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Leave of Absence.—Ministers, Robert R. Kellogg, Lucius I. Root, Wm. S. Page, Jas. A. Griffes, Elders, William A. Eldridge, Elijah Churchill, David Crompton.

The following report of the Trustees of the Church Erection Fund was presented by Jesse W. Benedict, Esq., and referred to the Standing Committee on same subject:—

Twelfth Annual Report of the Trustees of the Church Erection Fund, May, 1866.

The annual meeting of the Trustees was held on the 15th day of June, 1865. Rev. Samuel T. Spear, D.D., was elected President, and William A. Booth, Vice-President.

During the year there have been received twenty applications for aid, amounting to \$7525, thirteen of which were for loans, amounting to \$6075, and seven for donations, amounting to \$1450.

Ten of the applications for loans were granted, amounting to \$4675; three amounting to \$1400 were refused; one of these required the loan to be in gold; by the other two it appeared that after obtaining the loan the congregation would not have the amount necessary to complete their building; they were informed as soon as the deficiency should be provided for, their application would be granted.

Four of the applications for donations, amounting to \$750, were granted; three amounting to \$700 were refused; one of these absolutely refused to pay a debt which had been contracted in 1858, one as premature, it appearing from the application that, after obtaining the required donation, the congregation would not have the amount requisite to complete their buildings. They were informed that as soon as this deficiency should be provided for, their application would be granted. The other application for a donation was refused for the reason that it exceeded the amount limited by the plan of donations. In one case, after the application for a donation had been granted, the congregation refused to execute the bond and mortgage required by the plan, and have not availed themselves of the grant.

These applications were from eleven Synods, five from the Synod of Missouri, three from the Synod of Minnesota, two from each of the Synods of New York and New Jersey, Illinois, and Wisconsin, and one from each of the Synods of Genesee, Pennsylvania, Indiana, Washash, Peoria, and Alta California.

RECEIPTS FROM CHURCHES.

There have been received during the year from forty churches on account of loans \$5394 22; from sixty-five churches on account of donations, \$839 07, and from thirteen churches for interest, \$986 58, making a total of \$7210 87.

LEGAL OPINIONS.

The last General Assembly directed this Board to procure the written opinion of eminent legal counsel as to the powers of the Assembly in respect to the Church Erection Fund, especially in reference to the question, whether having received this fund "as a Special Trust," and in 1854 committed the custody thereof to a Board of Trustees, incorporated by a special statute of the State of New York, the Assembly have the power to alter the Church Erection Plan, as to make an absolute gift of the increase of the fund beyond the sum of \$100,000, for the purpose named in the first article of the plan. The Board were directed to report such opinions to this Assembly, with the addition of any recommendations which they might deem expedient.

In compliance with this direction of the Assembly, the Board have obtained from three eminent counsel written opinions, which are herewith submitted. None of the gentlemen had any knowledge of the opinions of the others; in fact, neither was aware that any other opinion excepting his own had been obtained. It would be seen, that they differ in their views of the power of the Assembly over the fund, all agreeing, however, in this: That the fund can never be used excepting for the objects set forth in the first article of the plan.

OPINION OF JUDGE STRONG.

By the first opinion, in the order in which they are presented to the Assembly, that of the Hon. Wm. Strong, of Philadelphia, a Judge of the Supreme Court of the State of Pennsylvania, it is insisted:

1st. That the General Assembly has power to direct donations of that portion of the fund which may be in excess of the sum of \$100,000, for the purpose described in the first article of the plan; but that they have no power to make or direct the Board of Trustees to make donations of any portion of it.

2d. That the Assembly has no power to make or direct any absolute gift of even the increase or excess above \$100,000, if by absolute gift is understood gift without requiring security upon the church property for the return of the money with interest, in case of a change in ecclesiastical relations of the church aided.

3d. That no alterations of the Plan can be made which will authorize donations without requiring such security.

4th. That the Plan may be so altered as to dispense with any requisition of security that an annual collection in behalf of the fund shall be taken up in the churches to which a donation is made, but the church will still be under obligation to take up such a collection independent of any such security being given.

OTHER OPINIONS.

By the second opinion, that of Daniel Lord, Esq., of the city of New York, it is insisted:

That the General Assembly, by the requisite vote, may direct the whole of the fund at any time existing to be applied in donations; and while there is no discrimination to be made between the increase or accumulation of the fund, as to the application of it, or the retaining of it; yet, that it is in the power of the General Assembly, by the requisite vote to apply the fund to the designated objects without limiting it to the advances which must be returned.

By the third opinion, that of Marshall S. Bidwell, Esq., of the city of New York, it is on the contrary insisted:

1st. That the amount raised for this fund was received by the Assembly in trust as a permanent fund; that it must be preserved inviolate; that it cannot be diminished or impaired; that the General Assembly, therefore, cannot directly or indirectly give away or dispose of the fund, nor any part of it; that this restriction is fundamental and irrevocable, and that it is anterior to, and independent of, the Plan.

2d. That the fund cannot be used excepting for the object named in the first article of the Plan, the aiding of feeble congregations in erecting houses of worship; that this restriction is also fundamental and irrevocable; that while it is recognized in, yet it does not derive its force from, the Plan.

3d. That the law imposes upon every person or body holding the fund in trust, the obligation to keep the fund invested in proper securities, which in the State of New York embrace only government stocks and bonds, and that if such accumulated interest has been added by the trustees to the fund, it has become an integral part of it, and is subject to the same exemption from change or diminution as appertains to the other parts of the fund; that it is one fund, a unit; not two or more funds—a permanent fund which cannot be impaired by revocation, donation or otherwise, and which it is the duty of the trustees to preserve inviolate.

The Board have carefully considered these diverse opinions, and will only add that they trust the time will never come when, for the purpose of judicially settling the powers of the General Assembly over the fund, a resort shall be had to law, the proverbial uncertainty of which has received a new illustration in the opinions herewith submitted to the Assembly.

It is certain that the donors of the fund intended to inaugurate just such a scheme of benevolence as this, and thus far in its management the Board have not in any particular violated any of the principles contended for in these opinions; and it certainly will be safe to continue to administer the fund substantially upon the same principles which have heretofore obtained, enlarging or diminishing the amount of loans and donations, and their terms, to the exigencies of the congregations to be aided from time to time may require.

AMENDMENTS TO THE PLAN.

In their report to the last Assembly the Board recommended amendments to the Plan, increasing the amount of the loans to \$750, and the donations to \$300. It was greatly regretted by the Board that when these amendments came before the Assembly for their final action, it was found that the requisite number (two-thirds of the enrolled members) were not present.

By the present plan loans are limited to \$50 for three years without interest (and in no case can exceed one-third of the amount contributed for the house and lot). The principal is required to be refunded in four equal annual instalments, interest attaching, in case of default, on the whole amount during default.

The Board now recommend that the Plan be so altered that loans to the amount of \$750 (not exceeding, however, one-third of the amount contributed for the house and lot) may be made for five years, without interest, to be then repaid in six equal annual instalments; interest attaching to the whole amount, should this amendment be adopted. The Board believe that increased activity will be given to the Fund, and that the object for which it was raised will be greatly advanced. The Board, therefore, recommend that article XIV. of the Plan be so amended as to read as follows:—

ARTICLE XIV.

The Board shall not in any case loan or donate any portion of the Fund to any congregation, unless such congregation own in fee simple and free from all legal encumbrance, the lot on which their house of worship is situated, or on which they propose to build; nor shall any loan or donation be made for the payment of any debt, except that which may have been contracted within one year previous in erecting a house of worship.

The amount loaned to any congregation shall never be more than one-third of the amount contributed for the house and lot, nor exceed the sum of \$750, nor shall the amount given to any congregation as a donation be in any case more than \$300, or exceed one-fourth of the amount contributed for their house and lot; nor shall a loan and a donation be made for the same congregation. The donations within the boundaries of any Synod shall never be more than one-fourth of the amount appropriated to that Synod.

All loans shall be made on the following conditions:

1. The principal shall be paid in six equal annual instalments, the first instalment being

due in five years from the date of the loan.

2. If all the instalments are punctually paid no interest will be required on any part of the loan.

3. In default of the payment of any instalment, interest shall be required on the whole loan unpaid, from the time of such default until such instalment, with all the interest that may thus accrue, shall be paid.

The conditions of all donations from this fund shall be, that, in case the church or congregation shall cease to be connected with the General Assembly, or their corporate existence shall cease, or their house of worship be alienated except for the building or purchase of a better house of worship, they shall refund to the Board the amount which they have so received with interest from the time of receiving it; and further, that every congregation receiving a donation shall annually make a collection in aid of the fund, transmitting the same to the Treasurer, until the amount so collected and paid over shall equal the sum received as a donation.

The fulfilment of the above conditions, in respect to both loans and donations, shall, in all cases, be secured by the bond of the trustees of the congregation, and a mortgage on their house and lot, made in favor of the Board; which bond and mortgage, duly executed and recorded, shall always be placed in the possession of the Board, before any money is paid over to the congregation.

The Board also recommend that in article XIII. in the 12th and 13th lines, the words, "a copy of" be stricken out, so that the sentence will read, "This certificate, together with the application made to the committee of the Synod, shall be transmitted to the Board."

The last amendment merely conforms the plan to its practical working. The original application, not a copy, is invariably forwarded to the Board. The Board, therefore, recommend the plan to be amended accordingly.

ELECTION OF TRUSTEES.

The term of office of the Rev. J. F. Smith, D.D. Rev. Samuel D. Burckard, D.D., and William A. Booth, Esq., is soon to expire; it will be necessary for the Assembly to fill their places.

SUPPLEMENTAL FUND.

The General Assembly at its last session directed the Board to issue a circular to all churches under the care of the Assembly, inviting them to make contributions during the year to a Supplemental Fund, to be gratuitously appropriated in aiding church erection in accordance with the suggestions of this Board in their additions to the report of the Special Committee, which was made to the Assembly of 1864. In compliance therewith this Board in June last issued the following circular:

[Circular Omitted.]

Copies of the above circular were mailed in June last, and again in October last, to all the churches under the care of the Assembly. The Board also called attention to it by causing it to be published in the New York Evangelist, and the Presbyterian Monthly. There have been expended in that service for printing, postage, envelopes and mailing, \$127 49. This appeal has been responded to by only eight churches, which contributed as follows:—

Lower Rock Island, village of Eding- ton, Ill. \$9 50
Homer, Ohio 8 75
Palmyra, New York 4 15
Kalamazoo, Michigan, (Ger. Church) 2 00
Mattituck, Long Island, N. Y., 5 05
Gun Plain, Michigan, 3 19
Gilroy, California, 22 50
Jefferson, New York, 4 20

Total, \$59 38.

Showing an expenditure of \$68 11 above the amount received. A further sum of \$1 was received with special directions to credit it as a collection due to this Board on the mortgage of the church at Parville, New York, which has been done. The Board will submit that this expenditure does not come within the provision of the first article of the plan of the fund, and therefore request the General Assembly to direct their Treasurer to return the amount of \$68 11 to this Board.

All of which is respectfully submitted.

SAMUEL T. SPEAR, President.

CONDITION OF THE CHURCH ERECTION FUND MAY 1, 1866.

Amount of loans to churches, secured by bonds and mortgages, \$32,046 70
Amount of donations to churches, secured by bonds and mortgages, 15,013 18
Amount of all loans and temporary investments, 77,425 45
Interest earned thereon to date, 1,072 02
Cash in bank, 1,942 17

Total, \$127,489 52

This certifies that we have examined the securities in the hands of the Treasurer, and find the above statements to be correct.

EDWARD A. LAMBERT,
JOHN P. CROSBY.

Hon. Edward A. Lambert, of Brooklyn, Secretary of the Committee on Foreign Missions, presented their report on that subject, which was referred to the Standing Committee on Foreign Missions, and will be corrected in some of its particulars and reported back in a few days in a condensed form.

Rev. Dr. H. A. Nelson, from the Committee of Arrangements, reported suitable rooms and places of meeting of the different Committees, after which the list of Standing Committees and Synodical list was ordered printed. The Assembly then adjourned to meet at 3 o'clock, P. M.

AFTERNOON SESSION.

Dr. Mills, Secretary of the Committee on Theological Seminaries, presented the report of the committee, which was read by Jesse W. Benedict, Esq., of New York. The reports were read the order of the ages of the Seminaries, namely: Auburn, Lane and Union.

[Reports deferred.]

The tenth annual report of the Treasurer was then read, showing that the educational receipts were \$18,704 77.

The reports of the permanent committee were then referred to the standing Committee on Education.

HOME MISSIONS.

The report of the standing Committee on Home Missions was then read by Dr. H. Kendall, and is a very able and lengthy document, from which we make the following abstract:

The Fifth Annual Report discusses the rapid increase of population at the West; the laws which regulate its movements, making particular mention of the rapid extension of railroads at the West; the Pacific Road, and the vast mineral regions of the West, and the great influx of foreigners into the country. Prairie, forest and minerals attract the people, and where railroads are built there people go.

The report claims that never before have railroads been so rapidly built as now, and hence so full a tide of travel flowing into the western States, and the gold and silver bearing regions of the Rocky Mountain Division. The tendency to the centralization of population was also noticed. Never did the great cities of the world grow so rapidly as now. Great centres opened at the West, that for a brief time must have missionary aid; and

this depletes and drains the East, and makes a demand for aid to the feeble, and decaying churches of the East.

An encouraging view of religious progress and reconstruction in East Tennessee and Missouri was given. About forty missionaries have been employed in these two States, who have labored on the whole with encouragement and success.

Elsewhere at the South but little has been done. But some efforts among the Freedmen have succeeded well.

The obstacles to the work were said to be as follows:—

1. THE LACK OF MINISTERS.—The ministers are too few to meet the demands of the people. More men could be located in one month than all the theological seminaries have turned out in a year. There is no limit to the work if the ministers were plenty.

2. LACK OF CHURCH EDIFICES.—The report insists that the Church is not awake to the importance of this matter, and it shows how much the Baptists, Congregationalists, Methodists, Unitarians, and Episcopalians are doing in the case, and urges the Assembly to devise some method to build churches, especially for all the feeble but promising congregations at the West.

3. LACK OF FUNDS.—The Treasurer's report shows that less than \$92,000 have been contributed, but \$106,000 expended during the year. Such a state of things cannot last. The report shows that the Church is able to contribute much more, and calls on the ministers and people to redouble their energies to meet the demand. Only about eight hundred churches of a total of one thousand five hundred in the body had contributed anything during the year.

The whole working force in the missionary field has been three hundred and eighty-five men; fifty-eight more than last year. Six of these have died.

The statistics of the year are very encouraging. About fifty churches have been formed, three thousand five hundred souls converted; three thousand two hundred and forty have united with the churches.

Report of the Committee on Publication.

The report was presented by the Secretary, the Rev. John W. Dulles, of Philadelphia. An abstract of this report will be found in the inside of this paper.

Dr. Shepherd then presented the report on Presbyterian House, which was read and referred to the Publication Committee.

The Committee on Devotional Exercises then made a report in relation to services on Sabbath.

Adjourned to Saturday Morning.

New York Anniversaries.—The American Tract Society of New York acknowledges the receipt of \$124,327 from donations and legacies, and \$113,350 from sales; to this is added the surplus of last year, making in all \$439,946. The receipts of the American Tract Society of Boston were \$165,551. It has extended its operations over the South, and has distributed 701,000 pages among the Freedmen.

The Five Points House of Industry received last year donations to the amount of \$42,536 15. Five hundred and thirty-four children have been placed in suitable families, 422,641 meals were served, a daily average of 1174.

The Howard Mission and Home for Little Wanderers reports receipts to the amount of \$35,985 63. Fifteen hundred children have been cared for. The poor sick are visited and aided; a day nursery is provided where mothers can leave their children whilst they are out at work; no child is ever turned away; the mission aims to afford relief to both body and soul, and it has been enabled to do all this without going into debt. It now asks for \$100,000 to build a larger house.

The Christian Union Association celebrated its third anniversary and held a united communion service. The progress of the Association has been very gratifying. At the communion service ministers of the following churches assisted, Reformed Dutch, Presbyterian, Episcopal, Congregational, Methodist.

MARRIAGES.

GERMAN-BRITISH.—On the 1st instant, by the Rev. C. Furman, at his residence in Buffalo, the Rev. Mr. Furman, of Buffalo, N. Y., and daughter, SARAH EMBELINE, to MARTIN BRIGGS, of Rochester.

Special Notices.

42-Philadelphia Tract and Mission Society.—Office, 115 South Seventh Street. The one hundred and thirty-fourth meeting in behalf of the poor will be held in the First Baptist Church, Broad and Arch Streets, on Sabbath evening, 27th instant, at a quarter before eight o'clock. Several addresses will be made.

JOSEPH H. SCHREINER, Agent.

42-Oxford Street Chapel.—The new Chapel, Oxford Street, below Broad, will be dedicated with appropriate services, at eight o'clock, on Thursday evening, the 25th instant, by Revs. G. A. Galt and Rev. Dr. Brainerd, will participate in the exercises.

The Choir of the Calvary Presbyterian Church, with the assistance of J. C. Stanbridge, Esq., will conduct the music on the occasion.

42-The Presbytery of Columbia will hold its next Stated Meeting, at Baraboo, on Tuesday, the 13th of June, at seven o'clock P. M.

B. G. RILEY, Stated Clerk.

42-Buffalo Presbytery will hold their Stated Meeting at Jamaica, on the second Tuesday of June, commencing at four o'clock P. M.

TIMOTHY STILLMAN, Stated Clerk.

DUNDEE, May 15, 1866.

42-The Presbytery of Rochester will hold its next Stated Meeting in Beers, on Tuesday, the 12th day of June, next, at two o'clock P. M.

W. A. MILES, Stated Clerk.

BUFFALO, May 15, 1866.

42-Presbytery of Steubenville will hold its next Stated Meeting at Putney, on the second Tuesday (12th) of June, 1866, at 4 o'clock P. M.

W. A. MILES, Stated Clerk.

CORNING, May 11, 1866.

PERRY DAVIS' PAIN KILLER.

Rev. H. N. Van Meter, of Bassee, India, writes:—Here let me assure you that we prize your Pain Killer very highly. For the first two or three years of our residence in India, we were ignorant of its valuable properties, and it was not until we were made acquainted with it that we were enabled to feel safe to without it for a single day. Only a few nights since Mrs. Van Meter was stung by a scorpion, and intense pain was instantaneous throughout the arm, and soon a numbness of all the fingers followed. By the continued application of the Pain Killer for an hour or more and at intervals during the night, the alarming symptoms were subdued, and in the morning only a slight soreness was felt in the arm.

I gave it in a severe case of Fever and Ague, according to directions, and it acted like a charm, breaking it up at once. The Karens have great confidence in it. Mr. W. L. Carpenter writes from Calcutta, "Perry Davis' Vegetable Pain Killer is a very valuable medicine, and most people here that have used it entertain a high opinion of its worth."

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The Rev. George Hood and Lady, of Princeton, N. J.—Experienced educators—receive in some men are born in the name of God? Besides, infidelity has asserted, that if the dead were to rise alive, they would cover the whole earth to the depth of some eight or ten feet; would you see it demonstrated, that space for at least one acre of land, would be required within the limits of the State of New York, of sufficient capacity to bury every son and daughter of Adam? The above-named Book will do this and something more; you may obtain it by sending \$1 50 to the author, or you may purchase it of your post-paid bookseller, who will forward it to you post-paid, if you do not send it, return the Book and I will refund the money.

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An "Advanced" Dog on the Origin of Species. By the author of "The Schenck-Cotta Chronicles."

The Influence of the Reformation on the Scottish Character. By J. A. Froude, author of "The History of England."

The Patriotic Record of Yale College. By Rev. J. W. Morris.

The Passion Flower.

Come to Me. By H. V. T., Esq., of London.

The Little Preacher. By the author of "Fred and Maria, and Me."

Tischendorf's Biblical Researches and Discoveries. Narrated by himself. James Montgomery.

The Last Twig on the Tree. By Miss S. J. Pritchard.

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Concerning a recent order for two hundred and fifty books, thus filled at discretion, a well-known pastor of Central New York writes:—"I was so pleased with the selection, that I presented the subject to Presbytery, and much interest was expressed by the pastors in the features of your plan. I thank you for the evident care exercised in filling our order, persuaded as I am, even from the cursory examination I have been able to give the books, that for the same number of volumes it is the best selection we have had for our Sabbath-school library, far better than we could have made for ourselves. Both of our librarians concur in this judgment." One of the "pastors" referred to in this letter writes:—"Brother H— reported to Presbytery so favorably of your Sabbath-school library selected for them, that I think we shall soon send you to get our own, and doubtless others will."

N. B.—OUR TERMS for furnishing the Sabbath-school books of any publishing house shall, in all cases, be as liberal as could be secured from the publishers themselves.

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TRAINS LEAVE DEPOT, VIZ.:

MAIL TRAIN.....at 8:00 A.M.
DAY EXPRESS....." 10:00 "
PAOLI ACCOMMODATION, No. 1....." 11:00 "
FAST LINE AND ERIS EXPRESS....." 12:00 P.M.
HARRISBURG ACCOMMODATION....." 2:30 P.M.
LANCASTER ACCOMMODATION, No. 1....." 4:00 "
PAOLI ACCOMMODATION, No. 2....." 5:00 "
PITTSBURGH AND ERIS MAIL....." 9:00 "
DAY ACCOMMODATION, No. 3....." 9:10 "
PHILADELPHIA EXPRESS....." 11:10 "

TRAINS ARRIVE AT DEPOT, VIZ.:

CINCINNATI EXPRESS.....at 12:40 A.M.
PHILADELPHIA EXPRESS....." 5:20 "
COLUMBIA TRAIN....." 9:48 P.M.
LANCASTER TRAIN....." 1:10 "
PAOLI ACCOMMODATION, No. 2....." 4:10 "
DAY EXPRESS....." 5:30 "
HARRISBURG ACCOMMODATION....." 9:10 "

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