

APPENDIX X
FORMS AND STYLES

I. Ordinary Matters

1. FORMS FOR KIRK-SESSIONS

(1) Specimen Minute of Kirk-Session, in which for brevity's sake, many particulars are inserted to show how they ought to be dealt with and expressed, though they might never all occur in the same Minute

At the day of 19 :
The Kirk-Session of the Free Presbyterian Church Congregation at met, according to intimation from the pulpit, and was constituted,—Sederunt, the Rev. , Moderator; Messrs. and , Ruling Elders.

The Minute of last meeting was read and approved of.
The Kirk-Session hereby recognise and record the fact that, on the day of the Rev. was ordained and inducted as Pastor of their Congregation, and has now for the first time taken his seat as Moderator of Session.

The Kirk-Session resolve that the ordinance of the Lord's Supper shall be observed in this Church on Sabbath, the day of next, and that a meeting of Session for the revival of the Communion-roll, preparatory thereto, shall be held in , on the day of , at o'clock.

The Session took into consideration the division of the Congregation into districts for the Elders, and resolve that it shall, in the meantime, stand as follows:—

The Session resumed consideration of the proposal made by Mr. at the last meeting. It was moved, seconded, and unanimously agreed to, That

The Session proceeded to elect a Ruling Elder to represent them in the Presbytery and Synod during the current year, in place of Mr. whose term of representation had expired after the meeting of Synod on the day of

It was moved, seconded, and unanimously agreed to, That Mr. be elected for the current half-year. Accordingly, the Session elected Mr. one of their number, and bona fide an acting Elder of their Congregation, to represent them in the Presbytery and Synod during the current year.

The attention of the Session was called to the importance of the Elders on this occasion visiting their respective districts in good time, previously to the Communion, in order that the number of the intending Communicants may be as far as possible ascertained, after the long protracted vacancy, and that the roll may be carefully adjusted both before and after the Communion.

The Session find that Mr. , Ruling Elder, and Mr. , Deacon, have withdrawn from all meetings of Session and Deacons' Court for more than twelve months, without explanation. The Session, accordingly, find that they have both ceased to be members of the Deacons' Court, and that Mr. has ceased to be a member of the Kirk-

Session of the Congregation of
The Session resolve that Public Worship shall commence on the Communion Sabbath, at o'clock A.M., and on the Fast-day at o'clock A.M.
Closed with prayer.

(2) Another Specimen Minute

At the day of 19 :
The Kirk-Session met, through personal citation by the Moderator, and was constituted,—Sederunt, the Rev. , Moderator; Messrs. and , Ruling Elders.

The Minute of last meeting was read and approved of.
The Moderator brought under the Session's notice the vacancy in the Church Officership, occasioned by the resignation of

The Session being cognizant of the election to the Beadleship by the Deacons' Court of Mr. , hereby appoint him to be Church Officer also.

Mr. was called in and his appointment was intimated to him. He promised to discharge the duties faithfully and confidentially, and was thereupon admitted to the office.

The Moderator represented the importance of having a new election of Ruling Elders. The Session having taken into consideration the question as to having an addition made to the number of Elders, resolved to take steps with the view of accomplishing this end, and accordingly requested the Moderator to make an intimation on Sabbath next, and (should the Session desire it) on the two following Sabbath-days, at the close of Public Worship, to the effect that the election will take place in the following manner:—

[Then let the manner adopted by the Session be stated, whether by the giving in of lists, or by voting at the meeting, or otherwise].

It was agreed that the number to be elected shall be , and that

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Elders visiting after Vacancy.

Elders and Deacons ceasing to be in Office.

Appointment of Hour of Worship

Vacancy in Church Officership.

Election of Elders.

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Kirk-Session Minutes.

Induction of Minister.

Appointment of Communion.

Elders' Districts.

Intimation agreed to.

Election of Representative Elder.

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the Moderator shall intimate the number. It was also agreed that the Moderator should address the people on their duties in this matter, and take occasion to point out the qualifications of Elder. The Session resolved to meet in the church on the day of , for the purpose [either of opening lists, or, along with the Congregation, for an election otherwise].

Motion carried on
vision.

Thereafter the Session took into consideration the subject of

It was moved and seconded, That

It was also moved and seconded, That

After conversation it was agreed to take the vote. The votes were marked, and it appeared that members had voted for the first Motion, and for the second, so that the motion was carried by a majority of . Thereupon the Kirk-Session, in terms of that Motion, resolve that

Simple Dissent
entered.

From this judgment Mr. entered his dissent, and Mr. adhered to the dissent. Closed with prayer.

(3) *Third Specimen Minute*

At the day of 19 : The Kirk-Session met, and was constituted,—Sederunt, the Rev. Moderator; Messrs. and Ruling Elders.

Reasons of Simple
Dissent.

The Minute of last meeting was read and approved of. Mr. gave in Reasons of Dissent from the judgment of the Session at last meeting on the subject of , signed by himself and Mr. . They were ordered to be kept *in retentis*.

Election of Elders.

The Moderator intimated that he had complied with the request of the Session recorded in the Minute now read: [Here let it be stated either that the lists were opened and read and the votes marked, etc., in presence of the Congregation (or publicly or privately according to resolution), or that the Session met with the Congregation and proceeded to an election, when motions were made, etc., and the following were elected (either unanimously or by a majority as the case may be), in the following order, the person named first having the greatest number of votes.]

The Blessing having been pronounced and the Congregation [or public meeting] having been dismissed, the Session continued their meeting alone.

The Session being alone, proceeded to judge of the qualifications for the Eldership of the persons named. After deliberation, the Session find that the following persons have been elected by the Congregation and are duly qualified, viz.,—

It was agreed that the Moderator should ascertain the willingness of the above named to accept office.

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It was moved and seconded, That

It was also moved and seconded, That,

The Session resolve

Motion carried
and complained of

From which judgment Mr. dissented, in the name of himself and all who may adhere to him, and protested for leave to complain to the Presbytery of , promising to give in Reasons in due time, and took instruments in the Clerk's hands and craved extracts, which were allowed.

The following members were appointed to defend the judgment of the Session at the bar of the Presbytery, viz.,—

Closed with prayer.

(4) *Fourth Specimen Minute.*

At the day of 19 : The Kirk-Session met, and was constituted,—Sederunt, the Rev. Moderator; Messrs. and Ruling Elders.

The Minute of last meeting was read and approved of.

The Clerk reported that Reasons of Dissent and Complaint by Mr. and Mr. had been lodged with him in due time.

Reasons of Com-
plaint.

The Moderator reported that he had dealt with the persons elected and found qualified for the Eldership in their Congregation as to their acceptance of the office, and that the following persons had agreed to accept, viz.,—Mr.

The Session appoint the ordination of Messrs.

Appointment of
Elders' Ordination.

and the admission of Mr. , already ordained to the Eldership in another Congregation, to take place in presence of the Congregation, on Sabbath the , after Public Worship in the , and they direct an edict to this effect to be served in common form on Sabbath, the day of , giving notice to the people that

if any of them have any objections to state to the life or doctrine of any of the foresaid persons, they will have an opportunity of stating the same at a meeting of Session to be held for that purpose in on the day of at o'clock, with certification that unless such objections be substantiated at said meeting, the ordination and admission will be carried out.

Closed with prayer.

(5) *Form of Edict for Ordination and Admission of Elders to be read from the Pulpit*

At the day of 19 : The Kirk-Session of the Free Presbyterian Church Congregation of having appointed an election of Elders

Edict for Ordi-
nation of Elders.

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

(6) *Another Specimen Minute*

At _____ the _____ day of _____ 19 _____ :
The Kirk-Session of _____ met and was constituted,— Sederunt, the Rev. _____, Moderator; Messrs. _____ and _____, Elders.

The Minute of last meeting was read and approved of. The Moderator reported that he had made edictal intimation as to the ordination and admission of Elders according to the request of the Session. The Session called the Church Officer and instructed him to intimate at the Church door, that the Session had met to give an opportunity for the statement of objections in terms of the Edict. Thereafter, the Officer returned from the door and intimated that no objector had appeared. The Session, accordingly, resolve to proceed with the ordination and admission according to their last Minute. [N.B.—If there should be any objections to life or doctrine brought forward, the Session must either find that they are not substantiated to the satisfaction of the Session, and resolve to proceed with the ordination and admission; or that they are substantiated, and resolve to take the party or parties on discipline.]

Closed with prayer.

(7) *A Sixth Specimen Minute*

At _____ and within the Free Presbyterian Church _____, the Kirk-Session of _____ met with the Congregation, according to their Resolution of date _____, and Edictal Intimation made on Sabbath, the _____ day of _____.

After sermon the Moderator made the following intimation:—
“An election of _____ persons to the office of the Eldership having taken place on the _____ day of _____, and the persons now to be named having been found duly qualified, and having agreed to accept the office of the Eldership, and no objection to the life or doctrine of any of them having been offered

(or substantiated) after edictal intimation that, in the absence of such objections substantiated, the ordination and admissions of these persons would be this day proceeded with, the Kirk-Session are prepared to ordain and admit Mr. _____ and Mr. _____, and to admit to the same office Mr. _____, who has been previously ordained an Elder.”

The Moderator called upon all those persons, when they all appeared and stood up. The Moderator put to Mr. _____ and Mr. _____ etc. etc., the questions appointed to be put to Elders-elect before their admission to office, to which they all gave satisfactory answers. He also reminded Mr. _____ that he had formerly answered these questions at his ordination as an Elder, and asked him whether he adhered to his former answers, to which question he replied in the affirmative. Thereafter, all the Elders-elect signed the Formula in the presence of Congregation.

The Moderator then, in name of the Session, did admit Mr. _____, already an ordained Elder of the Free Presbyterian Church of Scotland, to the said office in this Congregation; and thereafter, with prayer to God, he did solemnly set apart Mr. _____, Mr. _____, and Mr. _____, etc. etc., to the office of Eldership, and did admit them to the exercise of the same in this Congregation, and to all the rights and privileges belonging thereto. In token thereof, all the persons now admitted received the right of fellowship from the Elders and Deacons present. The Moderator addressed the newly admitted Elders and the Congregation regarding their respective duties.

Public worship having been concluded, and the Kirk-Session continuing their meeting, the names of these Elders were added to the roll of the Session, and the Session-Clerk was instructed to intimate the circumstance to the Clerk of the Deacons' Court for communication.

The Moderator reported that the following persons had applied to be admitted as Communicants for the first time, and that he was satisfied with their knowledge and professions, viz.,—

The Kirk-Session having no ground for questioning the good character of any of these persons (and one or more of the Elders having confirmed the Moderators' recommendation in one or more of the cases—state this when it is so), the Kirk-Session hereby admit them to communion with this Congregation.

The following persons were admitted on production of certificates, viz.,—J. C. from Free Presbyterian Church of _____, T.P. from _____, etc. etc.

The Kirk-Session further revised the Communion Roll with a view to the Communion on Sabbath, the _____ day of _____, and purged it of the names of all persons who had ceased to belong to the Congregation. (The Session also arranged the Communion cards, and instructed the Elders as to the distribution of them in their districts. This, where it applies.)

A.M., residing at _____, applied for admission to communion, though not on the roll, and not recommended by the Minister. After conversation and examination, the objections to his admission were stated. After deliberation, the Kirk-

Young Communi-
cants.

Admission on
Certificates.

Application for
Admission
refused.

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Meeting to receive
objections to Life
Doctrine.

Ordination and
Admission of
Elders.

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Session sustain the objections, and decline to admit A.M. to the communion. Against which judgment A.M. protested and appealed to the Presbytery of , promising to lodge reasons in due time, took instruments in the Clerk's hands, and craved extracts, which were allowed. The Moderator and Mr. were instructed to defend the judgment of the Session at the bar of the Presbytery.

Admission to baptism before communion.

The Moderator mentioned that T.D. had applied for the baptism of his child, though not yet on the Communion Roll, intimating, at the same time, his willingness to converse with the Minister as a young communicant, in order that he may be admitted on the roll previously to the next observance of the ordinance, after he has been found qualified. The Session agree that the child of T.D. may be baptized as soon as the Moderator shall be satisfied that he is qualified for admission to communion, and that he intends to communicate.

Resignation of Elder or Deacon.

A letter of resignation of his office as an Elder (or Deacon) of this Congregation was laid on the table from Mr.

The Session appoint Mr. and Mr. with to confer with Mr. as to the reasons for his proposed resignation, and to report.

Closed with prayer.

(8) A Seventh Specimen Minute

At , etc. etc., the day of 19 :

tokens.

The Session met, and was constituted immediately after worship for the distribution of tokens. They were distributed to the applicants present (here mention the rule of distribution adopted by the particular Session). The Session further instructed the Elders as to the distribution of tokens to applicants now not present.

Mr. reported for himself, and that, as instructed by the Session, they had conferred with Mr. as to the reasons of his proposed resignation of his office as an Elder (or Deacon), and stated the result of conference. The Session, being satisfied that there is nothing affecting the character of Mr. in the causes of his resignation, feel themselves compelled to accept of it with regret, appoint his name to be removed from the Session Roll, and intimation of the circumstance to be made to the Deacons' Court (or the Session find that the reasons for the tender of resignation are not satisfactory, and render it necessary for them to take Mr. on discipline. They appoint Mr. Mr. and to confer again with Mr. upon the subject, intimating to him this finding.)

Closed with prayer.

(9) An Eighth Specimen Minute

At the day of 19 : The Minutes of previous meeting of dates were read and approved of. The Communion Roll was revised with reference to the recent

Revisal of Roll.

Communion, and ordered to be attested by the Moderator and Clerk as now containing names, and to be transmitted to the Presbytery

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The Session having taken into consideration the importance of having an addition made to the number of Deacons (here take in the Form as to Elders—Form 2, p. 187, mutatis mutandis).

Election of Deacons.

Closed with prayer.

(10) Further Minutes, etc., as to Election and Admission of Deacons, etc., the same as in the case of Elders, mutatis mutandis, with those in the case of Elders.

Admission of Deacons.

In place of stating that the names were appointed to be added to the Roll, the Minute must be, "The Session instruct the Clerk to intimate the admission of Deacons, which has this day taken place, to the Clerk of the Deacons' Court, in order that he may communicate it to the Deacons' Court, with a view to their instructing him to add the names of the newly admitted Deacons to their roll of members."

(11) Specimen Minute in referring an ordinary case to the Presbytery

Reference to Presbytery.

The Session, regarding the question involved in this matter as one of considerable difficulty, hereby refer the whole case to the Presbytery of for advice, and, at the same time, intimate to the parties that they are hereby summoned apud acta to the bar of that Presbytery at their next ordinary meeting.

(12) Specimen Forms of Petitions, in which the Kirk-Session are specially interested

Petition to the Kirk-Session with reference to Congregational matters

Petition to Kirk-Session.

To the Moderator and other Members of the Kirk-Session of . The humble Petition of the undersigned sheweth,—

That, etc. etc.

Your Petitioners, therefore, ask you to take such steps as you can consistently with the laws of the Church for, etc. etc.

[Then follow signatures with designations, including Church Membership, etc.]

Petition by the Kirk-Session or others to the Presbytery with reference to the conduct of the Minister

To the Moderator and Members of the Free Presbyterian Presbytery of

The humble Petition of the undersigned sheweth,—

Petition by Kirk-Session.

That we are painfully constrained by a sense of duty to represent that the Rev. , our Minister, has acted in a manner recently which, in our view, calls for your notice and interposition, inasmuch as

- 1. The
2. Etc. etc.
3. Etc. etc.

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It appears to us that we have no remedy, except in petitioning your Reverend body. We therefore ask you to take the matter into your consideration, and to make such inquiry as to your wisdom may seem meet, whether by presbyterial visitation or otherwise.

[Then follow signatures and designations etc.]

Petition against
visitation.

Petition against arbitrary action of the Kirk-Session

To the Moderator and other Members of the Free Presbyterian Presbytery of _____, the humble Petition of the undersigned showeth,—

That the Kirk-Session of _____ did, _____ and thereby deprived your Petitioner of the usual remedy by appeal. Your Petitioners, therefore, crave the interposition of your Reverend Court to rectify the injustice that has been done.

[Then follow signatures and designations.]

(13) *Commission to Ruling Elder, entitling him to sit in the Presbytery and Synod*

Commission to
order to Synod
and Presbytery.

This Commission should be a simple Extract of Minute (see p. 185, at top of page).

(For Form of Minute of Election of a representative Elder by a Session in a newly sanctioned charge according to Act I. 1875, see Moncreiff's Practice, page 294).

2. FORMS FOR THE DEACONS' COURT

Deacons Court
Minutes.

(1) *Specimen Minute containing Variations from the Forms of Session Minutes*

At _____, the _____ day of _____ 19____
The Deacons' Court met: _____
Sederunt, _____

Elders;
Deacons.

In the absence of the Moderator, Mr. G. was unanimously called to the chair. The meeting was then constituted with prayer.

The Minutes of last meeting were read and approved of.

An Extract Minute of _____ Kirk-Session was laid on the table, from which it appeared that Mr. _____ and Mr. _____, etc., had been admitted as Elders of this Congregation on the _____ day of _____.

Admission of
Elders.

Another Extract Minute was read, by which it appeared that Mr. _____ and Mr. _____, etc. etc., had been admitted as Deacons of their Congregation on the _____ day of _____.

Of Deacons.

The Deacons' Court instruct the Clerk to add the names of these persons to their roll in due order.

Another Extract Minute was read, showing that Mr. _____ had ceased to be an elder, and Mr. _____ to be a Deacon of their Congregation.

The Court instruct the Clerk to remove the names of these parties from the Roll.

Person Ceased to
hold Office.

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The Deacons' Court, taking into consideration the vacancy in the Beadleship of this Congregation, and the following applications for the office, resolve to appoint, and hereby do appoint, Mr. _____ to be the Beadle. They resolve that his salary shall be _____ and appoint the Clerk and Mr. _____ to confer with him as to his duties, and to report.

Vacant Beadleship.

The Court resolve to divide the Congregation anew into districts to be severally assigned to the Deacons, as follows,—District I., Mr. T., etc.

Deacons' Districts, etc., Appointment of Treasurers.

The Court instruct each of the Deacons to take charge of and hold himself responsible for the arrangements for the ingathering of the Sustentation Fund in his district, and they appoint Mr. _____ to be Treasurer of the Local Funds.

The Deacons' Court, finding that, after deduction of sums requisite for the claims recognised as primary by the law of the Church, there remains a surplus in the Local Fund of £ , s. d., took into consideration the question how far it was reasonable to supplement (or add to the supplement to) the Minister's stipend, and resolved to grant him the sum of £ , s. d. out of the surplus.

Supplement to Minister.

The Deacons' Court resolved that a special collection shall be made on Sabbath, the _____ day of _____, for the relief of poor members of the Congregation at this season.

Collection for Poor.

It was moved and seconded, That

It was also moved and seconded, That

The Motion was carried by a majority of _____ to _____ . From this judgment Mr. _____ dissented for the following reasons, viz.,—
1., etc., 2., etc., 3., etc. Mr. _____ adhered to the Dissent.
(N.B.—When reasons are produced immediately along with the Dissent in any Church Court, they are made part of the Minute.)
Closed with prayer.

Reasons of Dissent.

(2) *Form of Minute of Meeting with Congregation annually*

At _____, the _____ day of _____ 19____ :
The Deacons' Court met with the Congregation, and was constituted, the Moderator in the chair,—Sederunt,

Annual Meeting of Congregation.

The Clerk read the annual report, with a view to receiving any suggestions from the Congregation. One (or two or no) suggestion was made.
Closed with prayer.

(3) *Specimen Petition against irregular action of the Deacons' Court*

To _____
The Moderator and other Members of the Free Presbyterian Presbytery of _____, The humble Petition of the undersigned showeth,—

Petition against Action of Deacons' Courts.

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That the Deacons' Court of the Free Presbyterian Church Congregation of _____ did, by a Minute of date _____, resolve as follows:—(Here take in.) Your Petitioners regard this Resolution as contrary to the law of the Church _____, and as *ultra vires* of the Deacons' Court. We therefore crave your interposition to rectify what we consider a violation of constitutional order.

[Then follow signatures and designations.]

3. FORMS FOR THE PRESBYTERY IN ORDINARY BUSINESS

(1) *Forms of Minutes of Presbytery as to the Election, Calling Translation, and Induction of Ministers*

Minute resolving to Moderate in a Call

Inter alia,—Compeared Messrs. _____ for the Kirk-Session, Messrs. _____ for the Deacons' Court, and Messrs. _____ for the Congregation of _____, craving the Presbytery to appoint a day for moderating in a Call to a Minister to that charge. Parties having been heard and Mr. _____, interim Moderator of Kirk-Session, having reported that there was every prospect of harmony, the Presbytery unanimously resolved to meet in _____ Church, on Thursday, the _____ day of _____ next, at two o'clock afternoon, to moderate in a Call for filling up the vacancy in that Congregation, and appointed Mr. _____ to preach in _____ Church on Sabbath next, _____ and serve an edict to that effect.

Intimation by the Presbytery to a Congregation, appointing the Moderation of a Call (made from the Pulpit)

In name and by appointment of the Free Presbyterian Presbytery of _____, I hereby intimate that, in consequence of an application from this Congregation, the said Presbytery agree to meet within this Church on Thursday, the _____ day of _____ next, at _____ o'clock in the _____, for the purpose of moderating in a Call for filling up the vacancy in this Congregation, [or, if the name be inserted, in a Call to Mr. _____ to be Minister of this Congregation], the Rev. _____ to preach and preside on the occasion.

Certificate of Intimation having been made

_____ Church, the _____ day of _____
The above intimation was duly made by me.
A. W., Witness. _____ A. C., Minister.
R. S., Witness.

Forms of a Call and Concurrence therein

(1) We, the undersigned Elders, Deacons, and Members of the Free Presbyterian Church Congregation at _____, desirous of promoting the glory of God and the good of the Church, being destitute of a fixed pastor, and being assured, by good information and our own

Minutes of Pres-
bytery, etc.
Moderation of
Call.

Edict for Modera-
tion of a Call.

Forms of Call
and Concurrence.

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experience, of the ministerial abilities, piety, literature and prudence, as also of the suitability to our capacities of the gifts of you, Mr. S. T., preacher of the Gospel, have agreed to invite, call and entreat, like as we, by these presents, do heartily invite, call and entreat you to undertake the office of Pastor among us, and the charge of our souls; and further, upon your accepting this our Call, promise you all dutiful respect, encouragement and obedience in the Lord.

In witness whereof, we have subscribed these presents, this day of _____, one thousand nine hundred and _____ years.

(Here follow the Signatures)

(2) We, the Elders, Deacons, and Members of the Free Presbyterian Church Congregation of _____, desirous of promoting the glory of God and the good of the Church, considering the importance of a Colleague being now appointed to the Rev. A. B., our present Pastor, in his ministerial charge; and being satisfied, by good information and our own experience, etc. (*The rest ut supra.*)

Concurrence in Call by Adherents

We, the Subscribers, ordinary hearers in the Free Presbyterian Church Congregation of _____, hereby declare our hearty concurrence in the Call addressed by the Members of the said Congregation to Mr. S. T. to be their Pastor.

(Here follow the Signatures)

Minute of Meeting to Moderate in a Call to a Minister or Pro-bationer of the Free Presbyterian Church of Scotland

At Free Presbyterian _____, the _____ day of _____ Eighteen hundred and _____, the Presbytery of _____ met and was constituted by prayer. Sederunt—

The Minute calling this meeting was read. The Edict was returned attested as having been duly served.

The Moderator went to the pulpit, and preached from _____ Public Worship being ended, the Moderator intimated that the Presbytery would now proceed to moderate in a Call for filling up the vacancy in this Congregation.

The Clerk read the form of Call. Whereupon it was proposed, and unanimously agreed to, that the name of Mr. _____, Minister at _____, be inserted in the Call. The name of _____ was then inserted in the Call, which was subscribed by _____ communicants, and by _____ adherents.

It was moved, seconded, and unanimously agreed to, that the Presbytery sustain this Call. The Presbytery then appointed the following to be their Commissioners to prosecute the translation of _____ before the Presbytery of _____, and any other competent judicatory of the Church, namely, the Moderator, etc.

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The Call was left in the hands of the Kirk-Session, to receive additional subscriptions; all such *subscriptions to be attested by two members of the Kirk-Session.*

The Presbytery then adjourned to meet in the Presbytery Hall on day of month. Whereof public intimation having been made, this sederunt was closed with prayer.

Minute allowing the Translation to proceed

anstation.

The day of .—The Free Presbyterian Presbytery met and was constituted.
Inter alia,—The Presbytery took up the Call to from . Compeared as Commissioners from the Presbytery of , Messrs. as Commissioners from the Kirk-Session of ; as Commissioners from the Deacons' Court, and as Commissioners from the Congregation; and as Commissioners from the Kirk-Session of , and from the Congregation . Mr. appeared for himself. The edict was returned duly served and indorsed. Reasons for and against the translation were read. The Commissioners on both sides having been heard, Mr. was called upon to state his mind in regard to the Call, when he declared that he could not take upon himself the responsibility of declining it. Parties were withdrawn. The Presbytery now engaged in prayer, Mr. leading the devotions.

After deliberation, it was moved by , seconded by , and unanimously agreed to, that translation take place, and that the Call be put into his hands for his acceptance: And this having been done, and he having declared his acceptance of the same, the Presbytery resolved to loose him from his present charge, and translate him to , declaring at the same time that his pastoral relation to Congregation shall subsist till he be actually admitted to the charge aforesaid; and they enjoin him to wait upon the Presbytery of as to the time of his admission, and they request that Reverend Court to give them notice of his Induction when it takes place. Parties were recalled, and this judgment intimated, in which they all acquiesced. for the Presbytery of , and for the Kirk-Session of , took instruments in the Clerk's hands, and craved extracts, which were granted.

Minute resolving to proceed to Induction

Induction.

At , and within the Presbytery Hall, the Free Presbyterian Presbytery met and was duly constituted by ,—Sederunt,

Inter alia,—There was produced and read, Extract Minute of the Free Presbyterian Presbytery of in the case of the translation of from to . The tenor whereof follows:—

The Presbytery resolved to meet in on Thursday the sixth of next, at o'clock P.M., for the induction

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of Mr. as Minister of that Congregation, Mr. to preach and preside; and appointed an edict to this effect to be served in that Church on Sabbath the by Mr.

Edict previous to Ordination or Induction

Edict for
Ordination or
Induction.

The Free Presbyterian Church Presbytery of having resolved to proceed to the Ordination (or Induction) of Mr. S. T., who has been duly called to be Minister of this Congregation (and, *in the case of a Probationer*, whose trials have been sustained) did, and hereby do, issue their edict, giving notice to all persons concerned, and especially to members of this Congregation, that if any of them have anything to object to the life or doctrine of the said Mr. S. T., they must substantiate the objections to the satisfaction of the Presbytery at a meeting to be held in on the day of , at o'clock, with certification that if no one offer any relevant objection, or unless relevant objections be proven *instanter*, the Presbytery will then forthwith proceed to the ordination and induction (or, *in the case of a Minister*, induction) of the said Mr. S. T. to the office of the holy ministry, and admit him to the pastoral charge of this Congregation.

Attested by M. N. Presby. Clk.

Certificate of Edict being served

Church, the day of , 19
The above Edict was this day duly served by me, in the face of the Congregation.
A. W., *Witness.* A. C., *Minister.*
R. S., *Witness.*

Minute of Induction

Induction.

At , the , the Free Presbyterian Presbytery of met, and was constituted with prayer;—Sederunt,

The Minute calling this meeting was read. The Edict was returned duly served. The Officer of Court was instructed to go to the most patent door of the Church, and make proclamation three times, that if any person or persons had any objections to the life and doctrine of Mr. , Minister of the Gospel, they might now repair to the Presbytery, presently met, and substantiate the same. The Officer reported that he had made proclamation, as instructed, and that no one had appeared to object.

The Moderator then went to the pulpit and preached from . Public Worship being ended, the Moderator gave a brief narrative of the proceedings in the Call to , and addressed to him the questions appointed to be put to Ministers on their induction and ordination to a pastoral charge, and he having returned satisfactory answers to the same, and having signed the Formula in presence of the Congregation, the Moderator, in name of the Presbytery, did then induct the said Mr. as Minister to the pastoral charge of Congregation, and

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the brethren gave him the right hand of fellowship. Thereafter Mr was suitably addressed by the Moderator, who also in appropriate terms, exhorted the Congregation. Public Worship being ended, the meeting was closed with prayer.

Minute when the Presbytery decline to proceed, because of Want of Harmony

Inter alia,—Compeared Messrs. Commissioners from the Congregation of , craving the Presbytery to appoint a day for Moderating in a Call to a Minister for that Congregation. Compeared also Messrs. members of said Congregation, presenting a Memorial signed by thirty-six members of the Congregation craving delay in said matter. The Memorial was read by the Clerk. Parties were heard and removed.

It was moved, seconded, and unanimously agreed to that the Presbytery, *in hoc statu*, decline to proceed to moderate in a Call to a Minister for , and appoint a Committee to confer with the Congregation with the view of restoring harmony among them, and to report. The Committee to consist of

Minute referring Case to Synod

Inter alia,—Compeared Messrs. , representing the majority of the Congregation of Messrs. , representing the minority of said Congregation.

Rev. , interim Moderator of the Kirk-Session and Congregation, made a statement. Parties were heard and removed,—Whereupon it was moved and seconded that the Presbytery, finding that the want of harmony in the Congregation of still continues, resolve to refer, and hereby do refer, the case to the Synod.

Which motion was unanimously adopted. Parties were called in and judgment intimated.

(2) *Minutes as to Overtures, and Returns to Overtures*

Minute of an Overture transmitted by a Presbytery. This must go in the form of an Extract, as follows:—

At the day of in the year 19 :
Which day the Presbytery of E being met and duly constituted:

Inter alia,—

The Presbytery agreed to transmit the following overture to the ensuing Synod:—It is overtured by the Free Presbyterian Presbytery of to the ensuing Synod of the Free Presbyterian Church of Scotland, that they, etc. etc. etc.; or that they do otherwise for this object what to their wisdom may seem best.

Extracted from the Records of the Presbytery of E by
A. B., *Presbytery Clerk*

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Minute of a Return to an Overture from the Synod under the Barrier Act

This must also be sent as an Extract, each Return on a Separate sheet of paper, as follows:—

At the day of in the year 19 :
Which day the Presbytery of being met and duly constituted:

Inter alia,—

The Presbytery took into consideration the Overture transmitted by the last Synod in the following terms:—(*Here take them in*); and the Presbytery hereby approve simpliciter of the same (or the Presbytery disapprove of the same).

Extracted from the Records of the Presbytery of by
A. B., *Presbytery Clerk.*

Return under
Barrier Act.

Minute of a Return to a Remit from the Synod not under the Barrier Act

This should come also in the form of an Extract, e.g.,—

At the day of in the year 19 :
Which day the Presbytery of being met and duly constituted:

Inter alia,—

The Presbytery took into consideration the Remit of last Synod on the subject of , and the Presbytery find that, etc. etc., (*whatever their opinion may be, and however qualified*).

Extracted, etc., by
Presbytery Clerk.

Return not under
Barrier Act.

(3) *Specimen Minute of Ordinary Meeting*

At the day of 19 :
The Free Presbyterian Church Presbytery of met,
and was constituted with devotional exercises.—Sederunt, the
Rev. , Moderator, and Messrs. ,
Ministers; with Messrs. , Ruling Elders.

The Minutes of the last Ordinary meeting of date ,
and of the *in hunc effectum* meeting of date , and of
the *pro re nata* meeting of date , were read and
approved of.

Commissions to Ruling Elders to represent them in the Presbytery
were read from the Sessions of and were
sustained. The names were added to the roll.

This being the first meeting of Presbytery after the meeting of the
Synod, the Presbytery proceeded to elect a Moderator for the
current year, when Mr. , Minister at
was unanimously elected, and took the Chair accordingly.

A deputation appeared at the bar from the Kirk-Session, the
Deacons' Court, and Congregation of , viz.,—from
the Kirk-Session, Messrs. ; from
the Deacons' Court, Messrs. ;

and from the Congregation, Messrs.

Minutes were read from the from which it appeared

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Meeting.

Minutes.

Election of
Moderator.

Deputation.

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that the parties presented a unanimous application for the appointment of a Colleague and Successor, to the Rev. _____, their Minister. A medical certificate was also produced to the effect that the health of Mr. _____ was much impaired, and that he was unable to discharge the full duties of the charge. (Or, It also appeared that the application was based not on failing health, but on peculiar circumstances, and on the importance of preserving their Pastor's strength at his period of life.)

Mr. _____ and Mr. _____ were heard for the Session, Mr. _____ was heard for the Deacons' Court, and Mr. _____ for the Congregation.

Parties were removed. It was moved, seconded, and unanimously agreed to,—

That the Presbytery, looking at all the circumstances, approve of the application, and agree to submit it to the Synod at its meeting in May.

Parties were called in, and this judgment was intimated.

In name of the parties at the bar, Mr. _____ acquiesced, took instruments in the Clerk's hands, and craved extracts, which were allowed.

The Presbytery took up a case of Appeal and Dissent and Complaint from the Kirk-Session of _____, against a judgment of that Session of date _____, by which the Session found _____

The following documents were laid on the table, viz.,—The judgment of the Session with corresponding Minutes were read, and parties were called, when there appeared for the Appellants Messrs. _____; for the Dissident and Complainer, Mr. _____; and for the Kirk-Session, Mr. _____ and _____.

Mr. _____ The Reasons of Appeal and other papers were read.

Mr. _____ was heard in support of the Appeal, Mr. _____ in support of the Complaint, and Mr. _____ in support of the Judgment. Mr. _____ was heard in reply.

Parties were removed. It was moved, seconded, and unanimously agreed to,—

That the Presbytery dismiss the Complaint and Appeal, and affirm the Judgment of the Kirk-Session. (Or, That the Presbytery sustain the Complaint and Appeal, and reverse the Judgment of the Session, and instruct, etc.)

Parties were called in and this Judgment intimated, when Mr. _____ acquiesced in name of _____, took instruments, etc. Against the same Judgment Mr. _____, in name of _____ protested, and appealed to the Synod, promising to lodge Reasons of Appeal in due time, took instruments, etc.

The Presbytery took up a case of Reference for advice from the Kirk-Session of _____

The Minute of Session making the Reference was read, with corresponding documents. There appeared in support of the Reference the Rev. Mr. _____ and Mr. _____, who were heard in support of it.

The Presbytery unanimously sustain the Reference.

Thereafter, on the merits of the case, parties were called, when there appeared J. T., maintaining that, etc. etc., and G. D. representing that, etc. etc. Parties were heard, and removed.

The Presbytery find that _____, and *quoad ultra* remit to the Kirk-Session to deal with the matter according to the rules of the Church.

The Presbytery adjourn to meet *in hunc effectum* in _____, on the _____ day of _____, at _____ o'clock; and also in this place on _____, for ordinary business.

Closed with prayer.

(5) *Specimen Minutes of In hunc effectum and Pro re nata Meetings and Meetings by appointment of Superior Court*

Minute of In hunc effectum Meeting

At, etc.

The Presbytery of _____ met this day *in hunc effectum*, and was constituted,—Sederunt, etc.

The part of the Minute of last Ordinary Meeting referring to this day's proceedings having been read, the Presbytery (*here follows the Minute of the special business which can alone be transacted*).

Closed with prayer.

Minute of Pro re nata Meeting

At, etc.

The Free Presbyterian Church Presbytery of _____ met this day *pro re nata*, and was constituted,—Sederunt, etc.

The circular addressed by the Moderator to the members was read, the tenor whercof follows:—(*Here take it in*). It was moved, seconded, and agreed to,

That the Presbytery approve of the conduct of the Moderator in calling the meeting.

(*Here follows the Minute as to the special business.*)

Closed with prayer.

Meeting by appointment of Superior Court

At etc.

The Presbytery, etc. etc., met by special appointment and authority of the Synod, and was constituted, etc. etc.

Closed with prayer.

ACT VII. 1866—ACT ANENT A QUORUM OF PRESBYTERY

The General Assembly appoint the following to be the title and form of Minute in the circumstances referred to in Act II., Assembly 1865, viz.:—

"Minute of Meeting of two Ministers and one or more Ruling Elders, having valid Commissions which they are prepared to produce

"At _____, the _____ day of _____, 19____.—
Which day and place there convened Mr. _____, minister

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at _____, and Mr. _____, minister at _____, members of the Presbytery of _____, with the view of constituting a meeting of the said Presbytery, in accordance with their minute of adjournment of date _____. There convened also along with these ministers, Mr. _____ and Mr. _____, ruling elders, and Mr. _____, Moderator of the Presbytery (or Mr. _____ in the absence of the Moderator), having been called to the chair, the meeting was opened with devotional exercises.

"Thereafter, the elders present produced Commissions from the Kirk-Session of _____ and _____, which, having been examined, were found correct. The ministers and elders present find accordingly, that the Free Presbyterian Presbytery of _____ has now been duly constituted in terms of adjournment, with the following sedcrunt, viz. :—

"The minutes of last sedcrunt were then read and approved of."

2. Forms and Styles in Cases of Discipline

1. SPECIMEN MINUTES FOR THE KIRK-SESSION IN ORDINARY DISCIPLINE

(1) In the case of a woman against whom a scandal has broken out, and who has been ordered by the Session to be summoned to appear before them to answer to a charge of fornication.

(Place and Date)

The Session met, etc. It was reported by the Clerk, that, agreeably to the directions of the Session, A. B. had been duly summoned to appear before them this day; and the said A. B. having been called, appeared, and on the question being put whether she had been guilty of the crime of which she was accused, answered that she had. Being solemnly exhorted by the Moderator to speak the truth, and further interrogated, she declared that C. D., an unmarried man, belonging to this Congregation, had been guilty with her, and was the father of her child, The Session order the said C. D. to be summoned to appear before them the _____ day of _____, to which meeting the woman was cited *apud acta*. After a suitable admonition she was dismissed for the present.

(2) It very commonly happens that a woman comes voluntarily forward to make confession, in which case the minute may run thus: Voluntarily compeared A. B., residing at _____, in this parish, confessing that she had been guilty of the sin of fornication. Being solemnly exhorted, etc., *ut supra*.

(3) In the case in which the man accused by the woman belongs to a different Congregation, his particular residence must be stated, and the conclusion of the Minute may be in these terms:—

The Session instruct their Clerk to write to the Kirk-Session of _____ informing them of the accusation made against the said C. D., and requesting them to cause

him to be summoned to appear here on the _____ day of _____, that he may be confronted with _____.
To this meeting the woman was cited *apud acta*, and, after a suitable exhortation, she was dismissed for the present.

(4) Minute of a meeting at which the man is summoned to appear. Compeared A. B., agreeably to citation at last meeting, and, adhering to her former statements. C. D., having been duly summoned, was called and appeared. The former Minute having been read over to him, he was asked whether he had been guilty with A. B., and was the father of her child. He acknowledged guilt, whereupon both parties, having received a serious admonition, were dismissed for the present.

(5) If the case be one of adultery, the man, or woman, or both, having been married persons, then the Minute, after stating the acknowledgment of guilt on the part of the man accused, and the admonition of the parties by the Moderator, may run as follows:—

The Session, considering that this is a case of adultery, order their Clerk to transmit extracts to the next meeting of Presbytery, that their advice may be obtained.

The Minute may run in similar terms in the case of a trilapse in fornication, or in any other case in which it is also necessary to obtain the Presbytery's leave to proceed.

(6) In the event of a denial on the part of the man, the Minute may run thus:—

The question was put to him whether he had been guilty, etc. Whereupon he answered that he was not the father of A. B.'s child, and never had been guilty with her. A. B. was then asked whether she could adduce any evidence of the truth of the charge which she had brought against C. D. She answered that she could, and requested that the following witnesses might be summoned, viz., E. F. and G. (*mention residence*). C. D. also requested that L. M. and N. might be summoned as witnesses in his defence. The Session instruct their Clerk to cause the said persons to be cited to appear before them as witnesses in this case, on the _____ day of _____ next, to which meeting the parties were summoned *apud acta*.

(7) Form of Minute of meeting, at which the Session proceed to probation.

Compeared A. B. and C. D., according to citation, both adhering to their former statements. The Clerk having reported that all the witnesses in this case had been duly summoned, the Session agreed to proceed with the proof.

E. F. being called, compeared, and having been solemnly sworn, purged of malice and partial counsel, deponed that, etc. (And so on with the other witnesses.)

* When the place of the man's residence is very distant, it is common to request the Kirk-Session of his Congregation to call him before them, and to receive his declaration.

The case may also occur of a confession by a woman when the man has disappeared and cannot be found, it being doubtful whether he be alive. In such a case, after the exhaustion of reasonable inquiries, the woman's confession may be acted on.

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Kirk-Session,
Charge of Fornication.

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After the examination of whom, the deliverance of the Session on the evidence must be recorded.

(8) Supposing that the guilt of the man is not clearly established, but that, in consequence of strong presumption against him, he may express a desire to take the Oath of Purgation, the Minute may run as follows:—

C. D. still persisting in his declaration of innocence, expressed a desire to have the Oath of Purgation administered to him; whereupon the Session agreed to take the advice of the Reverend the Presbytery of _____, and ordered the Clerk to transmit extracts.

(9) Minute, after the Presbytery have allowed the Oath of Purgation—

The Presbytery having granted leave to the Session to administer the Oath of Purgation to C. D., charged by A. B. with the crime of _____, and C. D. being now present, and having expressed the same desire that this oath should be administered to him, he took it accordingly in presence of the Session; whereupon the said C. D. was declared free from scandal, and restored to the privileges of the Church.

If the Presbytery determine that the oath shall be taken before the Congregation, the Minute must be varied accordingly.

(10) Supposing that guilt is not proved, that the Oath of Purgation is not offered to be taken, or that it is not seen for edification to administer it, then the Minute may run thus:—

The Session, on consideration of the evidence adduced, do not find the charge against C. D. to be established; and they therefore delay this case until God in His providence shall give further light.

(11) Supposing a case to be concluded in so far as respects the truth of the charge made by the woman, either by the confession of the man, or the production of sufficient evidence against him; and supposing that one or both parties come forward craving absolution and restoration to Church privileges which the Session agree to grant, then the following may be the Minute:—

Compeared A. B. and C. D., last mentioned in Minute of _____ as having been guilty of the crime of fornication or adultery, craving absolution from scandal, and restoration to the privileges of the Church; and the said A. B. and C. D. having expressed their deep sorrow for the sin of which they had been guilty, and their resolution that henceforth, through Divine grace, they will walk in newness of life, and endeavour to adorn the doctrine of God their Saviour, the Moderator, after a serious rebuke and solemn admonition, and after prayer, did, in name of the Session, absolve them from the scandal of their sin, and restore them to the privileges of the Church.

(12) If the man accused do not belong to the Church and decline to appear, after all means for inducing him to do so have been exhausted, the Minute may be as follows:—

The Session, having exhausted all means without success to induce C. D. to appear in answer to the charge brought by

A. B. against him, agree to accept of her confession as regards her own guilt.

(13) In cases of antenuptial fornication the Minute may be as follows:—

Compeared A. B. and C. D., confessing that they had been guilty of the sin of antenuptial fornication, and having expressed their penitence, the Moderator, etc.

The above specimens refer to adultery or fornication. It is considered unnecessary to give forms of Minutes for all the sins of which a Session ought to take cognizance.

(14) When a person incurs suspension from Church privileges (lesser excommunication), the same may be thus recorded:—

In consideration, etc., the Session did, and hereby do, suspend the said C. D. from the privileges of the Church.

(15) In the case of an Elder or Deacon special Minutes are required.

Specimen Minutes when a fama has arisen or a charge been brought against a Deacon

The Kirk-Session taking into consideration the fama (or the charge) brought under their notice, request the Moderator and Mr. _____ to communicate confidentially with Mr. _____ regarding the same, so as to ascertain whether further action by the Session may be necessary or not.

The Moderator reported in the case of Mr. _____ Deacon of this Congregation, that he acknowledged the truth of the fama against him, that he was deeply grieved on account of his sin, and was ready to make acknowledgment to the Session in due form.

Mr. _____, Deacon of the Congregation, appeared and confessed himself guilty, etc. etc.

In suspending Mr. _____ from ordinances, the Kirk-Session find that he is *ipso facto* suspended from the Deaconship *sine die* (or, in a case requiring it, The Kirk-Session hereby depose him from the office of Deacon). Intimation of this sentence was appointed to be given to the Deacons' Court.

Specimen Minutes when a fama or charge affecting moral character is brought against a Ruling Elder

The Kirk-Session took into consideration a fama (or charge) which had come under their notice against Mr. F. G., a member of their own Court. Mr. G. being present, declared that he was ready to give explanations on the subject, but would rather state them privately, in the first instance, to one or two of the members, and he retired accordingly from the meeting. The Session appoint the following members to confer with him in private, and to report, viz.,

Mr. _____ reported in the case of Mr. _____ that he and Mr. _____ had had a conversation with Mr. _____ which was not satisfactory. After deliberation, the Session agree that the charge against him be drawn out in the following form, and

sent to him with regular citation to attend and answer to it on the _____ day of _____ at _____ o'clock.

The Kirk-Session of the Free Presbyterian Church Congregation at _____ met, according to intimation from the pulpit, and was constituted,—Sederunt:

The Kirk-Session, having fully considered the evidence, find the charge proven; and, while suspending Mr. _____ from privileges, they at the same time resolve to depose him from the office of the Eldership.

They then engaged in prayer, the Moderator conducting the devotions, after which the Moderator, in name of the Session, solemnly pronounced the sentence of deposition.

Intimation of this sentence was appointed to be given to the Deacons' Court.

2. SPECIMEN MINUTES FOR THE KIRK-SESSION IN CASES OF ALLEGED HERESY

cases of Heresy.

(1) The Kirk-Session had before them a complaint signed by _____ members of the congregation, as follows:—(*Here take it in*). The Session find that the allegations of this document, if well founded, involve the maintenance by T. D., a communicant (or Elder or Deacon) in this congregation, of opinions contradictory to the Confession of Faith and the Word of God, and entirely inconsistent with the professions made through communion in the Free Presbyterian Church of Scotland. The Session accordingly resolve to inquire carefully into the two questions which must be decided in a case of this kind, viz., *First*, Whether such opinions have been maintained by T. D., and how or in what form have they been expressed; and *secondly*, Whether the expression of them by him amounts to a decided contradiction of the truths involved in the profession made by members of the Church (or in the case of an Elder or Deacon, "a decided contradiction of the Confession of Faith"). With the view of determining these questions, the Session appoint the Moderator, Mr. _____ and Mr. _____, a committee to make inquiry by conference with T. D., or otherwise, and to report.

(2) The Kirk-Session, after considering the Report of their Committee in the case of T. D., and taking into account the statements made by him in conference and letters, resolve to cite him to appear at their bar on _____ the _____ day of _____, to answer to the charge of heresy, inasmuch as, etc.

(3) The Kirk-Session, having conclusive evidence before them that T. D. has maintained, etc., and that he declines to repudiate these opinions; find that they are entirely contrary both to the Confession of Faith, and to the profession made by communion with this Church; and therefore declare that T. D. is no longer a member of the Free Presbyterian Church of Scotland, and order his name to be removed from the Roll of Communicants in the congregation of _____. (If an Elder or Deacon, there must be the further minute:— "Further, the Kirk-Session hereby depose him from the office of the Eldership (or Deaconship)" or "declare

him to be no longer an Elder (or Deacon)" according to the nature of the case.)

3. FORMS OF CITATION

(1) *Citation of Parties*

Process may be instituted before Kirk-Sessions either "at the instance of a party complaining, or at least by order of the judicatory." A verbal citation by the beadle is the method usually adopted in summoning the party accused, and, generally speaking, is all that is necessary. But in certain cases it may be proper to give a written citation to the party to appear before the Kirk-Session. And when the process is grounded upon a written petition or information, a copy of these writings should be served. A simple warrant of citation may be issued, bearing the title of the Court to which the party is to be cited, the name of the pursuer (if the action be not instituted by the Court itself), the ground of the action, and the time and place where compearance is to be made. This warrant runs in name of the Court, is addressed to its officers, and directs them to summon the party accused. It may be in the following terms:—

Summons

The Rev. A. B., minister, and remanent members of the Kirk-Session of C. To P. S., our officer. We require you, that, upon sight hereof, ye pass, and lawfully summon D. E. personally, or at his dwelling-house, to compear before the said Session within the Session-house at _____ the _____ day of _____ next to come, in the hour of cause, to answer to the information or libel against him for the sin and scandal of _____ laid to his charge, with certification, etc. Given at _____ the _____ day of _____ by warrant of the said Session.

(Signed) T. G., *Session-Clerk.*

A citation is then given in writing by the officer to the party in the following terms:—

Citation by the Officer

I, P. S., church-officer of C., by virtue of a warrant from the Kirk-Session, dated the _____ day of _____, lawfully summon you, D. E., to compear before the said Kirk-Session, within the Session-house at _____ the _____ day of _____ next, at _____ o'clock forenoon, to answer to the information or libel against you for the sin and scandal of _____ laid to your charge, with certification, conform to the principal warrant. This I do upon the _____ day of _____, between the hours of _____ and _____, before these witnesses, N. K., and L. M., both residenters in _____. (Signed) P. S., *Officer.*

This citation is either given to the party personally, or left at his dwelling-house, with his wife, children, or servants, or by affixing a copy on the door, if he cannot get access, after knocking audibly several times. The citation must be made in presence of two witnesses whose names are inserted therein; and the warrant or summons is returned by the officer, accompanied by an execution subscribed by himself and the witnesses, setting forth the mode in which the service

was made. The citation may be served by sending a copy of it to the party cited by registered post. Thus:—

Execution by the Officer

Upon the _____ day of _____ by virtue of a warrant from the Kirk-Session of C., dated the _____ day of _____, J. P. S., church-officer, passed, and in name and authority of the said Session, lawfully summoned D. E. to compare before the said Kirk-Session, within the Session-house at _____, upon the day of _____, at _____ o'clock forenoon, to answer to the information or libel against him for the sin and scandal of _____ laid to his charge; with certification, conform to the said warrant in all points. A just copy of citation, to the effect foresaid, I delivered to the said D. E., personally apprehended (or I left for the said D. E., within his dwelling-place at _____, with his wife, to be given to him, because I could not find himself personally; or I affixed or left at the most patent door of the dwelling-place of the said D. E., at _____, because I could neither find himself personally, nor could I get access to the said dwelling-place, after giving several audible knocks at the most patent door thereof or by posting the same to him at the _____ Post Office in a registered envelope addressed as follows: _____, the Post Office receipt for which is attached hereto.); which copy of citation was signed by me, did bear the date hereof, and the date of the said warrant, and contained the names and designation of N. K. and L. M., both residents at _____, witnesses present at the premises, and hereto with me subscribing.

(Signed) P. S., *Officer.*

N. K., *Witness.*

L. M., *Witness.*

A party can be cited only by the Kirk-Session of the congregation to which he belongs, and this may be done upon forty-eight hours' notice. If the person accused belongs to another congregation, the Kirk-Session of that congregation should be desired to direct the party to be cited to answer to the Session before which the process depends.

If the party cited fails to appear, being called at the door by the church-officer, a second, and afterwards a third citation follows; the two first are called dilatory, but the third is peremptory, and contains a certification to the party cited, that the Court will proceed to the cognition of the cause, though he should not appear, or that they will proceed against him as contumacious. Citations *apud acta* are likewise peremptory.

(2) *Citation of Witnesses*

The citation of witnesses is in the same form as that of parties, hearing the names of the pursuer and defender in the case; and, as in the case of parties, a verbal citation by the beadle is usually found sufficient. On their refusal to obey citation, they may be proceeded against as contumacious (See Form of Process, chap. ii §9.)

The Kirk-Session issues citations to witnesses not only at its own

instance, but at that of the pursuer and defender in any case. The forms of diligence may be as follows, *mutatis mutandis*:—

Warrant to cite Witnesses

Mr. A. B., Moderator, etc. Forasmuch as C. D., pursuer in a process presently depending before us against E. F., for the sin and scandal of _____, having applied to us for a diligence to cite witnesses in the said matter, in manner and to the effect underwritten: Therefore we require you, that, upon sight hereof ye pass, and lawfully summon G. H. and L., personally, or at their dwelling-places, to compare before us within the Kirk of _____, upon the _____ day of _____, in the hour of cause, with continuation of days, to bear leal and soothfast witnessing upon the points and articles of the said process, in so far as they know, or shall be inquired at them; with certification as effects. And this our precept you are to return, duly executed and indorsed. Given, etc., by warrant, etc.

The summons and execution against witnesses are the same as in the forms given above.

(3) *Oath administered to Witnesses*

The witness being before the Court, the oath administered is the following, the witness standing and holding up his right hand:—“I swear by the Almighty God, and as I shall answer to God in the great day of judgment, that I will tell the truth, the whole truth, and nothing but the truth, so far as I know, or shall be asked.”

It is provided by the Form of Process, cap. ii. sec. xi., that the witnesses are solemnly to be purged of malice, bribe, or good deed done or to be done, and of partial counsel. In reference to this the following initial questions were put to them:—

Has any person told you what to say or promised or given you anything for your evidence?

Have you any malice or ill-will against any of the parties?

Have you any interest in the case?—Form of Process, cap. ii. sect. 11.

(4) SPECIMEN MINUTES FOR THE PRESBYTERY IN CASES OF DISCIPLINE

(1) *Minute of Presbytery appointing Committee of Inquiry in a case of Fama against a Minister or Probationer*

At D., _____ day of _____ 19____, which day the Presbytery of D. met, and was constituted, and being alone, it was stated by a member of Court, that certain very unpleasant reports were prevailing in regard to the character of Mr. A. B., preacher of the gospel within their bounds (or their brother, Mr. A. B., Minister of the Congregation at C.), whereupon the Presbytery, after due consideration of the same, appointed the following members, viz. E., F., G., and H., a committee to make further inquiry into the nature of the *fama* now prevailing against the said A. B., and to report to the Presbytery at their next meeting as to the procedure which it may be proper to adopt in this matter. Closed, etc.

(2) Minute appointing Presbyterial Visitation

The Presbytery having taken this matter into their serious consideration, did, and hereby do, appoint a visitation of the Congregation of C., to take place on _____ day of _____ next, that the elders and communicants of said Congregation may be examined respecting the rumours now prevailing in regard to their Minister. The Presbytery instruct Mr. E. F. to preach that day; and they further appoint Mr. G. H. to preach in the Church of C., on Sabbath, the _____ day of _____, that due intimation of said meeting of Presbytery may be given to all concerned.*

(3) Minute when Petition against a Minister is presented

The Presbytery being met, etc. Compeared Mr. L. M., and presented a petition, signed by certain persons, styling themselves heads of families in the Congregation of C., and members of the Free Presbyterian Church there, praying the Presbytery to inquire into certain reports now prevalent in regard to Mr. A. B., Minister of said Congregation (the particular crime alleged must be stated). The Presbytery being alone, resolved, after due deliberation, that the petition should lie on the table till their next ordinary meeting, then to be taken into consideration, and (should the person accused be absent) they appointed their Clerk to give intimation thereof to the said Mr. A. B.

(4) Minute when the Presbytery has resolved to serve a Libel upon a Minister in their own name

The Presbytery hereby approve generally of the form of libel prepared by their committee against Mr. A. B., Minister at _____. They resolve to consider its relevancy, and the propriety of serving it, at a meeting of Presbytery to be held at _____ on the _____ day of _____ at _____ o'clock. They hereby instruct their officer to summon Mr. _____ in regular form to attend said meeting, and instruct their clerk to transmit to him a copy of the proposed libel, and of the minute now agreed to regarding it, in such time as to give him full ten days' notice, according to Act V. 1853.

(5) Minute when the Presbytery have considered the relevancy of a Libel against a Minister which they propose; themselves to serve

At _____, the _____ day of _____ 19 _____.
The Presbytery of _____ met, etc. etc.

The Presbytery took up the case of the libel against Mr. A. B. It was intimated on the part of the clerk and the officer that the instructions of last meeting had been complied with. Mr. A. B. appeared in his place as a member of Court. The Presbytery took into consideration the proposed form of libel against Mr. A. B.

It was moved and seconded that this form be found relevant as a libel.

* Ten free days must elapse between the intimation and the meeting of Presbytery.

It was also moved and seconded that it be found irrelevant.

The votes having been marked, etc. etc.

The Presbytery accordingly resolve to serve the libel upon Mr. A. B., as one which they have already found to be relevant. From which judgment Mr. A. B. dissented, and protested for leave to complain to the Synod; promising, etc. etc.

In accordance with Act IV. 1853, the Presbytery order the libel to be now served in due form, notwithstanding the dissent and complaint, and find that Mr. A. B. now ceases, *ipso facto*, to exercise the functions of his office.

(6) Minute, when it is certified to the Presbytery that the Libel has been served, notwithstanding a Dissent and Complaint

The Presbytery finding that the libel, as a libel found to be relevant, has been served in due form upon Mr. A. B., but that a dissent and protest for leave to complain have been duly recorded and acted on hereby sist all further procedure in the case until a final decision on the relevancy shall have been pronounced by a superior Court.

(7) Minute when the Libel has been served without Dissent and Complaint and the Presbytery desires to act under Act X. 1854

The Presbytery find that in this case it does not appear expedient for them, in the circumstances, to act both as prosecutors and judges, and therefore they hereby refer the case to the Synod.

(8) Minute when Libel given in by Members of the Congregation

Compeared Mr. L. M., _____, who gave in a libel against Mr. A. B., Minister of _____, which was authenticated by the signatures of the Moderator and Clerk, the tenor whereof (*here take it in*). The Presbytery having considered said libel, order a copy thereof, and of the list of witnesses annexed thereto, to be served on the said A. B., and direct their officer to cite him to compear before the Presbytery to answer the same at their next ordinary meeting, to be held on _____ day of _____ next, at _____ o'clock; said citation to be made ten free days at least before said meeting.

(9) Minute of Meeting when accused Party appears, and the relevancy of the Libel is considered

The Presbytery-officer returned execution of citation against the said Mr. A. B., properly attested, bearing that he had, on the _____ day of _____ last, regularly served the said A. B. with a copy of the libel and list of witnesses, and duly summoned him to compear before the Presbytery this day, to answer to the same. Mr. A. B. being called, compeared. Mr. L. M. attended on behalf of the libellers. The libel having been read over, the following defences were given in on the part of Mr. A. B. (*here take them in*). Parties were then heard on the relevancy of the libel; and being removed, the Presbytery did, and hereby do, find the major proposition of the libel relevant; they also find the articles of the minor proposition

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APPENDIX
X. 2.
Forms and Styles
in Discipline.

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Deposition.

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relevant. Parties being called; in, this sentence was intimated to them. The Presbytery appoint their next meeting to be held at _____ on the _____ day of _____ next, for the purpose of dealing with the said A. B. according to the form of process; or of resolving to proceed to the probation of said libel according to law, and of granting warrant for summoning the witnesses, for proving thereof, as they shall see cause; and they instruct their Clerk to give timely information of said meeting to Mr. A. B., and that the Presbytery require that he appear personally.

Should the Presbytery be unsuccessful in bringing the accused party to an acknowledgment of guilt, they then resolve to proceed to probation.

(10) *Minute when the Presbytery desires to act under Act IX. 1854*

The Presbytery find that it does not appear expedient, in the circumstances, for the proof to be taken, except in the presence of those who have the power of giving a final deliverance as to its effect, and they therefore hereby refer the case to the Synod.

(11) *Minute of Presbytery resolving to try the Case themselves, and to take the Proof, although they are the Prosecutors*

The Presbytery do not judge it expedient to adopt the course allowed by Acts IX. and X. 1854, and therefore resolve to proceed to take the proof.

(12) *Minute when Presbytery resolve to proceed to Probation*

The Presbytery having resolved to proceed to a proof of the charges in the libel, appointed their next meeting to be held at _____, on the _____ day of _____ for this purpose, and they authorized and empowered their officer to summon such witnesses in the list appended to said libel, as to the libellers may seem meet, to appear in said place, on that day, to give evidence in the cause, and they appointed their Clerk to issue their edict for that purpose. Parties were summoned *apud acta* to attend said meeting.

The witnesses are cited, and examined, in the same way as before, *vide* Kirk-Sessions, pp. 209, [211].

The witnesses on the part of the prosecution having been examined, the defender is then allowed an exculpatory proof, the Presbytery granting warrant for the citation of the witnesses, as in the former case. The exculpatory proof being finished, the Presbytery come to a deliverance, after hearing parties on the evidence. If the libel infer deposition, and the crime be proved, sentence is then carried into execution, provided no appeal be taken to a superior court.

(13) *Form of Minute in case of Deposition*

(Place and Date.)

Which day the Presbytery of D. being met, and duly constituted, etc. Sederunt, etc. The Presbytery having had under their consider-

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ation the libel, at the instance of _____ against Mr. A. B., Minister of the Congregation at C., which set forth, etc., and the citation of the said A. B.—his compearance—his answers to the said libel against him—the proof adduced—and having found the same relevant by the acts and practice of this Church, to infer deposition, as also the articles of the said complaint, sufficiently proved by the depositions of the witnesses, and other proof adduced, viz., that (*here narrate the charges found proven*), as the proof adduced bears. Therefore, the Presbytery did, by their vote, depose the said A. B. like as they hereby do, in the name of the Lord Jesus Christ, the alone King and Head of his Church, and by virtue of the power and authority committed by him to them, depose the said A. B. from the office of the holy ministry; prohibiting and discharging him to exercise the same, or any part thereof, in all time coming, under the pain of the highest censures of the Church.

Previously to the moderator pronouncing the solemn sentence of deposition, prayer is offered by one of the brethren.*

(14) *Form of Deposition*

In the name of the Lord Jesus Christ, the sole King and Head of this Church and by virtue of the power and authority committed by Him to it, I do now solemnly depose you, Mr. A. B., Minister of the Free Presbyterian Church Congregation at C., from the office of the holy ministry, prohibiting and discharging you from exercising the same, or any part thereof, in all time coming, under the pain of the highest censure of the Church; and I do declare the church of C. vacant, from and after the day and date of this sentence.

If signs of penitence have been given, and the crime proved does not demand so severe a punishment as deposition, but still that so much guilt has been proved as that some punishment is called for, the court may *suspend* the accused from the exercise of his ministerial functions, and that either for a limited or unlimited period, as to the Presbytery may seem most proper in the circumstances of the case, and may declare the pastoral tie to be dissolved.

If the person accused be a preacher of the gospel, he is, in the event of the libel being proved, deprived of his license.

(15) *Minute in the case of Deprivation of License*

The Presbytery therefore did, and hereby do, deprive the said Mr. A. B. of his license as a preacher of the gospel, declare that he cannot be admitted into any pulpit within the bounds of the Free Presbyterian Church of Scotland, and that he is disqualified to accept a call, or be received into any pastoral charge.

In the case of a minister being deposed, or a probationer deprived of his license, intimation thereof must be made to the Clerk of Synod.

(16) *Citation of Parties by the Presbytery*

(Note.—These Forms are subject to the alterations required by Free Presbyterian Church procedure when the relevancy of the libel has to be considered before it is served.)

* Sentence of deposition must in all cases be reported to the Synod; and the Synod alone can pronounce sentence of deposition on a Minister in his absence.

APPENDIX X. 2. Forms and Styles in Discipline.

Warrant of Citation

At D., the day of 19 years, which day the Presbytery of D., being met and constituted, inter alia, the said Presbytery having heard, read, and considered the foregoing libel, at the instance of the said Presbytery against Mr. A. B., Minister of C., for the crime of they did, and hereby do, grant warrant to, and authorise P., Presbytery officer, to serve copies thereof, and of the list of witnesses thereto subjoined, and of this deliverance, on the said A. B., and to cite him to appear personally before the said Presbytery at their next meeting, which is appointed to take place at the day of next, to answer thereto; and to give the said citation in writing, either personally or at his dwelling-place, bearing a competent time for his giving in his answers and objections to the said libel and list of witnesses, if he be so advised, at least ten days before the day of compearance.

A. B., Moderator. N. O., Presbytery Clerk.

The warrant is indorsed upon, or appended to the principal libel, and the officer should have the libel and warrant, or duly authenticated extracts thereof, in his possession, when he cites the party.

Citation thereon

I, P., Presbytery officer, by virtue of a libel, at the instance of the reverend Presbytery of D., against you, Mr. A. B., Minister of C., for the crime of , and of the warrant and authority thereon by the said reverend Presbytery, of which libel, with the list of witnesses thereto subjoined, and warrant and authority thereon by the said reverend Presbytery, what is contained on this and the preceding pages, is a just and exact copy, do hereby lawfully cite you, the said A. B., to compear personally before the said Presbytery at their next meeting, which is appointed to take place at the day of next, in the hour of cause, at o'clock noon, to answer to the libel; and I further charge and ordain you, the said A. B., to give in answers and objections to said libel and list of witnesses, if you be so advised, within days, at least ten free days before the said day of compearance. This I do upon the day of , in the presence of these witnesses, L. and M.

L., Witness. M., Witness. P., Presbytery Officer.

Certificate of Execution

I, P., officer to the reverend Presbytery of D., hereby certify that upon the day of , 18 years, I did, in virtue of a libel at the instance of the reverend Presbytery of D. against Mr. A. B., Minister of C., for the crime of , and of the warrant and authority thereon granted by the said Presbytery, lawfully cite the said A. B., to appear personally before the said Presbytery at their meeting, which is appointed to take place at , on the day of next, in the hour

APPENDIX X. 2. Forms and Styles in Discipline.

of cause, at o'clock noon, to answer to the said libel; and I further charged and ordained him to give in answers and objections to the said libel, and list of witnesses thereto subjoined, if he be so advised, before the said day of appearance; a just and exact copy of which libel, and of the list of witnesses thereto subjoined, and of the warrant and authority granted thereon by the said Presbytery, having a citation attached thereto to the above effect, subscribed by me and the following witnesses, I delivered to the said A. B., personally apprehended (if not personally, by delivering the same at his dwelling-house), before and in presence of L. and M., witnesses to the premises and hereto with me subscribing.

L., Witness. M., Witness. P., Presbytery Officer.

If service is by registered post the appropriate form of Certificate of Execution is given on Page 210.

5. SPECIMEN MINUTE FOR THE SYNOD, IN THE EVENT OF A CASE COMING BEFORE THEM UNDER ACTS IX. AND X. ASSEMBLY 1854

Minute of Synod

A reference in the case of libel against Mr. A. B., was brought before the Synod from the Presbytery of , under Act IX. Assembly 1854.

Parties were called, etc. It was moved and seconded that the Synod dismiss the reference, and instruct the Presbytery to proceed with the case themselves. It was also moved and seconded that the Synod sustain the reference, etc. etc.

The Synod accordingly sustain the reference. Thereafter it was moved and seconded that the Synod proceed to try the case.

3. Forms of Libel

APPENDIX X. 3. Forms of Libel.

1. Case of Theft

Case of Theft.

Mr. A. B., Minister of the Free Presbyterian Church Congregation at X., in the Presbytery of Z., you are indicted and accused, at the instance of C. D., Moderator, and E. F., G. H., etc., remanent members of the Presbytery of Z.,—That albeit by the Word of God, and the laws and discipline of the Free Presbyterian Church of Scotland, theft, especially when committed by a Minister of the Gospel, is a crime of a heinous nature, and severely punishable; yet true it is and of verity, that you, the said A. B., are guilty of the said crimes, aggravated as aforesaid, in so far as, Imo, On one or other of the days of the month of December 1962, or of the month of November immediately preceding, or of January immediately following, or at least on one or other of the days between the month of July 1962 and July 1963, the particular day being to the Presbytery unknown, you the said Mr. A. B., being then a Minister, etc., within the shop in Wilson Street, Glasgow, then occupied by Mr. M. O., bookseller and stationer there, now deceased, did wickedly and feloniously steal and theftuously carry away a paper book, or a certain quantity of paper stitched or bound up, the property, or in the lawful possession of the said M. O. 2ndo, [after various charges, the earliest being not more

than five years before date of libel.*] Further, one or more of the said acts of theft having of late become notorious, a *fama* or rumour thereanent has arisen in the village of *X.* and the neighbourhood, to the great scandal of religion and the destruction of your usefulness as a Minister of the Gospel at *X.* aforesaid: and the following documents will be produced in evidence against you, in support of the charges:—viz., letter or draft-letter, dated, etc. etc., and will be lodged in the hands of the Presbytery Clerk, that you may have an opportunity of seeing the same.

All of which, or part thereof, being found proven by the Presbytery of *Z.*, before which you are to be tried, you, the said *A. B.*, ought to be deposed from the office of the Holy Ministry, or otherwise censured or punished according to the laws of the Church and the circumstances of the case and degree of your guilt in the premises, for the glory of God and the edification of the Church, and as a terror to others, to prevent them from committing such offences and sins in time coming.

(Signed) O. N., Moderator.
W. P., Presbytery Clerk.

2. *Case of Drunkenness*

Mr. *A. B.*, Minister of the Free Presbyterian Church Congregation at *X.*, in the Presbytery of *Z.*, you are indicted and accused, at the instance of Mr. *C.*, Moderator *pro tempore*, and Messrs. *D.*, *E.*, *F.*, and *G.*, members of the said Reverend Presbytery of *Z.*,—That albeit by the Word of God, and the laws and discipline of the Free Presbyterian Church of Scotland, drunkenness, especially on the Lord's day, and exhibited within the Church, and in the performance of the services of the Church, is an offence of an heinous nature, unbecoming the character and sacred profession of a Minister of the Gospel, and severely punishable; yet true it is and of verity, that you, the said Mr. *A. B.*, are guilty of the said offence of drunkenness, aggravated as aforesaid, in so far as (1) on Monday the _____ day of November, in the year Nineteen hundred and _____, or on one or other of the days of that month, or of October immediately preceding, or of December immediately following, within the Manse or House then occupied by you at *X.* aforesaid, you, the said *A. B.*, were so much under the influence of drink as to be unable to articulate distinctly. Further, (2) on Saturday the _____ day of December Nineteen hundred and _____, on one or other, etc., place above libelled, you, the said *A. B.*, were so much under the influence of intoxicating drink as to be unable to conduct family worship on the evening of that day. Further (3) on Sabbath, the _____ day of December Nineteen hundred and _____, or on one or other, etc., you were under the influence of intoxicating drink to such an extent that your speech was inarticulate and you did appear in the Free Presbyterian Church at *X.* under the influence of

* "If a scandal shall happen not to be noticed, in order to censure, for the space of five years, it shall not be again revived, unless it be of an heinous nature, or become again flagrant." Form of Process 1. 4.

intoxicating drink, and were thereby incapacitated from conducting the usual services in a proper manner.

All which or part thereof being found proven against you, the said *A. B.*, by the said Reverend Presbytery of *Z.*, before which you are to be tried, by your own public confession, or after habile and competent proof, you, the said *A. B.*, ought to be punished according to the rules and discipline of the Church, and the usage observed in such cases, for the glory of God, the edification of the Church, and the deterring of others holding the same sacred office from committing the like offences, in all time coming.

Signed at *X.*, in name, presence, and by appointment of the Presbytery of *Z.*, this _____ day of _____ by
M. N., Moderator.
O. P., Clerk.

3. *Case of Fornication and Clandestine Marriage*

Mr. *A. B.*, Minister of the Gospel at *X.*, you are indicted and accused, at the instance of the Reverend *C. D.*, Moderator *pro tem.* of the Free Presbyterian Church Presbytery of *O.*, and the Reverend Messrs. *E.*, *F.*, *G.*, and *H.*, etc., remanent members of said Presbytery;—That whereas by the Word of God, and the laws and discipline of the Free Presbyterian Church of Scotland, fornication and living in a state of concubinage, and the entering into or contracting marriage irregularly and clandestinely, without proclamation of banns and not *in facie ecclesie*, especially when committed by a Minister of the Gospel, are offences of an heinous nature, dishonouring to God, and fitted to give occasion to the adversary to speak reproachfully, and therefore severely punishable; yet true it is and of verity, that you, the said *A. B.*, are guilty of the said offences, or of one or other of them, in so far as within the Free Presbyterian Manse of *X.*, or elsewhere to the prosecutors unknown, and on various occasions within the last eight months, you had carnal intercourse with your servant, *J. P.*, whereby she is now pregnant with a child, of which you are the father. And you, the said *A. B.*, have been living in a habitual state of concubinage with the said *J. P.* since at least the sixth day of January last, and down to the sixth day of August bypast, on which day you, with the said *J. P.*, compeared before *J. N.*, Esq., one of Her Majesty's Justices of the Peace for the county of *O.* and *K.*, and in his presence acknowledged yourselves to be married persons, husband and wife; or otherwise you, the said *A. B.*, are guilty of the said sin of marrying irregularly and clandestinely without proclamation of banns and not *in facie ecclesie*, inasmuch as on the sixth day of August in the present year, having first by application to *A. B.*, Procurator-Fiscal of the county of *O.*, obtained a petition and complaint, to be presented by him to the Justices of Peace for the said county, against yourself and the said *J. P.*, you did, accompanied by the said *J. P.*, compear at *K.*, before *J. N.*, Esq., one of Her Majesty's Justices of the Peace for the said county, and did in his presence then and there, alongst with the said *J. P.*, acknowledge yourselves to be married persons, husband and wife, without having caused banns of marriage to be proclaimed according to law, and without having followed any of the steps required to constitute a marriage *in facie ecclesie*,

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and you did thereafter, namely on the ninth day of the said month of August, tender an extract of the conviction or sentence of the said Justice of the Peace, following on the said compearance and acknowledgment to Mr. J. W., Registrar of the parish of K., for the purpose of obtaining the recording of a clandestine or irregular marriage between you and the said J. P.

All which, etc.

4. *Case of Heresy.*

Mr. A. B., Minister of the Free Presbyterian Church Congregation at X., in the Presbytery of Z., you are indicted and accused, at the instance of the said Presbytery of Z., in connexion with the Free Presbyterian Church of Scotland,—That whereas the publishing and promulgating false and unsound doctrines, at variance with the Holy Scriptures and with the doctrines and Confession of Faith of the Free Presbyterian Church of Scotland, by a Minister of the said Church, is an offence of an heinous nature and severely punishable; and more particularly, (1) Albeit the doctrine that moral evil has no real existence, but is such only in appearance and in reference to man's limited views; (2) As also the doctrine that native good and native tendencies to good, exist in a greater degree than evil and tendencies thereto, in the present estate and moral nature of man; (3) As also the doctrine, etc., . . . (13) As also the denial of the doctrine that the Lord Jesus Christ is very God as well as very man, that he freely gave himself a voluntary sacrifice unto death for sin, and that by his death he made a proper and real satisfaction to his Father in behalf of his people, are contrary to the Holy Scripture, and to the doctrine held by the Free Presbyterian Church of Scotland, and the Confession of Faith, more especially to what is contained therein concerning (1, 2, 3, 4, 5, 8, 9) human depravity, the fall, and man's natural relation to God, (10, 11) grace and regeneration, (6) the ultimate condition of the impenitent, (7) justification of faith, (2) the authority and obligation of revelation and the Divine Law; and (13), the person and work of Christ; yet true it is and of verity, that you, the said Mr. A. B., hold and have promulgated the aforesaid tenets, and have avowed, published, and disseminated the same, in all or some of the books under mentioned written by you, and published to the world, *videlicet*:—

1. A Book entitled [*Here copy title-page*].

2. A Book entitled, etc.; all which books were printed and published by you, Mr. A. B., or by others acting under your authority and instructions, in or about the years respectively mentioned in their respective title-pages; and which books, being to be used in evidence against you, are lodged in the hands of the Clerk to the Presbytery, that you may have an opportunity of seeing the same. Of all which books you have judicially acknowledged yourself to be the author, to the said Presbytery of Z., by letter under your hand, dated X., twenty-third September Nineteen ; which books contain throughout an avowal, declaration, enforcement, and promulgation of the above-mentioned noxious, false, and unsound doctrines. More particularly, and without prejudice to the said generality—

1st, You, the said Mr. A. B., in the aforesaid work entitled, etc., and at pages 163 and 164 of the first volume of that work, made use of the following expressions, *videlicet*:—[*Here take in extract*].

2d, etc.—And the aforesaid letter by you, acknowledging the authorship of the several books before written, as also the other letters under mentioned, also written by you, as also the following Extract from the Records of the Synod; as also the following Extracts from the Records of the said Presbytery of Z.; as also the other papers and documents in the case under mentioned, being to be used against you, are lodged with the Clerk of Presbytery, or the person acting for him *pro tempore*, that you may have an opportunity of seeing the same:—[*Here follows List*].

List of Witnesses and Documents

At the close of the libel follows the list of witnesses (which is to be regularly served on the accused, with a full copy of the libel) in this manner:—

“List of witnesses to be adduced against you, the said A. B., for proving the foregoing libel:—

1. E. F., presently gardener to C. E., Esq., now or lately residing at D.
2. G. H., now or lately residing at F.”

If there are articles to be produced in evidence, they should be thus expressed after the list of witnesses:—

“There will also be produced a further proof of the foregoing libel.”

(*Here mention Documents produced*)

The list of witnesses and documents ought to be authenticated by the signatures of the Moderator and Clerk of the Presbytery, and by that of the libeller, if he is a private party.

4. *Forms of Extracts*

1. *WHEN WHOLE MINUTE IS GIVEN*

At _____, the _____ day of _____ 19 ____ :
Which day the _____ of _____ having met and
been constituted,—Sederunt (*give it full*), etc. etc.
Extracted by _____

Clerk.

2. *WHERE ONLY PART GIVEN*

At, etc. (*no Sederunt*).
Inter alia, etc. etc.
Extracted by _____

Clerk.

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