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Com. on revision of "Lanons
& standing resolutions" adopted
at Fayetteville May 1852.

See N. 47. of Journal
"Constitution" added in 1853
See Journal N 47

Committed to

Rev Dr Mason

" Dr Watson

J. Avery Shephard

Joseph Collins

Jacob Bryan.

Dr Hubbard appointed to
edit the Avenir, March
1853. Journal of 1853
N 47

Repealed finally in 1859
at Goldsboro.

The second subject referred to the Com. was the question of the advisability of a proposed change in the Canons providing for the appointment of a Committee to take charge of the Permanent Funds of the Diocese.

Your Com. think the proposed change is worthy of consideration but its adoption would involve such changes in the Canons relating to the subject, as that they do not feel justified in recommending it at the present time and without more consideration.

They therefore recommend the adoption of the following resolution.

Resolved that the Com. on C be dis charged from the consideration of this subject at the present time and be instructed to report upon ^{it} at the meeting of the next Council.

CONSTITUTION

—AND—

CANONS

—TOGETHER WITH THE—

RULES OF ORDER

—OF THE—

Protestant Episcopal Church,

—IN THE—

Diocese of East Carolina.

ADOPTED BY THE

CONVENTION OF 1886

—AND—

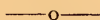
PUBLISHED BY ITS ORDER.

WILMINGTON, N. C.:

WM. L. DE ROSSET, JR., PRINTER AND BINDER.

1886.

Constitution.



ARTICLE I.

This Diocese as established by the Sixty-seventh Convention of the Diocese of North Carolina, in May, 1883, at Charlotte, embracing all that portion of the territory of the State of North Carolina which includes the counties of Hertford, Bertie, Martin, Pitt, Greene, Wayne, Sampson, Cumberland, and Robeson, and all the counties lying between these counties and the Atlantic Ocean, shall be known as the Diocese of East Carolina.

ARTICLE II.

The Church in this Diocese accedes to the Constitution of that branch of the Holy Catholic Church known as the Protestant Episcopal Church in the United States of America, and recognizes the authority of the General Convention thereof.

ARTICLE III.

SECTION I. For the purpose of receiving reports and other information as to the condition and progress of the Church in this Diocese, and of consulting upon such measures, and enacting such laws as may seem good for its welfare and government, there shall be an Annual Council to meet within the Diocese at such time and place as may be determined by

the next preceding Council, or in the event of no such determination, on the third Wednesday in May, at such place as may be agreed upon by the Bishop and Standing Committee, or appointed by the Standing Committee in case of the disability of the Bishop, or a vacancy in his office.

SECTION 2. But the time or place of such meeting may be changed, or Special Councils may be called by the Bishop and Standing Committee, or by the Standing Committee in case of disability or vacancy as provided in the preceding section, subject, nevertheless, to such Canonical provisions as may hereafter be made; *provided*, that no Special Council shall be called without at least sixty days' notice, which notice shall be published for at least one month in three different newspapers in this Diocese, and shall specify the business and purpose for which said Special Council is to be held; and no other business shall be proposed or acted upon except by a vote of two thirds of both Orders.

ARTICLE IV.

SECTION 1. The Council shall be composed of the two Orders—Clerical and Lay. The Bishop of the Diocese, or in his absence the Bishop in charge as representing the Episcopal Authority, shall, if present, preside at all meetings of the Council.

SECTION 2. Every Clergyman of the Church, having been Canonically connected with and resident within the Diocese for *three* months preceding any meeting of the Council, including such portion of the time as he may have been a candidate for Orders, shall be entitled to a seat and vote in the Council, except in the election of a Bishop, in which case such connection and residence must have been for *twelve* months to entitle him to a vote; *provided*, that the restriction

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as above in regard to residence shall not apply to professors, tutors or students in the General Theological Seminary, or in any University or College maintained or governed in part by this Diocese, or to officers of the General Missionary Board of the Church, or to Chaplains in the Army or Navy.

SECTION 3. Each regularly organized Parish within the Diocese shall be entitled to be represented by one or more Lay Delegates, not exceeding *four*, chosen by the vestry from the male communicants of the parish: and in case of any parish having no male communicants, the Vestry may elect one or more delegates, duly qualified as above, from any other parish or parishes of the Diocese: *provided*, that no person shall be allowed to represent more than one parish in the same meeting of the Council. No person, Clerical or Lay, under Ecclesiastical censure, publicly declared by a competent tribunal, shall be admissible to a seat in the Council.

SECTION 4. It shall be lawful for the Council to exclude or suspend from Lay representation any Parish neglecting or refusing to appoint delegates to the Council for two successive years, or neglecting or refusing to comply with any lawful requirement of the Council; *provided*, that a vote of a majority of all the Clergy entitled to seats, and a majority of all the Parishes entitled to representation shall be required for such exclusion or suspension.

SECTION 5. If any Parish shall neglect or decline to appoint Lay Delegates, or shall have been excluded or suspended from the right of doing so by the Council, or if any or all those appointed shall not be present, such Parish shall nevertheless be bound by the acts of the Council.

ARTICLE V.

SECTION 1. The Council shall be the sole judge of the

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[MAY

election and qualification of its own members. It shall have power to adopt Rules of Order for its own government, elect officers and raise funds, and shall have such other legislative powers as may be necessary and proper for the well-being of the Diocese.

SECTION 2. The Council shall have no power to pass any Canon infringing the Episcopal Authority, but may adopt resolutions of advice or enquiry, or institute any proceedings deemed necessary for the purpose of impeachment of the Bishop.

ARTICLE VI.

To constitute a quorum for the purpose of ordinary business the presence of one-third of all the Parochial Clergy and of delegates from seven of the Parishes entitled to representation in the Council shall be necessary. Any less number shall be competent to receive reports and to adjourn.

ARTICLE VII.

SECTION 1. Upon any question before the Council, when it may be required by any one Clerical member, or by the delegation present of any one Parish, the two Orders shall vote separately. And in all cases of a vote by Orders, each Clerical member shall be entitled to one vote, and each delegation shall also be entitled to one vote, and a concurrence of majorities of both Orders shall be necessary to a decision. When no such division is called for, each member of the Council shall be entitled to one vote.

SECTION 2. All elections shall be by ballot, unless otherwise unanimously ordered.

ARTICLE VIII.

SECTION 1. The Council shall annually elect a President

a Chancellor who shall be a member
of the legal profession "

See H. R. 203 DC Journal 1888
See especially p 78

See H. R. 26 Journal of 1889.

See p. 25 " " 1890

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(who shall be a Presbyter of the Diocese), a Secretary and a Treasurer.

SECTION 2. Should there at any time be no such election then the officers *last* before elected shall hold over till such election shall be had.

SECTION 3. Should the office of Secretary or that of Treasurer become vacant at any time preceding the annual election, the Ecclesiastical Authority shall be empowered to fill the vacancy till such time as an election shall be had.

ARTICLE IX.

SECTION 1. A Standing Committee to consist of 3 Clergymen of the Diocese, and 2 Laymen communicants of the Diocese, shall be annually elected by the Council.

SECTION 2. The Committee shall have power to fill any vacancy that may occur in their own body between the annual meetings of the Council.

SECTION 3. When there is no Bishop the Standing Committee shall be the Ecclesiastical Authority of the Diocese, and, as such, may invite the temporary services of other Bishops, and, for due cause, may change the time or place of the annual meetings of the Council; and they may also summon special Councils, and shall do so upon the call of one-third of the Clergy of the Diocese, or of one-third of the Parishes in union with the Council, as appearing upon the lists of the Journal last before published. And although there be a Bishop, the Standing Committee shall have power to call special Councils for the purpose of proceedings relative to his impeachment, and shall do so upon a similar requisition by the Clergy or Laity.

ARTICLE X.

SECTION 1. Any ten or more baptized adults may organize

themselves into a Parish, and be received into union with the Council, by taking such steps as may be provided for by Canon.

SECTION 2. The Bishop of the Diocese may, with the written consent of the Rector of any Parish (a copy of which shall be filed with the Registrar of the Diocese), establish, within the limits of such Parish, Missionary congregations, whose Ministers shall be independent of the Rector and responsible to the Ecclesiastical Authority only; *provided*, that, with the advice and consent of the Standing Committee, the Bishop shall have the power to establish such independent Missionary congregations without the consent of the Rector.

SECTION 3. In all Parochial elections none shall be entitled to vote but baptized males of the age of twenty-one years, members of the Parish, who shall have subscribed a declaration in the following words, viz:

“We, the undersigned, do hereby consent to be governed by the Constitution and Canons of the Church, as set forth in the General Convention, and by the Constitution and Canons of the Church in this Diocese.”

Provided, that this section shall not be taken to infringe upon the chartered rights or existing customs of any Parish established previous to the year 1859.

ARTICLE XI.

SECTION 1. Any Presbyter regularly called to the charge of a Parish and entering thereupon shall, during the time of such charge, be held to be the Rector of said Parish.

SECTION 2. The Rector is recognized as having, by virtue of his office, the exclusive regulation, under his Canonical superiors, of all the spiritual concerns of the Parish; as being entitled at all times to have access to the Church building



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and to open the same for the services or instruction of this Church as he may deem proper; to call meetings of the Vestry or congregation, when present to preside in the same, and, in case of a tie, to give the casting vote.

ARTICLE XII.

The Council shall pass Canons for the trial of Clergymen.

ARTICLE XIII.

When a Bishop is to be elected, the Council shall vote, by Orders, on this wise: The Clergy, by a majority of all in the Diocese entitled to seats in the Council, shall make a nomination by ballot for the office; and then a concurrence, by ballot, of a majority of the Parishes represented, shall be necessary to complete the election; *provided*, the number of Parishes voting shall not be less than *twenty*.

ARTICLE XIV.

No new Canon shall be passed, nor shall any existing Canon be amended, upon the day upon which said new Canon or amendment may be proposed, without unanimous consent. Nor, without a similar consent, shall the question upon the passage of such Canon or amendment be finally put without previous reference to a committee.

ARTICLE XV.

SECTION I. This Constitution shall not be altered or amended without—

First. A concurrent vote of a majority of both orders present at one Annual Council proposing said alteration.

Second. The adoption of the proposed alteration or amendment, at the next ensuing Annual Council, by a majority of

all the Clergy entitled to seats in the Council, and a majority of the Parishes represented; *provided*, that the number of Parishes voting shall not be less than fifteen.

SECTION 2. Provided, that the consideration of the proposed amendment may always be postponed to the next Annual Council by a vote of two-thirds of both orders present.

ARTICLE XVI.

All Constitutional enactments shall take effect from and after the adjournment of the Council at which they shall have been ratified.

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CANON I.

LIST OF MEMBERS OF THE COUNCIL.

SEC. 1.—*Clergy*.—It shall be the duty of the Secretary, before the opening of the Annual Council, to apply to the Ecclesiastical Authority for a correct list of the Clergy entitled to seats. Such list shall be *prima facie* evidence of said title, and from it the Secretary shall prepare the roll for the purpose of organization.

SEC. 2.—*Laitie*.—The Secretaries of the several Parish Vestries electing Lay Delegates to the Council shall furnish three certificates of said election, whereof one shall be handed to the Delegates elect, one shall be forwarded to the Secretary of the Council, and one to the minister of the Parish where the Council is to be held, the latter two to be mailed at least two weeks before the time appointed for the opening of the session. From these certificates the Secretary shall prepare a list of Lay Delegates to be called at the opening of the Council; and shall insert no name upon the roll without the evidence of one of said certificates, unless specially directed by the Council. Defective or doubtful certificates shall be laid aside to be acted upon after the Council shall have been organized.

CANON II.

~~OPENING SERVICES.~~

At the opening of each annual or special meeting of the Council, Morning Prayer shall be said and the Holy Communion administered, and there shall be a sermon by a Clergyman appointed for the purpose by the Ecclesiastical Authority of the Diocese.

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CANON III.

RULES OF ORDER.

The Council shall adopt Rules of Order, which shall continue in force until altered.

CANON IV.

PRESIDENT.

In absence of a Bishop competent to preside, as provided in Article IV, Section 1 of the Constitution, the chair shall be occupied by the President of the Council.

CANON V.

SECRETARY.

SEC. 1. The Secretary shall issue notices of all meetings of the Council under direction of the Ecclesiastical Authority. He shall prepare the Canonical List of the Clergy and Lay Delegates entitled to seats therein. In the absence of both Bishop and President he shall call the Council to order for the purpose of organization. He shall keep a record of its proceedings; under its direction, in a suitable book to be kept for that purpose and shall also be Registrar of the Diocese.

see h. 35, Journal 1892
on the same day &c.



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SEC. 2 He shall prepare and issue the Journals as may from time to time be directed by the Council, and shall preserve thirty copies of the same for the use of the members of the next succeeding Council together with such other papers in his keeping as he may think likely to be required for reference.

SEC. 3. He is hereby authorized to draw upon the Treasurer for the amount of expenses necessarily incurred from time to time in discharging the duties prescribed by this Canon.

CANON VI.

TREASURER.

The Treasurer shall have custody of all funds or monies belonging to the Diocese; shall, under the direction of the Council, receive, invest and disburse the same, and shall keep and return an account thereof to each annual meeting; and shall also report annually a complete list of all securities belonging to the Diocese. He shall give bond for the faithful discharge of his duties, in such sum as the Trustees of the Diocese may from time to time designate, such bond to be approved by and deposited with the Trustees of the Diocese.

CANON VII.

COMMITTEES.

SEC. I. The following shall be the Regular Committees of the Council, to-wit:

[I]—*Permanent Committees.*—In addition to the Standing Committee, there shall be annually elected the following Committees, viz: An Executive Missionary Committee to consist of five; a Students' Aid, and a Church Building Committee, to consist each of three persons; and the Bishop shall be *ex officio* Chairman of said committees.

[2] A Committee on Canons, to consist of three clergymen and two laymen, and a Committee on Finance, to consist of two clergymen and three laymen, shall be annually appointed by the Bishop, or, in his absence, by the President of the Council, after opportunity has been given for presenting reports by those appointed at the previous annual meeting—not later than during the morning session of the second day.

[3] All permanent committees shall remain in office until their successors are appointed or elected.

[4]—*Other Committees.*—The following committees shall be annually appointed by the Bishop, or, in his absence, by the President, as soon as may be after opening of the Council viz. On Credentials, On New Parishes, and On Unfinished Business, to consist each of one clergyman and two laymen, and On the State of the Church, to consist of three clergymen and two laymen.

SEC. 2.—*Standing Committee.*—The Standing Committee shall elect a President and Secretary from their own body. They shall assemble upon the call of their President whenever he may deem it necessary. He shall also summon them whenever required to do so by the Bishop, or by any three members of the Committee. In the event of vacancy in the Episcopate, the President shall call a meeting within thirty days after knowledge of the fact. The Standing Committee shall hold meetings for the transaction of business on the third *Wednesday* preceding the stated times of ordination, and at each Council; *Provided*, that the committee shall not be required to meet except upon notice by the President. They shall also report to the annual meetings of the Council their transactions of the preceding year. A record of all their official acts shall be kept by their Secretary, which shall always be open to the inspection of the Bishop and of the Council.

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SEC. 3.—*Executive Missionary Committee.*—The Executive Missionary Committee shall have in charge the Current Missionary Funds of the Diocese, for which they shall be empowered to draw upon its Treasurer, the order of their Chairman being the Treasurer's warrant. They shall receive applications for aid; they shall report annually to the Council their transactions during the previous year, and the condition of the missionary field, and shall make such recommendations for the future as may seem to them good. Under the direction of the Bishop—if there be one—they shall select the Missionaries or Missionary Stations to be aided, and in the absence of specific directions by the Council, shall make such appropriations to the same as may seem to them suitable. With the consent of the Bishop, they may appropriate monies to Convocations, instead of individuals; and may leave to these Convocations, under the direction of the Bishop, the selection of Missionaries or Missionary Stations to be aided.

SEC. 4.—*Students' Aid Committee.*—The Committee shall have charge of the Current Students' Aid Fund of the Diocese, with power, in the absence of express provisions to the contrary, to appropriate the same as may seem to them best. They shall be empowered to draw upon the Treasurer of the Diocese for all such funds in his hands, and the order of their chairman shall be his warrant. They shall receive, consider and act upon all applications for aid in behalf of young men desirous to enter the Ministry of the Church. They are hereby directed to seek out such cases, and, if need be, bring them to the notice of the Church in any way that may seem best. They shall report annually to the Council their transactions of the preceding year, and the condition of the fund under their control, and shall make such recommendations for the future as may seem to them good.

SEC. 5.—*Church Building Committee.*—The Church Building Committee shall have charge of all current funds contributed in the Diocese for the purpose of aiding feeble congregations within the Diocese in building or repairing churches, with power to appropriate the same as may seem to them best; *provided*, that there shall be no appropriation of the funds of this committee towards any building not secured to the sole use of the Protestant Episcopal Church in the *Diocese of East Carolina*. The Committee shall be empowered to draw upon the Treasurer of the Diocese for such funds as he may have received for church building; and the order of their chairman shall be his warrant. They shall report annually to the Council their transactions of the preceding year, and the condition of the fund under their control, and shall make such recommendations for the future as may seem to them good.

SEC. 6.—*Committee on Canons.*—The Committee on Canons shall receive, consider and present to the Council all motions or resolutions pertaining to the Constitution, Canons and Rules of Order, and are competent to originate any new matter, touching these subjects, that they shall see proper.

The Committee on Canons may report to the Council at which they are appointed, ^{or} not later than the second day of the next succeeding Council unless otherwise instructed.

SEC. 7.—*Committee on the State of the Church.*—It shall be the duty of the Committee on the State of the Church, from such materials as may be placed before them, to report to the Council, at some time during its session, the condition of the Diocese, with such particular statements, or such recommendations, as may seem to them desirable.

SEC. 8.—*Committee on Finance.*—The Committee on Finance shall audit the Treasurer's accounts. They shall have

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power to report a scale of assessments for the purpose of raising funds required for Diocesan purposes; they may receive applications for the alteration of said scale, and shall have power to modify the same for the current year, reporting all such applications and their action thereon to the Council. They shall report to each Council the general condition of the several funds of the Diocese, with such deficits in the assessments as may be discovered. They may make such recommendations as may seem to them desirable, and shall act upon all other matters relative to Diocesan property committed to them by the Council.

CANON VIII.

DEPUTIES TO THE GENERAL CONVENTION.

At each Annual Council there may, and at each Annual Council immediately preceding the triennial session of the General Convention there shall be elected four clerical and four lay deputies to the said General Convention, who shall be, in accordance with Article II. of the Constitution of the General Convention, "Communicants in this Church and residents in the Diocese." There may also be elected four alternate clerical and four alternate lay deputies, subject to the same provisions as the original deputies above mentioned. The said alternate deputies shall succeed to vacancies in the original deputation in the order of their election as indicated by the number of votes cast for each, and in case of the same number of votes having been cast for two or more in either order, precedence shall be given to the clerical alternates in the order of *official*, and to the lay alternates in the order of *personal* seniority; and the Secretary shall insert the names of the alternates in this order upon the Journal.

Deputies elect to the General Convention, finding themselves unable to attend, shall, four weeks at least before the time of meeting, give notice to the first alternate of the same order. Should said alternate be unable to attend he shall give immediate notice to the next upon the list of the same order with himself. Should either of said alternates receive two or more of such notices, he shall, according to the circumstances, transmit said notices to one or more of the alternates who follow him, and in the order in which they come. A

CANON IX.

TRUSTEES OF THE UNIVERSITY OF THE SOUTH.

SEC. 1. There shall be elected by the Council at such intervals as are or may be required by the Constitution or Statutes of the University of the South, one Presbyter and two Laymen, as members of the Board of Trustees of that Institution on the part of this Diocese.

SEC. 2. The said members shall annually report to the Council the condition and progress of the University, with such particulars in regard to the various departments as they may deem necessary to inform the people of the Diocese as to the literary, moral and spiritual value of the work of that Institution and its claims upon them for patronage and support.

SEC. 3. In case of the death, resignation or disability of any of the Trustees elected on the part of this Diocese, the vacancy may be filled by the Ecclesiastical Authority until an election for that purpose shall be made by a succeeding Council.

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Case of Special Gen. Conference

- +. Title III, Canon 1, §1.
Clause [3] says. "The Deputies
to the preceding Gen. Conference
shall be the Deputies at
such Special Conventions
unless in those cases in which
other Deputies shall have
been chosen &c &c."

Canon IX amended by adding Sec 4

See Journal 1889. p 39.

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CANON X.

TRUSTEES OF THE DIOCESE.

SEC. 1. The Bishop, or when there is no Bishop, the President of the Standing Committee shall, *ex officio*, with two laymen to be annually elected by the Council—and to remain in office until their successors may be appointed—constitute a Board of Trustees for the Church in this Diocese, and shall be authorized to hold the property of the Diocese not otherwise provided for. In absence of instructions by the Council they shall also, from time to time, give directions to the Treasurer in regard to the care and investment of the permanent and unappropriated funds of the Diocese in his hands.

SEC. 2. Whenever the title to real property in any Parish is vested in the Trustees of the Diocese for the benefit of the Parish the said Trustees shall have the power to convey said property upon the written request of the Vestry of such Parish if, in the opinion of said Trustees, it be advisable so to do; but if, in their opinion, it is not advisable to make such conveyance, they shall report the facts to the next Council.

SEC. 3. Any vacancy occurring in this Board by death or otherwise, may be filled by the Ecclesiastical Authority.

CANON XI.

ORGANIZATION OF PARISHES AND MISSION STATIONS.

SEC. 1. A new Parish may, upon application, be admitted into union with the Council, if duly organized according to the requirements set forth in the following section of this Canon, and if, in the judgment of the Council (upon the favorable report of a committee appointed for the purpose

of enquiry into the case), the Parish gives promise of such sufficient strength as will enable it permanently to maintain its organization.

SEC. 2. The requirements for the organization of a new Parish shall be—

First. To obtain the written consent of the Ecclesiastical Authority.

Second. If within the limits of some already existing Parish or Parishes, to obtain the written consent of the Rector or Rectors of said Parishes.

Third. To assume a suitable name and elect a Vestry, as prescribed in Canon XII on Parochial Elections.

Fourth. To provide a book with a caption for the signatures of all the voters in the Parish consenting to be governed by the Constitution and Canons of the General Convention and of this Diocese, as directed in Article X, Section 3 of the Constitution of this Diocese.

And every new Parish applying for admission into union with the Council, shall present satisfactory evidence that all the above requirements have been duly complied with.

SEC. 3. Any Missionary Station outside the limits of an already existing Parish may be organized by the Bishop at his discretion.

The Bishop may appoint, upon the organization of the Mission, a Church Warden, a Clerk and Treasurer (if he deems it expedient, combining any two of these offices in one person) which officers shall thereafter be elected by the congregation annually in Easter week, after public notice of the election previously given. These officers shall, as far as possible, discharge the duties belonging to their respective offices in regularly incorporated Parishes, and they shall retain their offices until their successors are duly elected. The

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congregation of any organized Missionary Station, either without or within the limits of an already existing Parish, may appoint from their number a delegate to the Council, who shall be admitted to a seat, and to a participation in its deliberations, without the right of voting. The appointment of such delegate shall be certified by the Clerk of the Mission.

CANON XII.

PAROCHIAL ELECTIONS.

SEC. 1.—*Vestry*.—Upon Easter Monday, unless some other day has been specified by the Vestry, each Parish shall annually elect [by a plurality of votes] from among the baptized members of the Parish in good moral standing, a Vestry of not less than three nor more than twelve persons, and in case of proposed change in the number of the Vestry, then the number of Vestrymen to be elected shall be announced by resolution of the Vestry at least ten days before the election. But in the event, at any time, of an omission to elect, or of a refusal of the Vestry elect to serve, the Vestry last chosen shall hold over until another election shall be held. The Vestry after its organization shall have the power to fill any vacancy which may occur in their body.

SEC. 2.—*Wardens*.—Each Vestry shall annually elect a Senior and a Junior Warden from among their own number, the former upon nomination by the Rector. If there be no Rector the election shall proceed without such nomination.

SEC. 3.—*Duties of Wardens*.—In the absence of the Rector the Wardens shall preside in all meetings of the Vestry or congregation in the order of their official seniority. As representatives of the Vestry, they shall (subject to its directions and in consistency with the rights of the Rector) have charge

of the church building, and shall see that it be kept from all secular uses, and from all uses inconsistent with the doctrines or discipline of the Protestant Episcopal Church; and, so far as possible, in good repair, as becometh the house of God. They shall see that it be prepared for public worship, and that order be preserved during the same; that suitable books and vestments be provided for the services, and, when necessary, the elements and vessels for the Holy Communion.

SEC. 4.—*Treasurer*.—In the absence of any other appointment the Junior Warden shall act as Treasurer of the Parish.

SEC. 5.—*Vestry Meetings in certain Cases*.—Should the Rector refuse to call a meeting of the Vestry it shall be competent to the Wardens, or any three of the Vestry, to call one: *Provided*, that the Rector shall have due notice of the same.

CANON XIII.

CALL OF A MINISTER.

When there is no Rector the Vestry shall have power to call a Minister and to enter into all needful stipulations for his support. But if he prefer to rely upon the voluntary contributions of the people, he shall be entitled to do so; and the Vestry shall not have the power to tax the sittings for that purpose without his consent. The Rector shall not have power to appoint a *permanent* assistant without the consent of the Vestry.

CANON XIV.

LEGAL POWERS OF THE VESTRY.

The Vestry shall be the Trustees of the Parish; shall have charge of all the secular concerns thereof; shall hold the



387. Council Eastern, L 34 Journal of 1887

Change in Sec 1. Can XVII.

Each Clergyman of this Diocese shall keep a Register of all Baptisms, Confirmations, Marriages, and Funerals within his Parish or Cure, specifying ^{the} names of the persons in each instance. ~ &c &c

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property belonging thereto, and shall be authorized to collect, invest or disburse its funds.

CANON XV.

DISSOLUTION AND SUSPENSION OF PARISHES.

SEC. 1. In case of the dissolution of a Parish, the property belonging to the same shall vest in the Trustees of the Diocese, in trust for the interests of the Church in the said late Parish, and shall, upon the *bona fide* reorganization of said Parish, be reconveyed to the same.

SEC. 2. Whenever the penalty of exclusion or suspension from lay representation in the Council shall be inflicted on a Parish, as provided in Sec. 4 of Art. IV of the Constitution, the sentence shall specify on what terms or at what time said penalty shall cease.

CANON XVI.

CONVOICATIONS.

The Diocese may be divided into Missionary Convocations, the boundaries and names of which shall be fixed by the Clergy, with the consent of the Bishop.

CANON XVII.

REGISTRATION, REPORTS, ETC.

SEC. I.—*Private and Parish Registers.*—It is hereby ordered that each Clergyman of this Church shall keep a register of all the baptisms, marriages, confirmations and funerals (solemnized) by him, as well as of all the baptisms, marriages, confirmations and funerals within his Parish, or Cure, specifying the names of the persons in each instance, the parentage and date of birth of those baptized, with the names

of their sponsors or witnesses, and the time when each rite is performed, which register shall be transcribed at least once in each month into a book to be provided for the purpose by the Vestry of the Parish.

SEC. 2.—*List of Communicants, etc.*—It shall also be the duty of each Clergyman to keep a list of the communicants within his Cure, and, so far as practicable, of all the families and adult persons within the same, to remain for the use of his successor.

SEC. 3.—*Parochial Reports.*—Each Clergyman shall report to the Bishop, at least one month before the meeting of each annual Council, all his official acts from the close of his last report up to and including March 31st preceding the Annual Council, and all information concerning the state of his Parish, according to the following form, (specifying the place of all his official acts outside his Cure:)

REPORT OF

From April 1st, 18..... to March 31st, 18.....

.....Parish.

.....Rector.

Number of families.....	.....
Whole number of souls.....	.....
Baptisms Infants.....	.....
Adults.....	.....
Total.....	.....
Confirmations.....	.....
Communicants—Added by removal.....	.....
Added by admission.....	.....
Whole number added.....	.....
Removed.....	.....
Died.....	.....
Withdrawn.....	.....
Suspended.....	.....
Whole number lost.....	.....
Present number.....	.....

Change in Sec 3. Am XVII

1887 h 34

2 weeks

April 30th

or time

11. He shall also shew by all his official
acts outside his cone, and also that

4 See h 28, Journal 1887,
and h 34. of same.

1886.] Canons.

Marriages.....		
Burials.....		
Public services—On Sundays.....		
Other Days.....		
Holy Communion—Number times administered public.....		
“ “ “ private.....		
Sunday-schools—Number.....		
No. Teachers—Males...; females...; total....		
Other officers.....		
Scholars—Males...; females...; total.....		
Parish schools—Number of.....		
Number of teachers.....		
Other officers.....		
Scholars—Males...; females...; total....		
Other Parochial institutions.....		

CONTRIBUTIONS—WITHIN THE DIOCESE.

Parochial—Communion alms.....			
Missions.....			
Rector's salary.....	:		
Parish expenses.....			
Miscellaneous.....			
Total.....			\$
Diocesan—Bishop's salary.....			
Diocesan Missions.....			
Miscellaneous.....			
Total.....			\$

+
↑
Rector's salary
Student, ...
...

CONTRIBUTIONS—WITHOUT THE DIOCESE

Domestic Missions.....			
Colored people.....			
Indian.....			
Foreign.....			
Miscellaneous.....			
Total.....			\$
Aggregate..			\$

Churches—Number.....		
Chapels.....		
Sittings in churches.....		
Sittings in chapels.....		
Rectory.....		

Estimated value of church or chapel.....			
“ “ rectory.....			
“ “ other church property.....			
Total.....			\$
Amount of indebtedness on church property.....			\$

Canons.

[MAY

REMARKS.

NOTE—This report to have a printed endorsement, viz:

REPORT OF

.....Parish.

.....Rector.

From April 1st, 18....., to March 31st, 18.....

SEC. 4.—*Reading of said Reports.*—The said reports, or such parts of the same as may be designated, with the approval of the Bishop, *may* be read to the Council, and *shall* be entered upon the Journal thereof.

SEC. 5.—*Reports by Wardens.*—In the case of a Parish without a Pastor, it shall be the duty of the Wardens to make the Parochial Report required by this Canon.

SEC. 6.—*Communicants to be Reported.*—In making the above reports all communicants who have not withdrawn or been repelled by the proper authority shall be included.

CANON XVIII.

SALARIES, COMPENSATIONS, &c.

SEC. 1. The salary of the Bishop of the Diocese is hereby fixed, as heretofore, at two thousand five hundred dollars per annum, to be paid by the Treasurer out of the funds in his hands for that purpose.

SEC. 2.—*Officers of the Council, etc.*—The Secretary, the Treasurer, the clerical members of the Diocesan Council, and the members of the Standing Committee of the Diocese, of the Finance Committee and of the Committee on Canons, in actual attendance upon the duly called meetings of the bodies to which they severally belong, shall be entitled to have their necessary expenses incurred by such attendance paid



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Canons.

out of the funds of the Diocese; and the Treasurer of the Diocese is hereby directed to pay the same upon the personal application (by letter or otherwise) of said parties, accompanied by a certificate of the amount actually and necessarily expended in each instance. But no clergyman who comes to the Council after the first day of its session, or leaves before its adjournment, shall be entitled to the provisions of this section, without the special action of the Council.

SEC. 3.—*Clerical Deputies*.—Each Clerical Deputy to the General Convention, actually attending the same, shall be entitled to have his necessary expenses, incurred by such attendance, paid out of the funds of the Diocese. And the Treasurer is hereby directed to pay the same upon his application.

CANON XIX.

ASSESSMENTS.

Until the Permanent Episcopal Fund shall be so increased as to yield a sufficient income, to provide for the Bishop's salary and contingent expenses of the Diocese—There shall be Assessments laid upon the Parishes annually to make up the deficiency.

Said Assessments shall be according to such scale as may be adopted from time to time by the Council and shall be payable in quarterly instalments on the first day of July, October, January and April in each fiscal year.

In case of the failure of any Parish to meet promptly the payments so required, it shall be the duty of the Treasurer to make a demand for the same from the delinquent Parish.

CANON XX.

COLLECTIONS FOR DIOCESAN FUNDS.

It shall be the duty of every Clergyman of the Diocese to

call on the Parishes and Mission Stations under his charge, for contributions (by collections or otherwise) at least once in every quarter, in aid of the current Missionary Fund; and at least once in every year in aid of the Relief Fund, the Students' Aid Fund, and Church Building Fund, and to see that all such contributions are promptly remitted to the Treasurer of the Diocese.

CANON XXI.

PERMANENT FUNDS.

SEC. 1. The principal of the following Permanent Funds, with all additions to the same, shall remain intact, and only the income shall be applied to the current purposes for which such funds are held, namely,

1st. The Permanent Episcopal Fund for the Bishop's salary and contingent expenses of the Diocese.

2nd. The Clergy Relief Fund for relief of disabled Clergymen, and widows and orphans of deceased Clergymen of the Diocese.

3rd. The Fund for Education of children of deceased Clergymen of the Diocese.

SEC. 2. The income of the Clergy Relief Fund, and of the Fund for Education of children of deceased Clergymen—including all contributions in aid of the same for current use, may be distributed under the direction of the Ecclesiastical Authority of the Diocese.

SEC. 3. Any surplus remaining at the close of each fiscal year from the income of any of the aforesaid funds, or from current receipts from assessments or otherwise, shall, after payment of all expenses and appropriations, be added to the Permanent Fund to which such surplus belongs.

Dec 2. See A 23. Journal 1889.

1887. E. Senter. Changed to

"May by order of the Council"

1886.]

Canons.

CANON XXII.

CLERGY LIABLE TO MISSIONARY DUTY.

All Clergymen of the Diocese receiving aid from its missionary funds shall be liable to perform such missionary duties within the Diocese, as may be prescribed by the Bishop, and the amount of compensation therefor shall be fixed from time to time by the Executive Missionary Committee.

CANON XXIII.

TRIAL OF CLERGYMEN.

SEC. I.—*The Presentment.*—Any Clergyman shall be liable to presentment and trial for false doctrine, immorality, disorderly conduct, violation of the rubrics of the Constitution or Canons of the Church in the United States, or of the Constitution or Canons of the Church in this Diocese.

Such presentment shall be made by the Vestry of the Parish in which said Clergyman has charge, or in which he resides, or by at least three male communicants of the Diocese, of full age, or by two or more Presbyters, who shall have been canonically resident therein for one year.

But no presentment shall be made in any case of any offence alleged to have been committed more than three years before the date of the presentment: *Provided*, that if the accused be convicted of the alleged offence in a civil court, presentment may still be made within one year after said conviction.

Said presentment shall be made to the Bishop in *writing*, with the names of the presenters subscribed, and shall distinctly declare, with all reasonable specification of time and circumstances, the nature of the offence or offences with which the said Clergyman may be charged.

SEC. 2.—*Public Rumor*.—But although no such presentment be made, if *public rumor* charge any Clergyman with the commission of any of the offences above enumerated, the Bishop shall appoint two or more Presbyters to investigate the truth of such rumor, and if such investigation prove adverse to the Clergyman so charged, the said Presbyters shall make the presentment as above, according to the forms and regulations there provided.

The presenters shall, in all cases, assume the responsibility of conducting the prosecution.

SEC. 3.—*Service of Presentment—Constitution of Court*.—Should the Bishop be of opinion, from the nature of the charge or charges made, that the presentment contains sufficient grounds for proceeding to trial, he shall cause a copy thereof to be forthwith sent to the accused. He shall then give notice to the Standing Committee, who thereupon shall select *seven* Presbyters, actually and canonically resident in the Diocese, from whom the President of the Standing Committee shall, in writing, call upon the accused to elect *three*. But in case the accused refuse or neglect to make such election within ten days after due notice as aforesaid, the Standing Committee shall make the said election.

The three Presbyters so elected shall constitute a court for the trial of the accused, and shall have all powers necessary for the due conducting of the said trial.

SEC. 4.—*Lay Assessor*.—The Bishop shall appoint a member of the legal profession, who shall also be a communicant of the Church, as *Assessor* to the Court, to advise the Court, *if requested*, upon all *questions of law* which may arise during the trial.

SEC. 5.—*Time and Place of Trial and Notice Thereof*.—The Bishop shall appoint a time and place of trial, and shall give

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at least thirty days' notice of the same to the members of the *Court*, the *Assessor*, the *Presenters*, and the *Accused*; at which time and place the *Witnesses* also shall be notified to attend.

SEC. 6.—*Assembling of Court and Record of Proceedings.*—The Court shall assemble at the time and place appointed, and shall proceed to examine fully the charges, and shall keep an accurate *record* of all their proceedings and of the evidence.

SEC. 7.—*Nature of Evidence and How Given.*—No charge shall be considered as established unless proved by *two witnesses*, or by one witness and *corroborating circumstances*.

Testimony may be given orally before the court, or in writing, upon interrogatories and cross interrogatories, to be previously filed with the Secretary or Registrar of the Court. Any one or more of the witnesses may be examined on oath or affirmation, on the requisition of either party.

SEC. 8.—*Decision of the Court and the Sentence.*—A *unanimous* vote of the Court, on one or more of the charges, shall be necessary to the conviction of the accused; and if their decision be adverse to the accused, they shall proceed to determine the kind and degree of punishment commensurate, in their opinion, with the offence or offences committed. They shall transmit to the Bishop, under their hand, the record of their proceedings. The judgment of the Bishop on such decisions shall be final; except that he shall have no power to *increase* the punishment recommended by the Court.

SEC. 9.—Suspension, or any heavier sentence, shall, *ipso facto*, sever the connection of the Clergyman with his Parish.

SEC. 10.—*The Record to be Filed.*—The record provided for in the sixth section of this Canon, together with the

Bishop's sentence endorsed, shall be preserved among the papers of the Diocese.

SEC. 11.—*Notices.*—For the purpose of any notice provided for by this Canon, it shall be sufficient to serve it either personally or by leaving a copy thereof at the last place of residence of the accused.

SEC. 12.—*Confession of an Offence.*—When a Clergyman shall make confession to the Bishop of the commission of any of the offences enumerated in the first section of this Canon, the Bishop shall proceed to inflict such ecclesiastical censure or punishment upon the Clergyman so confessing as he (the Bishop) shall think right.

SEC. 13.—*Renunciation of False Doctrine.*—In the case of any accusation of false doctrine, a *renunciation* of the same, to the satisfaction of the Bishop, shall stay all further proceedings.

1833.

Rules of Order.

Rules of Order.

I. Upon the day appointed, the Council shall assemble at 10 A. M. Should it appear, upon a call of the roll, that a quorum is present, as required by Art. VI of the Constitution, the Council shall be declared organized by the presiding officer, and shall then take a recess for the opening services as directed by Canon II.

II. After the prescribed services the Council shall reassemble and proceed to the election of a President and Secretary.

III. The Standing Committee and other regular committees as directed by Canon VII shall be elected or appointed as soon as practicable after the organization of the Council—except that the appointment of the Committees on Canons and Finance, may be delayed (not later than the morning of the second day) for the receipt of reports from committees of the previous year.

IV. All Special Committees shall be appointed by the President, unless otherwise ordered.

V. A Treasurer shall be elected after a report from the Finance Committee.

VI. The following shall be the regular order of business, viz :

The Bishop's Address.

Communications from the President.

Reports from the Committee on Elections.

Committee on New Parishes.

Parochial.

Standing Committee.

Committees appointed at the last Convention.

Treasurer.

Finance Committee.
Committee on Canons.
Committee on Unfinished Business.
Committee on the State of the Church.
Trustees of the Diocese.
Trustees of the University of the South.
Other special committees.

Petitions and memorials.

Motions and resolutions.

VII. After the President has taken the chair, no member shall continue standing, except to address the chair.

VIII. Speakers shall address the chair, and shall confine themselves to the point in debate.

IX. No motion shall be considered unless seconded, and, if required, reduced to writing.

X. When the President is putting any question, the members shall continue in their seats, and shall not hold any private discourse.

XI. When a question is under consideration, no motion shall be received, unless to lay upon the table, to postpone to a certain time, to postpone indefinitely, to commit, to amend, or to divide; and motions for any of these purposes shall have precedence in the order herein named. The motions to lay on the table and to adjourn shall always be in order, and shall be decided without debate; and of these the motion to adjourn shall take precedence.

XII. If the question under debate contains several distinct propositions, the same shall be divided at the request of any member, and a vote taken separately, except that a motion to strike out and insert shall be indivisible.

XIII. All amendments shall be considered in the order in which they are moved.



"¹¹
in attendance upon the Council"

See Journal 1889 p. 36

1886.]

Rules of Order.

When a proposed amendment is under consideration, a motion to amend the same may be made. No after amendment to such second amendment shall be in order. But when an amendment to an amendment is under consideration, a substitute to the whole matter may be received. No proposition on a subject different from the one under consideration shall be received under color of a substitute.

XIV. In voting by orders, the names of the delegates from each Parish shall be called, and each delegate shall vote either "Aye" or "No," and the majority of the votes of the delegates from a Parish shall determine the vote of such Parish, and it shall be the duty of the Secretary to record the names of the voters and the votes which they respectively give.

XV. A question once decided shall stand as the judgment of the Convention, and shall not be drawn again into debate. A motion to reconsider any vote shall not be in order, except on the same or succeeding day to that on which the vote is taken. *Provided, always,* that a vote or question may be reconsidered at any time by the consent of two-thirds of the Convention: *Provided, further,* that no motion to reconsider shall be made on the last day of the Convention, except on a vote or question originally taken on that day.

XVI. The reports of all committees shall be in writing, and shall be received of course, and without motion for acceptance, unless recommitted. All reports recommending or requiring any action or expression of opinion by the Convention shall be accompanied by a corresponding resolution.

XVII. All questions of order shall be decided by the chair without debate, but any member may appeal from such decision. And on such appeal no member shall speak more than once without leave.

XVIII. No member shall be absent from the session of the Convention without leave, unless he be unable to attend.

XIX. When the Convention is about to rise, every member shall keep his seat until the President leaves the chair.

XX. On motion duly put and carried, the Convention may resolve itself into a Committee of the Whole, with or without closed doors, for the purpose of discussing such subjects as may be approved by the Convention.

The Bishop, with the Deans of the Convocations, may select and announce subjects for discussion : *Provided*, that if the motion to go into a Committee of the Whole has specified the subject to be discussed, that subject shall first be disposed of.

Amend Art IX, by adding
Sec (4).

For the purpose of recording
the above subscription of
Art Sec 3^d as also for
the purpose of receiving the
subscriptions of subsequent
qualified voters, the Vestry
of each Parish shall keep
a book in the Vestry of each
Church, which shall be
present at the Parochial
Elections (Said Book of
Registration shall be annually
revised by the Vestry in a
duly convened meeting)

The amendment of Sub. Sec. (4) line
Sec. 1. Can VIII. (~~line 4~~) by inserting
the word "Elections" in the title of
the Com. instead of Credentials
so that they Canon as amended
will read, "on Elections" instead
of "on Credentials" and the
apparent conflict with Rule
4, and the 6. be reconciled.

Resolved. That Can VIII (Sec 1.
Sub Sec (4) line 4) be amended
by inserting ⁱⁿ the word, Elections
instead of Credentials, in Sec 1
Sub Sec 4 line 4,

Mr President.

Nearly 50 years I met the Rev
A. Collins Hughes as a member
of the Convention of the Women of
N. C. Since that day, thro' all these
long years, I have been more or
less intimately associated with him
in the business of the Ch. and
in the social relations of life.
I always admired his calm & deliberate
For the last 10 or 12 years, I have
been ^{more} near to him, and have
learned to love him, with a
dear & ardent love. No man
could get near to him and not
love him. Last Saturday, I saw
a telegram announcing his
death. Entirely unprepared to my
know my soul to its foundations.
And now that he sleeps in
hallowed ground, in the midst
of the scenes where his blessed
life was, for the most part, spent
I feel that much speak of him,
but it is to say only one
word. I never knew a man
who seemed to me to have gone

11/11/11
11/11/11
11/11/11

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We the undersigned
do hereby consent to
be governed by the
Constitution and Canons
of the Church as set forth
by the General Convention
and the Constitutions, Canons
and the Constitutions and
Canons of the Church in
this Diocese "

Thro a long, honored and useful
life. With more entire unreserved
nets of himself - of his own
solic & stable virtues

May the Holy Spirit thro
comforts shed the peace
of god which ^{all} surpasseth
- standing near the shores
of his widow & children

