

make full and just Enquiry into the Grounds of such Complaint, and by their Clerk to take at large the Depositions of Witnesses in Writing; and to proceed to Sentence against the Minister who shall be found to have offended, and to admonish, suspend or totally to deprive such Offender from or of his Benefice; and in Case of Suspension, it shall and may be lawful for the said Governor or Commander in Chief to appoint some other Minister to officiate in the Place and Stead of the suspended Minister, and such Minister so appointed, shall take and receive the Income, Profits and Dues of the Benefice during the Time of such Suspension; and in Case of Deprivation, to present, induct or appoint some other Minister in the Place or Stead of the Minister deprived; and in Case it shall appear upon Examination, that the Person complained of ought to pay or receive Costs, it shall and may be lawful for the said Governor or Commander in Chief, and Commissioners, or the major Part of them, to order and award the Payment thereof accordingly.

H. A. P.
XXXI.

who may appoint another in his Stead, &c.

VI. Provided always, and be it enacted, That before any such Commission shall issue, a Copy of such Complaint, in Writing, shall be delivered to the Minister against whom the same Complaint shall be made; if such Minister shall be found in this Province, Twenty Days at the least before the Sitting of the Court of Assize, Oyer and Terminer and Jail Delivery, in the County where the Parish Church of such Minister shall be situate, if at that Time any Assizes shall be within this Province; and if no such Assizes shall then be in this Province, then the same Number of Days at the least before the Sitting of the Provincial Court; and the same Complaint, in Writing, shall be at the then next Court of Assize or Provincial Court, as the Case may be, after the said Copy shall be delivered as aforesaid, laid before the Grand Jury sworn in the respective Court aforesaid, and shall be, together with such Evidences and Witnesses as shall be produced by the Complainants and the Clergyman against whom such Complaint shall be made, or either of them, examined by such Grand Jury, and if such Grand Jury shall find the Whole, or any Part thereof to be true, such Grand Jury shall endorse thereon, that the Clergyman therein mentioned had a Copy of that Complaint delivered to him at the Time when such Copy was delivered to him, if the Delivery thereof shall be sufficiently evidenced to them; and if the same was not delivered, nor could be delivered, for the Cause aforesaid, then such Grand Jury shall endorse on such Complaint, that such Clergyman was not to be found in this Province; and that such Complaint, or such Part thereof as they find on such Examination to be true, is true, on which Complaint, or such Part thereof as shall be found true as aforesaid, and not otherwise, there shall be such Commission and other Proceedings as herein before-mentioned.

Provided a Copy of the Complaint be delivered to such Minister 20 Days before the Sitting of the Court of Assize or Provincial Court, &c.

VII. And provided also, That if any such beneficed Minister shall not appear before the Commissioners aforesaid, but shall wilfully and contumaciously make Default, after personal Notice of the Time and Place of such Enquiry, or make such Default after a Note, under the Hand of the said Commissioners, specifying the Time and Place of such Enquiry, shall have been set up and affixed at his Parish Church Door, One Month at the least before such Enquiry, then, and in every such Case, the Commissioners aforesaid shall proceed in their Enquiry, in the same Manner as in the Case of the personal Appearance before them of such Minister.

In Case of Non-appearance Commissioners may proceed.

VIII. And be it further enacted, by the Authority aforesaid, That all and every the Commissioners and Commissioner to be appointed as aforesaid, shall, before they or any of them, do proceed to the Execution of such