to every part of the Church. The first Clerk appointed by the Synod (there being two or more Clerks), shall be styled "The Stated or Chief Clerk," and others "Assistant Clerks" whose business is to assist or help the former in all his duties.

The Treasurer and his Duties.

21. The Treasurer shall always notify the Presbyteries within the bounds of the Synod of the amount assessed upon them respectively by the Synod, from time to time. He shall keep the monies of the Synod in a responsible banking institution in an account to be opened in the name of the Moderator, Clerk, and Treasurer of the Synod. He shall pay all bills only when duly ordered by the Synod. He shall, at each annual meeting of the Synod, present a report of the monies received and expended during the preceding year, with this report he shall submit the books, papers, and vouchers, including the bank book duly balanced and settled, and the same shall be referred to the Committee on Finance for audit. All applications of the committees for funds from the Synod's treasury shall be referred first to the Committee on Finance for consideration and action.

Commissions.

22. The Clerks of the Presbyteries shall furnish the delegates-elect to Synod proper certificates of their election (when these delegates are elected by Presbyteries), and when delegates shall fail to attend a stated meeting of Synod their absence shall be noted by the Clerk and reported to their respective Presbyteries.

Opening and Closing, Minutes, etc.

23. The rules for the opening and closing, reading and approval of minutes, extracts, openness of court, roll of members, etc., of the Synod, are the same as those of the Presbytery.

Synod Officer or Beadle.

24. The Synod appoints an officer, who is in attendance at its meetings and executes its orders. At his appointment he must promise to perform the duties of his office with fidelity.

Sergeant-at-Arms or Usher.

25. The Synod also appoints a Sergeant-at-Arms or an Usher, whose duties are to keep order, to seat members and visitors in their proper places, during the meeting of Synod.

Narratives and Statistical Reports.

26. Statistical reports, such as are requested by our Ecclesiastical Courts and written Narratives on the state of religion, embracing the results of the year to the 1st April, shall be prepared by the Presbyteries. The Statistical Reports, shall, if possible, be

placed in the hands of the Clerk before the opening of the Synod; and the Narratives on the State of Religion shall be forwarded to the Clerk, if possible, 10 days before the opening of Synod.

Two Sessions at Least.

27. At each Ordinary or Fixed Meeting of the Synod, there must be at least two sessions to enable the Synod to ascertain its business in due order, by the appointment of a Committee or committees, whose report or reports may be submitted, before any subject is taken up for judgment or discussion. The expediency, if not the absolute necessity, of two sessions, appears also from the duty of examining the records of Presbyteries, which can be accomplished only through the appointment of committees and the receipt of their reports.

Subjects Taken Up in Succession.

28. Immediately after the minutes of last Ordinary Meeting have been read over, the subjects which they show to require renewed attention or consideration at the existing meeting, are taken up in succession.

Bills and Overtures' Committee.

29. At the first session of Synod, the Committee on Bills and Overtures is appointed.

Records Called For.

30. The Records of Presbyteries are then called for. If any one of them be not laid on the table, the Clerk of the Presbytery, if present, is asked to explain the reason. Any member of Presbytery present may give the explanation. If it be not satisfactory, the Presbytery is liable to censure. A small committee is appointed to examine each of the Records laid on the table, with an instruction to report at the next session.

Appointment of Other Committees.

31. Other committees are appointed at this session, if the Synod see cause, in order to expedite the business with an instruction to report, either at the next session, or at a future session of the same Ordinary Meeting.

Intimation of Second Session.

32. Intimation is publicly made of the time at which the second session will commence, before the adjournment taking place at the first session.

Meeting of the Committee on Bills and Overtures.

33. Between the close of the first session and the commencement of the second session, the Committee on Bills and Overtures meet for the purpose of preparing the business of the Synod, in so far as it is not merely of a routine character. The Moderator and Clerk of the Synod are, ex officio, Chairman and Secretary of the Committee on Bills and Overtures.

Overtures.

34. An Overture is a proposal made by the General Assembly to the Presbyteries, requiring their approval or disapproval, of amendments or alterations, or, additions to the Constitution; or anything raised by such a proposal, as the case may be. The Presbyteries may initiate such a proposal to the General Assembly.

Bills

35. Under the head of Bills are included all references from Presbyteries, all Appeals, Dissents, and Complaints against their decisions, and all Petitions to the Synod. The papers in such cases must be accompanied by a Petition to the committee to transmit them, signed by some party concerned, or by someone acting for a party concerned. The Committee must judge as to the formality and competency of all such papers, and must resolve to transmit them, or not to transmit them accordingly. Any of the parties may appeal to the Synod against this judgment; and any member of Committee may enter a dissent and complaint.

Reports of Committees.

36. The Synod, at its second Session, calls for the Reports of the Committee on Bills and Overtures, which are given in and read from the Committee's minutes, and any appeals or complaints against the judgments of the Committee are disposed of. The Committee must always keep a record of their proceedings. The Synod, having now its whole business before it, proceeds to arrange that business in what seems the most suitable order; this order includes the fixing of the time for receiving the reports of other committees appointed by the Synod. The Committee on Bills and Overtures may meet again at the interval between every session and the next session, provided the special leave of the Synod be granted to that effect.

Trial or Examination of Presbyteries.

37. The Synod may have a private session for:
- (1) receiving and discussing the reports on the books of Presbyteries;
 - (2) examining each Presbytery as to its procedure and the state of matters within its bounds. The subjects of inquiry in such a trial are the following:—
 - (1) The attendance of members at meetings;
 - (2) the setting apart any meeting or meetings for prayer;
 - (3) the observance of Presbyterial exercises and the carrying out of Presbyterial visitations;
 - (4) the consideration of overtures transmitted by the General Assembly;
 - (5) the revisal and attestation of the records of Church Sessions;
 - (6) the records and accounts of Deacons' Courts;
 - (7) the attestation of Communion rolls;
 - (8) the residences of Ministers;
 - (9) the number of Elders and Deacons and their signing of the Formula;

- (10) vacancies and preaching stations within the bounds;
- (11) schools and the visitation of them;
- (12) frequency of the dispensation of the Lord's Supper;
- (13) ministerial visitation of sick families;
- (14) reports from Church Session on the State of Religion;
- (15) observation of Fast and Thanksgiving days;
- (16) means taken for checking immorality, profaneness and errors; and
- (17) for preaching the Gospel where no congregation is formed. The Presbytery examined ought to appear at the bar by at least its Moderator and Clerk, and as many other members as convenience will allow. The Synod must take remedial means, as to cases reported as unsatisfactory.

Standing Committees, or Boards, or Commissions.

38. The Synod may have any number of Standing or Permanent Committees, Boards, or Commissions, whenever it is necessary. It must have the following :—Committee on Bills and Overtures; Committee on Vacancy and Supply; Executive Commission.

Executive Commission and its Duties.

39. The Executive Commission shall supervise and carry on such executive administrative, and promotive activities, as shall be referred to it by the Synod. It shall be charged with co-ordinating all educational and promotional work proposed by the Synod, and shall correlate the various activities of all agencies operating within the Synod, in a harmonious and unified programme. All matters requiring the attention of the Synod, pertaining to questions submitted in any way to the Executive Commission, the said Commission shall bring to the attention of the Synod with appropriate recommendations thereon. The Synod's duty shall be to act as it deems best on such reports and recommendations. The Moderator and stated Clerk of the Synod, shall be, respectively Chairman and Secretary of the Executive Commission. All the members of the Permanent Committees, if any, shall be nominated to the Synod by the Executive Commission, and elected by the Synod. The nominations by the Executive Commission shall not exclude from Synod the right to make additional nominations, if it deems it wise or necessary. All Presbyteries shall be represented in the Executive Commission; it shall consist of not less than three members, and its term of office shall be three years, the Commission being eligible for re-election. All matters requiring special consideration, from time to time, must engage the attention of the Executive Commission. Meetings of the Executive Commission may take place at any time when necessary. All reports of this Commission to the Synod shall be in writing, legibly written, and signed by the Chairman and Secretary.

CHAPTER IV.

THE GENERAL ASSEMBLY.

What It Is.

1. The General Assembly is the highest judicatory of the Presbyterian Church of Africa; it is the Supreme Court whose decisions are final. It shall represent, in one body, all the particular Churches of this denomination.

Basis of Representation.

2. The General Assembly shall consist of an equal delegation of Pastors or Ministers and Elders from each Presbytery, in the following proportion, viz.: each Presbytery consisting of not more than five Ministers, shall send one Minister and one Elder; and each Presbytery consisting of more than five Ministers, shall send one Minister and one Elder for each additional five Ministers, or for each additional fractional number of Ministers not less than two; and these delegates, so appointed, shall be styled, Commissioners to the General Assembly.

Quorum.

3. Any eight of these Commissioners, provided three Presbyteries are represented, four of whom must be Ministers, being met on the day, and at the place appointed, shall be a quorum for the transaction of business.

Powers, Duties and Functions of the General Assembly.

4. The General Assembly shall receive and issue all appeals, complaints, petitions, and references, that affect the doctrine or Constitution of the Church, and are regularly brought before it from the inferior judicatories. It shall review the records of every Synod and approve or censure them; it shall give its advice and instruction, in all cases submitted to it, in conformity with the Constitution of the Church; and it shall constitute the bond of union, peace, correspondence and mutual confidence among all our Churches. It shall decide in all controversies respecting doctrine and discipline; reprove, warn, or bear testimony against error in doctrine, or immorality in practice, in any Church, Presbytery, or Synod; erect new Synods when it may be judged necessary; superintend the affairs or concerns of the whole Church; correspond with foreign churches, or other denominations, on such terms as may be agreed upon by the Assembly and the corresponding body; suppress schismatical contentions and disputations; and, in general, recommend and attempt reformation of manners, and the promotion of charity, truth, and holiness, through all the churches under its care; to appoint collections to be made at the Church doors of all the congregations, in support of the objects for which certain committee or committees are appointed. It usually exercises this power by passing an act anent collections, upon the report of a committee to that effect, the committee having been appointed during the sittings of the same Assembly.

Way of Making Future Laws.

5. Before any overtures or enactments proposed by the Assembly to be established as rules regulative of the constitutional powers of Presbyteries and Synods, shall be obligatory upon the Church, it shall be necessary to transmit them to all the Presbyteries, and to receive the returns of at least a majority of them, in writing, approving thereof, and such rules, when approved, shall be appended to the Constitution of the Church. All overtures from Presbyteries and Synods, to Assembly, returns to overtures (from Assembly), shall be sent or transmitted to the stated or Chief Clerk of the General Assembly before the commencement of the first session of the Ordinary Meeting of the General Assembly.

Assembly to Meet Once a Year and to be Opened by Moderator.

6. The General Assembly shall meet at least once in every year. On the appointed day for that purpose, the Moderator of the last Assembly, if present, or, in case of his absence, or inability to act, some other minister, shall open the meeting with a sermon, and preside until a new Moderator be chosen. No Commissioner shall have a right to deliberate or vote in the Assembly, until his name shall have been enrolled by the Clerk, and his commission examined, and filed among the papers of the Assembly.

Constituting of Assembly.

7. The person acting as Moderator at the opening of the Assembly having constituted the meeting with prayer, the business proceeds upon the assumption, in the meantime, that the Commissions from the Presbyteries are all in due form, and that all the Ministers and Elders named in those Commissions have been duly elected. In case, however, of any vote being taken previously to the examination of the Commissions by a Committee, it is always clearly understood that the result of the vote may possibly be altered through that examination.

List of Commissioners Read Over.

8. After the Assembly has been constituted, the list of Commissioners is read over, the attention of members being called to the list, and corrections invited.

Nomination of Moderator-Elect.

9. At every Ordinary Meeting of the General Assembly a Moderator-elect shall be nominated, to take office after the membership of the next Ordinary Meeting of Assembly has been ascertained.

Committee to Arrange Business.

10. At the first session of the General Assembly, a Committee for the arrangement of the business of the Assembly is appointed. This Committee may meet at any period of any day during the sittings, except while the Assembly is itself constituted, when special permission must be obtained; it reports from time to time as occasion requires. If its reports be approved by the Assembly, the business is arranged and intimated accordingly.

Moderator-elect Brought in and Occupies the Chair and Delivers an Address.

11. The General Assembly having been constituted, and its membership ascertained, the Moderator-elect in the meantime being out of the House, the Stated Clerk of the Assembly, accompanied by one or two Senior Ministers and Elders, shall go out of the House to bring in the Moderator-elect. He then comes in accompanied by these brethren, and the retiring Moderator standing gives to him the right hand of fellowship, and vacates the Chair, which is immediately occupied by the elected Moderator, who proceeds to deliver an address.

Openness of Court.

12. The General Assembly is an open Court; but, when the nature of business before it requires it to do so, it may meet within closed doors.

Committee to Revise Commissions.

13. The Committee on Bills and Overtures may be constituted as a Committee also for revising the Commissions which the Presbyteries have transmitted by their Clerks to the Stated Clerk of the General Assembly.

Papers to Assembly Through Committee on Bills and Overtures.

14. All papers intended to be transmitted to the Assembly through the Committee on Bills and Overtures, shall be accompanied by a Petition to that Committee, in the name of the party or parties transmitting, and that the Petition shall be transmitted not later than on the day before the meeting of Assembly, with a view to promote the greater despatch of business at the meeting of the Committee—it being understood that this order shall not dispense with the attendance of parties at that meeting.

Devotional Exercises.

15. The Assembly may occupy part of the afternoon diet on the second day of the Assembly's sittings with devotional exercises which are conducted not only by the Moderator, but by several Ministers, Probationers and Elders named by him.

Report of Committee on Commissions.

16. When the Report of the Committee on Commissions is taken up, there may be appeals or dissents and complaint against any judgments of that Committee. After receiving the Report, the Assembly hears the parties in such appeals or complaints in regular form, and sustains or rejects any particular Commission, or the election of any particular Minister or Elder, as it judges right. If the requisite certificate from a Church Session on behalf of a Ruling Elder be not forthcoming when the Commission is otherwise good, the Ruling Elder referred to cannot take his seat as a member of Assembly, until the omission be supplied; if the certificate shall be afterwards produced his name shall be added to the Roll.

Procedure and Way of Closing General Assembly.

17. Each session of the Assembly shall be opened and closed with prayer. And the whole business of the Assembly being finished, and the vote taken for dissolving the present Assembly, the Moderator shall say from the chair: "By virtue of the authority delegated to me, by the Church, let this General Assembly be dissolved, and I do hereby dissolve it, and require another General Assembly, chosen in the same manner, to meet at.....on the..... day of..... A.D.....," after which he shall pray and return thanks, and pronounce on those present the apostolic benediction.

Rules.

18. The rules as to Minutes, calling of Synod Records, duties and qualifications of the Moderator, duties of the Clerk, appointment and meeting of Committees, and receiving their reports, etc., are, *mutatis mutandis*, the same as those of the Synod.

Travelling Expenses of Commissioners.

19. Provision should be made by Presbyteries, for the payment of the travelling expenses of the Commissioners to the General Assembly.

Allowance to Moderator, Salaries to Clerks.

20. The allowance to the Moderator for his expenses, as well as the salaries (if any) to the Clerks, are proportioned to what the Assembly believes to be practically the amount of their respective work and obligations.

Declaratory Acts.

21. It is in the power of the General Assembly to pass Declaratory Acts, i.e. acts which declare what the Assembly understands the law of the Church to be. Such an act may be passed, without transmission to Presbyteries, when it is generally agreed that the declaration is in accordance with the old law or practice. But if there be much difference of opinion on the subject, and if the point enforced be new, in any considerable measure, to the existing Ministers and Ruling Elders, before the passing of such an Act, an Overture on the subject should be transmitted to Presbyteries, in terms of Section 5 of Chapter IV.

Dissents.

22. After any judgment has been come to by the General Assembly, which has not been unanimous, a member who dissents from it has the same right of entering his dissent against it which he has in an inferior Court. This dissent, in order to be received, must be tendered immediately after the decision has been pronounced, and before the Assembly proceeds to any other business. If the reasons for it be given along with it to the Clerk, in writing, they are entered upon the Minute. But

if they are not given in till afterwards, they are not so entered, but are inserted in a separate Record of Dissents. When a dissent has been tendered by a member immediately after the pronouncing of the judgment dissented from, it is competent for any other member or members who were present when it was pronounced to intimate his or their adherence to the dissent at any subsequent diet of the Assembly's sittings. But no one's adherence can be received who was not so present.

Effect of Dissent.

23. The General Assembly being the Supreme Court of the Church, there is no room for any other procedure against its decisions except that of dissent with reasons. There is no room for Complaint or Appeal. By dissenting with reasons a man keeps his conscience clear from the responsibility of what he does not approve of. His appeal goes up to the Head of the Church on high.

Mode of Executing Decisions.

24. The General Assembly sometimes takes the whole business of intimating and executing its own judicial sentences into its own hands. Most frequently, however, it remits to the Presbytery or Church session of the bounds to carry out its determinations.

Extracts.

25. Although the Clerks of the Inferior Courts are not allowed to give extracts without the special orders of those Courts, but the Clerks of the Assembly, without any formal instructions, give extracts of deliverances to all parties who have any kind of interest in those deliverances, on payment of a fee fixed by the Assembly, for the extra labour of the Clerk. In a very extraordinary case, the Clerk might think it requisite to consult the Assembly or its Executive Commission, or the Committee on Assembly Arrangements. When the extracts are prepared by the Assistant Clerk, they must be revised and signed by the Stated or Chief Clerk who is responsible for the minutes. No fees are charged for extracts required by Church Courts, and Committees, but only in the case of individuals.

CHAPTER V.

CHURCH JUDICATORIES AND THEIR JURISDICTION.

Preliminary Principles.

1. It is absolutely necessary that the government of the Church be exercised under some certain and definite form. And we hold it to be expedient, and agreeable to Scripture and the practice of the primitive Christians, that the Church be governed

by Congregational, Presbyterian, and Synodical Assemblies. In full consistency with this belief, we embrace, in the Spirit of Charity, those Christians who differ from us, in opinion, or in practice, on these subjects.

Five Courts.

2. There are five ecclesiastical judicatories in our Church Government, namely: The Church Session, The Deacons' Court, The Presbytery, The Synod, and The General Assembly.

Their Powers.

3. These judicatories ought not to possess any civil jurisdiction, nor to inflict any civil punishments. Their power is wholly moral or spiritual, and not only ministerial and declarative. They possess the right of requiring obedience to the laws of Christ; and of excluding the disobedient and disorderly from the privileges of the Church. To give efficiency, however, to this necessary and scriptural authority, they possess the powers requisite for obtaining evidence and inflicting censure. They can call before them any offender against the order and government of the Church; they can require members of their own society to appear and give testimony in the cause; but the highest punishment to which this authority extends, is to exclude the contumacious and impenitent from the congregation of believers.

Their Character.

4. A Church Session has permanent existence, in as much as its membership is not subject to change, except by the decease or transference from the locality, or resignation or dispossession of a Minister or of a Ruling Elder, or by the election and admission of additional Ruling Elders, on the ground that an addition is required; a Deacons' Court is in precisely the same position as a Church Session. A Presbytery is subject to greater changes in its constituent elements, in as much as the representative Ruling Elders from Church Sessions are changed annually. A Synod is in precisely the same position. Thus each of the Inferior Judicatories has, in ordinary circumstances, a sufficient amount of membership always remaining to preserve it in existence, and even in action, at least to some effects. A General Assembly differs from the Inferior Church Courts, in that, as a body, it has no permanent existence. Immediately after the breaking up of one constitutional meeting of the General Assembly, at the conclusion of its successive diets, except when it has specially adjourned to meet at another time for the discharge of its duties, no General Assembly continues to exist until another has been elected by the free choice of the Presbyteries. The General Assembly, after the discharge of its duties, dissolves itself. See Chapter IV, Section 17, General Assembly.

Way of Conducting Actions for Offence.

5. All actions for offence against Ministers must be initiated in the Presbytery of which they are members. And every action, judicial or otherwise, which may have ground for the consideration and determination of the Courts, will carry the cause of

whatsoever nature, in one of the four ways provided in the Form of Government (by general review, by reference, by complaint, or by appeal) in regular order from the court where it is regularly initiated, first to the next higher, then to the next, and finally to the General Assembly, which is the court of last resort. Any deviation from this order is irregular.

No interference.

6. No Court can interfere with the proper authority and jurisdiction of another.

Original Trial.

7. The only courts which can originally try for offences are the Church Session and the Presbytery, except in the case of a Minister of a defunct Presbytery; then the Synod to which that Presbytery belonged must institute proceedings.

Presbytery, the Superintendent, of Congregation and Session.

8. The Presbytery can only supervise the actions and judgments of the Church Session. It cannot take direct cognizance of the affairs of the congregation, unless by the consent of the Church Session, or in such cases as the Session and congregation may, by mutual agreement, refer to the Presbytery for its action.

Synod to Review Records of the Presbytery.

9. The Synod can properly review only the actions and judgments of the Presbytery. It cannot take cognizance directly of the actions and judgments of the Session, except in case of contest between a Session and Presbytery, and where, by mutual consent, the parties make a reference of the matter in question to the Synod.

Actions, Functions or Powers of the General Assembly.

10. The General Assembly, as an appellant court, can issue and determine judicial cases, when regularly brought before it, from the lower courts; can determine all doctrinal questions; can interpret the Constitution, decide controversies respecting discipline, and give advice and instruction in all cases submitted to it in conformity with the Constitution of the Church; and it can also overture the Presbyteries for Amendments to the Constitution or Organic law of the whole Church. But its decisions are of no force to establish any new law, and can only be employed as precedents for future guidance.

The Presbytery.

11. The law making power is the Presbytery only.

Court and Constitution.

12. No court of our Church has any legitimate functions save those which either expressly or by clear implication, the Constitution confers.

Advisory and Authoritative Functions of the General Assembly.

13. The disciplinary functions of the General Assembly are of two kinds, **Advisory and Authoritative**; the **Advisory** function of the General Assembly is of very wide scope. According to the **Form of Government**, it has the power of reproving, warning, or bearing testimony against error in doctrine, or immorality in practice in any Church, Presbytery, or Synod, and of recommending reformation of manners through all the Churches under its care. The **Authoritative** functions of the General Assembly, or its power of discipline, can only be exercised in the forms and methods marked out in the Constitution. It is by no means co-extensive with its testifying power. As counsel has only a moral force, the manner in which it shall be put forth is left to the discretion of the General Assembly. Not so with discipline; concerning, as it does, the dearest rights and interests, it is of the highest importance that the mode of its exercise should be particularly prescribed. So we find it in our **Form of Government**. Every step is distinctly set forth, and the greatest care taken to guard all concerned against mistake and abuse.

Assembly Not to Commence a Process.

14. The General Assembly has no power to commence a process of discipline with an individual offender. That belongs to the Session in the case of a layman, and to the Presbytery in the case of a Minister. The disciplinary function of the General Assembly as to individuals is simply appellate and revisionary. It is not the court of the first, but of last resort.

By General Review and Control, Lower Courts may be Reached.

15. In the way of General Review and Control, it can reach directly only the Court next below, i.e. the Synod. Indirectly, indeed, the doings of other bodies may be involved. A session may greatly neglect discipline, for example, and the recorded indication or the common fame thereof may not be properly heeded by the Presbytery. The fruit of this heedlessness, or the evidence of it in the Presbyterian records, may call forth no appropriate action on the part of the Synod; and this may be brought by the Synodical Records, or by general rumour, to the knowledge of the Assembly. On the ground of either the record or the rumour, the Assembly may cite the Synod before it. Thus mediately may even a Session be reached, but not directly

CHAPTER VI.

GENERAL RULES FOR JUDICATORIES.

Obtaining the Floor.

1. Before a member can make a motion, or address the judicatory, it is necessary that he should obtain the floor, i.e. he must rise after the floor has been yielded, and address the

Moderator, thus, "Mr. Moderator." If a member rises before the floor has been yielded, or is standing at the time, he cannot obtain the floor, provided anyone else rises afterwards and addresses the chair. It is out of order to be standing when another has the floor, and the one guilty of this violation of the rules cannot claim he rose first, as he did not rise after the floor had been yielded.

What Precedes Debate.

2. Before any subject is open to debate it is necessary, first that a motion be made by a member who has obtained the floor; second, that it be seconded (with certain exceptions); and third, that it be stated by the chair, that is, by the Moderator. The fact that a motion has been made and seconded does not put it before the judicatory, as the chair alone can do that. He must either rule it out of order, or state the question on it so that the Court may know what is before it for consideration and action.

One Motion at a Time; Modifications Allowable.

3. While no debate or other motion is in order after a motion is made, until it is stated or ruled out of order by the chair, yet members may suggest modifications of the motion, and the mover, without the consent of the seconder, has the right to make such modifications as he pleases, or even to withdraw his motion entirely before the chair states the question. After it is stated by the chair he can do neither without the consent of the judicatory. When the mover modifies his motion the one who seconded it has a right to withdraw his second.

Chairman of Committee.

4. The person first named on any Committee shall be considered as the Chairman thereof, whose duty it shall be to convene the Committee; and, in case of his absence or inability to act, the second named member shall take his place and perform his duties.

Unfinished Business.

5. Business left unfinished at the last sitting is ordinarily to be taken up first.

Division of a Motion.

6. If a motion under debate contains several parts, any two members may have it divided, and a question taken on each part.

Motions to be Put Without Debate.

7. Motions to lay on the table, to take up business, to adjourn, and the call for the previous question, shall be put without debate, but it shall not be in order for any one debating another motion to propose the motion to lay on the table or the previous question, at the close of his remarks, unless he shall obtain the floor again for that purpose. On questions of order, postponement, or commitment, each member may speak once or twice, but not oftener, without express leave of the judicatory.

Motions that are Receivable at Any Time.

8. When a question is under debate, no motion shall be received, unless to adjourn, to lay on the table, to postpone indefinitely, to postpone to a day certain, to commit, or to amend;

which several motions shall have precedence in the order in which they are herein arranged, and the motion for adjournment shall always be in order.

Amendments.

9. An amendment, and also an amendment to an amendment, may be moved on any motion; but a motion, to amend an amendment to an amendment, shall not be in order. Action on amendments shall precede action on the original motion. A substitute shall be treated as an amendment.

Reconsideration of a Question.

10. A question shall not be again called up or reconsidered at the same sessions of the judicatory at which it has been decided, unless by the consent of two-thirds of the members who were present at the decision; and unless the motion to reconsider be made and seconded, by persons who voted with the majority.

All Members to Vote.

11. Members ought not, without weighty reasons, to decline voting as this practice might leave the decision of very interesting questions to a small proportion of the judicatory. Silent members, unless excused from voting, must be considered as acquiescing with the majority.

Indulgence in Personal Reflections Not Allowed.

12. No member, in the course of debate, shall be allowed to indulge in personal reflections.

Great Respect Needed When Speaking.

13. Every member, when speaking, shall treat his fellow-members, and especially the Moderator, with decorum, and respect. In the discussion of all matters where the sentiment of the House is divided, it is proper that the floor should be occupied alternately by those representing the different sides of the question.

No Interruption.

14. No speaker shall be interrupted, unless he be out of order; or for the purpose of correcting mistakes, or misrepresentations.

Silence During Business.

15. Without express permission, no member of a judicatory, while business is going on, shall engage in private conversation; nor shall members address one another, nor any person present, but through the Moderator.

Members to Maintain Great Gravity and Dignity.

16. It is indispensable, that members of ecclesiastical judicatories maintain great gravity and dignity while judicially convened; that they attend closely in their speeches to the subject under consideration, and avoid prolix and desultory harangues; and, when they deviate from the subject, it is the privilege of any member, and the duty of the Moderator, to call them to order. If any member act, in any respect, in a disorderly manner,

it shall be the privilege of any member, and the duty of the Moderator, to call him to order.

Presence of All Members Necessary.

17. No member shall retire from any judicatory without the leave of the Moderator, nor withdraw from it to return home without the consent of the judicatory.

Private and Interlocutory Meetings.

18. All judicatories have a right to sit in private, on business, which in their judgment ought not to be matter of public speculation. Besides the right to sit judicially in private, whenever they think proper to do so, all judicatories have a right to hold what are commonly called "Interlocutory Meetings," in which members may freely converse together, without the formalities which are usually necessary in judicial proceedings.

Members of a Judicatory as Judges of a Court of Jesus Christ.

19. Whenever a judicatory is about to sit in a judicial capacity, it shall be the duty of the Moderator solemnly to announce, from the chair, that the body is about to pass to the consideration of the business assigned for trial, and to enjoin on the members to recollect and regard their high character as judges of a court of Jesus Christ, and the solemn duty in which they are about to act.

When the Moderator is to Vote.

20. When a vote is taken by ballot in any judicatory, the Moderator shall vote with the other members, but he shall not vote in any other case, unless the judicatory be equally divided; when, if he do not choose to vote, the question shall be lost.

Functions of the Moderator.

21. It shall be the duty of the Moderator, at all times, to preserve order, to keep notes of the several articles of business which may be assigned for particular days, and call them up at the time appointed. The Moderator shall speak on points of order, in preference to other members, and shall decide questions of order, subject to an appeal to the judicatory by any two members.

CHAPTER VII.

LICENSING CANDIDATES OR PROBATIONERS TO PREACH THE GOSPEL.

Presbytery has Power to Licence and Ordain.

1. The powers of licensing candidates or probationers to preach the Gospel and ordaining Ministers belongs to the Presbytery. The Holy Scriptures demand that some trial be previously

had of them who are to be ordained to the ministry of the Gospel, in order that this holy office may not be degraded by being committed to weak and unworthy men; and in order that the churches may have an opportunity to form a better judgment respecting the talents of those by whom they are to be instructed and governed. For this purpose Presbyteries shall licence candidates to preach the Gospel, that, after a competent trial of their talents and receiving from the churches a good report, they may, in due time, ordain them to the sacred office, after approval by Assembly.

Trials.

2. Every candidate for licensure shall be taken on trial by that Presbytery to which he belongs.

Testimonials of Good Character.

3. It is proper and necessary that candidates applying to the Presbytery to be licensed to preach the Gospel, produce satisfactory testimonials of their good moral character, and of being regular members of our Church. It is the duty of the Presbytery, to examine them respecting their experimental acquaintance with religion, and the motives which influenced them to desire the sacred office. This examination shall be close and particular, and, in most cases, may best be conducted in the presence of the Presbytery only. The candidates are required to produce authentic testimonials that they have gone through a regular course of training.

Examination.

4. It is reproachful to religion, and dangerous to the Church to commit the ministry, to ignorant men. The Presbytery therefore, shall examine each candidate as to his knowledge of Theology, natural and revealed; Ecclesiastical History, Sacraments, and Church Government.

Necessity of Studying Divinity.

5. No candidate shall be recommended to be licensed, unless, after his having completed the usual course of (prescribed) studies, he shall have studied divinity three years; and no candidate shall receive licence to preach unless he has been under the care of the Presbytery for one year, except, in extraordinary cases and consent of two-thirds of the members of the Presbytery present.

Licensing the Candidate After Satisfaction.

6. If the Presbytery be satisfied with his trials, it shall then proceed to licence him in the following manner: The Moderator shall propose to him the following questions:

- (1) Do you believe in the Scriptures of the Old and New Testaments to be the word of God, the only infallible rule of faith and practice?
- (2) Do you sincerely receive and adopt the confession of faith of this Church, as containing the system of doctrine taught in the Holy Scriptures?

- (3) Do you promise to study the peace, unity, and purity of this Church?
- (4) Do you promise to submit yourself, in the Lord, to the Government of this Presbytery, or of any other Presbytery in the bounds of which you may be called?

Moderator Addresses the Candidate.

7. The candidate having answered these questions in the affirmative, and the Moderator having offered up a prayer suitable to the occasion, he shall address himself to the candidate to the following purpose:—

"In the name of the Lord Jesus Christ, and by the authority which He hath given to the Church for its edification, we do licence you to preach the Gospel wherever God in His providence may call you; and for this purpose, may the blessing of God rest upon you, and the Spirit of Christ fill your heart—Amen."

And the record shall be made of the licensure in the following form, viz., At.....the.....day of.....the Presbytery of.....having received testimonials in favour of.....of his having gone through a regular course of literature; of his good moral character; and of his being in the communion of the Church, proceeded to take the usual parts of trial for his licensure; and he having given satisfaction as to his accomplishments in literature; as to his experimental acquaintance with religion; and as to his proficiency in Divinity and other studies; the Presbytery did, and hereby do, express their approbation of all these parts of trial; and he having adopted the confession of faith of this Church, and satisfactorily answered the questions appointed to be put to candidates to be licensed; the Presbytery did, and hereby do licence him, the said.....to preach the Gospel of Christ, as a Probationer for the Holy Ministry, within the bounds of this Presbytery, or wherever else he shall be orderly called.

A Candidate Leaving His Presbytery.

8. When any Candidate for Licensure shall have occasion, while his trials are going on, to remove from the bounds of his own Presbytery, into those of another, it shall be considered as regular for the latter Presbytery, on his producing proper testimonials from the former, to take up his trials at the point at which they were left, and conduct them to a conclusion, in the same manner as if they had been commenced by themselves.

A Candidate Removing Without the Limits of His Presbytery.

9. In like manner, when any Candidate after licensure, shall, by the permission of his Presbytery, remove without its limits, an extract of the record of this licensure, accompanied with a Presbyterial Recommendation, signed by the Clerk, shall be his testimonials to the Presbytery under whose care he shall come.

Licentiate not a Constituent Member of Presbytery.

10. A licentiate is not a constituent member of Presbytery, and by virtue of his licence, he has no authority to deliberate and vote in the body, or to administer the Sacraments, or to perform the rite of marriage.

Recalling of Licence.

11. When a licentiate shall have been preaching for a considerable time, and his services do not appear to be edifying to the Churches, the Presbytery may, recall his licence, if they think proper.

CHAPTER VIII.

ELECTION AND ORDINATION OF BISHOPS OR PASTORS, AND EVANGELISTS.

Importance of the Pastoral Office.

1. The pastoral office is the first in the Church, both for dignity and usefulness. The person who fills this office, hath, in Scripture, obtained different names expressive of his various duties :

- (1) As he has the oversight of the flock of Christ, he is termed Bishop.—e.g. Acts 20 : 28.
- (2) As he feeds them with spiritual food, he is termed Pastor.—e.g. Jer. 3 : 15, also I Peter 5 : 2, 3, 4.
- (3) As he serves Christ in His Church he is termed Minister.—e.g. I Cor. 4 : 1, and II Cor. 3 : 6.
- (4) As it is his duty to be grave and prudent, and an example of the flock, and to govern well in the house and kingdom of Christ, he is termed Presbyter or Elder.—e.g. I Peter 5 : 1; also Titus 1 : 5; I Tim. 5 : 1, 17, 19.
- (5) As he is the messenger of God, he is termed the angel of the Church.—e.g. Rev. 2 : 1; 1 : 20; 3 : 1 and 7; Mal. 2 : 7.
- (6) As he is sent to declare the will of God to sinners, and to beseech them to be reconciled to God through Christ, he is termed Ambassador.—e.g. II Cor. 5 : 20; Eph. 6 : 20.
- (7) And, as he dispenses the manifold grace of God, and the ordinances instituted by Christ, he is termed Steward of the mysteries of God.—e.g. Luke 12 : 42; I Cor. 4 : 1 and 2.

Election of Pastor.

2. The election and calling of a Pastor for any congregation belong, in the Presbyterian Church of Africa, to the members of the congregation in full communion; the mode of election and calling being subject to the regulation of the Church Courts.

Persons Qualified for Office of Pastor.

3. All persons who have been admitted to the status of Ministers and Probationers of this Church, and have not lost

that status, whether they hold any pastoral charge or not, provided no special limitation as to the acceptance of calls has been attached by the General Assembly to their ordination, are admissible, for office of Pastor.

Congregation Calling a Pastor.

4. When any Probationer shall have preached so much to the satisfaction of any congregation, as that the people appear prepared to call a Pastor, the Church Session shall convene them for this purpose; and it shall always be a duty of the session to convene them, when a majority of the persons entitled to vote in the case, shall, by a petition, request that a meeting may be called.

Announcement to the Congregation.

5. On a Sunday, immediately after public worship, it shall be announced from the pulpit, that all members of that congregation are requested to meet on ensuing, at the Church, then and there, if it be agreeable to them to proceed to the election of a Pastor for that congregation.

Sermon and Taking of Votes.

6. The Moderator, on the day appointed, shall, if it be expedient, preach a sermon; and after sermon he shall announce to the people, that he will at once proceed to take the votes of the electors of the congregation for a Pastor; if it be their desire; and when this desire shall be expressed by a majority of voices, he shall then proceed to take votes accordingly.

Those Not to Vote.

No person shall be entitled to vote in this election, who refuses to submit to the censures of the Church, or who does not contribute his just proportion, according to his own engagements to the rules of that congregation, to all its necessary expenses.

Minority.

7. The vote having been taken, and it appear that a large minority of the congregation is against the candidate who has a majority of votes, and cannot be prevailed to concur in the call, the Moderator shall endeavour to persuade the congregation from prosecuting it further.

Rights of Majority.

But if the majority shall insist upon its right to call a Pastor, then the Moderator shall proceed to draw a call, in due form,

Subscription of Call.

and to have it subscribed by the electors; certifying at the same time, the number of those who do not concur in the call. These proceedings shall be brought before the Presbytery, together with the call.

Form of Call.

8. The call shall be in the following form: The congregation of being, on sufficient grounds, well satisfied of the ministerial qualifications of you,

and having good hopes, from our past experience of your labours, that your ministrations in the Gospel will be profitable to our spiritual interests, do earnestly call and desire you to undertake the pastoral office in said congregation; promising you, in the discharge of your duty, all proper support, encouragement, and obedience in the Lord. In order that you may be free from worldly cares and avocations, we hereby promise and oblige ourselves to pay you the sum ofin regular monthly or quarterly payments, during the time of your being and continuing the regular Pastor of this Church. In testimony whereof, we have respectively subscribed our names, this.....day ofA.D.

Attested by A.B., Moderator of the meeting.

Call to a Minister or Probationer and its Acceptance.

9. When a call shall be presented either to a Minister or a Probationer, it shall always be viewed as a petition from the people for his instalment. The acceptance of a call, either by a Minister or a Candidate, shall always be considered as a request, on his part, to be installed. And when a Candidate shall be ordained in consequence of a call from any congregation, the Presbytery shall, at the same time, instal him Pastor of that congregation.

Call to be Presented to Presbytery.

10. The call shall be presented to the Presbytery under whose jurisdiction the Minister or Candidate called shall be; so that, if the Presbytery think it expedient to present it to him, it may be, accordingly, presented; and no Minister or Candidate shall accept or receive a call except through the hands of Presbytery. No change shall be effected in the amount of salary stipulated or agreed upon in the call without the consent of the Presbytery, unless Pastor and Deacons' Court agree thereto; and only the Deacons' Court, regularly assembled, shall have power to bring such a question to the attention of Presbytery.

Calling a Licentiate of Another Presbytery.

11. A call to a licentiate of another Presbytery, in this case the commissioners authorised to prosecute the call, shall, under all circumstances, produce to that Presbytery, a certificate from their own Presbytery, regularly attested by the Moderator and Clerk, that the call has been laid before them, and that it is in order. If that Presbytery present the call to him, and he accepts it, he shall repair to that Presbytery into the bounds of which he is called and submit himself to the usual trials preparatory to ordination.

Trials for Ordination in Another Presbytery.

10. Trials for ordination in a different Presbytery from that in which the Probationer was licensed, shall consist of a searching examination as to his acquaintance with Experimental Religion, as to his knowledge of Theology, Ecclesiastical History, and such other branches of learning as to the Presbytery may appear necessary; and as to his knowledge of the Constitution, the rules and principles of government and discipline of the Church; to-

gether with such written discourse or discourses, founded on the word of God, as it shall seem proper to the Presbytery. The Presbytery, being fully satisfied with his qualifications for the sacred office, shall fix a day for his ordination, which ought to be in the Church of which he is to be a Pastor. The Presbytery shall always see to it that the congregation is informed of this fact before it is done.

Ordination—What It Is.

13. It is the solemn setting apart of a person to some public Church office; it is the act of a Presbytery. Every Minister of the word is to be ordained by imposition of hands, and prayer, with fasting, by those preaching Presbyters to whom it doth belong. It is agreeable to the word of God, and very expedient, that such as are to be ordained Ministers, be designed to some particular Church, or their Ministerial charge. He that is to be ordained Minister, must be duly qualified, both for life and Ministerial abilities, according to the rules of the Appostle (1 Tim. 3 : 2). He is to be examined and approved by those by whom he is to be ordained. No man is to be ordained a Minister for a particular congregation, if they of that congregation can show just cause of exception against him. Preaching Presbyters orderly associated, either in cities or neighbouring villages, are those to whom the imposition of hands doth appertain, for those congregations within their bounds respectively. In extraordinary cases, something extraordinary may be done, until a settled order of things may be had yet keeping as near as possible may be to the rule (2 Chron. 29 : 34). No man ought to take upon himself the office of a Minister of the word without a lawful calling (John 3 : 27).

Objections at Last Stage.

14. At the time named in the edict, the Presbytery, having been constituted, call for the report of the Minister who was deputed to serve the edict, to ascertain if it has been duly served, and whether any objections were raised. Any objections at this last stage must be substantiated immediately to the satisfaction of the Presbytery; substantiated objections would arrest procedure. When no objections are given in, or when they cannot be proved *instantly*, it is the duty of the Presbytery to proceed with the ordination and induction, or with the induction alone, according to appointment.

Day of Ordination.

15. The set day for ordination being come, and the Presbytery met, a Minister of the Presbytery, appointed to that duty, shall preach a sermon suitable to the occasion, and afterwards shall briefly narrate from the pulpit, in the hearing of the people, the steps taken by the Presbytery preparatory to this transaction; he shall show the nature and importance of the ordinance; and impress the people with a proper sense of the solemnity of the transaction. Then, addressing the candidate, he shall propose to him the following questions, viz.:

- (1) Do you believe the Scriptures of the Old and New Testaments to be the Word of God, the only infallible rule of faith and practice?

- (2) Do you approve of the government and discipline of the Presbyterian Church of Africa;
- (3) Do you promise subjection to your brethren in the Lord?
- (4) Have you been induced, as far as you know your heart, to seek the office of the Holy Ministry from love to God, and a sincere desire to promote His glory in the gospel of His Son?
- (5) Do you promise to be zealous and faithful in maintaining the truths of the gospel, and the purity and peace of the Church, whatever persecution and opposition may arise unto you on that account?
- (6) Do you engage to be faithful and diligent in the exercise of your private and personal duties, which become you as a Christian and a Minister of the gospel; as well as in all your relative duties, and the public duties of your office; endeavouring to adorn the profession of the gospel by your conversation and walking with exemplary piety before the flock over which God shall make you overseer?
- (7) Are you willing to take the charge of this congregation, agreeably to your declaration at accepting their call? And do you promise to discharge the duties of a Pastor to them, as God shall give you strength?

Questions to be Proposed to the People or Congregation.

16. The candidate having answered these questions affirmatively, the presiding Minister shall propose to the people the following questions:

- (1) Do you, the people of this congregation, continue to profess to receive whom you have called to be your Pastor?
- (2) Do you promise to receive the word of truth from his mouth, with meekness and love; and to submit to him in the due exercise of discipline?
- (3) Do you promise to encourage him in his arduous labour, and to assist his endeavours for your instruction and spiritual edification?
- (4) And do you engage to continue to him, while he is your Pastor, that competent worldly maintenance which you have promised; and whatever else you may see needful for the honour of religion, and his comfort among you?

After this the Candidate shall then sign the Formula, in the presence of the congregation.

The Laying of Hands of Presbytery.

17. The people having answered these questions affirmatively, by holding up their right hands, and the Formula having been signed, the Candidate, if a Probationer, shall kneel down in the most convenient part of the Church. Then the presiding Minister, having come down from the pulpit, shall, by prayer, and with the laying on of the hands of the Presbytery, according to the Apostolic example, solemnly ordain him to the Holy Office of the Gospel Ministry. It is the practice for all Ministers present to stand around the candidate and lay their hands on his head. Prayer being ended, he shall rise from his knees; and the pre-

siding Minister shall first, and afterwards all the members of the Presbytery in their order, take him by the right hand, saying, "We give you the right hand of fellowship, to take part of this Ministry with us." Thereafter the Moderator returns to the pulpit. In the case of a previously ordained Minister, the Moderator does not leave the pulpit, except to give the right hand of fellowship; but, immediately after obtaining satisfactory answers to the questions, and after the signature of the Formula, he receives and admits the Minister to the Pastoral Charge. It is usual for the admission, in this case, to be preceded or followed by prayer. Then the presiding Minister, or some other appointed for the purpose, shall give a solemn charge in the name of God, to the newly ordained bishop, and to the people, to persevere in the discharge of their mutual duties; and shall then, by prayer, recommend them both to the Grace of God, and his holy keeping, and finally, after singing a psalm, shall dismiss the congregation with the usual blessing. And the Presbytery shall duly record the transaction. At the close of public worship the people have an opportunity of welcoming their Minister on retiring from the Church. Thereafter his name is added to the roll before the adjournment of the Presbytery.

Intimation to Other Presbytery.

18. It is the duty of a Presbytery, after inducting to a charge within their bounds the Minister of a charge under the jurisdiction of another Presbytery, to give immediate intimation through their Clerk to that Presbytery, that the induction has taken place.

Evangelist.

19. As it is sometimes desirable and important that a candidate who has not received a call to be the Pastor of a particular congregation, should, nevertheless, be ordained to the work of the Gospel Ministry, as an Evangelist to preach the gospel, and administer sealing ordinances, and organise churches, in destitute or frontier places; in this case, the last of the preceding questions shall be omitted, and the following used as a substitute:—

Are you now willing to undertake the work of an Evangelist; and do you promise to discharge the duties which may be incumbent on you in this character as God shall give you strength?

Ministers of Other Denominations Applying to Presbytery.

20. Ministers connected with other denominations applying for membership in a Presbytery, shall submit satisfactory evidence of possessing the qualifications of character and scholarship required of candidates and licentiates of this Church; shall be examined in Theology, and in the discretion of Presbytery, in other subjects, and shall answer affirmatively questions 1—6, contained in Section 15 of Chapter 8.

CHAPTER IX.

ELECTION AND ORDINATION OF RULING ELDERS AND DEACONS.

Ruling Elders.

1. Ruling Elders are properly the representatives of the people, chosen by them for the purpose of exercising government and discipline, in conjunction with Pastors or Ministers. This office has been understood, by a great part of the Protestant Reformed Churches, to be designated in the Holy Scriptures, by the title of governments; and of those who rule well, but do not labour in the word and doctrine.

Deacons.

2. Deacons are clearly pointed out by the Scriptures as distinct officers in the Church, whose business it is to take care of the poor, and to distribute among them the collections which may be raised for their use. To them also may be properly committed the management of the temporal affairs of the Church.

Their Election.

3. Every congregation shall elect persons to the office of Ruling Elder and to the office of Deacon, or either of them, in the mode most approved and in use in that congregation. But in all cases the persons elected must be male members in full communion in the church in which they are to exercise their office.

Elder by Virtue of his Election, a Member of Session.

4. The Ruling Elder is, by virtue of his election and ordination, a member of the Church Session of the particular congregation by which he is chosen, and as such is entitled to all the rights, privileges, and honours, as well as liable to all the responsibilities and duties which are prescribed for the members of a Session.

Deacon Not a Member.

5. The Deacon has no part in the spiritual government and discipline of the Church, and cannot be a member, by virtue of his office, of the Church Session.

Ordination of Elder or Deacon.

6. When a person shall have been elected to either of these offices, and shall have declared his willingness to accept thereof, he shall be set apart in the following manner :

After sermon, the Minister shall state, in a concise manner, the warrant and nature of the office of Ruling Elder or Deacon, together with the character proper to be sustained and the duties to be fulfilled by the officers elect; having done this, he shall propose to the candidate, in the presence of the congregation, the following questions, viz.:

- (1) Do you believe the Scriptures of the Old and New Testaments to be the Word of God, the only infallible rule of faith and practice?
- (2) Do you sincerely receive and adopt the Confession of Faith of this Church, as containing the system of doctrine taught in the Holy Scriptures?
- (3) Do you approve of the government and discipline of the Presbyterian Church of Africa?
- (4) Do you accept the office of Ruling Elder (or Deacon) in this congregation, and promise faithfully to perform all the duties thereof?
- (5) Do you promise to study the peace, unity, and purity of the Church?
- (6) Do you faithfully promise to obey all the Church Courts?

Address to Members.

7. The Elder or Deacon elect, having answered these questions in the affirmative, the Minister shall address to the members of the Church the following questions, viz.:

- (1) Do you, the members of this Church, acknowledge and receive this brother as a Ruling Elder (or Deacon), and do you promise to yield him all the honours, encouragements and obedience in the Lord, to which his office, according to the word of God, and the Constitution of this Church, entitles him?

The members of the Church having answered this question in the affirmative, by holding up their right hands, the Minister shall proceed to set apart the Candidate by prayer to the office of Ruling Elder (or Deacon, as the case may be), and shall give to him and to the congregation an exhortation suited to the occasion. There is no imposition of hands, but after offering the ordination prayer, the Moderator formally admits him or them as member or members of the Church Session, and to the Spiritual Rule of the congregation. Thereafter, he gives them the right hand of fellowship, in which he is followed by all the members of Session present. In the case of parties formerly ordained as Elder or Deacon, the Moderator puts the questions to them, and after receiving satisfactory answers, admits them at once to office, without the ordination prayer, although the exercise of special prayer is not prevented, in this connection. When the congregation has retired, it is the duty of the Session to see that the newly admitted Elders or Deacons sign the Formula and take their seats as members of Session and Deacons' Court, and that their names are added to the roll.

When there is Session.

8. When there is an existing Session, it is proper, that the members of that body, at the close of the service and in the face of the congregation, take the newly ordained Elder or Deacon by the hand, saying in words to this purpose: "We give you the right hand of fellowship to take part of this office with us." All members of the Deacons' Court, in case of a Deacon elect, shall take the newly ordained Deacon, by the hand, saying those words as set forth above.

Offices are Perpetual.

9. The offices of Ruling Elder and Deacon are both perpetual, and cannot be laid aside at pleasure.

Deposition.

10. No person can be divested of either office, but by deposition.

Elder or Deacon Becoming Incapable of Performing his Duties.

11. Yet an Elder or Deacon may become, by age or infirmity, incapable of performing the duties of his office; or he may, though chargeable with neither heresy nor immorality, become unacceptable in his official character, to a majority of the congregation to which he belongs. In either of these cases, he may, as often happens with respect to a Minister, cease to be an acting Elder or Deacon.

Session to Take Order.

12. Whenever a Ruling Elder or Deacon, from either of these causes or from any other not inferring crime, shall be incapable of serving the Church to edification, the Session shall take order on the subject, and state the fact, together with the reasons of it, on their records, provided always, that nothing of this kind shall be done without concurrence of the individual concerned or in question, unless by the advice of Presbytery.

Elder or Deacon when Divested No Member of Court.

13. A Ruling Elder or Deacon who has in either of the above modes been found incapable of performing his official prerogatives, shall be an honorary member of our Church Courts while alive.

May be Re-elected.

14. An elder once divested of his official prerogatives, may on good grounds, be recommended by the Session to re-election by the congregation, when he shall be re-installed, but not re-ordained.

Elder Joining Another Church.

15. When an Elder is dismissed, at his own request, to join another church, his certificate should be, "as a member and Ruling Elder in good standing." The Church to which he goes may elect him to serve as an Elder over them, in which case he must be installed, but not re-ordained.

Suspended Elder.

16. If an Elder be suspended from the communion of the Church, he cannot be restored to the functions of his office, though restored to the communion, without a special and express act of the Session, with the acquiescence of the Church.

Deposition and Excommunication.

17. Deposition and excommunication are distinct things, not necessarily connected with each other. The former does not include the latter.

Elder of One Church has No Right in Another.

18. An Elder of one Church has no right to adjudicate in another Church of which he is not a member, even though he should be invited by the Church to do so.

Elder Not Member of Session Before Ordination.

19. An Elder is not a member of the Session, or competent to sit in a judicial case before he is ordained.

CHAPTER X.

TRANSLATING, OR REMOVING A MINISTER FROM ONE CHARGE TO ANOTHER.

Permission of Presbytery Necessary.

1. No Bishop or Pastor shall be translated from one Church to another, nor shall he receive any call for that purpose, but by the permission of the Presbytery.

Church Calling a Settled Minister.

2. Any Church, desiring to call a settled Minister from his present charge, shall, by Commissioners properly authorised, represent to the Presbytery the ground on which they plead his removal. The Presbytery, having maturely considered their plea, may, according as it appears more or less reasonable, either recommend to them to desist from prosecuting the call, or may order it to be delivered to the Minister to whom it is directed. If the parties be not prepared to have the matter issued at that Presbytery, a written citation shall be given to the Minister and his congregation, to appear before the Presbytery at their next meeting. This citation shall be read from the pulpit in that Church, by a member of the Presbytery appointed for that purpose, immediately after public worship; so that at least two Sabbaths shall intervene betwixt the citation and the meeting of the Presbytery at which the cause of translation is to be considered. The Presbytery being met, and having heard the parties, shall, upon the whole view of the case, either continue him in his former charge, or translate him, as they shall deem to be best for the peace and edification of the Church; or refer the whole affair to the Synod at their next meeting, for their advice and direction.

**Congregation Within Limits of Another Presbytery, Calling
a Minister of Another Presbytery.**

3. When the congregation calling any settled Minister is within the limits of another Presbytery, that congregation shall obtain leave from the Presbytery to which they belong, to apply to the Presbytery of which he is a member, and that Presbytery, having cited him and his congregation as before directed, shall proceed to hear and issue the cause. If they agree to the translation, they shall release him from his present charge; and having given him proper testimonials, shall require him to repair to that Presbytery, within the bounds of which the congregation calling him

lies, that the proper steps may be taken for his regular settlement in that congregation; and the Presbytery to which the congregation belongs, having received an authenticated certificate of his release, under the hand of the Clerk of that Presbytery, shall proceed to install him in the congregation, as soon as convenient, provided always, that no Bishop or Pastor, shall be translated without his own consent previously obtained.

Commissioners to Prosecute Translation.

4. If the sustained call be to the ordained Pastor of a congregation in another Presbytery of Presbyterian Church of Africa, the induction cannot be proceeded with until a judgment has been obtained in favour of the translation, either from the Presbytery within whose bounds that congregation is situated, or from the Superior Court which has jurisdiction over that Presbytery. In the case of every such call, the Presbytery immediately after sustaining it, or immediately after knowing officially that their judgment sustaining it has been affirmed by the Superior Court, proceed to commission certain of their members to prosecute the call. The Presbytery also draw up Reasons of Translation (to be signed by the Commissioners in the name of the Presbytery), and instruct the Commissioners to transmit these in writing to the other Presbytery, along with all needful documents and minutes, of which the Clerk is instructed to furnish certified copies or extracts, with the exception of the call, which must itself be transmitted to the other Presbytery. The congregation calling also appoint certain persons as their Commissioners. The Commissioners of the Presbytery are expected to ascertain by correspondence when the first ordinary meeting of the other Presbytery will take place. When a Presbytery has sustained a call to a Minister having a charge the Presbytery Clerk should forthwith send intimation of the fact to the Clerk of the Presbytery, to which the Minister belongs, who shall forward said intimation to the Minister, and also to the Clerk of his Church Session, and this intimation shall be sufficient warrant for the Session taking steps to have the office bearers and congregation represented at the first meeting of Presbytery at which the call is laid on the table, so that it may, if desired, be finally disposed of at that meeting.

Proceeding in Translation Before Another Presbytery.

5. Unless the procedure above indicated is adopted nothing further is done by a Presbytery of the Presbyterian Church of Africa, at the time when a call is brought before it, than to summon all parties to a future meeting. The Commissioners and the Minister called, if present, are summoned *apud acta*. The Minister, if absent, ought to be specially and duly summoned in writing, with intimation of the call addressed to him. The Reasons of Translation, or a copy of them, certified by the Clerk of their own Presbytery, must be transmitted to the congregation of which the Minister is Pastor, that they may reply to them, if they see cause. Either the Minister himself, or some other Minister, being a member of Presbytery, ought to be instructed to intimate to that congregation that the call from the other

congregation has been addressed to him, that it has been laid on the Table of his Presbytery with Reasons of Translation, which they will have an opportunity of considering, and that they are hereby summoned to appear by their Commissioners at the bar of the Presbytery to state any answers they may have to give to the Reasons for Translation.

Calling of Parties Concerned.

6. The Presbytery having met, on the day and at the hour appointed, all parties are called. The parties prosecuting the Translation hold the same position as to opening the case and the right of reply, which belongs to appellants and complainers in cases from Church Sessions.

Minister Called Heard at Any Stage, etc.

The only peculiarities are that the Minister called is entitled to be heard at any stage of the proceedings whatever, if he express a wish to that effect; and that he must be asked to declare his mind immediately after the hearing of the other parties at the bar has been concluded. After engaging in prayer, the Presbytery decide, in the first instant, either that the translation is expedient, and that the call ought to be presented to the Minister; or that the Translation is not expedient, and that the call ought not to be presented to him. If the decision be in the affirmative, and there be no appeal or complaint, and if thereafter the Minister, acquiescing in the decision, accept the call, the Presbytery then give formal judgment to the effect that they agree to the Translation, and appoint the Minister to await in that matter the orders of the other Presbytery.

Proceeding in Case of Complaint or Appeal.

7. If there be an appeal or complaint intimated against a decision in favour of a Translation, the Presbytery who have come to that decision ought to instruct their Clerk to intimate to the other Presbytery, through their Clerk, whether Reasons of Appeal or Complaint have been lodged in due time or not, and also to intimate to them immediately the fact of the Appeal or Complaint being otherwise fallen from, if that should occur at any period after the Reasons have been duly lodged.

Report of Commissioners.

8. The Commissioners of a Presbytery for the prosecution of a Translation must report at the first ordinary meeting of their own Presbytery, subsequent to that meeting of the Presbytery having jurisdiction over the Minister proposed to be translated, at which a decision has been come to on the question of Translation, what the decision is, and whether it be appealed or complained against or not. If the decision has been in favour of the Translation, and there is an appeal or complaint, with Reasons, lodged in due time (of which the Presbytery prosecuting the call must hear from the Clerk of the other Presbytery), no further step can be taken towards the induction until a judgment on the Appeal or Complaint shall have been given by the

Superior Court. But if it be certified to the Presbytery prosecuting the call by the Clerk of the other Presbytery, that Reasons of Appeal or Complaint have not been lodged in due time, or that the Appeal or Complaint has been subsequently fallen from, or if the Superior Court shall, in due form, have intimated or caused to be intimated to the Presbytery prosecuting the call, that they have dismissed the Appeal or Complaint, and affirmed the sentence in favour of Translation, then the Presbytery prosecuting the call are placed in circumstances to enable them to fix a day for the induction.

When Presbytery is Adverse to Translation.

9. If the decision of the Presbytery having authority over the Minister proposed to be Translated be adverse to the Translation, it is competent and usual for the Commissioners of the Presbytery prosecuting the Call to take an Appeal against the decision, leaving it to their own Presbytery to determine whether the Appeal shall be prosecuted or fallen from. The Commissioners in their report mention that they have done so, and also whether any Appeal was taken by the congregation calling, and whether any Dissent and Complaint were taken by any members of the other Presbytery. If the meeting at which the report can be made takes place within 10 days from the meeting of the other Presbytery at which the decision has been given, the Commissioners usually leave it to their Presbytery to authorise them to lodge reasons of Appeal or not as the Presbytery may think fit. If there be no meeting in time for this purpose, the Commissioners ought to lodge reasons, it being always in the power of the Presbytery to fall from the Appeal, and to intimate to the other Presbytery that they have done so. The Presbytery come to such judgment on the report of their Commissioners as they think most expedient. If they continue to prosecute the Appeal, or if the congregation Calling continue to prosecute an Appeal on their own part, or if any member of the other Presbytery continues to prosecute his Dissent or Complaint, no further step toward the filling up of the vacancy can be taken until a decision be attained from the Superior Court. But if the Presbytery fall from their Appeal, and if no other Appeal and no complaint be prosecuted, or if the Superior Court intimate that they have affirmed the adverse decision, the Presbytery must intimate to the congregation in due form the necessity of steps being taken for a new election.

Call to Minister of Charge in Same Presbytery.

10. If a sustained call be to an ordained Pastor of a charge within the bounds of the same Presbytery which has sustained the call, the procedure is the same in principle with that adopted in the case already detailed, except the necessity of Commissioners from one Presbytery to another. Due intimation is given to the Minister called, and to his present congregation, as in the other case. Commissioners from both congregations appear at the bar of the Presbytery on the appointed day.

Installment Performed by Presbytery or a Committee.

11. When any Minister is to be settled in a congregation, the installment, which consists in constituting a pastoral relation between him and the people of that particular Church, may be performed either by the Presbytery or by a Committee appointed for that purpose, as may appear most expedient, and the following order shall be observed therein. A day shall be appointed for the installment at such time as may appear most convenient, and due notice thereof given to the congregation.

Sermon, Design of Meeting, etc.

10. When the Presbytery, or Committee, shall be convened and constituted, on the day appointed, a sermon shall be delivered by someone of the members previously appointed thereto; immediately after which, the Bishop who is to preside shall state to the congregation the design of their meeting, and briefly recite the proceedings of the Presbytery relative thereto; and then, addressing the Minister to be installed, he shall propose to him the following or similar questions:—

- (1) Are you willing to take the charge of this congregation, as their Pastor, agreeably to your declaration at accepting their call?
- (2) Do you conscientiously believe and declare, as far as you know your own heart, that in taking upon you this charge, you are influenced by a sincere desire to promote the glory of God, and the good of His Church?
- (3) Do you solemnly promise, that, by the assistance of the Grace of God, you will endeavour faithfully to discharge all the duties of a Pastor to this congregation, and will be careful to maintain a deportment in all respects becoming a minister of the Gospel of Christ, agreeably to your ordination engagements?

Questions for the People.

All these questions having been satisfactorily answered, he shall propose to the people the same or like questions as these directed under the head of Ordination, which, having been also satisfactorily answered, by holding up the right hand in testimony of assent, he shall solemnly pronounce and declare the said Minister to be regularly constituted the Pastor of that congregation. A charge shall then be given to both parties, as directed in the case of Ordination; and, after prayer and singing a psalm adapted to the transaction, the congregation shall be dismissed with the usual benediction.

Elders and Deacons and their Pastor.

13. It is highly becoming, that, after the solemnity of the installment, the heads of families of that congregation who are then present, or at least the Elders and Deacons, should come forward to their Pastor, and give him their right hand, in token of cordial reception and affectionate regard.

CHAPTER XI.

RESIGNING A PASTORAL CHARGE.

Minister Resigning Because of Grievances in his Congregation.

1. When any Minister shall labour under such grievances in his congregation, as that he shall desire leave to resign his pastoral charge, the Presbytery shall cite the congregation to appear, by their Commissioners, at their next meeting, to show cause, if they have any, why the Presbytery should not accept the resignation. If the congregation fail to appear, or if their reasons for retaining their Pastor be deemed by the Presbytery insufficient, he shall have leave granted to resign his pastoral charge, of which due record shall be made: and that Church shall be held to be vacant, till supplied again, in an orderly manner, with another minister.

Congregation Desiring to be Released from their Pastor.

And if any congregation shall desire to be released from their Pastor, a similar process, *mutatis mutandis*, shall be observed.

Minister Resigning Because of Age or Incapacity.

2. When any Minister shall resign his charge by reason of age or incapacity for further labour, and the congregation shall be moved by affectionate regard for his person and gratitude for his Ministry among them, to desire that he should continue to be associated with them in an honorary relation, they may, at a regularly called meeting, elect him as Pastor emeritus, with or without salary, but with no pastoral authority or duty. This action shall be subject to the approval of Presbytery, and shall take effect upon the formal dissolution of the pastoral relation.

Resignation of a Minister from Ill-health, Old Age, etc.

3. A Minister who wishes to resign his pastoral charge, from ill-health, old age, or other circumstances not affecting his ministerial character, must tender his resignation to the Presbytery under whose jurisdiction he is placed. The Presbytery, either when alone, or through a Committee, deal with him as to the reasons of the proposed resignation. It is also reasonable that due notice should be given to the congregation of what is intended by their Pastor. If the Presbytery find the alleged reasons unsatisfactory, or if any circumstance or *fama* be made known to them which requires investigation, they cannot accept of the resignation until it be ascertained that there is no ground for bringing their brother under the censures of the Church. But if nothing objectionable appear with respect to his procedure, and they find him continuing to be conscientiously persuaded that it is his duty to follow out his intention, it is their duty to accept of his resignation, and to take immediate steps for declaring the pastoral charge of his congregation vacant.

Resignation to be Sent to the Clerk Within 10 Days.

A tendered resignation of his office by a Minister or Pastor shall be addressed, in a legible writing, to the clerk of the Presbytery to which he belongs, at least 10 days before the regular or ordinary meeting of the said Presbytery. The reasons of his resignation must be clearly and expressly stated in his letter of resignation. The fact that a Minister has addressed a letter of resignation to his Presbytery does not necessarily mean that he has resigned, until the Presbytery has accepted his resignation and communicated to him, by their Clerk, the fact of such an acceptance. The only legal or admissible evidence, to the resigning Minister, of the said acceptance, shall be a letter (in case of his absence from the Presbytery) written to him by the Clerk of the Presbytery (the said Clerk being authorised to do so by his Presbytery), and legibly signed by him (the Clerk). In the absence of the Stated Clerk, the Assistant Clerk, or any member of the Presbytery, when authorised to do so, by the Presbytery, may write such a letter.

Position of Emeriti Ministers.

4. Ministers who have thus retired from their charges are accounted **emeriti**. They are not members of Presbytery unless expressly allowed to be so by a specific deliverance of the General Assembly; but they retain their status, and may be employed in any work belonging to that **status** which they are capable of performing. The pecuniary arrangements with relation to retired Ministers who are members of the Aged and Infirm Ministers' Fund, may be best seen in the Rules of the said Fund.

Resignation does not Stop Charge.

5. A tendered resignation of his office by a Minister can not stop procedure of the charge against him; for, no resignation can be accepted of, unless the Presbytery be satisfied that no charge, no scandal or heresy can be reasonably brought against him.

CHAPTER XII.

FORMATION OF A PARTICULAR CHURCH.

Application to be Made to Nearest Presbytery.

1. Whenever in any locality, not having an organised Church, there shall be found a number of persons associated as Christian believers and desirous to be organised into a Presbyterian Church of Africa, they should make application to the Presbytery within whose bounds they are located, for such organisation.

Meeting to be Opened with Prayer.

2. When assembled for organisation the meeting shall be opened with prayer by the Minister presiding, who shall then proceed first to receive the certificates of Church-membership in

other Churches, from those who are present, and next to receive on a public profession of their faith any who may be judged suitable after examination, and to baptise such as have never been baptised.

Election of Officers : Elders.

3. The next step is to proceed to the election and ordination of Ruling Elders in conformity with the directions of our form of government.

Deacons.

4. Deacons are to be elected and ordained in like manner as in the case of Ruling Elders.

Admission into Membership.

5. At the organisation of every particular Church or congregation there should be adopted a form of admission to membership, embracing articles of faith and a solemn covenant.

Trustees not to Interfere with Elders' and Deacons' Duties.

6. The trustees of a particular Church or congregation may not infringe upon the authority and duty of the Session, or interfere with the office and functions of the Deacons. Their power is limited by the tenor of their trust, upon any violation of which, recourse must be had, to the Presbytery, the Synod, and the General Assembly, and finally, if requisite, to the legal tribunals, by any member of congregation or of the Deacons' Court.

Letters of Dismission.

7. When members of a particular Church in good standing, change their residence or desire for any other valid reason to remove their membership to another Church, they are entitled to letters of dismissal or removal; and when requested, it is the duty of the Session promptly to prepare them.

Testimonials.

8. When members of a particular Church, in good standing and repute, are about to go from it, on an uncertain destination, it shall be the duty of the Session, when requested, to furnish such members with letters of general credence or testimonials of orderly Church membership, to all Christian people among whom their lot may be cast.

Removal Certificate Needed.

9. When any Church member shall remove from one Church or congregation to another, he is to be admitted upon certificate, as before provided, unless the Church Session by which he is to be received has other satisfactory means of information.

Persons Neglecting to Ask for Testimonials.

10. When persons so removing neglect for a considerable time to apply for testimonials of removal, the Session, unless it has reliable information of more recent date, shall testify to their character only up to the time of their removal.

Certificate Not Valid After a Year.

11. No certificate of Church membership shall be valid, if it be not presented within one year from its date, except when there has been no opportunity for presenting it.

Satisfactory Evidence of Piety Needed.

12. When unbaptised persons are to be received into Church membership, they must give to the Session of the Church satisfactory evidence of piety, and on assenting to the articles of faith, they must be baptised in the presence of the Assembly.

Baptised Children of the Church.

13. The baptised children of the Church become members in full communion by assenting to the articles of faith and the covenant. The time and fitness of such children for admission, to be determined by the Session.

Member Amenable to his Particular Church.

14. A Church member is always amenable to the discipline of that particular Church of which he has become a member by examination and the public profession of his faith or by certificate from another Church.

Ordinances in a Particular Church.

15. The ordinances of a particular Church, which is regularly constituted with its proper officers are prayer, singing praises to God, reading, expounding and preaching His Word, administering baptism and the Lord's Supper, public solemn fasting and thanksgiving, Catechising, making collections for the poor and other pious purposes, exercising discipline, and blessing the people.

Organisation of a Church to be Reported to Presbytery.

16. When a Church has thus been organised, report of the same should be made as soon as practicable to the Presbytery within whose bounds it is located. And when a Missionary or other Minister, not specially appointed to the work by Presbytery, has, in the manner above specified, organised a Church, not within the known bounds of any other Church or of a Presbytery, the Church thus organised, should, as soon as practicable, make known to some Presbytery with which it may be most naturally and conveniently connected the time and manner of its organisation, and desire to be received under care of said Presbytery.

CHAPTER XIII.

OFFICERS OF CHURCH COURTS.

Each Court has Certain Officers.

1. In every Church Court, properly and fully constituted, there are certain officers, to whom definite powers and duties appertain.

Officers of Session and of Deacons' Court.

2. In a Church Session, the officers are usually a Moderator and a Clerk, and sometimes a Session Officer or Beadle.

In a Deacons' Court, the officers are : Moderator or Chairman, Clerk or Clerks, and one or more Treasurers, and a Beadle.

Moderator to Preside.

3. When a Session is convened and properly constituted for business, the Moderator must preside.

Clerk Pro Tempore.

4. In the absence of the Clerk or clerks, the Session must choose a Clerk pro tempore, who shall record the proceedings and transmit them to the Clerk to be recorded in due form.

Officers of Presbytery

5. The officers of a Presbytery are a Moderator, a Stated Clerk, and, if necessary, an assistant or a Temporary Clerk; also a Treasurer and the Beadle, if necessary.

Election of Moderator.

6. At a stated meeting of Presbytery, after the calling of the roll by the Clerk, the first business in order is the election of a Moderator, and the person so elected must immediately take the chair.

Moderator to Call All Meetings and Preside Over Them Until Successor Chosen.

7. Such Moderator must, when required, or at his own motion, call all pro re nata meetings, and preside at all meetings of the body during his term of office. He must also preach the opening sermon at the next stated meeting, and preside in such meeting until his successor is elected.

Clerk Must be Present at All Meetings.

8. The Stated Clerk should be present at every meeting of the body to discharge the duties assigned him; and in case of his absence or inability to act; the Assistant Clerk must take his place, and if absent the body must choose a Clerk pro tempore.

Election of Temporary Clerk.

9. The Temporary Clerk, if necessary, must be elected at every meeting of the body, and his duty is to make a fair record of the proceedings of the meeting and transmit them to the Stated Clerk for record.

Treasurer and his Duties, Election, etc.

10. The Treasurer is usually elected by the body from its members for an indefinite period. His duties are to receive and disburse the funds of the body according to its direction and to make a report of his accounts to the body annually.

Officers of Synod.

11. The officers of a Synod are the same as in the Presbytery plus, if necessary, the Sergeant-at-arms or Usher.

Officers of General Assembly.

12. The officers of the General Assembly are: Moderator, Stated Clerk, Assistant Clerk or clerks, Temporary Clerks if necessary, Usher if necessary, Treasurer, and the Beadle, whose duties, functions, their mode of election, etc., are determined by the Assembly.

CHAPTER XIV.

VACANT CONGREGATIONS.

Importance of Assembling the People for Worship.

1. Considering the great importance of assembling the people, for the public worship of God, in order thereby to improve their knowledge; to confirm their habits of worship, and their desire of the public ordinances; to augment their reverence for the most high God; and to promote the charitable affections which unite men most firmly in society; it is recommended, that every vacant congregation meet together, on the Lord's Day, at one or more places, for the purpose of prayer, singing praises, and reading the Holy Scriptures; and that the Elders or Deacons be the persons who shall preside, and select portions of Scripture to be read, and to see that the whole be conducted in a becoming and orderly manner.

Presbytery to Supply Vacant Congregations.

2. Every Presbytery shall arrange for the supply of the vacant pulpits within its bounds, until a Pastor has been elected by the congregation and duly installed by the Presbytery.

People Eligible for Supply of Vacant Congregations.

3. Ministers, Licentiates, and local Evangelists connected with the Presbyteries of this Church, shall be the only persons to be employed as regular supplies in vacant Churches.

Ministers Not Engaged in Regular Church Work.

4. It shall be the duty of Ministers not engaged in regular Church work to render service in vacant congregations within the bounds of their respective Presbyteries, unless excused by act of Presbytery.

CHAPTER XV.

ORGANISATIONS OF THE CHURCH.

Missionary Organizations May be Formed by Church Members.

1. The members of a particular Church or particular Churches may associate together, and may associate with themselves other regular members of the congregation or congregations, under regular forms of association, for the conduct of a special work for missionary and other benevolent purposes, or for the purpose of instruction in religion and development in Christian nurture.

Under the Oversight of Church Judicatories.

2. Where special organisations of the character above indicated exist in a particular Church, they shall be under the immediate direction, control, and oversight of the Session of said Church; where they cover the territory included within a Presbytery or Synod, they shall be responsible to the judicatory having jurisdiction; and where they cover the territory greater than a Synod, they shall be responsible to the General Assembly.

Titles, Names, etc.

3. The names or titles of special organisations may be chosen by themselves, and the organisations shall have power to adopt each its own constitution and to elect its own officers, subject always to the powers of review and control vested by the constitution in the several judicatories of the Church.

Collection and Distribution of Monies.

4. Whenever the functions of the special organisations shall include the collecting and distributing of monies for benevolent work, it shall be done always subject to the power of oversight and direction vested by the Constitution in the Deacons' Court and in the higher judicatories: these associations are to report yearly to the Deacons' Court.

CHAPTER XVI.

AMENDMENTS.

A Majority to Approve in Writing.

1. Amendments or alterations of any part of the Constitution, may be proposed by the General Assembly to the Presbyteries, or vice versa, but shall not be obligatory on the Church unless a majority of all the Presbyteries approve thereof in writing, and unless agreed to and enacted by the General Assembly.

Votes of Presbyteries to be Sent to the Stated Clerk.

2. The written votes of the Presbyteries shall be sent, by their Clerks, to the Stated Clerk of the General Assembly within ten days before the meeting of the said Assembly.

A Committee may be Appointed.

3. Before any amendment or alterations of the Constitution, proposed by the General Assembly, shall be transmitted to the Presbyteries, the General Assembly may appoint, to consider the subject, a committee, in number not less than five, of whom not more than two shall be from any one Synod, and the committee shall report its recommendations to the General Assembly next ensuing, for action.

Obligatory on Assembly to Transmit Overtures.

4. It shall be obligatory on the General Assembly to transmit to the Presbyteries, for approval or disapproval, any overture respecting amendments or alterations provided for in this chapter, which shall be submitted to the same General Assembly by one-third of all the Presbyteries. In such cases the overture shall be formulated and transmitted by the General Assembly receiving the same to the Presbyteries for their action, subject, as to all subsequent proceedings, to the provisions of the foregoing sections.

Adoption of Amendment.

5. Whenever it shall appear to the General Assembly that any proposed amendments or alterations of the Constitution shall have received a majority vote of all the Presbyteries, the General Assembly shall declare such amendments or alterations to have been adopted, and the same shall immediately go into effect.

CHAPTER XVII.

MODERATORS.

Moderatorship Necessary.

1. It is equally necessary in the judicatories of the Church, as in other assemblies, that there should be a Moderator or President, that the business may be conducted with order and despatch.

Duties, Powers, etc., of Moderator.

2. The Moderator is to be considered as possessing, by delegation from the whole body, all authority necessary for the preservation of order; for convening and adjourning the judicatory; and directing its operations according to the rules of the Church. He is to propose to the judicatory every subject of deliberation that comes before them. He may propose what appears to him the most regular and speedy way of bringing any business to issue. He shall prevent the members from interrupting each other, and require them, in speaking, always to address the chair. He shall prevent a speaker from deviating from the subject and from using personal reflections. He shall silence those who refuse to obey order. He shall prevent members who attempt to leave the judicatory without leave obtained from him. He shall, at a proper time, when the deliberations are ended, put the question and call the votes. If the judicatory be equally divided, he shall possess the casting vote. If he be not willing to decide, he shall put the question a second time; and if the judicatory be again equally divided, and he decline to give his vote, the question shall be lost. In all questions he shall give a concise and clear state of the object of the vote; and the vote being taken, shall then declare how the question is decided. And he shall likewise have power, on any extraordinary emergency, to convene the judicatory by his circular letter, before the ordinary time of meeting. He shall also serve until his successor be inducted into office, and may perform

such administrative duties as may be assigned to him by the judicatory.

Moderator of Presbytery.

3. The Moderator of the Presbytery shall be chosen from year to year, or at every ordinary meeting of the Presbytery, as the Presbytery may think best.

Moderator of Synod and Assembly.

4. The Moderator of the Synod, and of the General Assembly, shall be chosen at each ordinary meeting of those judicatories; and the Moderator, or, in case of his absence, another member appointed for the purpose, shall open the next meeting with a sermon, and shall hold the chair till a new Moderator be chosen.

Moderator Designate or Elect.

At an ordinary meeting of Presbytery, Synod, or Assembly, a Moderator elect may be chosen, according to the pleasure or wish of the electing judicatory, yet in the Supreme Court of the Church, this shall not be discretionary but always compulsory.

Qualifications of the Moderator.

5. Besides the qualifications described in New Testament, as needful for persons exercising spiritual oversight in the Church, the Moderator of any of our ecclesiastical judicatories must be an ordained Minister who is a member of the electing judicatory; the Moderator of the Deacons' Court, must, also, be an ordained Minister.

Moderator Pro Tempore.

6. During the absence of the Moderator of any of our higher courts, or during his inability to act, the judicatory appoints one of its members to act as Moderator pro tempore.

CHAPTER XVIII.

EXTRACTS.

Member Entitled to Extracts.

1. Any member of a Church judicatory is entitled to demand, if he so desires, extracts from the records of the judicatory.

Clerks to Issue Extracts.

2. Any judicatory may authorise its Clerk to issue the said extracts, provided, the demand is based on a good motive, and on adequate and justifiable reasons.

Party or Parties to Pay for Extracts.

3. Every judicatory shall fix a certain amount of money, not to exceed two shillings and sixpence, to be paid to the Clerk for the extra work of issuing the extracts, by the party or parties demanding the extracts, before they are issued.

When No Fees to be Paid.

4. No fees shall be required for extracts, when they are manifestly requisite to enable those who ask for them to bring their appeals or complaints before the Superior Court, or to enable those who acquiesce in decisions to have the means of showing that these decisions have been in their favour.

When Fees are Required.

5. Fees are reasonably required when extracts are given without any manifest necessity; but this point must be determined by each judicatory for itself.

Extract to Show Court to be Constituted.

6. No extract from the minutes of a Church judicatory, can be received or regarded as valid, which does not bear that the judicatory was constituted, and which is not certified by the clerk of the judicatory as having been extracted by him from the records of the judicatory.

CHAPTER XIX.

COMMISSIONS AND COMMISSIONERS.

Necessity of Commission.

1. Every Ruling Elder is required to produce to the Presbytery, and Synod, and Assembly, a Commission from the Session or Presbytery, as the case may be, which elected him.

Form of the Commission.

2. The form of the Commission must bear that he is *bona fide* an Acting Elder in the congregation, along with the date, month, and year of the Elder's election, to represent his Session, in the Presbytery, Synod, and Assembly, during the current year; and, it must be regularly certified by the Moderator and Clerk of the Session or Presbytery.

Commissions from Other Presbyteries or Synod.

3. Members whether (Ministers or Elders) commissioned by neighbouring Presbyteries or Synods to attend the meeting of the Presbytery or Synod, must produce their commissions in regular form, and, as to whether they shall have the right of voting or not, shall be determined by each Presbytery or Synod for itself.

Presbytery to Appoint Commissioners to Assembly.

4. The Commissioners to General Assembly shall always be appointed by the Presbytery from which they come, at its last stated meeting, immediately preceeding the meeting of the General Assembly; provided, that there be a sufficient interval

between that time and the meeting of the Assembly, for their Commissioners to attend to their duty in due season; otherwise, the Presbytery may make the appointment at any stated meeting, not more than three months preceeding the meeting of the Assembly. And as much as possible to prevent all failure in the representation of the Presbyteries, arising from unforeseen accidents to those first appointed, it may be expedient for each Presbytery, in the room of each Commissioner, to appoint also an alternative Commissioner to supply his place, in case of necessary absence. These representatives are styled Commissioners to the General Assembly, and they are Ministers and Elders.

A Commissioner to the General Assembly Must Produce a Commission; Form of the Commission.

5. Each Commissioner to the General Assembly, before his name shall be enrolled as a member of the Assembly, shall produce from his Presbytery, a Commission under the hand of the Moderator and Clerk, in the following, or like form, viz.:—"The Presbytery of..... being met and constituted aton the.....day of.....doth hereby appoint..... Bishop of the congregation of(or Ruling Elder in the congregation ofas the case may be) (to which the Presbytery may, if they think proper, make a substitution in the following form), or in case of his absence, then..... Bishop of the congregation of (or Ruling Elder in the congregation ofas the case may be) to be a Commissioner, on behalf of this Presbytery, to the next General Assembly of the Presbyterian Church of Africa, to meet at.....on the.....day of.....A.D., or wherever, and whenever the said Assembly may happen to sit; to consult, vote, and determine on all things that may come before that body, according to the principles and Constitution of this Church, and the word of God. And of his diligence herein, he is to render an account at his return. And the said Presbytery do hereby testify and declare, that all the Ministers and Elders have signed the Formula.

Signed by order of the PresbyteryModerator.
.....Clerk."

Certificate from Church Session.

And the Presbytery shall make record of the appointment. The following certificate is required when an Elder of a Church Session has been elected by his Presbytery as one of their representatives to the General Assembly:—"At....., theday of.....19....., which day the Church Session of the Presbyterian Church of Africa congregation ofbeing met and constituted, sederunt, the Rev., Moderator; and.....Ruling Elders, the said Session did, and hereby do, certify and declare, that Ruling Elder, and member of the said Session, is bona fide an Acting Elder of their congregation, and that he has signed the formula.

.....Moderator,Clerk."

Expenses to be Defrayed by Bodies They Represent.

6. In order, as far as possible, to procure a respectable and full delegation to all our judicatories, it is proper that the expenses of Ministers and Elders (in their attendance on these judicatories), be defrayed by the bodies which they represent respectively.

An Elder to Presbytery and Synod Must Produce Commission. Form of the Commission.

7. Each Elder, before his name shall be enrolled as member of the Presbytery or Synod, shall produce from his session, a Commission under the hand of the Moderator and Clerk of the Session. (See form of the certificate, Section 5 of this Chapter.)

Commissions to be Sent to the Assembly.

8. All Commissions shall be sent up by Clerks of Presbyteries to the Stated Clerk of the General Assembly at least one week before the Assembly meets, together with the names and addresses of the representatives of each Presbytery.

CHAPTER XX.

CHURCH PROPERTY.

Application for Sale and Transfer of Church Property.

1. All applications for sale or transfer of Church property shall proceed from the Deacons' Court, and shall have the sanction of the Presbytery of the bounds; and on being received by the Clerks of Assembly, shall be sent to the Custodian of Title Deeds, in order that he may be prepared to advise the Assembly in reference to the application.

Custodian Directed to Oversee All Transactions.

2. When a property is to be sold, and the proceeds are forthwith to be applied to another property, to be substituted in lieu thereof, the Custodian of Titles shall be directed to see the transaction carried into effect, and also to see that the title deeds of the new property are taken in the right direction.

Proceeds Invested in the Names of the Moderator, Clerk and Treasurer.

3. When the proceeds of the property to be sold are not to be immediately applied, they shall be deposited or invested, in the meantime, in the bank, in the name of the Moderator, Clerk, and Treasurer of the Deacons' Court of the Presbyterian Church of Africa on behalf of the congregation, under the direction and instructions of the Treasurer of the General Assembly; this money is to be used with the knowledge of this Treasurer.

Custodian to Report to the General Assembly.

4. In all cases of sales and transference of Church property, it shall be the duty of the custodian of titles to report annually to the General Assembly how far in each particular case the instructions of the Assembly have been observed.

Application Not Valid After Three Years.

5. No authority granted by the General Assembly for the sale or transference of Church property shall be acted on after an elapse of three years from its date, without a new application to the General Assembly being made.

Local Trustees.

6. The Deacons' Courts of the Presbyterian Church of Africa, in each circuit, shall be the local trustees to keep all such Church properties that cannot be removed from a congregation since they are in use in that congregation. Such properties shall from time to time, be specified or named by the General Assembly of the said Church. The said trustees, acting for the time shall, at all times, be subject, in the management and disposal of all such Church property, viz.:—Place of Worship, Church Hall, Manse, etc., and appurtenances thereof, and whole subjects hereby deponed, and in all matters and things connected therewith, to the regulation and direction of the General Assembly for the time being, of the said Church, and shall be liable and bound to conform to, implement, and obey, all and every act, or acts, of the General Assembly for the time being, of the said Church, in reference thereto.

What the Trustees will do and what they will not, with respect to the place of Worship, etc.

The said trustees or trustee, acting for the time, shall not have power to burden the said building, or place of worship, or appurtenances thereof, or, generally, the subject hereby disposed, or any part thereof, with any debts or sums of money, or to sell, alienate, or dispose the same, or any part thereof, unless for the purpose of providing another place of worship on behalf of the congregation, in a more suitable or convenient situation; and then only with the consent, first had and obtained, of the General Assembly for the time being, of the said body, or united body of Christians; of which consent the only legal and admissible evidence shall be a certificate under the hand of the Moderator and Clerk of the General Assembly. But, if at any time, sufficient provision shall not be made by the congregation in the use, occupation, and enjoyment of the said building or place of worship, for the time being, or by the Deacons' Court, thereof, for paying the few duties, public and parochial burdens, premiums of insurance, if any, and ordinary charges attendant on the property, for keeping the same in repair, or otherwise, then the trustees or trustee, acting for the time, themselves making provision therefore, and in that case only, shall be entitled, for their relief of their advances for the purposes above mentioned, or any of them, to sell and dispose of the said building, or place of worship, and generally the whole subjects hereby disposed, or any

part thereof, free from the whole conditions and purposes of this trust; they always accounting to the general trustees appointed by the said General Assembly, for the balance of the price thereof, after replacing any sums advanced, or provided by them for the purposes aforesaid, or any of them, and all expenses attendant on the sale; but the purchaser, or purchasers, having, as he or they are hereby expressly declared to have, no concern whatever with such accounting; and the receipts of the trustees or trustee, acting for the time, being always a sufficient discharge and exoneration to the purchaser, or purchasers, for payment of the price. But, in the event of such a sale being considered necessary, an offer to sell the said subjects shall, in the first place, be made to the general trustees aforesaid, for payment of the sums which may have been expended by the said trustees, and may be due to them as aforesaid. And the said general trustees shall be entitled to purchase the said subjects for payment of the sums which may have been advanced by and may be due to the trustees of the said place of worship, as aforesaid. And the said trustees last mentioned on receiving payment of the said sums, shall be bound and obliged to convey the said subjects to the said general trustees accordingly.

The Right to Use the Place of Worship.

7. The said trustees, acting for the time, shall, at all times, and from time to time, hereafter permit and suffer to preach and expound the Holy Scriptures, and administer ordinances, and perform the usual acts of religious worship within the said building or place of worship, erected or to be erected, as said is, such person or persons, and such person or persons only, as may or shall, from time to time, be authorised or appointed so to do, by the said body or united body of Christians, acting through the medium of its Church Sessions, Presbyteries, Synods, and General Assemblies, or according to the form or forms in use with the said body, or united body, for the time.

Written Authority of Assembly Necessary.

8. No Church property shall be sold by any party or parties without a written authority of the General Assembly.

The Raising of a Loan for Church Purposes.

9. The Moderator of the Assembly, acting for the time being, shall have the power, when empowered by a resolution of the General Assembly, to raise a loan on mortgage of the Church building and ground; or, a certificate signed by the Moderator and the Stated Clerk of the General Assembly, shall be a sufficient and legal evidence to raise the said loan on mortgage of Church building and ground, to any one who desires it.

Each Deacons' Court to Obtain a Certificate.

10. Each Deacons' Court, party or parties, desiring to raise the said loan, shall first obtain the said certificate signed by the Moderator and Clerk of the General Assembly, which shall be an authority for the raising of such a loan.

Seceders Have No Claim on Church Property.

11. Party or parties seceding, separating, or disrupting from the Presbyterian Church of Africa, shall have no claim whatever on the property and monies acquired or to be acquired for, and in the name of the said Church. In any event of a disruption, the Church property, monies, etc., shall always be in the possession, occupation, and enjoyment, of the party or parties remaining as bona fide members of the Presbyterian Church of Africa, except, as otherwise provided, hereafter, by the General Assembly, which shall decide as to who are bona fide members of the Church.

Appointment of General Trustees.

12. The General Assembly shall, from time to time, appoint General Trustees, whose duty, besides the custody of the property of the Church in general, shall be determined by the Assembly, from time to time. Their number and their mode of election, and also their continuation in office, shall be, from time to time, determined, by the Assembly. They shall hold any property which may be bequeathed or conveyed to them on behalf of the Presbyterian Church of Africa, also such places of worship, or certain buildings which, may be, from time to time, conveyed to them by the General Assembly.

One or More of the Trustees May Sue.

13. Any one or more of the General Trustees, when empowered by a certificate signed by the Moderator and Clerk of the General Assembly shall have power and liberty to raise, prosecute, and follow forth, whatever action, suit, or proceeding, they may think proper, in whatever court, or courts of law or justice, for the purpose, or with the intent and object, of excluding any party or parties whatsoever, from all or any use, possession, occupation, or enjoyment, of the building or place of worship, or manse, erected or to be erected, acquired or to be acquired, in any way.

Appointment of Custodier.

14. The General Assembly shall appoint a Custodier of Title Deeds, or a small committee charged with the keeping of title deeds. The duty of the Custodier is to keep safely, title deeds and all other papers or documents that may be committed to him.

General Trustees Subject to Assembly.

14a. The General Trustees are subject in all things to the General Assembly, and are bound and liable to conform to, and obey all acts or instructions of the General Assembly,

The Moderator and Clerk of our Judicatories May Defend the Interest of the Church.

15. The Moderator and Clerk, or any of them of all our ecclesiastical judicatories, shall, at all times, have full power, to pursue, or defend, any action or actions, in whatever court, or courts of law or justice, for the enforcement, maintenance, or protection, of the rights, interests, or privileges of the said judicatories, or of the Church or members of the Church at large, in, or in any way connected with, the Church property bought or

to be bought; erected or to be erected; freely given or to be freely given.

Certified Copy and Certificate Necessary.

16. A certified copy, under the hands of the Moderator and Clerk of the said judicatories, or of any of them, shall always be legal and admissible evidence, in all actions, matters, and things, arising under, or out of, this section, of the terms of any act or deliverance of the said judicatories, or of any of them, or commission thereof, pronounced, passed, or that may be passed or pronounced; and that a certificate, under the hand of the Moderator and Clerk of the said judicatories, or of any of them, attached to such certified copy, and bearing the date of such act or deliverance, and certifying that the same is, either wholly, or in part, an existing act or deliverance of the said judicatories, or of any of them, or commission thereof, shall always be legal and admissible evidence, in all actions, matters, and things as aforesaid, of the date of such act or deliverance of the said judicatories or of any of them or commission thereof, and of its being, still, either wholly or in part, an existing act or deliverance as aforesaid.

Church Property Vested in the General Assembly.

17. All Church property is vested in the General Assembly, or, by its action, act, or authority, in the General Trustees or in the Moderator appointed by it.

Church Sites, Title Deeds, etc.

18. All Church sites, transfers, title deeds, etc., are, or shall be made, transferred, in the meantime, in the name of the Moderator of the Presbyterian Church of Africa, who shall have power to alienate, transfer and mortgage any Church property when so empowered by a resolution of the Supreme Court of the Presbyterian Church of Africa, and his successors in office. Any property, acquired by the congregation, in any way, as a Church property of the Presbyterian Church of Africa, shall be made, transferred and registered as aforesaid, in terms of this section. The Moderator of the Presbyterian Church of Africa is the Moderator of the Supreme Court of the Presbyterian Church of Africa.

Trustees Not to be Sued.

19. No party or parties, whatsoever, shall have any right or title to pursue the trustees (local or general) before any court of law or justice, in reference to the use, possession, occupation, or enjoyment, or management, and disposal of Church property, unless with the express consent and concurrence of the General Assembly or the Executive Commission thereof; of which consent and concurrence the only legal and admissible evidence shall be a written certificate, under the hand of the Moderator and Clerk of the General Assembly, which written certificate shall be produced along with the summons, or other proceeding, commencing such pursuit, otherwise the same shall be utterly incompetent, void, and null, albeit such certificate may really exist. And, in the event of any person or persons, even holding such authority or appointment, as may have been bestowed by any Church

judicatory, or any person or persons whatsoever, pursuing the said trustees, as aforesaid, unless with such express consent and concurrence as aforesaid, previously had to such pursuit, as said is, evidenced as aforesaid, such person, or persons, shall, immediately on such pursuit being commenced ipso facto, forfeit and lose all and every right, title, and interest, and claim and demand, of whatever description, under these presents, and shall, from thence forward, cease to have any concern therewith or interest therein.

Debarred Party or Parties.

20. Any deposed, excommunicated, or suspended Minister is debarred from the use, enjoyment and occupation, of Church property, and the Deacons' Court, as the local trustees, shall always be bound to prevent the said Minister, or any other deposed, excommunicated or suspended party or parties from such use, occupation and enjoyment. The said Deacons' Court as the said local trustees, acting for the time, shall not only be no longer bound, but be no longer entitled to permit or suffer the said Minister, party or parties to preach and expound the Holy Scriptures, or administer ordinances, or do or perform any act of religious worship, or other act or thing whatsoever, within the said building, or place of worship, erected, or to be erected, as said is; and shall be bound and obliged to debar him, her, or them therefrom, aye, and so long as he, or she, or they remain deposed, suspended, or excommunicated, as the case may be.

No Right for Defence.

21. No party, or parties, whatsoever, shall have any right or title, whatsoever, to defend such action, suit, or proceeding, either in virtue of these presents, or otherwise, unless with the express consent and concurrence, as aforesaid, of the General Assembly of the Presbyterian Church of Africa, or the executive commission of such Assembly, previously had, to such defence; of which consent and concurrence, the only legal or admissible evidence shall be a written certificate, under the hand of the Moderator and Clerk of the General Assembly of the said body; which written certificate shall be produced along with such defence, otherwise the same shall not be maintainable, but be incompetent, void, and null, albeit such certificate may really exist.

Deacons' Court may have Charge and Management.

22. The use, occupation, and enjoyment for the time, of the congregation's church property, shall be under the immediate charge and management of the Deacons' Court of the congregation, except, as otherwise provided by the General Assembly, from time to time.

Trustees May Resign.

23. It shall, at all times, be in the power of any trustees, or trustee, appointed in virtue of the powers and provisions herein contained, who may have acted as trustees or trustee, to resign the trusteeship, and, in the event of any trustees, or trustee, ceasing to be members of the Presbyterian Church of Africa, then, and in that case, such trustees, or trustee, shall, ipso facto, cease to have any right to act as the trustees or trustee.

CHAPTER XXI.

DISCIPLINE.

Discipline.

1. Discipline is the exercise of that authority, and the application of that system of laws, which the Lord Jesus Christ has appointed in his Church: embracing the care and control, maintained by the Church, over its members, officers and judicatories.

Ends of Discipline.

2. The ends of discipline are the maintenance of the truth, the vindication of the authority and honour of Christ, the removal of officers, the promotion of the purity and the edification of the Church, and the spiritual good of offenders. Its exercise, in order to secure its appropriate ends, requires much prudence and discretion. Judicatories, therefore, should take into consideration all the circumstances which may give a different character to conduct, and render it more or less offensive; and which may require different action, in similar cases, at different times, for the attainment of the same ends.

An Offence.

3. An offence is anything, in the doctrine, principles, or practice of a Church member, officer, or judicatory, which is contrary to the Word of God; or which, if it be not in its own nature sinful, may tempt others to sin, or mar their spiritual edification.

Object of Judicial Process.

4. Nothing shall, therefore, be the object of judicial process, which cannot be proved to be contrary to the Holy Scriptures, or to the regulations and practice of the Church founded thereon; nor anything which does not involve those evils which discipline is intended to prevent.

Children Born of Church Members.

5. All children born within the pale of the visible Church are members of the Church, are to be baptized, are under the care of Church, and subject to its government and discipline; and when they have arrived at years of discretion, they are bound to perform all the duties of Church members.

Ways of Carrying a Cause to a Higher Court.

6. Every decision which is formed in any Church Court, except the highest, is subject to review of a higher court, and may be carried before it either upon:—

- (1) General review or control; (2) by reference; (3) by complaint; (4) by appeal.

Judgments in a Court, and their Respective Definitions.

7. All judgments formed in a Church Court may be divided into three classes:—Judicial, Legislative and Administrative. A

judicial judgment is one formed on some matter involved in a judicial process—that is to say, where an accused party is put upon trial for some alleged offence. A legislative judgment is one which involves the determination of some points, as to the meaning or the application of the common or written law of the Church, to particular facts or to a particular case. An administrative judgment is one which directs a particular order of executive proceeding in all acts of a Church Court, i.e., which orders the mode of proceedings.

Review.

8. It is the duty of every court, above Deacons' Court and Session, at least once a year, to review the records of the proceedings of the Court next below. And if any Lower Court shall omit to send up its records for this purpose, the higher may issue an order to produce them, either immediately, or at a particular time, as circumstances may require. In reviewing the records of any Inferior Court, it is proper to examine (a) whether the proceedings have been constitutional and regular; (b) whether they have been wise, equitable, and for the edification of the Church; (c) whether they have been correctly recorded.

Not to Reverse Judgement unless Regularly Brought Up.

No judicial judgment, however, of a judicatory shall be reversed, unless it be regularly brought up by appeal or complaint. Courts may sometimes neglect to do their duty, by which neglect heretical opinions or corrupt practices may be allowed to gain ground; or offenders of a very gross character may be suffered to escape; or some circumstances, in their proceedings, of very great irregularity may not be distinctly recorded by them. In any of which cases their records will by no means exhibit to the Superior Court a full view of their proceedings.

Higher Court to Act at Once.

If, therefore, the Superior Court be well advised, by common fame, that such neglects or irregularities have occurred on the part of the inferior court, it is incumbent on them to take cognisance of the same; and to examine, deliberate, and judge in the whole matter, as completely as it had been recorded, and thus brought up by the review of the records.

Those Not to Vote.

Members of a Court are excluded from voting upon review of their own records. A record once approved by a Higher Court cannot be altered or annulled by a Lower Court. If there be an error in the record, the remedy is to be sought by an application to the Highest Court that has reviewed and endorsed such mistake.

References.

9. A reference is a judicial representation made by an inferior Judicatory to a Superior, of a case not yet decided, which representation ought always to be inwriting. Cases which are new, important, difficult, of peculiar delicacy, the decision of which may establish principles of precedents of extensive influence,

on which the sentiments of the Inferior Judicatory are greatly devided, or on which, for any reason, it is highly desirable that a larger body should first decide, are proper subjects of reference. References are either for mere advice, preparatory to a decision by the Inferior Judicatory, or ultimate trial and decision by the Superior. In the former case, the reference only suspends the decision of the Judicatory from which it comes; in the latter case, it totally relinquishes the decision, and submits the whole case to the final judgment of the Superior.

Each Court to Fulfil its Duty by Exercising its Judgment.

Although references may in some cases, as before stated, be highly proper; yet it is, generally speaking, more conducive to the public good that each Judicatory should fulfil its duty by exercising its judgment. In cases of reference, the members of the Inferior Judicatory making it, retain all the privileges of deliberating and voting, in the course of trial and judgment before the Superior Judicatory, which they would have had, if no reference had been made. References are to be carried, generally, to the Judicatory immediately Superior. In cases of reference, the Judicatory referring, ought to have all the testimony and other documents, duly prepared, produced and in perfect readiness, so that the Superior Judicatory may be able to consider and issue the case with as little difficulty or delay as possible. The Superior Court may take original testimony in certain cases, where it deems the testimony furnished by the Inferior Court insufficient or defective. A complaint or appeal against a reference of a case is illegitimate and should not be entertained, because it implies the impeachment of the rightful jurisdiction of the Court of reference. No complaint or appeal is valid which assumes to bring before the Higher Court the merits of a case which has been referred to it. The only case in which an appeal or complaint may come in connection with a reference is when the Inferior Court has come to a decision of doubtful propriety in connection with the case; i.e., in regard to the propriety of entertaining the case, the competence of certain testimony.

Appeals.

10. An appeal is the removal of a cause already decided, from an Inferior to a Higher Court, by a party or parties aggrieved. All persons who have submitted to a regular trial in an Inferior Court, may appeal to a Higher Court. Any irregularity in the proceedings of the Inferior Court, a refusal of reasonable indulgence to a party on trial; declining to receive important testimony; hurrying to a decision before the testimony is fully taken; a manifestation of prejudice in the case; and mistake or injustice in the decision. Every appellant is bound to give notice of his intention to appeal and also to lay the reasons thereof, in writing, before the Court appealed from, either before its rising, or within ten days thereafter. If this notice, or these reasons be not given to the Court while in session, they shall be lodged with the Moderator. Appeals may be either from a part of the proceedings of a Court, or from a definite sentence. Appeals are generally to be carried in regular gradation from an Inferior Court,

to the one immediately superior. The appellant shall lodge his appeal and the reasons of it with the clerk of the Higher Court before the close of the second day of the session. In taking up an appeal, after ascertaining that the appellant on his part has conducted it regularly, the first step shall be to read the sentence appealed from; secondly, to read the reasons which were assigned by the appellant for his appeal, and which are on record; thirdly, to read the whole record of the proceedings of the Inferior Court in the case, including all the testimony, and the reasons of their decision; fourthly, to hear the original parties; fifthly, to hear any of the members of the Inferior Court in explanation of the grounds of its decision or of its dissent from it.

The Original Parties.

- (1) There may be a responsible prosecutor and the defendant;
- (2) A prosecuting committee and defendant;
- (3) Upon a *Fama Clamosa* case, the court may itself, without prosecutor or committee, conduct process against the accused;
- (4) A Subordinate Court, under grievance, may enter complaint against a Superior Court;
- (5) A minority, or others, may complain against the action of a Court;
- (6) A process may be conducted by one Court against another;
- (7) Whatever aspect the case may afterwards assume, at every stage of its process to final adjudication before the highest Court the parties above specified are the original parties in the cases severally. After all the parties shall have been fully heard, and all the information gained by the members of the Superior Court from those of the Inferior which shall be deemed requisite, the original parties, all the members of the Inferior Court; shall withdraw, when the clerk shall call the roll that every member may have an opportunity to express his opinion on the case; after which the final vote shall be taken. The decision may either be to confirm or reverse, in whole or in part, the decision of the Inferior Court, or to remit the cause for the purpose of amending the record, should it appear to be incorrect or defective, or for a new trial. If an appellant, after entering his appeal to a Superior Court, fail to present it, it shall be considered as abandoned, and the sentence appealed from shall be final. And an appellant shall be considered as abandoning his appeal if he do not appear before the Court appealed to, on the first or second of its meeting next ensuing the date of his notice of appeal, except he was prevented from presenting his appeal by the providence of God. Members of judicatories appealed from cannot be allowed to vote in the Superior Court on any question connected with the appeal. If the members of the Inferior Court, in case of a sentence appealed from, appear to have acted to the best of their judgment, and with good intention, they incur no censure, although their sentence may be reversed. Yet if they appear to have acted irregularly or corruptly,

they shall be censured as the case may require. The necessary operation of an appeal is to suspend all further proceedings on the ground of the sentence appealed from. But if the sentence of suspension or excommunication from Church privileges, or of deposition from office, be the sentence appealed from, it shall be considered as in force until the appeal shall be issued. It shall always be deemed the duty of the Court whose judgment is appealed from to send authentic copies of all their records, and of the whole testimony relating to the matter of the appeal. And if any court shall neglect its duty in this respect, such Court shall be censured according to the circumstances of the case. An appeal shall in no case be entered, except by one of the original parties. Appeals are limited to judicial cases. In case of appeal or complaint, if the Court appealed from should fail to send up to the Higher Court the records of the case, the case may be postponed and considered at the next meeting.

Complaints.

11. A complaint is a representation made to a Superior by any member or members of a minority of an Inferior Court, or by any other person or persons, respecting a decision by an Inferior Court, which, in the opinion of the complainants has been irregularly or unjustly made. Notice of complaint shall always be given before the rising of the Court or within ten days thereafter, as in the case of an appeal. When notice of complaint is given to the Court, reasons for such complaint must be given as in the case of an appeal. This complaint brings the whole proceedings in the case under the review of the Superior Court; and if the complaint appear to be well founded, it may have the effect not only of drawing down censure upon those who concurred in the judgment complained of, but also of reversing that judgment. In cases of complaint, however, as in those of appeal, the reversal of a judgment of an Inferior Court is not necessarily connected with censure on that Court. None of the members of the Court whose act is complained of can vote in the Superior Court on any question connected with the complaint. Complaint will not be against a refusal of a Court to decide a constitutional question in any respect.

Where Complaint is Not Allowed.

Advice given by a Court is not a subject matter of complaints or removal of the case to a Higher Court. Where a Court only expresses an opinion, without passing a judgment, this is no ground for complaint.

Steps to be Followed in the Consideration of a Complaint.

The following is the mode of issuing a complaint, viz:—

- (1) Read the action complained of;
- (2) The reasons of the complaint;
- (3) The doings of the Lower Court in the case, including all the testimony on which its action was based;

- (4) Hear the original parties, first the complainant and then the defendant;
- (5) Hear any of the members of the Lower Court in explanation of the grounds of its decision or dissent from it;
- (6) Exclude the original parties and the members of the Court complained against; then, deliberate and vote. The Moderator of a Higher Court, being a member of the Lower Court, may not preside when a judicial case is being heard to which his Court is a party. A memorial or petition cannot bring a case before a Superior Court for judicial hearing, except on serious cases.

A judicial case, when once adjudicated, cannot be reviewed on a simple memorial, as this course would give rise to endless litigation. Whenever a complaint is entered in a non-judicial or administrative case against a decision of a judicatory, by at least one-third of the members recorded as present when the decision was made, the execution of the decision shall be stayed until the final issue of the case by the next Superior Judicatory. The complaint must be given or handed to the clerk in writing, or, in case of his death, absence, or disability, to the Moderator, of the judicatory complained of, who shall lodge it, with the records and all the papers pertaining to the case, with the clerk of the Superior Judicatory, before the close of the second day of its regular meeting next ensuring the date of the reception of the said notice.

Petitions.

12. A petition is a formal written supplication from one or more persons to a Superior Court, praying the said Court to rectify something. Particular matters may be brought under review of the Higher Court by means of petition. Petitions to a Higher Court are practically confined to those matters which can be introduced in no other way.

- (1) The Superior Court ought not to receive a petition with reference to any matter which ought to have been previously brought before a Lower Court, unless the petition contain a statement that the Lower Court, having come to a decision regarding the matter referred to, have refused to receive and record an appeal or complaint tendered against their judgment. But a petition to the Higher Court is the proper remedy for such refusal. Before proceeding to hear the petitioners in such a case, the Higher Court must summon the Lower to the bar, that they may be heard for their interest.
- (2) When disputes or difficulties have arisen in a congregation, which do not involve any serious personal charge, but which cannot be constitutionally adjusted by the Church Session, in consequence of the Minister being concerned in them, or from other causes, it is competent for any parties connected with the congregation to petition the Presbytery on the subject. The petition may ask for a Presbyterial visitation, or for any other method of interference by the Presbytery that may be competent and suitable. Before the petition can be disposed of, all parties referred to in it, or affected by it, must be summoned,

if possible, with due notice, to the bar, that they may be heard for their interests.

- (3) The constitutional method of bringing before the Church any question seriously affecting the character or the orthodoxy of a Minister or a Probationer is by a petition to the Presbytery, unless such question be originated in the Presbytery itself, or in the Synod or General Assembly.
- (4) A petition to the Presbytery is competent, either by the Church Session, or by the Deacons' Court, or by any member of the congregation, or by any person concerned about its prosperity, if the object aimed at be one which the Presbytery alone can accomplish, or which must be originated in the Presbytery. Under this head may be reckoned petitions for the institution of stations, for the sanctioning of charges, for the creation of Church Sessions, and for the erection of Churches or manses.
- (5) A petition is competent which complains of any procedure in a Deacons' Court when the complaint is shown to be on the alleged ground that the procedure was *ultra vires*, or contrary to the acts of Assembly. Any Higher Court may reject a petition, without calling or hearing parties, on the ground that it is unsuitably or disrespectfully worded, or without hearing parties on the merits, on the ground that its prayer cannot be competently granted by the Higher Court.

Dissents and Protests.

13. A dissent is a declaration on the part of one or more members of a minority, in a Judicatory, expressing a different opinion from that of the majority in a particular case. A dissent unaccompanied with reasons, is always entered on the records of the Court. A protest is a more solemn and formal declaration, made by members of a minority, as before mentioned, bearing their testimony against what they deem an erroneous judgment; and is generally accompanied with a detail of the reasons on which it is founded. A dissent or protest may be accompanied with a complaint to the Superior Court, or not, at the pleasure of those who offer it. More can join in a protest against a judgment or decision of a Court excepting those who had a right to vote in said judgment or decision. No dissent or protest shall be entered on the records, if it contain disrespectful or bad language, and offensive reflections or insinuations against the majority. The Judicatory may prepare an answer to any protest which imputes to it principles or reasonings which its action does not import, and the answer shall also be entered upon the records. Leave may thereupon be given to the protestant or protestants, if they desire it, to modify their protest; and the answer of the Judicatory may also, in consequence, be modified. This shall end the matter. No one shall be allowed to dissent or protest who has not a right to vote on the question decided, and no one has the right to dissent or protest on any question who did not vote against the decision.

Any Member Present May Join In a Dissent.

14. When a dissent has been tendered by a member immediately after the pronouncing of the judgment dissented from, it is competent for any other member or members who were present when it was pronounced to intimate his or their adherence to the dissent at any subsequent session of the Judicatory. But no one's adherence can be received who was not so present.

Carefulness Needed in Receiving Testimony.

15. Judicatoris should be very careful and impartial in receiving testimony. Not every person is competent and not every competent person is credible, as a witness.

Session to Try Those Under its Jurisdiction.

16. All Church members, Elders and Deacons included, when accused of offence, must first be tried by the Church Session to which they belong. In all cases where the Church Session, for any reasons, is incompetent to try an Elder, the Presbytery is the Court to try him.

Offences to be Proved to be Against the Scriptures or the Laws of the Church.

17. No Church member can be judicially tried of any matter of accusation or offence which cannot be proved to be such from Scripture, or from the regulations or practice of the Church founded on Scripture, or which does not involve those evils which discipline is intended to prevent.

Kinds of Offences.

18. Offences are either private or public, to each class of which appropriate modes of proceeding belong. In case of private offences, no judicial process ought to be prosecuted before the Judicatory until steps are or have been taken to reclaim the offender.

Means of Reconciliation and Reclaiming the Offender to be Taken Before a Case Goes to the Judicatory.

19. No complaint or information, on the subject of personal or private injuries, shall be admitted, unless those means of reconciliation and of privately reclaiming the offender have been used which are required by our Lord in Matthew 18 : 15-17. Those who bring information of private and personal injuries before Judicatories, without having taken these previous steps, shall themselves be censured as guilty of an offence against the peace and order of the Church.

One as Liable to Censure as a Slanderer of his Brethren.

20. If any person shall spread the knowledge of an offence, unless so far as shall be unavoidable, in prosecuting it before the proper Judicatory, or in due performance of some other indispensable duty, he shall be liable to censure, as a slanderer of his brethren.

Public Offence to be Immediately Taken Up.

21. In case of a public offence, the proper Court may take

immediate judicial cognisance of the case, without compliance with preliminary steps required in a case of private offence.

Private Conversation with the Accused, may be Necessary.

22. The Judicatory, in many cases, may find it more for edification to send some members to converse in a private manner with the accused person, and if he confess guilt to endeavour to bring him to repentance, than to proceed immediately to citation.

Scandal to be Taken Up Within a Year After its Commission.

23. Process, in case of scandal, shall commence within the space of one year after the crime shall have been committed, unless it shall have recently become flagrant.

Party to Initiate an Actual Process.

24. An actual process in a judicial case may be initiated either by the Judicatory itself, or by an individual or individuals, or upon common fame.

Those Initiating a Case Must Appear as Accusers.

25. When an individual or individuals institute a case, he or they must appear as accusers, and undertake to substantiate the charge; and the process must be pursued in the name of the accuser or accusers.

Common Fame as the Accuser, Originators Censured by Court.

26. When a case is taken up on a common fame, common fame is the accuser. If it should be found that the general rumour was raised by the rashness, censoriousness, or malice of one or more individuals, the Court should censure the originators in proportion to the degree of criminality which appears attached to their conduct.

Some Particular Sin or Sins to be Specified by the Rumour.

27. In order to render an offence proper, for the cognisance of a Judicatory on this ground, the rumour must specify some particular sin or sins. It must be general, or widely spread; it must not be transient, but permanent, and rather gaining strength than declining; and it must be accompanied with strong presumption of truth.

Great Caution to be Exercised.

Taking up charges on this ground of course requires great caution and the exercise of much Christian prudence. Great caution ought to be exercised to receiving accusations from any person who is known to indulge a malignant spirit towards the accused; who is not of good character; who is himself under censure or process; who is interested, in any respect, in the conviction of the accused.

Accused to be Given a Copy of the Charge Against Him.

28. When a Judicatory enters on the consideration of a crime alleged no more shall be done at the first meeting, unless by consent of parties, than to give the accused a copy of the charge, with the names of the witnesses to support it, and to cite all concerned to appear at the next meeting of the Judicatory to

have the matter fully heard and decided. Notice shall be given to the parties concerned at least ten days previously to the meeting of the Judicatory.

Moderator or Clerk to Issue the Citation.

29. The citation shall be issued and signed by the Moderator or Clerk, by order and in the name of the Judicatory. He shall also furnish citation for such witnesses as the accused shall nominate to appear on his behalf.

Times, Places and Circumstances to be Stated.

30. In exhibiting charges, the times, places, and circumstances, should, if possible, be ascertained and stated that the accused may have an opportunity to prove an alibi, or to extenuate or alleviate his offence.

Excommunication for Contumacy.

31. When an accused person or a witness refuses to obey the citations, he shall be cited a second time, and if he still continue to refuse, he shall be cited a third time after which he shall be excluded from the communion of the Church for his contumacy, if he does not appear.

Time Allowed for Citation.

32. The time which must elapse between the first citation of an accused person or a witness and the meeting of the Judicatory at which he is to appear, is at least ten days. But the time allotted for his appearance in the subsequent citation is left to the discretion of the Judicatory; provided always, however, that it be not less than is quite sufficient for a reasonable and convenient compliance with the citation.

Second Citation.

33. The second citation ought always to be accompanied with a notice, that if the person cited do not appear at the time appointed, the Judicatory, shall censure him for his contumacy, at the third citation.

Evidence for Serving Citation.

34. Judicatories, before proceeding to trial, ought to ascertain that their citations have been duly served on the persons for whom they were intended, and especially before they proceed to ultimate measures for contumacy.

Suspension of Privileges.

35. When a member of a Church Judicatory (Deacon, Elder, or Minister), is under process, it shall be discretionary with the Judicatory whether his privileges of deliberating and voting as a member, in other matters shall be suspended until the process is finally issued, or not.

Members to be Reminded of Their High Character as Judges.

36. After the Court is duly constituted and opened with prayer for divine guidance, the Moderator shall solemnly announce from the chair that the body is about to pass to the consideration of the business assigned for trial, and to enjoin on the members

to recollect and regard their high character as judges of a court of Jesus Christ, and the solemn duty in which they are about to act.

Reading of Charges and Specifications.

37. The charges and specifications shall then be read by the Clerk, and the accused shall be called upon by the Moderator to plead guilty or not guilty. If he plead guilty, the Court shall, after private consideration and determination, proceed to pass its sentence through the Moderaor. If he plead not guilty, the prosecution shall then proceed to adduce the truth, proof of the charges as they are presented, and the witnesses shall be examined in the presence of the accused, who shall have the right to cross examine.

Competency of Witnesses.

38. A competent witness is one who ought to be admitted and heard. The competency of a witness may be affected by his want of the proper age; by weakness of understanding; by infamy of character; by being under Church censure for falsehood; by nearness of relationship to any of the parties.

Right to Challenge Witness.

39. Where there is room to doubt with regard to any of these points, either party has a right to challenge witness; and the Court shall candidly attend to the exceptions, and decide upon them.

Husband and Wife Not Compelled.

40. A husband or wife shall not be compelled to bear the testimony aganist each other in any Court.

More than One Witness Necessary to Establish a Charge.

The testimony of more than one witness is necessary in order to establish any charge. A member of the Court may be called upon to bear testimony in a case which comes before it. He shall be qualified as other witnesses are; and after having given his testimony he may immediately resume his seat as a member of the Court. No witness afterwards to be examined, except a member of the Court, shall be present during the examination of anothr witness on the same case, unless by consent of parties.

Oath.

41. The oath to a witness shall be administered by the Moderator in the following terms: "You solemnly promise, in the presence of the omniscient and heart-searching God, that you will declare the truth, the whole truth, and nothing but the truth, according to the best of your knowledge, in the matter in which you are called to witness, as you shall answer to the Great Judge of quick and dead."

Examination of Witnesses.

42. To prevent confusion, witnesses shall be examined, first by the party introducing them, then cross-examined by the opposite party; after which any member of the Court or either party may put additional interrogatories. But no question shall be put or answered except by permission of the Moderator.

When the Defence is Not Allowed to Ask Questions.

43. When the prosecution is examining his witnesses the defence shall not be permitted to ask any questions of said witnesses until the prosecution shall have finished with them, and vice versa. When the prosecution shall have finished their evidence, the accused shall then proceed to adduce his testimony in defence and the same order shall be observed in the examination of the witnesses for the defence as for the prosecution.

Questions and Answers by a Witness to be Reduced to Writing If Required.

44. Every question put to a witness, shall, if required, be reduced to writing. When answered, it shall, together with the answer, be recorded, if deemed by either party of sufficient importance.

Questions of Order.

45. Questions of order, which arise in the course of process, shall be decided by the Moderator.

Accused and Prosecutor May Comment on Their Testimony.

46. When the witnesses shall have been examined, the accused and the prosecutor shall have the privilege of commenting on their testimony to any reasonable extent. In their pleadings, after all the witnesses have been examined, the defence shall first be heard, and afterwards the prosecution. The pleadings having been heard, the Court shall proceed deliberately to a conclusion of the whole matter, and declare their judgment. If the Court find the party guilty, the person found guilty shall be admonished, or rebuked, or excluded from Church privileges, as the case shall appear to deserve, until he give satisfactory evidence of repentance. If the Court find the party not guilty, it should recommend him to the confidence of the Church.

Judgment to be Recorded and Parties Allowed Copies at Their Own Expense.

47. The judgment shall be regularly entered on the records of the Judicatory, and the parties shall be allowed copies of the whole proceedings, at their own expense, if demanded by them. And in case of references and appeals, the Court referring or appealed from shall send authentic copies of the whole process to the Higher Court. But the parties cannot demand copies of the whole proceedings from the Clerk, but from the Court, as the Clerk, without an order of the Court, has no authority to give them.

Reasons for All Decisions to be Recorded at Length.

48. In recording the proceedings in cases of Judicial process, the reasons for all decisions shall be recorded at length, that the record may exhibit everything which had an influence on the judgment of the Court. And nothing but what is contained in the record may be taken into consideration in receiving the proceedings in a Superior Court. The records of a Court, or any part of them, whether original or transcribed, if regularly authenticated by the Moderator and Clerk, or either of them, shall be deemed good and sufficient evidence in every other Court. In

like manner, testimony taken by one Court, and regularly certified, shall be received by every other Court as no less valid than if it had been taken by itself.

Unordained or Lay Preachers.

49. Lay preachers from other denominations, shall be received, when joining our Church, in the same manner as we receive Elders and Deacons from any of our congregations; and they shall be entitled to vote only when they come with followers, except as otherwise decided by the General Assembly.

Holy Communion.

50. The Elements (bread and wine) for this service, are to be made ready and put on the table by the Elders, to whom this duty peculiarly belongs; the Deacons may help when necessary. All the arrangements for this service are in the hands of the Elders, the Deacons helping. The Deacons' Court shall determine the collectors for this service, both Elders and Deacons being eligible.

Privilege to Sue.

51. A member of another denomination can sue, before our Judicatories, any member of our Church who has offended him or her, provided, he or she has a written consent from his or her own Judicatory, regularly signed by responsible parties of his or her own Judicatory. This consent must be produced before our Judicatory when the case is to be tried.

A Non Christian Person.

52. Any person, whether a Christian or an adherent, knowing any member or officer of this Church, to be doing or having done something contrary to the Word of God, has the right to report the offender to the authorities of the Church. The Elder or any member of the Session to whom such report was given by the witness or accuser must report the same to the Session, and failing to do so, he may be found guilty of the same offence. The Session may obtain evidence directly or indirectly from the witness or accuser when necessary.

Collecting Monies.

53. Anyone desiring to go around the country collecting monies on behalf of the Church, must obtain leave to do so from his Presbytery, if he is to collect within the bounds of his Presbytery; from the General Assembly, if he is to go around the country among our Churches generally. The objects of collecting this money must be stated; the General Assembly may not withhold its assent, if the cause is reasonable and worthy, although it has a right to refuse.

Elopers.

54. A female, who, while a member of the Church, elopes with a man and lives with him as man and wife, without being married, is debarred from Church privileges until married and reponed. The same is true and applicable to a man.

Bigamy.

55. When a man, having two or more wives, is converted, or when the vice versa is the case, to the satisfaction of the Session, advice must be sought from the Presbytery, as to whether the party in question is to be granted Church privileges. Sometimes, the Session may, according to the circumstances of the case, grant the said party, Church privileges, without recourse to the Presbytery. It must always be the duty of the Session to encourage monogamy and discourage polygamy.

Apud Acta Citation.

56. Citation may be duly given apud acta, as it is termed, when parties being present at a meeting of the Court they are openly warned and summoned during the regular transaction of business. When this citation has been given, there is no need for any further citation, provided the fact of the citation apud acta be inserted in the minutes of the Judicatory. If parties have been already duly cited, and are present before the Court, a citation apud acta is sufficient for summoning them duly to another meeting of the Court to be held on a future day.

Witnesses who Cannot Attend.

57. When, from any cause, the personal attendance of a witness cannot be obtained, a certificate or affidavit from him may suffice, or two or more members of the Court may be appointed to take his evidence.

Naming Father.

58. A woman confessing guilt with reference to the birth of her child is called upon to name the father. If she refuses to do so, she is dealt with as contumacious. If she declares that she does not know who the father is, procedure is delayed until advice be received from the Presbytery, except when the Session are prepared to decide the case.

Denial of Accusation.

59. If a man, accused by a woman, appear and deny the accusation, the woman is required to adduce evidence in support of her averment. Every fair effort should be made to ascertain the truth. If the woman has had more than one illegitimate child previously, and if the man has hitherto borne a fair character, she must furnish some prima facie good evidence before the Court can be justified in even citing the accused party. Sometimes the paternity is denied, while guilt is otherwise acknowledged. Such acknowledgment is held sufficient, unless proof can be adduced that the woman had connection with another person, or unless her character be notoriously bad.

Baptism of Child of Person Under Discipline.

60. The child of a person under discipline or censure cannot be baptised unless bona fide adopted by another member of the Church.

Illegitimate Children.

Illegitimate children should not be admitted to baptism, unless they are presented by communicants, and unless the minis-

ter is satisfied that there is a reasonable prospect of the child being brought up as a Christian. In such cases care should be taken that the sponsors are duly impressed with the sense of their obligations.

Charge of Fama Against Ruling Elder or Deacon.

61. If a charge be brought, or if a fama arise against an Elder or a Deacon, the Church Session is called upon to proceed always by means of a preliminary enquiry or precognition. The accused party ought to be made aware of this precognition, so as to have an opportunity of offering explanation. If the accusation or report appear frivolous, or not likely to be proved, it should be allowed to drop. But if the contrary appear, the accused should be faithfully and affectionately dealt with, in order that he may be induced to make a candid statement of the whole truth. If he deny the charge, or say that there is no foundation for the fama, the rules of procedure are the same with those followed in the case of an ordinary member, until a judgment upon the effect of the evidence has been arrived at, except that, besides being in the meantime suspended from privileges, he is also ipso facto, suspended from office. If the result of the investigation be that the party is suspended from privileges in the way of censure, or that he is excommunicated, he is ipso facto suspended or deposed from office. But the offence may appear such in the view of the Session as to necessitate his suspension or his deposition from office, even when they see no cause for depriving him of privileges, either for a longer or a shorter period.

Intimation of Sentence.

62. A sentence of suspension, deposition, and excommunication pronounced upon an Elder or Deacon may either be read from the pulpit to the congregation, or intimated otherwise by the Moderator as may seem most for edification.

Contempt of Court.

63. Any member of our Church Courts, who interferes with the administration of justice by the Court, or who disobeys the Court, or the ruling of its Moderator, in any way or manner, shall be charged with contempt of Court. Any member of the Court may draw the attention of the Court to this anomaly, and being seconded, the question shall be put at once on the table by the Moderator without debate. The case may be tried at once or at the time appointed by the Court, and when found guilty, the said member shall be censured.

Reponement.

64. A deposed Elder or Deacon may be reponed to his office upon good cause shown, in so far as rigid law is concerned. But the cases are very rare in which such reponement is thought to be for edification.

Charge of Fama Against a Minister.

65. It is a special function of the Presbytery to investigate any charge or fama against a Minister or Probationer within their bounds. They alone have primary jurisdiction over either. A

Presbytery is called upon to prefer, in all cases, the honour of Christ and the purity of His Church to the temporary feelings and interests of man; therefore, allegation of serious offences against the light of God's Word, or against holiness of life, on the part of a Minister of the Gospel, and especially on the part of a Pastor, must not be lightly dealt with by his Presbytery.

Inquiry as to Rise, etc., of Fama.

66. Before beginning a process against a Minister or a Probationer, on the ground of a fama, involving serious scandal, or manifest heresy, such as persistent opposition to the doctrine of the confession of faith the Presbytery must be careful to enquire into the rise, occasion, broachers, and grounds of such a fama.

Functions of Ministers Cease Ipso Facto.

67. In every case in which a Presbytery has resolved to order an indictment against a Minister of the Church, he ceases ipso facto, to exercise the functions of his office, both ministerial and judicial, until the indictment has been finally disposed of. The indictment or charge must clearly set forth the nature of the alleged offence and its contrariety to the Word of God, and the laws of the Church, particularising, if necessary, time, place, and other circumstances. It must be legibly written and handed to the party concerned, a few days before the trial of the case.

Minister Not Appearing.

68. If an accused Minister, when duly cited, do not appear, and either leave the locality, or show himself otherwise contumacious, without any relevant excuse, the Presbytery are required to hold him as having confessed, and to depose and censure him instantanly with the lesser excommunication. If, after some time, he do not return and subject himself to discipline, he may be proceeded against, so as to be censured with the greater excommunication. The greater excommunication, if the Presbytery see cause, may be exercised instantanly, at the first instance. The full citation, if it is necessary or practicable, of a Minister, who does not obey an ordinary citation, is a public citation from the pulpit of his Church.

Reponing of a Minister, Etc.

69. It is competent for a Minister to be reponed to his status, and for a Probationer to have his licence restored, upon professions of repentance which seem to be borne-out by a course of consistent conduct. But great caution is requisite in entertaining the question of such reponement or restoration. A Minister may be reponed, or a Probationer's licence may be restored, by the Presbytery which pronounced the sentence of deposition or deprivation.

Scandal or Fama Clamosa Forced on Synod's Attention.

70. If any circumstances of a peculiar kind have the effect of forcing upon the attention of a Synod a case of scandal or fama clamosa before it has reached the Inferior Court having primary jurisdiction over the party, it is not the duty of the

Synod to take any steps toward itself originating a process. But, in such a case, the obligation lies upon it to direct the notice of the Presbytery of the Bounds within which the scandal is alleged to have occurred, or the fama clamosa appears to prevail, to the statement or the facts which have been communicated to itself.

Palpable Scandal, Heresy, etc., Before Assembly.

71. If any case of palpable scandal, or heresy, or contumacy be forced by circumstances upon the attention of the General Assembly before it has reached an Inferior Court having jurisdiction over the party, the Assembly may either remit such a case to the Inferior Court, or deal with it summarily, by the direct exercise of their own authority.

Presbyterian Church Witnesses.

72. Members of the Presbyterian Church of Africa, when duly cited by a competent Church Court to appear and give evidence in a cause, are bound to obey the citation, and if they refuse, are liable to be dealt with as contumacious, unless they can offer a relevant and satisfactory excuse.

Absolution and Restoration.

73. The Church Session absolves from scandal and restores to privileges, when it sees sufficient ground for doing so, after hopeful evidence of penitence has been exhibited. The effect is simply to remove the sentence of suspension, or the sentence of greater excommunication. The Church does not pretend to absolve from sin in the sight of God. But assuming the genuineness of outward professions and appearances, she proceeds on the supposition that the offender has already sought and obtained forgiveness through the atoning blood of Christ. On this footing, the Moderator pronounces the sentence of absolution in the name of the Lord Jesus.

Duties which are Common to Elders and Deacons.

74. (1) Both Elders and Deacons may receive the Sabbath collections of the people, according to such arrangements as shall be made by the Deacons' Court.
- (2) For the better discharge of their peculiar duties respectively, as well as with a view to increased opportunities of doing good, both Elders and Deacons visit periodically the district assigned to them, and cultivate an acquaintance with the members of the Church residing therein.
- (3) It is competent for Elders to be employed as Deacons, when a sufficient number of Deacons cannot be had.
- (4) Deacons may assist the Elders with their advice, whether in session or otherwise, when requested to do so.

Process Against a Minister.

75. (1) As no Minister ought, on account of his office, to be screened from the hand of justice, nor his offences to be slightly censured, so neither ought scandalous charges to be

- received against him by any judicatory on slight grounds.
- (2) Process against a minister shall always be entered before the Presbytery of which he is a member.
 - (3) The same candour, caution, and general method, substituting only the Presbytery for the Session, are to be observed in investigating charges against him as are prescribed in the case of private members.
 - (4) Process against a Gospel Minister shall not be commenced, unless some person or persons undertake to make out the charge, or unless common fame so loudly proclaim the scandal, that the Presbytery find it necessary for the honour of religion to investigate the charge.
 - (5) When complaint is laid before the Presbytery, it must be reduced to writing.
 - (6) The prosecutor of a minister shall be previously warned, that if he fail to prove the charges, he must himself be censured as a slanderer of the Gospel Ministry.
 - (7) If a minister accused of atrocious crimes, being twice duly cited, shall refuse to attend the Presbytery, he shall be immediately suspended. And if, after another citation, he shall refuse to attend, he shall be deposed as contumacious.
 - (8) If it be found that the facts with which a minister stands charged happened without the bounds of his own Presbytery, that Presbytery shall send notice to the Presbytery within whose bounds they did happen, and desire it either (if within convenient distance) to cite the witnesses to appear at the place of trial, or (if the distance be so great as to render that inconvenient) to take the examination itself, and transmit an authentic record of their testimony, always giving due notice to the accused person, of the time and place of such examination.
 - (9) Nevertheless, in case a minister being supposed to be guilty of a crime or crimes at such a distance from his usual place of residence as that the offence is not likely to become otherwise known to the Presbytery he belongs, it shall in such case be the duty of the Presbytery within whose bounds the facts shall have happened, after satisfying itself that there is probable ground of accusation, to send notice to the Presbytery of which he is a member, who are to proceed against him, and either send and take the testimony itself by a commission of its own body, or request the other Presbytery to take it for it, and transmit the same properly authenticated.
 - (10) If a minister confess guilt, and the matter be base and flagitious:— such as drunkenness, uncleanness, however penitent he may appear to the satisfaction of all—the Presbytery must without delay suspend him from the exercise of his office or depose him from the Ministry.
 - (11) If upon trial he be found guilty, the Presbytery must censure, admonish, suspend, or depose him, according to the nature of the offence.
 - (12) A minister deposed for scandalous conduct shall not be restored, even on the deepest sorrow for his sin, until after

some time of eminent and exemplary, humble, and edifying conduct to heal the wound made by his scandal.

- (13) As soon as a minister is deposed, his congregation shall be declared vacant.
- (14) If after a trial before any judicatory, new testimony be discovered, which is supposed to be highly important to the exculpation of the accused, it is proper for him to ask, and for the judicatory to grant a new trial.
- (15) It sometimes happens, in the prosecution of appeals, that testimony which had not been exhibited before the inferior judicatory, is represented to exist, and to be of considerable importance in the case.
- (16) Representation of this kind ought not to be lightly, or, of course sustained. But the Superior Judicatory ought to be well satisfied that the alleged testimony is of real importance, before it determines to put the Inferior Judicatory to the trouble of a new trial.
- (17) When such testimony, therefore, is alleged to exist, either by the appellant, or the Judicatory appealed from, it will be proper for the Superior Judicatory to inquire into the nature and import of the testimony; what is intended to be proved by it; and whether there is any probability that it will really establish the point intended to be established.
- (18) If it appear that the fact proposed to be established by the new testimony is important; that is, if it appear to be such a fact, as, if proved, would materially alter the aspect of the cause; and if there be any probability that the testimony in question will be sufficient to establish the alleged fact, then the Superior Judicatory ought to send the cause back to the Inferior for a new trial.
- (19) Cases may arise, however, in which the Judicatory appealed from and the appellant may concur in requesting the Superior Judicatory to take up and issue the appeal, with the additional light which the evidence may afford. In this case, and especially if very serious injury is likely to happen, either to the appellant or to the church, by the delay which a new trial would occasion, the Superior Court may proceed to hear the new evidence, and to issue the appeal with the aid of the additional light which that testimony may afford.
- (20) When, however, the judgment of the Inferior Court is reversed, and it is apparent that the new evidence had considerable influence in procuring the reversal, it ought to be stated in the decision of the Superior Court, inasmuch as, it would be injustice to the Inferior Court to reverse its decision upon the grounds which were never before it, without explaining the fact.
- (21) If a court refuse to grant a new trial upon the allegation of new testimony, a complaint may lie.
- (22) An order for a new trial does not restore the defendant.
- (23) If a minister becomes a party to a suit for divorce, the Presbytery to which he belongs shall make judicial inquiry

into the facts of the case, including the record in the civil court or courts, and its findings shall be spread upon the records.

- (24) If a judicatory so decides, a member shall not be allowed, while charges are pending against him, to deliberate or vote on any question.
- (25) Heresy and schism may be of such a nature as to call for deposition or excommunication; but errors ought to be carefully considered, whether they strike at the vitals of religion and are industriously spread, or whether they arise from the weakness of the human understanding, and are not likely to do much injury.
- (26) A deposed minister, shall, in no case, be restored, until it shall clearly appear to the judicatory within whose bounds he resides, that the restoration can be effected without injury to the cause of religion, and then only by the judicatory inflicting the censure, or with its advice and consent.
- (27) A minister, deposed without excommunication, shall be given by the Presbytery deposing him, when he so desires, a letter to any church with which he may desire to connect himself where his lot may be cast, in which shall be stated his exact relation to the church.
- (28) A Presbytery may, if the edification of the Church demand it, require an accused minister to refrain from the exercise of his office until final action in the case shall be taken, provided that in all cases a speedy investigation or trial shall be had.
- (29) If the Presbytery finds, on trial, that the matter complained of amounts to no more than such acts of infirmity as may be amended and the people satisfied, so that little or nothing remains to hinder the usefulness of the offender, it shall take all prudent measures to remove the evil.
- (30) In process by a session against a ruling elder or a deacon, the provisions of this section, so far as applicable, shall be observed.

Cases Without Process

- 76. (1) If a person commits an offence in the presence of a judicatory, or comes forward as his own accuser and makes known his offence, the judicatory may proceed to judgment without process, giving the offender an opportunity to be heard; in the case first named he may demand a delay of at least two days before judgment. The record must clearly exhibit the nature of the offence, as well as the judgment and the reasons therefor, and appeal may be taken from the judgment as in other cases.
- (2) If a communicant, not chargeable with immoral conduct, inform the session that he is fully persuaded that he has no right to come to the Lord's Table, the session shall confer with him on the subject, and may, should he continue of the same mind, and his attendance on the other means of grace be regular, excuse him from atten-

dence on the Lord's Supper, and, after fully satisfying themselves that his judgment is not the result of mistaken views, shall erase his name from the roll of communicants, and make record of their action in the case.

- (3) If the communicant shall fail to ask for a regular certificate of dismissal or removal, within one year, without giving sufficient reason, after correspondence by the session, his name may be placed on the roll of suspended members, with the date of the action, until he shall satisfy the session of the propriety of his restoration. The same action may be taken, without correspondence, in the case of those absent for more than a year, whose residence is unknown. In every case the session must state the reasons of its action; and in all cases such member or members shall continue subject to the jurisdiction of the session.
- (4) The roll of suspended members shall contain the names of those members who have been suspended either with or without process. Such names shall not be reported to Presbytery as bring among the active members of the church. The session shall make an annual review of the roll of communicants and of the roll of suspended members, before making its report to Presbytery, and in making such review, it shall make earnest effort to restore to good and regular standing suspended members.
- (5) If any communicant, not chargeable with immoral conduct, neglects the ordinances of the Church for one year, and in circumstances such as the session shall regard to be a serious injury to the cause of religion, he may, after affectionate visitation by the session, and admonition if need be, be suspended from the communion of the Church until he gives satisfactory evidence of the sincerity of his repentance, but he shall not be excommunicated without due process of discipline.
- (6) In cases where a communicant, still residing in the bounds of the Church and not chargeable with immoral conduct, shall persistently absent himself from the ordinances of religion in the Church, the session, having made diligent effort to restore him to active fulfillment of his membership, may, after one year from the beginning of such effort, and after duly notifying him of its intention, place his name upon the roll of suspended members, without further process. If at a later time such communicant, his conduct in the meanwhile being free from scandal, shall resume his attendance on the ordinances of the Church, the session shall restore his name to the active roll.
- (7) If a minister, otherwise in good standing, shall make application to be released from the office of the ministry, he may, at the discretion of the Presbytery, be put on probation for one year at least, in such a manner as the Presbytery may direct, so as to ascertain his motives and reasons for such a relinquishment. And if, at the end of this period, the Presbytery be satisfied that he cannot

be useful and happy in the exercise of his ministry, they may allow him to demit the office, and return to the condition of a private member in the Church, ordering his name to be stricken from the roll of the Presbytery, and giving him a letter to any Church with which he may wish to connect himself.

- (8) If a communicant renounces the communion of this Church by joining another denomination, without regular dismission, although such conduct is disorderly, the session shall take no other action in the case than to record the fact, and order his name to be erased from the roll. If charges are pending against him, they may be prosecuted.
- (9) If a minister, not otherwise chargeable with an offence, renounces the jurisdiction of this Church, by abandoning the ministry, or becoming independent, or joining another denomination not deemed heretical, without a regular dismission, the Presbytery shall take no other action than to record the fact and erase his name from the roll. If charges are pending against him, he may be tried thereon. If it appears that he has joined another denomination deemed heretical, he may be suspended, deposed, or excommunicated.

Removals and Limitations of Time

77. (1) When any member shall remove from one Church to another, he shall produce a certificate, ordinarily not more than one year old, of his Church-membership and dismission, before he shall be admitted as a regular member of that Church.
- (2) When a minister, licentiate, or candidate, is dismissed from one Presbytery to another, the certificate shall be presented to the Presbytery to which it is addressed, ordinarily within one year from its date, and the fact of his reception shall be promptly communicated to the Presbytery dismissing him.
- (3) If a church-member, more than a year absent from the place of his ordinary residence and Church connections, applies for a certificate of membership, his absence, and the knowledge of the Church respecting his demeanour for that time, or its want of information concerning it, shall be distinctly stated in the certificate.
- (4) Prosecution for an alleged offence shall commence within one year from the time of its alleged commission, or from the date when it becomes known to the judicatory having jurisdiction thereof.

Differences Between Judicatories

78. (1) Any judicatory deeming itself aggrieved by the action of any other judicatory of the same rank, may present a memorial to the judicatory immediately superior to the judicatory charged with the grievance and to which the latter judicatory is subject, notice of said memorial shall be lodged with the clerks, both of the judicatory charged with the grievance and of its next superior

- judicatory, within one year from the commission of the said alleged grievance.
- (2) When any judicatory deems itself aggrieved by another judicatory and decides to present a memorial as provided for in the preceeding clause, it shall appoint a committee to conduct the case in all its stages, in whatever judicatory, until the final issue be reached.
 - (3) The judicatory with which the memorial is lodged, if it sustain the same, may reverse in whole or in part the matter of grievance, and shall direct the lower judicatory how to dispose of the case, and may enforce its orders. Either party may appeal to the next higher judicatory.

Jurisdiction in Cases of Dismission

79. (1) A member of a Church, receiving a certificate of dismission to another Church, shall not continue to be a member of the Church giving him the certificate, until he returns with a certificate from the Church of which he has been a member after removal from the former Church, and, should he return the certificate, within a year from its date, the session shall make record of the fact, but he shall not thereby be restored to the exercise of the functions of any office previously held by him in that Church, unless the session is satisfied with his conduct and is convinced that the restoration would be of no harm to the Church.
- (2) In like manner, a minister shall be subject to the jurisdiction of the Presbytery which dismissed him (but shall not deliberate or vote, nor be counted in the bases of representation to the general assembly), until he actually becomes a member of another Presbytery, but, should he return the certificate of dismission within a year from its date, the Presbytery shall make record of the fact, and restore him to the full privileges of membership.
- (3) A Presbytery, giving a certificate of dismission to a minister, licentiate, or candidate for licensure, shall specify the particular body to which he is recommended; and, if recommended to a Presbytery, no other than the one designated, if existing, shall receive him.
- (4) If a Church becomes extinct, the Presbytery with which it was connected shall have jurisdiction over its members; it shall, also, determine any case of discipline began by the session and not concluded.
- (5) If a Presbytery becomes extinct, the Synod with which it was connected shall have jurisdiction over its members, and may transfer them to any Presbytery within its bounds. It shall, also, determine any case of discipline began by the Presbytery and not concluded.

Points to be Observed by All Judicatories

80. (1) No member of a judicatory who has not been present during the whole of a trial, shall be allowed to vote on any question arising therein, except by unanimous consent

of the judicatory and of the parties; and when a trial is in progress, the roll shall be called after each recess and adjournment, and the names of the absenties shall be noted.

- (2) The parties shall be allowed copies of the record at their own expense, and on the final disposition of a case in a higher judicatory, the record of the case, with the judgment, shall be transmitted to the judicatory in which the case originated.
- (3) In all cases of judicial process, the judicatory may, at any stage of the case, determine, by a majority vote, to sit with closed doors.
- (4) A judicatory may, if the edification of the Church demands it, require an accused person to refrain from approaching the Lord's Table, or from the exercise of office, or both, until final action in the case shall be taken, provided, that in all cases a speedy investigation or trial shall be had.
- (5) An offence, gross in itself, may have been committed in such circumstances, that plainly the offender cannot be prosecuted to conviction. In all such cases, it is better to wait until God, in his righteous providence, shall give further light, than by unavailing prosecution, to weaken the force of discipline.
- (6) Great caution ought to be exercised in receiving accusations from any person who is known to indulge a malignant spirit toward the accused, or who is not of good character, or who is himself under censure, or who is personally interested in any respect in the conviction of the accused, or who is known to be litigious, rash, or highly imprudent.

Questions of Privilege.

Questions relating to the rights and privileges of the judicatory, or to any of its members, take precedence of all other motions except those relating to adjournment and recess, to which they yield. Before a member has commenced speaking, even though he has been assigned the floor, it is in order for another member to raise a question of privilege. If the question is one requiring immediate action, it may interrupt a member's speech. When a member rises for this purpose he should not wait to be recognised, but immediately on rising should say, "Mr. Moderator," and when he catches the moderator's eye, should add, "I rise to a question of privilege affecting the judicatory," or "I rise to a question of personal privilege." The chair directs him to state his question, and then decides whether it is one of privilege or not. From this decision any two members may appeal. The chair may decide it to be a question of privilege, but not of sufficient urgency to justify interrupting the speaker. In such a case the speaker should be allowed to continue, and when he has finished, the chair should immediately assign the floor to the member who raised the question of privilege to make his motion if one is necessary. As soon as the question of privilege is disposed of, the business is resumed exactly

where it was interrupted; if a member had the floor at the time the question of privilege was raised, the chair assigns him the floor again.

Questions of privilege may relate to the privileges of the judicatory, or only of a member, the former having the precedence if the two come into competition. Questions of personal privilege must relate to one as a member of the judicatory, or else relate to charges against his character which, if true, would incapacitate him for membership.

Orders of the Day

82. A call for the orders of the day (which is a demand that the house conform to its programme or order of business) can be made at any time when no other privileged motion is pending and the order of business is being varied from, and only then. It requires no second, and is in order when another has the floor, even though it interrupts a speech, as a single member has a right to demand that the order of business be conformed to. It is out of order to call for the orders of the day when there is no variation from the order of business. When one or more subjects have been assigned to a particular day or hour (by postponing them to, or making them special orders for, that day or hour, or by adopting a programme or order of business), they become the orders of the day for that day or hour, and they cannot be considered before that time, except by a two-thirds vote.

Church Notices

83. The Church announcements or notices, banns of marriages, etc., are to be made by the minister, or by some one delegated by him.

APPENDIX I.

THE DIRECTORY FOR THE WORSHIP OF GOD.

A.—The Sanctification of the Lord's Day.

- (1) It is the duty of every person to remember the Lord's Day, and to prepare for it before its arrival. All worldly business should be so arranged, and seasonably laid aside, as that we may not be hindered thereby from sanctifying the Sabbath, as the Holy Scriptures require.
- (2) The whole day is to be kept holy to the Lord, it is to be employed in the public and private exercises of religion. Therefore it is entirely necessary, that there be a holy resting, all the day, from all unnecessary labours, and an abstaining from all those recreations which may be lawful on other days, and also, as much as possible, from worldly thoughts and conversation.
- (3) The provisions for the support of the family on that day, must be so ordered, that all people including children if possible, may not be improperly detained from the public

worship of God, nor hindered from sanctifying the Sabbath.

- (4) Every person and family in the morning, by secret and private prayer, for themselves and others, especially for God's assistance to their minister, and for a blessing upon his ministry, by reading the scriptures, and by holy meditation, should be religious and prepare for communion with God in his public ordinances.
- (5) The people should be so careful to assemble together at the appointed time, that, being all present at the beginning, they may unite, with one heart, in all the parts of public worship, and no one should unnecessarily depart, until the blessing has been pronounced.
- (6) The time, after the solemn services of the congregation in public are over, should be spent in reading, meditation, repeating of sermons, catechising, religious conversation, prayer for a blessing upon the public ordinances, the singing of psalms, hymns, or spiritual songs, visiting the sick, relieving the poor, and in performing such like duties of piety, charity and mercy.

B. The Assembling of the Congregation and their Behaviour. During Divine Service

- (1) When the time appointed for public worship has arrived, the people should enter the Church, and take their seats in a decent, grave and reverent manner.
- (2) In time of public worship, the people should attend with gravity and reverence, forbearing to read anything, except what the minister or any other preacher is then reading or citing; abstaining from all whisperings, from salutations of persons present, or coming in; and from gazing about, sleeping, smiling, and all other indecent behaviour.

C. The Public Reading of the Holy Scriptures

- (1) The reading of the Holy Scriptures, in the congregation, is a part of the public worship of God, and ought to be performed by the ministers and competent elders or deacons.
- (2) The Holy Scriptures of the Old and New Testament, shall be publicly read, from the most approved translations, in the vernacular, that all may hear and understand.
- (3) It is left to the discretion of every minister or any other preacher, as to how large a portion of the Scripture shall be read at a time. He may, when he thinks it necessary, expound any part of what is read, always having regard to the time, that neither reading, singing, praying, preaching, or any other ordinance, be disproportionate the one to the other, nor the whole rendered too short, or too tedious.

D. The Singing of Psalms

- (1) It is the duty of Christians to praise God, by the singing of Psalms, or hymns, publicly in the Church, as also privately in the family.

- (2) In singing praises unto God, we are to sing with the spirit, and with the understanding also, making melody in our hearts unto the Lord. It is also proper, that we cultivate some knowledge of the rules of music, that we may praise God in a becoming manner with our voices, as well as with our hearts.
- (3) The whole congregation should be encouraged to have hymn books, and to join in this part of worship. When many of the congregation cannot read, it is recommended that the reading of the psalm or hymn, verse by verse, should be introduced.

E. The Public Prayer

- (1) It is necessary and quite proper to begin the public worship of the Sanctuary, immediately after an opening psalm or hymn, by a short prayer; humbly adoring the infinite Majesty of the Living God, expressing a sense of our distance from him as creatures, and unworthiness as sinners, and humbly imploring His Gracious presence, the assistance of his Holy Spirit in the duties of his worship, and his acceptance of us through the merits of our Lord and Saviour Jesus Christ.
- (2) Then, before sermon, after the reading of the Holy Scriptures, it is proper that, there should be a full and comprehensive prayer:

First: Adoring the glory and perfections of God, as they are made known to us in the works of creation, in the conduct of providence, and in the clear and full revelation he hath made of himself in His written word.

Second: Giving thanks to him for all his mercies of every kind, general and particular, spiritual and temporal, common and special, above all, for Jesus Christ, his unspeakable gift, and the hope of eternal life through Him.

Third: Making humble confession of sin, both original and actual. Acknowledging, and endeavouring to impress the mind of every worshiper, with a deep sense of the evil of all sin, as such; as being a departure from the Living God; and also taking a particular and affecting view of the various fruits which proceed from this root of bitterness:—as sins against God, our neighbour, and ourselves; sins in thought, in word, and in deed; sins secret and presumptuous; sins accidental and habitual. Also, the aggravations of sin arising from knowledge, or the means of it, from distinguishing mercies, from valuable privileges, from breach of vows, etc.

Fourth: Making earnest supplication for the pardon of sin, and peace with God, through the blood of the atonement, with all its important and happy fruits: for the spirit of sanctification, and abundant supplies of the grace that is necessary to the discharge of our duty; for support and comfort, under all the trials to which we are liable, as we are sinful and mortal; and for all temporal mercies that may be necessary, in our passage through this

valley of tears; always remembering to view them as flowing in the channel of covenant love, and intended to strengthen us in our spiritual life.

Fifth: Pleading from every principle warranted in Scripture from our own necessity, the all-sufficiency of God, the merit and intercession of our Saviour and God's glory in the comfort and happiness of his people.

Sixth: Intercession for others including the whole world of mankind, the Kingdom of Christ, or his Church universal, the Church or Churches with which we are more particularly connected, the interest of human society in general, and in that community to which we immediately belong, all that are invested with civil authority, the ministers of the everlasting gospel, and the rising generation; with whatever else, more particular, may seem necessary, or suitable to the interest of that congregation where divine worship is celebrated.

- (3) Prayer after sermon, ought generally to have a relation to the subject that has been treated of in the discourse; and all other public prayers, to the circumstances that occasioned them.
- (4) Since there is a very great compass and variety in all the preceding directions, it is left to the judgment and fidelity of the officiating minister, or any other competent preacher to insist chiefly on such parts, or to take in more or less of the several parts, as he shall be led to by the aspect of Providence; the particular state of the congregation in which he officiates, or the disposition and exercise of his own heart at the time.
- (5) It is the indispensable duty of every minister, previously to his entering on his office, to prepare and qualify himself for this part of his duty, as well as for preaching. He ought, by a thorough acquaintance with the Holy Scriptures, by reading the best writers on the subject, by meditation, and by a life of communion with God in secret, to endeavour to acquire both the spirit and the gift of prayer. Not only so, but when he is to enter on particular acts of worship, he should endeavour to compose his spirit, and to digest his thoughts for prayer, that it may be performed with dignity and propriety, as well as to the profit of those who join in it, and that he may not disgrace that important service by mean, irregular or extravagant effusions.

F. The Worship of God by Offering

- (1) In order that every member of the congregation may be trained to give of his substance systematically, and as the Lord has prospered him, to promote the preaching of the Gospel in all the world and to every creature, according to the command of the Lord Jesus Christ, it is proper and very desirable that an opportunity be given for offerings by the congregations in this behalf every Lord's Day, and that, in accordance with the Scriptures, the

bringing of such offerings be performed as a solemn act of worship to Almighty God.

- (2) The proper order, both as to the particular service of the day and the time in such service for receiving the offerings, may be left to the discretion of the minister and the deacon's court of the church, but, in order that it may be a separate and specific act of worship, the minister, or, in his absence, or inability to act, one of the elders or deacons of the church, should either precede or immediately follow the same with a brief prayer, invoking God's blessing upon it and devoting the offerings to his service.
- (3) The offerings received shall be applied by the Deacon's Court, in fitting proportions, to religious, ecclesiastical, educational, or benevolent objects; but the specific designation by the giver of any offering to any cause or causes shall always be respected, and the will of the donor carefully carried out.
- (4) The offerings of the Sabbath School and of the various societies or agencies of the Church shall be reported regularly to the Deacon's Court of the Church, and no offerings or collections shall be made by them for objects other than those connected with the Presbyterian Church of Africa, without the approval of the Deacon's Court.
- (5) It is the duty of every minister to cultivate the grace of liberal giving in his congregation, that every member thereof may offer according to his or her ability, whether it be large or small.

G. The Preaching of the Word

- (1) The preaching of God's Word, being an institution of God Himself for the salvation of men, great attention should be paid to the manner of performing it. Every minister ought to give diligent application to it, and endeavour to prove himself a workman that needeth not to be ashamed, rightly dividing the word of truth.
- (2) The subject of a sermon should be some verse or verses of the Scripture: and its object to explain, defend and apply some part of the system of divine truth; or, to point out the nature, and state the bounds and obligation of some duty. A text should not be merely a motto, but should fairly contain the doctrine proposed to be handled. Sometimes it is quite proper that large portions of Scripture be expounded, and particularly improved, for the instruction of the people in the meaning and use of Sacred Oracles.
- (3) The method of preaching requires much study, meditation and prayer. Ministers ought, in general, to prepare their sermons with care, and not to indulge themselves in loose, extemporary harangues. They should keep to the simplicity of the Gospel, expressing themselves in language agreeable to Scripture, and level to the understanding of the meanest of their hearers, carefully avoiding ostentation either of parts or learning. They should also, by their

lives, adorn the doctrine which they preach, be examples of the believers, in word, in life, in conversation, in charity, in spirit, in faith, and in purity.

- (4) As one primary design of public ordinances is to pay social acts of homage to the most high God, ministers or other preachers should be careful not to make their sermons so long as to interfere or exclude the more important duties of prayer and praise, but should preserve a just proportion between the several parts of public worship.
- (5) When the sermon is ended, the minister or some one else, is to pray, and return thanks to Almighty God, then after the singing of a closing psalm or hymn, the minister, or, in his absence or inability, one of the elders shall dismiss the congregation with the Apostolic Benediction.
- (6) It is expedient that no person should preach in any of the Churches under our care, unless by the consent of the minister.

H.—The Administration of Baptism.

- (1) Baptism is not to be unnecessarily delayed, and cannot be, in any case, administered by any private person, but by an ordained minister of the Gospel.
- (2) Baptism is usually administered in the Church, in the presence of the congregation, and, it is convenient that it be performed immediately after sermon. It is left to the discretion of the minister, as to the expediency of performing this service in other places than the church.
- (3) The child to be baptized should be presented by one or both the parents, thereby signifying their desire that the child may be baptized. Before baptism the minister should use some words of instruction respecting the institution, nature, use, and ends of this ordinance. The minister is also to exhort the parents to the careful performance of their duty and promise, in the baptism of the child, so that the child may be brought up in the nurture and admonition of the Lord.
- (4) The minister should pray for a blessing to attend this ordinance; after which, calling the child by name, he shall say: "I baptize thee, in the name of the Father, and of the Son, and of the Holy Ghost." As he pronounces these words, he is to baptize the child with water, by pouring or sprinkling it on the head of the child, without adding any other ceremony; and the whole shall be concluded with prayer.
- (5) When unbaptized adults are to be admitted into the Church, they shall, in ordinary cases, after giving satisfaction to the Church Session, with respect to their knowledge and piety, make a public profession of their faith in the presence of the congregation, and there upon be baptized. Before baptism, the minister should use some words of instruction respecting the institution, nature, use, and ends of this ordinance.

(6) The minister shall propose to the person to be baptised the following or similar questions. viz :—

- (1) Do you believe that Jesus Christ is the only begotten Son of God and the only Saviour from sin ?
- (2) Is it your desire to be baptized in this faith ? Then the minister shall baptize the candidate by pouring or sprinkling water upon his head or her head, calling him or her by name, and using these words : " I baptize thee, in the name of the Father, and of the Son, and of the Holy Ghost. After that, the administration of the sacrament shall be concluded with prayer.

I. The Administration of the Lord's Supper

1. The Communion, or Supper of the Lord Jesus Christ, is to be administered by an ordained minister of the Gospel. As to how often it should be celebrated, shall be determined by the Session of each congregation.

2. The ignorant and scandalous should not be admitted to the Lord's Supper.

3. It is proper that public notice should be given to the congregation, at least the Sabbath before the administration of this ordinance, and that either then, or on some day of the week, previous to the celebration of this ordinance, the people be instructed in its nature, and a due preparation for it, that all may come in a suitable manner to this feast.

4. When the sermon, if there is any, is ended, the minister shall read the words of the institution of this holy feast, either from one of the evangelists, or from 1st Corinthians, eleventh chapter; which, as to him may appear expedient, he may explain and apply. He is to warn the profane, the ignorant, and scandalous and those that secretly indulge themselves in any known sin, not to approach the Holy Feast. On the other hand, he shall invite to this sacrament, such as are sensible of their lost and helpless state of sin, depend upon the atonement of Christ for pardon and acceptance with God, such as desire to renounce their sins, and are determined to lead a holy and Godly life.

5. The table on which the elements are placed, being decently covered, the bread in convenient dishes, and the wine in cups, and the communicants orderly and gravely sitting in their seats before the table, in the presence of the minister; then the minister shall, by prayer and thanks giving, set the elements apart.

6. The bread and wine being thus set apart, the minister in view of the people, shall take the bread, and break it, at the same time pronouncing the words of the institution of this Ordinance, pertaining to bread. The bread shall then be distributed. The minister after he has partaken of it, shall distribute it to the elders and deacons orderly and gravely kneeling before the table. After having given the bread, he shall take the cup, at the same time pronouncing the words of the institution per-

taining to wine, and after partaking of it, he shall give it to the elders and deacons still orderly and gravely kneeling before the table. Then after that, the bread and wine shall be given to the communicants, orderly and gravely kneeling before the table, either by the minister or by the elders, the elements being handed or passed to the elders by the minister. It is also proper that the minister should himself communicate at such time as may appear to him most convenient. This service shall be concluded by prayer either by the minister or one of the elders or deacons. After this prayer, the collection, where each communicant is required to contribute three pennies (3d.) or more according to his or her ability, shall then be taken; or, it may be taken at such other time as may seem meet and suitable to the Deacons' Court in view of certain circumstances.

7. Then a psalm or hymn shall be sung after which the congregation shall be dismissed by the minister with the Apostolic benediction.

J. The Admission to Full Communion of Persons Baptized in Infancy.

1. Children, born within the pale of the Visible Church, and dedicated to God in baptism, are under the inspection, oversight and government of the Church Session; they are to be taught to read and repeat the Catechism, the Apostles' Creed, and the Lord's prayer. They are to be taught to pray, to abhor sin, to fear God, and to obey His Son, the Lord Jesus Christ.

2. When these children reach the years of discretion, if they are free from any scandal, being sober and steady, having sufficient knowledge to discern the Lord's body, they should be informed it is their duty and their privilege to come to the Lord's supper.

3. The years of discretion for young Christians cannot be exactly fixed, as a general rule. The Church Session of each congregation must judge for themselves as to when to admit such young Christians to the Lord's table.

4. When persons baptized in infancy are to be admitted to full communion with the Church, they shall be examined by the Session or by its authority, as to their knowledge and piety, and shall in ordinary cases, with the Session's approval, make a public profession of their faith, in the presence of the congregation.

K. The Mode of Inflicting and Removing Censure.

1. Since the power which Christ has given the rulers of His Church is for edification, and not destruction, therefore, when a communicant shall have been found guilty of a fault deserving censure, the judicatory ought to proceed with all tenderness. It should endeavour to restore the offending brother in the spirit of meekness, its members considering themselves liable to the same or some other temptation.

2. Censure should be inflicted with great solemnity, in order that it may be the means of impressing the mind of the delinquent

with a proper sense of his sin, and that, with a divine blessing, it may lead him to repentance.

3. The judicatory having resolved to pass sentence, suspending a communicant from church privileges, the moderator shall pronounce the sentence in the following form, viz: "Whereas you have been found guilty (by your own confession), or by sufficient proof, as the case may be, of the sin of (mentioning the particular offence), we declare you suspended from the sacrament of the Lord's Supper, till you give satisfactory evidence of repentance." To this shall be added such advice, admonition, or rebuke, as may be judged necessary, and the whole shall be concluded with prayer to Almighty God, that He would follow this act of discipline with His blessing.

4. Such censure, should, in general, be inflicted before the judicatory only, but, if the judicatory think it expedient to rebuke the offender publicly, the suspension may be in the presence of the congregation.

5. After a person has thus been suspended, the minister and elders should frequently converse with him, as well as pray for him in private, that it would please God to enable him to repent. Moreover, on days preparatory to the dispensing of the Lord's Supper, the prayers of the Church should be offered up for those who have shut themselves out from this Holy Communion.

6. When the judicatory shall be satisfied with the reality of the repentance of any suspended member, he shall be permitted and encouraged to profess his repentance, and be restored to fellowship, in the presence of the judicatory that suspended him or her.

7. When a suspended person has failed to manifest repentance for his or her offence, and has continued in obstinate impenitence for a year, it shall be the duty of the judicatory to ex-communicate him or her without further trial. The design of ex-communication is to operate upon the offender as a means of reclaiming him or her, to deliver the Church from the scandal of his or her offence, and to inspire all with fear by the example of his punishment.

8. When a judgment of ex-communication is to be executed, with or without previous suspension, it is necessary that the sentence should be publicly pronounced by the minister, against the offender.

9. At a regular meeting of the congregation, the minister shall make a brief statement of the several steps which have been taken in connection with the offender, announcing that it has been found necessary to ex-communicate him or her. He shall begin by showing (from Matthew 18:15, 16, 17, 18; 1 Cor. 5:1—5) the power of the Church to cast out unworthy members, and shall briefly explain the nature, use, and consequences of this censure. Then he shall pronounce the sentence in the following or like form, viz: "Whereas A.B. hath been, by sufficient proof, convicted of (mention the sin), and after much admonition and prayer refuseth obstinately to hear the session, and hath manifested no evidence of repentance, therefore, in the name, and by the authority of

the Lord Jesus Christ, I pronounce him or her to be excluded from the communion of this Church." After that, prayer shall be made for the conviction and reformation of the ex-communicated person, and for the establishment of all true believers. But, the judicatory, may omit such publication of the ex-communication, for prudential and sufficient reasons.

10. When an ex-communicated person desires to be re-admitted to the privileges of the Church, the Church Session which ex-communicated him or her, having obtained, and recorded sufficient evidence of his or her sincere repentance and deep contrition, shall proceed to restore him or her, recording in explicit terms, the grounds on which such conclusion has been reached.

11. The sentence of restoration shall be pronounced by the Minister, at a regular meeting of the congregation on the Lord's Day, in the following words :—"Whereas A.B. has been excluded from the Communion of the Church, but has now given satisfactory evidence of repentance, in the name of the Lord Jesus Christ, and by his authority, I declare him or her absolved from the sentence of ex-communication formally pronounced against him, and I do restore him or her to the Communion of the Church, that he or she may be a partaker of all the benefits of the Lord Jesus, to his or her eternal salvation." After this, he or she shall then be commended to God in prayer.

12. Censures, other than suspension from Church privileges, or ex-communication, shall be inflicted in such mode and manner as the judicatory may direct.

L. The Solemnization of Marriage.

1. Although marriage is not a sacrament nor in any way peculiar to the Church of Christ, we recognize that it is quite proper that every state, for the good of society, should make laws to regulate marriage, which all citizens are bound to obey.

2. Since Christians ought to marry in the Lord, therefore it is requisite that their marriage be solemnized by a lawful marriage officer; that special instruction may be given them, and suitable prayers made, when they enter into this relation.

3. Marriage is to be between one man and one woman only, and they are not to be within the degrees of consanguinity or affinity prohibited by the Word of God.

4. The parties ought to be of such years of discretion as to be capable of making their own choice by themselves, and when they are under age, living with their parents or guardians, the consent of the parents or guardians, ought to be previously obtained, and well certified to the minister, before he proceeds to solemnize the marriage.

5. Parents should neither compel their children to marry contrary to their inclinations, nor deny their consent without just and important reasons.

6. Marriage is of a public nature. The welfare of civil society, the happiness of families, and the credit of religion, are greatly interested in it. Therefore the purpose of marriage should be sufficiently published for a certain time previously to the solemnization of it.

7. Ministers should be very careful that, in this matter of marriage and the publication of banns, they neither transgress the laws of God, nor those of the State; and, in order that they should not destroy the peace and comfort of families, they must be properly certified with respect to the parties applying to them, that no just objections lie against their marriage.

8. Marriage should always be performed before a competent number of witnesses, at any lawful time, except if possible, on the Lord's day. The minister should give a certificate of the marriage whenever required and paid for.

9. When the parties present themselves for marriage, the minister shall always ascertain, if there is any person present who knows any lawful reason why these parties may not be joined together in the marriage relation, that they will now make it known, or ever after hold their peace. When no objections are forthcoming, he shall then solemnize the marriage, in the manner prescribed by the Church.

10. After solemnization of the marriage, the minister may exhort the parties in a few words, to the mutual discharge of their duty, and conclude with prayer suitable to the occasion.

11. The minister shall always keep a proper register for the names of all persons whom he marries, and of the time of their marriage, for the perusal of all whom it may concern.

M. The Visitation of the Sick.

1. When persons become sick, it is their duty, before their strength and understanding fail them, to send for their ministers, and to make known to him, with prudence, their spiritual state; or to consult him on the concern of their precious souls. It shall be his duty to visit them, at their request, and to apply himself, with all tenderness and love, to administer spiritual good to their immortal souls.

2. He shall instruct the sick out of the scriptures, that diseases arise not out of the ground, nor do they come by chance, but, that they are directed and sent by a wise and Holy God, either for correction of sin, for the trial of grace, for improvement in religion, or for other essential ends, and that they shall work together for good to all those who make a wise improvement of the visitation of God, neither despising his chastening hand, nor fainting under his rebukes.

3. If the sick person be grossly ignorant, the minister shall instruct him or her in the nature of repentance and faith, and the way of acceptance with God, through the mediation and atonement of Jesus Christ.

4. He always encourages the sick to examine himself or herself; to search his or her heart, and try his or her former ways,

by God's word; and shall assist him or her, by mentioning some of the obvious marks and evidences of sincere piety.

5. If the sick shall signify any hesitation, doubt, or temptation, under which he or she labours, the minister must endeavour to resolve his or her doubts, and administer instruction and direction, as the case may seem to require.

6. If the sick seem to be a stupid, thoughtless and hardened sinner, he shall endeavour to awaken his or her mind and conscience; to convince him or her of the evil and danger of sin; of the curse of the law, and the wrath of God due to sinners; to bring him or her to an humble and penitential sense of his or her iniquities; and to state before him or her the fullness of the grace and mercy of God, in and through the glorious Redeemer; the absolute necessity of faith and repentance, in order to his or her being interested in the favour of God, or his or her obtaining everlasting happiness.

7. If the sick person shall appear to have knowledge, to be of a tender conscience, and to have been endeavouring to serve God in uprightness, though not without many failings and sinful infirmities; or, if his or her spirit be broken with a sense of sin or through apprehensions of the want of the divine favour; then it will be proper to administer consolation and encouragement to him or her, by setting before him or her, the freeness and riches of the grace of God, the all sufficiency of the Righteousness of Christ, and the supporting promises of the gospel.

8. The minister shall always endeavour to guard the sick person against ill grounded persuasions of the mercy of God, without any vital union to Christ; and against unreasonable fears of death, and desponding discouragements, against any presumption upon his or her own goodness and merit, upon the one hand, and against despair of the mercy and grace of God in Jesus Christ, on the other.

9. It is the minister's duty to administer to the sick person instruction, conviction, support, consolation, or encouragement, as the case may require. He may, when he is most composed, pray with and for him or her.

10. Lastly, the minister may use the present occasion to exhort those about the sick, to consider their mortality, to turn to the Lord and make their peace with Him, and to prepare, while in good health, for sickness, death, and judgment.

N. The Burial of the Dead.

1. When any person dies, the corpse should be carefully taken care of in a decent manner, and kept for a proper and sufficient time before burial.

2. When the time for the funeral arrives, the dead body should be decently attended to the grave, and interred. All those who attend should conduct themselves with becoming gravity, and also apply themselves to serious meditation and discourse.

3. During such solemn occasions, the minister, if present, should exhort all those present to consider the frailty of life, and the importance of being prepared for death and eternity.

O. Fasting and Observation of the Days of Thanks Giving.

1. There is no day under the Gospel commanded to be kept holy, except the Lord's Day, which is the Christian Sabbath.

2. However, to observe days of fasting and thanksgiving, as the extra-ordinary dispensations of divine providence may direct, we judge to be both scriptural and rational.

3. Fasts and Thanksgivings may be observed by individual Christians or families in private, by particular congregations, by a number of congregations adjacent to each other; by the congregations under the care of a Presbytery, or of a Synod, or by all the congregations of our Church.

4. It must be left to the judgment and discretion of every Christian and family to judge when it is proper to observe a private fast or thanksgiving; and to the Church Sessions to determine for particular congregations; and to the Presbyteries or Synods to determine for larger districts.

5. When it is deemed expedient that a fast or thanksgiving should be general, in our Church, the call for them must be judged of by the Synod or General Assembly.

6. When at any time the civil power should think it proper to appoint a fast or thanksgiving, it shall be the duty of the ministers and people of our church, since we live under a Christian government, to pay all due respect to the same.

7. In order that people may so order their temporal affairs that they may properly attend to the duties thereof, a public notice shall be given a sufficient time before the day of fasting or thanksgiving comes.

8. There shall be public worship upon all such days, and the prayers, psalms, portions of scripture to be read, and sermons, should be all in a special manner adapted to the occasion.

9. On fast days, the minister should point out the authority and providencies calling to the observation thereof; he should spend sufficient time in solemn prayer, particular confession of sin, especially of the sins of the day and place, with their provocations, which have brought down the judgments of Heaven. The whole day should be spent in deep humiliation and mourning before God.

10. On days of thanks giving, he should give the like information respecting the authority and providences which call to their observance; he should likewise spend more than usual part of the time in the giving of thanks, agreeably to the occasion, and in singing psalms or hymns of praise.

11. On these days, it is the duty of all people to rejoice with holy gladness of heart; to let trembling be so joined with merriment, that no excess or unbecoming levity be indulged.

P. The Directory for Secret Family Worship.

1. Besides the public worship in congregations, it is the indispensable duty of each person, alone, in secret; and of every family, by itself, in private, to pray to, and worship God.

2. Secret worship is most plainly enjoined by our Lord. Every one, apart by himself or herself, is to spend sometime in prayer, reading the Scriptures, holy meditation, and serious self-examination. The many advantages resulting from a conscientious discharge of these duties, are best known to those who are found in the faithful discharge of them.

3. Family worship, which should be performed by every family, morning and evening, consists in prayer, reading the scriptures, and singing psalms.

4. The head of the family, who should lead in this service, ought to be very careful that all the members of his house hold duty attend, and that none should withdraw themselves unnecessarily from any part of family worship, and that all should refrain from their common business while the scriptures are read, and gravely attend to the same, no less than when prayer or praise is offered up.

5. The heads of families should be diligent in instructing their children and servants in the principles of religion. Every proper opportunity should be embraced for such instruction.

6. Whenever possible, the Sabbath evenings, after public worship, should be sacredly preserved for such instruction, and all other practices that may interfere with this important and necessary duty, on the day or time appointed for it, should be carefully avoided.

APPENDIX II.

FORMS AND STYLES.

I. FORMS OF EXTRACTS.

1. When Whole Minute is Given.

At _____, the _____ day of _____ 19____, which day the _____ of _____ having met and been constituted;—Sederunt (give it in full). etc., etc.

Extracted by _____
Clerk.

2. When only part given.

At, etc. (no Sederunt).
Inter alia, etc., etc.

Extracted by _____
.....Clerk.

II. RECORD OR FORM OF THE LICENSURE.

At _____ the _____ day of _____ 19____, the Presbytery of _____ having received testimonials in favour of _____, of his having gone through a regular course

of Literature; of his good moral character, and of his being in the communion of the Church, proceeded to take the usual parts of trial for his licensure; and he having given satisfaction as to his accomplishments in literature; as to his experimental acquaintance with religion; and as to his proficiency in divinity and other studies; the Presbytery did, and hereby do, express their approbation of all these parts of Trial, and he having adopted the Confession of Faith of this Church, and satisfactorily answered the questions appointed to be put to candidates to be licensed; the Presbytery did, and hereby do license him, the said to preach the Gospel of Christ, as a probationer for the holy ministry, within the bounds of this Presbytery, or wherever else he shall be orderly called.

Moderator.
Clerk.

III. FORM OF A CALL.

The congregation of being, on sufficient grounds, well satisfied of the ministerial qualifications of you and having good hopes, from our past experience of your labours, that your ministrations in the Gospel will be profitable to our spiritual interests, do earnestly call and desire you to undertake the pastoral office in said congregation; promising you, in the discharge of your duty, all proper support, encouragement and obedience in the Lord. In order that you may be free from worldly cares and avocations, we hereby promise and oblige ourselves to pay you the sum of in regular monthly or quarterly payments, during the time of your being and continuing the regular pastor of this Church. In testimony whereof, we have respectively subscribed our names, this day of

A.D.

Attested by A.B., moderator of the meeting.

IV. FORM OF COMMISSION TO THE GENERAL ASSEMBLY.

The Presbytery of being met and constituted, at the day of 19 doth hereby appoint of the Congregation of (or bishop ruling elder in the congregation of as the case may be) to be a commissioner, on behalf of this Presbytery, to the next General Assembly of the Presbyterian Church of Africa, to meet at on the day of A.D. or wherever, and whenever the said Assembly may happen to sit; to consult, vote, and determine, on all things that may come before that body, according to the principles and constitution of this Church, and the Word of God. And of his diligence herein, he is to render an account at his return, and the said Presbytery do hereby testify and declare, that all the ministers and elders have signed the Formula.

Signed by order of the Presbytery,

Moderator.
Clerk.

V. ELDER'S COMMISSION TO PRESBYTERY AND SYNOD.

At the day of 19
which day the Church Session of the Presbyterian Church of Africa Congregation of , being met and constituted, inter alia, did, and hereby do, certify and declare, that , Ruling Elder, and member of said Session, is bona fide, an Acting Elder of their Congregation, that he has signed the Formula, and that he is elected to represent the said Session in Presbytery and Synod, for the current year.

Signed by order of the Session,

Moderator.

Clerk.

VI. MOTION CARRIED, AND COMPLAINED OF.

It was moved and seconded, That;
It was also moved and seconded, That,
The Session resolved

From which judgment Mr. , dissented, in the name of himself and all those who may adhere to him, and protested for leave to complain to the Presbytery of , promising to give in Reasons, in due time, and took instruments in the Clerk's hands and craved extracts, which were allowed. The following members were appointed to defend the judgment of the Session at the bar of the Presbytery, viz.—

Closed with prayer.

VII. FORM OF EDICT FOR ORDINATION AND ADMISSION OF ELDERS TO BE READ FROM THE PULPIT.

At the day of 19 ,
the Church Session of the Presbyterian Church of Africa Congregation of , having appointed an election of Elders to take place on the day of , 19 ,
and the Congregation, after due intimation, having made a choice of Mr. and Mr. etc., and the Session having judged the aforesaid duly qualified for the office, and the said Mr. etc., having intimated their (or his) acceptance of the office, the Church Session did, on the day of 19 , appoint the ordination and admission to the office of the Eldership of the said Mr. (and, if any person or persons chosen have been already ordained), the induction of the said Mr.), etc., to take place on Sabbath, the day of , 19 . It is accordingly thereby intimated, that if any member of the Congregation have objections to state to the life or doctrine of the said Mr. etc., he will have an opportunity of doing so at a meeting of Session to be held in on the day of 19 .

VIII. PETITION TO THE CHURCH SESSION WITH REFERENCE TO CONGREGATIONAL MATTERS.

To the Moderator and other Members of the Church Session of _____, The humble Petition of the undersigned sheweth, that, etc., etc. Your Petitioners, therefore ask you to take such steps as you can consistently with the laws of the Church for, etc., etc. (Then follow signatures with designations, including Church Membership, etc.).

IX. PETITION BY THE CHURCH SESSION OR OTHERS TO THE PRESBYTERY WITH REFERENCE TO THE CONDUCT OF THE MINISTER.

To the Moderator and Members of the Presbytery of _____
The humble Petition of the undersigned sheweth,—That we are painfully constrained by a sense of duty to represent that the Rev. _____, our minister, has acted in a manner recently which, in our view, calls for your notice and interposition, in as much as :—1. The
2. Etc., etc.

It appears to us that we have no remedy, except in petitioning your Revd. body. We therefore, ask you to take the matter into your consideration, and to make such inquiry as to your wisdom may seem meet, whether by Presbyterial visitation or otherwise. (Then follow signatures and designations, etc.).

X. PETITION AGAINST ARBITRARY ACTION OF THE CHURCH SESSION.

To the Moderator and other members of the Presbytery of _____, the humble petition of the undersigned sheweth, —That the Church Session of _____ did, _____ and thereby deprived your petitioners of the usual remedy by appeal. Your Petitioners therefore, crave the interposition of your Revd. Court to rectify the injustice that has been done. (Then follow signatures, and designations).

XI. CONCURRENCE IN CALL BY ADHERENTS.

We, the Subscribers, ordinary bearers in the Presbyterian Church of Africa Congregation of _____, hereby declare our hearty concurrence in the Call addressed by the members of the said Congregation to Mr. A.B. _____ to be their Pastor. (Here follow the signatures).

XII. FORMULA (To be Subscribed by Probationers before Receiving License, and by all Ministers and Elders at the time of their Admission).

I, _____, do hereby declare, that I do sincerely own and believe the whole doctrine contained in the Confession of Faith, approved by former General Assemblies of this Church to be the truths of God, and I do own the same as the confession of my faith; as likewise I do own the purity of worship presently authorized and practised in the Presbyterian Church of _____

Africa, and also the Presbyterian government and discipline thereof, which doctrine, worship, and Church Government, I am persuaded, are founded on the Word of God, and agreeable thereto. I also approve of the general principles respecting the jurisdiction of the Church, and her subjection to Christ as her only Head, which are contained in the questions already put to me. And I promise that, through the Grace of God, I shall firmly and constantly adhere to the same, and to the utmost of my power shall, in my station, assert, maintain, and defend the said doctrine, worship, discipline, and government of this Church, by Church Sessions, Presbyteries, Provincial Synods, and General Assemblies, together with the liberty and exclusive jurisdiction thereof. And that I shall, in my practice, conform myself to the said worship, and submit to the said discipline, government, and exclusive jurisdiction of this Church, renouncing all doctrines, tenets, and opinions whatsoever, contrary to, or inconsistent with, the said doctrine, worship, discipline, government, or jurisdiction of the same.

XIII. FORMULA TO BE SUBSCRIBED BY DEACONS AT THE TIME OF THEIR ADMISSION.

I, _____, hereby declare, that I do sincerely own and receive, as in accordance with Holy Scripture, the System of Evangelical Truth taught in this Church, and set forth in the Shorter Catechism. I approve of the Presbyterian government and discipline of the Church. I am persuaded that the Civil Magistrate has no jurisdiction or authoritative control over the regulation of the affairs of Christ's Church; and I promise, through grace, to perform all the duties of the Deaconship faithfully and cheerfully.

