

considered the evidence, shall declare in writing by them, or a majority of them, their decision on the charges contained in the presentment, distinctly stating whether the accused is guilty or not guilty, of such charges respectively, and also stating the sentence which, in their opinion, shall be pronounced; and their decision, together with the evidence, shall be delivered to the Bishop, who shall pronounce such Canonical sentence as shall appear to him to be proper, provided the same shall not exceed in severity the sentence recommended by the Board. 9. Before pronouncing any sentence, the Bishop shall summon the accused, and any three or more of the Clergy to meet him at such time as may in his opinion be most convenient, in some Church of the Diocese, which shall for that purpose be open at the time to all persons who may choose to attend, and the sentence shall then and there be publicly pronounced by the Bishop, or by some person commissioned by him. 10. All notices and papers contemplated in this Canon, may be served by a summoner or summoners, to be appointed for the purpose by the Bishop, and whose certificate of such service shall be evidence thereof. In case of service by any other person, the facts shall be proved by such person. A written notice or paper delivered to a party, or left at his place of residence, shall be deemed a sufficient service of such notice or paper. 11. The defendant may have the privilege of appearing by counsel; in case of the exercise of such privilege, and not otherwise, those who present shall have also the like privilege.

SECTION V.—If, at the time appointed for the first meeting of the Board of Triers, the whole number of five shall not attend, then those who do attend, being not less than three, shall proceed to the trial, and a majority of those attending shall decide all questions. They shall appoint a secretary, who may be one of their own number, whose duty it shall be to keep a record of all the proceedings had before the Board. And they shall, before proceeding with a trial, in case counsel is employed by either the accuser or the accused, or in their discretion, in case no counsel is employed, call to their aid some barrister-at-law of at least ten years' standing at the Bar of Ontario, to act as their assessor, and advise them on all questions of Evidence and Procedure; and where such advice is sought, the Triers shall be governed thereby.

SECTION VI.—*Suspension Pendente Lite.* In every case in which, from the nature of the offence charged, it shall appear to the Bishop, after due inquiry, that great scandal is likely to arise from the clergyman accused continuing to perform the services of the Church while such charge is under investigation, the Bishop shall cause a notice to be served on the accused at the same time with the service of the copy of the charge, or at any time pending the proceedings, inhibiting the accused from performing any services in the Church

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