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THE
Constitution and Canons

OF THE PROTESTANT EPISCOPAL CHURCH

IN THE UNITED STATES OF AMERICA;

THE CONSTITUTION AND CANONS

OF THE DIOCESE OF NEW JERSEY;

THE LEGISLATIVE ACTS HAVING RELATION TO IT;

AND

SEVERAL USEFUL FORMS.

Burlington:

AT THE MISSIONARY PRESS.

M DCCC XXXVII.

1837

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THE CONSTITUTION AND CANONS

OF THE EPISCOPAL CHURCH

IN THE UNITED STATES OF AMERICA

THE CONSTITUTION AND CANONS

OF THE BISHOP OF NEW YORK

THE LEGISLATIVE ACTS HAVING RELATION TO THE

1830

SEVERAL USEFUL FORMS

Washington:

AT THE NATIONAL PRESS.

M DCCC XXXVII.

THE
CONSTITUTION
OF THE
Protestant Episcopal Church
IN THE
UNITED STATES OF AMERICA.

ARTICLE I.

There shall be a General Convention of the Protestant Episcopal Church in the United States of America, at such time in every third year, and in such place, as shall be determined by the Convention; and in case there shall be an epidemic disease, or any other good cause to render it necessary to alter the place fixed on for any such meeting of the Convention, the presiding Bishop shall have it in his power to appoint another convenient place (as near as may be to the place so fixed on) for the holding of such Convention: and special meetings may be called at other times, in the manner hereafter to be provided for; and this Church, in a majority of the States which shall have adopted this Constitution, shall be represented, before they shall proceed to business; except that the representation from two States shall be sufficient to adjourn: and in all business of the Convention, freedom of debate shall be allowed.

ARTICLE II.

The Church in each State shall be entitled to a representation of both the Clergy and the Laity, which representation shall consist of one or more deputies, not exceeding four of each order, chosen by the Convention of the State; and in all questions, when required by the clerical and lay representation from any State, each order shall have one vote; and the majority of suffrages by States shall be con-

clusive in each order, provided such majority comprehend a majority of the States represented in that order: the concurrence of both orders shall be necessary to constitute a vote of the Convention. If the Convention of any State should neglect or decline to appoint clerical deputies, or if they should neglect or decline to appoint lay deputies, or if any of those of either order appointed should neglect to attend, or be prevented by sickness or any other accident, such State shall nevertheless be considered as duly represented by such deputy or deputies as may attend, whether lay or clerical. And if, through the neglect of the Convention of any of the Churches which shall have adopted, or may hereafter adopt, this Constitution, no deputies, either lay or clerical, should attend at any General Convention, the Church in such State shall nevertheless be bound by the acts of such Convention.

ARTICLE III.

The Bishops of this Church, when there shall be three or more, shall, whenever General Conventions are held, form a separate house, with a right to originate and propose acts, for the concurrence of the House of Deputies, composed of Clergy and Laity: and when any proposed act shall have passed the House of Deputies, the same shall be transmitted to the House of Bishops, who shall have a negative thereupon; and all acts of the Convention shall be authenticated by both Houses. And in all cases, the House of Bishops shall signify to the Convention their approbation or disapprobation (the latter with their reasons in writing) within three days after the proposed act shall have been reported to them for concurrence; and in failure thereof, it shall have the operation of the law. But until there shall be three or more Bishops, as aforesaid, any Bishop attending a General Convention shall be a member *ex officio*, and shall vote with the clerical deputies of the State to which he belongs; and a Bishop shall then preside.

ARTICLE IV.

The Bishop or Bishops in every state shall be chosen agreeably to such rules as shall be fixed by the Convention of that State: and every Bishop of this Church shall confine the exercise of his Epis-

copal office to his proper diocese or district, unless requested to ordain or confirm, or perform any other act of the Episcopal office, by any Church destitute of a Bishop.

ARTICLE V.

A Protestant Episcopal Church in any of the United States, not now represented, may, at any time hereafter, be admitted, on according to this Constitution.

ARTICLE VI.

In every State, the mode of trying Clergymen shall be instituted by the Convention of the Church therein. At every trial of a Bishop, there shall be one or more of the Episcopal order present; and none but a Bishop shall pronounce sentence of deposition or degradation from the ministry on any Clergymen, whether Bishop, or Presbyter, or Deacon.

ARTICLE VII.

No person shall be admitted to holy orders, until he shall have been examined by the Bishop, and by two Presbyters, and shall have exhibited such testimonials and other requisites as the Canons, in that case provided, may direct. Nor shall any person be ordained, until he shall have subscribed the following declaration:—"I do believe the Holy Scriptures of the Old and New Testament to be the word of God, and to contain all things necessary to salvation: and I do solemnly engage to conform to the doctrines and worship of the Protestant Episcopal Church in these United States." No person ordained by a foreign Bishop shall be permitted to officiate as a minister of this Church, until he shall have complied with the Canon or Canons in that case provided, and have also subscribed to the aforesaid declaration.

ARTICLE VIII.

A Book of Common Prayer, Administration of the Sacraments, and other Rites and Ceremonies of the Church, Articles of Religion, and a Form and Manner of Making, Ordaining, and Consecrating Bishops, Priests, and Deacons, when established by this or a future

General Convention, shall be used in the Protestant Episcopal Church in those States which shall have adopted this Constitution. No alteration or addition shall be made in the Book of Common Prayer, or other offices of the Church, or the Articles of Religion, unless the same shall be proposed in one General Convention, and by a resolve thereof made known to the Convention of every Diocese or State, and adopted at the subsequent General Convention.

ARTICLE IX.

This Constitution shall be unalterable, unless in General Convention, by the Church, in a majority of the States which may have adopted the same; and all alterations shall be first proposed in one General Convention, and made known to the several State Conventions before they shall be finally agreed to or ratified in the ensuing General Convention.

Done in the General Convention of the Bishops, Clergy, and Laity of the Church, the 2nd day of October, 1789.

Note.—When the Constitution was originally adopted in August, 1789, the first Article provided that the Triennial Convention should be held on the *first Tuesday in August*. At the adjourned meeting of the Convention, held in October of the same year, it was provided that the *second Tuesday in September, in every third year*, should be the time of meeting. The time was again changed to the *third Tuesday in May*, by the General Convention of 1804.—See Bioren's edition of the Journals of the General Convention, 1817, pp. 61, 75, and 216.

The first Article was put into its present form at the General Convention of 1823.

The third Article was so altered by the General Convention of 1808, as to give the House of Bishops a full veto upon the proceedings of the other House.—See Journals of the General Convention, pp. 248, 249.

The second sentence of the 8th Article was adopted at the General Convention of 1811.—See Journals of the General Convention, p. 274.

The words "or the Articles of Religion," were added to the eighth Article by the General Convention of 1829.

CANONS

OF THE

Protestant Episcopal Church.

CANON I.

Of the Orders of Ministers in this Church.

[This canon was first adopted in 1789—Journals of General Convention, p. 93.]

In this Church there shall always be three orders in the ministry, viz. bishops, priests, and deacons.

CANON II.

Of the Election of Bishops.

[Repealed by the first canon of 1835.]

CANON III.

Of the Certificates to be produced on the part of the Bishops elect.

[Former canons on this subject were the second of 1789—Journals, p. 94; the fourth of 1792—Journals, p. 129; and the third of 1808—Journals, p. 329.]

Sect. 1. Every Bishop elect, before his consecration, shall produce to the House of Bishops, from the Convention by whom he is elected, evidence of such election, and from the House of Clerical and Lay Deputies in General Convention, evidence of their approbation of his testimonials, and of their assent to his consecration, and also certificates respectively, in the following words: such certificates, in both cases, to be signed by a constitutional majority of the clerical and lay deputies composing the state Convention, or the House of Clerical and Lay Deputies, as the case may be. The same evidence of election by, and the same certificate from the members of, the state

Convention shall be presented to the House of Clerical and Lay Deputies in General Convention.

Testimony of the members of the Convention in the diocese from whence the Person is recommended for Consecration.

We, whose names are underwritten, fully sensible how important it is, that the sacred office of a Bishop should not be unworthily conferred, and firmly persuaded that it is our duty to bear testimony on this solemn occasion, without partiality or affection, do, in the presence of Almighty God, testify, that A. B. is not, so far as we are informed, justly liable to evil report, either for error in religion, or for viciousness in life; and that we do not know or believe there is any impediment on account of which he ought not to be consecrated to that holy office. We do moreover jointly and severally declare that we do in our conscience believe him to be of such sufficiency in good learning, such soundness in the faith, and of such virtuous and pure manners, and godly conversation, that he is apt and meet to exercise the office of a Bishop, to the honour of God and the edifying of his Church, and to be a wholesome example to the flock of Christ.

The above certificate shall be presented to the House of Clerical and Lay Deputies in General Convention.

Testimony from the House of Clerical and Lay Deputies in General Convention.

We, whose names are underwritten, fully sensible how important it is, that the sacred office of a Bishop should not be unworthily conferred, and firmly persuaded that it is our duty to bear testimony on this solemn occasion, without partiality or affection, do, in the presence of Almighty God, testify, that A. B. is not, so far as we are informed, justly liable to evil report, either for error in religion or for viciousness of life; and that we do not know or believe there is any impediment on account of which he ought not to be consecrated to that holy office; but that he hath, as we believe, led his life for three years last past, piously, soberly, and honestly.

Sect. 2. If the House of Bishops consent to the consecration, the presiding Bishop, with any two Bishops, may proceed to perform the same, or any three Bishops, to whom he may communicate the testimonials.

CANON IV.

Of Standing Committees.

[Former canons on this subject were the sixth of 1789—Journals, p. 95 ; the second of 1795—Journals, p. 153 ; and the fourth and twenty-fourth of 1808—Journals, pp. 330, 336.]

Sect. 1. In every diocese there shall be a Standing Committee, to be appointed by the Convention thereof, whose duties, except so far as provided for by the canons of the General Convention, may be prescribed by the canons of the respective dioceses. They shall elect from their own body a president and a secretary. They may meet on their own adjournment, from time to time; and the president shall have power to summon special meetings whenever he shall deem it necessary.

Sect. 2. In every diocese where there is a Bishop, the Standing Committee shall be a council of advice to the Bishop. They shall be summoned on the requisition of the Bishop, whenever he shall wish for their advice. And they may meet of their own accord, and agreeably to their own rules, when they may be disposed to advise the Bishop.

Sect. 3. Where there is no Bishop, the Standing Committee is the ecclesiastical authority for all purposes declared in these canons.

CANON V.

Of the Consecration of Bishops during the recess of the General Convention.

[Former canons on this subject were the second of 1799—Journals, p. 186, the fifth of 1808—Journals, p. 330 ; and the sixth of 1820.]

Sect. 1. If, during the recess of the General Convention, the Church in any diocese should be desirous of the consecration of a Bishop elect, the Standing Committee of the Church in such diocese, may, by their president, or by some person or persons specially appointed, communicate the desire to the standing committees of the Churches in the different dioceses, together with copies of the necessary testimonials: and if the major number of the Standing Committees shall consent to the proposed consecration, the Standing Committee of the diocese concerned, shall forward the evidence of such

consent, together with other testimonials, to the Presiding Bishop of the House of Bishops, or in case of his death, to the Bishop who, according to the rules of the House of Bishops, is to preside at the next General Convention, who shall communicate the same to all the Bishops of this Church in the United States; and if a majority of the Bishops consent to the consecration, the Presiding Bishop, or Bishop aforesaid, with any two Bishops, may proceed to perform the same; or any three bishops to whom he may communicate the testimonials.

Sect. 2. The evidence of the consent of the different Standing Committees shall be in the form prescribed by the House of Clerical and Lay Deputies in General Convention; and without the aforesaid requisites, no consecration shall take place during the recess of the General Convention. But in case the election of a Bishop shall take place within a year before the meeting of the General Convention, all matters relative to the consecration shall be deferred until the said meeting.

CANON VI.

Of Assistant Bishops.

[The former canon on this subject was the fifth of 1829.]

When a Bishop of a diocese is unable, by reason of old age, or other permanent cause of infirmity, to discharge his episcopal duties, one assistant Bishop may be elected by and for the said diocese, who shall in all cases succeed the Bishop in case of surviving him. The assistant Bishop shall perform such episcopal duties, and exercise such episcopal authority in the diocese, as the Bishop shall assign to him; and in case of the Bishop's inability to assign such duties, declared by the Convention of the diocese, the assistant Bishop shall, during such inability, perform all the duties, and exercise all the authorities which appertain to the office of Bishop. No person shall be elected or consecrated a suffragan Bishop, nor shall there be more than one assistant Bishop in a diocese at the same time.

CANON VII.

Of the Performance of Episcopal Duties in vacant dioceses.

[Former canons on this subject were the first of 1795—Journals, p. 153 ; and the twentieth of 1808—Journals, p. 335.]

Sect. 1. Any Bishop or assistant Bishop may, on the invitation of the Convention or the Standing Committee of any diocese where there is no Bishop, visit and perform Episcopal offices in that diocese, or in any part thereof. And this invitation may be temporary ; and it may at any time be revoked.

Sect. 2. A diocese without a Bishop may, by its Convention, be placed under the full Episcopal charge and authority of the Bishop of another diocese, who shall by that act become the Bishop also of the said vacant diocese, until a Bishop is duly elected and consecrated for the same, or until the said act of its Convention be revoked. And in case there shall be an assistant Bishop of the diocese, under the Episcopal charge of whose Bishop the diocese without a Bishop shall be placed, the said assistant Bishop shall have the like charge and authority therein as he has in the diocese of which he has been chosen assistant Bishop.

Sect. 3. No diocese thus placed under the full charge and authority of the Bishop of another diocese, shall invite a second Bishop to perform any Episcopal duty, or exercise authority, till its connexion with the first Bishop has expired or is revoked. Where there is no Bishop, the Standing Committee is the ecclesiastical authority for all purposes declared in these canons.

CANON VIII.

Of the Age of those who are to be Ordained or Consecrated.

[Former canons on this subject were the fourth of 1789—Journals, p. 95 ; the third of 1795—Journals, p. 154 ; and the sixth of 1808—Journals, p. 330.]

Deacon's orders shall not be conferred on any person until he shall be twenty-one years old, nor priest's orders on any one until he shall be twenty-four years old. And no deacon shall be ordained priest, unless he shall have been a deacon one year, except for reasonable causes it shall otherwise seem good unto the Bishop. No man shall be consecrated a Bishop of this Church, until he shall be thirty years old.

CANON IX.

Of Candidates for Orders.

[Former canons on this subject were the sixth of 1795—Journals, p. 155; the seventh of 1804—Journals, p. 238; the seventh of 1808—Journals, p. 330; the eighth of 1820; the first of 1823; and the canon of 1826.]

Sect. 1. Every person who desires to become a candidate for orders in this Church, shall, in the first instance, give notice of his intention to the Bishop, or, if there be no Bishop, to such body as the Church in the diocese in which he intends to apply may appoint, or, where no appointment is made, to the president of the Standing Committee.

Sect. 2. No person shall be considered as a candidate for orders in this Church, unless he shall have produced to the Bishop to whom he intends to apply for orders, a certificate from the Standing Committee of the diocese of the said Bishop, that from personal knowledge, or from testimonials laid before them, they believe that he is pious, sober and honest; that he is attached to the doctrines, discipline, and worship of the Protestant Episcopal Church, and a communicant of the same; and, in their opinion, possesses such qualifications as will render him apt and meet to exercise the ministry to the glory of God and the edifying of the Church. And when the standing committee do not certify as above from personal knowledge, the testimonials laid before them shall be of the same purport, and as full as the certificate above required, and shall be signed by at least one presbyter and four respectable laymen of the Protestant Episcopal Church.

Sect. 3. In addition to the above testimonials, the person wishing to become a candidate must lay before the Standing Committee a satisfactory diploma, or a certificate from the instructor or instructors of some approved literary institution, which certificate must state what have been his studies, and the extent of his improvement in them; or a certificate from two presbyters, appointed by the ecclesiastical authority of the diocese to examine him, of his possessing such academical learning, as may enable him to enter advantageously on a course of theology.

Sect. 4. When a person applying to be admitted a candidate wishes the knowledge of the Latin, Greek, and Hebrew languages, and

other branches of learning not strictly ecclesiastical, to be dispensed with, the Standing Committee shall not recommend him as a candidate until he has laid before them a testimonial, signed by at least two presbyters of this Church, stating that in their opinion he possesses extraordinary strength of natural understanding, a peculiar aptitude to teach, and a large share of prudence; and the Bishop, with the consent of a majority of the clerical members of the Standing Committee, shall have granted said dispensation. This dispensation shall not be granted to any person under twenty-seven years of age, nor shall any person be ordained under such a dispensation until he shall have attained thirty years of age. And in regard to the knowledge of the Hebrew language in all cases in these canons, the Bishop shall have the sole discretion of dispensation, without reference to the age of the candidate, as mentioned in this section.

Sect. 5. With this enumeration of qualifications, it ought to be made known to the candidate, that the Church expects of him, what can never be brought to the test of any outward standard—an inward fear and worship of Almighty God; a love of religion and a sensibility to its holy influence; a habit of devout affection; and in short, a cultivation of all those graces which are called in Scripture the fruits of the Spirit, and by which alone his sacred influences can be manifested.

Sect. 6. The requisition of this canon being fulfilled, the Bishop may admit the person as a candidate for orders, and shall record the same in a book to be kept for that purpose, and notify the candidate of such record. And in any diocese where there is no Bishop, the Standing Committee may, on the same conditions, admit the person as a candidate, and shall make record and notification in the same manner.

Sect. 7. If, after obtaining the canonical testimonials from the Standing Committee, the person be admitted as a candidate by the Bishop, or, if there be no Bishop, by the Standing Committee, he shall remain a candidate for the term of three years before his ordination, unless the Bishop, with the consent of the clerical members of the Standing Committee, shall deem it expedient to ordain the candidate after the expiration of a shorter period, not less than one year.

Sect. 8. A candidate for orders may, on letters of dismission from

the Bishop or Standing Committee of the diocese in which he was admitted a candidate, be ordained by any Bishop of this Church. And if there be a Bishop within the diocese where the candidate resides, he shall apply to no other Bishop for ordination without the permission of the former.

Sect. 9. If any candidate for orders shall not, within three years after his admission, apply to have his first and second examinations held, as hereafter prescribed, or if he shall not, within five years from his admission, apply to have his third and fourth examinations held, (unless the Bishop, for satisfactory reasons to him assigned, shall allow him further time,) the said person shall, in either case, cease to be a candidate.

Sect. 10. A person desirous of becoming a candidate for holy orders, shall apply to the Bishop or ecclesiastical authority of the diocese in which he resides, unless the said Bishop or ecclesiastical authority shall give their consent to his application in some other diocese. Candidates shall not change their canonical residence but for *bona fide* causes requiring the same, to be judged of by the Bishop of ecclesiastical authority; and they shall not be dismissed from the dioceses in which they were admitted, or to which they have been duly transferred for the convenience of attending any theological or other seminary.

CANON X.

Of the conduct required in Candidates for Orders.

[The former canon on this subject was the eighth of 1808—Journals, p. 331.]

The Bishop, or other ecclesiastical authority, who may have the superintendence of candidates for orders, shall take care that they pursue their studies diligently and under proper direction, and that they do not indulge in any vain or trifling conduct, or in any amusements most liable to be abused to licentiousness, or unfavourable to that seriousness, and those pious and studious habits, which become those who are preparing for the holy ministry.

CANON XI.

Of Candidates for orders who are Lay Readers.

[Former canons on this subject were the tenth of 1804—Journals, p. 239; and the nineteenth of 1808—Journals, p. 335.]

No candidate for holy orders shall take upon himself to perform the service of the Church, but by a license from the Bishop, or, if there be no Bishop, the clerical members of the Standing Committee of the diocese in which such candidate may wish to perform the service. And such candidate shall submit to all the regulations which the Bishop or said clerical members may prescribe; he shall not use the absolution or benediction; he shall not assume the dress appropriate to clergymen ministering in the congregation; and shall officiate from the desk only; he shall conform to the directions of the Bishop or said clerical members, as to the sermons or homilies to be read; nor shall any lay reader deliver sermons of his own composition; nor, except in cases of extraordinary emergency, or very peculiar expediency, perform any part of the service, when a clergyman is present in the congregation.

CANON XII.

Of Candidates who may be refused Orders.

[Former canons on this subject were the ninth of 1804—Journals, p. 238; and the sixteenth of 1808—Journals, p. 334.]

No Bishop shall ordain any candidate until he has inquired of him whether he has ever directly or indirectly, applied for orders in any other diocese; and if the Bishop has reason to believe that the candidate has been refused orders in any other diocese, he shall write to the Bishop of the diocese, or, if there be no Bishop, to the Standing Committee, to know whether any just cause exists why the candidate should not be ordained. When any Bishop rejects the application of any candidate for orders, he shall immediately give notice to the Bishop of every diocese, or, where there is no Bishop, to the Standing Committee.

CANON XIII.

Of the Learning of those who are to be Ordained.

[Former canons on this subject were the seventh of 1789—Journals, p. 96, altered in 1792—Journals, p. 129; the fourth of 1795—Journals, p. 154; the fourth of 1799—Journals, p. 187; the second of 1801—Journals, p. 208; and the ninth of 1808—Journals, p. 331.]

No person shall be ordained in this Church until he shall have satisfied the Bishop and the presbyters by whom he shall be examined, that he is well acquainted with the Holy Scriptures, can read the Old Testament in the Hebrew language, and the New Testament in the original Greek, is adequately acquainted with the Latin tongue, and that he hath a competent knowledge of natural and moral philosophy, and Church history, and hath paid attention to composition and pulpit eloquence, as means of giving additional efficacy to his labours; unless the Bishop, with the consent of the majority of the clerical members of the Standing Committee of his diocese, has dispensed with the knowledge of the Latin and Greek languages, and other branches of learning not strictly ecclesiastical, in consideration of such other qualifications for the Gospel ministry as are set forth in the fourth section of Canon IX. The dispensation, with a knowledge of the Hebrew language, to be regarded as in Canon IX.

CANON XIV.

Of the Preparatory Exercises of a Candidate for Deacon's orders.

[Former canons on this subject were the sixth of 1795—Journals, p. 155; and the tenth of 1808—Journals, p. 331.]

Sect. 1. There shall be assigned to every candidate for deacon's orders, four different examinations, at such times and places as the Bishop to whom he applies for orders shall appoint. The examination shall take place in the presence of the Bishop and two or more presbyters, on the following studies prescribed by the canons, and by the course of study established by the House of Bishops. At the first examination—on some approved treatises on natural philosophy, moral philosophy and rhetoric, and in the Hebrew Bible, the Greek Testament, and the Latin tongue. At the second examination—on the books of Scripture; the candidate being required to give an ac-

count of the different books, and to explain such passages as may be proposed to him. At the third examination—on the evidences of Christianity, and systematic divinity. And at the last examination—on Church history, ecclesiastical polity, the Book of Common Prayer, and the Constitutions and Canons of the Church, and of the diocese for which he is to be ordained. In the choice of books on the above subjects, the candidate is to be guided by the course of study established by the House of Bishops. At each of the forementioned examinations he shall produce and read a sermon or discourse, composed by himself, on some passage of Scripture previously assigned him, which, together with one other sermon or discourse on some passage of Scripture selected by himself, shall be submitted to the criticism of the Bishop and Clergy present. And before his ordination, he shall be required to perform such exercises in reading, in the presence of the Bishop and Clergy, as may enable them to give him such advice and instructions as may aid him in performing the service of the Church, and in delivering his sermons with propriety and devotion.

Sect. 2. The Bishop may appoint some of his presbyters to conduct the above examinations; and a certificate from these presbyters that the prescribed examinations have been held accordingly, and satisfaction given, shall be required of the candidate. Provided that, in this case, the candidate shall, before his ordination, be examined by the Bishop, and two or more presbyters, on the above-named studies.

Sect. 3. In a diocese where there is no Bishop, the Standing Committee shall act in his place in appointing the examining presbyters required by this canon; and in this case the candidate shall be again examined by the Bishop to whom he applies for orders, and two or more presbyters, on the studies prescribed by the canons.

Sect. 4. A Clergyman who presents a person to the Bishop for orders, as specified in the Office of Ordination, without having good grounds to believe that the requisitions of the canons have been complied with, shall be liable to ecclesiastical censure.

CANON XV.

Of the Testimonials to be produced on the part of those who are to be ordained.

[Former Canons on this subject were the sixth of 1789—Journals, p. 95; the fourth of 1792—Journals, p. 129; the second of 1795—Journals, p. 153; and the twelfth of 1808—Journals, p. 432.]

Sect. 1. No person shall be ordained Deacon or Priest in this Church, unless he exhibit to the Bishop the following testimonial from the Standing Committee of the Diocese for which he is to be ordained, which recommendation shall be signed by the names of a majority of all the Committee, the Committee being duly convened, and shall be in the following words:—

“We, whose names are hereunder written, testify that A. B., hath laid before us satisfactory testimonials, that for the space of three years last past, he hath lived piously, soberly, and honestly; and hath not written, taught, or held any thing contrary to the doctrine or discipline of the Protestant Episcopal Church; and moreover, we think him a person worthy to be admitted to the sacred order of——. In witness whereof, we have hereunto set our hands, this——day of ——, in the year of our Lord ——.”

Sec. 2. But before a Standing Committee shall proceed to recommend any candidate, as aforesaid, to the Bishop, such candidate shall produce from the Minister and Vestry of the parish where he resides, or from the Vestry alone, if the parish be vacant, or if the applicant be the Minister of the parish, a Deacon desirous of Priest's orders; or, if there be no Vestry, from at least twelve respectable persons of the Protestant Episcopal Church, testimonials of his piety, good morals, and orderly conduct in the following form:—“We, whose names are hereunder written, do testify, from evidence satisfactory to us, that A. B., for the space of three years last past, hath lived piously, soberly, and honestly; and hath not, so far as we know or believe, written, taught, or held any thing contrary to the doctrine or discipline of the Protestant Episcopal Church; and moreover we think him a person worthy to be admitted to the sacred order of ——. In witness whereof, we have hereunto set our hands, this —— day of ——, in the year of our Lord ——.” He shall also lay before the Standing Committee testimonials, signed by at

least one respectable Presbyterian of the Protestant Episcopal Church in the United States, in the following form:—"I do testify that A. B., for the space of three years last past, hath lived piously, soberly, and honestly; and hath not, so far as I know or believe, written, taught, or held any thing contrary to the doctrine or discipline of the Protestant Episcopal Church; and, moreover, I think him a person worthy to be admitted to the sacred order of ——. This testimonial is founded on my personal knowledge of the said A. B., for one year last past, and for the residue of the said time, upon evidence that is satisfactory to me. In witness whereof, I have hereunto set my hand, this — day of —, in the year of our Lord —."

Sec. 3. But in case a candidate, from some peculiar circumstances not affecting his pious or moral character, should be unable to procure testimonials from the Minister and Vestry of the parish where he resides, the Standing Committee may accept testimonials of the purport above stated, from at least twelve respectable members of the Protestant Episcopal Church, and from at least one respectable Presbyterian of the said Church, who has been personally acquainted with the candidate for at least one year.

Sect. 4. Every candidate for Holy Orders, who may be recommended by the Standing Committee of any Church destitute of a Bishop, if he have resided for the greater part of the three years last past within the Diocese of any Bishop, shall apply to such Bishop for Ordination. And such candidate shall produce the usual testimonials, as well from the Committee of the diocese in which he has resided, as from the Committee of the Church in the diocese for which he is to be ordained.

Sec. 5. In the case of a candidate for Priest's orders, who has been ordained a Deacon within three years preceding, the testimonials above prescribed, may be so altered as to extend to such portion only of the three years preceding his application for Priest's orders, as have elapsed since his ordination as Deacon; and the Standing Committee shall allow the testimonials so altered the same effect as if in the form prescribed, and shall sign their own testimonial in such altered form, with the same effect as if in the form above prescribed, unless some circumstance shall have occurred that tends to invalidate the force of the evidence on which the candidate was ordained Deacon.

CANON XVI.

Of Candidates coming from Places within the United States, in which the Constitution of this Church has not been acceded to.

[Former Canons on this subject were the eighth of 1804—Journals, p. 238; and the fourteenth of 1808—Journals, p. 334.]

It is hereby declared, that the Canons of this Church, which respect candidates for Holy Orders, shall affect as well those coming from places in the United States in which the Constitution of this Church has not been acceded to, as those residing in States or territories in which it has been adopted; and in such cases, every candidate shall produce to the Bishop to whom he may apply for Holy Orders, the requisite testimonials, subscribed by the Standing Committee of the diocese into which he has come.

CANON XVII.

Of Deacons.

[The former Canon on this subject was the thirteenth of 1808—Journals, p. 333.]

Every Deacon shall be subject to the regulation of the Bishop, or if there be no Bishop, of the Clerical Members of the Standing Committee of the diocese for which he is ordained, unless he receive letters of dismission therefrom to the Bishop or ecclesiastical authority of some other diocese, and be thereupon received as a Clergyman of such other diocese; and he shall officiate in such places as the Bishop or the said clerical members may direct. It is hereby recommended that at the time a candidate is finally examined for deacon's orders, the Bishop shall assign to him in writing, the subjects or studies on which it is expedient that he should be particularly examined before being ordained Priest, and with that view name also some author who has treated of such subjects or studies from among the works recommended by the House of Bishops. And the said deacon shall deliver this document to the Bishop who examines him for Priest's orders.

CANON XVIII.

Of the Preparatory Exercises of a Candidate for Priest's Orders.

[The former canon on this subject was the eleventh of 1808—Journals, p. 332.]

A candidate for priest's orders shall, before his ordination, be required to undergo an examination in presence of the Bishop, and two or more presbyters, to be named by him, on any leading studies prescribed by the House of Bishops.

CANON XIX.

Of the Titles of those who are to be ordained Priest.

[Former canons on this subject were the fifth of 1789—Journals, p. 95; and the thirteenth of 1808—Journals, p. 333.]

No person shall be ordained priest, unless he shall produce to the Bishop a satisfactory certificate from some Church, parish, or congregation that he is engaged with them, and that they will receive him as their minister, or unless he be a Missionary under the ecclesiastical authority of the diocese to which he belongs; or in the employment of some Missionary society recognized by the General Convention; or unless he be engaged as a professor, tutor, or instructor of youth, in some college, academy, or other seminary of learning, duly incorporated.

CANON XX.

Of the Times of Ordination.

[Former canons on this subject were the eighth of 1789—Journals, p. 96; and the fifteenth of 1808—Journals, p. 334.]

Agreeably to the practice of the primitive Church, the stated times of ordination shall be on the Sundays following the Ember Weeks, viz. the second Sunday in Lent, the feast of Trinity, and the Sundays after the Wednesdays following the 14th day of September, and the 13th of December. Occasional ordinations may be held at such other times as the Bishop shall appoint.

CANON XXI.

Of those who have officiated as Ministers among other Denominations of Christians, and apply for Orders in this Church.

[Repealed by the third canon of 1835.]

CANON XXII.

Of Clergymen ordained for Foreign Parts.

[The former canon on this subject was the eighteenth of 1808—Journals, p. 334.]

No Bishop of this Church shall ordain any person to officiate in any congregation or Church destitute of a Bishop, situated without the jurisdiction of these United States, until the usual testimony from the Standing Committee, founded upon sufficient evidence of his soundness in the faith, and of his pious and moral character, has been obtained; nor until the candidate has been examined on the studies prescribed by the canons of this Church. And should any such Clergyman so ordained wish to settle in any congregation of this Church, he must obtain a special license therefor from the Bishop, and officiate as a probationer for at least one year.

CANON XXIII.

Of Clergymen ordained by Foreign Bishops, or by Bishops not in communion with this Church, and desirous of officiating or settling in this Church.

[Former canons on this subject were the ninth of 1789—Journals, p. 96; the fifth of 1804—Journals, p. 237; and the thirty-sixth of 1808—Journals, p. 341; see also the twenty-fourth of the present Canons.]

Sect. 1. A Clergyman coming from a foreign country, and professing to be regularly ordained, shall, before he be permitted to officiate in any parish, or congregation, exhibit to the minister, or if there be no minister, to the vestry thereof, a certificate, signed by the Bishop of the diocese, or, if there be no Bishop, by all the clerical members of the Standing Committee duly convened, that his letters of orders are authentic, and given by some Bishop whose authority is acknowledged by this Church, and also that he has exhibited to the Bishop or Standing Committee, satisfactory evidence of his pious and moral character, and his theological acquirements. And should he be guilty of any unworthy conduct, he shall be liable to presentment and trial. And in any case before he shall be entitled to settle in any parish or Church as the minister thereof, the Bishop or ecclesiastical authority of the diocese, must obtain satisfactory evidence of his respectable standing in the Church there; and he must also have resided one year in the United States.

Sect. 2. And if any such foreign Clergyman shall remove from one diocese to another before one year have expired, he shall not be allowed by the ecclesiastical authority of the diocese to which he goes, to officiate in said diocese, till he shall have complied with the requisitions of the canon concerning ministers removing from one diocese to another.

Sect. 3. And if such foreign Clergyman be a deacon, he shall remain in this country at least three years, and obtain in this country the required testimonials of character, before he be ordained a priest.

Sect. 4. When a deacon or priest, ordained by a Bishop not in communion with this Church, shall apply to a Bishop for reception into the same as a minister thereof, he shall produce the testimonials of character required in the first section of Canon XXI.; and shall also, not less than six months after his application, in the presence of the Bishop and two or more presbyters, subscribe the declaration contained in the seventh article of the Constitution; which being done, the Bishop, being satisfied of his theological acquirements, may receive him as such.

CANON XXIV.

Of Ministers celebrating Divine Service in a Foreign Language.

[The former canon on this subject was the sixth of 1829.]

When a Clergyman coming from a foreign country, and professing to be regularly ordained, shall be called to a Church of this communion in which divine service is celebrated in a foreign language, he may, with the approbation of the Bishop of the diocese in which such Church is situated, acting with the advice and consent of the Standing Committee, or with the unanimous approbation of the Standing Committee, if there be no Bishop, and on complying with the other requisitions of the canons, settle in the said Church, as the minister thereof, without having resided one year in the United States, any thing in the twenty-third canon to the contrary notwithstanding. And when a person, not a citizen of the United States, who has been acknowledged as an ordained minister of any other denomination of Christians, applies for orders in the Church, on the ground of a call to a Church in which divine service is celebrated in a foreign language, the Standing Committee of the diocese

to which the said Church belongs may, on sufficient evidence of fitness according to the canons, and by a unanimous vote at a meeting duly convened, recommend him to the Bishop for orders, and the Bishop may then ordain him, and he may be settled and instituted into the said Church, without his producing a testimonial to his character by a Clergyman, from his personal knowledge of him for one year, and without his having been a year resident in this country, any thing in any other canon of this Church to the contrary notwithstanding. *Provided*, That in both of the above cases, the person applying produce a certificate, signed by at least four respectable members of this Church, that they have satisfactory reason to believe the testimonials to his religious, moral, and literary qualifications to be entitled to full credit.

CANON XXV.

Of Episcopal Visitations.

[Former canons on this subject were the third of 1789—Journals, p. 94; the first of 1795—Journals, p. 153; the fourth of 1801—Journals, p. 208; and the twentieth of 1808—Journals, p. 335.]

Sect. 1. Every Bishop in this Church shall visit the Churches within his diocese, for the purpose of examining the state of his Church, inspecting the behaviour of his Clergy, and administering the apostolic rite of confirmation. And it is deemed proper, that such visitations be made once in three years at least, by every Bishop, to every Church within his diocese, which shall make provision for defraying the necessary expenses of the Bishop at such visitation. And it is hereby declared to be the duty of the minister and vestry of every Church or congregation to make such provision accordingly.

Sect. 2. But it is to be understood, that to enable the Bishop to make the aforesaid visitations, it shall be the duty of the Clergy, in such reasonable rotation as may be devised, to officiate for him in any parochial duties which belong to him.

Sect. 3. It shall be the duty of the Bishop to keep a register of his proceedings at every visitation of his diocese.

CANON XXVI.

Of the duty of Ministers in regard to Episcopal Visitations.

[Former canons on this subject were the eleventh of 1789—Journals, p. 97 ;
and the twenty-first of 1808—Journals, p. 335.]

Sect. 1. It shall be the duty of ministers to prepare young persons and others for the holy ordinance of confirmation. And on notice being received from the Bishop, of his intention to visit any Church, which notice shall be at least one month before the intended visitation, the minister shall give immediate notice to his parishioners individually as opportunity may offer; and also to the congregation on the first occasion of public worship after the receipt of said notice. And he shall be ready to present, for confirmation, such persons as he shall think properly qualified; and shall deliver to the Bishop a list of the names of those confirmed.

Sect. 2. And at every visitation it shall be the duty of the minister, and of the Church-wardens or Vestry, to give information to the Bishop of the state of the congregation, under such heads as shall have been committed to them in the notice given as aforesaid.

Sect. 3. And further, the ministers and Church-wardens of such congregations as cannot be conveniently visited in any year, shall bring or send to the Bishop, at the stated meeting of the Convention of the diocese, information of the state of the congregation under such heads as shall have been committed to them, at least one month before the meeting of the Convention.

CANON XXVII.

Of Episcopal Charges and Pastoral Letters.

[The former canon on this subject was the twenty-third of 1808—Journals,
p. 336.]

It is deemed proper that every Bishop of this Church shall deliver, at least once in three years, a Charge to the Clergy of his diocese, unless prevented by reasonable cause. And it is also deemed proper, that from time to time he shall address to the people of his diocese, Pastoral Letters on some points of Christian doctrine, worship, or manners.

CANON XXVIII.

Of Parochial Instruction.

[The former canon on this subject was the twenty-second of 1808—Journals, p. 336.]

The ministers of this Church who have charge of parishes or cures shall not only be diligent in instructing the children in the catechism, but shall also by stated catechetical lectures and instruction, be diligent in informing the youth and others in the doctrines, constitution, and liturgy of the Church.

CANON XXIX.

Of the duty of Ministers to keep a Register.

[Former canons on this subject were the fifteenth of 1789—Journals, p. 98 ; and the fortieth of 1808—Journals, p. 342.]

Sect. 1. Every minister of this Church shall keep a register of baptisms, confirmations, communicants, marriages, and funerals within his cure, agreeably to such rules as may be provided by the Convention of the diocese where his cure lies ; and if none such be provided, then in such a manner as, in his discretion, he shall think best suited to the uses of such a register.

And the intention of the register of baptisms is hereby declared to be, as for other good uses, so especially for the proving of the right of Church membership of those who may have been admitted into this Church by the holy ordinance of baptism.

Sect. 2. And further, every minister of this Church shall make out and continue, as far as practicable, a list of all families and adult persons within his cure ; to remain for the use of his successor, to be continued by him, and by every future minister in the same parish.

CANON XXX.

Of the Election and Institution of Ministers into Parishes or Churches.

[Former canons on this subject were the seventeenth of 1789—Journals, p. 99 ; the third of 1799—Journals, p. 187 ; the first of 1804—Journals, p. 234 ; the twenty-ninth of 1808—Journals, p. 337 ; and the second of 1814—Journals, p. 345.]

Sect. 1. It is hereby required, that on the election of a minister into any Church or parish, the Vestry shall deliver, or cause to be

delivered, to the Bishop, or, where there is no Bishop, to the Standing Committee of the diocese, notice of the same, in the following form, or to this effect:—

“ We, the Church-wardens, [or, *in case of an assistant minister*, We, the Rector and Church-wardens] do certify to the Right Rev. [naming the Bishop] or to the Rev. [naming the President of the Standing Committee,] that [naming the person] has been duly chosen rector [or, assistant minister, *as the case may be*] of [naming the parish, or Church, or Churches.]”

Which certificate shall be signed with the names of those who certify.

Sect. 2. And if the Bishop or the Standing Committee be satisfied that the person so chosen, is a qualified minister of this Church, the Bishop, or the President of the Standing Committee, shall transmit the said certificate to the Secretary of the Convention, who shall record it in a book to be kept by him for that purpose.

Sect. 3. But if the Bishop or the Standing Committee be not satisfied as above, he or they shall, at the instance of the parties, proceed to inquire into the sufficiency of the person so chosen, according to such rules as may be made in the respective dioceses, and shall confirm or reject the appointment, as the issue of that inquiry may be.

Sect. 4. And if the minister be a presbyter, the Bishop, or President of the Standing Committee, may, at the instance of the Vestry, proceed to have him instituted according to the office established by this Church, if that office be used in the diocese. But if he be a deacon, the act of institution shall not take place till after he shall have received priest's orders. This provision concerning the use of the office of institution, is not to be considered as applying to any congregation destitute of a house of worship.

CANON XXXI.

Of the officiating of Ministers of this Church in the Churches, or within the Parochial Cures of other Clergymen.

[Former canons on this subject were the sixth of 1792—Journals, p. 129; the fifth and seventh of 1795—Journals, p. 155; the thirty-third of 1808—Journals, p. 340; and the seventh of 1829.]

No Clergyman belonging to this Church shall officiate, either by preaching, reading prayers, or otherwise, in the parish, or within

the parochial cure of another Clergyman, unless he have received express permission for that purpose from the minister of the parish or cure, or, in his absence, from the Church-wardens and Vestrymen, or trustees of the congregation. Where parish boundaries are not defined by law, or otherwise, each city, borough, village, town, or township, in which there is one Protestant Episcopal Church or congregation, or more than one such Church or congregation, shall be held, for all the purposes of this canon, to be the parish or parishes, of the Protestant Episcopal Clergyman or Clergymen having charge of said Church or Churches, congregation or congregations. But if any minister of a Church shall, from inability, or any other cause, neglect to perform the regular services to his congregation, and shall refuse, without good cause, his consent to any other minister of this Church to officiate within his cure, the Church-wardens, Vestrymen, or trustees of such congregation, shall on proof of such neglect and refusal before the Bishop of the diocese, or, if there be no Bishop, before the Standing Committee, or before such persons as may be deputed by him or them, or before such persons as may be, by the regulations of this Church in any diocese, vested with the power of hearing and deciding on complaints against Clergymen, have power to open the doors of their Church to any regular minister of the Protestant Episcopal Church. And in case of such a vicinity of two or more Churches as that there can be no local boundaries drawn between their respective cures or parishes, it is hereby ordained, that in every such case no minister of this Church, other than the parochial Clergy of the said cures, shall preach within the common limits of the same, in any other place than in one of the Churches thereof, without the consent of the major number of the parochial Clergy of the said Churches.

CANON XXXII.

Of Episcopal Resignations.

Whereas the resignation of the episcopal jurisdiction of a diocese is to be discountenanced, but circumstances may sometimes create an exigency which would render an adherence to this principle inexpedient; it is hereby declared, that the episcopal resignation of a diocese may take place under the following restrictions; that is to say—

Sect. 1. A Bishop desiring to resign, shall declare his desire to do so, with the reasons therefor in writing, and under his hand and seal, to his council of advice, which shall record the said writing and send a copy of the same forthwith to every Clergyman and every parish in the diocese.

Sect. 2. At the next Convention of the said diocese, held not less than three months after the delivery of the said writing to the council of advice, the proposed resignation of its Bishop shall be considered; and if two-thirds of the Clergy present, entitled to vote in the election of a Bishop, and two thirds of the parishes in union with the said Convention, and entitled to a vote, and at that time represented, each parish having one vote by its delegate or delegates, shall consent to the proposed resignation, the subject shall be referred to the General Convention; but otherwise, the tender of resignation shall be void.

Sect. 3. The writing aforesaid, and the proceedings of the diocesan Convention consenting to the resignation, shall be laid before the House of Clerical and Lay Deputies at the next General Convention, which shall have cognizance of all matters relating to them; and if a majority of each order of that House, voting by states, shall agree to the measure, the said writing and proceedings shall be laid before the House of Bishops of that Convention; but otherwise, the said writing and proceedings shall be void.

Sect. 4. The said writing and proceedings being laid before the House of Bishops, it shall have cognizance of all matters relating to them; and the Bishop who proposes to resign, may sit and vote as before in that house; and if a majority of the members present of that house shall agree to the proposed resignation, the presiding Bishop shall declare that it is confirmed; and this declaration shall be entered on the journal of the house. But if a majority of the Bishops present do not agree to the resignation, all the previous proceedings shall be void.

Sect. 5. If no meeting of the General Convention is expected to be held within one year of the sitting of the diocesan Convention aforesaid, the president of the Standing Committee of the diocese shall transmit copies of the said writing and proceedings of the diocesan Convention to the Standing Committees of all the dioceses of this Church; and if a majority of them consent to the proposed re-

signation, the said president shall transmit copies of the said writing and proceedings, and of the consent of the majority of the Standing Committees, to every Bishop of this Church; and if a majority of the Bishops shall notify the senior Bishop of their consent to the proposed resignation, he shall declare, under his hand and seal, that the said resignation is confirmed, and shall transmit the said declaration to the president of the Standing Committee of the diocese concerned. But if a majority of the Bishops do not notify the senior Bishop of their consent to the measure within six months, all the previous proceedings shall be void.

Sect. 6. A Bishop whose resignation of the Episcopal jurisdiction of a diocese has been thus confirmed, shall perform no episcopal act, except by the request of the Bishop of some diocese, or of the Convention, or the Standing Committee of a vacant diocese. And if the said Bishop shall perform any episcopal act contrary to these provisions, or shall in any wise act contrary to his Christian and episcopal character, he shall, on trial and proof of the fact, be degraded from the ministry by any five Bishops, or a majority of them, to be appointed by the senior Bishop of this Church, and to be governed by their own rules in the case; and notice of the same shall be given to all the Bishops and Standing Committees, as in the case of other degraded ministers.

Sect. 7. No Bishop whose resignation of the episcopal jurisdiction of a diocese has been confirmed as aforesaid, shall have a seat in the House of Bishops.

Sect. 8. A Bishop who ceases in any way to have the episcopal charge of a diocese, is still subject, in all matters, to the authority of the General Convention.

CANON XXXIII.

Of the Dissolution of all Pastoral Connexion between Ministers and their Congregations.

[Former Canons on this subject were the second of 1804—Journals, p. 235 ; and the thirtieth of 1808—Journals, p. 338.]

Sect. 1. When any Minister has been regularly instituted or settled in a parish or Church, he shall not be dismissed without the concurrence of the ecclesiastical authority of the diocese; and in case of his dismissal without such concurrence, the Vestry or congrega-

tion of such parish or Church shall have no right to a representation in the Convention of the diocese, until they have made such satisfaction as the Convention may require. Nor shall any minister leave his congregation against their will, without the concurrence of the ecclesiastical authority aforesaid; and if he shall leave them without such concurrence, he shall not be allowed to take a seat in any Convention of this Church, or be eligible into any Church or parish, until he shall have made such satisfaction as the ecclesiastical authority of the diocese may require.

Sect. 2. In the case of the regular and canonical dissolution of the connexion between a minister and his congregation, the Bishop, or if there be no Bishop, the Standing Committee, shall direct the Secretary of the Convention to record the same. But if the dissolution of the connexion between any minister and his congregation be not regular or canonical, the Bishop, or Standing Committee, shall lay the same before the Convention of the diocese, in order that the above mentioned penalties may take effect.

This canon shall not be obligatory upon those dioceses with whose usages, laws, or charters, it interferes.

CANON XXXIV.

Of Differences between Ministers and their Congregations.

[Former Canons on this subject were the fourth of 1804—Journals, p. 236; and the thirty-second of 1808—Journals, p. 339.]

In cases of controversy between ministers who now, or may hereafter, hold the rectorship of Churches or parishes, and the Vestry or congregation of such Churches or parishes, which controversies are of such a nature as cannot be settled by themselves, the parties, or either of them, shall make application to the Bishop of the diocese, or, in case there be no Bishop, to the Convention of the same. And if it appear to the Bishop, and a majority of the presbyters, convened after a summons of the whole belonging to the diocese, or, if there be no Bishop, to the Convention, or the Standing Committee of the diocese, if the authority should be committed to them by the Convention, that the controversy has proceeded such lengths as to preclude all hope of its favourable termination, and that a dissolution of the connexion which exists between them is indispensably necessary to restore the peace and promote the prosperity of the Church, the

Bishop and his said presbyters, or, if there be no Bishop, the Convention or the Standing Committee of the diocese, if the authority should be committed to them by the Convention, shall recommend to such ministers to relinquish their titles to their rectorship on such conditions as may appear reasonable and proper to the Bishop and his said presbyters, or, if there be no Bishop, to the Convention, or the Standing Committee of the diocese, if the authority should be committed to them by the Convention. And if such rectors or congregations refuse to comply with such recommendation, the Bishop and his said presbyters, or, if there be no Bishop, the Convention, or the Standing Committee of the diocese, if the authority should be committed to them by the Convention, with the aid and consent of a Bishop, may, at their discretion, proceed, according to the canons of the Church, to suspend the former from the exercise of any ministerial duties within the diocese, and prohibit the latter from a seat in the Convention, until they retract such refusal, and submit to the terms of the recommendation: and any minister so suspended shall not be permitted, during his suspension, to exercise any ministerial duties. This canon shall apply also to the cases of assistant ministers and their congregations.

CANON XXXV.

Of Ministers removing from one Diocese to another.

[Repealed by the fourth canon of 1835.]

CANON XXXVI.

Of the Officiating of Persons not Ministers of this Church.

[Former canons on this subject were the fifth of 1792—Journals, p. 129 ; and the thirty-fifth of 1808—Journals, p. 340.]

No person shall be permitted to officiate in any congregation of this Church, without first producing the evidences of his being a minister thereof to the minister, or, in case of vacancy or absence, to the Church-wardens, Vestrymen, or trustees of the congregation.

CANON XXXVII.

Of Offences for which Ministers shall be Tried and Punished.

[Former canons on this subject were the thirteenth of 1789—Journals, p. 97; the first of 1801—Journals, p. 207; the twenty-sixth of 1808—Journals, p. 336; and the second of 1829.]

Sect. 1. Every minister shall be liable to presentment and trial, for any crime or gross immorality, for disorderly conduct, for drunkenness, for profane swearing, for frequenting places most liable to be abused to licentiousness, and for violation of the constitution or canons of this Church, or of the diocese to which he belongs: and on being found guilty, he shall be admonished, suspended, or degraded, according to the canons of the diocese in which the trial takes place, until otherwise provided for by the General Convention.

Sect. 2. If any minister of this Church shall be accused, by public rumor, of discontinuing all exercise of the ministerial office without lawful cause, or of living in the habitual disuse of public worship or of the holy eucharist, according to the offices of this Church, or of being guilty of scandalous, disorderly, or immoral conduct, or of violating the canons, or preaching, or inculcating heretical doctrine, it shall be the duty of the Bishop, or if there be no Bishop, the clerical members of the Standing Committee, to see that an inquiry be instituted as to the truth of such public rumor. And in case of the individual being proceeded against and convicted, according to such rules or process as may be provided by the Convention of the respective dioceses, he shall be admonished, suspended, or degraded, as the nature of the case may require, in conformity with their respective constitutions or canons.

CANON XXXVIII.

Of a Minister declaring that he will be no longer a Minister of this Church.

[Former canons on this subject were the second of 1817; the seventh of 1820; and the third of 1829.]

If any minister of this Church, against whom there is no ecclesiastical proceeding instituted, shall declare to the Bishop of the diocese to which he belongs, or to any ecclesiastical authority for the trial of Clergymen, or, where there is no Bishop, to the Standing Committee, his renunciation of the ministry, and his design not to

officiate in future in any of the offices thereof, it shall be the duty of the Bishop, or, where there is no Bishop, of the Standing Committee, to record the declaration so made. And it shall be the duty of the Bishop to displace him from the ministry, and to pronounce and record, in the presence of two or three Clergymen, that the person so declaring, has been displaced from the ministry in this Church. In any diocese in which there is no Bishop, the same sentence may be pronounced by the Bishop of any other diocese, invited by the Standing Committee to attend for that purpose. In the case of displacing from the ministry, as above provided for, it shall be the duty of the Bishop to give notice thereof to every Bishop of this Church, and to the Standing Committee in every diocese wherein there is no Bishop. And in the case of a person making the above declaration for causes not affecting his moral standing, the same shall be declared.

CANON XXXIX.

Of Degradation from the Ministry, and of publishing the Sentence thereof.

[Former canons on this subject were the third of 1792—Journals, p. 128; and the twenty-seventh of 1808—Journals, p. 337.]

Sect. 1. When any minister is degraded from the holy ministry, he is degraded therefrom entirely, and not from a higher to a lower order of the same. Deposition, displacing, and all like expressions, are the same as degradation. No degraded minister shall be restored to the ministry.

Sect. 2. Whenever a Clergyman shall be degraded, the Bishop who pronounces sentence shall, without delay, give notice thereof to every minister and vestry in the diocese, and also to all Bishops of this Church, and where there is no Bishop, to the Standing Committee.

CANON XL.

Of a Clergyman in any Diocese chargeable with Misdemeanor in any other.

[Former canons on this subject were the second of 1794—Journals, p. 128; and the twenty-eighth of 1808—Journals, p. 337.]

Sect. 1. If a Clergyman of the Church, in any diocese within this Union, shall, in any other diocese, conduct himself in such a way as

is contrary to the rules of this Church, and disgraceful to his office, the Bishop, or if there be no Bishop, the Standing Committee, shall give notice thereof to the ecclesiastical authority of the diocese to which such offender belongs, exhibiting, with the information given, the proof of the charges made against him.

Sect. 2. If a Clergyman shall come temporarily into any diocese under the imputation of having elsewhere been guilty of any crime or misdemeanor, by violation of the canons, or otherwise, or if any Clergyman while sojourning in any diocese shall misbehave in any of these respects, the Bishop, upon probable cause, may admonish such Clergyman, and forbid him to officiate in the said diocese. And if, after such prohibition, the said Clergyman so officiate, the Bishop shall give notice to all the Clergy and congregations in said diocese, that the officiating of the said Clergyman is, under any and all circumstances, prohibited; and like notice shall he give to the Bishop, or if there be no Bishop, to the Standing Committee of the diocese to which the said Clergyman belongs. And such prohibition shall continue in force until the Bishop of the first named diocese be satisfied of the innocence of the said Clergyman, or until he be acquitted on trial.

CANON XLI.

Of the due Celebration of Sundays.

[Former canons on this subject were the fourteenth of 1789—Journals, p. 97; and the thirty-ninth of 1808—Journals, p. 341.]

All persons within this Church shall celebrate and keep the Lord's day, commonly called Sunday, in hearing the word of God read and taught, in private and public prayer, in other exercises of devotion, and in acts of charity, using all godly and sober conversation.

CANON XLII.

Of Crimes and Scandals to be Censured.

[Former Canons on this subject were the twelfth of 1789—Journals, p. 97; the twenty-fifth of 1808—Journals, p. 336; and the third of 1817.]

Sect. 1. If any persons within this Church offend their brethren by any wickedness of life, such persons shall be repelled from the holy communion agreeably to the rubric.

Sect. 2. There being the provision in the second rubric before the

communion service, requiring that every minister repelling from the Communion shall give an account of the same to the Ordinary; it is hereby provided, that on the information to the effect stated being laid before the Ordinary, that is, the Bishop, it shall not be his duty to institute an inquiry, unless there be a complaint made to him in writing by the repelled party. But on receiving complaint, it shall be the duty of the Bishop, unless he think fit to restore him from the insufficiency of the cause assigned by the Minister, to institute an inquiry, as may be directed by the Canons of the diocese in which the event has taken place. And the notice given as above by the Minister, shall be a sufficient presentation of the party repelled.

Sect. 3. In the case of great heinousness of offence on the part of members of this Church, they may be proceeded against, to the depriving them of all privileges of Church membership, according to such rules or process as may be provided by the General Convention; and until such rules or process shall be provided, by such as may be provided by the different State Conventions.

CANON XLIII.

Of a Congregation in any diocese uniting with any other diocese.

[Former Canons on this subject, were the eighth of 1795—Journals, p. 156; the thirty-seventh of 1808—Journals, p. 341; the first of 1817; and the second of 1820.]

Whereas a question may arise, whether a congregation within the diocese of any Bishop, or within any diocese, in which there is not yet any Bishop settled, may unite themselves with the Church in any other diocese, it is hereby determined and declared, that all such unions shall be considered as irregular and void; and that every congregation of this Church shall be considered as belonging to the body of the Church of the diocese, within the limits of which they dwell, or within which there is seated a Church to which they belong. And no Clergyman having a parish or cure in more than one diocese, shall have a seat in the Convention of any diocese other than that in which he resides.

CANON XLIV.

Of the mode of publishing Authorized Editions of the Standard Bible of this Church.

[The former canon on this subject was the second of 1823.]

The Bishop of this Church in any diocese, or where there is no Bishop, the Standing Committee, is authorized to appoint, from time to time, some suitable person or persons, to compare and correct all new editions of the Bible by the standard edition, agreed upon by the General Convention. And a certificate of their having been so compared and corrected, shall be published with said book.⁴

CANON XLV.

Of the use of the Book of Common Prayer.

[Former canons on this subject were the tenth of 1789—Journals, p. 96; and the thirty-fourth of 1808—Journals, p. 340.]

Every Minister shall, before all sermons and lectures, and on all other occasions of public worship, use the Book of Common Prayer, as the same is or may be established by the authority of the General Convention of this Church. And in performing said service, no other prayer shall be used than those prescribed by the said book.

CANON XLVI.

Mode of Publishing Authorized Editions of the Book of Common Prayer.

[Repealed by the sixth canon of 1835.]

CANON XLVII.

Of Forms of Prayer or Thanksgiving for Extraordinary Occasions.

[Former canons on this subject were the ninth of 1795—Journals, p. 156; and the thirty-eighth of 1808—Journals, p. 341.]

The Bishop of each diocese may compose forms of prayer or thanksgiving, as the case may require, for extraordinary occasions, and transmit them to each Clergyman within his diocese, whose

⁴The following resolution was ordered to accompany this Canon:

Resolved, By the two Houses of Convention, that it be recommended to every future Convention to appoint a joint Committee, to whom there may be communicated all errors, if any, in editions of the Bible printed under the operation of a certain Canon of this Convention; such errors to be notified on the Journal of the Convention, to which they may at any time be presented by a Joint Committee.

duty it shall be to use such forms in his Church on such occasions. And the Clergy in those states or dioceses, or other places within the bounds of this Church, in which there is no Bishop, may use the form of prayer or thanksgiving composed by the Bishop of any diocese. The Bishop in each diocese may also compose forms of prayer to be used before legislative or other public bodies.

CANON XLVIII.

Of a List of the Ministers of this Church.

[Former canons on this subject were the sixteenth of 1789—Journals, p. 98 ; the first of 1792—Journals, p. 128 ; and the forty-first of 1808—Journals, p. 342.

Sect. 1. The secretary of the House of Clerical and Lay Deputies shall keep a register of all the Clergy of this Church, whose names shall be delivered to him, in the following manner ; that is to say, Every Bishop of this Church, or, where there is no Bishop, the Standing Committee of the diocese, shall, at the time of every General Convention, deliver or cause to be delivered, to the said Secretary, a list of the names of all the ministers of this Church in their proper diocese, annexing the names of their respective cures, or of their stations in any colleges or other seminaries of learning ; or, in regard to those who have not any cures or such stations, their places of residence only. And the said list shall, from time to time, be published on the journals of the General Convention.

Sect. 2. And further it is recommended to the several Bishops of this Church, and to the several Standing Committees, that, during the intervals between the meetings of the General Convention, they take such means of notifying the admission of ministers among them, as, in their discretion respectively, they shall think effectual to the purpose of preventing ignorant and unwary people from being imposed on, by persons pretending to be authorized ministers of this Church.

CANON XLIX.

Of the Mode of calling Special Meetings of the General Convention.

[Former canons on this subject were the first of 1799—Journals, p. 186 ; and the forty-second of 1808—Journals, p. 342.]

Sect. 1. The right of calling special meetings of the General Convention shall be in the Bishops. This right shall be exercised

by the presiding Bishop, or, in case of his death, by the Bishop who, according to the rules of the House of Bishops, is to preside at the next General Convention; provided that the summons shall be with the consent, or on the requisition of a majority of the Bishops, expressed to him in writing.

Sect. 2. The place of holding any special Convention shall be that fixed on by the preceding General Convention for the meeting of the next General Convention, unless circumstances shall render a meeting at such a place unsafe; in which case the presiding Bishop may appoint some other place.

Sect. 3. The deputies elected to the preceding General Convention shall be deputies at such special Convention, unless in those cases in which other deputies shall be chosen in the meantime by any of the diocesan Conventions, and then such other deputies shall represent, in the special Convention, the Church of the diocese in which they have been chosen.

CANON L.

Of the Mode of transmitting Notice of all matters submitted by the General Convention to the Consideration of the Diocesan Conventions.

[The former canon on this subject was the forty-fourth of 1808—Journals, p. 343.]

It shall be the duty of the Secretary of the House of Clerical and Lay Deputies, whenever any alteration of the Constitution is proposed, or any other subject substituted to the consideration of the several diocesan Conventions, to give a particular notice thereof to the ecclesiastical authority of this Church in every diocese.

CANON LI.

Of the Mode of securing an accurate View of the State of the Church from time to time.

[Repealed by the seventh canon of 1835.]

CANON LII.

Of the Alms and Contributions at the Holy Communion.

[The former canon on this subject was the first of 1814—Journals, p. 344.]

The alms and contributions at the administration of the holy Communion, shall be deposited with the minister of the parish, or with

such Church officer as shall be appointed by him, to be applied by the minister, or under his superintendence, to such pious and charitable uses as shall by him be thought fit.

CANON LIII.

Of the Requisites of a Quorum.

In all cases in which a canon directs a duty to be performed, or a power to be exercised, by a Standing Committee, or by the Clerical members thereof, or by any other body consisting of several members, a majority of the said members, the whole having been duly cited to meet, shall be a quorum; and a majority of the quorum so convened, shall be competent to act, unless the contrary is expressly required by the canon.

CANON LIV.

Of defraying the Expenses of the General Convention.

[Repealed by the eighth canon of 1835.]

CANON LV.

Of the Trustees of the General Theological Seminary.

It shall be the duty of the Secretary of the Convention of every diocese to forward to the House of Clerical and Lay Deputies, at every General Convention, a certificate, stating the exact number of Clergymen in the diocese, and the amount of funds paid, or secured to be paid therein, to the General Theological Seminary, and also the nomination by the diocese of a trustee or trustees for said seminary, and without such certificate the nomination shall not be confirmed.

CANON LVI.

Repealing former Canons.

All former canons of this Convention not included in these canons, are hereby repealed.

CANONS
OF THE
Protestant Episcopal Church.¹

CANON I.

Of the Election of Bishops.

[Former canons on this subject were the first of 1795—Journals, p. 153; the second of 1808—Journals, p. 329; the first of 1817, the second of 1820, and the second of 1832.]

Sect. 1. Any diocese in union with this Church, having at the time less than six officiating presbyters residing therein, regularly settled in a parish or Church, and qualified to vote for a Bishop; and any diocese at the time of its organization, with a view to ask for admission into union with this Church, may, by a vote of the Convention thereof, request the General Convention to elect a Bishop for the same. And, thereupon, the House of Bishops may nominate to the House of Clerical and Lay Deputies, for their concurrence, a suitable person for the office of Bishop, who shall, in case of their concurrence, be consecrated as the Bishop of such diocese. The evidence of the concurrence of the Clerical and Lay Deputies shall be a certificate to be signed by a constitutional majority of them, agreeably to the form required by the third canon of 1832, to be signed by the members of the Convention in a diocese whence a person is recommended for consecration.

Sect. 2. In the recess of the General Convention, the Church in any such diocese may, by a vote of the Convention thereof, request the election of a Bishop for such diocese by the Bishops of the Church; and when such request shall be made known to the presiding Bishop, who shall communicate information of the same to the other Bishops, a majority of the Bishops may select a suitable person for such Bishop; and if a majority of the Standing Committees of the Churches

¹ Passed in General Convention, 1835.

in the different dioceses shall consent to the consecration of the person so selected, the presiding Bishop, with any two Bishops, or any three Bishops, to whom he may communicate the testimonials, may proceed to the consecration. And the evidence of the consent of the different Standing Committees shall be in accordance with the fifth canon of 1832.

Sect. 3. To entitle a diocese to the choice of a Bishop by the Convention thereof, there must be at the time of such choice, and have been during the year previous, at least six officiating presbyters therein, regularly settled in a parish or Church, and qualified to vote for a Bishop; and six or more parishes represented in the Convention electing. But two or more adjoining dioceses may associate and proceed to the choice of a Bishop, if there be at the time of such choice, and have been during the year previous, nine or more such presbyters residing in any part of such associated diocese, qualified as aforesaid; which association shall be dissolved on the demise of the Bishop. And no diocese shall withdraw from such association without the consent of the General Convention; *Provided*, that nothing in this canon contained, shall defeat the right of any diocese to proceed to the election of a Bishop now entitled so to proceed.

Sect. 4. A minister is settled for all purposes here or elsewhere mentioned in these canons, who has been engaged permanently by any parish according to the rules of said diocese, or for any term not less than one year.

Sect. 5. The second canon of 1832, and the special canon of 1832, are hereby repealed.

CANON II.

Of Missionary Bishops.

Sect. 1. The House of Clerical and Lay Deputies may, from time to time, on nomination by the House of Bishops, elect a suitable person or persons to be a Bishop or Bishops of this Church, to exercise Episcopal functions in states and territories not organized as dioceses. The evidence of such election shall be a certificate to be subscribed by a constitutional majority of said House of Clerical and Lay Deputies, in the form required by the third canon of 1832, to be given by the members of diocesan Conventions, on the recommendations of Bishops elect for consecration, which certificate shall be produced to

the House of Bishops, and if the House of Bishops shall consent to the consecration, they may take order for that purpose.

Sect. 2. The Bishop or Bishops so elected and consecrated, shall exercise episcopal functions in such states and territories, in conformity with the Constitution and canons of the Church, and under such regulations and instructions, not inconsistent therewith, as the House of Bishops may prescribe.

Sect. 3. The jurisdiction of this Church extending in right, though not always in form, to all persons belonging to it within the United States, it is hereby enacted that each Missionary Bishop shall have jurisdiction over the Clergy in the district assigned him; and may, in case a presentment and trial of a Clergyman become proper, request the action of any presbyters and Standing Committee in any diocese sufficiently near, and the presentment and trial shall be according to the Constitution and canons of said diocese.

Sect. 4. The House of Clerical and Lay Deputies may, on nomination by the House of Bishops, in like manner, from time to time, elect, and the House of Bishops consenting thereto, may, in like manner, take order for the consecration of a suitable person to be a Bishop of this Church, to exercise episcopal functions in any place or places out of the territory of the United States, which the House of Bishops may designate.

Sect. 5. If, during the recess of the General Convention, the Board of Missions should deem it expedient to have a Missionary Bishop sent to any place without the territory of the United States, it may propose a station to the several Bishops of this Church, which station shall be adopted, if approved by a majority of the Bishops. The Board of Missions may then request the Bishops of this Church to select a suitable person as Bishop for said station, and upon the selection of a suitable person by a majority of the Bishops of this Church, the presiding Bishop shall communicate the same to the Standing Committees of the Churches in the different dioceses, and to the Board of Missions, and if the major number of the Standing Committees, and the Board of Missions, shall consent to the consecration of such person, the presiding Bishop, with any two Bishops or any three Bishops, to whom he may communicate the testimonials, may proceed to the consecration of the Bishop elect. The evidence of the consent of the different Standing Committees, and the Board

of Missions, shall be in accordance with the fifth canon of 1832.

Sect. 6. Any Bishop or Bishops elected and consecrated under this canon, shall be entitled to a seat in the House of Bishops, and shall be eligible to the office of diocesan Bishop in any organized diocese within the United States.

Sect. 7. Every such Bishop shall report to each General Convention his proceedings, and the state and condition of the Church in said states and territories, and place or places out of the territory of the United States, and at least once a year make a report to the Board of Missions.

CANON III.

Of those who have officiated, without Episcopal Ordination, as Ministers among other Denominations of Christians, and apply for Orders in this Church.

[Former Canons on this subject were the sixth of 1804—Journals, p. 238 ; the seventeenth of 1808—Journals, p. 334 ; the fourth and fifth of 1820, the first of 1829, and the twenty-first and twenty-fourth of 1832.]

Sect. 1. When a person who, not having had Episcopal ordination, has been acknowledged as an ordained minister among any other denomination of Christians, shall desire to be ordained in this Church, he shall give notice thereof to the Bishop, or, if there be no Bishop, the Standing Committee of the diocese in which he resides ; or if he reside in a state or territory in which there is no organized diocese, to one of the Bishops of this Church ; which notice shall be accompanied with a written certificate from at least two presbyters of this Church, stating that from personal knowledge of the party, or satisfactory evidence laid before them, they believe that his desire to leave the denomination to which he has belonged, has not arisen from any circumstance unfavourable to his religious or moral character, or on account of which it may be inexpedient to admit him to the exercise of the ministry in this Church ; and they may also add what they know, or believe on good authority, of the circumstances leading to the said desire. If the Bishop or Standing Committee shall then think proper to proceed, the party applying shall be examined in the same way as is prescribed in the canon entitled, "*Of the Preparatory Exercises of a Candidate for Deacons' Orders,*" provided that the benefit of dispensation from branches of learning not strictly

ecclesiastical, may be extended in this case in the same way as in the case of candidates for orders; and in the examination, special regard shall be had to those points in which the denomination whence he comes differs from this Church, with the view of testing his information and soundness in the same; and also to the ascertaining that he is adequately acquainted with the Liturgy and Offices of this Church.

Sect. 2. Satisfaction being thus far given, the Bishop may lay the case before the Standing Committee, or, in a vacant diocese, the Standing Committee may take up the case, with the view of determining on the propriety of giving the testimonial provided for in the canon, "*Of the Testimonials to be produced on the part of those who are to be ordained,*" provided that instead of the words, *hath not written, taught, or held any thing contrary to the doctrine or discipline,*" the Committee may substitute the words, "*is sincerely attached to the doctrine and discipline.*" And the Standing Committee may, instead of the testimonials required by the said canon to be laid before them, receive,

i. The first of the said testimonials, with the required signatures, but so altered as to embrace only the point of his having lived, for three years last past, piously, soberly, and honestly; or the same signed by at least twelve members of the denomination from which he came; provided the Committee have such confidence in the persons thus testifying, as to satisfy them of the correctness of their testimony.

ii. A testimonial from the examining presbyters that they had directed special attention to ascertaining whether he was sincerely attached to the doctrine and discipline of the Protestant Episcopal Church; and that they believe him to be so.

iii. A testimonial to the same effect as the two last mentioned, from at least one presbyter, founded on his personal knowledge of the applicant for a period to be mentioned in the same; and if the said period be less than one year, the testimonial to religious and moral character must also be founded on the personal acquaintance of the presbyter or presbyters, testifying with three or more respectable members of this Church, or of the denomination whence the applicant comes, believed by him or them to be worthy of credit, and who certify from their own personal knowledge of him for at least one year last past.

iv. Satisfactory evidence of the applicant's having been, for the last six months, a communicant of this Church; provided that the Bishop, on special grounds, and acting with the consent of the clerical members of the Standing Committee, may dispense with the last mentioned requisite.

Sect. 3. When a person with the literary qualifications required by Canon XIII. of 1832, and ascertained as directed in Canon XIV. of 1832, Sect. 3. who has been a candidate for the ministry of some other denomination, or is a licentiate (or in some equal and corresponding station) therein, shall apply for orders in this Church, there may be deducted from his term of candidateship by the Bishop, with the consent of the clerical members of the Standing Committee, as long a period as he has already prosecuted theological studies as a duly entered or admitted candidate of said denomination; provided he shall have been a candidate for orders in this Church for at least six months. The testimonials of character and attachment to the Church, addressed to the Standing Committee, shall be as in the first and second sections of this canon, and his examinations, besides having the usual object of ascertaining his proficiency in theology, and the other required studies, shall also be especially directed to the points in which the denomination to which he before belonged differs from this Church, with the view of testing his soundness and sufficient information in the same.

Sect. 4. When any person not a citizen of the United States, who has been acknowledged as an ordained minister among any other denomination of Christians, shall apply for orders in this Church, the Bishop to whom application is made, shall require of him (in addition to the above qualifications) satisfactory evidence that he has resided at least one year in the United States previous to his application.

Sect. 5. The twenty-first canon of 1832 is hereby repealed.

CANON IV.

Of Ministers removing from one Diocese to another.

[Former canons on this subject were the third of 1804—Journals, p. 236; the thirty-first of 1808—Journals, p. 339; the fourth of 1829; and the thirty-fifth of 1832.]

Sect. 1. No minister removing from one diocese to another, or coming from any state or territory which may not have acceded to

the Constitution of this Church, shall be received as a stated officiating minister by any parish of this Church, until he shall have presented to the vestry thereof a certificate from the ecclesiastical authority of the diocese to which said parish belongs, approving him as a Clergyman in regular standing. And in order to obtain such certificate, every minister desiring to change his canonical residence, shall lay before the ecclesiastical authority of the diocese in which he designs to reside, a testimonial from the ecclesiastical authority of the diocese in which he has last resided, in the following form, viz :

“I hereby certify, that A. B., who has signified to me his desire to be transferred to the diocese of ———, is a presbyter (or deacon) of this diocese, in regular standing, and has not, so far as I know or believe, been justly liable to evil report for error in religion or viciousness of life, during the three years last past.”

When the ecclesiastical authority think proper, further statements may be added to the above letter.

Sect. 2. But in case the minister desiring to be transferred, has been subjected to inquiry or presentment on any charge or charges of misconduct, thereby rendering the terms of the aforesaid testimonial inadmissible, he may nevertheless be transferred, if the charges have been withdrawn with the approbation of the ecclesiastical authority, or if he have been acquitted upon trial, or if he have been censured or suspended, and the sentence has had its course, so that he has been restored to the regular discharge of his official duties. And in all such cases the ecclesiastical authority of the diocese concerned, shall, instead of the foregoing testimonial, certify to a statement of the facts, with as much detail as may be necessary to inform the ecclesiastical authority to which he desires to be transferred, of the true standing of the party.

Sect. 3. The ecclesiastical authority, in all cases under this canon, is to be understood to refer to the Bishop of the diocese, or in case there be no Bishop, to the majority of the clerical members of the Standing Committee, duly convened. And if the Clergyman desiring to be received, come from a state or territory not in connexion with this Church, and having no convention, then the above testimonial or statement shall be signed by at least three presbyters of this Church. Nor shall any minister so removing, be acknowledged by

any Bishop or Convention as a minister of the Church to which he removes, until he shall have produced the aforesaid testimonial or statement.

Sect. 4. The above testimonial, or letter of dismissal, shall not affect the canonical residence of the minister receiving it, until he shall be received into some other diocese by the Bishop or ecclesiastical authority thereof.

Sect. 5. Whenever any Bishop of this Church, or, where there is no Bishop, the clerical members of the Standing Committee, shall give letters of dismissal to any Clergyman of the diocese proposing to remove into another, the Bishop, or, where there is no Bishop, the clerical members of the Standing Committee, shall give notice of the same to the Bishop or ecclesiastical authority to whom the letters of dismissal are directed; and if the Clergyman to whom the letters of dismissal are given shall not present them to the Bishop or ecclesiastical authority to whom they are directed, within three months after he shall have taken up his abode in the diocese to which he has removed, the letters of dismissal shall be null and void.

Sect. 6. The thirty-fifth canon of 1832 is hereby repealed.

CANON V.

Of Amenability and Citations.

[Former canons on this subject were the third of 1804—Journals, p. 236; the thirty-first of 1808—Journals, p. 339; the fourth of 1829; and the thirty-fifth of 1832.]

Sect. 1. Every minister shall be amenable, for offences committed by him, to the Bishop, and if there be no Bishop, the clerical members of the Standing Committee of the diocese in which he is canonically resident at the time of the charge.

Sect. 2. Unless a state Convention shall otherwise provide, a citation to any minister to appear at a certain time and place for the trial of an offence, shall be deemed to be duly served upon him, if a copy thereof is left at his last place of abode within the United States, sixty days before the day of appearance named therein; and, in case such minister has departed from the United States, by also publishing a copy of such citation in some newspaper, printed at the seat of government of the state in which the minister is cited to appear, six months before the day of appearance.

CANON VI.

*Of the Mode of publishing authorized Editions of the Book of
Common Prayer, &c.*

[Former canons on this subject were the third of 1801—Journals, p. 208; the forty-third of 1808—Journals, p. 343; the canon of 1821; and the forty-sixth of 1832.

Sect. 1. The Bishop of this Church in any diocese, or where there is no Bishop, the Standing Committee thereof, shall appoint one or more presbyters of the diocese, who shall compare and correct all new editions of the Common Prayer Book, the Articles, Offices, and Metre Psalms and Hymns, by some standard book; and a certificate of said editions having been so compared and corrected, shall be published with the same. And in case any edition shall be published without such correction, it shall be the duty of the Bishop, or, where there is no Bishop, of the Standing Committee, to give public notice that such edition is not authorized by the Church.

Sect. 2. The duodecimo edition of the Common Prayer-Book, Articles, Offices, Metre Psalms and Hymns, published by the New-York Protestant Episcopal Press in 1832, is hereby established as the standard, with the exception of errors evidently typographical; the correction of which errors is confided to such person or persons as the Bishop or Standing Committee may appoint for superintending any publication.

Sect. 3. The forty-sixth canon of 1832 is hereby repealed.*

The following resolutions were ordered to accompany the forty-sixth canon of 1832.

Resolved, That the French translation of the Book of Common Prayer, and the Articles of Religion, printed in New-York, by T. & J. Swords, in the year 1831, be, and the same hereby is, declared to be the Liturgy which may be used by any minister of this Church, who may officiate in a congregation to whom the French language is familiar; and that the edition of the Book of Common Prayer in the French language, printed in 1831 by the Messrs. T. & J. Swords, of New York, be, and the same hereby is, established as the standard book, whereby all future editions of the Book of Common Prayer and Articles, in the French language, shall be compared and corrected.

Resolved, That the provisions of the forty-sixth of the canons passed by this Convention, except as far as the said canon establishes standard books, shall be applied to the publication of all future editions of the Book of Common Prayer and Articles in the French language.

CANON VII.

Of the mode of securing an accurate view of the state of the Church from time to time.

[Former canons on this subject were the eleventh of 1804—Journals, p. 239; the forty-fifth of 1808—Journals, p. 343; the third of 1814—Journals, p. 345; the first and third of 1820; and the fifty-first of 1832.]

Sect. 1. As a full and accurate view of the state of the Church, from time to time, is highly useful and necessary, it is hereby ordered that every minister of this Church shall present, or cause to be delivered, on or before the first day of every annual Convention, to the Bishop of the diocese, or, where there is no Bishop, to the president of the Convention, a statement of the number of baptisms, confirmations, marriages, and funerals, and of the number of communicants in his parish or church, and of all other matters that may throw light on the state of the same; and these parochial reports, or such parts of them as the Bishop shall think fit, shall be read and entered on the journals of the Convention. And every other clergyman not regularly settled in any parish or church, shall also report to the ecclesiastical authority of his diocese, the occasional services he may have performed; and if he have performed no such services, the causes or reasons which have prevented the same.

Sect. 2. At every annual diocesan Convention, the Bishop shall deliver an address, stating the affairs of the diocese since the last meeting of the Convention; the names of the churches which he has visited; the number of persons confirmed; the names of those who have been received as candidates for orders, and of those who have been ordained, suspended, or degraded; the changes by death, removal, or otherwise, which have taken place among the clergy; and in general, all matters tending to throw light on the affairs of the diocese; which address shall be inserted on the journals.

Sect. 3. At every General Convention, the journals of the different diocesan Conventions, since the last General Convention, together with such other papers, viz: Episcopal charges, addresses, and pastoral letters, as may tend to throw light on the state of the Church in each diocese, shall be presented to the House of Clerical and Lay Deputies. A committee shall then be appointed to draw up a view of the state of the Church, and to make report to the House of Clerical and Lay Deputies; which report, when agreed to

by the said House, shall be sent to the House of Bishops, with a request that they will draw up, and cause to be published, a pastoral letter to the members of the Church. And it is hereby made the duty of every clergyman having a pastoral charge, when any such letter is published, to read the said pastoral letter to his congregation on some occasion of public worship.

Sect. 4. It shall be the duty of the Secretary of the Convention of every diocese, or of the person or persons with whom the journals or other ecclesiastical papers are lodged, to forward to the House of Clerical and Lay Deputies, at every General Convention, the documents and papers specified in this canon.

Sect. 5. It is recommended that the ecclesiastical authority of the Church in every diocese, prepare a condensed report and a tabular view of the state of the Church in their diocese, previously to the meeting of every General Convention, for the purpose of aiding the Committee on the state of the Church, appointed by the House of Clerical and Lay Deputies, in drafting their report.

Sect. 6. The fifty-first canon of 1832 is hereby repealed.

CANON VIII.

Of defraying the expenses of the General Convention.

[The former canon on this subject was the fifty-fourth of 1832.]

Sect. 1. In order that the contingent expenses of the General Convention may be defrayed, it shall be the duty of the several diocesan Conventions to forward to the Secretary of the last House of Clerical and Lay Deputies, at each annual meeting of said Conventions, fifty cents per annum for each clergyman within the respective dioceses.

Sect. 2. The fifty-fourth canon of 1832 is hereby repealed.

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CONSTITUTION
OF THE
Protestant Episcopal Church

IN THE STATE OF NEW JERSEY :

Adopted in Convention at Burlington, 1837.

ARTICLE I.

The Church, in the diocese of New Jersey, as a constituent part of the Protestant Episcopal Church, in the United States of America, accedes to the Constitution and Canons of that Church, and acknowledges their authority.

ARTICLE II.

There shall be a Convention of the Church in this State on the last Wednesday in May, in each year, to be held alternately at Burlington and Newark.

ARTICLE III.

The Bishop, or, if the Episcopate be vacant, the Standing Committee, shall have power, when it appears requisite for the good of the Church, to call a special Convention, by a circular letter to the several Churches. There shall be not less than four weeks' notice previous to the day appointed, and such meeting shall be holden where the authority calling it shall determine; and at such special Convention, no other business shall be transacted than that stated in the notice, calling the Convention.

ARTICLE IV.

Sect. 1. The Convention shall be composed of both Clergymen and Laymen.

Sect. 2. Every Presbyter who has been duly instituted Rector of any Church in the diocese, and every Presbyter who has been duly

appointed a Missionary to the vacant parishes of the same, shall be a member *ex officio*. Clergymen who have formerly been Rectors, in this diocese, but having resigned their charges, remain in it, or return to it, after a period of absence, may also become, and shall hereafter be considered, as members of this Convention, in full standing; provided all the instituted Rectors present, and all the congregations represented, at the meeting when any such Clergyman shall be proposed, give their votes in favor of it. Rectors elect, and Deacons who belong to the diocese, and officiate statedly within it, are also admitted to seats, and may express their opinions on all questions that come before the Convention; but may neither vote, be appointed members of the Standing Committee, nor be elected deputies to the General Convention.

Sect. 3. The Laity shall consist of a representation comprising one or more deputies from each Congregation in this State in union with this Convention, such deputy or deputies always being a member or members of the congregation represented.

ARTICLE V.

New parishes may be admitted into union with this Convention, on motion, by a majority of votes; provided they shall have laid before the Convention written evidence, subscribed by the Wardens, that they accede to the Constitution and Canons of this Church, and are duly incorporated and regularly organized by the election of two Wardens, and at least five Vestrymen. Provided always, that the deputies from new parishes, though entitled to a seat shall not be allowed to vote at the Convention, in which their parishes are admitted.

ARTICLE VI.

The Bishop of the diocese shall have a seat and a vote in the Convention, and shall preside at all its meetings. The Assistant Bishop, when there is one, shall also have a seat and a vote; and in the absence of the Bishop, shall preside. In case of a vacancy in the Episcopate, or of the absence of the Bishop, and of the Assistant Bishop, the members shall elect a President *pro tempore* from among the instituted Ministers.

ARTICLE VII.

The instituted Rectors, who may be present, at the time of meeting, with the deputies from four Churches, shall constitute a quorum; but no measure shall be conclusive without the concurrence of a majority of votes of each order; the Clergy voting individually, and the Laity by congregations.

ARTICLE VIII.

At each annual Convention, a Secretary shall be chosen, from among its members, who shall continue in office till a successor be appointed. His duty shall be to take minutes of the proceedings, to preserve the journals and records, to attest the public acts of the body, and faithfully to deliver into the hands of the Bishop all originals, and to his successor all books and papers, relating to the concerns of the Convention, which may be in his possession.

ARTICLE IX.

A Treasurer of this Convention shall be appointed, who shall continue in office during its pleasure. He shall give satisfactory security for the faithful discharge of the duties of his office, and shall present a statement of his accounts to each annual Convention. But in case the Treasurer die, resign, remove from the diocese, or be incapable of acting, the Standing Committee shall have power to appoint a Treasurer, till the next succeeding Convention who is authorised to receive any money, bonds, mortgages, notes, or other property and papers, that may be in the Treasury at the time of such decease, resignation, removal or incapacity.

ARTICLE X.

The Standing Committee shall consist of four Clergymen and four Laymen, to be chosen annually; each order choosing its own members by ballot, subject to the approval of the other order. As soon as convenient after their election, they shall choose a President from among the clerical members, and a Secretary. Their proceedings shall be recorded by the Secretary, and open to the inspection of the Convention. They shall have power to supply vacancies which may occur in their own body, during the recess of the Convention.

ARTICLE XI.

Sect. 1. At every annual Convention, four clerical and four lay deputies, shall be elected to represent this diocese, in the General Convention, each order choosing its own representatives by ballot, subject to the approval of the other order.

Sect. 2. The Convention shall also nominate by ballot a like number of supplementary deputies of each order, to serve as deputies contingently. It shall be the duty of the deputies elect, to signify to the Bishop, on some day within three weeks of the General Convention, and at least one week before such meeting, their acceptance of the appointment, and intention to perform its duties; in default of which, the Bishop shall designate so many from those of the supplementary deputies having the greatest number of votes, as shall be necessary, as far as practicable, to insure a full representation of the diocese; and the persons so designated shall have all the power and authority of deputies, duly elected by this Convention. In case of a vacancy in the Episcopate, the power hereby conferred on the Bishop, shall be exercised by the Standing Committee.

ARTICLE XII.

This Constitution shall not be altered but in the following manner:—the proposed alteration, or the modification of it deemed advisable, having been submitted to the Convention in which it originated, and been approved by a majority, shall lie over to the next Convention; and, if then approved by a majority of each order, voting according to the Constitution, shall become valid and obligatory.

CANONS

OF THE DIOCESE OF NEW JERSEY.

CANON I.

Of a list of Clergymen in the diocese.

On or before the day of meeting of Convention, it shall be the duty of the Bishop, or if there be no Bishop, of the President of the Standing Committee, to give to the Secretary of the Convention a certified list of the names of Clergymen canonically resident in the diocese, specifying the instituted ministers, and others entitled to seats and votes in Convention.

CANON II.

Of the Testimonial of Lay Deputies.

Lay Deputies to the Convention shall present written certificates of their election, in the following, or some similar form,—

[*Name of the Church, the place, and date.*]

This certifies, that at a meeting of the congregation of this Church, for the purpose of electing Church officers and Deputies to the Convention, (or for the purpose of electing Deputies to the Convention, if the meeting be for that object alone,) A. B., C. D., and E. F., were duly chosen to represent the congregation in that body, for the year ensuing. In testimony of which, I have hereunto set my hand, [or if two wardens subscribe, we have set our hands,] the day and year above written.—

Which certificate shall be signed by the Rector, the Secretary of the Vestry, or by two Wardens, and the above form shall be annually inserted in the printed Journal of the Convention.

CANON III.

Of the opening of Convention.

Every Convention shall be opened with prayer, the celebration of the Lord's Supper, and a sermon by the presbyter appointed by the Bishop, when the Bishop does not himself deliver a sermon or Charge. Episcopal Charges delivered before the Convention, shall be pub-

lished by the same without any motion to that effect. The religious exercises at the opening of the Convention, shall commence at 10 o'clock, A. M., and the business of each day shall be preceded by prayer, the Bishop, or a minister of his appointment officiating.

CANON IV.

Of the office of Secretary of Convention.

The Secretary of the Convention shall appoint an assistant Secretary. Whenever there shall be a vacancy in the office of Secretary of the Convention, the duties thereof shall devolve upon the assistant Secretary, if there be one; if not, upon the Secretary of the Standing Committee.

CANON V.

Of Parochial Registers and Reports.

Sect. 1. In every congregation the Church-wardens shall provide a proper book, in which the minister, or if the parish be vacant, one of the wardens, shall record the name, and date of the birth of the child baptized, with the names of the parents and sponsors, the name of the adult baptized, the names of all persons married and buried, and the date of such marriage and burial, together with a list of all the communicants of the parish, and also a list of the persons confirmed, with the date of every event recorded, all which shall be under the signature of the person recording. From this register there shall annually be presented to the Bishop, on or before the first day of the Convention, by the minister, or if there be no minister, by one of the wardens, an accurate statement of the number of the baptisms, marriages, funerals, and persons confirmed and admitted to the Holy Communion, since the last like report, together with such other particulars as may throw light on the condition of the parish. And this statement, or such parts thereof as shall be approved by the Bishop, and read in open Convention, shall be entered and published on its Journals.

Sect. 2. In order to secure a full and accurate view of the state of the Church, in case a proper report be not made according to the Canons of the General Convention on this subject, by the Minister or other proper authority of any parish, it shall be the duty of the Convention to cause inquiry to be made into the condition of such parish.

CANON VI.

Of the Election of Church Officers.

Sect. 1. In every Church, which is supplied by a Clergyman, divine service shall be performed, on the day of the election of Church Officers.

Sect. 2. Any person being of good moral character may be eligible to office in any parish, or entitled to vote at an election of officers, who professes to adhere to the Protestant Episcopal Church, and contributes to its support in the mode prescribed in his particular congregation, and who shall have been a worshipper in said Church six calendar months next before the election.

CANON VII.

Of Vacant Parishes.

Sect. 1. On the organization of any new parish in this diocese, or on the occurrence of a vacancy in any existing parish, it shall be the duty of the wardens, or other officers of such parish, to give immediate notice of the same to the Bishop; and until provision be made for the supply of the same, the Bishop may cause it to be supplied at his discretion, by Missionary services, or otherwise.

Sect. 2. In order to maintain public worship in such parishes, according to the venerable formularies of our Church, the Bishop may, on the recommendation of the vestry, appoint lay-readers, who shall be either candidates for orders, or other laymen of exemplary character for morals and piety; and who, under the direction of the Bishop, and in default thereof, under the direction of some Clergyman of the diocese, on Sunday and other proper occasions, shall devoutly read the service of the Church, and a sermon from the works of some approved Protestant Episcopal divine.

CANON VIII.

Of the attendance of Clergy upon Conventions.

It is declared to be the duty of every Clergyman, having a seat in Convention, to attend every meeting thereof, or send a reasonable excuse for absence.

CANON IX.

Of Scholarships in the General Theological Seminary.

The Bishop of the diocese, or, in case of a vacancy in the Episcopate, the Standing Committee, shall have the power of nominating a candidate for Holy Orders on any scholarship or scholarships which are, or may hereafter be, founded by this Convention, in the General Theological Seminary of the Protestant Episcopal Church.

CANON X.

Of the Episcopal and Missionary Funds.

Sect. 1. Collections for the Episcopal and Missionary Funds shall be made annually in every congregation, at such times as the minister, or if there be no minister, the wardens may deem proper. Provided, that collections for the Missionary Fund, in congregations contributing according to the mode recommended by the Bishop and the Convention in 1833,¹ may be dispensed with.

Sect. 2. If from any cause, collections be not made in any congregation, the reason for the same shall be stated in the parochial report.

¹ 1. *Resolved*, That at the instance of the Bishop, it is affectionately recommended to every Episcopalian of this diocese, to commence immediately, and henceforth to continue, a weekly appropriation and contribution for the promotion of Christian knowledge and piety, on the principle recommended by St. Paul, in 1 Corinthians, xvi, 2,—“ Upon the first day of the week, let every one of you lay by him in store as God hath prospered him ;” it being recommended that, at least, five cents each week be given ; the proceeds of such appropriation to constitute an annual fund, to be known as the “ Offerings of the Church.”

2. *Resolved*, That at the instance of the Bishop, it be affectionately and earnestly recommended to the Clergy in each parish, and where there is no Clergyman, to the Wardens, to promote and take charge of this contribution.

3. *Resolved*, That the appropriation constituting the fund to be known as the “ Offerings of the Church,” be paid, at or before each Annual Convention, to the Treasurer of the diocese ; and be held subject to the direction of the Bishop, and two Clergymen and two Laymen to be annually elected as Trustees of the “ Offerings of the Church,” who shall make report to each Annual Convention, of the purpose to which the fund has been appropriated.

4. *Resolved*, That the provisions of the above resolutions are not designed to discourage contributions in other forms heretofore made, or hereafter to be made, for the promotion of similar objects.

Sect. 3. The interest of the Episcopal Fund created prior to 1833, and parochial collections therefor, shall be for the support of the Episcopate, and subject to the order of the Bishop. The fund created since 1833, shall be subject to the rules expressed in the resolutions of 1833,¹ whereby it was provided for.

Sect. 4. The interest of the Missionary Fund and collections therefor shall be applied under the direction of the Trustees of the "Offerings of the Church," for the following purposes,—for Diocesan Missions, for the expenses of the Convention, and for paying the quota of the diocese for the expenses of the General Convention.

CANON XI.

Of persons Repelled from the Holy Communion.

When a person who has been repelled from the Holy Communion appeals to the Bishop, and is not restored by him, the Bishop may, and, if the person repelled demands it, shall appoint one presbyter and two laymen, who shall make inquiry into the truth of the facts alleged, and shall report thereof, with their opinion thereon, to the Bishop, who may proceed to restore the individual, or otherwise, as he may deem proper.

CANON XII.

Of proceedings in the case of a Minister accused by public rumor of offences for which he may be tried.

Sect. 1. When a minister is accused by public rumor of an offence or offences for which he may be tried and punished, according to

¹ *Resolved*, That agents be appointed by the Bishop, for the purpose of raising, by subscription, eight thousand dollars, in addition to the present Episcopal Fund.

Resolved, That the condition of the subscriptions be,—

1. That the sums be payable (if desired by the subscribers) in *five* annual instalments.
2. That the interest on subscriptions, as received, shall be continually added to the principal, until the said sum is realized.
3. That the said sum of eight thousand dollars be considered as part of a Permanent Fund, the interest thereof to be appropriated exclusively to the support of the Bishop of the diocese.

Resolved, That the sums as received on these subscriptions, be paid over to the Treasurer of the Convention, to be by him invested on interest.

the 37th canon of the General Convention of 1832, it shall be the duty of the Bishop, or if there be no Bishop, of the Clerical members of the Standing Committee, to appoint not less than three, or more than five presbyters, who, or a majority of whom, shall make such inquiries as may satisfy them of the innocency of the accused, or of the sufficiency of ground for presentment and trial. If satisfied of his innocency, they shall make report accordingly; if of the sufficiency of ground for presentment and trial, two of them shall present the accused for trial, according to the canon in such case made and provided.

Sect. 2. Any minister of this diocese may for himself request of the Bishop, or if there be no Bishop, of the Clerical members of the Standing Committee, the inquiry provided for in this canon, in which case it shall be instituted and shall proceed according to its provisions.

CANON XIII.

On the Presentment and Trial of Clergymen.

Whenever any minister of this diocese shall become "liable to presentment and trial" under the provisions of any canon of the General or diocesan Convention, the mode of proceeding in this diocese shall be as follows,—

Sect. 1. The trial shall be on a presentment, in writing, addressed to the Bishop of the diocese, specifying the offence or offences of which the accused is alleged to be guilty, with reasonable certainty as to time, place and circumstances. Such presentment may be made by the major part in number of the members of the vestry of any Church of which the accused is, or has been a minister, or by any two presbyters of this diocese, or by the Convention of the diocese, or, in case of alleged misconduct in another diocese, by the ecclesiastical authority of that diocese.

Sect. 2. A presentment being made in any one of the modes above prescribed, the Bishop, if the facts charged shall not appear to him to be such as constitute an offence, may dismiss it; or if it allege facts, some of which do, and some of which do not constitute an offence, he may allow it in part, and dismiss the residue, or he may permit it to be amended. When it shall be allowed in whole or in part, the Bishop shall cause a copy of it to be served on the accused; and shall also nominate eight presbyters of this diocese en-

titled to seats in the Convention, and not being parties to the presentment, and cause a list of their names to be served on the accused, who shall, within thirty days after such service, select five of them, and notify their names in writing to the Bishop; and if he shall not give such notification to the Bishop within the said thirty days, the Bishop shall select five, and the presbyters so selected, or any number of them, not less than three, shall form a Board for the trial of the accused, and shall meet at such time and place as the Bishop shall direct, and shall have power to adjourn from time to time, and from place to place, (but always within this diocese,) as they shall think necessary.

Sect. 3. A written notice of the time and place of their first meeting shall be served at least thirty days before such meeting, on the accused, and also on one of the persons making the presentment.

Sect. 4. If, at the time appointed for the first meeting of the Board of Presbyters, the whole number of five shall not attend, then those who do attend, not being less than three, shall constitute the Board, and proceed to the trial, and a majority of them shall decide all questions.

Sect. 5. If a Clergyman presented, after having had due notice, shall not appear before the Board of Presbyters appointed for his trial, the Board may nevertheless proceed as if he were present, unless for good cause they shall see fit to adjourn till another day.

Sect. 6. When the Board proceed to the trial, the evidence shall be reduced to writing, and signed by the witnesses respectively. If on, or during the trial, the accused shall confess the truth of the charges as stated in the presentment, the Board may dispense with hearing further evidence, and may proceed at once to state their opinion to the Bishop as to the sentence that ought to be pronounced.

Sect. 7. Upon the application of either party to the Bishop, and it being made satisfactorily to appear to him, that any material witness cannot be procured upon the trial, the Bishop may appoint a Commissary to take the testimony of such witness. Such Commissary may be either a Clergyman or a Layman, and the party so applying, shall give to the other at least six days' notice of the time and place of taking the testimony. And if the person on whom the notice shall be served, shall reside more than 40 miles from the place of examination, an additional day's notice shall be given for every additional

20 miles of the said distance. And both parties may attend and examine the witness; and the questions and answers shall be reduced to writing, and signed by the witness, and shall be certified by the Commissary, and enclosed under his seal, and transmitted to the Board, and, if competent, shall be received by them as evidence.

Sect. 8. The Board having deliberately considered the evidence, shall declare in a writing signed by them, or a majority of them, their decision on the charges contained in the presentment, distinctly stating whether the accused is guilty or not guilty of such charges respectively, and also stating the sentence which in their opinion should be pronounced; and a copy of such decision shall without delay be communicated to the accused: and the original decision, together with the evidence, shall be delivered to the Bishop, who shall pronounce such canonical sentence as shall appear to him to be proper, provided the same shall not exceed in severity the sentence recommended by the Board; and such sentence shall be final. Before pronouncing any sentence, the Bishop shall summon the accused, and any three or more of the Clergy, to meet him at such time as may in his opinion be most convenient, in some Church to be designated by him, which shall for that purpose be open at the time to all persons who may choose to attend, and the sentence shall then and there be publicly pronounced by the Bishop. But the Bishop, if he shall be satisfied that justice requires it, may grant a new trial to the accused, in which case a new Board of Presbyters shall be appointed, and the proceedings shall be conducted as before mentioned.

Sect. 9. All notices and papers contemplated in this canon may be served by a summoner or summoners, to be appointed for the purpose by the Bishop, and whose certificate of such service shall be evidence thereof. In case of service by any other person, the fact shall be proved by the affidavit of such person. A written notice or paper delivered to a party, or left at his last place of residence, shall be deemed a sufficient service of such notice or paper.

Sect. 10. Counsel shall be allowed on both sides, not exceeding two to either, at the pleasure of the parties, provided they be communicants in this Church.

Sect. 11. The Bishop shall appoint some person to act as Clerk, and carefully to record the proceedings.

CANON XIV.

Of a Treasurer pro tempore.

Whenever a Treasurer shall be appointed by the Standing Committee or otherwise, he shall enter into the same securities and be responsible in the same manner as if regularly appointed by the Convention.

CANON XV.

Of alterations in the Canons, and additions thereto.

No proposed alterations of, or additions to the canons, shall hereafter be considered by the Convention, unless at least one day's previous notice thereof be given in open Convention, and until such alteration or addition shall have been referred to, and reported upon, by a committee of at least two presbyters and two laymen.

CANON XVI.

Repealing former Canons.

All former canons of this Convention are hereby repealed.

LEGISLATIVE ACTS.

—
AN ACT

To incorporate "*The Convention of the Protestant Episcopal Church in the State of New Jersey.*"—Passed November 20, 1826.

1. Be it enacted by the Council and General Assembly of this State—and it is hereby enacted by the authority of the same, that the Rev. John Croes, Charles H. Wharton, John Croes, Jr., George Y. Morehouse, Clarkson Dunn, Simon Wilmer, William L. Johnson, Matthew Matthews, Christian F. Cruse, and Benjamin Holmes, and Joseph Marsh, Robert Boggs, Zachariah Rossell, Christian Larzelere, George Haywood, Isaac Welsh, Joseph V. Clark, Charles C. Stratton, Enoch Aggins, Thomas Sinnickson, and Aaron Wright, and their associates, forming the Convention of the Protestant Episcopal Church in the State of New Jersey, and their successors, duly appointed, according to the Constitution of the said Church, shall be, and they are hereby made and constituted a corporation and body politic, in law and in fact, by the name and title of "*The Convention of the Protestant Episcopal Church in the State of New Jersey.*"

2. And be it enacted, That the said corporation, and their successors, by the name and title aforesaid, shall be able and capable, in law, to purchase, have, hold, take, use, and enjoy, in fee simple, or any life or other estate or estates, any lands, tenements, rents, liberties, privileges, franchises, or other hereditaments; and also, any goods, chattels, moneys, legacies, donations, or other estate or property whatsoever, given or granted to the said Convention, in any manner or way whatsoever, *provided always*, that the income thereof shall not exceed the sum of five thousand dollars per annum. And further, that all the estate, real, personal, and mixed, now belonging to, or held by the said Convention, shall be vested in, and held, and managed by the said corporation, and their successors; and that the said corporation and their successors shall and may give, grant, sell and convey, demise, assign, release, or otherwise

dispose of, all or any of their messuages, houses, lands, tenements, rents, possessions and other hereditaments, and real estate, and all goods, chattels and personal estate, and other things aforesaid, as to the said corporation shall seem meet; and that the said corporation shall be able and capable, in law, to sue and be sued, plead, and be impleaded, answer, and be answered, defend, and be defended, in all courts, and all and every other matter and thing therein to do, in as full and effectual a manner as any other person or persons, body politic or corporate in this State, in the like cases can or may do; and that they shall have full power to demand and receive, and if need be, to sue for, and recover all debts, rents and legacies which are now due, or may become due to the said Convention; and to demand, have, and take all deeds, bonds, and mortgages, notes, books, and other writings or things which belong to the said Convention; and shall, and may have and use a common seal, with such device or devices as they shall think proper, and the same to break, renew or alter at pleasure.

3. And be it enacted, That it shall be lawful for the said corporation to appoint a Treasurer, during their pleasure, who shall hold and manage the said funds, subject to the instruction and control of the said corporation, and who shall render an account of the same at every annual meeting of the said corporation, and oftener, if required, and give security for the faithful discharge of his duties, if required to do so, and pay out moneys under such regulations and orders as the said corporation may from time to time adopt—*Provided, nevertheless*, and it is hereby enacted, That nothing in this act contained shall prevent the Legislature from altering, amending or repealing the same, whenever, in their opinion, the public good requires it.

AN ACT

*To incorporate religious societies worshipping according to the customs and usages of the Protestant Episcopal Church.—
Passed Feb. 17th, 1829.*

Whereas, the act entitled, “An act to incorporate trustees of religious societies,” passed the twelfth day of June, one thousand seven hundred and ninety-nine, is, in some respects, inconsistent with the Constitution, usages, and customs of the Protestant Episcopal Church

in this State—And Whereas the Convention of the said Church have prayed the aid of the Legislature in the premises—Therefore,

Sect. 1. Be it enacted, by the Council and General Assembly of this State, and it is hereby enacted by the authority of the same, That when any congregation of the Protestant Episcopal Church in this State, duly organized according to the Constitution and usages of said Church, desire to form themselves into a body corporate, notice shall be given of such intention ten days previously, by an advertisement set up in open view at or near the place where such congregation usually assemble for divine service, designating the day when, and the place where, they design to meet for that purpose.

Sect. 2. And be it enacted, That the congregation, having met at the time and place appointed, the Rector or Minister, or if there be no Rector or Minister, or he be necessarily absent, one of the Church-wardens or Vestrymen shall preside at the meeting, and the Secretary of the Vestry shall record the proceedings of the meeting. The congregation shall then proceed, by a vote of the majority of those present, to designate the corporate name or title by which the Church shall be known, which shall be in the manner and form as follows: “the Rector, Wardens, and Vestrymen of _____ Church, in _____.” The congregation shall then choose two Wardens, and not more than ten, nor less than five Vestrymen, and also fix and determine the day annually, on which new elections of officers shall take place. A certificate of these proceedings, under the hands and seals of the President and Secretary of the meeting, shall be transmitted to the Clerk of the Court of Common Pleas of the county, whose duty it shall be to record the same, for which he shall be entitled to receive the usual compensation for similar service.

Sect. 3. And be it enacted, That the Rector, Wardens, and Vestrymen, appointed as aforesaid, shall be a body corporate and politic, in law and in fact, to have continuance forever, under the same restrictions, and with the same rights and privileges, as are expressed in the “Act to incorporate trustees of religious societies,” passed the twelfth day of June, one thousand seven hundred and ninety-nine—*Provided nevertheless*, that if at any time the Church be without a Minister or Rector, the same rights and privileges shall be vested in the Wardens and Vestrymen.

Sect. 4. And be it enacted, That the Rector, Wardens, and Vestrymen, and their successors, or a majority of them, may make such rules, by-laws, and ordinances, and do every thing needful and requisite for the good government and support of the Church, all of which shall be entered in a book, to be provided and kept for that purpose—*Provided* that the said rules, by-laws, and ordinances shall not be repugnant to the Constitution and laws of this State, or of the United States.

Sect. 5. And be it enacted, That the qualification of voters at the annual elections shall be conformable to the Constitution and principles of the Protestant Episcopal Church in New Jersey.

Sect. 6. And be it enacted, That the Rector, Wardens, and Vestrymen shall choose a Treasurer, who, when called upon for that purpose, shall render a true and just account to the corporation, of all moneys by him received and expended, and pay over the balance which may remain in his hands at the time of settlement, to his successor in office.

Sect. 7. And be it enacted, That when a vacancy shall occur in the office of Minister or Rector, by death, removal, or otherwise, the said Wardens and Vestrymen, (two-thirds of them concurring in the choice,) may choose some fit person, duly qualified, to act as Minister or Rector of said Church, agreeably to the Constitution of the Protestant Episcopal Church in the United States of America; and the Minister or Rector so chosen, shall preside at all meetings of the Wardens and Vestrymen, and have a casting vote, except the business or question to be decided has relation to the personal interest of said Minister or Rector; *Provided*, that in the absence of the President, the Wardens and Vestrymen may choose a President, pro tempore.

Sect. 8. And be it enacted, That it shall and may be lawful for any Protestant Episcopal Church in this State, incorporated under existing laws, to embrace the privileges of this Act, by compliance with, and adopting its provisions.

USEFUL FORMS.

FORMS FOR THE INCORPORATION OF CHURCHES,

Under Act 17th Feb. 1829.

Form of Notice to Incorporate.

Notice is hereby given to the members of ——— Church in ——— and to those who desire to associate themselves with said Church, that a meeting will be held in ———, on the ——— day of ———, at the house of ———, for the purpose of taking measures necessary to incorporate said Church, agreeably to "*An Act to incorporate religious societies worshipping according to the customs and usages of the Protestant Episcopal Church,*" passed Feb. 17, 1829.

Dated &c. [to be signed by the Minister or Wardens.]

NOTE.—It will be necessary in the case of new congregations, that they should previously meet and organize by the choice of two Wardens, five or more Vestrymen, not exceeding ten, and a Secretary of the Vestry.

Certificate of Incorporation.

To all whom these presents may concern : We whose names and seals are hereunto affixed do certify, That the congregation of ——— Church in ———, in the county of ——— and State of New Jersey—which is a society worshipping according to the customs and usages of the Protestant Episcopal Church—desiring to form themselves into a body corporate, according to the Act of the Legislature of the State of New Jersey, in such case made and provided, met in ——— Church aforesaid, in the said town of ——— on the ——— day of ——— in the year of our Lord ———, pursuant to ten days previous notice, given as the intention of the said congregation to form themselves into a body corporate, by an advertisement set up in open view on the outer door of the said Church (or as the case may be), it being the place where the said congregation usually assemble for divine service, which notice designated the day when, and the place where, they designed to meet for that purpose ; the Rector (or Minister,—or if none say, *There being no Rector or Minister,* ——— Esq. one of the Church-wardens) of the said Church presided, and ———, the Secretary of the Vestry, recorded the proceedings.

The congregation then proceeded, by a vote of a majority of those present, to designate the corporate name or title by which the said Church shall be known, and which is "*The Rector, Wardens and Vestrymen of ——— Church, in ———.*" The congregation then chose ——— ———, Wardens, and (not

less than five or more than ten) ——— Vestrymen, and also by a majority of voices fixed and determined on the (Tuesday or other day) in the week called Easter Week (or any other day,) annually as the day on which new elections of officers of the said Church shall take place. In testimony whereof, and in order that these proceedings may be recorded, we the Rector (Minister or Church-wardens) and Secretary aforesaid, have hereunto set our hands and seals this ——— day of ———, in the year of our Lord, &c.

[L. S.]

[L. S.]