

Court to proceed to judgment without process, the offender having the privilege of being fully heard. The record must show the nature of the offence, the judgment of the Court and the reasons thereof.

2. Should such judgment be appealed from, the Court itself, or any member or members thereof, appointed for the purpose, shall act as appellee.

3. When a member, elder, or Minister shall renounce the communion of the Church by joining another denomination without a regular dismissal, if the denomination be evangelical, and he be in good standing, the irregularity shall be noted in the records of the Court having jurisdiction, and his name erased. If charges are pending against him, they may be prosecuted. If the denomination be heretical, he may be suspended, excommunicated, or deposed without trial, any further than the Court's ascertaining and recording the fact of his joining said denomination.

CHAPTER VII.

Of Evidence.

1. Judicatories should be very careful and impartial in deciding on the competency and credibility of witnesses. Either party has a right to challenge a witness, and the Court decides on his competency. Disbelief in the existence of God or a future state of rewards and punishments involves incompetency.

2. The credibility of a witness may be affected by relationship to one of the parties; by interest in the result of the trial; by want of proper age; by weakness of understanding; by infamy of character; by being under censure; by rashness, indiscretion or malignity of disposition; or by other circumstances.

3. Agency, malice, or partial counsel may exist to such an extent as to exclude a witness altogether, and in any degree will lessen the value of his testimony. In this matter a Church Court must be very particular in ascertaining how far any such alleged cause of disqualification really exists.

4. A question that is either frivolous or not pertinent to the matter under examination should not be allowed to be put to a witness; and no evidence should be received except what is matter of knowledge or cause of knowledge of the witness. What a witness has heard should never be received, except it be what he has heard said by a person deceased, or by the accused, or by one in the presence of the accused.

5. A witness may look at writings or memoranda of his own to refresh his memory, but not at those of another person.

6. Leading questions are not to be put to a witness; and no witness is bound to criminate himself.

7. The testimony of more than one witness is necessary in order to establish any charge; yet if several credible witnesses testify to different acts of a similar nature or to confirmatory circumstances belonging to the same general charge, the crime may be considered as proved.

8. No witness, afterward to be examined, except a member of the Court, shall be present during the examination of another witness in the same case, unless by consent of parties.

9. Witnesses shall first be examined by the party introducing them; then cross-examined by the opposite party; and, thereafter by any member of the Court who may wish to do so, through the Moderator.

10. The depositions of witnesses shall be reduced to writing and signed by them. The questions in full shall not be recorded, unless desired by a party as being very important.

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