

# *The United Church of Canada Act*

*being a Private Act*

Chapter 64 of the *Statutes of Saskatchewan, 1924*  
(assented to March 25, 1924).

**NOTE:**

This consolidation is not official. Amendments have been incorporated for convenience of reference and the original statutes and regulations should be consulted for all purposes of interpretation and application of the law. In order to preserve the integrity of the original statutes and regulations, errors that may have appeared are reproduced in this consolidation.

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**1924**  
**CHAPTER 64**

An Act respecting the Union of certain Churches therein named

(Assented to March 25, 1924)

**Preamble**

WHEREAS The Presbyterian Church in Canada, The Methodist Church and The Congregational Churches of Canada have by their petition represented that they have agreed to unite and form one body or denomination of christians under the name of "The United Church of Canada," in accordance with the terms and provisions of a Basis of Union agreed upon by them, and that they have petitioned the Parliament of Canada for an Act to incorporate the church to be formed by the said union under the name "The United Church of Canada"; and

Whereas the petitioners have prayed that an Act be passed by the Legislature of this province to enact as hereinafter set forth with regard to the property, rights and powers hereinafter mentioned; and

Whereas it is expedient to grant the prayer of the said petition:

Therefore His Majesty, by and with the advice and consent of the Legislative Assembly of Saskatchewan, enacts as follows:

**Short title**

1 This Act may be cited as *The United Church of Canada Act*.

1924, c.64, s.1.

**Interpretation**

2 In this Act, unless the context otherwise requires, the expression:

**"The negotiating churches"**

1. "The negotiating churches" means the churches mentioned in the preamble, and shall include also every congregation heretofore in connection or in communion with any of the negotiating churches which, prior to the coming into force of this section, has joined with any one or more congregation or congregations of any of the other negotiating churches for purposes of worship, and every congregation affiliated with any of the negotiating churches, and every congregation ordinarily known as a local union church, whether it holds its property separately from or as a part of any of the negotiating churches, and every congregation having any representation in or connection with the general council of local union churches;

**"The Basis of Union"**

2. "The Basis of Union" means the Basis of Union mentioned in the preamble and set forth in Schedule "C" to this Act;

**“Congregation”**

3. “Congregation” means any local church, charge, circuit, congregation, preaching station or other local unit for purposes of worship in connection or in communion with any of the negotiating churches or of The United Church of Canada;

**“College”**

4. “College” means any college, school or other educational institution, incorporated or unincorporated, under the government or control of, or in connection with, any of the negotiating churches, or established or maintained in whole or in part by any of them, and shall include the colleges and institutions set out in Schedule B to this Act;

**“The Presbyterian Church in Canada”**

5. “The Presbyterian Church in Canada” shall include the Board of Trustees of The Presbyterian Church in Canada, The Church and Manse Board of The Presbyterian Church in Canada, The Board for the management of the Temporalities Fund of The Presbyterian Church in Canada, The Managers of the Ministers’, Widows’ and Orphans’ Fund of the Synod of The Presbyterian Church of Canada in connection with The Church of Scotland and all Presbyterian congregations separately incorporated under any statute of the Dominion of Canada or of this province and all congregations heretofore and now connected or in communion with the Presbyterian Church in Canada however organised;

**“The Methodist Church”**

6. “The Methodist Church” shall include the body corporate known as The Methodist Church and all bodies corporate established or created by The Methodist Church or any conference thereof under the provisions of any statute of the Parliament of Canada or the Legislature of this province;

**“Congregational Churches”**

7. “The Congregational Churches” shall include the Congregational Union of Canada, The Canada Congregational Missionary Society, The Canada Congregational Foreign Missionary Society, The Congregational Provident Fund Society, The Congregational Church Extension Society of Western Canada, and all congregations of the Congregational denomination which are represented by the Congregational Union of Canada for the purposes of this legislation, whether the same are separately incorporated under any statute of the Dominion of Canada or of any province thereof or have been organised under the provisions of any statute or deed of trust or as union or as joint stock churches or otherwise howsoever;

**“The United Church”**

8. “The United Church” means “The United Church of Canada”;

**“The Act of Incorporation”**

9. “The Act to Incorporation” means the Act of Parliament of Canada by which The United Church shall be incorporated;

**“Property”**

10. Where the context admits thereof the word “property” shall include any debt and any thing in action and any right or interest.

**General property vested in The United Church**

**3** Save as hereinafter provided, all property, real and personal, within this province, belonging to or held in trust for or to the use of The Presbyterian Church in Canada, The Methodist Church, and The Congregational Churches, or belonging to or held in trust for or to the use of any corporation, board, committee, or other body, whether incorporated or unincorporated, created by or under the government or control of, or in connection with, any of the said churches, shall upon the coming into force of this section be vested in The United Church, to be held, used and administered subject to the provisions of this Act, in accordance with the terms and provisions of the Basis of Union.

1924, c.64, s.3.

**Property of Congregations**

**4** Subject to the provisions of section six hereof, all property, real and personal, within this province, belonging to or held by or in trust for or to the use of any congregation of any of the negotiating churches, shall from and after the coming into force of this section, be held, used and administered for the benefit of the same congregation as a part of The United Church in the manner and upon the trusts and subject to the terms and provisions set forth in Schedule A to this Act and Schedule B to the Act of Incorporation, or in any amendment to said Schedule B made by any Act of the Parliament of Canada, and all property, real and personal, within this province, thereafter acquired for or belonging to or held by or in trust for or to the use of any congregation of The United Church shall be held, used and administered for the benefit of the said congregation as a part of The United Church upon the said trusts and subject to the said terms and provisions, provided that any property real or personal, held at the time of the coming into force of this section or thereafter acquired by devise, bequest, transfer or gift, in trust for any special use of any congregation, shall be held, used and administered in accordance with the special trusts so declared in respect thereof, not being contrary to law or to any bylaw, rule or regulation of The United Church, and that in the event of failure or partial failure of any of the said trusts, the said property, in the absence of any express provision for such event, may be held, used, administered or disposed of as may be provided by any bylaw, rule or regulation made from time to time by The United Church.

1924, c.64, s.4.

**Short form of trust deed**

**5** In any deed, conveyance or transfer to trustees upon the trusts set forth in said Schedule A, the form of words contained in Column 1 of the said Schedule A and distinguished by any number therein, shall have the same effect as if it contained the form of words in Column 2 of said Schedule A distinguished by the same number as annexed to the form of words used in such deed, conveyance or transfer, but it shall not be necessary in any such deed, conveyance or transfer, to insert any such number.

1924, c.64, s.5.

**Special property of certain congregations**

**6** Any real or personal property belonging to or held by or in trust for or to the use of any congregation, whether a congregation of the negotiating churches or a congregation received into The United Church, after the coming into force of this section, solely for its own benefit, and in which the denomination to which such congregation belongs has no right or interest, reversionary or otherwise, shall not be subject to the provisions of sections 3 and 4 or to the control of The United Church, unless and until any such congregation at a meeting thereof regularly called for the purpose shall consent that such provisions shall apply to any such property or a specified part thereof.

1924, c.64, s.6.

**Existing trustees continued**

**7** All trustees acting in any trust for or to the use of any congregation as first referred to in section 4 shall, notwithstanding any irregularity in their appointment, and notwithstanding that their number shall not correspond with the number named in the deed of conveyance of the property subject to such trusts, or any of them, be deemed to be and shall be the trustees of the said properties respectively.

1924, c.64, s.7.

**Property of non-concurring congregations**

**8(1)** Provided always, that if any congregation in connection or communion with any of the negotiating churches shall, at a meeting of the congregation regularly called as provided in subsection (3) hereof and held within six months after the coming into force of this section, decide by a majority of votes of the persons present at such meeting and entitled to vote thereat, not to concur in the said union of the said churches, then and in such case the property, real and personal, belonging to or held in trust for or to the use of such non-concurring congregation shall be held by the existing trustees, or other trustees elected by the congregation, for the sole benefit of the said congregation. Should such congregation decide in the manner aforesaid at any later time to enter the union and become part of The United Church, then this Act shall apply to the congregation and all the property thereof from the date of such decision.

(2) Provided, however, that the congregation may make its decision by ballot in such manner as the said meeting may determine.

(3) A meeting of the congregation for the purpose aforesaid may be called by the authority of the session or quarterly board of its own motion and shall be called by the session or quarterly board on requisition to the session or quarterly board in writing of 10 members entitled to vote under the provisions of this section in a congregation of 100 members or less; or 25 such members in congregations having over 100 and not more than 500 members; and 50 members in congregations of 500 and not more than 1,000 members; and 100 such members in congregations of over 1,000 members. Such meeting shall be called by public notice read before the congregation at each diet of worship on two successive Lord's Days on which public service is held and such notice shall specify the object of the meeting:

Provided further that such meeting shall be held within 30 days of the receipt of the requisition by the clerk of session or recording steward of the quarterly board, or in case of any congregation not having a session or quarterly board, by the ordained minister recognized as in charge thereof by Presbytery or District Meeting.

(4) The persons entitled to vote under the provisions of subsection (1) of this section, shall be only those persons who are in full membership and whose names are on the roll of the church at the time of the coming into force of this section.

(5) "Congregation" in this section means local church or body of persons meeting for public worship in one place.

1924, c.64, s.8.

**Powers of commission appointed under Act of Incorporation**

9(1) Any commission appointed as provided by the Act of Incorporation shall have and may exercise within this province all powers, rights and privileges conferred or intended to be conferred upon it by the Act of Incorporation, and any determination, decision, order or direction made or given by any such commission pursuant to the said Act of Incorporation shall have full force and effect with respect to any property or civil rights within this province affected thereby.

(2) Any determination, decision or order made by the commission may be made a rule, order or decree of the Court of King's Bench of this province, and shall be enforced in like manner as any rule, order or decree of such court. To make such determination, decision or order a rule, order or decree of such court the usual practice and procedure of the court in such matters may be followed and a copy of any such determination, decision or order, certified under the hand of the chairman or acting chairman of the commission, and verified by affidavit or statutory declaration of a witness thereto, shall be sufficient evidence of the due making and validity of any such determination, decision or order.

1924, c.64, s.9.

**Liability for congregational debts**

10(1) All property belonging to or held by or in trust for or to the use of any congregation of the negotiating churches henceforth to be held, used and administered for the benefit of the same congregation as a part of The United Church, shall remain liable for the payment or satisfaction of any debts or obligations contracted or incurred in respect thereto to the same extent as it would have been liable had this Act not been passed but The United Church shall not be or become liable for any of said debts or obligations and, save as aforesaid, no property of The United Church shall be liable for any debts or obligations contracted or incurred by any congregation in connection or in communion with any of the negotiating churches.

**Liability for denominational debts**

(2) Upon the vesting of the property of the negotiating churches, (or of any corporation, board, committee or other body whether incorporated or unincorporated, created by or under the government or control of or connected with any of the negotiating churches, pursuant to the provisions of section 3), The United Church shall become liable for all their respective debts and obligations, provided, however, that this subsection shall not be deemed to include or apply to any of the property first mentioned in the next preceding subsection.

1924, c.64, s.10.

**Colleges**

**11** The provisions of section 3 shall not apply to any property, real or personal, belonging to or held in trust for or to the use of any college named in Schedule B to this Act, or belonging to or held by or vested in any board of trustees, board of directors, board of governors, regents, or other board or committee or body having the control or management of the property or affairs of any college named in said Schedule B. From and after the coming into force of this section, the colleges named in the said Schedule B and all such boards, regents or other committees or bodies as aforesaid, shall have the same connection with and stand in the same relation to The United Church as they respectively had and stood with and to any of the negotiating churches immediately prior to the passing of the Act of Incorporation, and all rights, powers, authorities and privileges in respect of the said colleges, or any of them, of or vested in any assembly, conference, synod, presbytery, council or other governing board of any of the negotiating churches or any officer or board thereof, shall be vested in the general council of The United Church provided that the general council may declare that the said rights, powers, authorities and privileges, or any of them, shall be vested in a conference, presbytery or other governing body of The United Church, or otherwise, as it may deem expedient, and from and after such declaration such rights, powers, authorities and privileges, or any of them, shall vest in accordance with the terms of such declaration. In all cases where a college corporation consists of the ministers and members, or the members, or any officers of any of the negotiating churches, or of any governing body thereof (whether with or without named persons), such corporation shall, after the coming into force of this section, consist of the ministers and members of The United Church. All rights, powers, authorities and privileges in respect of the said colleges vested in any congregation in connection or in communion with any of the negotiating churches, or in any minister and congregation thereof, shall continue to be held and exercised by the said congregation or by the said minister and congregation in connection with The United Church. Nothing in this section contained shall be construed so as in anywise to repeal, alter, affect or vary any existing legislation of this province relating to any of the said colleges except in so far as may be necessary to give full force and effect to the provisions of the Act of Incorporation and of this Act.

1924, c.64, s.11.

**Doctrines and religious standards in colleges**

**12** Notwithstanding anything contained in any Act of the Parliament of Canada or of the Legislature of this province, or in any Act, bylaw, rule, regulation, declaration or other proceeding or any of the negotiating churches, or of any governing or subordinate court or body of any of them, or in the constitution, bylaws, rules or regulations of or in relation to any of the said colleges, respecting the principles, doctrines or religious standards to be taught and maintained in any such college, from and after the coming into force of this section the colleges shall, in respect of the principles, doctrines and religious standards to be taught and maintained therein, be subject to the direction and control of the general council of The United Church and the teaching or maintenance hereafter in any of the colleges of the principles, doctrines or religious standards set out in the Basis of Union or hereafter determined or prescribed from time to time by the general council of The United Church in accordance with the Act of Incorporation shall not be deemed to be a change of adherence on the part of any such college or a change of its principles or doctrines or religious standards or a breach of the provisions of any statute, Act, bylaw, rule, regulation, declaration or other proceeding, or constitution, and shall not be deemed to be a breach of any trust relating to property devised, bequeathed, given to or otherwise acquired by or for the benefit of any such college with respect to the teaching or maintenance of any principles, doctrines or religious standards in any of the said colleges, but shall be deemed to be in compliance with and a performance of any such provisions or trusts.

1924, c.64, s.12.



**Existing trusts continued**

**13** Where, prior to the coming into force of this section, any existing trust has been created or declared in any manner whatsoever for any special purpose or object having regard to the teaching, preaching or maintenance of any principles, doctrines or religious standards, or the support, assistance, or maintenance of any congregation or minister or charity, or for the furtherance of any religious, charitable, educational, congregation or social purpose, in connection with any of the negotiating churches, such trust shall continue to exist and to be performed as nearly as may be for the like purposes or objects in connection with The United Church as The United Church may determine, and anything done in pursuance of the Act of Incorporation or of this Act shall not be deemed to be a breach of any such trust, but shall be deemed to be in compliance therewith and a performance thereof, and the entry of any congregation into The United Church shall not be deemed a change of its adherence or principles or doctrines or religious standards within the meaning of any such trust.

1924, c.64, s.13.

**Establishment of boards and committees**

**14(1)** The United Church may by resolution of the general council establish boards or committees of its members to hold, manage, deal with, dispose of or otherwise administer any of its property, funds, trusts, interests, institutions and religious or charitable schemes now or hereafter owned, founded or established, define and prescribe the constitution, powers, duties, officers and quorum of any such board or committee, and delegate to any of them such powers as it may deem expedient.

**Establishment of boards and committees as bodies corporate**

**(2)** Whenever it is deemed expedient to establish as a body corporate any board, committee or other body for any of the purposes of The United Church relating to property or civil rights in this province, The United Church may establish by resolution of the general council, or may authorise and empower any conference to establish by resolution of such conference, any such boards, committees or other bodies, including city mission boards and church extension boards, in accordance with the bylaws, rules and regulations of The United Church in that behalf, and if any such resolution declares such board, committee or other body to be a body corporate then upon the filing of the certificate or certificates in this section hereinafter mentioned, the same shall be and become a body corporate with such membership, organisation, powers, rights and duties not contrary to law or inconsistent with the Act of Incorporation as may be defined from time to time by the general council, or such conference, as the case may be, including the acquiring, holding, administering and disposing of all property, real or personal (but when established by resolution of a conference then only within the bounds of such conference), which may be devised, bequeathed, granted or conveyed to any such board, committee or other body for the purposes of The United Church, and the borrowing of any money necessary in the opinion of such board, committee or body for the purposes thereof, and the mortgaging, hypothecating or pledging of so much of the real or personal property held by any such board, committee or body as may be necessary to secure any amount so borrowed. In case such board, committee or other body is established by resolution of the general council, the general council shall file a certified copy of such resolution under the hand of its presiding officer and its secretary or clerk with the Secretary of State for Canada, and in case such

board, committee or other body is established by resolution of any conference the bounds of which are wholly or partly within this province, such conference shall file a certified copy of such resolution under the hand of its presiding officer and its secretary or clerk with the Provincial Secretary. A certificate under the official seal of the general council, or of the conference by which any such board, committee or body is established, as the case may be, signed by its secretary or clerk shall be sufficient evidence in all courts of the establishment of such board, committee or body and of its constitution and powers.

1924, c.64, s.14.

**Power to acquire and dispose of property**

**15** The United Church shall have power to acquire by purchase, lease, gift, devise, or bequest any real or personal property in this province, or any estate or interest therein, either absolutely or in trust, and subject to the provisions of sections 4 and 6 of this Act, to sell, transfer, exchange, mortgage, hypothecate, lease or otherwise dispose of the same or any part thereof, and to give, grant, convey, lease or otherwise alienate any property, real or personal, in this province to any other church or religious body or organisation, or to any board, committee, trustees or governing body thereof as it may deem expedient in pursuance of any agreement or understanding with such church or religious body or organisation for the purpose of co-operation in the prosecution of religious work:

Provided always that no land at any time acquired by The United Church, and not required for its actual use and occupation, or by way of security for the payment of any loan, debt or guarantee, shall be held by it, or by any trustee on its behalf, for a longer period than ten years after it shall have ceased to be so required, but this proviso shall not be deemed in anywise to vary or otherwise affect any trust relating to such property.

1924, c.64, s.15.

**Powers of subordinate bodies to deal with property**

**16** The United Church may exercise the powers conferred by the next preceding section of this Act, or any of them, by and through such boards, committees or other bodies as the general council or any conference or any presbytery acting within their respective jurisdictions under the provisions of the Basis of Union may from time to time establish or appoint and may determine the method of appointment or election thereof and may define and prescribe the constitution, powers, duties, officers and quorum of such boards, committees or other bodies.

1924, c.64, s.16.

**Exercise of powers within the province**

**17** The United Church and all boards, committees or other bodies established, appointed or created by it pursuant to the provisions of the Act of Incorporation or of any Act in amendment thereof passed by the Parliament of Canada, or of this Act, shall have and may exercise within this province all rights, powers and privileges conferred or intended to be conferred upon it or them by such Acts or any of them.

1924, c.64, s.17.

**Approval of conference required in certain cases**

**18** The provision in the Basis of Union that the approval of the conference in which property is situated is required to enable the general council to legislate in respect thereof shall be deemed to apply only to such property as belongs to or is held in trust for or to the use of a congregation or as belongs to or is held in trust for or is set apart for or used for the purposes of such conference.

1924, c.64, s.18.

**Issue of debentures**

**19** The United Church, and any board or committee thereof or appointed thereby or by any conference thereof, having charge of any of the funds or property of The United Church, and the trustees of any congregation of The United Church in this province, provided that such trustees first obtain the consent in writing of the Presbytery within the bounds of which the lands of such congregation are situate, may issue debentures in such denominations and upon such terms as it or they may deem expedient, under the hand or hands of such officer or officers as may be thereto authorised and the seal (if any) of such United Church, board, committee or trustees issuing the same, for any money borrowed under the authority of this Act, and the payment of such debentures and the interest thereon may be secured by mortgage in favour of a trustee or trustees for the holders of such debentures upon any real estate in this province under the control of The United Church or of such board or committee thereof or of the trustees of such congregation.

1924, c.64, s.19.

**New certificates of title in name of trustees**

**20(1)** When the title to any real property stands in the name of any individual or individuals, whether such persons or any of them be deceased or not, a certificate of the secretary or clerk of the presbytery within the bounds of which such property is situate, together with a certificate of the minister in charge of any congregation, to the effect that such property belongs to or is held in trust for or to the use of such congregation shall be accepted by the registrar of land titles as conclusive evidence of the fact, and the registrar shall thereupon cancel the existing certificate of title and issue a new certificate of title for the property in the names of the then trustees of such congregation, to be held in accordance with the provisions of section 4 of this Act.

**Deeds and other assurances validated**

**(2)** All deeds, transfers, mortgages, leases or other assurances of any lands in this province heretofore or hereafter executed and purporting to be signed by the trustees of any congregation in section 4 mentioned, or a majority of them, shall be in all courts in this province and in all land titles offices in this province, deemed sufficiently executed to pass or grant or mortgage or lease (as the case may be) the estate or interest thereby purported to be passed, granted, mortgaged or leased; Provided that the minister in charge of such congregation shall certify that the persons executing such instruments were at the date thereof trustees for said congregation, and in the absence or want of appointment or inability to act of any minister, such certificate may with like effect be granted by the presiding officer, secretary or clerk of the presbytery within the bounds of which the said lands are situate. The signature of the said minister or presiding officer or secretary or clerk shall be duly witnessed and verified by affidavit in compliance with the provisions of *The Land Titles Act*. Provided further that nothing in this section contained

shall be construed to dispense with the consent of the presbytery or conference as the case may be, required by any term or provision set forth in Schedule A to this Act with respect to any sale, mortgage, lease or exchange of lands by such trustees.

1924, c.64, s.20.

**Effect of general legislation as to religious societies**

**21** The provisions of this Act shall not be deemed to be repealed, altered, affected or varied by any of the provisions of any general act respecting the property of religious societies, congregations or institutions in force in this province, but the provisions of any such general Act shall, when not inconsistent with the provisions of this Act be construed as supplementary thereto.

1924, c.64, s.21.

**Statutes of mortmain not to apply**

**22** The power conferred upon The United Church by the Act of Incorporation or by this Act to acquire by gift, devise or bequest any real or personal property shall not be limited or affected by any statute or statutes of mortmain in force in this province.

1924, c.64, s.22.

**First meeting of the general council**

**23** All acts or things done by or under the authority of the general council of the United Church at the first meeting thereof held pursuant to the Act of Incorporation, or any adjournment of such meeting, shall, within this province, be valid and binding to the extent provided in the Act of Incorporation.

1924, c.64, s.23.

**Interim exercise of powers**

**24** So far as the Legislature of this province has power to enact and notwithstanding anything in the Act of Incorporation or in this Act contained:

(a) the General Assembly of The Presbyterian Church in Canada, The General Conference of The Methodist Church and The Congregational Union of Canada shall continue to have, exercise and enjoy all their respective powers, rights, authorities and privileges in the same manner and to the same extent as if this Act had not been passed until the first meeting of the general council;

(b) all synods and presbyteries of The Presbyterian Church in Canada, all conferences and district meetings of The Methodist Church and all associations of The Congregational Churches of Canada and all other courts or governing bodies of any of the negotiating churches shall continue to have, exercise and enjoy all or any of their respective powers, rights, authorities and privileges in the same manner and to the same extent as if this Act had not been passed until such time or times as The United Church by its general council shall declare that the said powers, rights, authorities and privileges, or any of them, shall cease and determine;

(c) every corporation and every board, committee and other body, whether incorporated or unincorporated, created by or under the government control of or in connection with any of the negotiating churches shall continue to have, exercise, and enjoy all their respective powers, rights, authorities and

privileges in the same manner and to the same extent as if this Act had not been passed, until such time or times as The United Church, by its general council, or otherwise, shall declare that the said powers, rights, authorities and privileges, or any of them, shall cease or determine or be modified or altered as set out in such declaration and thereupon such powers, rights, authorities, and privileges, or any of them, shall cease or determine or be modified or altered, as the case may be, in accordance with the terms of such declaration or declarations from time to time made.

1924, c.64, s.24.

**Resolutions of general council**

**25** All resolutions passed by the general council shall have the force and effect of bylaws, and no formal bylaw shall be required for the purpose of managing the affairs of The United Church.

1924, c.64, s.25.

**Copies of certain documents to be evidence**

**26** All copies of The Basis of Union and of any bylaws, resolutions, rules or regulations in this Act referred to, or of any amendment or alteration thereof purporting to be published under the direction or authority of the general council of The United Church, or a copy of any bylaw, resolution, rule or regulation of the general council purporting to be under the seal of The United Church and to be signed by the secretary, shall be *prima facie* evidence in all courts of the contents thereof without proof of the authenticity of such seal or signature.

1924, c.64, s.26.

**Basis of union ratified and confirmed**

**27** The Basis of Union, as set forth in schedule C to this Act, is hereby ratified and confirmed in so far and in so far only as it deals with property and civil rights; and in so far as the terms and provisions thereof relating to property and civil rights are not inconsistent with the provisions of this Act, they shall have the same force and effect as if expressly set forth herein.

1924, c.64, s.27.

**Repeal**

**28** All Acts and portions of Acts of the Legislature of this province inconsistent with the provisions of this Act are hereby repealed in so far as may be necessary to give full effect to this Act.

1924, c.64, s.28.

**Coming into force**

**29** This Act, or any section or sections thereof, shall come into force on a day or days to be fixed by one or more proclamations of the Lieutenant Governor in Council for that purpose.

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## SCHEDULE A

## TRUSTS OF MODEL DEED

And it is hereby declared that the said Trustees and their successors or the Trustee or Trustees for the time being acting in the trusts herein shall hold the said lands upon the following trusts:

**Upon trust to use the trust property for purposes directed by congregation and maintenance of public worship**

1 For the use and benefit of the said church, charge, circuit, preaching station or congregation, as the case may be (hereinafter called the congregation) as a part of The United Church of Canada, as well for the site of a church, chapel, meeting-house, school, manse, parsonage or minister's dwelling or other place for religious, charitable, educational, congregational or social purposes, glebe or burial ground, as the said congregation may direct, as for the support and maintenance of public worship, and the propagation of Christian knowledge, according to the doctrine, discipline, bylaws, rules and regulations of The United Church of Canada.

**To erect and repair buildings**

2 And upon further trust, out of all moneys received by them for that purpose, to build, erect, add to, alter, repair, enlarge or rebuild any of the buildings aforesaid from time to time as they may deem expedient, and where they deem it necessary, to take down and remove any of said buildings for any of the purposes aforesaid.

**To obey all lawful orders and directions**

3 And upon further trust, that they shall and will obey, perform and fulfil and suffer to be obeyed, performed and fulfilled with respect to the said lands, and to any building or buildings at any time thereon, or to any burial ground, the lawful orders and directions respectively of the Official Board of the said congregation, the Presbytery and Conference respectively within whose bounds and under whose ecclesiastical jurisdiction the said congregation shall from time to time be, and of the General Council of The United Church of Canada.

**To permit use of the trust property for church, manse and Sunday School purposes**

4 And upon further trust, to permit, in conformity with the doctrines, discipline, bylaws, rules and regulations of The United Church of Canada and not otherwise, the following:

- (a) The use of the said church, chapel or meeting-house, as a place of religious worship by a congregation of The United Church of Canada and for meetings or services of religious or spiritual character or such benevolent or congregational purposes as may be approved by the Session of such congregation, and the conduct of public worship and the various services and ordinances of religious worship therein by the minister of the said congregation or, with the approval of the Session or of the said minister by any other minister of The United Church of Canada or by any minister of any other religious denomination;
- (b) The performance of burial services in any burial ground or cemetery belonging to or under the control of the congregation;
- (c) The use of the manse, parsonage or minister's dwelling or dwellings with the appurtenances thereof by the minister or ministers of the congregation free from payment of any rent;

(d) The use of any church, chapel, meeting-house, school or other building for the purposes of a Sunday School at such hours and times as will not interfere with public worship; and

(e) the use of any buildings erected upon the said lands, other than a church, chapel or meeting-house, for such purposes as may from time to time be approved by the Session of the congregation.

**To let and sell pews and burial plots and to let manses**

**5** And upon further trust, to let any pews and seats at a reasonable rent, if so authorised by the Official Board of the congregation, with power to delegate any such meeting to any person or persons whom they may appoint for that purpose; to let any buildings, not required for purposes of worship, at a reasonable rent; and if there shall be a burial ground or cemetery, to sell or let vaults, tombs or burial plots at a reasonable price or rent; and to account for and pay all moneys received in respect of any such letting or sale, less any expense incurred in the execution of these trusts, to the Treasurer of the congregation, or should there be no Treasurer, then to the Committee of Stewards of the congregation, or such person as shall be designated by the said Committee for the purpose of receiving the same. In case the Trustees are of opinion that any manse, parsonage or minister's dwelling is not required for the use of the minister or ministers of the congregation, or is not desirable for the use of such minister or ministers, they may, with the consent in writing of said minister or ministers, let the same and use and apply the rent derived therefrom towards paying the board and lodging of such minister or ministers or the rent for a more suitable and convenient residence for such minister or ministers.

**The trustees shall have power to sell, mortgage, exchange or lease the trust property with the consent of the Presbytery**

**6** The Trustees or a majority of them may, but only with the consent in writing of the Presbytery within the bounds of which the lands are situate, (such consent to be under the hand of the presiding officer or secretary or clerk thereof) sell the said lands or any part thereof either by public sale or private contract and either for cash or upon credit and upon such terms as to price and for such price and upon such terms as to payment or otherwise as they may deem expedient; mortgage, hypothecate or exchange the said lands or any part thereof; let any church, chapel or meeting-house upon the same for such rent and upon such terms as they may deem expedient; and make all such conveyances, mortgages, leases and assurances as may be required to complete any such sale, mortgage, hypothecation, exchange or lease. The said Trustees after first paying or otherwise providing for all indebtedness of the Trustees shall apply the moneys arising from such sale, mortgage, hypothecation, lease or exchange for the purposes of such congregation as the Official Board thereof shall direct, but should such congregation cease to exist as an organised body, such proceeds, less any expense incurred in the execution of these trusts, shall be paid to The United Church of Canada to be applied for such purposes for the benefit of The United Church of Canada as the Conference within the bounds of which the said lands are situate may determine under the bylaws, rules and regulations of the general council. Every application by Trustees for the consent of a Presbytery as aforesaid shall be in writing and shall state the purpose for which the moneys arising from such intended sale, mortgage, hypothecation, lease or exchange will be applied. Any decision of a Presbytery with regard to the sale, mortgage, hypothecation, lease or exchange of the said lands or any part thereof shall be subject to appeal to the Conference within the bounds of which the said lands are situate, at the instance of not fewer than any five members of the congregation affected thereby. In every case where the consent of such

Presbytery or Conference has been obtained as aforesaid it shall not be incumbent upon the purchaser, mortgagee or lessee of the said lands or of any part thereof to inquire into the necessity, expediency or propriety of any such sale, mortgage, hypothecation, lease or exchange, or to see to the application of the moneys paid to the Trustees. A certificate of the secretary or clerk of any Presbytery or Conference that any such consent has been given shall be sufficient and conclusive evidence of such consent.

**The trustees shall keep proper accounts and minutes**

7 The said Trustees shall keep a proper book or books of account showing all moneys received and disbursed by them, and a book or books of minutes showing correctly all minutes of their meetings and of resolutions passed and proceedings taken thereat, and such book or books shall at all reasonable times be open for inspection by the minister in charge of the congregation and by the Chairman of the Committee of Stewards, and any person or persons named by them or either of them, and the said minister or the said chairman and any person named by them or either of them as aforesaid shall have the right to make such copies or abstracts of or extracts from the said accounts or minutes, as he or they may desire, and upon request from the Committee of Stewards the Trustees shall submit all books of accounts and minutes, and all vouchers, receipts, papers and documents relating to the said accounts, for audit by the Committee of Stewards, or such person or persons as the said Committee may appoint for the purpose.

**The trustees shall have seven days' notice of all special meetings and one day's notice of other meetings**

8 Every meeting of Trustees for considering the making of any alteration of or addition to any building on the said lands, or any part thereof, or for considering the sale, mortgage, hypothecation, lease or exchange of the said lands, or any part thereof, except the letting or sale of pews, seats, vaults, tombs or burial plots, or for considering any litigation or legal proceedings in connection with the trust estate, shall be deemed a special meeting, and each member shall be entitled to seven days' notice in writing thereof, specifying the time, place and purpose of such meeting. Such notice shall be either personally delivered to each Trustee, or mailed to or delivered to him or her at his or her usual place or abode or business. Ordinary meetings may be called at any time by giving at least one day's notice in writing to each Trustee in the manner aforesaid, or by public announcement at a service for public worship at least one day prior to such meeting. Meetings may be called by the minister in charge of the congregation, or by at least two of the Trustees. Notwithstanding anything herein contained no meeting or any business transacted thereat shall be invalid by reason of any lack or defect of service of notice arising from inability to ascertain the usual place of abode or business of any Trustee. All questions shall be determined by the majority vote of the Trustees present at a meeting, and the Chairman shall have a casting vote in the event of a tie. The minister of such congregation shall have the right to preside as Chairman at all meetings of the trustees and may appoint a deputy to act in his place in his absence, and in the absence of the Minister and of any such deputy the Trustees present may elect a Chairman from among themselves.



**The number of trustees shall not be fewer than three or more than fifteen, and vacancies shall be filled by election by the congregation, or in default of such election, by the Presbytery, and the property of a congregation, which ceases to exist shall be subject to the trusts determined by the Conference**

**9** The number of said Trustees shall not be fewer than three or more than fifteen provided that where the number of existing Trustees is more than fifteen all such Trustees shall remain in office but that no vacancy in the office of trustee shall be filled until the number of Trustees is reduced below fifteen, in which case the number shall not again exceed fifteen. In case any of the said Trustees or any Trustee appointed under this provision shall, during his or her term of office, die, resign or, having been, cease to be a member of The United Church of Canada in full communion, or remove to such a distance, or fail to attend meetings for such period not less than one year, as shall in the opinion of his or her co-trustees, expressed by a two-thirds vote of said co-trustees, render it inexpedient for him or her to remain a Trustee, or in case the said congregation shall think proper to remove a Trustee from his or her office as Trustee, it shall be lawful for the said congregation, at any meeting called by notice from the pulpit during public worship on each of the two next preceding Sundays on which public worship is held, to declare by the votes of two-thirds of the members then present that such Trustee has ceased to be a Trustee of the said congregation, and such person shall thereupon cease to be a Trustee, and at the same meeting it shall be lawful for the said congregation by a like vote to appoint a successor to such Trustee provided, however, that no Trustee who is personally liable for payment of any indebtedness in respect of the property of a congregation shall be removed without his consent unless indemnified to his satisfaction in respect of any such liability and unless at least eight days' notice in writing of such meeting shall have been mailed to each of the Trustees at his or her last known address, which notice shall state the business to be transacted at such meeting. If no successor shall be appointed at such meeting a meeting may be called in like manner for the purpose of filling such vacancy, and at such meeting a new Trustee or new Trustees (as the case may require) shall be appointed by the votes of the majority of the members then present. The notice calling a meeting for the purpose of declaring or filling a vacancy or vacancies in the office of Trustee shall be read from the pulpit by the minister or person officiating as minister, at the request of any Trustee, or of any seven members of the congregation, and every such meeting may be adjourned from time to time by the vote of the majority of the members present. During any vacancy in the office of Trustee, the remaining Trustees, not being fewer than three in number, shall have all the powers of the full Board. A majority of the Trustees shall form a quorum save when the number of Trustees exceeds nine, in which case five shall form a quorum. The majority of the Trustees shall be members of The United Church of Canada.

A minute of every such appointment of a Trustee shall be entered in a book to be kept for the purpose, and signed by the person presiding at the meeting, and such minute so signed shall be sufficient evidence of the fact that the person or persons therein named was or were appointed and elected at such meeting, but any omission or neglect to make or sign such minute shall not invalidate such appointment or election.

And it is hereby further declared that in case there shall be at any time fewer than three Trustees, the presiding officer or clerk of the Presbytery within whose bounds and under whose jurisdiction the said congregation shall be, shall, with the remaining Trustee or Trustees, be the Trustees under these presents until the full Board is duly appointed, and at any time thereafter the Presbytery may cause notice to be given from the pulpit on two consecutive Sundays requiring the said congregation to proceed with the appointment of new Trustees. And if the said congregation shall not in the meantime have appointed new Trustees in the manner hereinbefore provided, it shall be lawful for the said Presbytery at any time after four weeks from the last giving of such notice, by resolution duly entered in the minutes of the Presbytery, to appoint new Trustees. Such appointment shall be communicated to the congregation by notice from the pulpit as soon as conveniently may be thereafter, and from the time of such communication the Trustee or Trustees so appointed shall be a Trustee or Trustees hereunder.

And it is further declared that if at any time there shall cease to be an organised congregation entitled to the use, benefit and enjoyment of the said lands, it shall be lawful at any time or times for the said Presbytery to fill any vacancy in the number of Trustees, and the said lands shall thenceforth be held subject to such trusts and for such purposes for the benefit of The United Church of Canada as the Conference within the bounds of which the said lands are situate may determine under the bylaws, rules and regulations of the General Council.

**Trustees shall not be liable for involuntary loss**

**10** A Trustee shall not be responsible for the failure of any investment or security made or taken by the Trustees or for anything done in connection with the trust estate except for his own acts and to account for any moneys coming into his own hands, and shall not be liable for injury done by others to the said trust premises, or to any part thereof.

**11** In congregations existing previous to the Union which have not adopted the plan of organisation prescribed for pastoral charges as provided by the Basis of Union, the words "Official Board" and "Committee of Stewards" and "Session" in this schedule shall mean such Board or Committee or other body respectively discharging similar functions in such congregations, as to which in case of doubt the opinion of the Presbytery to which such congregation belongs shall be final and conclusive.

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SCHEDULE B

Presbyterian Theological College, (Saskatoon)  
 Moose Jaw College, (Moose Jaw)  
 Regina College, (Regina)

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## SCHEDULE C

## THE BASIS OF UNION

AS PREPARED BY THE JOINT COMMITTEE OF THE PRESBYTERIAN,  
METHODIST AND CONGREGATIONAL CHURCHES, AND APPROVED BY  
THE SUPREME COURTS OF THESE CHURCHES

## GENERAL

1. The name of the Church formed by the union of the Presbyterian, Methodist, and Congregational Churches in Canada, shall be "The United Church of Canada."
2. It shall be the policy of The United Church to foster the spirit of unity in the hope that this sentiment of unity may in due time, so far as Canada is concerned, take shape in a Church which may fittingly be described as national.

## DOCTRINE

We, the representatives of the Presbyterian, the Methodist, and the Congregational branches of the Church of Christ in Canada, do hereby set forth the substance of the Christian faith, as commonly held among us. In doing so, we build upon the foundation laid by the apostles and prophets, Jesus Christ himself being the chief corner-stone. We affirm our belief in the Scriptures of the Old and New Testaments as the primary source and ultimate standard of Christian faith and life. We acknowledge the teaching of the great creeds of the ancient Church. We further maintain our allegiance to the evangelical doctrines of the Reformation as set forth in common in the doctrinal standards adopted by the Presbyterian Church in Canada, by the Congregational Union of Ontario and Quebec, and by the Methodist Church. We present the accompanying statement as a brief summary of our common faith and commend it to the studious attention of the members and adherents of the negotiating Churches, as in substance agreeable to the teaching of the Holy Scriptures.

*Article I Of God* We believe in the one only living and true God, a Spirit, infinite, eternal and unchangeable, in His being and perfections; the Lord Almighty, who is love, most just in all His ways, most glorious in holiness, unsearchable in wisdom, plenteous in mercy, full of compassion, and abundant in goodness and truth. We worship Him in the unity of the Godhead and the mystery of the Holy Trinity, the Father, the Son and the Holy Spirit, three persons of the same substance, equal in power and glory.

*Article II Of Revelation* We believe that God has revealed Himself in nature, in history, and in the heart of man; that He has been graciously pleased to make clearer revelation of Himself to men of God who spoke as they were moved by the Holy Spirit; and that in the fulness of time He has perfectly revealed Himself in Jesus Christ, the Word made flesh, who is the brightness of the Father's glory and the express image of His person. We receive the Holy Scriptures of Old and New Testaments, given by inspiration of God, as containing the only infallible rule of faith and life, a faithful record of God's gracious revelations, and as the sure witness to Christ.

Article III *Of the Divine Purpose* We believe that the eternal, wise, holy and loving purpose of God so embraces all events that while the freedom of man is not taken away, nor is God the author of sin, yet in His providence He makes all things work together in the fulfilment of His sovereign design and the manifestation of His glory.

Article IV *Of Creation and Providence* We believe that God is the creator, upholder and governor of all things; that He is above all His works and in them all; and that He made man in His own image, meet for fellowship with Him, free and able to choose between good and evil, and responsible to his Maker and Lord.

Article V *Of the Sin of Man* We believe that our first parents, being tempted, chose evil, and so fell away from God and came under the power of sin, the penalty of which is eternal death; and that, by reason of this disobedience, all men are born with a sinful nature, that we have broken God's law and that no man can be saved but by His grace.

Article VI *Of the Grace of God* We believe that God, out of His great love for the world, has given His only begotten Son to be the Saviour of sinners, and in the Gospel freely offers His all-sufficient salvation to all men. We believe also that God, in His own good pleasure, gave to His Son a people, an innumerable multitude, chosen in Christ unto holiness, service and salvation.

Article VII *Of the Lord Jesus Christ* We believe in and confess the Lord Jesus Christ, the only Mediator between God and man, who, being the Eternal Son of God, for us men and for our salvation became truly man, being conceived of the Holy Spirit and born of the Virgin Mary, yet without sin. Unto us He has revealed the Father, by His word and Spirit, making known the perfect will of God. For our redemption He fulfilled all righteousness, offered Himself a perfect sacrifice on the cross, satisfied Divine justice and made propitiation for the sins of the whole world. He rose from the dead and ascended into Heaven, where He ever intercedes for us. In the hearts of believers He abides forever as the indwelling Christ; above us and over us all He rules; wherefore, unto Him we render love, obedience and adoration as our Prophet, Priest and King.

Article VIII *Of the Holy Spirit* We believe in the Holy Spirit, the Lord and Giver of life, who proceeds from the Father and the Son, who moves upon the hearts of men to restrain them from evil and to incite them unto good, and whom the Father is ever willing to give unto all who ask Him. We believe that He has spoken by holy men of God in making known His truth to men for their salvation; that, through our exalted Saviour, He was sent forth in power to convict the world of sin, to enlighten men's minds in the knowledge of Christ, and to persuade and enable them to obey the call of the Gospel; and that He abides with the Church, dwelling in every believer as the spirit of truth, of power, of holiness, of comfort and of love.

Article IX *Of Regeneration* We believe in the necessity of regeneration, whereby we are made new creatures in Christ Jesus by the Spirit of God, who imparts spiritual life by the gracious and mysterious operation of His power, using as the ordinary means the truths of His word and the ordinances of divine appointment in ways agreeable to the nature of man.

Article X *Of Faith and Repentance* We believe that faith in Christ is a saving grace whereby we receive Him, trust in Him and rest upon Him alone for salvation as He is offered to us in the Gospel, and that this saving faith is always accompanied by repentance, wherein we confess and forsake our sins with full purpose of and endeavour after a new obedience to God.

Article XI *Of Justification and Sonship* We believe that God, on the sole ground of the perfect obedience and sacrifice of Christ, pardons those who by faith receive Him as their Saviour and Lord, accepts them as righteous and bestows upon them the adoption of sons, with a right to all the privileges therein implied, including a conscious assurance of their sonship.

Article XII *Of Sanctification* We believe that those who are regenerated and justified grow in the likeness of Christ through fellowship with Him, the indwelling of the Holy Spirit, and obedience to the truth; that a holy life is the fruit and evidence of saving faith; and that the believer's hope of continuance in such a life is in the preserving grace of God. And we believe that in this growth in grace Christians may attain that maturity and full assurance of faith whereby the love of God is made perfect in us.

Article XIII *Of Prayer* We believe that we are encouraged to draw near to God, our Heavenly Father, in the name of his Son, Jesus Christ, and on our own behalf and that of others to pour out our hearts humbly yet freely before Him, as becomes His beloved children, giving Him the honour and praise due His holy name, asking Him to glorify Himself on earth as in heaven, confessing unto Him our sins and seeking of Him every gift needful for this life and for our everlasting salvation. We believe also that, inasmuch as all true prayer is prompted by His Spirit, He will in response thereto grant us every blessing according to His unsearchable wisdom and the riches of His grace in Jesus Christ.

Article XIV *Of the Law of God* We believe that the moral law of God, summarised in the Ten Commandments, testified to by the prophets and unfolded in the life and teachings of Jesus Christ, stands forever in truth and equity, and is not made void by faith, but on the contrary is established thereby. We believe that God requires of every man to do justly, to love mercy, and to walk humbly with God; and that only through this harmony with the will of God shall be fulfilled that brotherhood of man wherein the kingdom of God is to be made manifest.

Article XV *Of the Church* We acknowledge one holy Catholic Church, the innumerable company of saints of every age and nation, who being united by the Holy Spirit to Christ their Head are one body in Him and have communion with their Lord and with one another. Further, we receive it as the will of Christ that His Church on earth should exist as a visible and sacred brotherhood, consisting of those who profess faith in Jesus Christ and obedience to Him, together with their children, and other baptized children, and organised for the confession of His name, for the public worship of God, for the administration of the sacraments, for the upbuilding of the saints, and for the universal propagation of the Gospel; and we acknowledge as a part, more or less pure, of this universal brotherhood, every particular Church throughout the world which professes this faith in Jesus Christ and obedience to him as divine Lord and Saviour.

Article XVI *Of the Sacraments* We acknowledge two sacraments, Baptism and the Lord's Supper, which were instituted by Christ, to be of perpetual obligation as signs and seals of the covenant ratified in His precious blood, as means of grace, by which, working in us, He doth not only quicken, but also strength and comfort our faith in Him, and as ordinances through the observance of which His Church is to confess her Lord and be visibly distinguished from the rest of the world.

(1) Baptism with water into the name of the Father and of the Son and of the Holy Spirit is the sacrament by which are signified and sealed our union to Christ and participation in the blessings of the new covenant. The proper subjects of baptism are believers, and infants presented by their parents or guardians in the Christian faith. In the latter case the parents or guardians should train up their children in the nurture and admonition of the Lord, and should expect that their children will, by the operation of the Holy Spirit, receive the benefits which the sacrament is designed and fitted to convey. The Church is under the most solemn obligation to provide for their Christian instruction.

(2) The Lord's Supper is the sacrament of communion with Christ and with His people, in which bread and wine are given and received in thankful remembrance of Him and His sacrifice on the cross; and they who in faith receive the same do, after a spiritual manner, partake of the body and blood of the Lord Jesus Christ to their comfort, nourishment and growth in grace. All may be admitted to the Lord's Supper who make a credible profession of their faith in the Lord Jesus Christ and of obedience to His law.

Article XVII *Of the Ministry* We believe that Jesus Christ, as the Supreme Head of the Church, has appointed therein a ministry of the word and sacraments, and calls men to this ministry; that the Church, under the guidance of the Holy Spirit, recognises and chooses those whom He calls, and should thereupon duly ordain them to the work of the ministry.

Article XVIII *Of Church Order and Fellowship* We believe that the Supreme and only Head of the Church is the Lord Jesus Christ; that its worship, teaching, discipline and government should be administered according to His will by persons chosen for their fitness and duly set apart to their office; and that although the visible Church may contain unworthy members and is liable to err, yet believers ought not lightly to separate themselves from its communion, but are to live in fellowship with their brethren, which fellowship is to be extended, as God gives opportunity, to all who in every place call upon the name of the Lord Jesus.

Article XIX *Of the Resurrection, the Last Judgment and the Future Life* We believe that there shall be a resurrection of the dead, both of the just and of the unjust, through the power of the Son of God, who shall come to judge the living and the dead; that the finally impenitent shall go away into eternal punishment and the righteous into life eternal.

Article XX *Of Christian Service and the Final Triumph* We believe that it is our duty as disciples and servants of Christ, to further the extension of His kingdom, to do good unto all men, to maintain the public and private worship of God, to hallow the Lord's Day, to preserve the inviolability of marriage and the sanctity of the family, to uphold the just authority of the State, and so to live in all honesty, purity and charity that our lives shall testify of Christ. We joyfully receive the word of Christ, bidding His people go into all the world and make disciples of all nations, declaring unto them that God was in Christ reconciling the world unto Himself, and that He will have all men to be saved, and come to the knowledge of the truth. We confidently believe that by His power and grace all His enemies shall finally be overcome, and the kingdoms of this world be made the kingdom of our God and of His Christ.

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## POLITY

The Joint Committee after an examination of the forms of church government of the negotiating Churches and the practical working thereof, is greatly gratified to find:

1. That while the officers and courts of the negotiating Churches may bear different names, there is a substantial degree of similarity in the duties and functions of these officers and courts.
2. That, engaged in the same work, with the same object in view, and earnestly endeavouring to meet the conditions confronting the Churches in Canada, the negotiating Churches have been steadily approximately more nearly to each other, both in forms of church government and methods of administration.
3. That there are distinctive elements in each which would add to the efficiency of a united Church, and which can be preserved with great advantage in the form of policy to be adopted for The United Church.
4. That in this view it is possible to provide for substantial local freedom, and at the same time secure the benefits of a strong connexional tie and co-operative efficiency.

The following recommendations are submitted as setting forth the Polity proposed for The United Church of Canada.

### I. THE CHURCH

1. The members of The United Church shall be the members of the negotiating Churches, and such others as may hereafter become members.
2. The unit or organisation for The United Church shall be The Pastoral Charge. A pastoral charge may consist of more than one local church; a local church is a body of persons meeting for public worship in one place.
3. The governing bodies or courts of the Church, higher than those of the pastoral charge, shall be:
  - (a) The Presbytery.
  - (b) The Conference.
  - (c) The General Council.

### II. THE PASTORAL CHARGE (CIRCUIT OR CONGREGATION)

#### A. *Charges existing previous to the Union*

4. In the management of their local affairs the various churches, charges, circuits or congregations of the negotiating Churches shall be entitled to continue the organisation and practices (including those practices relating to membership, church ordinances, Sunday schools and Young People's Societies) enjoyed by them at the time of the union, subject in general affairs to the legislation, principles and discipline of The United Church. Their representatives in the next higher governing body or court shall be chosen as at present.
5. The plan of organisation prescribed for pastoral charges to be formed subsequent to the union may at any time be adopted by any church, charge, circuit or congregation existing at the time of the union.

6. Subject to the provisions of the next succeeding paragraph hereof, all property, real and personal, under the jurisdiction of the Parliament of Canada held in trust for or to the use of a church, charge, circuit or congregation of any of the negotiating Churches, shall be held by trustees appointed by or on behalf of such church, charge, circuit or congregation, upon trusts set forth and declared in a Model Trust Deed. This Model Trust Deed should be a schedule to the Act, and should contain, among others, a provision to the following effect: That the property is held for the church, charge, circuit or congregation as a part of The United Church, and that no property so held shall be sold, exchanged, or in any manner encumbered, unless the Presbytery shall, at the instance of the church, charge, circuit or congregation, have given its sanction, subject to appeal, if desired, to the Conference.

7. Any property or funds owned by a church, charge, circuit or congregation at the time of the union solely for its own benefit, or vested in trustees for the sole benefit of such church, charge, circuit or congregation, and not for the denomination of which the said church, charge, circuit or congregation formed a part, shall not be affected by the legislation giving effect to the union or by any legislation of The United Church without the consent of the church, charge, circuit or congregation for which such property is held in trust.

8. Churches, charges, circuits, or congregations, received subsequent to the union, into The United Church, with the approval of Presbyteries, shall be entitled, if they so desire, to the privileges of sections 4, 5 and 7.

*B Charges to be formed subsequent to the Union*

9. The liberty of the pastoral charge shall be recognised to the fullest extent compatible with:

(a) The oversight of the spiritual interests of the charge by the minister (or ministers) and a body of men specially chosen and set apart or ordained for that work, who shall jointly constitute the session;

(b) The efficient co-operation of the representatives of the various departments of the work of the charge by means of a meeting to be held at least quarterly;

(c) The hearty co-operation of the various pastoral charges in the general work of the Church; and

(d) The exercise by the higher governing bodies or courts of their powers and functions, hereinafter set forth.

10. New pastoral charges or local churches shall be formed with the consent of a Presbytery by persons residing within its bounds, who declare their adherence to the principles of The United Church, and their desire for the formation of such charge or church. Missions may be organised as pastoral charges by Presbytery of its own motion, or on the suggestion of the Missionary Superintendent or the minister, under such regulations as the General Council may pass.

Before sanctioning the formation of a pastoral charge or local church, the Presbytery shall be required to hear and consider the representations of any pastoral charge that may be affected by the proposed action.

11(a) The members of the Church entitled to all church privileges are those who, on a profession of their faith in Jesus Christ and obedience to Him, have been received into full membership. The children of such persons and all baptised children are members of the Church, and it is their duty and privilege, when they reach the age



of discretion, to enter into full membership. Admission to full membership, and granting of certificates of removal, shall be by the action of the session, and by the action of those in full membership where desired by the pastoral charge.

(b) The members of a local church who are entitled to vote at all meetings are persons in full membership, whose names are on the roll of the church. With the consent of these, adherents who contribute regularly to the support of the church may vote on temporal matters.

12. The members of a local church shall meet annually, and more frequently if they deem advisable.

13. The Session shall have oversight of the spiritual interests of the pastoral charge. The management of its temporal and financial affairs shall be entrusted to a Committee of Stewards. The Official Board, consisting of the Session and Committee of Stewards, with representatives in full church membership of such other departments of church work as may be agreed upon by the General Council, shall meet quarterly, and more frequently if they deem it advisable, for the consideration of matters of joint interest.

14. The members of the session, other than the minister, shall be chosen by those in full church membership, and shall hold office under regulations to be passed by the General Council.

15(a) It shall be the duty of the session to have the oversight of:

- (1) The admission of persons into full membership, and the granting of certificates of removal.
- (2) The conduct of members, with power to exercise discipline.
- (3) The administration of the sacraments.
- (4) The religious training of the young, and the organization of meetings for Christian fellowship, instruction and work.
- (5) The order of public worship, including the service of praise and the use of the church edifice.
- (6) The care of the poor, and the visiting of the sick.

(b) It shall also be its duty:

- (7) To receive and judge petitions, etc., from members.
- (8) To transmit petitions, appeals, etc., to Presbytery.
- (9) To recommend suitable laymen to Presbyteries for license to preach.
- (10) To recommend suitable candidates for the ministry.

16. The stewards shall be chosen by the local church, and, wherever practicable, should be persons in full membership.

It shall be the duty of the Committee of Stewards to secure contributions for the purposes of the local church, and to disburse the moneys received for these purposes.

17. It shall be the duty of the Official Board:

- (1) To secure contributions for missionary and other general objects of the Church.

(2) To select representatives, in full church membership, of the pastoral charge to the Presbytery.

(3) To submit to the pastoral charge or local church for its consideration reports on life and work, including a full statement of receipts and expenditures, of indebtedness and of estimates for the ensuing year.

(4) To transmit from the pastoral charge, through the Presbytery, to the Settlement Committee, representations concerning the pastoral relation.

(5) To attend to matters affecting the pastoral charge not assigned to any of the other bodies.

18. All lands, premises and property acquired for the use of a local church or a pastoral charge of The United Church, shall be held, used and administered under the trusts of the above Model Trust Deed (See "Polity," par. 6).

### III. THE PRESBYTERY

19. The Presbytery shall consist of:

(1) The ordained ministers within the bounds:

(a) Who are engaged in some department of church work; and

(b) Who have been placed on the roll by special enactment of the Conference in accordance with regulations to be made by the General Council.

(The rights to membership in Presbyteries, District Meetings and Associations, enjoyed by ministers at the time of the union, shall be conserved.)

(2) The elders, deacons, leaders of other non-ministerial representatives of pastoral charges, within the bounds, equal in number to the number of ministers, and chosen in accordance with regulations to be made by the General Council.

20. It shall be the duty of the Presbytery:

(1) To have the oversight of the pastoral charges within its bounds, review their records, and form new pastoral charges, or local churches.

(2) To receive and dispose of petitions and appeals from the lower governing bodies or courts.

(3) To transmit petitions and appeals to the higher governing bodies or courts.

(4) To license as preachers laymen who are duly recommended and who after examinations are approved.

(5) To superintend the education of students looking forward to the ministry, and to certify them to theological colleges.

(6) To inquire, each year, into the personal character, doctrinal beliefs and general fitness of candidates for the ministry, recommended by sessions, official boards or local churches; and, when they have fulfilled the prescribed requirements, to license them to preach and to recommend them for the ordination of the Conference.

(7) To induct or install ministers.

(8) To deal with matters sent down by the higher governing bodies or courts.

(9) To adopt measures for promoting the religious life of the pastoral charges within its bounds.

(10) To select non-ministerial representatives to the Conference, of whom at least a majority shall have been previously chosen by pastoral charges to represent them in Presbyteries, and to nominate representatives on the Conference Settlement Committee.

(11) To have the oversight of the conduct of ministers within its bounds.

#### IV. THE CONFERENCE

21. The Conference shall consist of the ministers on the rolls of the Presbyteries within its bounds, and an equal number of non-ministerial representatives of pastoral charges chosen as provided for in subsection 20 (par. 10).

22. It shall be the duty of the Conference:

(1) To meet every year.

(2) To determine the number and boundaries of the Presbyteries within its bounds, have oversight of them, and review their records.

(3) To receive and dispose of appeals and petitions, subject to the usual right of appeal.

(4) To see that, as far as possible, every pastoral charge within its bounds shall have a pastorate without interruption, and that every effective minister shall have a pastoral charge, and to effect this through a Settlement Committee which it shall appoint annually.

(5) To examine and ordain candidates for the ministry who have fulfilled the prescribed requirements and have been recommended by Presbyteries.

(6) To receive ministers from other churches subject to the regulations of the General Council.

(7) To deal with matters referred to it by the General Council.

(8) To select an equal number of ministerial and non-ministerial representatives to the General Council.

(9) To have oversight of the religious life of the church within its bounds, and to adopt such measures as may be judged necessary for its promotion.

#### V. THE GENERAL COUNCIL

23. The General Council shall consist of an equal number of ministers and non-ministerial representatives chosen by the Conferences. Its regular meeting shall be held every second year. Its presiding officer shall be the chief executive officer of the Church, and during his term of office he may be relieved of his pastoral or other duties.

24. The General Council shall have full power:

(1) To determine the number and boundaries of the Conferences, have oversight of them, and review their records.

(2)(a) To legislate on matters respecting the doctrine, worship, membership and government of the Church, subject to the conditions: First, that before any rule or law relative to these matters can become a permanent law, it must receive the approval of a majority of the Presbyteries, and, if advisable, pastoral charges also; Second, that no terms of admission to full membership shall be described other than those laid down in the New Testament; and, Third, that the freedom of worship at present enjoyed in the negotiating Churches shall not be interfered with in The United Church.

(b) To legislate on all matters respecting property, subject to the limitations elsewhere provided in this Basis of Union, and subject also to the approval of the Conference in which the property is situated.

(3) To prescribe and regulate the course of study of candidates for the ministry and to regulate the admission of ministers from other Churches.

(4) To receive and dispose of petitions, memorials, etc.

(5) To dispose of appeals.

(6) To determine the missionary policy of the Church, and to provide for the conduct of its missions.

(7) To have charge of the colleges of the Church, and to take what measures are deemed advisable for the promotion of Christian education.

(8) To appoint committees or boards and officers for the different departments of church work, and to receive their reports and give them instructions and authority.

(9) To correspond with other Churches.

(10) And in general to enact such legislation and adopt such measures as may tend to promote true godliness, repress immorality, preserve the unity and well-being of the Church, and advance the kingdom of Christ throughout the world.

## THE MINISTRY

### I. PASTORAL OFFICE, INCLUDING TERM OF SERVICE

Recognising the desirability of preserving the essence of both the settled pastorate and the itinerancy, the Joint Committee is of the opinion that a harmony of both principles is possible, and that the best features of both systems may be retained. We, therefore, recommend as follows:

1. The pastoral relation shall be without a time limit.
2. The policy of the Church shall be that every pastoral charge shall have, as far as possible, a pastorate without interruption, and that every effective minister shall have a pastoral charge.
3. There shall be for each Conference a Settlement Committee, consisting of ministers and laymen, and appointed annually by the Conference. On this Committee each Presbytery shall be represented. It shall be the duty of this Committee to consider all applications for settlement from ministers and pastoral charges within the district over which it has jurisdiction. For this purpose it shall meet annually before the meeting of the conference next after that by which it was appointed.

4. A minister by his own action and a pastoral charge through its constitutional representatives may, by such a date before the annual meeting of the Settlement Committee as the General Council shall determine, seek a change of pastoral relation by means of an application through the Presbytery to the Settlement Committee. All such applications shall be in writing.
5. Any pastoral charge, in view of a vacancy, may extend a call or invitation to any properly qualified minister or ministers, but the right of appointment shall rest with the Settlement Committee, which shall report to the Conference for information only.
- 6(a) When a pastoral charge about to become vacant at the end of the Conference year, fails to give a call or invitation within the time specified by the General Council, the Settlement Committee shall make the appointment.
- (b) When a pastoral charge becomes vacant during the Conference year through death or other emergency, the Presbytery concerned shall confer with the charge itself or with its constitutional representatives, and thereafter may arrange a supply for the remainder of the Conference year.
7. The Settlement Committee shall also have authority to initiate correspondence with ministers and pastoral charges with a view to completing arrangements to secure necessary and desirable settlements.
  - (a) Any minister shall have the right to appear before the Settlement Committee to represent his case in regard to his appointment; and any pastoral charge or Official Board may also appear by not more than two representatives, properly authorised in writing, appointed from among its members at a regular meeting, or at a special meeting of which proper notice has been given;
  - (b) When a minister chosen by a pastoral charge cannot be settled, the charge or its constitutional representatives may place other names before the Settlement Committee;
  - (c) While the right of appointment shall rest with the Settlement Committee it shall comply as far as possible with the expressed wishes of ministers and pastoral charges.
8. There shall also be a committee for the transfer of ministers from one Conference to another, which may be composed of the presiding officer of the General Council of the Church, who shall be the convener and chairman of the committee, together with the presiding officers of the several Conferences. This committee shall have authority to transfer ministers and candidates for the ministry from one Conference to another, in harmony with the plan outlined in sections 3-7.
9. The minister in charge shall be the presiding officer of the Session and of the Official Board.
10. Every minister or candidate for the ministry, duly appointed regular pastor to a pastoral charge, shall have the right to conduct services in the church, churches or other places or worship in connection with said charge; and the right of occupancy of the manse or parsonage in connection with said charge, subject, however, to the rules and regulations of The United Church.

## II. TRAINING FOR THE MINISTRY

1 No candidate for the ministry shall be received unless he has been first recommended by a session, official board, or local church.

2. The duty of inquiry into the personal character, doctrinal beliefs, and general fitness of candidates for the ministry recommended by sessions, official boards or local churches, shall be laid upon the Presbytery and such inquiry shall be repeated each year until they are recommended to the Conference for ordination.

3(1) The attainment of a B.A. degree including Greek, to be followed by three years in the study of Theology is strongly recommended by the Church. Before ordination every candidate shall spend twelve months in preaching and pastoral work.

(2) In cases where the B.A. degree is unattainable, there shall be two alternative courses, both starting from University matriculation.

(a) Three years, at least, in Arts, followed by three years in Theology. Before ordination every candidate shall spend twelve months in preaching and pastoral work.

(b) Two years' preaching under the supervision of a Presbytery, with appropriate studies, and four years of a mixed Arts and Theological course in college.

### 4. *Suggested Curricula:*

(1) Course of study in Arts under (2)(a). English Language and Literature, three years. Two languages, one of which must be Greek, two years in each.

Philosophy, including Psychology; Logic and Ethics two years, two other subjects from the Arts curriculum at the option of the student—one year in each.

(2) Course of study under (2)(b):

(a) While under supervision of Presbytery, and engaged in preaching for two years:

English Bible; New Testament in Greek; Elements of Theology—Life of Christ; History of Missions; English Literature; Practical Training, including preparation of sermons.

(b) Four years of mixed Arts and Theological Course in College.

*The Arts Course* English Language and Literature; Philosophy, including Psychology; Logic and Ethics; one language; any one option from the Arts Course.

*Theological Course* Homiletics; Pastoral Theology; Systematic Theology; New Testament Languages and Literature; Old Testament Literature (English Bible); Church History; Christian Ethics and Sociology.

5. The following is suggested as a comprehensive course in Theology, from which may be selected subjects sufficient to constitute the three years' course in Theology as under 3(1) and (2)(a):

Old Testament Language and Literature, including Textual Criticism. Exegesis, Biblical Theology, Introduction, Old Testament History and Old Testament Canon; New Testament Language and Literature, including Textual Criticism, Exegesis, Biblical Theology, Introduction, New Testament History and New Testament Canon; English Bible; Church History, including Symbolics; Systematic theology; Apologetics, including Philosophy of Religion, History of Religion, and Comparative Religion; Christian Ethics and Sociology; Christian Missions; Practical Training, including preparation and delivery of sermons, preparation for and conduct of public worship, administration of the Sacraments, Church Law, the art of teaching and Sunday-school work, public speaking and voice training. Practical Training is to be understood to include not only instruction in these subjects but actual drill wherever the subject admits of it.

6. Provision shall be made in the Theological Colleges for instruction in the subjects of the above suggested course in Theology as far as practicable.

7. In every College special attention shall be given to Practical Training as specified and described above.

8. From the above (5) comprehensive course in Theology the Church shall prescribe certain subjects as compulsory, leaving others to the option of the students in consultation with the College authorities.

9. Candidates for the ministry who have entered on their course in Theology shall be allowed to complete it on the conditions which obtained when they began, but this privilege shall expire within three years from the date of the union.

10. The General Council shall possess the power of ordaining any person to the ministry if it sees fit so to do.

### III. THE RELATIONS OF A MINISTER TO THE DOCTRINES OF THE CHURCH

1. The duty of final inquiry into the personal character, doctrinal beliefs, and general fitness of candidates for the Ministry presenting themselves for ordination or for reception as ministers of The United Church, shall be laid upon the Conference.

2. These candidates shall be examined on the Statement of Doctrine of The United Church, and shall, before ordination, satisfy the examining body that they are in essential agreement therewith, and that as ministers of the Church they accept the statement as in substance agreeable to the teaching of the Holy Scriptures.

3. Further, in the ordination service before the Conference these candidates shall answer the following questions:

(1) Do you believe yourself to be a child of God, through faith in our Lord Jesus Christ?

(2) Do you believe yourself to be called of God to the office of the Christian ministry, and your chief motives to be zeal for the glory of God, love for the Lord Jesus Christ, and desire for the salvation of men?

(3) Are you persuaded that the Holy Scriptures contain sufficiently all doctrines required for eternal salvation in our Lord Jesus Christ, and are you resolved out of the said Scriptures to instruct the people committed to your charge, and to teaching nothing which is not agreeable thereto?

### ADMINISTRATION

The Joint Committee, after careful consideration of the Missionary, Educational, and other connexional enterprises of the negotiating Churches, submits the following recommendations in relation thereto:

#### I. MISSIONS

1. In the administration of the mission work of The United Church there shall be two departments: (a) Home, including all the mission work within the Dominion of Canada, Newfoundland and the Bermudas; (b) Foreign, including the missions already established or that may be established in other countries.
2. For the oversight and administration of these two departments there shall be two Boards to be known as the Board of Home Missions and the Board of Foreign Missions, to be elected in such a manner and endowed with such powers as the General Council may determine.
3. In recognition of the very valuable services rendered by the Woman's Missionary Societies, the union, constitution and lines of work of these societies shall be determined by the joint action of their Boards, subject to the approval of the General Council.
4. There shall be placed under the administration of the Home Mission Board of The United Church the moneys now administered under the caption of the Sustentation Fund, and Church and Parsonage Aid Fund of the Methodist Church; the Home Mission and Augmentation Funds, French Evangelisation Fund, and Church and Manse Fund (except that under the Foreign Mission Board) of the Presbyterian Church; the Home Mission Fund of the Congregational Churches; and such portion of the Mission Fund now raised by the Methodist Church, and the Foreign Mission Board of the Presbyterian Church, as is now expended in Canada, Newfoundland and the Bermudas.
5. There shall be placed under the administration of the Foreign Mission Board of the United Church the Foreign Mission Fund of the Congregational Churches and that portion of the Mission Fund of the Methodist Church and of the Foreign Mission Fund of the Presbyterian Church now expended in other lands.
6. There shall be placed under the administration of the Board of Social Service and Evangelism and the Board of Sunday Schools and Young People's Societies of the United Church the funds now raised for the work of the Departments of Social Service and Evangelism and the Departments of Sunday Schools and Young People's Societies of the negotiating churches.
7. Inasmuch as certain expenses in connection with the various courts of the Church will have to be met, the ways and means of raising these funds shall be left to the General Council.

#### II. PUBLISHING INTERESTS

It shall be left to the General Council of The United Church to determine how far the publications now issued by the negotiating Churches shall be amalgamated.\*

\*The periodicals published by the Methodist Church are as follows: *Christian Guardian* (weekly), Toronto; *Epworth Era* (monthly), Toronto; *The Missionary Outlook* (monthly), Toronto; *The Wesleyan* (weekly), Halifax, and a series of Sabbath School Illustrated Papers and Lesson Helps for Teachers and Scholars.



By the Presbyterian Church: *The Presbyterian Record* (monthly), Montreal, and a Series of Sabbath School Illustrated Papers and Lesson Helps for Teachers and Scholars.

The *Congregationalist*, a weekly paper, is published by the Publication Department of the Congregational Union of Canada.

The Methodist Church also possesses a printing plant, and carries on a general publishing business—"The Methodist Book Room," Toronto—the Eastern section of the Book Committee owning the property in Halifax in which the business is transacted.

The relation of the publishing interests of the Methodist and Presbyterian Churches to their respective Churches and the general methods of management are similar in each case, save that in the case of the Methodist Book concern, allocation of profits is made to the Superannuation Fund.

### III. COLLEGES

The Colleges at present connected with the negotiating Churches exist, each under its own charter, and in various relations to the respective Churches. These relations affect, first, the appointment of the Governing Board, second the appointment of Professors in the Faculty of Theology; third, assistance or maintenance from funds controlled by the Church.

1. All the Colleges connected with the three negotiating Churches shall, as far as possible, sustain the same relation to The United Church as, under their charter, they now sustain to the respective Churches, until the General Council shall determine otherwise and necessary legislation shall give effect to changes made thereby.
2. The policy of the Church shall be the maintenance of a limited number of thoroughly equipped Colleges, due regard being paid to the needs of different parts of the country, and in furtherance of this policy amalgamation shall be effected as soon as possible in localities where two or more Colleges are doing the same class of work.
3. In addition to the Governing Boards of the several Colleges there shall be appointed by the General Council a Board of Education, which shall have such a general oversight of the educational interests of the Church as the General Council may assign to it, and carry out such measures as may be decided in reference thereto.
4. There shall be a general Educational Fund, administered by the Board of Education, for the purpose of supplementing the revenues of the several colleges and assisting students in their preparation for the ministry, and for such other purposes and under such regulations as the General Council may from time to time determine.
5. The several educational institutions shall be encouraged to obtain permanent endowments for their maintenance, may receive contributions for this and other purposes at any time, and, upon receiving the consent of the Board of Education, may proceed to appeal for such funds.

## IV. BENEVOLENT FUNDS

Whereas there exist, in some form, in all the negotiating Churches funds to aid aged and retired ministers, and widows and orphans of ministers, provision for similar purposes shall be made in the constitution of The United Church by such amalgamation or modification of existing methods as may be found practicable; and such provision shall embrace the following particulars:

1. The rights of present and prospective claimants on existing funds in any of the negotiating churches shall be adequately protected. To this end:

(1) The present capital investments of the various benevolent funds of the negotiating Churches, and the income now contributed to those funds by publishing interests shall be combined into a "common trust," if practicable. The rights of present claimants and of prospective claimants (the latter being computed as of the date of the union) shall be a first charge on the revenue from this trust. If it be found that differences in the constitution and administration of the several funds are such as to necessitate separate trusts, instead of a common trust, this shall not be a bar to the carrying out of the general plan, because in that case their revenues shall be combined.

(2) The General Council of The United Church shall provide for (a) the assessing of each minister who is a member of any of the existing funds at the date of the union and of all ministers received into or ordained in The United Church after the union, on the basis of stipend of age, or both stipend and age, as the General Council may determine, and (b) the collecting of contributions, which shall be obligatory upon all local churches, based upon an equitable allocation or assessment under the rules to be formulated by the General Council, the minimum of such allocation or assessment being the amount which, together with the revenue from said trust or trusts and the foregoing assessment upon ministers, is requisite to make good the claims of claimants upon the Superannuation Fund to be instituted by the General Council.

2. Claimants on the proposed fund shall include the following:

(a) All ministers who, at the time of the union, are beneficiaries of existing funds.

(b) All ministers who, at the time of the union, are regular contributors to existing funds on the scale provided by their respective denominations.

(c) All ministers' widows and orphans who are now, or may hereafter become, entitled to participate in the proposed Fund.

(d) All ministers, not members of or contributors to existing funds, who may signify their desire to become members of and contributors to the proposed Fund, on the basis of payments sanctioned by the General Council of The United Church.

Provision shall be made whereby ministers so applying may, by a certain scale of payments, be entitled to have their claim upon the proposed Fund date from the time of their reception into the ministry of any of the negotiating Churches instead of from the date of the union.

(e) All ministers received into or ordained in the Church after the union inasmuch as they shall be required at the time of their reception or ordination to become members of and contributors to the proposed Fund.

3. The sources of revenue of the proposed Fund shall be the following:

- (a) Contributions of ministers who are members of said Fund at its inception, or afterwards become such, on a scale to be adopted by the General Council of the Church.
- (b) Offerings in all local churches based upon an equitable allocation to be made by the Board of Management of said Fund, under regulations sanctioned by the General Council.
- (c) Legacies and donations given for the purpose.
- (d) Such grants from the profits of the publishing interests of the Church as may from time to time be determined under regulations to be framed by the General Council.
- (e) Proceeds of any investments that may be made in the interests of the said Fund.

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#### APPENDIX ON LAW

1. When a Basis of Union has been agreed upon by the negotiating Churches, the union should be consummated and The United Church incorporated by a Special Act of the Parliament of Canada.

2. The Act of the Parliament of Canada consummating the Union and incorporating The United Church should contain, among others, provisions to the following effect:

(1) Ratifying and confirming the Basis of Union as agreed upon, and empowering The United Church to acquire and hold property.

(2) Making clear (a) that The United Church shall have the powers of legislation mentioned in sub-paragraph 2 of paragraph 24 of the Polity Section of the Basis of Union, subject to the safeguards thereby imposed, in such full and ample manner as to render impossible the existence in connection with The United Church of the conditions which have arisen in Scotland in connection with The United Free Church of Scotland, under the decision of the House of Lords, touching its property and doctrine.

(b) That all the estate, real and personal, belonging to or held in trust for or to the use of the negotiating Churches, or belonging to or held in trust for or to the use of any corporation under the government or control of, or in connection with, any of the said negotiating Churches, shall be vested in The United Church or in Boards, Committees or Corporations under the control thereof, and shall be used and administered in accordance with the terms and provisions of the Basis of Union.\*

\*At a meeting of the Presbyterian Union Committee held on December 15th, 1914, it was resolved that "it is expected that in the proposed legislation proper provision will be made to guard the rights or privileges of any minority which may be opposed to Union."

*Note*—This provision would cover all property which might properly be described as denominational property.

(c) That, subject to the provisions of the next succeeding paragraph hereof, all property, real and personal, under the jurisdiction of the Parliament of Canada held in trust for or to the use of a church, charge, circuit or congregation of any of the negotiating Churches, shall be held by trustees appointed by or on behalf of such church, charge, circuit or congregation, upon trusts set forth and declared in a Model Trust Deed.

This Model Trust Deed should be a schedule to the Act, and should contain, among others a provision to the following effect: That the property is held for the church, charge, circuit or congregation as a part of The United Church, and that no property so held shall be sold, exchanged, or in any manner encumbered unless the Presbytery shall, at the instance of the church, charge, circuit or congregation, have given its sanction, subject to an appeal, if desired, to the Conference.

(d) That any property or funds owned by a church, charge, circuit or congregation at the time of the union solely for its own benefit, or vested in trustees for the sole benefit of such church, charge, circuit or congregation, and not for the denomination of which the said church, charge, circuit or congregation formed a part, shall not be affected by the legislation giving effect to the union or by any legislation of The United Church without the consent of the church, charge, circuit or congregation for which said property is held in trust.

(e) That all lands, premises and property acquired for the use of a local church or a pastoral charge of The United Church shall be held, used and administered upon the trusts of the said Model Trust Deed above referred to.

3. Special acts of the Legislatures of the several Provinces of the Dominion and of Newfoundland and the Bermudas and any other country in which the negotiating Churches hold property should be obtained, containing similar provisions and vesting in the manner above indicated the above and like classes of property and interests over which the said Legislatures may respectively have jurisdiction, and rendering effective in the said several jurisdictions the other provisions relating to the said union.

Under the authority of the Joint Committee on Church Union representing the Presbyterian Church in Canada, the Methodist Church and the Congregational Churches of Canada, we hereby certify the foregoing to be a true copy of the Basis of Union agreed upon by them and which is particularly referred to in the Act now before the Legislature of the Province of Saskatchewan for consideration and entitled *The United Church of Canada Act*.

Dated at Regina, in the Province of Saskatchewan, this eleventh day of March, A.D. 1924.

WALTER MURRAY.  
W. H. HUGHES.

C. ENDICOTT.  
EDMUND H. OLIVER.

JAS. BALFOUR,

*Counsel for Joint Union Committee.*