

shall make a declaration in writing before the Assessor, that he will faithfully and impartially write down and transcribe the evidence of each and every witness to be examined.

28. Upon the application of either party to the Bishop, and on its being made satisfactorily to appear to him that any material witness cannot be produced upon the trial, the Bishop may appoint a Commissioner to take the testimony of such witness. The commission shall be under the hand and seal of the Bishop and according to the form (C) or to the like effect. The Commissioner shall give such notice in writing to both parties of the time and place of taking the testimony as he may deem reasonable under the circumstances. Both parties may attend before the Commissioner and examine the witness or witnesses, who before giving evidence, shall make and subscribe the like solemn declaration as is provided in case of an examination before the Court of Triers: the evidence shall be reduced to writing and signed by the witness, and shall be certified by the Commissioner, and enclosed, together with the Commission, under his seal, to the Assessor appointed to preside at the trial, and shall be received by the Board of Triers as evidence in the suit.

29. Before proceeding to take evidence under the Commission, the Commissioner shall make and subscribe a declaration, to be indorsed on the commission, that he will faithfully and impartially, according to the best of his knowledge, take the examination of the witnesses produced before him, and write down and transcribe the evidence to be given.

30. The proceedings upon a trial shall be open to the members of the Church, unless in the opinion of a majority of the Court the circumstances of the case require that the trial should be private, but in no case shall the Bishop be excluded.

31. The Court may adjourn from time to time, and from place to place, if it may be necessary for the convenient examination of witnesses, or otherwise; or to afford opportunity for full consideration and deliberation.

32. Either party may appear and conduct his case by counsel, at the trial.

33. The decision of the Board of Triers shall be kept secret until the same is finally approved by the Bishop.

34. The decision of the said Court, or not less than four of the members thereof, shall, together with the evidence adduced, be forthwith transmitted by the Assessor to the Bishop. If the decision shall be approved of by the Bishop,