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SUPPLEMENT TO CHAPTER I

THE DEACONS' COURT-ITS CONSTITUTION, POWERS AND FUNCTIONS

PART 1-The Constitution and Officials of the Deacons' Court

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of the meeting of Minister, Elders and Deacons, which, according to the Act VII., of the Free Church General Assembly 1846, may be called "The Deacons' Court," is connected in some measure with the position in which that Church found herself in 1843. This maintained in the Reformed Church of Scotland. The chief scriptural principles held on the subject are—(1) That, according to Acts vi., Philippians i. I, and I Tim. iii. 8, 9, 10, there is, in addition to the office of Bishop or Elder, a spiritual office in the Church, the duties of which relate to the temporal concerns of the Church; and Constitution was, however, carefully based upon principles indicated (2) That this office is one of relief or assistance to the Pastor and Ruling Elders, with a view to their greater freedom in their prosecution of their higher functions, and that, consequently, it ought in the Word of God and upon the views and practice originally to be discharged in consultation with the Pastor and Elders. THE Constitution, in the Free Presbyterian Church of Scotland,

In the application of these principles, the following rules of

practice have arisen:-

Meeting of Pastor, Fiders, and

Ruling Elders and the Deacons, constitute a distinct and separate meeting, which has come in practice to be called the Deacons, Court 1. The Pastor or Pastors of each Congregation, along with the

Specialty of Deacons' Office.

Duration of Office etc. Deacons are elected for life, or until they cease to be members of the to the number of Deacons in each Congregation than that it ought of the Word, or the work of the Eldership, from being hindered by Deacon's office is, that it embraces of itself no other function, and that it binds its possessor to do what he can to prevent the ministry includes the lower. The Pastor and Ruling Elders are, therefore, not excluded from the exercise of that function. The specialty of the the function of administering the temporal affairs of a Congregathe burden of temporal matters. No other rule can be laid down as tion. The Presbyterian doctrine is, that the higher office scripturally 2. The name of Deacon is understood to describe exclusively

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and declared to have resigned through long absence from meetings Congregation, or their resignation be accepted of, or they he held of Deacons' Courts, or they be deposed.

3. The election of Deacons belongs to the members of the Con-

Election of Deacons.

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gregation in full communion.

There is no detailed Directory as to the order of precedure, except in so far as some may consider the ACI X., 1842, passed previously to the Disruption, to have force in some of its clauses. But the only Acts of the Arree Assembly on the subject, are the Act and appear, in the view of some, to supersede the obligations of any detailed Directory. X., 1864, and the Act XIV., 1846, which state general principles.

4. The case of a person having formerly held the office of Deacon in another Congregation (or even in the same Congregation) is dealt with in the same manner as that followed in the corresponding

case of a Ruling Elder.

5. The qualifications required of Deacons are the following:—
They must be in full communion with the Congregation.
They must be of "honest report," having an outward walk and

conversation consistent with the profession of spiritual enlightenment and spiritual feeling. They must be "grave, not double-tongued, not given to much wine, not greedy of filthy lucre, holding the mystery of the faith in a pure conscience." They must be Church, proved" by reasonable trial in the ordinary membership of the

They must be exemplary in their domestic relationships, "ruling their children and their own houses well," if they be parents or

heads of families.

of the Lord's day, and in regularly keeping up the worship of God in their families." in their attendance upon ordinances, and strict in their observation They must be "tender and circumspect in their walk, punctual

They must be men of "good life and godly conversation, without blame and all suspicion," showing signs of scriptural wisdom and discretion, and careful for the interests of Christ's cause.

6. The Deacons' Court meet regularly as occasion requires with a view to the adequate oversight of the organization for the ingathering of the funds. The question as to the frequency of meetings must be transacted on the Lord's day. Congregation. The ordinary business of the Deacons' Court cannot depend, in some measure, on the peculiar circumstances of a Monthly Meet-ings, etc.

the Minister, or at the requisition of any three members,—said reor by personal notice to the members. It is called by authority of 7. The Deacons' Court is convened by citation from the pulpit, Mode of conven-ing Deacons' Court.

in the pastoral charge, to the Clerk of the Court.

The citation is held sufficient if a reasonable time be allowed by quisition being addressed to the Minister, or in time of a vacancy

it for the attendance of the members.

No meeting of Deacons' Court can be held at an hour when the

sederunt to another, the same principle applies which has been stated respecting the adjournment of a meeting of Kirk-Session. Presbytery of the bounds or Synod is sitting.

8. With reference to the question of an adjournment from one Adjournment

Qualifications.

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bairman.

quorum is not necessary.

Kirk-Session, except that the presence of a Pastor as one of the

10. The quorum of Deacons' Court is the same as that of the

Pastor sits as a constituent member of the Court.

11. The Chairman may introduce any business to the Deacons' Court, and may address them regarding it. He has no deliberative vote. In case of an equality, he has a casting vote.

12. The Deacons' Court are required to appoint one or more

of the arrangements in the Congregation for obtaining contributions.

14. The Clerk of the Deacons' Court is required to keep a separ-

him to judge at all times with respect to the condition and working 13. It is expected that the Treasurer keep a Register embodying the contents of the Deacons' and Collectors' books, so as to enable

such of its papers, books, and documents as are not entrusted to the

ate Record for the Minutes of its procedure, and to take charge of

custody of a Treasurer.

15. Every meeting of Deacons' Court is both opened and closed with prayer. The Minute must always bear at the outset that the

Deacons' Court was constituted, and at the end that the meeting was closed with prayer. No Minute is valid without the mention of these particulars. No extract can be received which does not

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residency.

absence any other member of the Court may be chosen to preside. If there be more than one Pastor, it is determined by mutual agreealways presides in the Deacons' Court when he is present. In his

If there be only one Pastor or Minister in a Congregation, he

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ment who shall preside, when they are both present. The other

[reasurer

Treasurers and a Clerk.

Order of Business.

IN Opening and Closing, etc.

ought, at each meeting, to hear the Minutes of last sederunt read; and the judgment of the Deacons' Court-approving of the Minutes

16. Before proceeding to other business, the Deacons' Court

only to the correctness of the Minutes as a true account, and not to or correcting them-ought to be recorded. That judgment refers Records of the Court. bear that the Deacons' Court was constituted, and which is not

open Meetings. 17. The meetings of Deacons' Court are not usually open to the public, or even to the Congregation; but the Deacons' Court may hold open meetings if they see special cause. the merits of the res gestæ.

18. The Church officer or Beadle who takes charge of the place

is an Officer of the Deacons' Court, and bound to be in attendance at the time of their meetings. of worship, and is responsible for its condition and arrangements,

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attending to the temporal wants of poor persons connected with the and to dispose of the funds raised in accordance with those instrucarrangements for the ingathering of these contributions as they are required or permitted to make by the instructions of the Synod; Congregation, and to the education of their children, is specially discretion, or in obedience to the Presbylery or Synod. The duty of regulation of the Deacons' Court, in the exercise of their allowed for the objects sanctioned or allowed by the Synod; to make such ions. The distribution of all the congregational funds is subject to the

assigned to the Deacons' Court. The powers and functions thus generally described are exempli-

fied in detail as follows:—

principles to the management of secular matters, they are not authorized to exercise any kind of spiritual rule. The Court has, therefore, no power of discipline even over its own members. It can neither admit to the office of Deaconship, not depose from it. Kirk-Session in so far as by the admission, removal, suspension, or deposition of office-bearers, these Minutes affect its membership; and any change, of which the Court thus obtain evidence, ought to Nor can the resignation of a Deacon be competently received by the Deacons' Court, nor dealt with by them in any way. But the be recorded. Deacons' Court is entitled to certified extracts from the Minutes of i. Although the Deacons' Court are called to apply spiritual No power of Discipline.

2. After each change in the membership of the Court, a revised Roll of Court. Roll of the members ought to be recorded in the Minute.

3. The members of the Deacons' Court are not necessarily them-

vested, but the Synod approve only of such Title-Deeds as require the Trustees to leave the management in the hands of selves the Local Trustees in whom the congregational property is

the Deacons' Court. It is competent and not unusual for the members of the Deacons' Court to be named as the Trustees.

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

worship and other ecclesiastical buildings are kept in good condition and repair, and to take steps for raising the funds that are needful for this purpose. 5. It is the duty of the Deacons' Court to see that the place of

to whom is entrusted the immediate care of the place of worship. It lies with them also to appoint and dismiss the Doorkeepers and any other parties employed in ministering to the comfort of the Court to fix the Salaries of all these officials. Congregation when assembled. It is also the function of the Deacons Deacons' Court to appoint and dismiss the Church Officer or Beadle, 6. In the discharge of their responsibility, it belongs to the

whole property belonging to the Congregation, or held for the Congregation's use by Trustees appointed in terms of deeds which

The Deacons' Court have the management and charge of the

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charge of all the Congregation's secular affairs. They are called to receive the contributions of the Congregation or its Members the Synod has sanctioned. They have also the management and

Repair of Buildings.

Appointment and Dismissal of Beadle.

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employed.

inated as soon as practicable in any case in which it may be

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reign Missions.

ropriation things and er may act as d Districts Surr. ectors entorship PART II. HAP. I. 26 7. The Deacons' Court have no jurisdiction over the spiritual order of the house of God, or over the conduct of Public Worship questions relating thereto; such as whether there shall be Seat Rents, what the rates shall be 8. It is the function of the Deaeons' Court to appropriate the Sittings and Pews in the place of worship, and to determine all Salary lies entirely with them, it is not unreasonable that they should fore properly belong to their department. But as the fixing of his in any of its parts. The appointment of a Precentor does not therearrangements relative to the General Funds, by dividing the Congregation into Districts; and by assigning a District to each Deacon. be consulted in his election. appoint Collectors to assist him where it is necessary, and the substance, at least, of what is here described. district when no Deacon has been appointed to it. But this is regarded as a temporary expedient, which scriptural principles and the system of the Church's practice require to be term-A Deacons' Court neglect their duty when they do not fulfil the when practicable, while she expects each Deacon, at any rate, to favours the practice of each Deacon collecting in his own district districts which have not been placed under Deacons. But the Church Deacons' Court may appoint Collectors who are not Deacons, for visit his district personally from time to time. 9, It is the duty of the Deacons' Court to make the requisite 11. It is allowable for a Ruling Elder to act as the Deacon of a 10. A Deacon may, with the sanction of the Deacons' Court,

Collections of the people, according to such arrangements as may be made by the Deacons' Court.

13. It is the duty of the Deacons' Court to see that the proceeds of all the Special Collections appointed by the Synod be handed to the Foreign Missions has been formed with the sanction of the Kirk-Session and Deacons' Court, it is usual for that Court to sanction to the General Treasurer appointed by the Synod.

14. When a Congregational Association for the support of Local Treasurer, and be by him transmitted in due time and order 12. Both Ruling Elders and Dencons may receive the Sabbath

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the receipt and due transmission of the Contributions. also the appointment by the Association of a separate Treasurer for that Fund, who shall be responsible to the Deacons' Court for of all the funds. Church money deposited in a bank by a to take charge of those Congregational Funds which are applicable 15. A Local Treasurer must be appointed by the Deacons' Court

17:51 ocal Treasurer.

16. Where Seat Rents exist, and there is debt on the ecclesiastical buildings, the payment of the interest of the debt forms a Congregation of and his successors in office".

congregational Treasurer should be so deposited in the name of the Treasurer with the added words "Treasurer of the Free Presbyterian

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primary burden upon the Scat-Rent Fund.

17. It has been enacted by the Assembly of the Free Church that

and the due administration of Gospel Ordinances, an adequate supplement to the Minister's Stipent be provided out of the Conand Precentor, Presbyterial, Synodical, and Assembly charges, and after deducting feu-duty, the cost of insurance, the salaries of Beadle gregational Funds, before these funds are held applicable to any the current yearly expenses for the maintenance of Public Worship. other purpose whatsoever.

Supplement.

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Sabbath Collections to any other purpose, shall first of all consider, from time to time, the question, Whether any, and, if any, how much, addition to the Minister's Stipend should be made out of the Deacons' Court, before applying the proceeds of the ordinary Fund thus raised? It is required that, after the deductions here mentioned, the

18. After determining the question of Supplement to the Minister, it is the duty of the Deacons' Court to apply the remainder of the Congregational Funds, in fitting proportions, to religious, ecclesiaslical, educational, or benevolent objects.

Collections at the church door, as often as may appear to them necessary, for the temporal relief of poor members of the Congregaraised for these purposes shall be applied. function also to determine how, or in what proportion, the funds tion, and for the education of the children of the poor. It is their 19. It is also the function of the Deacons' Court to make special

Deacons as to their duties in detail. 20. It is their function to advise and instruct the individual Advice, etc., to

that of the Kirk-Session, though varying, according to the difference of the subjects. At the regular Meetings the first business, after the approval of the Minutes, ought to be that of the Contributions to the General Funds. 21. The approved order of business is the same in substance as

of the Kirk-Session Record. (See Chapter I. Part II. Section 16.)
23. Any member of a Deacons' Court may enter his dissent from any part of their procedure of which he disapproves. And his dissent must be dealt with in the same manner as a simple dissent is dealt with by a Kirk-Session. (See Chapter I. Part II. is kept by their Clerk in the same manner as is required in the case 22. It is the duty of the Deacons' Court to see that their Record

24. There is no right of regular appeal or complaint to the Kirk-Session, or to any of the Superior Church Courts, against a decision of the Deacons' Court. Their determinations are final, Section 17.) when they keep within their province, and obey the rules of the Church.

25. Any member of a Congregation or any person connected with it or any member of the Kirk-Session may petition the Presbytery against the procedure of the Deacons' Court, on the ground of excess of power, or of disregard to rules of the Church. It is comeither of these cases, require the procedure to be altered, or censure have exceeded their power or disregarded the rules, upon the periodical examination of the Record. The Presbytery may, in petent also for the Presbytery to find that the Deacons' Court Deacons' Court may appeal to the Synod; so also may the petitioners the Deacons' Court, according to the nature of the case. The

Surplus Fund.

Special Collec-tions.

Order of Business Deacons.

Record.

Dissents.

No power of regular Companies or Appeal.

Petition against Deacons' Court

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Annual produc-ion of Record, Auditing of Accounts, etc.

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> reject their Petition. against the Deacons' Court's procedure, when the Presbytery

concerned in their procedure, in the same manner as the Kirk-26. The Deacons' Court are bound to furnish Extracts to parties

for the purpose of being examined and attested by the Presbytery at said meeting. A copy of the account is also to be sent to the General Treasurer as Clerk to the Finance Committee at the same urer's account of receipt and expenditure, after said account shall the year to which the account relates. time, and in any case not later than 31st March of the year following fixed by that Presbytery, to fall after the close of the financial year, nually exhibited to the Presbytery of the bounds, by a date to be have been duly audited by appointment of the Court, shall be an-27. It is required that the Record of the Court, with the Treas-

and that the Congregational Meeting shall be convened by intimation from the pulpit, and the Minister, if present, shall preside in it. 28. All titles of church property should be lodged either with the General Treasurer or with the bank with which the Congregation asked for, and receive any suggestions which may be offered by the persons connected with the Congregation for the consideration of the preceding year, give such information and explanation as may be The Deacons' Court shall present a report of their proceedings for be held and the annual financial statement read to the congregation. the Court, with reference to the future distribution of the funds; As soon as convenient thereafter a congregational meeting shal

Annual Congre-gational Meeting.

deals and a note of their whereabouts inserted in the Deacons' Court title deed embodying the Church's Model Trust Clause, if this is All congregational property should be held upon a duly recorded

CHAPTER II

THE PRESBYTERY-ITS CONSTITUTION, POWERS AND FUNCTIONS

PART I-The Constitution and Officials of the Presbytcry

of Scotland is based upon scriptural principles. The foundation of it appears to be laid in the following views of what the Divine word THE Constitution of a Presbytery in the Free Presbyterian Church

with variety of occupation. Whether a man be required to act oflicially in the Church as Pastor of a flock, or as Minister of the Word, Church above that of a teaching elder or presbyter. That office is distinguished from what is called the office of Ruling Elder, simply by the special gifts that are required for the fulfilment of its functions, and not by the possession of superior power or authority in the Church. The variety of those gifts may be associated ing Elder, the Teaching Elder is both a Bishop and a Presbyter; while the obligations of the spiritual oversight, implied by the term Bishop, are laid(more specially) and fully upon him than upon the Ruling Elder.

(2) The scriptural equality of spiritual rulers appears, both by or as Doctor, or as Ordained Professor of Theology, he, in the view of the Free Presbyterian Church of Scotland holds the same scriptural office, above which there is no other. Incomm on with the Rulor as Christ's Ambassador, or as Steward of the mysteries of God (1) The New Testament recognises no permanent office in the Principles of Constitution.

the nature of the case and by scriptural precept and example, to involve the obligation and privilege of meeting together for consultation, determination, and united action respecting the affairs of Elders, or any other important circumstance of a permanent kind, renders it inexpedient that they should be all convened in one at one neeting by some of their number chosen by them in meeting, provision should be made for their being all represented principle that when the number either of Teaching Elders or Ruling the Church. There seems also good warrant in Scripture for the proportion for that purpose. 12

conducted by all the Teaching Elders or Pastors of the district system of several Congregations, which are sufficiently contiguous assisted by representatives of the whole Ruling Eldership. in point of locality, being united under one presbyterial government (3) The New Testament appears to sanction very distinctly the

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