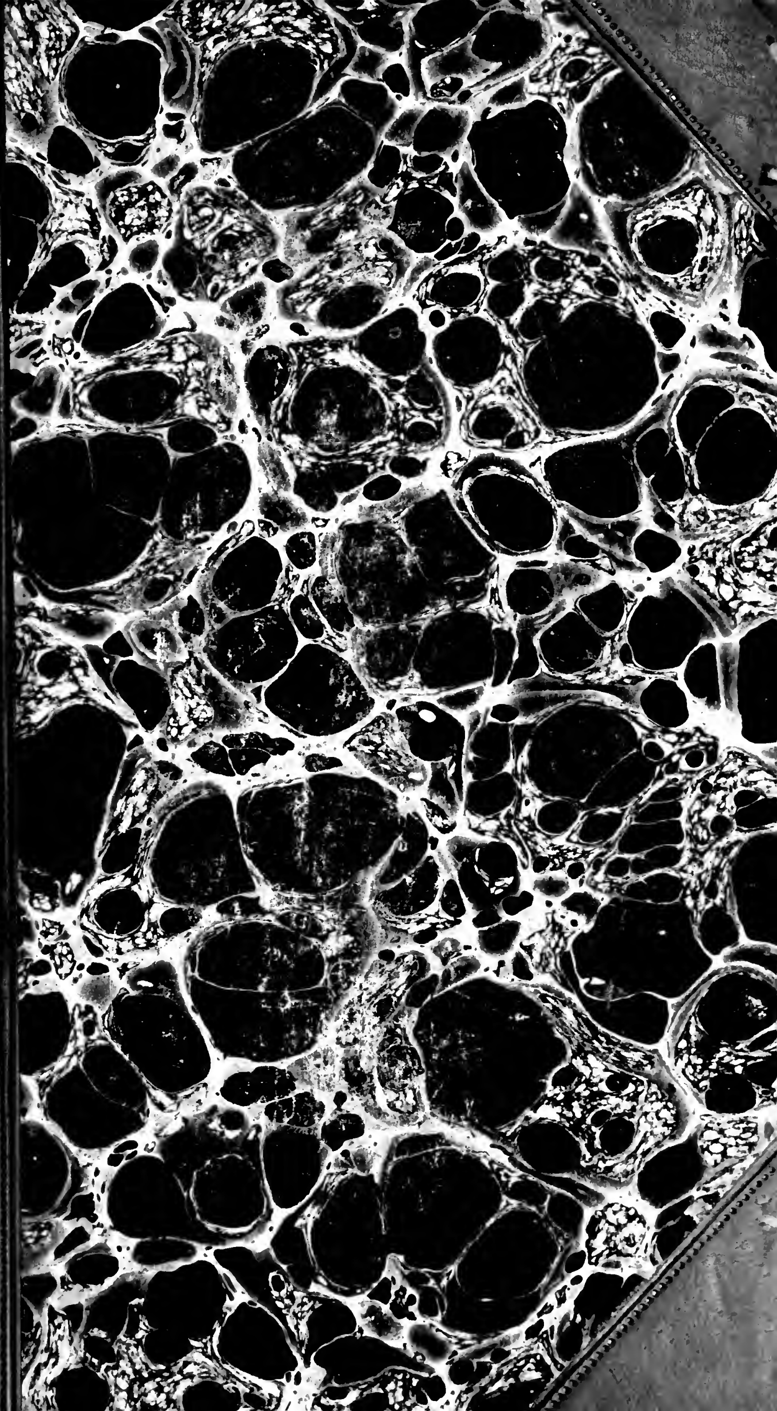

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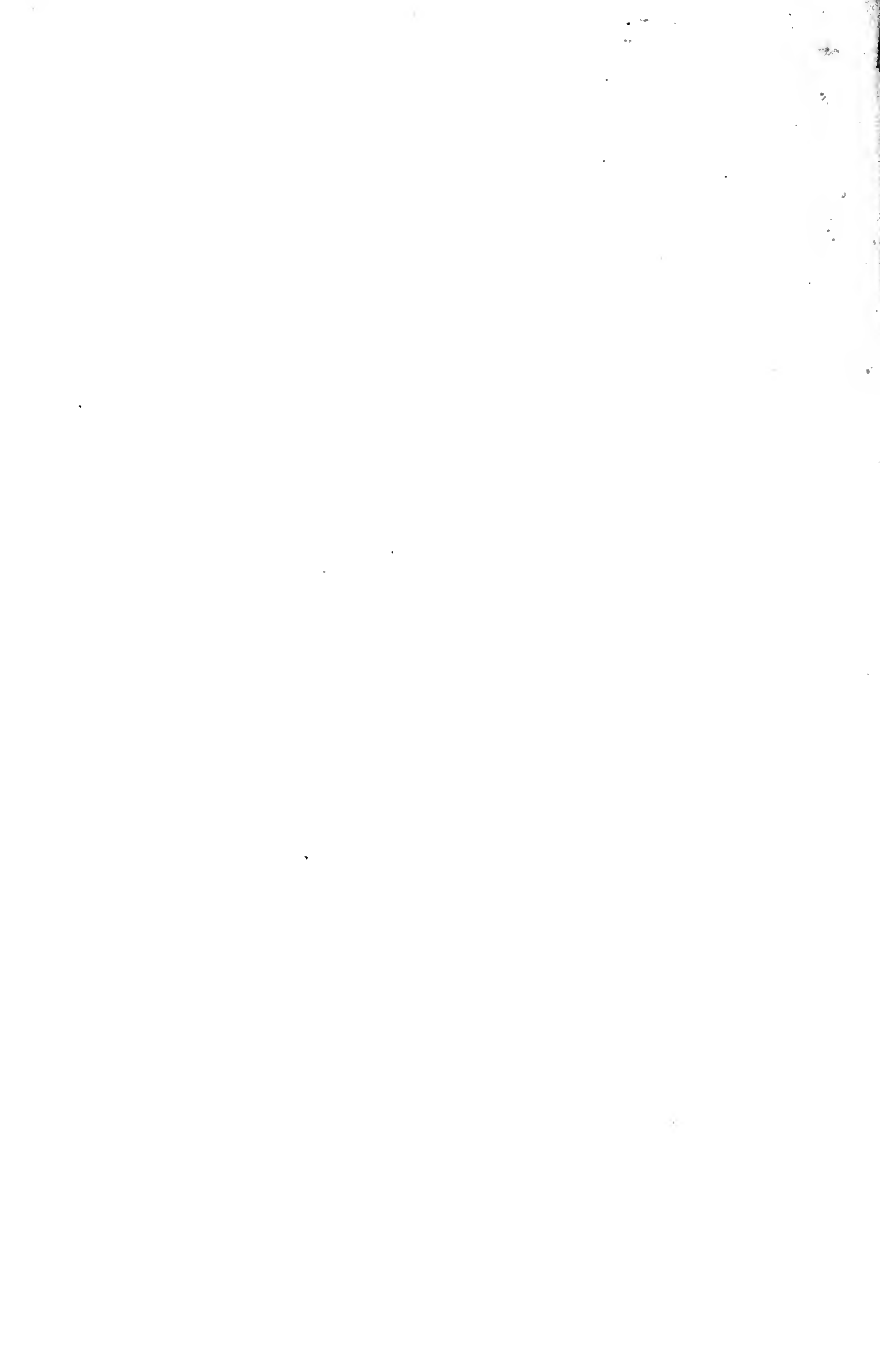

SUBSTANCE

OF

AN ADDRESS

DELIVERED BY

HON. CHARLES L. WOOD,

AT THE

ORDINARY MEETING OF THE ENGLISH CHURCH UNION,

HELD AT

FREEMASONS' TAVERN,

ON FEBRUARY 27, 1877.

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RESOLUTIONS

UNANIMOUSLY AGREED TO AT THE SPECIAL GENERAL MEETING OF THE E. C. U. AT FREEMASONS' TAVERN ON TUESDAY, 16TH JANUARY, 1877.

WHEREAS since the year 1849 the constitutional independence of the Church of England in things Spiritual has been increasingly encroached upon by the proceedings of the Judicial Committee of the Privy Council n the Ecclesiastical causes upon which that Tribunal has adjudicated, and by the action of Parliament—*Resolved:*

1.—That the English Church Union, while it distinctly and expressly acknowledges the authority of all Courts legally constituted in regard to all matters temporal, denies that the Secular Power has authority in matters purely Spiritual.

2.—That any Court which is bound to frame its decisions in accordance with the judgments of the Judicial Committee of the Privy Council, or any other Secular Court, does not possess any Spiritual authority with respect to such decisions.

That Suspension *a sacris* being a purely Spiritual act, the English Church Union is prepared to support any Priest not guilty of a moral or canonical offence who refuses to recognize a Suspension issued by such a Court.

3.—That "the Church" (not the State) having "power to decree Rites and Ceremonies and authority in controversies of Faith," this Union submits itself to the duly constituted Synods of the Church; and, in regard to the legality of matters now under dispute, appeals to the Rubrics of the Book of Common Prayer, and to the interpretation put upon those Rubrics in 1875 by the resolutions of the Lower House of Convocation of Canterbury in regard to the Eucharistic Vestments and the Eastward Position.

AN ADDRESS.

GENTLEMEN, it is I know an unpopular opinion, but nevertheless I shall venture to record it this evening, and that is my conviction that the Public Worship Regulation Act has in one respect done us good service. It has compelled us to look our difficulties in the face; and it will, I believe firmly, prove the occasion of overcoming them. Everything that has happened since the great meeting of the English Church Union on the 16th of January shows that Churchmen are beginning to realize what it is that lies at the root of our difficulties; and I need not say that to understand what we want is the first step towards obtaining it. Now the root of all our difficulties, as we stated on the 16th of January, is this—the power given to the Judicial Committee of the Privy Council to decide finally on causes involving directly, or indirectly, the doctrine and rites of the Church. This is the root of our difficulties, because as long as the Courts—whether they be Diocesan or Provincial, whether they be the Court of Arches, as presided over by Sir Robert Phillimore, or the tribunal in which Lord Penzance is the judge—consider themselves bound by the decisions of the Judicial Committee, so long will it be true that it is with the Privy Council, and not with any subordinate Court, that we are really brought face to face. Now since the meeting of the 16th two arguments have been chiefly brought forward to show that we have no right to object to such a state of things, and I propose to examine them carefully this evening. The first is, that whether it is a grievance or not, it is too late for us to object to the jurisdiction of the Privy Council in Spiritual matters. The clergy, it is said, may not technically have assented to the exercise by the Privy Council of the powers formerly enjoyed by the Court of Delegates; but to the Court of Delegates they did formally assent, and the Judicial Committee is to all intents and purposes identical with the Court of Delegates. Now, I pass by the fact that a grievance is not less a grievance because it is one of old standing. I pass by the fact that this matter concerns not the clergy alone, but the laity also. I pass by the fact that neither the clergy nor the laity formally accepted the Court of Delegates. I pass by the fact that the jurisdiction of that Court in matters of doctrine was never really exercised. I pass by the fact

that against the power given to the Judicial Committee in Church matters there has been a constant protest on the part of Churchmen ever since 1850—when the present Court of Final Appeal was practically constituted—and I proceed at once to the question, Is it true that the Judicial Committee is really identical with the Court of Delegates, as alleged to have been accepted by the Church ? Let us compare the constitution and practice of the two Courts. The Court of Delegates could consist only of Churchmen. As a matter of fact it consisted, I believe I may say, almost exclusively of clergy and canonists. It was established not only on the distinct understanding that the king should adjudicate on Spirituals through the Spiritualty—as he governed in temporals through the temporalty—the preamble of the Act for restraining Appeals to Rome distinctly recognizing the right of the spiritualty "to declare, interpret, and show any cause of the law Divine or of Spiritual learning"—but by the very Act of Submission it was distinctly provided that all the old canons and constitutions of the Church were to remain in force. What was accounted heresy by those old canons was to be accounted heresy still. Catholic consent was to be the standard of orthodoxy and practice. In a word, the Court or Courts to which the clergy submitted were Courts to be administered by spiritual persons ; they were to be tied to a certain standard which could not be altered without the consent of the clergy—for the only authority for making and altering the canons was admitted to rest in the clergy—and they were to be put in motion by a Sovereign, himself a member of the Church—as much bound by her rules as any other member of the Church—and acting solely on his own responsibility as a member of the Church. Contrast this with the Judicial Committee. That Court—I believe I am correct in my statement—need not, with the single exception of the Lord Chancellor, consist of persons of any religion at all, much less of Churchmen. The standards by which the old Courts were to be governed have been altered by Parliament against the will of the Church ; I need only remind you, as an illustration, of the marriage laws, which violate all the canons as to the marriage of divorced persons, but are nevertheless held to bind the ecclesiastical Courts. The decisions of the Judicial Committee, instead of being bound by Catholic consent, and of being based upon the old principle of construction, that if the matter was doubtful, it was to be decided by the practice of the Church, and the ancient canons, openly disregard primitive tradition, set Church authority entirely on one side, and base themselves upon the implied theory that the Gospel was first preached in England—or, as Lord Penzance puts it, "that

the Church was first established"—in the reign of Edward VI. I think that no one can pretend that this is what the Church of England submitted to; and I sum up the matter in the words of Mr. Keble,* which are all the more weighty from the fact of their conceding more than is necessary, "that it by no means follows because the Church bound itself to the Court of Delegates, as it was then constituted, that she bound herself to the Court of Delegates if it should come to be materially altered, much less to any Court which might profess hereafter to succeed to the same functions, though differing most widely from the Reformation Court, both in its composition and in the authority by which it is constituted." It does not follow, because the Church assented to a certain power in the Crown, advised by Churchmen and spiritual persons, that she has therefore acknowledged a supremacy virtually put into commission, and exercised by those whom a majority of the House of Commons shall see fit to entrust with it. "Neither by oath or engagement," says Mr. Keble, "are we committed to such an arrangement. It is no part of the system to which the clergy are pledged." And far from its being their duty to submit to it, it is their duty, so long as the Church Courts consider themselves bound by the decisions of the Judicial Committee, to treat them, so Mr. Keble puts it, "as the Dissenters treated certain Acts of Parliament which fined them for not going to church—*i.e.*, to disregard them, and to take the consequences." So much for the duty of acquiescing in the decisions of the Privy Council and of the Court controlled by it, on the ground that we are bound by our engagements in the Church of England to do so.

Now for the second reason for acquiescence and submission, which is, that the Privy Council does not decide doctrine, but only interprets and construes legal documents. I will reply again in the words of Mr. Keble. The Privy Council does attempt to decide the doctrine of the Church of England; "for," and he gives an illustration which has since been verified, "if it is found necessary to excommunicate a layman, no civil right at all being concerned, but only the right of admission to Holy Communion, this would be the Court to decide the matter finally." The case of Jenkins *v.* Cook, decided last year, proves that Mr. Keble was right; but in truth, those who assert that the Privy Council does not decide doctrine do not believe what they say themselves. It will be remembered what passed when the late Bishop Blomfield proposed in the House of

* See Pastoral Tracts in volume of "Occasional Papers and Reviews," by John Keble, M.A., recently published by Messrs. Parker.

Lords that the same jurisdiction exercised by the Privy Council should be transferred to the Episcopate. It was at once replied that such a proposal was out of the question, for such a transfer would "put the doctrine of the Church under the control of the Bishops." In lay hands the power exercised by the Privy Council amounted to nothing; in those of the Bishops it would be everything. It does not require any great amount of intelligence to see that such statements cannot stand together. In truth the question does not admit of discussion. Austin in his "Jurisprudence"—a book of authority on such points—lays down that "judicial decisions are one of the sources of law;" and again, that judicial decisions erect what were opinions nto law—*i.e.*, create law, for "courts of justice are a source of law in so far as the law consists of judicial decisions binding upon subsequent judges."

Mr. Keble sums up the whole matter when he says, "That a judicial sentence, contrary to a prevailing interpretation, though its force be short of legislation, cannot be denied to be a practical change in the law;" an assertion which is endorsed by Mr. Gladstone, in his celebrated letter to the Bishop of London, in the following words, "That the licence of construction claimed by the Privy Council, although disclaiming in words the decision of doctrine, in effect leaves the whole range of Church doctrine and practice at the mercy of the Court."

Now, we cannot deny that such a condition of things seriously affects the well-being of the Church; and we may well be grateful to the Public Worship Regulation Act for bringing this home to men's minds. People are beginning to apprehend that the Church is the only religious body in the Queen's dominions to which the following privileges are expressly denied:—To declare her own Doctrines; to confirm, vary, and repeal her own Canons; to have a voice in the appointment of her chief Pastors; to grant or withhold her own Sacraments according to her own proper rule as a religious body. And surely when this is once understood there is no Churchman in England who will hesitate for one instant in uniting with us to demand that our rights be restored to us. It will be said, I know, that such rights are inconsistent with Establishment. We have only to carry our eyes across the border, into Scotland, to see the falsity of the assertion. In Scotland the General Assembly of the Established Presbyterian body is absolutely independent of the civil Courts. That Assembly is an exclusively clerical body, for the elders, who, together with the ministers, compose it, are all, in theory, ordained persons, and have all been set apart with the laying on of hands. The Assembly is absolutely supreme in all ecclesiastical matters in

Scotland; and, to prove that I am not making an empty assertion, I will refer to a case that was brought before the Court of Sessions, in Edinburgh, on the 29th June, 1870. The case was this. A minister of the Established Church in Scotland was suspended by the Presbytery of Dunkeld for six months, during which time he was compelled to pay 55*l.* to his assistant for discharging the duties of the cure. The General Assembly, however, were not satisfied with the decision of the Presbytery, and on May, 1870, ordered the Presbytery to proceed to a fresh trial on the same charge. Upon this, the minister prayed the civil Courts to suspend the judgment of the Assembly, on the ground that the Assembly had exceeded its jurisdiction. The Court of Sessions, however, held that the proceedings complained of being within the exclusive jurisdiction of the Church Courts, it had no power to review them. The following were the decisions of the Judges:—

It appears to the Lord Ordinary that the whole matter was a question of ecclesiastical law and procedure, of which it was the exclusive province of the General Assembly to judge, and with which the Court of Sessions had no right to interfere. If the Court were to do so it would simply be reviewing the proceedings of the supreme ecclesiastical Court.

The Lord Justice Clerk—Within their spiritual province the Church Courts are as supreme as we are within the civil, and as this is a matter relating to the civil discipline of the Church, and solely within the cognizance of the Church Courts, I think we have no power to interfere.

Lord Cowan—I am of the same opinion. The Assembly is the supreme tribunal in ecclesiastical offences whether attaching to the morality of ministers or to alleged heretical opinions. I repudiate the idea of a civil Court being entitled to overrule the deliverances of the Assembly in matters of that kind. It may be that incidentally and necessarily the civil interests of the clergyman may be affected. Every such judgment pronounced by the Assembly has necessarily that effect, but because the civil interests of the man found guilty of an offence may be affected, is that any reason for the civil Courts interfering? By no means. The procedure having regard to offences cognizable by the Church courts, and to be followed on conviction by ecclesiastical pains and penalties, the Church Courts had supreme and exclusive jurisdiction.

Lord Benholme—Within their own department the law of the land gives the Assembly an exclusive and final jurisdiction. The General Assembly is the supreme ecclesiastical Court in Scotland.

Now, what is consistent with Establishment in Scotland cannot be inconsistent with Establishment in England. And, I ask, why is that amount of freedom to manage her own affairs to be denied to the Church of England which is freely granted to the Establishment in Scotland? It can only be because we do not ask for it. It is a moderate demand; it is a reasonable demand; it affects no one but ourselves; there are no reasonable arguments against it; and, I say again, let us irrespective of party unite in demanding that the great Church to

which we belong shall not be denied the rights which are freely conceded to other religious bodies in union with the State, and it is hard to see how the demand can be refused.

Allow me to make a practical suggestion towards attaining that end. By 29 Henry VIII., cap. 12, it was enacted that the final appeal should, in certain cases, be to the Upper House of the Convocation of Canterbury. I have shown that the General Assembly is supreme in ecclesiastical matters in Scotland. What the General Assembly is to the Scotch Establishment that the two Convocations are to the Church of England. Let Convocation, then, be restored to its rightful position. Let the Upper Houses of both Convocations, after hearing the advice of the presbyters assembled in the Lower Houses, be made, as they ought to be made, the final judges in all matters affecting doctrine and discipline, and I will predict that, as far as we are concerned, we shall have heard the last of accusations of lawlessness and disobedience to constituted authority. All that is required to make such a change is a little good will. Why should not some such scheme as the following be adopted?—(1) Let the Episcopal and Provincial Courts be so reformed that all proceedings in them shall be cheap and expeditious—as pointed out in the letter from Dr. Liddon, printed at the close of this address. (2) Let the Provincial Courts of Canterbury and York be cleared of any difficulties that now beset them (entailing the repeal of the P. W. R. A.) (3) Let the appeal from those Courts—which ought to represent the Archbishops—be to the Bishops generally, whose decision on Doctrine, Ceremonial, and Ornaments of the Church should be final. This might be arrived at easily by withdrawing the new rules now constituting the assessors of the Final Court of Appeal, and constituting instead the whole Episcopate the assessors of the Court. In any appeal from the Provincial Courts let the matter be at once referred by the Final Court of Appeal to the assessors—*i.e.*, the Episcopate—who should sit separately, under the presidency of the Archbishop of Canterbury. Let the report of the Episcopate be made to the Privy Council within a given time, and be final in regard to doctrine and practice. In most cases there can be little doubt the Privy Council would accept such a decision, and the matter would be settled; but if not, let the decision of the Episcopate be operative *quâ* Spirituals, which, following the analogy of the Scotch Establishment, should include the use of the fabric of the church; while in respect to temporalities—and this is asking less than what is enjoyed by the Scotch Establishment—the Privy Council might decide as it pleased; awarding, if it saw fit, to the aggrieved

party, as in Scotland, pecuniary damages, to be paid out of the income of his former benefice. For the working of such an arrangement the Bishops might, and should, refer in the first instance for information to a joint Committee of the Lower Houses of the Convocations of both Provinces, who should have power to call to their assistance any persons well acquainted with Canon law they pleased. Such Committee should report to the Episcopate, in order that the mind of the Episcopate might be properly informed, but the Episcopate would be left absolutely free as to the answer they might make in the last resort to the Privy Council.

Let us insist upon some such scheme as this, by which the Episcopate should be made ultimately responsible for the government of the Church; and let us insist upon one other thing —I mean that the communicants of the Church may be restored to some of their ancient freedom in the election of the Bishops. This again is less than is enjoyed by the members of the Scotch Establishment. For these things let us petition, let us labour, till by quiet and steady perseverance we shall have obtained the redress we seek. Meanwhile, "let us protest," it is Mr. Keble that speaks, "that the Privy Council is not, cannot represent the Church, that we will not be bound by it. Let us be forward in offering our goods" (the words are still Mr. Keble's) "for the support of those whom our Master shall call out from among us, if so be, to suffer for the Liberties of the Church." While at the same time let us—the caution can never be unnecessary—"be very patient and gentle ourselves. Gentle, for many may shrink whom we would least wish to offend; patient, for the chains are deeply rivetted, and it must take time to unloose them." If we act in this way we shall, with God's blessing, succeed. If not, then let us again listen to Mr. Keble, who says, "That if it should appear that Establishment is in our case incompatible with these liberties"—namely, those which have been referred to—"we earnestly implore that measures may speedily be taken for depriving us of such painful support, and *that* for this obvious reason: that we had rather be a Church in earnest, separate from the State, than a counterfeit Church in professed union with the State." I do not wish for disestablishment; far, very far, from it. I appreciate its evils as keenly as anyone; but it is possible to pay too heavy a price for Establishment. It is possible—it was a truth evident even to the Roman poet—"*propter vitam vivendi perdere causas;*" and that point, I assert without fear of serious contradiction, will have been reached if we are to be compelled to submit to the Judicial Committee, as the supreme authority in

all matters relating to the doctrine and practice of the Church of England.

I say that I make this assertion without fear of serious contradiction, and yet there is one, and that a name never to be mentioned without respect in an assembly of Churchmen—I refer to the Bishop of Lincoln, who appears, if I understand him aright, to lay down principles which must lead to an opposite conclusion. I hope it will not be unbecoming in me if I advert to the argument which apparently underlies the Bishop's recent letter to Canon Hole. The Bishop appears to lay down that it is a duty of Divine obligation to obey the civil power in whatever it may order, whether it be against the law of the Church or not, so long as the matter in question is not one directly commanded or directly forbidden by the Word of God; and from this premiss he draws the conclusion that the matters now under dispute, not being in themselves essential in the strict sense of the word, ought to be given up as a matter of duty if the civil power commands it. He further fortifies this position by dwelling on the troubles of disestablishment—one of the consequences he anticipates from the line of action recommended by Mr. Keble, with respect to which he seems to say that scarcely anything can justify conduct which may lead to a result fraught, as he considers, with so much evil. Now the position laid down, as I understand it, by the Bishop of Lincoln seems to me to touch the very heart of our difficulties, for it involves the whole question of what we believe to be the constitution and prerogatives of the visible Church of Christ. Do we believe that God has founded a kingdom, with a King ruling and governing that kingdom through an executive whom He has Himself commissioned—a kingdom complete in itself, and so distinct from all earthly power that no human authority has a right to interfere in its concerns? Assuredly we believe it, just as—only in a far deeper and higher sense than—we believe that no foreign prince has a right to interfere with the Queen's Government. But, then, what is the consequence? Why, that loyalty to our King and obedience to His Government forbid us to admit that in matters relating to His Kingdom there can be *any duty* to yield obedience to any but His representatives. The powers that be are indeed ordained of God, but the State is not the only power that exists by God's ordinance. The Church of God exists by His decree, and within her own sphere can admit no rival claim to the obedience of her children. It is not necessary, ut I will call two witnesses to attest this position. One shall be Bishop Sanderson, to whose testimony the Bishop of Lincoln

has referred, who himself lays down the principle that "*semper necesse est subjici, non semper obedire;*" the other the Bishop of Lincoln himself, who in his introduction to the Acts of the Apostles says :—

"The Apostles and Elders meet in Council in Jerusalem, they frame and promulgate a decree, and the question is settled. Thus the dispute was made to be a source of peace by which disputes are ended. It was made to supply a precedent and rule for the practice of the Church in all ages, and to establish a principle of universal application: that for the settlement of controversies, whether concerning doctrine or discipline, and for the quieting of men's minds, and the appeasing of strife, resort should be had not to any one man in the Church, not to Peter, not to the Bishop of Rome, but to the Holy Ghost Himself speaking in Councils and Convocations of the Church, praying for His guidance and building their decrees upon His Word."

I submit there can be no question as to the principle of the matter, and if so the whole question of obedience to the civil power in matters relating to the Church's doctrine and practice as a matter *of duty* falls to the ground (I have previously considered the particular moral obligations contracted by the English clergy towards the State), and all we have to consider is the question of submission merely in reference to the further argument on behalf of its expediency. Doubtless—for the Church, like all those who are conscious of the security of their position, has never been careful to insist, so long as her substantial rights were secured, upon the precise manner in which this was effected—expediency ought not to be excluded from consideration at the present moment. I will go so far as to admit that in certain cases, and with a view to what seems the Church's obvious well-being, what is expedient may rise into becoming almost a duty. The question is does it do so, as the Bishop of Lincoln appears to think, in the present instance ?

Now I should be doing the Bishop a great injustice if I did not express my conviction that he would be the first to sacrifice all he possessed if he was himself convinced God's Truth required it. I would therefore ask him, is he so very sure that God's Truth is not involved in some of the matters which I suppose he would wish us under certain circumstances to surrender ? I would ask, in all seriousness, when we remember the way the Sacraments have been ignored among us, the irreverences (not intentional, I fully believe, but still irreverences) to which the Blessed Sacrament has been exposed, the infrequent Celebrations of the Holy Eucharist, the Sundays and Saints'-days disgraced by the omission of the one act of Christian worship enjoined by Christ Himself—for even now what is the proportion of our churches where the Holy Communion is Celebrated even every Sunday

does it amount to one-half?—the multitudes of our people, not the openly profane, but those who come regularly to church, who yet live and die without ever communicating—when, moreover, in connection with all this, we recollect the importance of outward acts in enshrining the truths which they symbolize, the connection in popular estimation of the ritual now under dispute, at least in its main features, with the true doctrine of the Sacraments—doctrine in the closest relation to the Incarnation but which has been too sadly ignored among us—I say when we remember all this, and further recollect that the main features of the Church's Ritual, apart from their own value as a witness to the fact that our present Office for Holy Communion is only the ancient Service of the Church of England, "commonly called the Mass," translated into English, could hardly be surrendered, under existing circumstances, without the further evil of appearing to recognize a legitimate authority in the civil Courts to decide the Church's doctrine and practice, I venture to ask the Bishop of Lincoln, in all humility, whether, great as may be the evils of Disestablishment, it would not be a greater evil to do anything which checked the reception of the Sacramental teaching of the Church among the masses of this country, or, which gave people reason to think, that the Church of England alone among the Churches of Christendom was the one body that did not know how to suffer for her principles. I trust it is not inconsistent with the profound respect and veneration which I feel for the Bishop, and with the gratitude I owe him for his many personal kindnesses, if I say, that I cannot help thinking that he has lived so much with the divines of the sixteenth century, that he has, insensibly to himself, caught something of that tendency to exalt the Regale which it has generally been thought the Anglican divines of that period have exhibited in their writings. Be this as it may, I would remind the Bishop that if undue pretensions of the Roman See as against the State are to be corrected, it will not be by the Anglican Communion throwing itself into the opposite extreme. We have to think not of ourselves only, but of the whole of Christendom, to remember the light in which our history and our acts must strike others as well as ourselves, and for the sake of those outside, no less than for our own, to be very careful lest even in appearance we should seem to sacrifice the Church's rights.

Upon this subject I wish to speak plainly, for I believe the future of Christendom, to a very great extent, humanly speaking, depends upon the decision the Church of England has to make at this present moment. I say, then, when we con-

sider, in connection with the matters to which I have alluded, the practical Erastianism which has disgraced the English Church; the way in which, and the men by whom, the separation of the Church of England from the rest of Western Christendom was effected; when we consider the undeniable fact that, however justifiable and however necessary, separation from Rome was as much an act of revolution against the existing ecclesiastical organization of Western Christendom as it would be in these days if the Bishops of India or South Africa, through the pressure of the State, were to break off communion with the see of Canterbury, and that this is the light in which our position must strike the rest of the Churches of the West—when we remember, too, the existing disbelief so prevalent amongst us in the visible Church as a real living spiritual society apart from the sanction of human law—I say again, when we think on all these things and realize the importance with which the externals of the sacramental system are invested in our case, and see the special danger in our circumstances arising from any act that, even in appearance, ignores the Church's inherent rights, it is impossible to accept the position affirmed by the Bishop of Lincoln, or to deny that it may be the duty of those, who have been teaching in various ways, and, I thank God, successfully teaching, what the Church is, and what her sacraments really are, to suffer in their own persons rather than give up what has proved a most effectual way of bringing home these truths to the minds of their countrymen.

In the great revival of Catholic doctrine and practice which the present generation has witnessed three very marked stages may, I think, be observed. There was first the revival of doctrine. Then came, by a natural consequence, the restoration of those outward acts by which that doctrine expresses itself. It was a natural and a necessary development, and to ask those who have taken part in it—who, with much deliberation; and not, as they humbly hope, without the guidance and help of God the Holy Ghost, have revived this portion of the Church's system—to abandon what has been won, at the command of mere human law, is surely to make a demand that it is impossible to comply with. Those to whom the request is made will assuredly ask themselves by what consideration, human or Divine, they are precluded from making another effort on behalf of what they know to be of the very greatest importance in regard to their own flocks, to the Church of England, and to the whole of Christendom, when that effort is confined to the determination of suffering in their own persons, and that too under circumstances which seem to indicate that such suffering is the

indispensable price that has to be paid for the restoration of those constitutional rights of the Church of England, inherent in every branch of the Church of Christ, the vindication of which is the third stage in the Catholic revival, and the goal to which all our present efforts and our most earnest prayers must be directed.

Since the 1st of January 1183* new members have joined the Union—a fact unprecedented during the same space of time in the history of the Society. The resolutions adopted at the Freemasons' Tavern, on the 16th, have been adopted by 141 Branches and District Unions, a list of which is appended. Many of the Branches have held three meetings since the 16th of January, while the dissentients at those meetings appear to mount up exactly to ten individuals. I congratulate the Union upon the result—for it is a proof of the unanimity which exists in the great Society over which I have the honour to preside, and is also a proof how wide and deep is the revival of Church principles in England. It only requires an event like Mr. Tooth's imprisonment to call it out; and the meeting of our own Society and the magnificent meeting of the working men at Cannon-street the other day is the response. Gentlemen, I cannot help expressing my sense of the great cause we have for thankfulness. Let us persevere, and be of a good courage, and we shall see, with God's blessing, the Doctrine, the Ritual, and Liberties of the Church settled upon so sure a basis that no Church Associations, no Protestant Leagues, will venture upon insulting the consciences of the clergy and the rights of congregations as they are now permitted to do, to the infinite disgrace of all concerned in their proceedings, at S. James', Hatcham.

LETTER FROM DR. LIDDON TO THE PRESIDENT OF E. C. U.

CHRIST CHURCH, *Feb.* 23, 1877

MY DEAR PRESIDENT,

Circumstances will prevent me from attending the meeting at which you will preside on Monday. But, although it is, as I think, unnecessary, it is a pleasure to assure you on the occasion of your visit to Oxford of my sympathy with the efforts of the Union on behalf of the primitive faith and Apostolic discipline of the Church of England.

The resolutions which are to be submitted to the meeting on Monday

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* The number of persons enrolled this year is now 1,644 (March 17).

will, as I anticipate, command the general assent of thoughtful Churchmen, under our present circumstances. They are, however, open to a criticism which is entitled to consideration, as it is constantly urged against similar language used on other occasions. They are, indeed, framed with a view to public discussion; and, as a natural consequence, they are somewhat indefinite in their terms. The two first resolutions are negative: they express the objections entertained by Churchmen to the Public Worship Regulation Act, and the present Court of Final Appeal. The third is so far positive that it insists on the necessity of restoring to the Church, under due constitutional safeguards, judicial authority in matters of faith, and the regulation of her own discipline and ritual. But these terms, however unexceptionable, are perhaps too general and indefinite to point the way to action in the future.

As I ventured to suggest to you before, it is not enough for Churchmen to say that they are dissatisfied with and distressed at existing arrangements. Negative criticism, unaccompanied by any positive suggestions, is easy; but it is not courageous, nor is it likely to be useful. It is due to others as well as to ourselves that we should say what we want; what will satisfy us; what Courts and laws we should welcome and obey. If, then, I send you one or two thoughts on this subject, it is, you will believe, only in the hope that they will provoke something more complete, and more practical, from more competent persons.

The practical drift of the first resolution is the repeal of the Public Worship Regulation Act, and I for one think that this is an object for which the Union might well work steadily, incessantly. That Act was the child partly of passion, partly of panic—of passion and of panic which, since the date of its passing, have largely yielded to reason and justice. It was avowedly pressed on Parliament as a party measure; and the taint of partizanship will cling to it as long as it remains on the Statute-book. Of those who advocated it, some, at any rate, have since regretted that they did so; and, as members of another Parliament, after the next general election, they might, without real inconsistency or loss of dignity, reconsider a false move in legislation. Certainly if the Public Worship Act was intended to bring peace to the Church, it cannot be described as a success; for it has aggravated previous dissensions beyond all our former experience. It has, to say the least, thrown doubts on the historical continuity and on the religious authority of our ecclesiastical Courts; it has added to our controversial difficulties in maintaining the true claims of our Church against her various assailants; it has lodged scruples and fears in many a tender conscience which knew nothing of the kind before. It has created bad blood all round, and this in days when the circumstances of the Church demand from all sides new efforts after unity. But what Parliament has made Parliament can unmake if it chooses to do so; and it will be the fault of Churchmen if they do not employ such influence as they may have in promoting the repeal of a measure which threatens very serious disaster in the future.

At the same time, we must, I think, feel that Lord Shaftesbury and other supporters of the Public Worship Act had a strong case against the old ecclesiastical Courts, provincial and diocesan, on the ground that proceedings in them were notoriously costly and often protracted beyond endurance. Ecclesiastical justice, like all other kinds of justice, should, if possible, be cheap and easy of attainment. To simplify and cheapen procedure in these ancient Courts, while retaining them in their integrity, must appear as desirable an object to you and me as to any supporter of the Public Worship Act. And therefore we ought to welcome—rather would

I say that some one among us, with the necessary legal knowledge, ought to frame—some measure which would secure that object, and so, as I would hope, remove the most serious ground of discontent which could be enlisted on behalf of the legislation of 1874.

But the greatest question is, undoubtedly, that of the future Court of Final Appeal; and here neither the second nor the third resolution commits the meeting to any proposal at once positive and definite. May I then be allowed to say that, in my opinion, our efforts ought to be directed to procuring a Court which would be in accordance with the original principle of the English Reformation, as stated in the 24th of Henry VIII.? In other words, the Court of Final Appeal should be the collective English Episcopate, or so many of its members as might be freely elected by the rest to serve as their accredited representatives.

A court of seven or nine bishops, advised by three lawyers and three divines, and presided over by one of the Primates, would possess an authority which, as it seems to me, we could not but recognize.

The objections to such a proposal are obvious. It will be urged that past and recent experience forbids the hope that any Court, so constituted, would do justice to good Churchmen. This could not be of itself a decisive objection, if the constitution of the proposed Court is in clear accordance with the will of God. But I would add that we have not yet seen how the Bishops would act, when they are no longer under the empire of predominating considerations which have more to do with the State than with the Church; when they shall have felt that they have fairly in their hands the future of the great Communion over which they are called to preside, and so are thrown back, as never before, on their sense of spiritual responsibility. If it is generally true that human nature is improved by being trusted, we may be sure that the chief pastors of the Church would not be insensible to the great responsibilities attendant upon their recovery of some measure of their ancient spiritual authority.

It may, however, be urged that this proposal is inconsistent with the drift of some recent efforts among Churchmen to create a purely lay Court of Final Appeal. The inconsistency is less real than apparent.

There are three practical forms of a Court of Final Appeal. It may be a court of bishops, who alone vote, but who are advised by lawyers. It may be a court of lawyers, who alone vote, but who are advised by bishops. It may be a mixed court of bishops and lawyers, who vote together.

Of these, the first is in accordance with the government of the Christian Church, as prescribed by her Divine Founder and His Apostles. The second is calculated to secure such a measure and kind of justice as may be attainable, if devotional formularies are interpreted by untheological but clear minds, as so many clauses of an Act of Parliament. The third would appear to forfeit the advantages both of the second and of the first, while it combines their respective drawbacks. A court of lawyers and bishops is without spiritual authority; while the risk of substituting prejudices for justice is enhanced by the difficulties of fixing responsibility. Such responsibility can, upon occasion, be shifted from the lawyers to the bishops, or from the bishops to the lawyers.

The recent efforts on behalf of a purely lay court proceeded on the assumption that, since Bishop Blomfield's failure a quarter of a century ago, a purely Episcopal Court was out of the question; and, further, that a strictly lay Court was, spiritually speaking, just as authoritative as, and likely to be more just than, a Court composed of bishops and lawyers. But Parliament might, under conceivable circumstances, reconsider its decision of 1850; and, indeed, the recent changes effected by the Judicature Act

are obviously intended, so far as they go, to relieve the consciences of Churchmen. They are not indeed satisfactory, even as an attempt to provide us with a lay tribunal, because, as Convocation was informed last year, the bishops as assessors are, for practical purposes, members of the Court—in other words, the Court is still really, although not in name, a mixed Court of bishops and lawyers. Above all, any such arrangement is open to the objection that it is not in accordance with those principles of Church government which we learn from Holy Scripture and the primitive Church.

In asking for a Final Court of Appeal composed of bishops, we should fall back on principle; we should feel that we could make our profession of appeal to the Church of the early days of Christendom with a better conscience than now. And if the Church Union could concentrate its forces on such an object as this, it would, I hope, command the sympathies of many Churchmen who do not belong to it; and the prospect of a new and happier future might open before us. At any rate, it is desirable that we should say not merely what we do not want, but what we do; and that we should say this as clearly and as unanimously as we can.

I am,

My dear President,

Affectionately yours,

H. P. LIDDON.

THE HON. C. L. WOOD.

List of all the District Unions and Local Branches which have held Meetings for the purpose of considering the Resolutions on page 2.

In the 3 Branches marked * there was *one* Dissentient; in the 2 Branches marked † there were *two* Dissentients; and in 1 Branch marked ‡ there were *three* Dissentients. In all the other Branches, &c., the Resolutions were carried *unanimously*.

Bedfordshire.
Bedford, Biggleswade, and Shefford.
Luton and Neighbourhood.

Berkshire.
South Berks District Union.
Newbury.
Windsor, Eton, and Clewer.

Buckinghamshire.
Newport Pagnell, Stony Stratford, &c.

Cambridgeshire.
Cambridge D. U.
Burwell and Newmarket.

Cheshire.
Birkenhead and Bebington.
Chester.

Cornwall.
Bodmin.
Hayle and S. Ives.
Helston and Porthleven.
Land's End.
Launceston.

Derbyshire.
Derby.

Devonshire.
Exeter.
Honiton Deanery.
Ilfracombe and Barnstaple.
Plymouth, Devonport, & Stonehouse.

Dorsetshire.
Poole and Blandford.
Shapwick Parochial Association.

Durham.
Durham and Northumberland D. U.
Durham.
Sunderland.

Essex.
*Braintree.
Epping Forest.
Newport.

Gloucestershire.
*Bristol District Union.
Cheltenham.
Gloucester.
Winterbourne Down P. A.

Hampshire.
Gosport.
Isle of Wight.
Southampton.
*Winchester and Hursley.

Herefordshire.
‡Hereford.

Hertfordshire.
Hertford.
Hitchin.
S. Alban's, Hatfield, and Welwyn.

Kent.
Beckenham.
Canterbury.
†Chislehurst.
Hatcham, Peckham, & New Cross.
Lewisham and Lee.
Rochester and Chatham.
Sydenham.
Tunbridge Wells.
Woolwich, Plumstead, & Charlton.

Lancashire.
Liverpool and Birkenhead D. U.
South-East Lancashire D. U.
Barrow-in-Furness.
Bury.
Liverpool (South).
Manchester (South).
Miles Platting.
Rochdale.
Southport.
Warrington.
Wigan and Neighbourhood.

Leicestershire.
Leicester.
Lutterworth and Claybrooke.

Lincolnshire.
Gainsborough.
Glandford Brigg.
Spalding.

Middlesex.
Bow Common.
City of London.
City-road and Islington.
Ealing, Perrivale, and Hanwell.
Fulham, Hammersmith, and Barnes.
Haggerston.
Holborn.
Kensington, Brompton, & Chelsea.
Kilburn, Hampstead, & Willesden.
SS. Marylebone and Pancras.
Paddington.
S. George's, Hanover-square.
South Clerkenwell.
Stoke Newington, West Hackney, and Clapton.
West Kensington and Notting Hill.
Westminster.

Monmouthshire.
Abergavenny and Monmouth.
Caldicot and Chepstow.
Newport.

Norfolk.
Norfolk District Union.
Great Yarmouth.
Lynn.
Norwich.

Northumberland.
Durham and Northumberland D. U.
Newcastle-on-Tyne and Gateshead.

Nottinghamshire.
Retford and Bassetlaw.

Oxfordshire.
Oxford District Union.
North Oxfordshire District Union.
Bampton.
Banbury.
Benson Parochial Association.
Burford and Shipton.
Dorchester, Benson, and Wallingford.
Oxford (University).
Wallingford Parochial Association.
Witney.

Shropshire.
Shropshire District Union.
Little Drayton.
Ludlow.
Shrewsbury.

Somersetshire.
Bath.
Wells.

Staffordshire.
Staffordshire District Union.
North Staffordshire.
Rugeley.
Smethwick.
Stafford.
West Bromwich.
Wolverhampton.

Suffolk.
Suffolk District Union.
Bury S. Edmund's.
Ipswich.

Surrey.
South London District Union.
Croydon.
Kennington.
Lambeth, Newington, and Camberwell.
Richmond.
Vauxhall.
Wimbledon.

Sussex.
Brighton.
Chichester.
Hastings and S. Leonard's.

Warwickshire.
Birmingham.
Coventry.

Wiltshire.
Malmesbury (South).
Salisbury.
West Wylye.

Worcestershire.
Stourbridge.
Worcester.

Yorkshire.
Bradford.
Bridlington.
Hull.
†Leeds.
Middlesborough.
Richmond.
Rotherham.
Scarborough.
Sheffield.
Upper Hopton.
Wakefield.
York.

Wales.
Cardiff.
Margam P. A.
Merioneth.
Swansea.
Tenby.

1,644 new Members and Associates have been added to the English Church Union between Jan. 1 and March 17, 1877.

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