

Ireland is 24,805, of which 10,906, not one-half, have signed the famous declaration. The signers among the English clergy were only 9,675, out of 22,509; and 8 only of the 30 Deans, 9 out of 40 Oxford Professors, and *not* one of the 29 Cambridge Professors, have signed it. . . .

“I have now Professor Kuenen staying with me for a week, and of course we are discussing the Pentateuch at every available moment. Though he differs in detail from some of my views, I see no reason as yet to modify any of them.

“I came out of the Athenæum the other day, and saw at the door my old college friend, Bishop Ellicott, of Gloucester and Bristol, with whom we had all stayed a night at his deanery in Exeter, shortly after landing, upon which occasion I discussed with him all the principal parts of my work on the Pentateuch. Though not agreeing with all my views, yet he made no serious objection to them. But as soon as he got upon the bench, he issued a bull of inhibition as long and unmeaning as any of them. There he now was (on horseback) at the door of the Athenæum. . . . On seeing me he nodded, and I went up and shook hands with him, upon which he said, ‘Upon my word! you don’t seem much the worse for all the storms and tempests that have gone over you!’ So there you have the last report of my health at this moment.”

TO MISS F. P. COBBE.

“23 SUSSEX PLACE, *May 12, 1864.*

“Your refreshing note reached me yesterday, and came like a single drop to sweeten a whole cup full of bitterness, which I found awaiting me, as the result of the post, during a two days’ absence. . . . You wish to know what I am doing. I post the ‘Letter to the Laity,’ which will give you some idea of the present state of things. . . . I quite feel that if life and strength are spared, my work must be done eventually in England, and your letter is not the only one which has put before me strongly my duty to remain here. But I think that I must return for a *time* at

all events, if only to set things in order, and take a final leave of my friends and my poor native flock. Whatever I may have to write, as I pursue the work which God in His Providence has laid upon me, I have as yet written nothing which deserves the treatment which I have received at the hands of the Bishop of Capetown. And I think that the cause of truth itself requires that I should assert this by maintaining my ground in the face of his excommunications. If he had waited quietly for the decision of the authorities at home—not shrinking from what he felt to be his own duty in the matter, but yet acting *openly, fairly, and temperately*, abiding calmly the result of my appeal, and prepared to submit himself to the judgement of the Privy Council if adverse to himself, as well as to carry out his 'sentence' if confirmed—I *might* have seen it best to retire at once from the conflict, as soon as the appeal was decided, though it would have cost me a sore pang to give up thus my work in Natal. But now, after the violent course which Bishop Gray has taken and still intends to pursue, . . . I feel bound to go out, *if I go alone*, and stand my ground before him—supposing that the Privy Council gives a decision in my favour. Last night I had an intimation from the Colonial Secretary to the effect that my case *is* to go before the Judicial Committee of the Privy Council—but 'in its most general form,' *i.e.*, I suppose, they will only discuss the question of jurisdiction. My course will be determined pretty nearly by the *form* which the decision takes. If it should be adverse to me, on the score of jurisdiction, . . . then I should perhaps appeal to the Court of Arches or Privy Council on the question of 'merits,' if such appeal is allowed; and if this appeal were decided for me, I should probably then go out for two or three years—long enough to assert my rights, and to complete my work on the Pentateuch. The decision of the Privy Council may, however, be given in such a form *as to put me into the hands of the Bishop*, in which case I should certainly not go out again, or only for a few months, just to wind up my affairs. But whenever I do return finally to

England, what am I to do? Indeed I know not; and I can only trust that some work will be found, by which I may earn a living for my family. Criticism alone will not do this: and my books will exclude me from almost every situation which I might feel myself competent to fill. What 'respectable' person could be expected to vote for the ex-Bishop, heretic, infidel, and renegade? Or, if some few had the courage to do so, how many would not? This would be nothing if one were beginning life, or were alone in the world; but, as things are, I must confess the worldly prospect in the future is very blank and cheerless; nor do I at present see my way at all through the gloom. I do not wish to leave the National Church and become a sectarian. Yet within the Church, when I shall have once resigned my see, I know of no post that I could be allowed to fill. Well, time will show what is to be done, and God's good Providence is over all.

"I am not writing at present, though a great part of my fifth volume is written. But I have been reading a number of German works, full of learning and information, though utterly unknown to English divines. The more I study the subject, the less reason I see for withdrawing my foot from any of the positions which I have taken in my different volumes. In particular, as to the later origin of the name Jehovah, I had no idea what very strong confirmation of this opinion is given by the records of the Phœnician religion. Many English readers will be astonished, I think, when they have the facts to which I refer laid plainly before them. . . . I am well pleased that my books are on the bookshelves of your host. I wish that they were more worthy of the perusal of a learned foreigner. But things which are new and strange to us in England have been long familiar to German scholars. You probably see the *Victoria Magazine*, where, in this month's number, the editor takes you to task for your judgement of Mr. Maurice. Not a word of sympathy has reached me from that quarter since you left England. Father Newman is now giving a most interesting account of the Tractarian movement in a

series of pamphlets which he calls an 'Apology' for his life.

"Yesterday the famous declaration was presented ; but only four Bishops with the Archbishops were present at its reception, viz. Bangor, St. Asaph, Gloucester, and Worcester. It has been signed by about *half* the clergy ; and it will be curious to know by what class of the clergy it has been chiefly signed."

TO THE REV. A. W. L. RIVETT.

"KENSINGTON, *June 6, 1864.*

"I am afraid that you and others of the clergy will have been much perplexed by the proceedings of the Bishop of Capetown, and I am sorry on all accounts that he did not wait quietly for the legal decision of the questions at issue. You will see by the *Times* of May 25 that I dined *as Bishop of Natal* with the Colonial Ministers on Her Majesty's birthday—a fact which shows that the Government at home does not recognise the validity of the sentence of deposition, according to which I ceased to be Bishop of Natal on April 16. My petition is to come before the Privy Council at its next meeting, either this week or next, and then it will be decided what course the affair is likely to take. If the matter is referred to the Judicial Committee, time must then be allowed for the Bishop of Capetown to appear by his counsel, and I shall not be able to leave England till the end of the year. But the Privy Council may decide at once, or may decline to interfere at this stage ; and in either of these cases I shall hope to sail for Natal as soon as I can complete my preparations for the voyage.

"I am very glad to find that your health bears up under the heavy work you have had, and also that you have paid off the debt upon the church. It does you great credit to have managed this work so well.

"You will see from the above that by the next mail I hope to be able to speak more definitely of my plans. The delays of the law are tedious : still it is better to wait quietly and

patiently, until my ground is made sure for me by an authoritative legal decision, if that can be obtained, than to take rash and hasty steps such as those which the Metropolitan appears to be taking.

“I should strongly advise you and others of the clergy, who may be perplexed between the injunctions of the Bishop of Capetown *not* to obey me as Bishop, and your sense of duty to the oath which you have taken of obedience to your Bishop, who is still recognised as such by the Queen's Government, and by the law of the land, to write personally to Mr. Hawkins, Secretary of the S.P.G., and put the case before him, and ask his advice and direction as to what the Society wishes you to do under the circumstances, seeing that, by the instructions to their missionaries, they expressly require you to be subject to your Bishop. But do not write before the September mail, as the Committee does not meet till October, and therefore your letter, if arriving sooner, might be lost sight of.”

It is scarcely necessary to do more than notice in passing the incidents which took place at Claybrook in September 1864. It was the old story. The incumbent had invited the Bishop to preach for his village school; and the Bishop of the diocese anticipated him by an inhibition. Instead of preaching, the Bishop published his sermon (to which it would be hard indeed for any one to offer any objections), and addressed the people later in the day in the school-room, until the pressure of the crowd made it needful to end his speech in the open air. It was but a few weeks before these occurrences that Mr. Briarly, a Yorkshire clergyman, addressed the Archbishop of York with reference to a book intitled *The Mosaic Origin of the Pentateuch considered in connexion with Parts II. and III. of Bishop Colenso's "Critical Examination of the Pentateuch."* This work was announced as “By a Layman,” but it was dedicated “by permission” to the Archbishop; and although in a work so dedicated the person receiving the

dedication cannot fairly be considered responsible for minute and subordinate details, still it would follow that he approved its main arguments and conclusions. The Archbishop may have done more: he must, if he had read the book, at least have done this. But the "Layman" in this book had expressed himself thus:—

"It must be confessed that the results we have thus arrived at do differ very materially from the views commonly held. The pre-Mosaic origin of large portions of Genesis; the existence of two records of the Exodus, one, certainly, therefore, non-Mosaic; the incorporation of narratives of foreign origin; the numerous additions and occasional alterations made by a later writer after the Conquest,—these are facts very strangely at variance with the notions generally entertained. *Facts* they are, however—not mere theoretic fancies or unfounded assumptions; and in accordance with them we must frame our final view of the true origin of the Pentateuch. Much of it is certainly non-Mosaic, some earlier, some contemporary, some later than Moses. Many portions of the Pentateuch could not have proceeded from his pen, or even have been written under his direction."

A hundred other admissions of a similar kind might be cited; but one is as valuable as a multitude. Any one of them makes the whole criticism of the Pentateuch, and therefore of all the Hebrew and Greek Scriptures, an open question. In the words of the "Layman," the result to be aimed at is a "final view," which may be right or which may be wrong; but every one of the admissions swept utterly away traditional theories for disputing which the Bishop of Natal had been covered with the foulest abuse by clergymen and others who are usually supposed to be gentlemen. If twenty or thirty chapters of the Pentateuch are non-Mosaic, any number more may be in the same predicament. If there be mis-statements, or errors of any kind, in two or three passages

there may be any number, serious or slight, in others also. The "Layman" beyond doubt was justified in avowing these conclusions: he was bound to do so. But the Archbishop was not a whit less bound to avow the sanction for these conclusions implied in the fact of the dedication. Yet how did the Archbishop act? Mr. Briarly put together many of these admissions, and then wrote to Archbishop Thomson, asking him whether he allowed these statements to go forth with the authority of his name, and whether he felt the importance of these admissions in their bearing on the present controversy. To this letter the Archbishop returned no answer, and a month later Mr. Briarly printed his letter with the "Layman's" admissions, and circulated it amongst "members of the United Church of England and Ireland," with the remark that he could only suppose that the Archbishop took on himself the responsibility of these statements,

"and that we must now make up our minds to admit the 'composite character' of the Pentateuch, and the 'non-Mosaic' origin of considerable portions of it, for attempting to demonstrate which the Bishop of Natal has incurred so much, and, as it appears, so much undeserved obloquy."

The subsequent withdrawal of the dedication cannot affect the fact of its having appeared with the first editions. The Archbishop may not have read the book; but in this case must not the conclusion be that he regarded the subject as one of no great consequence?

TO TH. SHEPSTONE, ESQ.

"SUSSEX PLACE, *September 2, 1864.*

. . . "I am going to the British Association at Bath on the 13th inst."

TO THE SAME.

"October 3, 1864.

. . . "From Claybrook [where Dr. Jeune, Bishop of Peterborough, had the impertinence to send him a lawyer bearing an inhibition] I went straight to Bath . . . My reception, as you will see, in this thoroughly *evangelical* city, was remarkable. But particularly so was the fact of the Dean of Hereford coming bravely forward on the platform in the theatre, in sight of the whole vast assembly, to shake me cordially by the hand. . . . When Sir Charles Lyell at one point of his address spoke of our being unable to get the chill of traditionary beliefs out of our bones, he was stopped for some minutes by repeated peals of applause; and so was I, when I got up to propose Livingstone's health after the dinner. This was not planned beforehand, but had only been thought of a minute or two before. . . . I know that you will like to hear all these little details, and won't think me egotistical in relating them, for they show how the wind is blowing here in England."

It was, indeed, only to inform his friend that he noticed these details at all. What occurred at Bath and at Harrow was known generally, and was the subject of common conversation; but these incidents had their significance as serving to show what impression had been produced by the work thus far done, and his distant friends might, therefore, reasonably expect to hear about them from himself.

TO JOHN MERRIFIELD, ESQ.

"KENSINGTON, October 18, 1864.

"I have in the press a complete criticism of the Pentateuch and Book of Joshua, a translation by me from the Dutch of Professor Kuenen, with notes of my own showing the points of agreement with my criticisms as far as published, and the unimportant particulars in which I differ from him. It is a masterly work, this of Kuenen, and may be, I hope, a

text-book for the younger clergy; and at any rate it will serve as a stop-gap until I can complete the whole of my own work. It would not be prudent in me perhaps, nor indeed, would it be possible, to bring out the rest of my own book, though I have a deal of it in MS. I shall do my best to let the Privy Council come to their decision, without rousing any more hostility than is necessary until that decision is given.

“As to my future course, much will depend on the nature of that decision. But I *must* run down some day to Brighton and have a talk with you, the *only old* friend whom I can consult about this matter.”

TO TH. SHEPSTONE, ESQ.

“23 SUSSEX PLACE, *December* 9, 1864.

“Bishop Gray puts into print a statement of the Dean [Green] that he believed I had received £500 from S.P.C.K. for a grammar school at Maritzburg, the fact being that I had only *asked* for such a grant, and for *the present* the Society declined to make it, the colony not being sufficiently advanced. But there it stands, insinuating that I have had the money and misapplied it. Now the Bishop might have had the fairness and courtesy to write and ask me first privately to give an account of this sum, and the other sums which I *have* received, before he rushed into print in this way.”

TO THE SAME.

“SUSSEX PLACE, *January* 6, 1865.

. . . . “My case has been duly heard, and took up four days of the judges’ time. . . . It is universally recognised by the English press that some of the gravest constitutional questions are raised by this case. . . . It is doubtful, at present, in what form the decision will be given,—whether they will say that Bishop Gray has no jurisdiction, . . . or, which seems more probable, will allow his jurisdiction, but with an appeal to the Crown. This is all that we really

contend for, and this Sir Hugh Cairns has allowed in plain words, for which I fancy Bishop Gray will not thank him."

TO THE SAME.

"SUSSEX PLACE, *March 9, 1865.*

. . . . "I breakfasted a few days ago with Mr. Chichester Fortescue, Under-Secretary for the Colonies. . . . We got upon the subject of the education of the natives, and I started the idea of devoting the £5,000 in Natal to the establishment of Government schools with all the great tribes, having heard from Mr. Scott that he was himself inclined to take steps in this direction. Mr. Fortescue listened with the deepest interest, and I feel sure that, as far as he is concerned, the idea will not be allowed to drop. I told him that I am bound to fight out the ecclesiastical question; but when I have gained the victory, as completely as the case will allow, I would gladly exchange the Bishop's throne for the chair of Inspector of Native Education in Natal, if they could allow me enough to live upon. . . . Mr. Fortescue took the matter in entirety, and I am persuaded that, if it rested with him alone, it would be done. . . . I cannot help thinking that a great deal might be done for the improvement of the natives by a system of Government schools, without *dogmatic* teaching, though, of course, elementary religious truth would not be excluded from them. And I need hardly say that to be engaged in such work would be the realisation of my most cherished wishes in going to Natal at all in the first instance."

Towards the close of the year 1864, the pretensions of the Bishop of Capetown came before the Sovereign in Council. In dealing with the questions submitted to it, the Judicial Committee laid down certain positions which still remain law. But a tribunal which lays down principles may be mistaken as to the circumstances of the case to which those principles are to be applied. It may be taken as certain

"that in a colony having legislative institutions there was no

power in the Crown by virtue of its prerogative (independent of statute) to establish a metropolitan see or province, or to create an ecclesiastical corporation whose status, rights, and authority the colony will be required to recognise ;”

also

“that there was no consensual jurisdiction, for it was not competent for the one Bishop to give or the other to exercise any such jurisdiction.”

The first consequence of this ruling would be, as the decision of the Judicial Committee, delivered March 20, 1865, declared it to be,

“that the proceedings taken by the Bishop of Capetown, and the judgement and sentence pronounced by him against the Bishop of Natal are null and void in law.”

There was, and there is, no question that at the time when the metropolitan diocese of Capetown was created, the colony of the Cape of Good Hope possessed “legislative institutions.” But the Judicial Committee made one mistake as to fact, or perhaps two mistakes. They treated the colony of Natal as an integral part of the colony of the Cape of Good Hope, or looked on both as possessed of the same “legislative institutions.” This was not the case. At the time when the bishopric of Natal was created, and the title of Metropolitan was conferred on the Bishop of the newly formed diocese of Capetown, Natal was, to all intents and purposes, a Crown colony.¹ The Crown, therefore, had full power to create an ecclesiastical corporation in that colony, “whose status, rights, and authority the colony would be required to recognise ;” but without an Act of the legislature of the Cape of Good Hope it had not the power of conferring Metropolitan or any other powers on the Bishop of the re-made diocese of Capetown.

¹ In a measure it is so still

Legally, then, the proceedings of the Bishop of Capetown and his judgement were worthless. Spiritually, it was contended by himself, and by his supporters, that they were valid; and the inference insisted on was that, if he had no jurisdiction, and if his judgement was in law a nullity, no appeal could lie to the Queen in Council. This plea was summarily set aside by the Judicial Committee, which held

“that under 25 Hen. VIII., c. 19, an appeal would lie.”

But it was the fault of the Bishop of Capetown and his adherents that the appeal was made simply against his exercise of jurisdiction. It was impossible to carry an appeal to the Crown on the *merits* of the case, unless both parties were agreed that it should be so carried. The coercive jurisdiction might be appealed against, but not the detailed charges with reference to which that professed or pretended jurisdiction had been exercised. Under no circumstances, however, would the Bishop of Capetown hear of an appeal to what he spoke of as a purely secular tribunal. The way to an examination of the case on its merits was absolutely barred. Neither the Judicial Committee nor any other court could waste its time in debating the details of charges brought by a so-called tribunal which was asserted to have no legal existence. But if the charges had been brought honestly and in good faith, as they might have been brought, as against a Bishop or an incumbent in England, the right of appeal to the Crown being admitted, then the nullity of the metropolitanical court, and the legal invalidity of its sentence, would have been no bar to a settlement of the case on its merits. The appeal and the scrutiny would have followed in due course, and the scandalous divisions introduced by the setting up of the so-called Church of South Africa, would all have been avoided. To get rid of what he called the yoke of a secular court, the Bishop of Capetown set up a schismatical body; and its

schism is none the less a fact because it has continued to exist for more than twenty years.

It becomes, therefore, unnecessary to examine the language of the letters patent creating the new diocese of Capetown in December 1853. But even if the validity of these letters were conceded, there can still be no doubt as to the meaning of the clause which declares that, if any party shall conceive himself aggrieved by any judgement, decree, or sentence of the Bishop of Capetown, it shall be lawful for him to appeal to the Archbishop of Canterbury. Bishop Gray, as of favour, condescended to allow in this particular instance an appeal to the Archbishop of Canterbury in person. The appeal indicated in the letters patent was to the Archbishop in his judicial capacity, from whom an appeal would of necessity lie to the Crown.

The attempt made by Bishop Gray to draw a distinction between ecclesiastical and spiritual authority was summarily disallowed. It was determined that

“pastoral or spiritual authority may be incidental to the office of Bishop ; but all jurisdiction in the Church, where it can be lawfully conferred, must proceed from the Crown, and be exercised as the law directs ; and suspension or privation of office are matters of coercive legal jurisdiction, and not of mere spiritual authority.”

The plea of consensual jurisdiction might seem to carry greater weight. With this plea the Judicial Committee dealt as follows :—

“There is nothing on which such an argument can be attempted to be put, unless it be the oath of canonical obedience taken by the Bishop of Natal to Dr. Gray as Metropolitan.

“The argument must be that, both parties being aware that the Bishop of Capetown has no jurisdiction or legal

authority as Metropolitan, the appellant agreed to give it to him by voluntary submission. But, even if the parties intended to enter into any such agreement (of which, however, we find no trace), it was not legally competent to the Bishop of Natal to give, or to the Bishop of Capetown to accept or exercise, any such jurisdiction.

“There remains one point to be considered. It was contended before us that, if the Bishop of Capetown had no jurisdiction, his judgement was a nullity, and that no appeal could lie from a nullity to Her Majesty in Council.

“But that is by no means the consequence of holding that the respondent had no jurisdiction. The Bishop of Capetown, acting under the authority which the Queen’s letters patent purported to give, asserts that he has held a court of justice, and that with certain legal forms he has pronounced a judicial sentence; and that by such sentence he has deposed the Bishop of Natal from his office of Bishop, and deprived him of his see. He also asserts that, the sentence having been published in the diocese of Natal, the clergy and inhabitants of the diocese are thereby deprived of all episcopal superintendence. Whether these proceedings have the effect which is attributed to them by the Bishop of Capetown, is a question of the greatest importance, and one which we feel bound to decide. We have already shown that there was no power to confer any jurisdiction on the respondent as Metropolitan. The attempt to give appellate jurisdiction to the Archbishop of Canterbury is equally invalid.

“This important question can be decided only by the Sovereign as Head of the Established Church, and depositary of the ultimate appellate jurisdiction. . . .

“Unless a controversy, such as that which is presented by this appeal and petition, falls to be determined by the ultimate jurisdiction of the Crown, it is plain that there would be a denial of justice, and no remedy for great public inconvenience and mischief.”

TO TH. SHEPSTONE, ESQ.

“23 SUSSEX PLACE, *April* 10, 1865.

“Doubtless before this the news of the ‘decision’ will have reached Natal, and you will agree with me, I think, in considering that we have gained a complete victory. The Tractarians (Dr. Pusey, &c.) try to make out that they have got as much out of it as I; that, if Bishop Gray has lost his power, I have lost mine; that the Church of South Africa is free, &c. These gratulations are, in reality, only pretences to hide their discomfiture. As they do not mean to give up their posts and incomes within the good old Church of England, it was, of course, necessary to make out that the decision was just what they wanted. But every day shows more and more clearly the importance of it to *our* cause, and the devastation which it brings to theirs. The whole edifice which they have been so carefully piling up for years has toppled all at once to the ground. Of course, the Long judgement prepared us to find that we had no ‘coercive jurisdiction’ by *patent* over our clergy, but only that which their *contracts* under their licences have given us. But, as I have not the least wish to exercise any such jurisdiction, . . . this part of the decision, however destructive it may be to Bishop Gray’s notions of authority, is perfectly acceptable to me. It is not, indeed, certain that it does apply to Natal, for the question would still have to be decided, if any case of discipline arose, whether Natal had *representative institutions* when it had merely a *nominee* Legislative Council. However, I am never likely to raise the question, and so we will consider all coercive jurisdiction by patent-right gone. But what then? The patent is perfectly valid, as ever, to give title, position, protection, independence, and (which is of most importance perhaps) to constitute me a lay-corporation for holding lands in trust for the English Church, and transmitting them to my successors. . . . Thus there can be no Bishop of the Church of England in the colony but myself; and no one can hold land for the English Church but myself. If any like to join

the Church of South Africa, of course they may do so, as they might have done all along.

“But Bishop Gray has no power whatever to interfere in any of the affairs of the *Church of England* in Natal,—not even, I suspect, as holding lands in trust for it, for a very curious case arises out of the recent decision. . . . By his *old* patent the Bishop of Capetown was a *lay-corporation*, and, as such, had lands granted to him in Natal in trust for the English Church. What became of these lands when *that* corporation was *destroyed* by the cancelling of his former patent? With whom was the trust vested during the fifteen days when there was no Bishop of Capetown, and no patent constituting the office? Lawyers tell me that by English law the property in that case would return to the *donor*, and be held by him in trust for the object in question. But who was the donor? Not the Queen in England, but the Queen in Natal, represented by the Governor and Executive Council, and the Queen had no power, by a stroke of her pen in the new patent, to re-grant those lands in trust to the new Bishop of Capetown. He should have applied to the Colonial Government. If so, the cathedral and other lands, supposed to be held by Bishop Gray in Natal on trust, are really held by the Government, and would, I suppose, on application be re-granted to me, in accordance with the decision of the Privy Council.”

TO THE SAME.

“SUSSEX PLACE, *May* 9, 1865.

. . . . “The Colonial Bishopricks Fund Committee, consisting mainly, I believe, of the Archbishops and Bishops, have decided, it seems, to do what honourable laymen, I imagine, would not have thought of doing, *viz.* to withhold my income until they are compelled to pay it. I have just heard that they are doing this without any expectation of finally succeeding in their attempt, but only to cause annoyance, and especially *delay* in my return to Natal. They expect (my friend says) to be able to keep

me here till perhaps Christmas. . . . And this private information is fully confirmed up to the present by the course they have taken. First, they gained a fortnight by the pretext that they had not had a meeting, though they were all in London at the time of the decision. Then they merely referred me to their solicitors. . . . We go to the solicitors, and offer to lay a case with them before Council, if they are in any doubt as to any legal question. The solicitors reply that they know nothing at all about the matter, have not read any of the documents, &c., &c., but as soon as we file our bill they will take advice. We are therefore obliged to file a bill in Chancery, and my solicitors yesterday requested them to receive service of the same. They reply that they have no instructions to receive service; whereupon my agents have told them that, if they do not consent to receive service to-morrow, they shall regard their proceedings as frivolous and vexatious, and go down and serve upon the two Archbishops themselves, who are made defendants. When the bill is served, they have a month by law before they *need* say what course they will take. Some think that they will knock under, seeing that they have not a shadow of ground on which to stand. But I am by no means sure of this. . . . For the present I adhere to my purpose of leaving England about the end of July. For my friends are not idle, and are, I believe, going to raise a sum which is to be used for my income while this law-suit is pending, and then to be left at my disposal."

TO THE SAME.

"SUSSEX PLACE, *July 9, 1865.*

- "As I anticipated, the attempt to crush me by stopping my income has resulted in a miserable failure. Thus far the 'fund' has amounted to about £3,000 without any publication of it. . . . In fact, it has been quite a triumph for the party of progress. . . .
- "The hopes of my first preface have been actually fulfilled, even before the time I gave for it. I said in *five* years, and

behold in *three* the terms of Subscription for clergy have been already relaxed. We are now only required to say that 'we assent to the Articles and Liturgy' (assent in what sense, for what reason, whether as a temporary arrangement, a compromise, &c., is left perfectly open), and that we 'believe its doctrine generally to be agreeable to Holy Scripture,' without, therefore, being *true* in itself or in any of its details. But more of these things when we meet."

TO THE SAME.

"SUSSEX PLACE, *August 9, 1865.*

"We hope by this day week to be going down the Channel, the *Verulam* being fixed to sail on the 15th. . . . So, please God, we hope to reach Natal some time about the end of October or beginning of November. . . . If you cannot be at Durban when we arrive, I should like to have a line from you awaiting me there, just to tell me how things stand. . . . My desire and my duty will be to be as patient and quiet as possible, to act simply when required to maintain my own rights, without taking any notice of mere insults, anathemas, &c., &c. . . .

"Up to this moment the council and trustees of the Colonial Bishopricks Fund have not given any reply to my case in Chancery, though we filed it more than three months ago. They have three times asked for more time. My lawyers say that there can be no reason that will bear the light of day. I must believe that the whole proceeding is a mere piece of manœuvring on the part of the Bishop of Oxford, &c., to *gain time for Bishop Gray*, and especially to see what effect can be produced on the *clergy and laity of Natal* by working upon their minds with the statement that my income was stopped, and letting the report go out mail after mail, while I should be unable to contradict it or to counteract it by showing that it was stopped for no just ground whatever. In England, through the 'fund,' this object has utterly failed. I only hope that the laity of Natal have been sufficiently alive to the craft of the High

Church party, and sufficiently awake to the consequences to themselves, should the schemes of that party be allowed to triumph.”

TO JOHN MERRIFIELD, ESQ.

“ KENSINGTON, *August 12, 1865.*

I duly received both your kind letters, and now, having just packed my books, &c., sit down to write just one line of farewell. Most heartily do I thank you and all my friends for the help you have given in the time of need. (You will be glad to hear that the Bishop of London’s chaplain has signed the Fund,—of course with the Bishop’s permission.) I am going, please God, to fight out the battle for liberty of thought and speech within the Church of England at Natal. But many things lead me to think that I shall not be very long away from England. If it please God, I may hope to see you and shake you by the hand once more.

I wish you would keep Fawcett up to the mark. Let him bring in a Bill (if nobody else will) to remove the disabilities of the clergy. Say nothing about ‘indelibility,’ &c. If any one believes in that dogma, nobody will prevent them from so believing. But let a clergyman be free, while not holding clerical office, to engage in any trade or profession or be elected to Parliament. There are clergy enough in the House of Lords to prevent any progress. We shall never have a real reform of the Church system, till we have some in the House of Commons who know where the shoe pinches.”

TO THE REV. G. W. COX.

“ KENSINGTON, *August 14, 1865.*

Many thanks for your most kind and loving letter. We looked for you all day yesterday, the more so, as a very important proposition has been made by Mr. Marriott which will perhaps bring me back at the end of twelve months. I have a heap of letters to write to-day, so cannot say more but to assure you of our affection, and wish you

every happiness. . . . I feel as though I had not half expressed my grateful thanks for all the most able and effective help which you have rendered to me and to the cause during these three years. May you now be recruited for further work hereafter."

TO SIR CHARLES LYELL.

"KENSINGTON, *August 15, 1865.*

"In an hour we expect to start for the ship. So I use the last moments to say farewell to Lady Lyell and yourself, and to thank you most sincerely for all your innumerable acts of kindness to me and mine during the last eventful three years. I duly received your letter from Kissingen, about three weeks ago, but delayed replying to it, wishing to be able to communicate the latest intelligence. There are now one or two important matters to name, in which I think you will be much interested. (1) The trustees of the Colonial Bishops Fund have at last sent in their reply (provoked, I fancy, by the proceedings at Freemasons Tavern). It reached our hands on Friday last, after three months of incubation. But it contains literally nothing of the slightest consequence, and when pulled to pieces by my lawyers will, I am afraid, exhibit the conduct of the trustees and council in no very creditable light. They actually 'crave leave to refer' to a letter of Miss Burdett Coutts (!), addressed to the Archbishop of Canterbury a few weeks ago, as a proof that *none* of the subscribers to the Colonial Bishops Fund ever contemplated supporting 'such a Bishop as that which the judgement of the Privy Council decides the plaintiff to be.' Of course, the reasoning, so far as it is worth anything, applies equally against their paying the Bishop of Capetown and others their incomes. But the genius of the Bishop of Oxford, is shown, I expect, in this matter magnificently. The *fact* is, as Mr. W. M. James told us in consultation a few weeks ago, that Miss Coutts is so displeased with Bishop Gray's proceedings in separating himself and his flock from the *Anglican*

Church that, while no friend of mine, she has taken legal advice as to whether she could not withdraw the whole endowment of *his* see (which she gave), on the ground that she did not contemplate founding a bishopric independent of all control, &c. (I don't know the exact words; but that I believe to be her meaning.) And so the council adroitly use such a letter as bearing against me. . . .

"This gives you a specimen of the sort of arguments they employ. Their 'reply,' as one of my counsel say, is childish and ridiculous, and amazing as coming from such men as Sir W. P. Wood and Mr. Gladstone.

"(2) On Sunday last Mr. Marriott made to me a most important proposition, which may have the effect of bringing me back to England much earlier than I had at all thought of—perhaps as soon as my case is decided. He is prepared to bear the whole expense of bringing out a new translation of the Bible, with notes of all kinds, excursus, &c., bringing it up to the latest results of criticism. He wishes me to return, and take the office of chief editor, and to secure the services of ten of the first men on the Continent, and five Englishmen, so that the book may be a standard work; and being thus the result of the combined action of Englishmen, Germans, Dutch, and French, may become European, though he says he cares principally for the English. He reckons that it will take five years to complete it, and a sum of £20,000; and he is prepared to place that sum in the hands of trustees as soon as ever the plans are sufficiently advanced. Mr. Vansittart Neale, Rev. H. B. Wilson, and Prof. Kuenen, are already consulted about it; and the former will probably carry on the preliminary correspondence during my absence. The idea is to divide the whole Bible among the different writers, the special work of each person to be printed and sent round to all the others for their notes, then returned to the writer, then forwarded to a committee of three or four in London, then once more referred to the writer for his final corrections. This is, of course, only a rough sketch of our present notions. But I think you will feel that Mr. Marriott's

proposal is a very noble one, and the work contemplated one of the very best that could be devised for carrying on the movement in favour of free thought.

“(3) Another project, which I fancy Mr. Domville will take in hand, is to form a society on a *scientific* basis (like any other, Geological, Astronomical, &c.), for a scientific investigation into the origin and history of *all* religions. It would have a central room in London, with foreign and English theological reviews of all kinds, a library, and a bi-monthly journal, in which would be discussed all matters of interest connected with the various religions of the world.”

CHAPTER VII.

THE SO-CALLED TRIAL AT CAPETOWN.

THE change brought about in the relations between Bishop Gray and Bishop Colenso after the publication of the *Commentary on the Romans* was great indeed. In the Life of the former there are some indications that Bishop Gray regarded himself as having been treated not altogether fairly by his brother Bishop ; and that, in short, the Metropolitan felt that there had been some undue concealment of opinion on the part of his suffragan. What has been already said must be more than enough to show the real state of the case. The biographer of Bishop Gray admits that their intercourse up to that time had been "most kindly and affectionate."

"Bishop Gray," he tells us, "was in very weak health from over-work and over-excitement, and, as he himself says, he was watched over and cared for very tenderly"

by his new fellow-labourer ; and indeed, until the period of Dr. Colenso's return to England in 1862, they were "as brothers." Their correspondence was unceasing and "most confidential." We need not doubt it ; but Bishop Gray's powers of discernment are more open to question. During all these years it is quite impossible that in their intimate communings Bishop Colenso can have said anything expressing,

or even implying, agreement with Bishop Gray's ideas of the Christian Church, of its catholicity, and of its faith. It is impossible that he can have veiled, or that he could have the slightest wish to veil, the wide differences between his own convictions and those of Bishop Gray on these momentous and vital subjects. It would be equally impossible, we might suppose, for the latter to converse for any long time without giving utterance to his theories, or beliefs, on the questions of substitution, of the absolute truth of every statement in the Old Testament and the New, of the unending torturing of those who do not quit this life in a state of grace; and most certainly, if he did so, Bishop Colenso would have avowed his own entire rejection of those theories or beliefs. If Bishop Gray had been possessed of even ordinary insight, he must have known that his own notions on the whole range of theology must sooner or later come into conflict with those of his colleague. Whether the battle should be fought out between themselves personally or not, he would have seen that the contest was inevitable, and that under the existing conditions of thought in England it could not be very long delayed. But from first to last, in the biography of Bishop Gray, there is not a hint that the faith as well as the discipline and the ritual of Christendom is liable to change and modification, and that in many most important particulars it has been modified and changed already. There is nowhere the least approach to an admission that his own definitions, or even his *obiter dicta*, on any theological questions, are open to examination, and may be accepted or rejected according to the weight of the arguments for or against them. Everywhere there is the assumption that his own opinions are in complete harmony with those of the Church, and that he cannot go wrong in deciding whether those of any one else are or are not, in the same harmony with them.

If a man in such a condition of mind as this failed to

discern the great gulf which separated his theology from that of the Bishop of Natal, this can only have been the result of a lack of discernment on his own part which would be astounding but for the slowness with which such men are brought to see that others do not think like themselves.

The seeds of future strife were, indeed, lavishly sown ; but they were sown by Bishop Gray, not by the Bishop of Natal. The theology of the latter may have been wrong, but it was not aggressive. That of the Bishop of Capetown would admit of no differences, and respect no law. He must have his own way, because his own way was the Church's way ; and if he could not have it, it must be because the existing state of things involved an intolerable tyranny somewhere. The serene conviction of his own absolute orthodoxy is thus accompanied by a stern resolution to obtain the freedom which shall enable him to put down all opposition to "Catholic truth,"—that is, to his own opinions. Hence his letters and his public utterances are filled with almost incessant denunciations of the thralldom in which the Church of England is held in the mother country, and to which he is resolved for himself never to submit. This thralldom extends to the determination of matters of doctrine—in other words, of faith ; and as these decisions are put forth as decisions of the Church of England, his rejection of them commits him to rebellion against the law of that Church, to which the Bishop of Natal yielded a willing and hearty obedience.

"I will not be bound," he says, January 1863, "by the narrow limits of the Church's faith laid down by Dr. Lushington or the Privy Council. I will not recognise them as an authority as to what are the doctrines which the Church of England allows to be taught. The Privy Council will make itself, if not checked, the *de facto* spiritual head of the Church of England and of all religious bodies in the colonies."¹

¹ *Life of Bishop Gray*, ii. 32.

If the Bishop of Capetown was not bound to these admissions, the English Archbishops with their suffragans were bound, and it was out of their power to stamp as heresy teaching which does not contravene those decisions. Was there, then, to be one law for England, and another for the Cape of Good Hope? In the case of Bishop Colenso he was himself the self-styled judge; yet the judge could write, July 20, 1863:—

“If he is tolerated, the Church has no faith, is not a true witness to her Lord. I am prepared to go through anything and endure any loss in defence of the Bible as the Word of God, and of the faith once for all delivered.”¹

In short, the condemnation of the defendant was predetermined.

“The Church of England is no true branch of the Church of Christ, nor is her South African daughter, if either allows one of her Bishops to teach what Natal teaches and to ordain others to teach the same. If the faith is committed to us as a deposit, we must keep it at all hazards; and if the world and the courts of the world tell us that we have no power, we must use the power which Christ has given us, and cut off from Him and from His Church avowed heretics, and call upon the faithful to hold no communion with them.”²

Bishop Gray was thus resolved to have his own way. If any authority crossed his path, that authority was of the world—in other words, was anti-Christian. In the Bishop of an English see this would be a defiance of the Sovereign in Council. This defiance he at Capetown, in disregard of the Apostolic warning that the powers which be are ordained of God, was quite prepared to offer.

“I fully expect to be in open collision, before it [the so-called

¹ *Life of Bishop Gray*, ii. 63.

² *Ib.* ii. 64.

trial of Bishop Colenso] is done, with these civil courts, which will, if not curbed, destroy the Church.”¹

“It is through civil courts that the world in these days seeks to crush the Church. They represent the world’s feelings and give judgement accordingly.”²

The judgement, therefore, which decided the lawfulness of Mr. Gorham’s position was a false and unrighteous sentence, which the Church was supposed to have rejected. Come what might, his own sentences should never be submitted to, or revised by, such a court.

“I will not go before any civil court in the matter. . . . If they send us back Colenso, I will excommunicate him. . . . Were I to spend another fortune in vindicating the discipline of the Church, I know what English lawyers’ hatred of ecclesiastical courts and ecclesiastical authority would lead the Privy Council to decide. . . . If the Church does not denounce the judgement which I hear is to be delivered *in re Essays and Reviews*, she will cease to witness for Christ. She must destroy that masterpiece of Satan for the overthrow of the faith, the Judicial Committee of the Privy Council as her court of final appeal, or it will destroy her.”³

“The Privy Council is the great Dagon of the English Church. All fall down before it.”⁴

“The world cannot crush the Church, if she will assert her independence, and at all hazards witness for Christ. Her servility is her great curse, and will, if she does not rise up in the strength of her God, prove her ruin.”⁵

“The idea is,” he writes, April 4, 1864, “that Colenso will, by claiming churches, or by an action against me, get into the Natal court, and from thence to the Privy Council, which, I verily believe, would affect to reinstate him, for this awful and profane judgement [on *Essays and Reviews*] would

¹ *Life of Bishop Gray*, ii. 69.

² *Ib.* ii. 108.

³ *Ib.* ii. p. 113.

⁴ *Ib.* ii. 119.

⁵ *Ib.* ii. 125.

cover all that he has written, and probably was intended to do so."¹

"I believe that if the Privy Council can throw the Church, it will ; and I believe that the Church must defy and destroy it as a court of appeal or be destroyed by it. In that body all the enmity of the world against the Church of Christ is gathered up and embodied."²

The world here spoken of is the English Sovereign in Council, and the court so formed is represented as the mouth-piece of Satan—in other words, as a power which has for its object no other work than the extension of evil. But it is this power which represents the executive of England, to carry out laws against theft, violence, perjury, and other offences. Do these laws come from a source which is a fountain simply of evil? To speak of such language as ludicrously absurd is to treat it with fully sufficient lenity. The practical mischief wrought by it might be but small, so long as Bishop Gray had to deal with an absolutely subservient and unthinking clergy and laity ; but the first sign of resistance to the yoke so imposed would be followed by the authoritative declaration that on these subjects the exercise of thought except in certain definite lines could not be allowed. This position cannot be maintained in England, it to be maintained elsewhere?

It was on this point that the whole controversy turned. The one question was whether the law of England was or was not to be defied with impunity. The letters of the Bishop of Natal to the Metropolitan in 1858 should have impressed upon the latter the hopelessness of any attempt to try, or to pass sentence upon, any of his suffragans except by such means as might lawfully be used for this purpose in England. They should have taught him that the theories of union and

¹ *Life of Bishop Gray*, ii. 137.

² *Ib.* ii. 158.

full communion between the South African and the English Churches must go for nothing so long as the South African clergy were deprived of a single right of which they would have possession in England. Aware of the danger, but either not heeding it, or despising it, the Bishop of Capetown resolved to take his own course, and thus found himself in antagonism with English law ; but nothing had happened for which he might not, had it pleased him, have been fully prepared, nor was there the smallest ground for the pretence that in no other way than that which he adopted was it possible to obtain a decision in the case on its merits. In such a controversy he could, forsooth, no more admit the supreme authority of the Crown than Thomas of Canterbury could abandon the rights of his order to the usurpation of the civil power. This was the one issue, and from first to last he met it with an uncompromising resistance. But he had known for five years that his theory found no acceptance with the Bishop of Natal, although he did not know that there had been a time when it found no acceptance with the Bishop of Grahamstown. Others could be consistent as well as himself ; and therefore his assumption of jurisdiction was summarily met by a denial of the claim. The summons to appear before his tribunal at Capetown was duly served upon the Bishop of Natal in London, and when the day of trial came, the Bishop's protest was by Dr. Bleek (who acted with the utmost judiciousness as his agent) handed to the Metropolitan. This protest was conveyed in the following letter :—

“ TO THE RIGHT REVEREND THE LORD BISHOP OF
CAPETOWN.

“ LONDON, *October 5, 1863.*

“ MY LORD,

“ I have received from your Lordship's registrar a citation calling upon me to appear before you at Capetown on

November 17, there to answer a certain charge of 'false teaching' preferred against me by the Very Rev. the Dean of Capetown, the Venerable the Archdeacon of Grahams-town, and the Venerable the Archdeacon of George.

"I am advised that your Lordship has no jurisdiction over me, and no legal right to take cognisance of the charge in question. I therefore protest against the proceedings instituted before you, and I request you to take notice that I do not admit their legality, and that I shall take such measures to contest the lawfulness of your proceedings, and, if necessary, to resist the execution of any judgement adverse to me which you may deliver, as I shall be advised to be proper.

"My absence from the Cape will make it impossible for me to know what view your Lordship may take of your jurisdiction till long after your decision has been announced and I have no desire to cause any unnecessary delay in the settlement of this matter, such as would be produced if I were to confine myself to a mere protest against your jurisdiction. I therefore think it better to state at once the answer which, if you have any jurisdiction in this matter, I have to make to the charge brought against me.

"I admit that I published the matter quoted in the articles annexed to the citation; but I claim that the passages extracted be read in connexion with the rest of the works from which they are taken. And I deny that the publication of these passages, or any of them, constitutes any offence against the laws of the United Church of England and Ireland.

"For further explanation of my meaning in some of the passages objected to from my *Commentary on the Epistle to the Romans*, I beg to refer your Lordship to a letter addressed to you on or about August 1861,¹ in reply to one from yourself expressing strong disapproval of the views advanced by me in that work; and with reference to some

¹ This letter is given in Appendix A.

of those objected to from my work on the Pentateuch, I desire also to request your attention to the preface to Part III., a copy of which I forward by this mail.

“I have instructed Dr. Bleek, of Capetown, to appear before your Lordship on my behalf for the following purposes:—

“First, to protest against your Lordship’s jurisdiction.

“Secondly, to read this letter (of which I have sent him a duplicate), as my defence, if your Lordship should assume to exercise jurisdiction.

“Thirdly, if you should assume jurisdiction and deliver a judgement adverse to me, to give you notice of my intention to appeal from such judgement.

“I have the honour to be, my Lord, your Lordship’s faithful and obedient servant,

“J. W. NATAL.”

In the labyrinth of controversies provoked by the publication of the Bishop’s criticisms on the Pentateuch, the likeliest way of avoiding confusion is to keep as distinct as may be practicable the several strands in the discussion, which may otherwise seem inextricable. There is the so-called Capetown trial, the outcome of a plan deeply laid, not by Bishop Gray alone, but by Bishop Wilberforce and his colleagues in England; there are the remarks made upon that trial; the inquiry before the Judicial Committee of the Privy Council, and the consequences which followed from that inquiry; and apart from these is the ocean of literature, good, indifferent, and bad, called into existence by the books which roused the indignation of Bishop Gray and his adherents. None of these can be dismissed without due notice; and the point of most importance is to bring out the real position and meaning of the chief actors in the great drama.

The charges brought against the Bishop were nine in number. In the first schedule he was accused of “maintaining that our Blessed Lord did not die in man’s stead, or bear the punishment or penalty of our sins, and that God is not recon-

ciled to us by the death of His Son." By the second he was charged with holding "that justification is a consciousness of being counted righteous ; and that all men, even without such consciousness, are treated by God as righteous, and counted righteous ; and that all men, as members of the great human family, are dead unto sin, and risen again unto righteousness." According to the third he had maintained "that all men have the new birth unto righteousness in their very birth hour, and are at all times partaking of the body and blood of Christ," thus denying "that the holy sacraments are generally necessary to salvation." The fourth asserts that he had abandoned the doctrine of the endlessness of future punishments. In the fifth he was charged with denying that the Holy Scripture is the Word of God, and with asserting that it only contained the Word of God. The sixth charges him with dealing with the Bible as a common book, and as "inspired only in such a manner as other books are inspired." The seventh charges him with denying the genuineness, authenticity, and canonicity of certain books of the Old Testament. The eighth ascribes to him a denial of "the doctrine that our Blessed Lord is God and man in one person," because he maintains "that He was ignorant and in error upon the subject of the authorship and age of the different portions of the Pentateuch." And in the ninth and last schedule it is asserted that he had disparaged the Book of Common Prayer, and incited the clergy to disobey the laws which they had solemnly promised to keep.

Speaking at Pietermaritzburg¹ a few months later, Bishop Gray said that the three great questions mooted in these charges were no less than these : "Is there a written revelation from God ? Is our Lord God incarnate ? Is Christianity true ?"

If dispassionate judges can anywhere be found, the first

¹ He had gone thither, as we have already seen, p. 86—89, to announce to the people of Natal that their Bishop "had rebelled entirely," had "gone astray and would never come back."

impression left on their minds would not improbably be that of surprise at the vast apparatus thus brought to bear upon the accused, and the immense difficulty which the latter must experience in parrying the weapons employed against him. Those weapons are—undefined or half-defined terms, and appeals to authorities which become practically co-extensive with the literature of Christendom. There are sincere believers in Christianity and in revelation; but the conceptions attached to these words are not always the same. What then is Christianity, and what is a written revelation? And so with the terms employed in every one of the schedules. These speak of vicarious punishment, of the reconciliation of God to man, and of man to God, of justification and salvation, of the body and blood of Christ, of punishment and of inspiration; but all these are words to which meanings are attached diverging from each other so far that the difference of degree becomes often a difference in kind. All that we have here to do is to note the fact, and pass on to the arguments by which the accusers established the guilt of the Bishop to their own satisfaction and to that of the judge with his assessors.

Offering something like an apology for language which was certainly vehement enough, the Dean (Douglas) of Capetown charged the Bishop with holding that "God is absolute benevolence."

"Considering what men are," he said, "and how insulting sin is to that Supreme Governor who absolutely hates it, I am afraid that infinite benevolence, however great it sounds, is only another name for amiable weakness; but it is in this light, and in this light alone, that the Bishop will regard the Almighty. . . . Upon the plea of showing forth the love of God our Father, the Bishop has put forth a wild though mystic and alluring scheme of blind benevolence, which is subversive of all that is generally known as Christianity.

Professing to show us that God is all love, he represents Him as indifferent to evil." (46.)¹

The Bishop meant, so the Dean insisted,

"emphatically to deny that our Lord's sufferings were vicarious, or that any act of His was needed to satisfy the Father before He could forgive the world its sin. . . . Our Lord, he teaches, died for us, on our behalf, to show His love for us, to express and display His boundless sympathy; but He did not die to bear our sins; He did not bear the weight of the curse. Man needed to be reconciled to God; but God always loved us, and was never estranged from us."

The Dean's own opinions on these subjects he held to be embodied in the second of the Thirty-nine Articles, and in other statements in our Articles and formularies; and he demanded the Bishop's condemnation not on this ground only, but because his teaching was opposed

"to the faith of the Church Catholic on the subject of sacrifice, satisfaction, and propitiation, as held in all places, and at all times." (50.)

Having thus spread a net inclosing a wide sea, the Dean held it to be the business of the accusers to take "the results at which the Church has arrived already," and to test the Bishop's opinions "by these authoritative conclusions." As to the strictly vicarious character of Christ's death there could, he asserted, be no question. The prophetic words of Caiaphas were on this point quite conclusive. The language of "the Church" was not less explicit.

"The Church has always taught that God was angry with man because of sin, and that our Lord, sent by His Father's love, and moved by His own affection for us, stepped in to

¹ The numbers in the text of this chapter refer to the pages in the record of proceedings in this so-called trial at Capetown.

satisfy His Father's honour, by bearing sin's penalty, and to appease a God who wanted to be gracious." (53.)

For this doctrine the Dean found full warrant everywhere. The Greek verbs employed in the passages of the New Testament to which he referred were sacrificial terms, denoting pacifying influences. The prayer of the publican in the temple "indicated that God was angry, and he asked that He might be appeased." This

"work of placcation goes on within the Godhead, and God is not appeased by man but by Himself." (55.)

The conclusion that

"an actual transference of evil from man to man's Redeemer was actually effected by our Lord's atoning sacrifice"

is supported by the assertion of Bishop Butler that

"the legal sacrifices were allusions to the great and final atonement to be made by the blood of Christ, and not that this was an allusion to those" (57);

and by the proper preface for Easter Sunday, which speaks of Him "who by His death hath destroyed death" (59). This language must

"be taken as affirming that we owe to Him salvation, and by His stripes we are healed" (61). "I should rejoice," the Dean remarked, "if I could say for certain that he believes Him to be the Son of God."

But he could not do so by reason of the "damning flaw" which omitted the necessity for death which sin imposed. From the Bishop of Natal he would appeal to St. Bernard for the conclusion that

"mere obedience could not put away sin. Obedience must be joined to death. Death is sin's penalty; and in order that the penalty may be completely paid, the person who

pays the penalty on man's nature must also be the Son of God." (63.)

This being so, he asked if the Metropolitan could allow Bishop Colenso

"to proclaim that God is all mercy and no justice, or permit him, with all the weight of influence which his position gives him, to teach that God does not feel angry because of sin." (63.)

On the next count he charged the Bishop with maintaining that all men are justified, and that

"the whole of mankind are recipients of God's grace in the Gospel" (69),

and he asked

"What then is the use of being a Christian? What is the difference between a heathen and a Christian?" (70.) "The Bishop teaches that men, as members of the human family, belong to Christ. He says this again and again. I maintain that to teach this is to raise nature to the level of grace. I maintain that if men, as men, belong to Christ, they do not belong to Christ by faith; they do not come to Christ in baptism; they are not saved by Christ's name; they do not find safety within the Christian Church." (73.)

The Dean deprecated, indeed, the dry, matter-of-fact, business-like way in which many speak of the Divine terms and covenant, and so "bind in chains of bondage the large and unfettered love of God." Language, he holds,

"is our only instrument, and we must express in some form or other the nature of the Divine dealings with us;"

but, however this may be, further argument was rendered superfluous by the fact that

"the opinions of the Bishop amount to a complete subversion of the Gospel, as commonly understood by all Christians"

(74); "and it is on these that his teaching inflicts a cruel wrong, for virtually he tells them, 'You are no better off than Jews, Turks, and infidels. You are in no more safe condition.'" (75.)

This same test furnished by the faith of Christendom convicted the Bishop of the false teaching by which, as the third count averred, he declared that men receive, each for himself personally, in baptism

"a formal outward sign of ratification of that adoption which they had shared already, independently of that sign, with the whole race." (78.)

Such a belief, whatever be its value, was beyond the Dean's comprehension.

"We do not issue titles to gifts which all possess. We do not say, 'Air is a great blessing, and you may like to know that you have a right to use your lungs, and enjoy this valuable property.' Men do not ask for proofs of universal gifts." (84.)

As in the previous counts, so in that which related to the subject of eternal punishment, the teaching of the Bishop must be confronted with "the doctrine of the Christian Church in all ages" (87). It was true that the consensus on this point was not absolute. Some great names might be cited in favour of teaching which seemed to harmonise very much with that of the Bishop of Natal.

"Gregory Nazianzen, Gregory of Nyssa, and other teachers adopted the substance of the Origenistic theory" (89),

which was summed up in the brief saying—Nothing is impossible with the Almighty, and there is nothing which cannot be healed by its Maker.¹ But "the Church vindicated

¹ "*Nihil impossibile Omnipotenti, et nihil insanabile Factori suo.*" See also note ¹, p. 169 *supra*.

her character." Agreement with Origen in this respect was soon regarded as heretical.¹ In fact

"no doctrine is more clearly revealed in Holy Scriptures. . . . The bliss of heaven and the punishment of the lost must stand or fall as doctrines together. We have no better ground for assurance in the happiness of heaven than for belief in the eternal miseries of hell."

Of this the Dean had not a shadow of doubt.

"For persons who die in sin there is no hope. Life is their time of probation; and being proved and tried, they are found wanting. What then? As the tree falls, so it lies, and so it lies for ever. The Bishop of Natal denies this. . . . Does he think that hell is a better school than Christ's Church on earth, and that devils are more apt and kind instructors than those bright angels who minister to man's salvation? I know not what he thinks. But he tells us God is love. And so He is. But there are limits to forbearance; and patience, suffering long, ceases at the last to bear with sin. Then comes justice, . . . and the sinner is driven down into a pit which has no bottom, and into the lake which burns with everlasting fire." (93.)

Before the same test of the common faith of Christians, in all ages, and in all lands, falls all that the Bishop may have said on the Pentateuch or other records of the Old Testament.

"That faith is for me law and statute. There is a common law which is inscribed upon the heart and the instincts of Christendom. There is a statute law which, derived in its principles from Holy Scripture, is written in the Creeds, decisions, and symbols of the Church." (98.)

Nay, the argument may be carried further. The Jews regarded the Old Testament

¹ This is not true. Origen was never even censured, far less was he condemned, on account of his teaching on the purpose of God's dealings with man.

“with the highest awe as a divine book,” and “with well-known care and almost superstitious scrupulosity” “counted every word and letter of the whole volume and numbered even its very points.”

This is for the Dean a very astonishing fact.

“Every feeling which pride suggests, every prejudice which opposition rouses, called upon the Jewish people to prove their records worthless.” (101.)

On his side he had the plain teaching of Josephus, that

“‘it is a principle innate in every Jew to regard these books [and not merely the spirit of these books] as oracles of God, and to cleave to them, yea, and to die gladly for them.’ Is it possible to account for this conviction except by the fact that these books are indeed divine?” (102.)

The whole course is clear. St. Paul

“treats the Bible [? the Old Testament] as a divine book” (103). “He sees in its facts spiritual mysteries.” “The critical Eusebius holds it presumptuous to try to show that there is error in them” (105).¹

¹ This is one of those amazing statements in which ecclesiastical partisans are apt to indulge. The Dean of Capetown does not think it worth while to explain what Eusebius meant by the Scriptures, or to give the reference for a questionable citation. But Eusebius wrote before the summoning of the Nicene Council, and therefore his words cannot apply to a Canon which had not yet been formed, and there is abundant evidence in his pages that there were large differences of opinion in his day as to the value and authority of some of the books afterwards included in the Nicene Canon. Careful of expressing his own opinion, he prefers simply to report the judgement of others. Of the Epistle of St. James he tells us merely that it was said to have been written by the Apostle of that name, that it was considered spurious, that few earlier writers made any mention of it, or of the Epistle of St. Jude, but that, along with the other “so-called Catholic Epistles,” it was published or used in many churches (*H. E.* ii. 23). The Second Epistle of St. Peter he describes as almost universally rejected (iii. 3). But a far more important example of the method applied to books some of which were afterwards included in the Canon of the New Testament and others excluded, is furnished by his remarks

Nor is the Dean at any loss to show how he himself thinks, and how every one else ought to think, on this vital matter :—

“ If I say that the Bible is God’s Word, I treat it as a kind of mystery. I recognise a Divine and a human element, a word of man and a word of God, so blended together, so linked in a mysterious union, that, while I cannot theorise about it and state either where the Divine ends and the human begins, I must yet allow that the Divinity runs throughout the least syllable and is never absent from any part.” (107.)

To this belief he opposes the Bishop of Natal’s

on the book known as the Apocalypse. This book has acquired a special value for theologians of many parties ; and the rejection of its authority would by them be as fiercely resented as the rejection of the Gospels themselves. Without committing himself on either side, Eusebius refers his readers to the Alexandrian Dionysios, the disciple of Origen, who speaks of the book as having been absolutely rejected by some previous writers, and rejected not only as published under a false name, but as being in no sense an apocalypse or revelation, being in fact covered by a veil of dense ignorance. This, Dionysios admits, is not his own opinion ; but his verdict has no solid foundation. He cannot, he says, reject the book, because many highly esteem it, and he regards himself as unable to fathom the depths of its meaning. He cannot deny that it was written by one named John, because it claims to be so written ; but he will not allow that it was the work of John the son of Zebedee. His reason for not admitting this is the belief that the Apostle John was the writer of the fourth Gospel and of the Catholic Epistle which bears his name ; and the whole tone and language make the idea of a common authorship for all the three quite inadmissible. Who or what may have been the John of the Apocalypse, he cannot say. But that the writer who composed the Catholic Epistle of John was the author also of the Apocalypse, is with him wholly out of the question. In matter, in style, in thought, in conviction, they are antagonistic from beginning to end. They have nothing in common ; and that the writer of the Catholic Epistle could fall into the barbarous jargon of the Apocalypse is more than he can believe. When from the Dean and the Bishop of Capetown we turn to the Alexandrian Dionysios, we breathe at once a fresher and purer atmosphere. He is sufficiently, we might think perhaps more than sufficiently, sensitive to the weight of authority, tradition, and usage ; but he has not prostituted his powers of judgment, nor does he venture to insist, or even to hint, that others are bound in duty to accept his conclusions.

“scandalous opinion which makes the story of the Pentateuch a chain of legends and Samuel an impostor, who *lies* in strict accordance with those new laws of critical morality which puts to shame the law of Moses” (111).

But to this, *i.e.* the Dean’s, belief the Bishop of Natal is, nevertheless,

“bound by his ordination vows and his ordination of others” (112).

The Bishop of Natal may appeal to the Court of Arches and to its judge, who has ruled that the Deacon’s declaration means only that the Holy Scriptures contain everything necessary to salvation (*healing*), and that to that extent they have the direct sanction of the Almighty. But if Dr. Lushington’s

“dictum is law, it is not theology ;”

and it cannot

“rule the faith of English Churches” (113).

“We cannot,” he concludes, “afford to yield an inch in this matter: we cannot allow this Book to be despised as not the Word of God. The Bible *is* the Word of God, and to say that God’s Word is contained and may be found in it is to deny that it is the Word of God.” (115.)

“St. Chrysostom reverently says that even in the genealogies of Scripture there are mysteries. It would be too much to look for reverence like this in one who teaches that the Bible is a common book; but surely the Bible is beyond the reach of ridicule.” (117.)

But the Bishop adopts the opinion of Mr. Maurice, who asks if there is any difference between the inspiration which we pray for in the Collect for the Communion Service and that by which the writers of the Sacred Book were moved. He contends that these writers and their books were or are fallible. The contrary to this assertion

“must be formally and definitely pronounced by the Church of England, later or sooner, if that Church is to guide her children and perform her duty as a witness for the truth” (119.)

Whatever appearance the surface of things may present, the Book is absolutely without flaw.

“Every charge of error in history or in any other matter is a libel against that Holy Book.”

Nothing less than this conclusion follows from the words of Christ Himself, who

“treats the Jewish Scriptures as if the least word was full of meaning. . . . From the tense of a verb . . . he deduces the distinctive doctrine of the Christian faith. . . . He stakes His own veracity and credibility upon the truth of the Old Testament in whole or in part.”¹

There was, in fact, an inherent and eternal necessity for his so doing.

¹ The term *truth* must here mean either accuracy in matters of fact, or rightness in moral and spiritual teaching, or both. There is the further implication of an authority which is not to be impeached. But the fact stares us in the face that no teacher probably has ever assailed more directly than our Lord the authority of sacred books. He cites as the sayings of the men of old time precepts and commands which in their places in the Pentateuch are set forth under the direct sanction of God Himself; and these sayings, which profess to come with immeasurably more than Mosaic authority, He sweeps away with the summary declaration, “I say unto you that it shall not be so.” We may, if we please, carry back our own belief to the interpretation of the Gospel records. We may urge that Jesus, in so speaking, was using His own divine authority: but before the multitudes he appeared simply as a new teacher, of whom they must judge according to his words. The insinuation that they looked upon Him through the light thrown upon His person by the Nicene theology is thoroughly disingenuous. But the fact of his independent teaching, teaching which utterly repudiated the position of the popular interpreters, was the fact which throughout the discourses grouped together in the Sermon on the Mount most impressed his hearers.

“If God can be untrue, then the book which is the Word of God can be untrue ; but not otherwise. A book which has error mingled in it, a book which, rightly understood, and judged according to those true laws of criticism which apply to its several kinds of literature, fails to stand the test of perfection, cannot have absolute authority, cannot speak to man as if it was the Voice of God.”

We are surrounded, in fact, by a tissue of marvels ; but bewilderment is a reason only for a more complete submission. *Credo quia impossibile.*

“Scripture may have its human imperfections, its seeming theological inconsistencies, its difficulties which try faith, its liability to alteration and corruption at the hands of copyists and translators ; but I cannot admit that error can find entrance into that which holy men wrote when they were borne along, like a ship with sails outspread, by a Divine afflatus, and spoke, not indeed without their own particular intelligence, but by the Holy Ghost.” (122.)

With all its imperfections, with all its flaws, with all its interpolations, with all its corruptions, it is uncorrupt, flawless, and perfect. If any further proof were wanting for the historical accuracy of the books of the Old Testament, it is supplied by the Book of Common Prayer.

“The prayer in the Baptismal Service assumes the reality of the flood and the passage of the Red Sea. The prayer for fair weather likewise supposes that the story of the flood is true. The prayer for times of sickness is based on the historic credibility of the story of the plague in the wilderness. The Communion Service and the Catechism accept the Mosaic history as respects the giving of the Law from Sinai.” (129.)

But, more particularly,

“the exhortation in the Communion Service treats those who hinder or slander God’s Word as unfit to come to the Lord’s table ;”

and by his criticisms of the Pentateuch the Bishop of Natal has hindered and slandered God's Word as much

"as any living man, or any man in modern times."

Thus slandering God's Word, he slandered also the Divine Master, who

"took the Mosaic history under his protecting wing, and spoke of Moses as the author of those writings which were usually ascribed to him by the Jewish people" (130).

To deny this,

"if Christ be God, is to charge God with error. Either the faith of the Church in the Godhead of Christ is a delusion ; or the charge of the Bishop substantially amounts to this. . . . I pray God, with all my heart I pray it, lay not this sin to his charge." (137.)

Such is the general outline of the Dean's long harangue. It is unnecessary to follow with the same closeness the pleadings of his fellow-accusers. The agreement between them is so complete that the reader may well wonder how independent thinkers could continue to preserve such harmony in the midst of the multitude of propositions each of which they put forth as articles of saving faith. All spoke with equal vehemence, and all were equally unsparing in their denunciation. The Archdeacon of Grahamstown was greatly distressed by

"the very painful fact . . . that the other day, at one of our largest public schools, where the Bishop had been once a master, the boys, on his appearing among them on their great speech-day, hailed him with a general and public acclamation of joy.¹ No doubt these poor boys thought that the Bishop was what he tries to represent himself as being in the Third Part of his book on the Pentateuch, *i.e.* a great Reformer, like Ridley and Latimer of old. And could

¹ See p. 241.

not the united voices of the English Bishops warn them? It must then be left to the sentence pronounced by your Lordship to assure them that he whom they have confounded with those great and wise master-builders in our Zion is in truth but an arch-destroyer of the common faith." (149.)

The Archdeacon of George went over the same ground. It was his belief that, if the Bishop of Natal had been present, he would have contended

"that the structure and composition of the Bible clearly evince the presence of a human element. And to this," the Archdeacon adds, "we should, of course, assent, fully allowing that the Holy Scriptures were penned by men of like minds and passions with ourselves, and that they were not supernaturally reduced to the condition of mere machines, in order that they might be thereby qualified to write under Divine dictation. But, 'this being conceded,' the Bishop would probably argue, 'you also concede the fallibility of the work so written, for no man can have perfect knowledge upon any subject; and all men are liable to make mistakes in communicating even what they know best.' The fallacy here lies in confounding human nature, as human nature—human nature in its essentials, with what is purely accidental to it. If it be asserted that the action of the Holy Spirit, specially exerted for a special purpose, could not preserve men from error in recording facts or in delivering doctrine, that, I contend, is to beg the whole question. My argument is that, because the inspired penmen were living men like ourselves, what they wrote does not, therefore, contain errors, for that human nature, although it does imply limitedness, does not properly imply either sinfulness or actual error; and that the influence of the Holy Spirit, being specially directed to that end, might, without any interference with the proper humanity of the person influenced, preserve him effectually from error to the fullest extent to which we can claim infallibility for God's Word written. Obviously, the proof of all others which I

would prefer to adduce in support of this argument is the perfect humanity of our Redeemer. For in His Divine Person we behold human nature, in all its naturalness, in perfect union with the Godhead." (211.)

The question of earthly fact and of the accuracy of records purporting to relate those facts is thus carried into regions of the most abstruse theology; and it becomes impossible to examine the real or seeming discrepancies between the histories of the books of Kings as compared with those in the books of Chronicles without reference to the question

"how in one and the self-same person a finite or limited nature such as ours could be united with a nature that must be limitless" (223).

But because it was so united, it must have been impossible

"for our Lord to have subjected Himself to misleading and mischievous error" (225).

The ascription of the Pentateuch to any writer but Moses is a misleading and mischievous error: therefore, since our Lord affirmed Moses to be the writer of the Pentateuch, the denial of this conclusion becomes blasphemy.

So ended what was called the case for the prosecution. There remained the defence (if any should be offered) and the judgement. But before we come to the latter, some facts force themselves upon our notice with glaring distinctness. The tribunal before which the Bishop of Natal was summoned to appear (whatever may have been its authority, and whence-soever derived), consisted wholly of ecclesiastics, without a single legal assessor. The accusers scarcely made profession of anything approaching to judicial impartiality. They admitted that, in dealing with many or most of the charges, their hearts were stirred with indignation. They could see in the defendant, it would seem, no redeeming points at all. He was nothing but a hinderer and slanderer of God's

Word: he was arrogant, blind, presumptuous: he was an arch-destroyer of the common faith of Christendom. But it was not the common faith of Christendom which was now in question. The real point at issue was whether certain propositions might or might not be maintained by clergymen of the Church of England, and maintained as lawfully by clergymen of that Church in South Africa as by the same or other clergymen in the mother country itself. The method to be followed in this inquiry could, lawfully, be only the method which would have to be observed in England; and this method must be based on certain well-defined and perfectly intelligible conditions. The guilt or innocence of the accused must be proved by reference not to the writings of the Old or the New Testaments, not to the utterances of early Christian Fathers or early Christian historians, not to the saints of any age or any country, not to a real or supposed consensus of Christendom on the matters in debate, not even to convictions avowed and put forth by the most learned or the most devout theologians of the English Church itself, but solely to the Articles and formularies of that Church.

But here, by a common consent, the accusers and the judge with his assessors cast all such limitations to the winds. If these were to be observed, justice, they urged, could not be done. The "Church of South Africa" was in union and full communion with the Church of England; but it was in union also with the Church Catholic, a union repudiated indeed with contempt and anathema by the vastly larger portion of Christendom, but none the less real (in their judgement) on this account. By the faith, the doctrine, the discipline, the canons of this Catholic Church must the accused be tested; and in this investigation the utterances of a Bernard and an Anselm must be held to carry a weight scarcely less than the Articles of Faith or the language of the Prayer Book of the Church of England. This wide range was claimed from first

to last ; and underneath this claim lay the suppressed premiss that the true interpretation of the Catholic faith and the Catholic canons must be found in the judgement of the Metropolitan of Southern Africa. This interpretation, involving an almost infinite number of propositions, and, as it might seem to the eyes of the profane, a vast mass of mere speculation and opinion, was to be taken as the law of the Church, and was to become binding on the consciences of all English Churchmen. The assurance with which the self-styled judge, the assessors, and the accusers in this case pile opinion on opinion, inference on inference, dogma upon dogma, without the faintest misgiving that these conclusions may not in every instance commend themselves even to the whole body of the orthodox, is amazing indeed. If they had been pleading not for the condemnation of one from whom they differed, but for their right to maintain these opinions for themselves without forfeiting their position as English Churchmen, their contention would have been intelligible ; but it would also have been superfluous. There was no desire on the part of any to shut them out, although in reference to every one of the subjects with which they professed to deal they had chosen to adopt the extremest and the most extravagant views. But the case was wholly altered when these views were put forward for the purpose of coercing the religious thought of England, and driving it into a channel scooped out only by themselves ; and still more so, when it became plain that of these interpretations some were incorrect, some absurd, and many, if true, not to the point.

Looking at matters even from their own standing-ground, it seems strange that they could regard with so much complacency the fabric which they were so sedulously raising with so little heed to its foundations. They spoke much of the Divine character of the Scriptures and of the duty of the Church as their interpreter. The result, they insisted, must

be harmonious ; but if a large number of statements seemingly not all self-consistent were to be so interpreted as to yield a general agreement, some statements must be held to be paramount. If the righteous God was to be regarded as utterly hating and waging war upon all sin, if His will is to be looked upon as unchanging, and His power as simply the result of His will, then it becomes impossible to think of Him as slackening in this war, still less to conceive of Him as leaving any portion of His wide creation as a region in which His will and His law should never be felt. Holding redemption to be, and denying salvation to be, universal, they never pause to think what may be involved in any theories of partial salvation. It is no light thing to ascribe to Him, whose hatred of sin and whose purpose of conquering and destroying it are admitted to be as eternal as Himself, a compromise with evil. Yet if any are suffered to remain with the evil in them thus unconquered, and under conditions which preclude all further purpose of conquering it, there is this compromise.

The dislike which the Dean of Capetown and his fellow-accusers felt for the critical method of the Bishop of Natal and his conclusions may be easily understood and readily forgiven ; but the vehemence of their indignation is no excuse for untruth. It was false to speak of the Bishop of Natal as representing God to be indifferent to evil (46). It was false to describe him as teaching, or as desiring to teach, or as dreaming of teaching, that God does not feel anger because of sin (65). It was false to impute to him the opinion that Christians were no better off than Jews, Turks, or infidels. But, further, their accusing harangues bristle with undefined terms. Definitions are always useful ; but they may perhaps be dispensed with so long as debate does not imply condemnation, loss, and ruin to one of the parties concerned. When the investigation involves the risk of penal consequences, the meaning of every term employed should be

very clearly drawn out. It may, or may not, be allowable to use language which may seem unmeaning or nonsensical : but such language must not be applied as a test of the truth or falsehood of opinions held by others. The Dean of Capetown speaks much of the satisfaction, the sufferings, and the death of Christ. But what this sacrifice, this satisfaction, this death may be, he never pauses to explain. He may appeal to Bishop Butler ; but of all writers in the Church of England who have been sinners especially in the use of undefined terms, Butler is among the foremost, and is perhaps the most conspicuous. The Dean cannot disclaim the duty of definition on the ground that the terms used have the same connotation everywhere, for this is not the case. Not a few of the terms employed by him have been used by writers in the Church of England in diametrically contradictory senses. To the word *salvation*, for instance, Dr. Pusey and Mr. Maurice attached two entirely different conceptions. With the former it was a rescue from a wrath ready to devour, a deliverance from an angry Judge by One who interposes the merits of His sufferings on man's behalf. With the other it is the process of deliverance from sin wrought by the Holy Spirit, who is working always, everywhere, and in all for good. Sacrifice and satisfaction are words as much, if not even more, abused. Sacrifice is the making of a thing holy, or that thing which is made sacred or holy. But nothing can be made holy except that which has a capacity for holiness or goodness ; and none who has not in himself this capacity can make anything holy. The Jewish sacrifices were thus sacrifices in name only. The body of the bull or the goat could not be sacrificed really, because it had no capacity for holiness or goodness. The beast might be killed, and that was all. The true sacrifice is the sanctification of the will ; and if God be infinitely righteous, loving, and good, it follows that he cannot possibly be *satisfied* except with a righteousness, goodness, and love