

in the city. And in the course of the week a telegram was picked up in the street, from a ship agent at Durban to Mr. Green, saying that a steamer would leave for England on July 9. Putting things together, it was conjectured that Bishop Twells might be coming through Natal on his way to England. Still this was only conjecture; and I left home hoping that if he came he would act the part of a Christian and an English gentleman, and not intrude into buildings in which he had no lawful right. I supposed, in fact, that the Confirmation was not his idea, but Mr. Green's. . . . At Durban, however, I saw that he had notified to his people that 'under the positive commands of his ecclesiastical superior' he was going through Natal to attend the Pan-Anglican. I heard no more till I returned home on the 25th, and then I found that he was daily expected in Maritzburg, and that the churchwardens of the Cathedral had locked and barred the church against the entrance of any one who could not produce the licence of the Bishop of the diocese. I repeat once more I had nothing whatever to do with this, and was wholly taken by surprise at it. But the fact is, the people had been so long and so grievously provoked by the Dean's proceedings that they have at length got the bit into their mouth, and will protect their rights in their own way. . . . To-morrow, if all is well, I shall give my usual service at 11 A.M. But no one knows what a day may bring forth. The people are in a state of intense excitement, boiling with indignation at Judge Connor's conduct, who has refused to interdict Bishop Twells from officiating. And if the doors are opened and he attempts to officiate, I very much fear there will be a riot. I wish you to observe that I have done everything to keep the peace, having endured the insult of Mr. Wills officiating under my nose for more than six weeks, patiently waiting for the decision of the law; and this whole disturbance has been brought about by Bishop Gray's proceedings.

‘And now for Bishop Twells. He reached the city on Thursday last (the day before yesterday), and was im-

mediately served with the Notice B, inclosed. Yesterday I find, he officiated in St. Andrew's, . . . and to-morrow, it is said, he will confirm at St. Andrew's. But in to-day's paper appears Notice C, authorising him to exercise full Metropolitan power in visiting this diocese. *I* do not intend, if possible, to interfere with him or notice him. His proceedings will only excite the people much more, and a very little will set them in a flame. He is going, it seems, to lay the foundations of two little churches. . . . The advertisement for one begins and ends with an invitation to a religious solemnity, and then, as inducements to draw a congregation, (1) all denominations are invited; (2) a picnic dinner is provided; (3) after the dinner, cricket, croquet, and Aunt Sally! I fancy never before were the foundations of a church laid with such accompaniments expressly provided for the faithful. . . .

“ You earnestly dissuade me from entering into unnecessary litigation, and I can assure you I want no persuasion as to my duty to avoid this, as far as possible. But I think you will see that under the circumstances it is not possible. You assume that I have possession of the Cathedral, and I fancy you assume that no such person as Mr. Wills could be intruded upon me. But you see they will go to all lengths, and it is absolutely necessary that I should know to what extent the judges will support my authority. Bear in mind that the S.P.G. has openly declared that it will reimburse Bishop Gray any sums to be spent by a Bishop like Twells, sent to poach on my manor; (2) that it has also forbidden its clergy to take my licence; (3) that the Archbishop of Canterbury has declared that I am canonically deposed; (4) that Butler evidently inclines to come, if he can—and all this after Lord Romilly's decision: and I think you will feel that I was bound to ascertain, without delay, what my legal position is, whatever use I might then make of my authority. Besides which, having (poor as I am) to fight the Society's £2885 per annum dispensed through Mr. Green, I want the £100 per annum which Mr. Green now receives from the colonial chest, and

also the house he lives in, for Mr. Gray. If I get that, the people will take *him* off my hands entirely. Again, he has so contrived his morning and afternoon services that it is impossible for us to hold a Sunday school, which the people greatly desire and need; . . . and further, he often prolongs his morning service so as to annoy our congregation. In a climate like ours it is not pleasant to come into a church which has only just been vacated by another congregation, and is still left by them in a state of disorder. On all these accounts I cannot doubt that it was my duty to bring these clergy to account, and I have done it in such a way that I think the sentence of deprivation must stand before the Privy Council, if they choose to appeal. But we shall see what the judges say in Wills's case. My own intention (as some of my best friends know) was *not* to *silence* Green and Robinson, though they were deprived, but, having the power at any moment to apply for an interdict, should circumstances require it, on the ground that they were only acting on sufferance, and had no licence (if this could be done without abandoning my *right* to silence them), to let them go on as now, . . . until some fresh outrage was committed which required an appeal to the law. I fancy that the recent events will make such forbearance impossible, and that I must silence Mr. Green, at all events, in all our churches. As he is an outlaw, I imagine that I *must* get an interdict against him, and that he cannot appeal against it. Perhaps he will choose to go to prison rather than obey such an interdict, though they did talk of obeying, and worshipping, if needful, in dens and caves. But for the sake of all parties it is evident that the present disorders must be settled by the courts of law. . . .

“Of course there is not a shadow of foundation for the statements quoted in the *Pall Mall Gazette* from the *Church News*, which appear to have troubled you. I have written to contradict them. I never had the slightest notion of joining the ‘Pan-Anglican tom-foolery,’ as you call it, nor have I the slightest idea of resigning my letters patent. The whole is a fabrication of the enemy. I cannot see the reason

for these particular lies being sent forth just now. Perhaps the wish was father to the thought, . . .

"I think Bishop Gray will find that he had better have left the Bishop of St. David's alone. What an incisive pen he has! and how quietly and calmly he writes! . . .

"Mr. Keate, our new Governor, is very pleasant, and goes to the services of all parties indiscriminately—which will not please those who consider us excommunicated. . . .

"*Sunday, June 30.*— . . . The Rev. G. H. Mason has returned to the colony, after a few years' absence, and has written to-day to ask my licence to officiate, though he is utterly opposed, he says, to my views. He will, I hope, fill up without expense to me a vacant post north of Verulam. This makes nine presbyters.

"*Monday, July 1.*—Mr. Wills was heard to-day by the Supreme Court. He read his argument, which took four hours in delivering, and is supposed to have been written for him by the Dean. It was mostly irrelevant, but ended by appealing to the Thirty-Sixth Canon, which says that no one shall be admitted to preach in any Church unless he be allowed by the Archbishop of the province, Bishop of the diocese, or one of the Universities!! Of course, this has nothing to do with the question; and if it proved, what they wished it to prove, viz. that allowance by Bishop Gray as Metropolitan was *sufficient*, without my licence, it would show that anyone allowed as a preacher by either of the Universities might intrude himself, in disregard or defiance of the Bishop, into any church or any diocese in England.

"This day I met Mr. Tozer for the first time in town. . . . He is disgusted with the S.P.G. Committee and Mr. Green, and is totally opposed to Mr. Butler, and assures me that Dr. Callaway and Mr. Newnham have *not* signed the acceptance of him any more than himself. I find that Dr. Callaway, being asked if he had come to receive Bishop Twells, indignantly denied it, and begged that this might be made known. By a very singular coincidence, the S.P.G. Committee, of which Dr. Callaway is a member, was summoned by Mr. Green to meet at Maritzburg just at the very time that

Bishop Twells was expected. . . . I have now made out satisfactorily that *nine* presbyters are utterly opposed to Mr. Butler's coming, and six have accepted him.

" *Tuesday, July 2.*—Our counsel was heard for four hours: judgement deferred, Mr. Connor straining every nerve against me in the most extraordinary partisan style. . . . I believe Bishop Gray has helped me more than he can imagine by sending Twells here at this time. It was a prodigious mistake. They are all ready for him, I hear, at Durban.

" One hundred copies of [the *Natal*] *Sermons* . . . have reached us, and are all distributed. I hope that Trübner has sent another supply; I must *give them away here*. The people value the little present very much; and it is a pleasant way of returning the innumerable small attentions which I receive on all sides when travelling about the country; besides, it is desirable to spread them all over the colony, that the people may know what my views really are. . . .

" I have applied to Bishop Gray for the balance of my income two mails ago; but I do not think my lawyers have as yet had their reply. I understand that he says he has paid my £100 a year all along out of his own pocket. I know nothing of this, and I do not believe it. It will be time for me to be generous (if I have any call to be so under the circumstances) when he acknowledges what is my due. He has put me to every possible annoyance and expense by his proceedings; and he is not a poor man. I am.

" *Thursday, July 4.*—To-day . . . Judge Phillips spoke out very strongly, I hear, about the indecency of Bishop Twells's conduct, and said much in my favour. Judge Connor could not see that Mr. Phillips's remarks were needed, or why persons should be compelled to be confirmed by a Bishop whom they did not recognise (as if any one prevented them being confirmed by Twells or any one else—only not in our churches), or why the two congregations should not continue to worship in one building. Judge Harding (the Chief Justice) said that the law must be obeyed. All this looks well, I hope, for our principal case of Mr. Wills. Meanwhile, Bishop Twells, &c., intended to have a grand Confirmation

in the Cathedral. But they had given no notice of their purpose to the other side. And by a singular coincidence, when Mr. Green came to the church, he found that the sidesmen had been seized with a sudden desire to have the church well cleaned; and accordingly he found the forms piled in a corner, and a number of men at work with pails and brooms, and the floor laid under two or three inches of water. He was very indignant, but there was no help for it. A broom accidentally touched him, and he gave the holder into custody; but the magistrate would not take the case. And the result was that they were obliged to go off to St. Andrew's for the Confirmation. I have just had a letter from the churchwardens of Pinetown. . . . They are anxious to shut the church, and do everything to prevent Bishop Twells's entrance. But I think I shall write to tell them not to do so—to let him alone, and content themselves with a protest. Do not let this (if it is so settled) be reported in England as if he gained free access. It will simply be by my express directions, to prevent another Sunday scandal."

There are certain aspects of this momentous conflict which can only render the conduct of the Bishop's opponents more repulsive as time goes on. The ecclesiastical zealot may be pardoned so long as he abstains from employing the weapons of falsehood and tyranny; for the judge who deliberately perverts justice there can be no more indulgence than for the judge who sells it. But unfortunately in the warfare provoked by the Bishop of Capetown it is hard to find among the ecclesiastical zealots one who comes out with clean tongue and hands. Wherever we turn, it is only to find ourselves still entangled in the meshes of subterfuge, evasion, slanders, and sometimes of lies. It would be pleasanter to pass over these things in silence: bare justice alone renders it impossible to do so. There may still be some who are under the impression that the Bishop of Natal was guilty of something

like fraud and robbery in reference to the sum annually paid to him by Bishop Gray. Speaking at Wolverhampton for his plan of setting up a schismatical Bishop in Maritzburg, the Bishop of Capetown had said :—

“ I shall myself give towards that object what I have hitherto given, which is a sum of £100 a year. But to this statement I must add a proviso. I will give it provided I am not compelled by law to pay it to Dr. Colenso. For I must explain that, though it was a subscription entirely of a private character, and had nothing to do with the endowment of the see, and was made subject to the condition that I was able to give it, I have recently had an intimation from Dr. Colenso—a lawyer’s letter, in fact—demanding payment of the allowance since his deposition.” . . .

The facts, in the Bishop of Natal’s words, are these :—

“ On being offered the see of Natal, I told Bishop Gray that my private circumstances were such that I could hardly do without the £100 a year, which was still needed to make up the income proposed for the Bishop. After some delay, Bishop Gray pledged himself to make good £100 to myself and £100 to the first Bishop (Armstrong) of Grahamstown, *during his incumbency of the see of Capetown*. And I always understood, having heard it, I believe, from Bishop Armstrong, that the sums in question would be paid out of £300 per annum allowed to Bishop Gray for *travelling expenses* from the colonial Treasury at the Cape—in addition, of course, to his income as Bishop. As his original diocese was divided into three, and he was spared the expense of visiting the districts of Grahamstown and Natal, it seemed very natural that he should have made the above arrangement. At any rate it was settled between us as a matter of *business* not of *friendship*, and I received the sum in question regularly up to January 1, 1864. Upon hearing, some weeks ago, the report of a statement being circulated,

which the *Church Times* repeats, 'Dr. Colenso, with extraordinary impudence, has commenced an action against the Metropolitan he repudiates, to recover the income offered him as a friend,' I wrote to a friend at Capetown to make inquiries on the subject, and the following was his reply, 'As regards your question about the Bishop of Capetown's travelling expenses, which he draws from the Treasury of this colony, he has had an allowance of £400, which he has regularly and without cessation drawn since January 1, 1849.'

Far from bringing home a charge of dishonest grasping against the Bishop of Natal, Bishop Gray in his Wolverhampton speech succeeded rather in convicting himself of disingenuous behaviour to both Bishop Colenso and Bishop Armstrong. Bishop Gray had the reputation of being an honourable gentleman; but would not, must not, a strictly honourable gentleman have said to both his suffragans, "I am now receiving £400 yearly from the Cape Treasury for my travelling expenses; but you will now save me at least two-thirds of the labour and the cost of visitation; and so this allowance shall be divided into three portions, which will give us somewhat more than £130 each yearly?" Instead of this, Dr. Gray says nothing of the source from which the payment came; and then hesitates before he pledges himself to pay not £130 but £100 a year during his own incumbency of the see of Capetown. A few years later, as at Wolverhampton, he could speak of this allowance to the Bishop of Natal as a "subscription entirely of a private character." If there was anything of a private character about it, this was the result of his own mode of dealing with the matter. But a subscription it certainly was not, either private or public. It was, in short, in no sense a gift from himself. It came from the Cape Treasury, and as such it should have been made over to the suffragans. That he should retain for himself

allowances for travelling expenses of which more, probably, than two-thirds had been taken off his hands would have been monstrous indeed. Subsequently (1868) Bishop Gray contended that the £400 was granted *very possibly* with an eye to the expense of journeys which had cost him £500 in a single year, and were still very expensive ; but the grant was absolute and unrestricted. It seems strange that Bishop Gray should have had any doubts at all on the motive for the grant. But on the latter point he seems to have been mistaken. The estimates of the Cape Governor for 1868, show on page 40 the item, "Allowance to the Lord Bishop of Capetown for travelling expenses, £400." The grant was therefore neither absolute nor unrestricted ; and if the costs of travelling amounted to £500 in a single year, there was the more reason why the whole £400 should have been divided into three equal portions, locomotion in the dioceses of Grahamstown and Natal being probably more costly than in the later diocese of Capetown.

We have seen already something of the fashion in which Dean Green, following the promptings of Bishop Gray, dealt with Mr. Tønnesen and some others of the clergy, and of the great forbearance shown by the Bishop of Natal towards himself. But at Wolverhampton Bishop Gray could speak of Mr. Green as bearing witness for the faith even to the spoiling of his goods, and of two other clergymen as in imminent danger of being deprived of their immediate means of subsistence ; while in London he described his "poor flock" in Natal as "obliged, to a great extent, to provide for its own ministers who were now being driven out houseless and homeless." This he could say when the S.P.G. and S.P.C.K. had transferred all their contributions from the lawful Bishop of the Church of England in Natal to the support of the Church of South Africa, which they subsidised with almost lavish munificence. Over the incomes derived thus, the Bishop of

Natal had not the least control, while Mr. Green had, at a moment's notice, cut off Mr. Tønnesen with wife and children from every penny of his income, for simply reading prayers at the direction of the Bishop; and on hearing of this the latter had certainly put to the Colonial Secretary the question whether a clergyman who could behave thus was a fit person to be employed as a colonial chaplain, receiving a stipend from the colonial Treasury. But it was notorious that in spite of outward professions of eagerness and zeal, the clerical adherents of Bishop Gray felt that the sword of Damokles was hanging over their heads, and that nothing but submission would prevent it from falling on any or all of them.

The charge of persecution of Dean Green in particular by Bishop Colenso was not a misrepresentation. It was nothing less than a lie. Mr. Green had insisted, in his defence before the Supreme Court, that he could have no fellowship with one who lay under the anathema of the Bishop of Capetown; that he must treat him as "excommunicated"; that, as ordered by the Metropolitan, he must regard him, and teach others to regard him, as *a heathen man and a publican*—or, to use his own words, that he was far more divided from the Bishop than the dead are from the living. The Bishop said in his reply:—

"I am sorry that the religious views entertained by the reverend defendant are such as compel him to narrow thus the circle of his charity and even of his hope. But I am thankful that my own enable me to regard him with more of human feeling. I can recognise most heartily in the defendant, however I may differ from him, however mistaken I may deem him, those virtues, that earnestness of purpose, and devotedness of life, which must make us all deeply regret that he should be lost to the ministry of our Church. Should your lordships' decision be in accordance with my

petition, and the defendant decide to quit the Church of England and seek to establish a branch of the Church of South Africa in this city, I am sure that a blessing from above will follow him in his labours, and I pray God that it may rest on him abundantly. But, on the other hand, should he desire to return to officiate as a clergyman in the United Church of England and Ireland, I should be most happy to welcome him. He would have full liberty to teach and preach and practise what he believes, within the wide bounds allowed by the laws of that Church as at present administered. And I would gladly do my best to make the way of return for him as easy and free from bitterness as possible."

From the persecution of the clergy, Bishop Gray, in his Wolverhampton speech, went on to speak of the wrongs done to himself in reference to the Church property in Natal, of which he ought to be, as he contended, still trustee. The majority of the Supreme Court had, he stated, ruled

"that what was vested in Robert Gray, D.D., Bishop of Capetown, and his successors in the said see," was really vested in "J. W. Colenso, D.D., Bishop of Natal, and his successors in that see." "I was ordered," he went on to say, "to pay the whole costs of the case, viz. £200. It would have been a great deal more, but my own registrar, who, I am bound to say, devoted a great deal of his time both to the Colenso trial and to the subsequent suits, said, 'I won't take anything; it is my offering as a Churchman towards the defence of the truth.'"

But the Bishop of Capetown's registrar was not the only one who could be generous. Bishop Colenso's registrar, who was said by the *Church Times* to have charged him with costs to the amount of £500, had also refused to receive any remuneration for the numerous services which he had rendered through the whole course of the litigation which the proceed-

ings of Bishop Gray and his "Vicar-General" had alone rendered necessary. But the Bishop of Natal ascertained that the taxed costs received by his registrar from Bishop Gray in the Cathedral case amounted to only £80, while the sum paid to his (Bishop Gray's) own lawyer in Natal, Mr. Green's brother-in-law, was £97, besides the "great deal more" which his registrar saved him—

"all which would have been spared if he had not interfered in the matter at all, but allowed the judges to decide, as seemed to them best, upon the application made to them. For, of course, the judges of our Supreme Court did nothing so absurd or unjust as is above attributed to them; that is, they did not say that what was really vested in Bishop Gray was vested in me. The grant in question, with some others, was made to the original Bishop of Capetown and his successors in *that* see. And it had long ago been held by lawyers that, by the resignation of his first patent, the abolition of the former see, and his acceptance of a totally different see, though still called by the old name, the trust in all these cases had really fallen into abeyance. . . . With the view of turning to some profit land which had all along been left lying waste, I was obliged to apply to the court, not to 'eject' Bishop Gray from the trust, for he was not really trustee, but to say in whom such grants ought to be vested. Of course notice was given him of the application, but it was not expected that he would contest the matter, and I must say I think he was ill-advised to do so, especially as he regards the case as of no lasting importance, and did not consider that his being trustee gave him any 'rights' in respect of the property. But he must not complain of the expense which he has thus of his own free choice incurred. He has secured thereby a considerable delay in the settlement of the question, and he has gained still further time by giving notice of appeal; so that though judgement was given here last January, yet on October 9 Bishop Gray can still say, 'I have *almost* decided not to prosecute an

appeal,' the extreme limit allowed by law being November 21. He has thus made it impossible for me to exercise, if necessary, my 'right,' as trustee, to exclude all mere intruders, such as Bishop Twells or Mr. Wills, from the Cathedral, and secured for a short time, though at some cost, the power of sending his commissary to make a display within that building as one 'authorised and empowered to exercise Metropolitan jurisdiction over all persons claiming to be in holy orders of the United Church of England and Ireland within the diocese, with all and all manner of visitatorial jurisdiction, power, and coercion.'"

TO W. H. DOMVILLE, ESQ.

"BISHOPSTOWE, July 31, 1867.

- "We have suffered a defeat to-day in the Supreme Court in Wills's case, which, however, I hope will be repaired for *practical* purposes on September 1, when the court sits again. The Chief Justice gave his judgement decidedly for giving the interdict. Mr. Connor, of course, gave his voice against it. . . . And then Mr. Phillips, to the utter astonishment of all parties, pronounced against the interdict, throwing Lord Romilly's judgement to the winds, and declaring that a Bishop's letters patent are utterly valueless to give any kind of jurisdiction whatever. And this, after he had declared all along that he would give effect to the patent, and delivering a severe reprimand to Bishop Twells for intruding into the Cathedral, which of course, on his principle, he had a perfect right to do. . . . As it stands, the decision is most ridiculous. Not only Mr. Wills, . . . but, as it seems, anyone, clergyman or not, may enter the Cathedral at his pleasure and do what he likes in it. Nobody can prevent him, unless it be the trustee, and I am not at present trustee for the Cathedral.
- "To-morrow my sentence takes effect, . . . and Green, Robinson, Fearne, and Walton (of whom only Fearne has appealed to Bishop Gray, and he *too late*) will cease to have any right to officiate as clergy of the Church of England. I am

trustee for St. Andrew's (Robinson's) and Pinetown (Walton's). On September 1, therefore, I shall apply to interdict Robinson and Walton, and shall raise four points: (1) that my patent is perfectly valid, having been granted before our colony received its charter; (2) that under Long's judgement I have a right to try and deprive these clergy; (3) that under Romilly's judgement I have a right over all; (4) that as trustee I forbid their ministering, and they must prove *their* right.

"I am almost sure of a judgement in my favour. . . . Then they will appeal, and all the questions will have to be discussed before the Privy Council. I see no help for this, and obviously I cannot avoid this litigation after having had both Wills and Twells intruded as they have been. If I succeed here, I shall apply for an interdict on Green, and . . . I don't see how he can be allowed to defend himself at all, except by obeying the order (about the register, which I doubt his doing), in which case the outlawry would be removed.

"This is, of course, a great disappointment. . . . As it is, we may hope that good will come out of it by all these important questions being discussed by the Privy Council, and settled definitely.

"*August 2.*—To-day, in the *Witness*, the judgements of the Chief Justice and Mr. Phillips are given. And you will see by them that we shall be all right in our next application, Phillips having distinctly said that if I apply as trustee he would grant the interdict."

Whatever else may be shown by the argument of the Bishop of Natal before the Supreme Court of the colony (September 10, 1867), it brings into clear light the fact that the feuds and divisions consequent on Bishop Gray's proceedings had been caused simply by the interference of the latter with the ordinary course of justice. The greatest dread which an Englishman has is that of arbitrary and irresponsible power; and it was on this account that the members of the

Church of England in Natal were opposing themselves to the pretensions of the Bishop of Capetown. It was not primarily from a wish to screen the Bishop of Natal from the consequences of any misdeeds of which he might justly be proved guilty, nor was it in the first instance from general sympathy with his views, or approval of his conclusions, that they protested against the attitude and the language of the Metropolitan. Their common-sense told them what course the due administration of justice must take; and they could see clearly that Bishop Gray's action blocked this course. They could not be brought to admit the poor sophistry by which Archbishop Longley sought to assure them that they could not acknowledge the authority of Bishop Colenso without making themselves responsible for what he spoke of as the Bishop's errors. Some of them might contemplate the possibility of the Bishop's being deposed and another being put in his place; but the process must be from first to last legal, and the accused must have the power of exercising his right of appeal to the Sovereign in Council. Meanwhile, they knew perfectly that the opinions of Bishop Colenso cast no responsibility upon them, and that they in no way affected his acts in the administration of Church affairs, in the ordering of the Church's services, and the maintenance of due order and discipline. They knew that if he had really violated the law of the Church of England there would be no difficulty in bringing him to punishment, and they drew the natural inference that if the Bishop of Capetown chose to follow some other law it must be because he could insure Bishop Colenso's condemnation in no other way. But, although this was the prevalent feeling throughout the colony, there was nevertheless a large majority of persons who felt a deeper sympathy with the Bishop's work, and heartily approved his teaching generally. Nor is there any cogent reason for supposing that the number of sympathisers is much smaller now

than it was then, although opportunities of expressing their convictions are few, and in many cases lacking altogether.¹

In accordance with the instinct for fair play thus shown throughout the diocese, the Bishop, in his argument before the Supreme Court, insisted that he neither asked nor wished for the exercise of any power on his own behalf which should not give to the accused an opportunity of showing that the treatment applied to him was not in consonance with the principles of equity or in agreement with the laws and usages of the voluntary association to which both the judge and himself professed to belong. This course would, in every case, leave a final appeal to the Sovereign, which, he remarked,

“is all for which in my contest with ecclesiastical authority, I have been all along contending.”

Everything tended to show how unlawful, how mischievous, and therefore how unchristian and uncharitable, the conduct of the Bishop of Capetown and his brethren in England had been. The courts in England were ready to bear him out in the exercise of really lawful power. The Judicial Committee had ruled that, by accepting his licence and his institution to the living of Mowbray, Mr. Long had submitted himself to the Bishop's authority

“to such an extent as to enable the Bishop to deprive him for any lawful cause ; that is, for such a cause as (having a regard to any differences which may arise from the circumstances of the colony) would authorise the deprivation of a clergyman by his Bishop in England.”

To this extent they were ready to support the Bishop of Capetown against, for instance, the Bishop of Natal ; but

¹ It must not be forgotten that the Bishop was spoken of as “the most popular man in the colony” just before the defence of Langalibalele roused against him an opposition of another kind.

they were not prepared to approve the deprivation of the latter on charges which could not even be entertained against him in England.

Such a contract as that which Mr. Long had made with the Bishop of Capetown, Dean Green and the two other clergymen deprived by the Bishop of Natal had entered into with himself as Bishop of the diocese. But it was only the example of Bishop Gray which had emboldened them to resist the exercise of the Bishop's lawful power, or, rather, had rendered the exercise of it necessary. It had thus become needful to go into an intricate legal debate which was to determine the grounds of the jurisdiction, and to discuss the complete or partial invalidity, or, on the other hand, the thorough validity, of letters patent. To some minds the discussion may be generally unattractive. It will cease to be so when it is seen that the question of jurisdiction is inseparably connected with the question of freedom, and that the whole subject is handled by the Bishop with such power, clearness, and skill, as must, had he made the law his profession, have placed him in the first rank of English jurists. Lord Romilly, regarding the Bishop's letters patent as "partially valid," had declared that the district or colony of Natal is a district presided over by a Bishop of the Church of England, which is properly termed a see or diocese ; that

"the members of the Church of England in Natal constituted not a Church in Natal in union and full communion with the Church of England, but a part of the Church of England itself," and that "they had voluntarily submitted themselves to the control of the Bishop of Natal, so long as it is exercised within the scope of his authority, according to the principles prescribed by the Church of England."

But what are these principles? or, as Bishop Gray would have put it, What is her faith?

“Is it,” for instance, “a part of the faith of that Church to hold that ‘the whole Bible is the unerring Word of the Living God,’ or that ‘the punishment of the wicked in hell will be endless’? The Metropolitan and my brethren in South Africa say that *it is*; the Privy Council rules that *it is not*; and obviously the questions thus raised are of most real and vital importance. . . . We know that the doctrines of the ‘United Church of England and Ireland’ are such as are enforced by the laws of the Church in England, as interpreted by the Privy Council, or modified from time to time by Parliament. We do not know what those of the Bishop of Capetown may be to-day or what they may be to-morrow.” . . .¹

Even among those who protested most earnestly against the spirit of his acts, not one could question the courage and perseverance of the Bishop of Capetown. Whatever good qualities a zealot of the extremest school could be supposed to possess, these he possessed in full. Of the mental and moral conditions of the age in which he lived, he knew nothing and said nothing. His business was to insist on what he called the doctrines of the undivided Church for the first millennium of her history; and it mattered nothing to him if to the vast majority of his countrymen, to the majority even of members of the Church of England, many, if not most, of these doctrines seemed false or groundless. To the fact that he was the spokesman of a society which for all practical purposes had long since passed away it was impossible to open his eyes. The truth of all his premisses being assumed or granted, he could reason with commendable logical precision; but of the energy with which his premisses were rejected by all except the adherents of his own school, and some of these by many even of them, he had absolutely no idea. He could therefore go on repeating his own formula,

¹ *Argument, &c.*, p. 15. See Appendix A.

or the formula which he supposed to express his own mind, with a pertinacity which was as irritating as it was wearisome ; and, to his great misfortune, these incessant confessions of his faith were received, even by many who saw through their folly, with expressions of commendation for his earnestness, which confirmed him more and more in his delusions. In connexion with what he called the Catholic Church and the Catholic faith, the distinction between fundamental laws and accidental enactments had for him no existence. The judgment of the Master of the Rolls had naturally provoked his indignation. To Lord Romilly's declaration that the Royal supremacy was the foundation on which the discipline of the Church of England rests, and that, if this supremacy be denied, we forfeit our connexion with the mother Church and are no longer one Church with it, Dr. Gray could only retort with the question,

“ Why, if we do not forfeit our connexion with the mother Church though we are not bound by or repudiate *some* of the laws of the Church of England, as *e.g.* those relating to tithes or Church rates, should we forfeit that connexion by declining to be bound by others ? ”

The answer is plain. The largest liberty conceded to colonial Churches to govern themselves according to their peculiar circumstances furnishes not the slightest warrant for the putting forth of rules which would interfere with the paramount rights of English Churchmen throughout the British Empire. The most important of all these rights is the right of appeal to the Crown, which means a guarantee against the arbitrary action of purely ecclesiastical tribunals. It may be very well to talk of the right of colonial Churches to self-government ; but the lay members of these Churches have to be thought of as well as its chief officers, and if we take any of the thousand passages in which Bishop Gray

makes confession of what he calls the Catholic faith—that is to say, of his own opinions—we see that this scheduling of his own fancies involves intolerable tyranny.

“We accept,” so Bishop Gray contended, “the position you have assigned us of voluntary religious bodies; but, as such, we claim that our own discipline shall be carried out through our own tribunals, in accordance with the provisions of our own canons; and that it should not be taken away from the Church’s tribunals and transferred to civil courts.”¹

But here, as elsewhere, Bishop Gray betrays a complete misapprehension of the real facts of the case. No one in the colonies or elsewhere needs to be a member of the Church of England unless he chooses to be so; but if he does so elect, he is bound by the law of that Church, as interpreted by the Supreme Court of that Church—that is, of the Sovereign in Council—and he is bound to this as the only way of securing his own freedom and that of all others who claim membership with the English Church. This fundamental law, this radical principle, Bishop Gray regarded as a mere accident—as something which drops off from English Churchmen as soon as they find themselves, for instance, in South Africa. That the Church of England thinks precisely as Bishop Gray thinks, he has no doubt. The Church of England is, in its constitution, a body that was planted in England almost, if not quite, in Apostolic times.

“It has an hereditary ministry, a body of Bishops and clergy, in succession from those who first converted the country from heathenism. It has a faith which it has defined for itself in its Synods, and embodied in Articles and formularies, and it affirms that that faith is the very same that was taught in the first ages.”²

¹ *Letter to the Members of the Church in the Diocese of Capetown*, p. 8.

² *Ib.* p. 9.

These sentences contain a good many historical fallacies ; but if we grant the truth of the propositions, we should be only saying that from one point of view they may be right, from another totally false.

“The English clergyman does not contract, at his ordination, to obey the statute laws of the Establishment. He is placed under them, and remains so, as long as he is in England. The moment he leaves England he is seemingly free from the operation of those laws.”

These remarks may be much to the point, or they may be quite irrelevant. No Englishman enters into any contract which is to insure to him the protection of the fundamental laws of the realm. It is by no contract that he is entitled to the guardianship of the Great Charter, and of all the Acts which supplement and confirm it ; and that which the Great Charter is for all Englishmen, whether clergy or lay, that also is the Royal supremacy, only that from the nature of the case its beneficent working is now felt in a vastly greater degree by the clergy than by the laity. Both the Charter and the Royal supremacy are the inalienable inheritance of all Englishmen. And it is a matter of not the least consequence whether, when Henry VIII. transferred to himself the jurisdiction thus far claimed or exercised by the Pope, he intended that the results of this transfer should be what they have been, or something very different.

But nothing, it seems, could disturb the tranquillity of Bishop Gray's convictions.

“I claim for ourselves as a voluntary association,” he loftily proclaimed, “rights which have ever been in existence in the Church from the beginning, the exercise of which held the Church together for a thousand years, until the usurpations of the Papacy broke its peace and unity, which are in

full exercise now in the greater number of our colonial Churches, and soon will be in all.”¹

We have heard the cry from Bishop Gray so often as to be well-nigh wearied with it ; but its repetition does not lessen our astonishment. Bishop Gray grew eloquent over the large amount of modification needed to make the offices of the English Church suitable for use among the heathen : it was strange that he should look on himself as having these adaptations more at heart than the hated and heretical Bishop of Natal. But the fact is that all this oratory was off the point. No one would quarrel with any amount of necessary change in the Church’s offices, or the character of her discipline, if these changes left untouched the right of final appeal to the Crown. But Bishop Gray never meant that it should be left intact. It was, rather, the very first thing to be assailed and put down.

“With the English Parliament and the laws which it enacts, the Church at the Cape has,” he insisted, “nothing to do.”

But with the principles which underlie all English legislation it had everything to do ; and the Bishop of Natal was left alone to maintain the connexion. With Bishop Gray his premisses always carried his conclusions, and, as he thought, could carry nothing else.

“In England, we have Metropolitans ; why, if we are the same Church, having had them once appointed in Africa, are they to be destroyed there ? In England, appeals lie by law, from the suffragans to the court of the Metropolitan.”²

But he forgot that in England the extent of Metropolitan power is a moot point ; that in no case could the Primate exercise the power which Bishop Gray claimed for himself in

¹ *Letter to the Members of the Church in the Diocese of Capetown*, p. 14.

² *Ib.* p. 20.

Africa ; and that in every case there lay an appeal from the Metropolitan's court to the Crown. It was this appeal which he was determined to cut off, and it was by this resolution that he severed himself from the Church of England. In this resolution he was inflexible. The conceding of this right involved (1) the destruction both of the spiritual character of the Church and of its actual constitution, by the annihilation of its spiritual tribunals ; and (2)

“the fencing and screening of Dr. Colenso, and through him of all unbelief, from all control, save that which civil courts may be pleased to exercise.”

It is here that Bishop Gray exhibits himself in his true light, as one who is resolved before all things to break down the liberties of the English Church. For the time being it might be Dr. Colenso on whom the vials of wrath were to be poured forth ; but some years earlier it would have been Mr. Gorham or Dr. Rowland Williams ; or, if men of a different school from Dr. Gray were in power, it might be Archdeacon Denison, or Dr. Pusey, or Mr. Bennett. Bishop Gray was the deadly foe of all comprehension. He no more knew the meaning of the word than Lord Cobham and his Lollards knew the meaning of toleration. It is certain that the Judicial Committee would neither fence nor screen Dr. Colenso unless he could show for the screening or acquittal as good a title as Mr. Gorham or Dr. Williams.

“But neither Lord Westbury,” Bishop Gray complained, “nor the Master of the Rolls has assigned the reason why a Bishop could not enter into a consensual compact with his Metropolitan, precisely as a priest can with his Bishop. They content themselves with simply saying that ‘he could not do so consistently with his duty as Bishop of Natal—that is, as a Bishop of the Church of England.’ The order and constitution of the Church, as agreed upon for the

colonies, subordinates the priests to the Bishop, the Bishop to the Metropolitan, the Metropolitan to the Archbishop of Canterbury."

According to this order, he insisted, "all appeals end there," but it would be to the Archbishop in his judicial, not in his personal, capacity. The Archbishop would act through his court, and from this court we come back again to that final appeal to the Crown against which Dr. Gray had steadily set his face. Destroy this appeal, and then the river of thought would flow towards its source. The Judicial Committee had already "altered the faith of the Church of England on two important points," (1) that the Bible is the word of God, and (2) that future punishment is everlasting. We are brought back thus to that astounding perversity with which it becomes impossible to deal except by leaving it alone in the patient, care being taken that it shall do as little harm as possible to others. Bishop Gray was indeed quite well aware of the nature of his position. The decisions of the Judicial Committee were likely to upset one article of his faith after another; in other words, their interpretations would be likely or sure to show that the interpretations of Bishop Gray were either untenable or not binding on any members of the Church of England.

From the Pan-Anglican Synod which was to meet at Lambeth in 1867 Bishop Gray expected great things. His hopes were only in small part realised, although he received a large amount of (it may be, in some degree, equivocal) sympathy. The Bishop of St. David's had looked on the proposed gathering with suspicion, and writing to the Archbishop of Canterbury he had said :—

"If the meeting is to confer together upon questions or errors which may appear in these days 'to imperil the acceptance of the faith once delivered to the saints;' if it is 'to provide

a broad basis upon which to found attempts to bring about inter-communion with other portions of the Church Catholic;’ if it is to discuss and affirm the common principle of ‘a right ecclesiastical discipline’ as ‘one of the notes of the true Church;’ . . . if it is to devise a course of procedure by which ministers of the Church, whether Bishops, priests, or deacons, accused of denying the faith, or infringing the discipline of the Church, may be duly tried, in a mode recognised by the whole communion as just both to the accused and to the Church, then I should feel myself obliged to make some kind of protest against these proceedings, and that which I should think most consistent with my respect for your Grace would be to stay away from the meeting.”

Dr. Thirlwall, it seems, obtained some pledge that matters of this kind should not come under discussion, and his signature is given to the somewhat colourless document which sums up the results of their deliberations. It was a very safe assertion that “unity will be most effectually promoted by maintaining the faith in its purity and integrity.” They were entering on more difficult ground when they went on to speak of this faith “as taught in the Holy Scriptures, held by the primitive Church, summed up in the Creeds, and affirmed by the undisputed General Councils.” The ground thus touched was more difficult because the words seemed studiously to put out of sight the modes in which the responsibilities of the clergy in respect of this faith were to be enforced. The judgments of the Arches Court and the Judicial Committee had agreed in ruling that references to Scripture were not admissible as evidence of heresy in an accused clerk,¹ and that the mind of the Church of England was to be gathered, not from an examination of the history or the doctrines of the primitive Church, but solely from her own Articles and formularies. Nor in the matter of General Councils was any distinction between

¹ See Vol. I. p. 325.

one class of Councils and another known to the Church of England. All, it seems, were fallible, and it was free to the clergy to say where the errors of any of them lay. It was, however, quite true that the whole Anglican communion was "deeply injured by the present condition of the Church in Natal;" nor was there any harm in appointing a committee "to report on the best mode by which the Church may be delivered from the continuance of this scandal, and the true faith maintained." The best mode was not, indeed, far to seek; but it was a mode against which Bishop Gray had set his face as adamant.

There remained many difficulties yet to be overcome before the Church in Natal could, in Dr. Gray's judgement, be fitly administered. He had resolved on the consecration of a Bishop for what he spoke of as the vacant see; and he had thought that this work might be done in England. But at this prospect many to whom he had looked for help took alarm. Dr. Tait, Bishop of London, begged him to remember that at the Pan-Anglican Synod the assembled Bishops

"deliberately abstained from affirming that Bishop Colenso's deposition was valid, either spiritually or in any other way;"

that the report of the committee recommending the consecration of a new Bishop was with equal deliberation "not approved, but only received," and that many who were sensible of the danger of Dr. Colenso's teaching still held that his see was not vacant, since his deposition had been pronounced null and void in law by the highest courts in the realm, while some of the Bishops believed that, quite independently of questions of English law, the deposition was uncanonical. To this sobering counsel Bishop Gray replied with not a little warmth. Choosing to fix a certain character on the Judicial Committee, he insisted that

“it would be uncanonical and unprecedented for a Metropolitan, under any circumstances, to apply to a purely secular court to depose one of his suffragans ;”

and, as he had never before failed to do, so now he sought to shut up Dr. Tait to the old dilemma.

“The issue at stake,” he would have it, “is simply this. Have we received a revelation from God, of which the Scriptures are a written and infallible record ? or have we not received any such revelation ? Is Christianity, as it has been delivered to us from the first, true, or is it a lie ? Are we to exchange it for a new religion or not ?”

No doubt, there was here a dilemma ; but it was a dilemma wholly of his own making. Every one of his propositions might be met by a flat negative from men whose title as Christians was, to say the least, as good as his own. There was something childish in this representing of theses rejected both in the Archiepiscopal court and by the Sovereign in Council, as being nevertheless essential to communion in the Church of England and binding still on the clergy. But because Dr. Tait made use of certain phrases, Bishop Gray seemed to have looked upon him, formally at all events, as ranged on his own side ; and he was now the more keenly disappointed to find that, in spite of disclaimers of sympathy with Bishop Colenso, he had, whenever the subject came into discussion,

“adopted the course and employed the language which his most skilful advocate would have used, and that often with a vehemence of expression which seemed to betray an eager partisan.”

It seems strange that Bishop Gray should not have been able to gauge better the mind of a prelate who, if he professed, and no doubt felt, little sympathy, or none, with the Bishop of Natal, still rejected Bishop Gray’s theory of the Church,

and regarded his idea of the Christian priesthood with an aversion scarcely less intense than that which would have been felt for it by his predecessor at Rugby, Dr. Arnold.

To the Archbishop of York, who felt himself obliged to warn him that the consecration could not take place in his diocese, nor, except with the consent of the Bishop, in any diocese in the province of York, Bishop Gray replied by saying that he could not accept advice which urged him to submit the whole case "to some civil court," and by praying him to remember that

"the honour of their insulted Lord, the very existence of the Church in Africa, and in England too, as a true and living branch of Christ's holy Church, depends upon their rejection of the heretical teacher."

Then followed the old Philippic.

"Dr. Colenso has taught that the Holy Scriptures, of both the Old and New Testaments, are not to be relied upon as conveying to us an unerring revelation of God's truth and will. He has affirmed that every living man is to judge for himself—by the voice which he hears within, which is the 'voice of the Lord,' the 'light of the Divine Word'—whether any, or what, portions of the Scriptures are the Word of God; that 'by that light the words recorded by our Lord Himself must all be tried;' that 'our Lord was ignorant and in error;' that 'it is not to be supposed,' 'it cannot be maintained,' that 'He possessed a knowledge surpassing that of the most pious and learned adults of His own nation,' 'that He knew more than any educated Jew of His age'; that He ought not to be adored or worshipped; that it is 'unscriptural and unapostolic' to do so; that 'we must modify our views of Christianity itself.'"

It can scarcely be supposed that Archbishop Thomson could have read through this absurd indictment without a smile at the infatuation of the man who could think that the

cause of true religion could possibly be advanced by such a broadside of exaggerations, if not of direct falsehoods. He must have seen, and Bishop Gray ought to have been well aware, that one portion of this foolish indictment condemns the general argument of Butler's *Sermons on Human Nature*; while the other charges not merely Jeremy Taylor and Waterland, but Athanasius, Jerome, Chrysostom, and many more reputed saints and doctors of the Church, with heresy. The courage of the ignorant zealot may be worthy of admiration, but it is beyond the reach of argument. We have indeed to modify our views of Christianity itself. What is the work of the Church, if it be not her task to do this? The Church of England certainly attempted, and in part achieved, it, at the Reformation. But the intolerable wrong involved in these tirades of Bishop Gray lay in the assumption that a clergyman could be condemned at the Cape for offences with which he could not have been charged in England. The assumption is subversive of all justice and all law. It was open to Bishop Gray to maintain that the Church of England had apostatized from the faith, and to shake off the dust from his feet against her, on leaving her communion. It was not open to him to constitute in her name offences in one province which were not offences in another, and to treat as penal in Africa expressions which the Court of Arches and the Judicial Committee had declared to be at the least permissible in England.

It must have been painful to Bishop Gray to have cold water thus thrown upon his plans by Bishop Tait and Archbishop Thomson; but Archbishop Longley's refusal to permit the consecration to take place within the limits of his own diocese or province must have been more painful still. Dr. Longley had indeed told the Bishop of Natal not only that he looked upon him as properly deposed, but that he had been deposed for offences which would have insured the deprivation of an

English incumbent ; but he could not summon boldness to give to Bishop Gray more than the cold comfort of his assurance that there was

“nothing in Dr. Colenso’s legal position to prevent the election of a Bishop to preside over them by those of our communion in South Africa who, with myself, hold him to have been canonically deposed from his spiritual office.”

This was, indeed, much like blowing hot and blowing cold in the same breath ; but Bishop Gray at once submitted to the Archbishop’s decision, remarking that the Church of England herself was now really on its trial at the bar of Christendom. Where this bar might be, it would be hard to say ; but the tribunal would in any case be a strange one, the two chief places in it being filled by the orthodox Church of the East and the Churches of the Roman obedience in the West, both East and West excommunicating each other, and both alike refusing the very title of Church to the society known as the Church of England, and charging Bishop Gray, as well as all other English Bishops, with schism or heresy quite as heinous as any of which the latter might hold Bishop Colenso to be guilty. Like Bishop Gray’s ideal of “the Church,” the bar of Christendom, as an organized court, is absolutely and purely a dream.

In the heat of the great controversy, Bishop Hamilton of Salisbury, himself an object of no small suspicion and dislike to many of his clergy from his supposed Romanising tendencies, admitted that he and his fellow Bishops could hardly trust their feelings to act with justice towards the Bishop of Natal. It is far more difficult now, after the lapse of more than twenty years, to repress a feeling of indignation for the utterances of men who could speak thus, or of others who declared not only that substantial justice had been dealt out to him in the so-called Capetown trial, but that he had not behaved like an

honest and well-meaning man in declining to defend himself at that trial on the merits of his case. In so saying, Bishop Ellicott implied that it was the duty of the Bishop to acknowledge himself a member of a society (the Church of South Africa) to which he did not belong ; to admit a jurisdiction which he felt assured was utterly unlawful, and the authority of a tribunal which the laws of the English Church did not and could not recognise. Wherever they might look, his opponents could see nothing but reasons which should have led the Bishop to submission or to resignation. Even a man like Archbishop Whately, on receiving a copy of the First Part of the *Examination of the Pentateuch*, could write to tell the donor, "I suppose you will now leave the Church ;" and others, like the Bishop of Llandaff, Dr. Ollivant, spoke as though the fact of Bishop Colenso's having pledged himself to pay due canonical obedience to the Metropolitan of Capetown settled the matter as thoroughly as William of Normandy chose to regard his claim to the English crown as settled by the oath of Harold over the chest of relics at Rouen or at Bayeux. Others, again (and these formed seemingly a majority in the Convocation of Canterbury), thought, apparently, that they might possibly put him down by pretending to do that which, after all, they were not doing, and had no intention of doing. Ambiguous language may be often a convenient weapon; and the majorities in Convocation felt no shame in resorting to equivocations which might do credit to the casuistry of Alphonsus Liguori. As "a spiritual body, the Church," they declared, "may rightly accept the validity of the so-called Capetown trial and sentence." The Bishop of Capetown insisted on this as showing that the Church may and does accept it. The Convocation, it seems, meant that the Church may, if it chooses, accept it, but it does not ; and, beyond this, that assembly was well aware that, however clearly it might speak, it could not possibly speak as the mouth-piece of the Church of England.

But nothing, it seems, had any deterrent power with those who felt, or professed to feel, themselves bound to aim at the silencing of the Bishop of Natal as persistently as Cato demanded the ruin of Carthage. Bishop Hamilton of Salisbury, whose own house was perilously nigh the flames, joined in the cry; and the most prominent in the attack was Archdeacon Denison, who, having been condemned in a perfectly lawful court on the merits of his case, had escaped on appeal by availing himself of a mere technical informality.¹

TO W. H. DOMVILLE, ESQ.

" BISHOPSTOWE, *September 7, 1867.*

" I send you by this post a copy of the argument which I am to deliver, if all is well, on Tuesday next, September 10 . . . Our judges have found out, I believe from the Attorney-General, . . . that they were altogether wrong in purposing to give a perpetual interdict without an *action*. The result is that we have been advised to modify our plan of proceeding, and apply for an *ad interim* interdict with a view to action. The action cannot be heard till November 1; but we hope the interdict will be granted meanwhile, as then we shall have practically gained our point. I shall be curious to know what your lawyers think of my attempt at law, as you have asked me to judge of your divinity. But the fact is, it was hopeless to put the argument in proper shape through the mouth of my young advocate, or any of the Natal lawyers. Besides which, I thought it well to print it with a view to the appeal on the Cathedral case, should it be prosecuted."

TO THE SAME.

" BISHOPSTOWE, *September 10, 1867.*

" I write this, on the chance of there being a supplementary mail to-day, to say that I have delivered my argument. . . .

¹ See Vol. I. p. 390.

But one thing occurs to me, which it may be of importance for Mr. Shaen to note. In Bishop Gray's patent there is a clause which says: 'And we are, moreover, pleased to order and direct that the said Bishop of Capetown under that title may take up, continue, and proceed with, every act or engagement lawfully commenced, done, or entered into, as Bishop of Capetown, under the letters patent heretofore granted to him as Bishop of the said see of Capetown.' I know that he considered this as securing to him a hold over the lands, &c., held in trust by him under the old patent. I believe, and have argued, that the clause is invalid as regards the land in the Cape Colony (dioceses of Capetown and Grahamstown), because that had then, in 1853, a constitutional Government, and the Queen could not make such a law as this for that colony without an Act of the Legislature. But may it not be valid for Natal? I imagine that it is; unless, indeed, the fifteen days' interval between the date of my patent and his, during which these grants all lapsed, may have any bearing on the question of such validity. But I apprehend *not*, and that he really is, by virtue of this clause, lawful trustee of the Cathedral and other sites in this colony. But this can only be on condition of this having been a Crown colony in 1853, for which the Queen could legislate by letters patent, in which case my patent will be perfectly valid. If he appeals on the Cathedral case, he can only succeed, therefore, by proving the validity of my letters patent. And as, at present, he assumes that they are invalid, according to the dictum of the Privy Council, the probability is that he will *not* appeal. It is a very curious cleft stick. He may beat me on the appeal, but then it will be to make himself trustee of *these* sites, while he will lose all his own in Capetown and Grahamstown, and my *authority* over these sites will be as thoroughly confirmed as that of any Bishop in England over any churches in his diocese, of which, of course, he is very rarely trustee.

"Supposing, however, that this should happen, I think my lawyers might very well apply for expenses (as in the Long

case Bishop Gray obtained them), for I shall have incurred this loss through the *mistake* of the Privy Council in regard to the conditions of this colony, which mistake misled our judges, who were quite right in deciding that the grants in question had lapsed, if this colony had (as the Privy Council assumed) an independent Legislature."

TO THE SAME.

"BISHOPSTOWE, *October 7, 1867.*

- "Yesterday Mr. Keate brought the conduct of Mr. Crompton (with whom a correspondence has been going on ever since the churchwardens of Pinetown reported his behaviour on that Sunday, when he ordered a 'special' to take me into custody) before the Executive Council, saying that he felt very strongly on the subject, and therefore did not like to trust to his own impressions. They decided unanimously to support Mr. Keate's determination to strike him off the list of J.P.'s. This is a great blow to the adversary—greater than it seems, for Crompton was a thorough-going Ritualist, and made great capital out of his J.P.-ship. . . .
- "Also yesterday the Executive Committee voted unanimously that I should have a grant of £250¹ per annum from the Native Reserve, with arrears from January 1, 1866—undoing, in short, all the mischief and injustice which B—— did me. This will be a great help, and the best of it is, this too is Mr. Keate's doing. . . . Certainly, whatever Lord Carnarvon may have done in other matters, he has done a good thing for us in not sending out, as he might have done, and as the enemy seem to have expected from him, a thorough-going partisan of the opposite camp. . . .
- "I reached the Umkomazi (river) on Saturday, and was warmly received by the principal resident, Mr. Mackenzie. . . . I found that the people (under his influence, of

¹ This grant was raised to £300, to be spent on native education, divided between the Institution at Ekukanyane (Bishopstowe) and St. Mary's Native School at Pietermaritzburg.

course, to some extent) had been making great exertions to finish a school-room they have long been engaged in building in time for my holding service on Sunday. Mr. Barker (ordained by me deacon and priest) who has a Government school at the Umzinto, and is a thorough adherent of Mr. Green, rode up, I find, a day or two before and called from house to house at the Umkomazi to try to get up a congregation for himself in opposition to me, but utterly failed in finding any support except in one single house. Upon this he went down to the workmen employed in the school and actually begged them *not* to finish it. Of course, they worked the harder, and were at it long after sunset on Saturday, so that all was ready on Sunday morning, and we had service with more than forty people, including all the residents of the neighbourhood except those of the single house I have mentioned, and even some of them were there. But what makes this phenomenon the more noticeable is that this was the very place from which Mr. Tönnesen was rejected so rudely last year by five persons undertaking to represent the whole community.

‘ Dr. Kalisch has just sent me his Part I. on Leviticus. It is splendid, far beyond anything yet published in England, and, indeed, thoroughly outspoken. I wish some of my friends would review it, . . . and point out the absurdity of the Bishops’ attempting to browbeat me, and treat my books as false and unfounded. He adopts entirely the view which I have decidedly come to since I came out here, and have, by fits and starts, pursued my investigations—viz. that Leviticus is a post-Captivity work. Here is a first-rate scholar, who began Exodus almost from an orthodox point of view, and was spoken of, I know, as the man who was to make mincemeat of me. And yet, not only does he speak in his preface of the ‘acute and incisive demonstrations of Colenso’—language the more satisfactory, as he says no more about my books—but writes in page 43 :—

“‘ From all these we are forced irresistibly to the conclusion that the minute and complicated sacrificial legislation of

Leviticus *originated at a considerably* later time than that of Deuteronomy. And as the Book of Deuteronomy can, from internal evidence, not have been written earlier than the seventh century before the present era [Josiah's time], and is probably the 'Book of the Law' or 'the Book of the Covenant' found in the Temple during the reign of Josiah, the sacrificial laws of Leviticus were not completed before the Babylonian period, and came into operation in the *Second Temple only*, after the return of the Jews from captivity.'

"With the desire to be as 'orthodox' as possible, I have hitherto in my published volumes assumed that the Levitical laws were not later than Solomon. But I am thoroughly convinced, and I have been for some time, that they are far later. And I have *proved* to my own satisfaction that Leviticus xxvi. is due to Ezekiel. Kalisch's book will be a death-blow to the traditionary school and a staggerer for the Bishops and their new *Commentary*."

TO W. H. DOMVILLE, ESQ.

"BISHOPSTOWE, *October 22, 1867.*

"Since my last, poor Green has had a terrible calamity in his family, the wheel of a waggon having gone over the head of his third son, . . . leaving the child, of course, dead on the spot. . . . This was last Saturday week, and on Sunday, when the poor little fellow was buried, of course almost the whole city attended, I and Mr. Shepstone, &c., among the rest.¹ In the course of the week I wrote a note of condolence

¹ The Bishop's sermon at the Cathedral on the 20th of October spoke of the affliction which had thus befallen Mr. Green and his family. It is a sermon from which it is not easy to make extracts, being, throughout, the expression of a charity rising above all controversy, yet recognising that in the present state controversy cannot be wholly avoided. Of Mr. Green personally he spoke in terms of hearty esteem for his sincerity, his earnestness, and his conscientious discharge of duty. The sympathy felt for him by all was an assurance that "in that hour all differences of this life were hushed and silenced, . . . that, although we have such controversies, such disputes, and must still have them, since only thus

to the father, which produced a reply in a softened tone addressed to me as 'The Lord Bishop of Natal,' not, as before, 'The Lord Bishop Colenso.'"

TO THE SAME.

" BISHOPSTOWE, *November 21, 1867.*

"Last Thursday I delivered my reply to Mr. Green's argument, . . . and I send you by this mail a copy of it, which, you will see, is of considerable importance. I mean especially all that part which shows that not only the Bishop of Grahamstown, but the Bishop of Capetown also, was perfectly aware that my oath of canonical obedience did not bind me to recognize the Metropolitan's jurisdiction, and that the former was also well aware that I did not suppose it did, all the while they have been charging me, or suffering me to be charged, with dishonesty and evasion in respect of my oath. . . .

"By this mail I have written to Mr. Gladstone with reference to his S.P.G. speech at Penmaenmawr, and sent him copies of my argument, &c. . . . Of course, we shall be very curious to hear what the Bishops of the Pan-Anglican have done about Natal, for that they will do something, I take for granted; and if they cannot, in conference, under the Bishop of London's conditions, they will probably sign some round-robin or other of denunciation. In England, I see, the real secret of their meeting, which of course everybody guessed at, has been let out by Denison. But it has been divulged still more plainly in New Zealand. I copy a few lines from the Capetown *Church News* of October 25:—'The Bishop of Wellington in his address to his Diocesan Synod, in July last, declared his regret at his inability to accompany other Bishops of the province to the Council at Lambeth, in order

can God's Kingdom of Righteousness and Truth go forward, and the foundations of His Temple be laid for the future worship of the whole human race, yet the true life of every one of us consists not in these things, but in love—love to God, love to one another, love to the brethren.' The whole sermon deserves to be carefully studied.

to indorse the sentence on Colenso, and to consider the relation of the colonial Church to the Church at home.' So the primary object of the gathering was to indorse the sentence on Colenso. . . .'

"You will be pleased to hear that young Shepstone, who has acted all along as my legal adviser, has written to say that he shall take no payment for his service, receiving only the sums which he may have had to pay out of pocket, and his allowance of £20 per annum as my registrar, for which he has had plenty of employment independent of my litigation with Gray and Green. I had heard some months ago that he intended this, but I did not like to mention it, until I had it from his own hand. Also, Mr. M——, who is managing clerk to Mr. Buchanan (another of our pleaders), has rendered invaluable service."

TO THE SAME.

"BISHOPSTOWE, *December 3, 1867.*

. . . "I have just read in the *Times* the pastoral letter of the Bishops of the Pan-Anglican. A more feeble, unmeaning document I have scarcely ever read, and particularly so as coming from such a body, and at such a time. I could readily put my name to it, except for its weakness, and because many of the phrases used in it would, of course, be understood by me in my own sense of the words, and my act would be liable to be misunderstood by many. I could also very readily assent to the two 'resolutions' which concern this diocese. The state of this diocese is, no doubt, an 'injury' to the whole Church, and we should be very glad indeed if the Committee can devise a remedy for the evil in accordance with the laws of the United Church of England and Ireland. But, of course, we think that the evil is mainly due to the arbitrary and unlawful proceedings of Bishop Gray, and the disorderly conduct of some of the clergy, who have been stimulated by him and others to acts of schism. . . ."

The history of this period of his life might leave on some minds the impression that he was ingrossed with stormy debates, and had no thought except for theological strife and civil litigation. This conclusion is met at once by the question of his duty. What could he do? What ought he to do? These were points which could not be set aside; and it is perhaps enough to say that this impression, if created in some minds in this country, was not the impression left in the minds of the people of Natal. The letters already given prove so abundantly that a large majority of the English colonists were on his side that we need no longer regard this fact as matter for controversy. By some of them indeed he was thought to be moving too slowly rather than too quickly. As to the course to be taken they had no doubt or misgiving; and they felt that the continuance of the evils pressing on them would soon become unendurable. With his wonted clearness of judgement, Mr. Shepstone expresses this conviction in a letter addressed to Mr. Domville, December 7, 1867. Speaking of his fellow-colonists, he says that they

“believe themselves to be members of the Church of England and Ireland, and they are fully resolved to remain members of it. They also believe that certain property here belongs to the Church of England, and they are determined that, as far as in them lies, it shall belong to it. They see that efforts are made to cast off the supremacy of the Crown, with all its attendant privileges; and they see full well that the success of those efforts would launch them and their children into some merely colonial Church, such as that of ‘South Africa.’ They therefore cling to the Queen’s supremacy as the sheet-anchor of their Church, and will maintain it to the utmost. But they look to their Bishop as the true consecrator and vindicator of their rights as Churchmen, because the law has made him so. They feel that he cannot, and will not, betray them into the hands of irresponsible ecclesiasticism, as appears to have been done

elsewhere ; that he is too loyal to truth and straightforwardness to make any such attempt, and that it is to his foresight they are indebted for not having been betrayed already. On the other hand, they have long begun to fear that the charity which he is always inculcating on them, and the reluctance he so constantly shows to take any step having the appearance of rashness towards others, might induce him to carry forbearance too far and sacrifice the interests he is bound to uphold. They, as well as their opponents, have seen from the beginning, that the steps he has lately taken are the only means by which a settlement of the question was possible, and they have all along thought that the sooner they were taken the better. The long delay and uncertainty, during now two years ; the aggressive acts and assumptions of the opposite party, such as were shown in the conduct of Bishop Twells, have so irritated and exasperated them that efforts to control their feelings and acts would scarcely have been effectual except for the example of their Bishop. The temptation to a party, by far the strongest, to take its cause into its own hands, is very great, when it finds a minority persistently invading its rights, and thinks that the only person legally empowered, and whose duty it is to vindicate them, has failed in that duty ; and clearly it is the duty of a Bishop to see that the property of the Church in his diocese is not carried off to, or by, some strange body. Let us now look at the position assumed by the opposite party. Mr. Green's argument before the Supreme Court will give you a fuller idea of it than I can possibly do in a letter. As regards Church property in Pietermaritzburg, he arrogates to himself and those persons he chooses to call 'members of the English Church,' whatever that may mean, the *sole right* to control and dispose of it, 'to build or pull down, occupy or hire out, as they choose. They are the freeholders ; the trustee has nothing to do with the use, it was not conveyed to him ; but reserved to them under the title-deeds.' In such a case is it possible or, if possible, would it be prudent, to let things take their course ? The positions

of the two parties are so thoroughly antagonistic, and the irritation caused in a thousand ways, in the daily contact of individuals living together in towns, is so extreme, that without some safety-valve explosion is inevitable. That safety-valve is an appeal to the law of the land, to which the Bishop has, by every consideration of prudence and duty, been compelled to resort.

“But supposing that the Bishop gains all he asks for, what is the hardship of which so much has been made? Mr. Green will lose the house he lives in, and perhaps the £100 a year he receives as colonial chaplain, both of which he enjoys upon faith of his being a clergyman of the Church of England. If he deprives himself of this qualification by his own act, surely he, like everyone else in the world, must submit to the consequences, and is not intitled to bemoan his fate as a hardship inflicted by others. . . . Practically, however, no hardship will, I imagine, result. . . . The Society for the Propagation of the Gospel, I understand, have placed large sums at Mr. Green’s disposal, and judging from the past there is every reason to suppose that they will sanction the expenditure of those sums more to support recusant clergy in their opposition to the Bishop of the diocese than the inculcation of Gospel charity.

“But where are the Bishop’s funds to come from? The Cathedral congregation have pledged themselves to support their present clergyman, and so far they have redeemed their pledge, in spite of the depression of their circumstances. But it is scarcely right that he, or they, should be burdened with rent when the house attached to his office is in the occupation of one who claims it on the ground that he belongs to the Church of God rather than the Church of England. . . . Besides being almost alone, destitute of funds, and in the face of lavish opposition expenditure by a rich and powerful Society, must he look quietly on while the buildings which should be under his control, both as trustee and Bishop, are used by the very party which admits him to possess both capacities, but practically and avowedly separates from the Church to

which those buildings belong? . . . It is surely a perversion of funds for the S.P.G. to expend its subscriptions to foment strife in this colony. Let it expend on such an object the sums only specially subscribed for it, if the Society be willing to undertake such a commission; but let it, for decency's sake, avoid carrying on the crusade under pretence of propagating the Gospel. Churchmen here have been in the habit of looking to that Society with reverence and gratitude, and it is to be regretted that, however insignificant they may be, any change of sentiment should be forced upon them by the course it has lately adopted. . . . I am anxious that you and other friends of the Bishop, and especially the Dean of Westminster, to whom we all have looked with such hopefulness, should understand the state of matters here from a layman's point of view. It is difficult for us to comprehend how, in a Protestant Church like ours, inquiry after truth can be made a crime, and that even the friends of freedom should find it necessary to palliate the search, so as seemingly to condemn the honest seeker. Either the Church allows such inquiry, or it does not; and the Bishop is right or wrong, as the question may be decided. If he is right, why should he be but barely excused for having done right, even by his friends; or, if wrong, why persecuted, instead of being legally proceeded against?

"I had written thus far, when I saw accounts of the statements made by the Bishop of Capetown at Wolverhampton, and I am glad I had, for it would have been difficult to write with calmness in the presence of such utter and knowing perversion of truth and fact as that prelate was guilty of, if the reports be correct. This is strong language, but it is true. Everyone here at all conversant with the circumstances knows that long ago the S.P.G. took good care to deprive the Bishop of Natal of all control over the stipends of the clergy, and even eliminated from their local Committee of finance the name of a gentleman whose sympathies for the Bishop were thought too strong; and as the Bishop of Capetown was the cause of the former at least of these

measures being taken, he knew it better than anyone, except perhaps the members of the S.P.G. Committee themselves. Were there no members of that Committee present to correct such statements? or, being present, none who dared?"

TO W. H. DOMVILLE, ESQ.

"BISHOPSTOWE, *December 24, 1867.*

. . . "On the 1st of January I am to lay the foundation-stone of a new church, at Camperdown, about twelve miles from Maritzburg on the Durban road; and the chief difficulty which the *donor* (the same from whom the site was bought for the church at New Leeds) finds, is to secure that, in the event of my having no successor appointed by Royal authority, the building may on no account whatever pass into the hands of the South African clergy—those 'pagans' as he calls them. . . . At the Umhlali they have written to ask that the school vacancy may be filled up by someone recognizing my authority, who will also conduct service on Sundays. School after school, in fact, has been dropping into my hands, . . . and the people *now* seem to have no dread whatever of the 'Bishop' in respect of such matters as they had in former days *before* my heretical proceedings. They used to fear the 'grim wolf's privy paw' within the Bishop's sleeve."

TO THE REV. G. W. COX.

"BISHOPSTOWE, *December 9, 1867.*

"I want you to keep an eye on the journals, especially with reference to my £100 a year. Some, perhaps, as Stanley, may think that I had better abandon it. But I really do not feel this, as matters now stand. If Bishop Gray had said he was too poor to continue it, admitting the fact that it is my due, that would alter the case considerably. But he does nothing of the kind. On the contrary, he does not want the money for himself, but proposes to pay it to my rival (and I have little doubt he has been paying it all along

since my 'deposition' to Mr. Green). To me it seems a scandalous piece of dishonesty. I expected, of course, when Lord Romilly's decision was given, that he would submit to his fate. But nothing of the kind. Like a wild bull in a net, he turns round in a fury, and seems quite reckless of what he says or does. If, again, he would throw up his patent, and so cease to be Bishop of Capetown, my claim for the future would cease, though I should still ask for arrears; and if he persists in sending out a new Bishop here, I believe the whole body of Churchmen in the colony will petition the Queen to abolish that part of his patent which makes him Metropolitan over Natal, which is our only reason for troubling ourselves about his doings at all."

CHAPTER IV.

DIOCESAN AND OTHER WORK.

1868-1873.

THE preceding chapters have shown that Bishop Gray and his adherents exhibited in their whole conduct a singularly violent animosity to the man whom they had arbitrarily, unjustly, and illegally condemned. Few men have borne persistent hard usage with the patience of the Bishop of Natal ; but it does not follow that he did not feel the wrong. A letter to his brother-in-law expresses the natural resentment which he kept steadily in check.

TO C. J. BUNYON, ESQ.

“BISHOPSTOWE, *January 8, 1868.*

. . . “ I cannot understand what Bishop Gray means by saying that F—— publicly thanked him for the way in which he had dealt with me. This may be an untruth, like so much besides. But certainly I owe him no gratitude or respect for the way in which he has dealt with me since 1862, which has been most arbitrary, violent, unjust, and dishonest ; and as to his profession of affection for me, I do not believe in it : he could never have spoken of me as he has done, if he really felt what he says. Of course, I do not refer to his condemning and sentencing, but to the *bitter malice*

of his words and insinuations in the course of his warfare against me."

The following letter relates to the issue of the trial which dealt with the question of the Church of England trusts, and the validity and force of the Bishop's letters patent :—

TO W. H. DOMVILLE, ESQ.

"January 9, 1868.

"News just brought me that judgement has been given in my favour, with costs—unanimously on the question of the trusts, and by a majority (Chief Justice and Mr. Justice Cope) on the patent. . . .

"Green has given notice that he shall apply for leave to appeal next Tuesday, and Phillips and Cope have said that they shall *not* stay execution, nor I expect will Harding. . . . I fancy that Harding and Cope maintain Lord Romilly's decision. Yes—I think they must have done so."

On the same day, January 9, 1868, the Bishop addressed to the *Times* newspaper a letter exposing in full detail the misstatements of Bishop Gray in reference to the election of Mr. Butler as Bishop by Dean Green and his adherents. All the facts connected with this matter have been given in letters already cited, and it is unnecessary to quote from this letter to the *Times* more than the concluding sentences, which deal with the alleged agreement of the general body of the Natal laity with the aims and plans of Bishop Gray.

"As to what Bishop Gray says about 'eight parishes out of eleven' having been consulted, the 'other clergy being chiefly on mission stations,' . . . I have only to say that there is but *one* 'clergyman on a mission station' among all those who have accepted Mr. Butler, and that the clergy and churchwardens of *three* parishes, and the churchwardens of *three* others, in the neighbourhood of Durban, presented to Bishop Twells, as he passed through this colony, in the

name of a large majority of their respective congregations, a protest which they desired him to lay before the Pan-Anglican Conference, if the affairs of this diocese were at all discussed there, and in which they said: 'We declare our belief that the vast majority of the members of the Church of England in this diocese will resent as an outrage upon their own rights and liberties, and a breach of the law of the United Church of England and Ireland, the intrusion of another Bishop professing to be a Bishop of that Church, by whomsoever consecrated, if appointed without the Royal authority, and will in every way in their power resist the same,—knowing as we do that most untruthful reports have been forwarded to England by adherents of Bishop Gray's party respecting the real feeling of the members of the Church of England in this diocese.'

TO W. H. DOMVILLE, ESQ.

"BISHOPSTOWE, *January 10, 1868.*

- "I find on further inquiry that the judgement is everything that we could desire. The two judges, Harding and Cope, have affirmed the entire validity of my letters patent; and *because* they are valid, they have declined to have anything to do with my judgements as Bishop, any more than they would confirm those of a military or admiralty court. Those judgements stand good upon their own basis, and I must carry them out in my own way, by my own officers. But they have done that which it was in their power to do, viz. asserted my right as trustee to exclude Green and Walton, as not having my permission to officiate in those buildings of which I am trustee.
- "Nothing could be better, for, to tell the truth, I have had all along a misgiving that if they did confirm my sentences, as having been made by a lawful Bishop, Green might appeal, and argue that he had never been *tried*; he had been summoned indeed to my *forum domesticum*, and did not choose to attend a private summons of this kind; if he had been summoned to a lawful court, he might have attended,

or must have taken the consequences. Whether this would hold good or not in the Privy Council I do not know, but it possibly might, and then we should have been foiled.

“As it is, my patent is declared valid, and I get besides all that I want for present practical purposes.

“If my letters patent had *not* been declared valid, of course they would have been bound by the Long judgement to confirm my decisions when properly made.”

TO THE SAME.

“BISHOPSTOWE, *January 25, 1868.*

“On Friday, the 10th, Mr. Green and his friends had a meeting, at which, among other things, they agreed unanimously not to appeal. But on the 14th he *did* apply for leave to appeal, which the court granted, but refused to stay execution. This was the first moment therefore at which the Church and house have come in my power, and Mr. Shepstone on my behalf immediately offered to allow Mr. Green the use of both as before for six months. I see indications that they are going to try to pervert this, by talking about my not having made any offer of it *except in court*. Where could I have offered it more publicly and properly, more especially as Mr. Green says he is more separated from me than the dead from the living? They may say again that I did not offer it till they had vacated both. I reply that I offered it at the first moment that I could. The fact is that they bundled out in a most precipitate manner, and very probably wished to secure the honour of such martyrdom. They have abandoned all the churches, &c., and accordingly, last Sunday, I preached for the first time since my return in St. Andrew's. Last Monday I heard that he had applied to the Governor for eighteen months' leave of absence, recommending Mr. F. S. Robinson (Bishop Gray's man) as his substitute. Upon hearing this I notified to the Governor my view of his position—that he was unable to discharge the duties of his office, which was therefore vacant; and requested to know his Excellency's intentions. In reply I

was told that the Executive Council had advised the Governor that, in their opinion, Lord Carnarvon's letter precluded him from entertaining my statements, and that he had promised to give leave of absence for twelve months, and then would ask me to appoint an acting chaplain. Now it so happens that if any vacancy in any of the colonial chaplaincies in this colony (Church of England, Roman Catholic, Presbyterian, or Dutch Reformed) occurs *after next July*, it is not to be filled up, by a decision of our Legislative Council two years ago. So here was a pretty piece of craft. Green was really (as our Supreme Court has decided) deprived by me on May 9, 1867, of all power to officiate anywhere in this diocese as a clergyman of the Church of England, and yet has managed to get leave of absence long enough to carry the vacancy over next July, and so lose the annual grant to us altogether—not to speak of his being also at this moment 'in contempt' for not obeying the order of the Supreme Court about the register. He was actually to be allowed to go home in triumph, snapping his fingers at the judges and carrying off his half-stipend. Accordingly I wrote another letter to the Governor. . . . I hear that it has produced great effect in the Executive Council, and that the Colonial Secretary has since said that it was not settled about Green's getting leave. We are, of course, going to apply to the court to insist upon his surrendering the register, vestry books, &c., which he still detains, though he has vacated the churches. Among other matters is a sum of money, between £100 and £200, which has been lying in the bank for three or four years, having been begun to be collected (I believe) when Bishop Gray was here, in order to render his visit memorable by enlarging the Cathedral. . . . The whole was by an express vote of the vestry set apart for enlarging the church. Personally, I know nothing about the matter, as the whole took place while I was in England. But the people call upon me to protect their interests, and, as far as I can see, they are perfectly justified in demanding this sum, instead of allowing it to go to build an opposition place of worship.

“What you see in the *Natal Times* report about the sympathy of the Dutch Church is all fudge. Green went down and told a pitiful tale to the two amiable elders about being turned out of his church, and asked if they might have the Dutch church, as they have no minister at present. Of course they assented. Then he went on to ask for the parsonage, to which also they courteously assented, but said that they expected a clergyman presently to occupy it. No voluntary offer was made at all, they only complied with Green's requests; but you see how they will treat this matter, and no doubt will represent the ‘Dutch Church’ as standing up manfully by their side.

“P.S.—I have just heard that Mr. Keate has ordered a communication to be made to Mr. Green, that it has come to his knowledge that he is ‘in contempt,’ and that he cannot give him leave of absence till he has purged himself from it. Green has replied by offering to give the books up to the Registrar of the Supreme Court, to abide the decision of the court. Mr. Keate has replied that he knows nothing of the case, and cannot, under any circumstances, grant leave to a public officer when ‘in contempt.’ So the matter stands at present. It is understood that they are having the registers copied, and mean to give them up. In any case the plea of ‘conscientious scruples,’ which Green has all along been pleading, is shown to be fictitious. He has kept hold of them, till *now*, for his own personal convenience. He will have to give them up. Of course he might have copied them months ago, but then his conscience would not allow him to give them up.”

TO THE SAME.

“BISHOPSTOWE, *February 7, 1868.*

“I am, on the whole, very glad that the matter (of Mr. Green) has been referred to the Secretary of State, though it ought to have been decided in the first instance here. For the Duke of Buckingham must now decide whether the Crown