

shall then nominate five members of the Committee of Discipline, not being parties to the presentment, as a Board of Triers, and cause a list of their names, together with a copy of the charges, to be served on the accused, who shall, within fourteen days after such service, have the right, if he so desire, to object to any three of them, and notify their names in writing to the Bishop; and upon his objecting to one or more, then the Bishop shall name one or more of the said Committee of Discipline, as may be required, and those so selected shall form a Board for the trial of the accused, and shall meet at such time and place as the Bishop shall direct, and shall have power to adjourn from time to time, and from place to place (but always within the Diocese), as they shall think necessary. Provided, always, that any Clergyman who is charged with any offence under this Canon shall have the privilege of a preliminary investigation, should he so desire, and signify such desire to the Bishop, in writing, within ten days after the service of such notice of trial; and in such case the Bishop shall appoint three members of the Committee of Discipline to examine the case, a majority of whom may make such examination, and report to the Bishop whether, in their opinion, there is good ground for proceeding to trial. 3. A written notice of the time and place of their first meeting shall be served at least fourteen days before such meeting on the accused, and also on one of the persons making the presentment. 4. If a Clergyman presented shall confess the truth of the allegations contained in the presentment, the Bishop shall proceed to pass sentence; and if he shall not confess them before the appointment of a Board for his trial, as before mentioned, he shall be considered as denying them. 5. If a clergyman presented, after having had due notice, shall not appear before the Board appointed for his trial, the Board may, nevertheless, proceed as if he were present, unless for good cause they shall see fit to adjourn till another day. 6. When the Board proceeds to the trial, they shall hear such evidence as shall be produced, which evidence shall be reduced to writing and signed by the witnesses respectively. If, on or during the trial, the accused shall confess the truth of the charges as stated in the presentment, the Board may dispense with hearing further evidence, and may proceed at once to state their opinion to the Bishop as to the sentence that ought to be pronounced. 7. Upon the application of either party to the Board of Triers, and it being made satisfactorily to appear to them that any material witnesses cannot be procured upon the trial, they may appoint a commission to take the testimony of any such witness; and both parties may attend and examine the witness, and the examination shall be reduced to writing and signed by the witness, and shall be in the words of the witness as far as possible, and in the first person, and certified by the commissioner, and enclosed under his seal and transmitted to the Board, and shall be received by them as evidence. 8. The Board having deliberately