"(1) As a Bishop of the Church of England I am subject to the laws of the Church of England, and not to what Bishop Cotterill and others may regard as 'fundamental principles of the constitution of the Christian Church.'

"(2) There is but one instance on record of 'similar proceedings in England since the Reformation' which can be appealed to in support of Bishop Cotterill's view (that of Bishop Watson of St. David's, in Archbishop Tenison's time), and in that case, even if it sufficed to show that in *those* days the Archbishop could deprive his suffragan (which is disputed—*e.g.* the Archbishop of York said in his speech in Convocation, *Guardian*, February 12, 1868, 'I must say that the lawyers greatly doubt it; and there has certainly been no case since the Reformation thoroughly free from suspicion to guide us'), proves certainly that the suffragan had a right of appeal to the Sovereign, which appeal was in my case expressly excluded by the Metropolitan, who said, at the end of the proceedings, 'I cannot recognise any appeal except to His Grace the Archbishop of Canterbury,' and only allowed that as a favour 'in this particular case.'

"(3) The letters patent under which I 'received my appointment,' older by fifteen days than those of Bishop Gray, made no reference whatever to any jurisdiction belonging to the Metropolitan, but distinctly provided that I should be 'subject and subordinate' to the Bishop of Capetown '*in the same manner as*' any suffragan of Canterbury '*is under the authority of*' the Archbishop of Canterbury. Now, that such 'authority' did not involve any right of *jurisdiction* on his part, and, at the time when we both 'received our appointments,' *was perfectly well known by Bishop Gray himself not to involve it*, any more than the oath of *canonical obedience*, is sufficiently shown by the following facts:—

"(i.) Bishop Gray, in his original patent, was made 'subject and subordinate to the Metropolitan See of Canterbury and to the Archbishops thereof in the same manner as any Bishop of any See is under the same Metropolitical See and the Archbishops thereof'; and, further, he was ordered to 'take an oath of due obedience to the Archbishop of Canterbury for the time being as his Metropolitan'; and yet, on December 26, 1852, about a year *before* we received our patents, the late Archbishop of Canterbury wrote to the churchwardens of Graaff-Reinet, at the express instance of Bishop Gray himself, to say:

"'*As Metropolitan, I have no jurisdiction, nor right of interference with the diocese of Capetown, except in the case of a formal appeal from a judicial sentence.*'

(ii.) In like manner the present Archbishop of Canterbury wrote a letter in October 1867, in reply to an address from the Rev. H. Moule and other clergy, calling upon him as Metropolitan to take cognisance of certain teaching of the Bishop of Salisbury alleged to be heretical, in which he says:

"'Your address proceeds from an erroneous view of the duties of an Archbishop. As Bishop of his own diocese, he is precisely on the same footing with each of his episcopal brethren in the province. Although he be *primus inter pares* for certain purposes, yet that primacy gives him no more right to interfere with the conduct of such Bishops in their dioceses than they have with his, until his action as Metropolitan be invoked for the purpose of admonishing or coercing one of his suffragans, through his court, *on appeal in regard to an injury inflicted on some party by that suffragan in the exercise of his administrative authority in his diocese.*'

"(iii.) From the above it is plain that the two Archbishops, and the Bishop of Capetown also, knew that an English Metropolitan has no jurisdiction over his suffragans, whatever may be the reason for this. But it would seem that the 23rd clause of the Church Discipline Act, passed in 1840, makes it *now* impossible for the Archbishop of Canterbury to suspend or deprive or excommunicate a suffragan, whatever may have been the state of things in Archbishop Tenison's time, for that clause enacts:

"'No criminal suit or proceeding against a *clerk in holy orders* of the United Church of England and Ireland (including, therefore, bishop, priest, or deacon) for any offence against the laws ecclesiastical shall be instituted in any ecclesiastical court otherwise than is hereinbefore enacted or provided';

and no provision whatever is made in this Act for the trial of a Bishop. If, therefore, my letters patent, which prescribe that I am to be 'subject and subordinate' to the Bishop of Capetown 'in the same manner as' any suffragan of Canterbury is to the Archbishop, 'must be regarded as defining conditions on which my appointment was received,' they bind me *not* to recognise the power of jurisdiction

which Bishop Gray has claimed to exercise, and that, not because it is not convenient for me to do so (as Bishop Gray has said), but because it is *unlawful* for me to violate the conditions expressly laid down in my commission.

"When, therefore, the Bishop of Ely says:

"'There was every reason at first to suppose that the patent was good and that the Bishop of Capetown was [right in] acting under it, and that there would be no difficulty in judging the Bishop of Natal;'

or when the Bishop of Gloucester says:

"We cannot shut our eyes to the fact that this shows the Metropolitan of Capetown to have been treated with very serious injustice: he was sent out clothed with powers assigned to him by advice of the responsible officers of the Crown, and he finds, when he tries to put them in exercise, that they are actually worse than no powers at all';

I answer that the Bishop of Capetown had no right whatever to expect to be clothed with such powers; and it is plain from the above that he *knew* he had no right to them when he received his patent; he knew that my patent placed me under himself in the same manner as he himself had been previously placed under the Archbishop of Canterbury, and he had himself required the Archbishop to disclaim the idea that his office as Metropolitan, and the oath of obedience taken to him, invested him with any such powers over his (former) suffragan of Capetown. If the terms of my patent or my oath of canonical obedience had involved the recognition of his jurisdiction, I should have been morally and legally bound to acknowledge it, whether his patent was legally valid or not; and I should have been perfectly ready to so. But, as the case stands, it is I that should have 'been treated with very serious injustice' if the rights granted in my patent had been utterly violated by the insertion in his subsequent patent of the injurious clause, respecting which Bishop Cotterill wrote to me as follows on November 15, 1858:—[1]

"'With regard to the patent of the Metropolitan See . . . it shows how loosely these matters are arranged, that both the Archbishop

[1] See Vol. I. p. 338.

of Canterbury and the Goverment (I mean the officials at the Colonial Office) knew nothing about *that formidable visitation clause* until I called their attention to it.'

"II.—The Bishop says:—

"'That whatever may have been the technical errors or legal defects in the proceedings, yet (in the language of the late Report of the Convocation of the Province of Canterbury on the subject) substantial justice was done to the accused.'

"It is no doubt true that a certain number of Bishops of the Province of Canterbury, some of them strong partisans of the Bishop of Capetown, have stated their opinion that 'substantial justice was done to the accused.' But let us look a little more closely at this decision. The Report was not made by a 'Committee of the whole House,' as Bishop Gray has incorrectly stated in his letter to Mr. Fearne, for the Bishop of London speaks of 'your Grace and *those others of your lordships* who are not members of the Committee,' and the Bishop of Bangor begins his speech, 'Not having been a member of the Committee.' Accordingly, the *Church Times* of February 29 says that

"'a Committee, consisting of the following names, was then appointed: the Bishops of London, Winchester, St. David's, Oxford, Llandaff, Lincoln, Norwich, Gloucester and Bristol, Ely, Peterborough, Rochester, and Lichfield.'

"Of these *twelve* names we are not told how many were attached to the Report; but we know that the Bishop of London refused to sign it, and it is certain that the Bishop of St. David's would do the same. Nine Bishops altogether, including two not on the Committee (Salisbury and Bangor), appear to have openly indorsed it, though two of these Bishops (the Bishops of Ely and Lincoln), as the Dean of Westminster has shown, and as will appear below, did not by any means fully assent to it. Of the remaining *eleven* Bishops of the Province of Canterbury it may be doubted whether many—if any—could be found who, however much they may condemn my writings, would be willing deliberately to state their belief that 'substantial justice was done to the accused.' At any rate we know the following facts:—

"(i.) The Convocation of the Province of York has not indorsed the above opinion.

"(ii.) The Bishop of London has refused to affix his signature on the following grounds:—

"'I consider the trial to have been altogether set aside by the decision given by the highest court of the Empire, that it was null and void in law.

"'Independently of my views as to the general invalidity of the trial I entertain grave doubts whether, in conducting the proceedings, Bishop Gray did not, in several important points, so far depart from the principles recognised in English courts of justice as to make it highly probable that, if the trial had been valid and had become the subject of appeal on the merits of the case to any well-constituted court ecclesiastical, the sentence would have been set aside.'

"(iii.) One of the oldest and most experienced Bishops in England, the Bishop of St. David's, in a recent charge, has characterised the proceedings against me as 'accompanied by a complete emancipation from the rules and principles of English law and justice,' as 'most violent and arbitrary,' as 'an intolerable wrong,' in respect of which 'justice was outraged,' and 'an usurped jurisdiction exercised"

"'by the mockery of a trial in which the party accused was assumed to acknowledge the jurisdiction against which he protested, and was condemned in his absence, not for contumacy, but upon charges and speeches which had the advantage of being heard without a reply.'

"(iv.) The Archdeacon (Hale) of London presented in Convocation the following *gravamen*:—

"'That the Queen's Majesty is supreme Governor in these her realms over all persons or all causes, as well ecclesiastical as temporal.'

"'That it is not lawful for any Bishops to withdraw themselves from that supremacy and establish a jurisdiction by citing persons to appear before them, according to forms of law not recognised by the laws of this country.

"'That the sentences of courts held under any such assumed jurisdiction are not the less unlawful because their effect is said to be

spiritual; neither is the power of such courts less formidable because it is said to deprive the accused of spiritual privileges and not of temporal rights.

"'That it is no part of the duty or authority of the Convocation of this Province to take cognisance of, or give validity to, sentences of excommunication passed in any ecclesiastical court within the Queen's dominions, much less to the proceedings of a court not recognised by law.

"'That, since *the Bishops appointed by the Crown in South Africa appear to be, in respect of their subjection to any superior authority*, in the same condition as all or some of the Archbishops of the United Church of England and Ireland, *amenable to the authority of the Crown alone*, and it being evident that the peace of the Church is disturbed in that country not only by erroneous opinion, but by the improper assumption of authority in the government of the Church, the case appears to be one that demands the interference of the Crown, and calls for the exercise of that power of visitation which the Statute has conferred upon the Sovereign of this kingdom for the redress of disorder and the correction of error in the Church.'

"(v.) Even the Bishop of Lincoln, though he signed the Report, stated publicly his opinion on some points as follows:—

"'The Metropolitan of South Africa had it in his power to proceed either under the old canons, by which it appears that the mode of trying and deposing an heretical Bishop was by a Synod, or according to the procedure of the Church of England [? in *former* days], by which the accused Bishop was to be summoned before the Metropolitan and his assessors. Whether it was intended in the first instance to combine the two modes, or whether it was an after-thought, does not appear on the face of the case, nor does it much matter; but the trial before the Synod appears, in my opinion, to have been a failure, for *there was wanting the first essential of a judicial trial, the due citation of the accused.* The Bishop of Capetown assembled a Synod, and then and there obtained the consent of his [two] suffragans; but it is not even pretended that Dr. Colenso had a citation to it. He was summoned to appear before the Metropolitan of Capetown only. It is said that this is a mere technical objection, and that practically it makes no difference, as he was summoned to appear before the same parties in either case;

and the Bishop of Llandaff yesterday took the objection, if I understand him rightly, that in the early days of the Christian Church it is most probable there was no regular form of citation, that we know little of their forms, and that they were not likely to distinguish between the Metropolitan and the Synod. But he seems to have forgotten that at that early period there was but one court before which an individual could be summoned—the Synod; and therefore it was not necessary to particularise the tribunal. . . . Suppose I was unhappily to be tried for heresy or some other grave offence, and was summoned before the Metropolitan, I might consider that I had good reasons for refusing his jurisdiction, and refuse to appear. But if I found myself then tried before a Synod of Bishops, whose jurisdiction I did not dispute, without *warning given to me, and without opportunity of being heard in my defence*, I should possibly complain that great injustice had been done to me. Whatever the mode in which an accused Bishop is tried, an opportunity should have been given to him of saying whether he will submit to be tried or not, and no such opportunity was given to Dr. Colenso, nor were the Bishops themselves summoned to a Synod. [N.B.—Is it then true that the idea of the "Synod" was "an after-thought"—that none of the absent Bishops were really "summoned to the Synod" in proper time at all?[1]] Therefore I cannot, *so far as this part of the process is concerned, honestly say that substantial justice has been done.*'

"Most true it is that it can hardly be deemed 'substantial justice' to try a man by a court to which he had never been summoned, and of the very existence of which he had no notion whatever, and was, in fact, entirely ignorant until its judgement reached him. One would have thought that there would scarcely be a difference of opinion among the whole bench of Bishops on this point—that not one of them could have 'honestly said' that,

"'as far as this part of the process [the trial before the Synod] was concerned, substantial justice had been done.'

"And so says Dean Stanley:—

"'With regard to the question of trial by the Synod, the greatest difference of opinion prevailed among the Bishops. The very question upon which we called upon them to give an opinion—viz.

[1] See Vol. I. p. 335.

the canonicity of the condemnation of the Bishop of Natal—is one on which the Bishops return no opinion at all. They merely express a division of opinion in their numbers. "Some of us consider" so-and-so; "others of us consider" so-and-so. We are left in complete doubt which Bishops took one side and which Bishops took another side; and no conclusion is arrived at on that very material point whether the deposition of the Bishop of Natal by the Synod was canonical or not. Then, as to the general conclusion, they state that the whole case is "extremely difficult"; "that there are in it various complications," "grave doubts in reference to points of law yet unsettled;" that is to say, they regard the question as one of the most complicated, unsettled, and doubtful which it is possible to imagine. It is hardly possible to find words more forcibly to express the absolutely unsettled and doubtful character of the whole proceedings on which they finally give their judgement. I am somewhat surprised, I confess—after learning, first of all, that there is an entire division among themselves as to the canonicity of the judgement, and secondly that, with regard to the whole question, they consider it "extremely difficult," "complicated," "doubtful," and "unsettled"—that they should proceed to any conclusion at all. I venture to say that in any English court of justice, in a case where such doubts, difficulties, and complications were alleged to exist, no one would have the courage to say that "substantial" justice was done to an accused person. Such reasons given for such a conclusion are totally out of the question in an English court of justice, or on any principles of English justice.'

"Yet what says the Bishop of Ely?

"'Supposing that patent not to be good, we fall back on the principles of the primitive Church and of the early canons. I confess that there I find a greater difficulty. I have looked a great deal at the canons, and it appears to me that the difficulty of determining how a Bishop is to be deposed is very great indeed. . . . The deposition of a Bishop was, I venture to think, held by the primitive Church as a matter of the greatest importance and difficulty. Excommunication, which seems the more important of the two, was not considered so important as deposition, because excommunication may be taken off. . . . But if you once depose a Bishop from his see, and put another in his room, there is no place

left for repentance; and therefore it was that the early Church took such very great pains to define the principle, and to make very difficult the deposition of a Bishop. . . . The earliest general canons of the Church seem to have insisted that there should be a whole Provincial Synod, or, if not that, still twelve Bishops present. It was on that account that it was necessary in the Report that some difficulties should be stated as to the proceedings of the Bishop of Capetown as regards the Synod. The difficulty was whether the whole Synod of the province was summoned, whether the Bishop of Natal was cited before the Synod, and whether the number assembled would meet the requirements of the canons. There lies the difficulty with regard to the so-called spiritual deposition. The question is whether the canons of the primitive Church were fully complied with in this particular case. Having stated that difficulty, I am prepared to say this—that I think they were complied with as far as they possibly could be complied with under the circumstances of the case'!!!

"And the Bishop said this, knowing that the accused was not summoned, or even cited, to the Synod at all; that he was only cited to appear 'before the Most Reverend Lord Bishop of Capetown and Metropolitan,' whose claim thus to exercise jurisdiction over him he felt bound, and, as the result showed, was actually bound, by his duty as a loyal subject, *not* to acknowledge, and therefore did not appear in person before him, and, of course, not at the Synod—to which, also (it is highly probable), other Bishops of the province were never duly summoned, and of which, at all events, the accused knew nothing whatever, until he found himself condemned and sentenced by it! And this is what is called 'substantial justice'! Surely the 'canons of the primitive Church' required, as a first essential of justice, the citation of the accused.

"But the Bishop of Lincoln went on to say :—

"'As to that part of the process in which the Bishop of Capetown availed himself of the laws and practice of the Church of England (as he had a perfect right to do, because it was the mode specified in his instructions and letters patent), I think no flaw of any importance is to be found in the proceedings. Every form was duly observed, the accused was duly summoned and appeared under protest, the case was argued fully and fairly. It has been stated that evidence was admitted which ought not to have been

admitted, inasmuch as a private letter of Dr. Colenso's was produced and received; but that letter was hardly really private, and was written by Dr. Colenso in explanation and defence of his published writings, and he himself afterwards set the question at rest by publishing it *in extenso*. I believe that on all important points a decision was arrived at consistent with justice and truth, and that here therefore substantial justice was done to the accused.'

"The above conclusion of the Bishop of Lincoln, for whom personally I entertain the highest respect, has, I confess, astonished me. With regard to the private letter, I have already explained, in a letter to the *Times*, that the Bishop is labouring under a mistake. He is speaking of a letter from myself to the Bishop of Capetown, beginning 'My dear Brother,' and ending 'Yours affectionately,' in answer to one from himself, in which he had complained of some portions of my *Commentary on the Epistle to the Romans*, but beginning and ending with like terms of friendship,—a strictly 'private' letter, therefore, not written for the public eye, least of all intended to be any defence against serious charges, made deliberately against me, with reference to my work on the Pentateuch as well as that on the Romans,—a letter which—not I, but—Bishop Gray published *in extenso* (and ought, I think, in fairness, to have published at the same time his own letter to which it replied), though I did not object at all to this. What I did object to was the fact that Bishop Gray, sitting as judge, had supplied the prosecutors with two other private letters of mine, written as from one friend to another, which he says he has preserved in his 'Registry,'—letters of which I retained no copies, and the extracts from which are so given, apart from the context before and after, as to convey a totally false impression as to my meaning.

"But I do not now complain of this, or of any omission of 'forms, or any want of fairness in the hearing of the accusers. I admit that I 'was duly summoned and appeared under protest,' and that 'the case was argued fully and fairly,' as far as they (my accusers) were concerned. And yet I am utterly at a loss to understand how the Bishop of Lincoln, and other true-hearted Englishmen, can 'honestly say' that on this occasion 'substantial justice was done to the accused,' when they know

"(i.) That in his judgement Bishop Gray deliberately set aside a recent decision in the Court of Arches, the very court of the Archbishop to whom he allowed me to appeal, calling it 'a wrong to the Church.'

(ii.) That in *three* of the nine points on which Bishop Gray condemned me his judgement was in direct opposition to recent judgements of the Privy Council, and on a *fourth* to one of the Court of Arches; while on the five other points the English courts have never been consulted—not to say that no mention whatever was made of the ninth in the citation.

"(iii.) *That I have never been heard in my own defence;* for as to the letter, such as I have described it above, it is ridiculous to call that my defence, not to speak of its making no reference whatever to my work on the Pentateuch, on which five of the charges against me were founded.

"Bishop Ellicott, indeed, says:—

"'Let it not be forgotten that Dr. Colenso made a formal, though not by any means a complete, answer to the charges brought against him in the court of the Metropolitan and his asesssors—charges brought forward in a way which, I must declare my belief, reflected the highest credit on those who made them. Now, let anyone consult the volume which contains the record of the proceedings, and contrast the gravity and learning with which the charges were sustained with the flimsy nature of the defence actually put in (which, so far as the true merits of the case were concerned, was in fact no defence at all), and then say whether the accused met the case as it was his duty to have met it. I wish to let no word of harshness escape me. I am speaking on the side of those who would judge with moderation and temperance; but I must express my feeling that Dr. Colenso should have met the charges made against him with plainness and directness. Even if he had felt it consistent with his position to avail himself of any legal technicality in his favour in reference to the actual sentence, yet the course which an honest and fair-meaning man would have adopted in the first instance would be to meet the charge on its merits.'

"Bishop Ellicott's *fairness* may be judged of from his attempt to contrast (what he calls) my 'flimsy' private letter with the elaborate

arguments of my accusers[1]—arguments which I had never seen and never pretended to answer. But I think, as a Christian Bishop, if not as an old College friend, he might have hesitated before he insinuated against me a charge of dishonesty and double-dealing, because I did not choose to leave my work in England at Bishop Gray's bidding, and incur the expense and difficulty of a long voyage, with a large family, for the sake of going through the mere ceremony of a mock trial.

"For I did not appear in person on that occasion to defend myself before my self-constituted judge because I was convinced (as was afterwards affirmed by the Privy Council) that the proceedings were utterly unlawful. In so doing, of course, I took the risk of finding that my view was mistaken, and that his court was lawful, in which case I should have lost the advantage of defending myself in the first instance, and should have had to bear the whole brunt of the attack when the case came on for appeal. To whom, in such a case, appeal would be was also a matter of great uncertainty; but the course which I took would make that also plain. I was advised therefore to reserve my defence until the case came in due form, as was expected, before some competent English tribunal. Suppose, now, that the Bishop of Lincoln, having been summoned before a court whose authority he doubted, had chosen to appear under protest, and to make no defence, while 'the case was argued against him fairly and fully,' reserving what he had to say for a *lawful* court, if that should be declared unlawful, or else for a higher court of appeal—and suppose that, when it was decided that his doubt was well-founded, he was told that nevertheless, though he had made no defence, the sentence had been passed and 'might be rightly accepted as valid'—would he think that 'here substantial justice had been done to the accused'? Still less is any sign of 'justice' to be found in Bishop Browne's observation:—

"'As many Bishops were assembled as possible, and, as Bishop Colenso was intitled to appeal and did not appeal [appeal *when? before* the trial, or before sentence was uttered, as Bishop Browne's words seem to imply?—appeal *against what?* a nonentity, null and void in law?—appeal *to whom?* to the Archbishop in person, who had already prejudged the case, or to the Archbishop's court, which

[1] For these arguments see Vol. I. ch. vii.

could not and would not entertain it?], they entered into the question as calmly and deliberately as they could; and therefore I am quite prepared to acquiesce in the final close of the Report that has been presented to this House, viz. that "substantial justice was done," &c.'

"Perhaps the best explanation of these phenomena is that which is candidly given by the Bishop of Salisbury, who said:—

"'We should have been more ready to speak on the subject, more ready to vote on the subject, more ready to offer the expression of our sympathy to the great Metropolitan of South Africa, if we had not felt that Dr. Colenso had inflicted so grave and serious an injury on our Church that we could hardly trust our feelings to act with justice towards him.[1] The conduct of Dr. Colenso has, I fear shaken the faith of many members of our Church, and the consequence has been that persons who have been obliged to deal with cases where the faith of our members is shaken feel it difficult to deal with strict justice with regard to Dr. Colenso.'

"And here I would observe that this conviction of mine, as to the unlawfulness of Bishop Gray's proceedings in claiming to sit in judgement upon me, was not a new one adopted to serve a present purpose (as Bishop Gray has repeatedly insinuated, and been allowed by the Bishop of Grahamstown to do so without correction), but had been long held, not only by me, but by Bishop Cotterill himself, who for some years before my so-called 'trial' had been corresponding with me on this very subject, and had warned me that 'it was of the utmost consequence that we should not in any way admit the principle that the Metropolitan was *episcopus episcoporum*'; that 'the Metropolitan power rested on nothing but the Queen's patent'; that he 'had no right to interfere with either of us, except we overstepped the bounds of *English ecclesiastical law*'; that 'we must, in a spirit of love and meekness, but with much firmness, resist the Bishop of Capetown's claims'; that he 'had certain precedence and due reverence and obedience *according to law*, but we must stand on the position that our episcopal rights and authority were as good as his'; and who had expressed himself admirably as follows:—

[1] See Vol. I. p. 197.

" 'The real question is between arbitrary power, such as a colonial Metropolitan might think fit to exercise, and power limited and directed by English law, such as an English Archbishop's would be. We know that in going to Canterbury we go to England and to the liberty of thought and conscience which England represents and protects: we have no such assurance in going to Capetown. I do not speak of the individual Bishop so much as of the fact of his court having no legal existence, and no law to guide it or control it.'[1]

"It will be seen that the Report of the Committee of Bishops applies only to the sentence of *deposition* passed at the so-called 'trial,' not to that of excommunication, which was subsequently issued. Bishop Gray, indeed, in a letter to the Rev. Mr. Fearne recently published in this colony, makes the following assertions:—

"'The importance of this decision can hardly be overstated. The Church of England has, *so far as has been possible*, cleared itself before all Christendom from the charge of a supposed alliance with heresy, and has declared Dr. Colenso to be no longer *a Bishop in communion with herself*.'

"It is obvious that the first statement italicised in the above quotation is at once contradicted by the simple fact that the Convocation of York has not done anything at all in the matter; while the sentence, which was pronounced 'null and void in law' by the Privy Council, whose 'validity,' however, in the opinion of these Bishops, 'the Church, as a spiritual body, *might* rightly accept,'

" 'adjudged and declared the said Bishop of Natal to be deposed from the said office as such Bishop, and to be further prohibited from the exercise of any divine office within any part of the Metropolitical Province of Capetown';

that is, while it affected to deprive me of my office in this Province, as Bishop of Natal, it did not attempt to strip me of my office as a Bishop of the Church of England, still less to cut me off from the communion of that Church. On both points, therefore, Bishop Gray's assertions are, as usual, extravagant and overdrawn, the mere wish supplying the fact. No act, no word, even of the southern

[1] See Vol. I. p. 345.

Convocation, has declared me to be 'no longer in communion' with the mother Church, and I can hardly think that many even of the nine Bishops who appear to have concurred in this Report (though, as we have seen, with two doubtful voices) would be ready to indorse *this* part of Bishop Gray's proceedings.

"For this 'sentence of excommunication' was issued, as the Dean of Westminster truly said in Convocation,

> "'not on account of any heresies, not on account of any errors, but simply because the Bishop of Natal did not accept a sentence pronounced upon him, which sentence is declared by these Bishops themselves to involve questions so extremely difficult, complicated, grave, and unsettled, that they themselves would not venture to pronounce any opinion upon it.'

"Because I refused to accept this 'sentence,' which the Supreme Court of the realm had set aside, which I was bound by the very conditions of my patent *not* to accept, and which had been pronounced by one who distinctly repudiated an important decision of the Court of Arches, and refused to be 'bound by any interpretations put upon the standards and formularies by existing ecclesiastical courts in England or by the decisions of such courts in matters of faith,'—whose 'claims,' moreover, to exercise this 'arbitrary power,' not 'limited and directed by English law,' Bishop Cotterill himself had privately urged me, in the strongest manner, 'in a spirit of love and meekness, but with much firmness, to resist,'—I was 'excommunicated,' and the sentence of excommunication was issued (so the document expressly stated) 'in accordance with the decision of the Bishops of the province in Synod assembled,' which had passed a resolution in the following terms :—

> "'This Synod is of opinion that, should the Bishop of Natal presume to exercise episcopal functions in the diocese of Natal after the sentence of the Metropolitan shall have been notified to him, without an appeal to Canterbury, and without being restored to his office by the Metropolitan, he will be, *ipso facto*, excommunicate, and that it will be the duty of the Metropolitan, after due admonition, to pronounce the formal sentence of excommunication.'

"But this Synod was *held* before I was condemned, and, *if* (?) the

Bishop of St. Helena was duly invited to attend, it must have been *summoned* some months previously, before I had even been 'tried,' when, therefore, I presume, I ought, as a Bishop of the province, to have been summoned also. In point of fact, besides Bishops Gray and Cotterill only Bishop Twells[1] was present, who was no Bishop of this province of the Church of England at all—'not of the province, nor even of the realm of England,' as the Archbishop of York said in his speech in Convocation (*Guardian*, February 12, 1868). Let it be noted, moreover, that at the Synod held previously in 1861, at which *all* the Bishops of the province were present, the three suffragans were unanimous in the opinion that 'the dioceses or charges of *missionary* Bishops'—I quote the words of Bishop Cotterill himself—'ought not to be regarded as a part of the province, *nor ought they to have a seat in the Synod of the province.*' In order, in fact, to express more clearly our judgement that these missionary Bishops ought not to be allowed to interfere in matters affecting the Church within the Queen's dominions, we refused to employ the expression 'Province of South Africa' which the Metropolitan had used in drafting the resolutions prepared for our consideration, and substituted everywhere 'Province of Capetown.' In deference, however, to the strong wishes of the Metropolitan, the matter was referred to the Convocation of the Province of Canterbury, who advised that they should be allowed to sit in the Synod, but not to take part in decisions affecting the Queen's dominions. Here, however, we find Bishop Cotterill sitting in Synod with Bishop Twells, and passing, in concert with him and the Metropolitan, among various resolutions affecting the Church within Her Majesty's dominions, one which should have the effect of excommunicating a Bishop holding office under letters patent of the Crown!

"The Bishop of Salisbury indeed says:—

"'There is one point that has raised some difficulty in your lordships minds—namely, that which regards Bishop Twells. I understand that in 1861 *advice was given* to Bishop Twells not to take any active part with regard to the affairs of the Church within the Queen's dominions. But, if I mistake not, the whole relations of the Queen to the colonial Church since that time have been altered, and therefore the advice which was given under different

[1] See Vol. II. p. 221.

circumstances can no longer hold good; and the Metropolitan of Capetown most wisely threw himself back upon the historical precedents of the Church of Christ, and felt that there was no restriction which would prevent Bishop Twells from sitting in the Synod and acting as a neighbouring Bishop.'

"But the advice was not 'given to Bishop Twells,' but *to us*. It was not to the effect that he was 'not to take any active part' in our Synod, in matters affecting the Queen's dominions, but that we were not to allow him to do so. And, even if this advice might not 'hold good under different circumstances,' yet Bishop Gray had no right of his own mere motion to set it aside, and override our resolution, without the approval, or at least the consent, of his Synod. In point of fact, since Natal and St. Helena were, both of them, Crown colonies when the patents of the respective Bishops were issued, no change of circumstances had taken place with respect to those dioceses. When, therefore, the Bishop of Llandaff said,

"'It appears to me that the Bishop of Natal, having sworn due reverence and obedience to the Bishop of Capetown as his Metropolitan, and having assented to the acts and proceedings of that Synod, and having put his own name to the resolutions of that Synod, did under those circumstances really bring himself under moral and spiritual bonds,'

he seems to have lost sight of these three facts:—

"(i.) That my having sworn due reverence and obedience to the Bishop of Capetown did not imply any recognition on my part of his having any jurisdiction over me, as appears from the letters of Archbishops Sumner and Longley, already quoted.

"(ii.) That in 'assenting to the acts and proceedings of that Synod' I did no more than the Bishops of England do when they assent to the acts and proceedings of the Synod of Canterbury, without thereby recognising the Archbishop's jurisdiction.

"(iii.) That, when I 'put my name to the resolutions of that Synod,' Bishop Gray did the same, and among them to one referring the question, whether missionary Bishops should be allowed to sit and vote in the Synod of the province, to the Convocation of Canterbury, who advised as above, and Bishop Gray therefore 'brought himself under moral and spiritual bonds' not to follow a contrary course of his own mere motion.

"And so, when Bishop Ollivant went on further to say,

"'It is mentioned in the Bishop of Capetown's statement that *all the Bishops of the province were summoned.* . . . It has been stated that one of these Bishops was not a comprovincial. But I consider that under the circumstances Bishop Twells had *just as much right to be present, if he had been summoned by Bishop Gray, as any other Bishop*,'

this statement of Bishop Gray is (as usual) incorrect, since, as the Bishop of Lincoln observed, 'there is no pretence that I was summoned at all,' and Bishop Tozer, as Bishop Ollivant admits, 'was not formally summoned' but only 'invited.' But *when* was he invited? Was he invited at all to the Synod? Was he not merely invited to take part in the 'trial'? Was even the Bishop of St. Helena duly summoned for the Synod, *in time to attend it?* Was not the Synod, as the Bishop of Lincoln suggests, a mere '*after-thought*,'[1] which perhaps occurred to Bishop Gray some time after the Long judgment reached him in August 1863 (my citation being dated May 18, 1863), when it was no longer *possible* for him to have summoned or 'invited' Bishop Tozer? In short, is it true, or not, as some suspect, that in reality only Bishops Cotterill and Twells were duly summoned to it? These questions have been asked, and I ask them again; and they can easily be answered by the Bishop of Grahamstown, so that the truth may be known about the matter, whatever that may be. And as to the second italicised passage, no doubt Bishop Twells had 'a right to be present,' if summoned; but had the Bishop of Capetown a right, under the circumstances, to summon him?

"The whole matter may now be summed up in a few words.

"The Bishop of Capetown proceeded against me in two ways:—

"(i.) *Under his Letters Patent*,—which I believed to be unlawful, which were subsequently declared to be unlawful, and with respect to which Bishop Cotterill himself had written to me,

"'I am persuaded that, in the matter of judgement on a suffragan Bishop, the letters patent are directly opposed to the principles of Church law.'

[1] See Vol. I. p. 335.

"When summoned under this patent, I appeared under protest, but declined to defend myself, reserving my defence, if necessary, for a higher tribunal, to which, of course, the case never came. And by the court thus formed, at once *illegal* and *uncanonical*, I was condemned *unheard.*

"(ii.) *Before his Synod*,—which some of the Bishops regard as irregular and uncanonical, but to which, at any rate, I was not summoned, of which, indeed, I had not the slightest intimation, till two months after I found myself condemned by it, as before, *unheard.*

"It is difficult to conceive how any Bishop could say that, under such circumstances, 'substantial justice was done to the accused,' or how the first principles of English justice could be more distinctly violated.

"III. The Bishop says:—

"'That no other course of action for the trial of the accused, except that actually adopted, has ever been shown to be possible. The Report of the Lambeth Conference on the Natal question recommended that inquiries should be made with a view to further proceedings; but I understand that these inquiries have led to no result, and the present Report of Convocation speaks of "the apparent impossibility of any other mode of action." In fact, although the temporalities connected with such an office may be, and already have been, the subject of litigation, yet there appears to be no English court capable of pronouncing any ecclesiastical sentence whatever, to the jurisdiction of which a colonial Bishop would be amenable in the exercise of his office.'

"The last sentence holds good, since the passing of the Church Discipline Act, of any English or Irish *Bishop*, as it must have been true before that time of any of the four *Archbishops;* that is to say,

"'There appears to be no English court capable of pronouncing any ecclesiastical sentence whatever, to the jurisdiction of which he would be amenable in the exercise of his office.'

"But it is wholly incorrect to say that in such cases 'no other course of action for the trial of the accused, except that actually adopted [in my case] has ever been shown to be possible.' On the

contrary, Lord Romilly distinctly stated that there were *three* courses open to my accusers: 'recourse might have been had by petition to the Sovereign,' as Supreme Head of the Church of England; or 'proceedings might have been taken by *scire facias* in the Courts of Common Law,' for the purpose of raising the question of the 'moral character or religious opinions' of the Bishop of Natal; or, 'if no other court could be found to try the question, he himself would have been bound to do so'; and in each case, it is obvious, the final decision would lie with the Queen in Council. I need hardly say that I have repeatedly challenged my accusers to bring my alleged offences in one or other of these ways before a lawful tribunal, and that they persistently shrink from so doing, revealing thus sufficiently their own sense of the weakness of their cause. I may use, indeed, on this point, with a slight modification, the identical language which has just been employed by the Rev. Dr. Pusey,[1] in his letter to the Secretary of the Church Association (*Guardian*, July 22, 1868):—

"'I would then renew to you that same invitation which I have given at different times to others who have impugned my good faith at public meetings, or who have otherwise uttered calumnies against me. "You accuse me of teaching doctrine contrary to that held by the English Church. Substantiate your charge, if you can, in any court [or before any lawful tribunal]. If you do, I will resign the office which I hold by virtue of my subscription. I will oppose no legal hindrances, but will meet you on the 'merits of the case.'"

"'I will not conceal from you that I think that you run a risk in acceding to the invitation. I cannot think that any court [any lawful tribunal] could condemn me; and, if I were acquitted, your party could no longer use the language which it does against me. This is your concern, not mine. You must have looked at this in the face; for you could not, as honest men, make charges which you do not suppose that you could substantiate.'

"It will be remembered that the Committee of Bishops were appointed not only 'to inquire into the canonicity of my deprivation,' but also 'to examine the more recent writings of Dr. Colenso.' I rejoiced at this, believing that *bona fide* measures would now be

[1] See p. 136.

taken to bring the matter to a lawful issue. But the Report makes not the slightest reference to my books, and thus my accusers have again avoided the opportunity of obtaining a righteous decision, according to law, upon the merits of the case.

"IV. The Bishop says:—

"'That (again to use the words of the Report of Convocation), "although the sentence on Dr. Colenso, having been pronounced by a tribunal not acknowledged by the Queen's courts, whether civil or ecclesiastical, can have no legal effect, the Church, as a spiritual body, may rightly accept its validity."'

"The Dean of Westminster has said, with reference to the above passage of the Report:—

"'The decision at which their lordships have arrived involves a use of words which have absolutely no meaning at all.'

"And the Bishop of Lincoln said:—

"'We cannot confirm his [Bishop Gray's] acts without great and serious qualifications, since they are not confirmed by the law by which we ourselves are bound. The Bishop of Capetown condemned and deposed Bishop Colenso: our courts have pronounced that sentence null and void. He excommunicated him: but by our laws Bishop Colenso is not at this moment an excommunicate man. . . . We have been asked in many of the petitions to affirm the *spiritual validity* of the sentence; and these, I think, are the words used in a document signed by a large proportion of the Bishops. I could not sign that document, for the reason that these words were used in it; for I do not profess to understand what they mean. . . . The words, in fact, are ambiguous; but I believe that those who use them generally do so in the sense of "*ecclesiastical validity*." I put the question, not long ago, to a clergyman of standing and dignity in our Church, and a man of good common-sense; and his answer was, they meant that any spiritual act done by Colenso in his episcopal capacity should be considered null and void, as that of a Bishop not in communion with the Church of England. That, of course, would involve serious consequences in reference to confirmation and ordination; and in this sense it is certain that the deposition of Bishop Colenso is "spiritually invalid." A deposed Bishop is still a Bishop: any person confirmed by him is still confirmed, and being once

ordained by him is still ordained, and, if presented for institution in the Church of England, we as Bishops could not reject him on that ground.'

"And the Bishop of Ely said:—

"'I cannot help pointing out that there are certain points which ought to be set right, before we send out to the world the opinion of this Convocation. I have, in the first instance, an objection *in limine* to the distinction sought to be made between a *legal* and a *spiritual* sentence. I cannot conceive that there can be a spiritual sentence, which is not in some sense or other a legally valid sentence. If a Bishop or anyone else is censured in any way by *a tribunal which has a right to censure him*, and *according to the laws and canons which hold good in the Church of which he is a member*, then he is spiritually deposed; and if he is not deposed or censured by a tribunal which has the right to depose and censure, and by laws and canons binding on the Church, he is not spiritually deposed. And therefore "spiritual deposition" is identical with "legal deposition," if legal deposition be properly understood—legal meaning *canonical according to the laws of the Church of which he is a member.* It was at my instance, I believe, that, at the conclusion of the Report of the Committee, instead of speaking of Bishop Colenso being "spiritually deposed," or the deposition having "spiritual validity," the term is that "the Church, as a spiritual body, may rightly accept its validity."'

"The Arcbishop of Canterbury, however, said:—

"'I have sometimes used an expression to the effect that I consider the Bishop of Natal to be spiritually deposed, and exception has been taken to the words. But *they do not materially differ from those in the concluding paragraph of the Report.*'

"If so, then these last words of the Report, it would seem, are as unintelligible as the Bishops of Ely and Lincoln have pronounced the other words to be—that is, as Dean Stanley says, they 'have absolutely no meaning at all.' And he adds:—

"'There they proceed to say, "may rightly accept its validity." I cannot help suspecting, when I look at the names of some of the prelates who have signed this document, that there must be an

intentional ambiguity in the use of that word *may*. I very much doubt whether all these prelates would commit themselves to saying that *they* acknowledge the deposition of the Bishop of Natal to be valid, in the sense that they believe the see to be vacant and that anyone may be consecrated thereto. I entirely disbelieve that those prelates meant that they accept in any sense the validity of the sentence. And I am therefore driven to the belief that, when the word *may* is there put in, it is meant to say, what is perfectly true, but what is also a perfect truism, that this Church, this body, *may, if it choose*, accept the validity of the sentence. It is true the word *rightly* is put in. But that is a very strange combination with the word *may;* and I am convinced that in the word *may* lurks a secret ambiguity, intended as an escape from the conclusion that apparently, though not really, the Report might at first sight seem to bear. I am satisfied that some at least of the prelates who have signed this Report do not accept the validity of the deposition of the Bishop of Natal in any such sense as to declare the see of Natal vacant; and therefore your confirmation of this Report will come to very little indeed, if you accept it in the sense in which it is sent down to you. All that you will decide is, that "the Church," whatever that means, "as a spiritual body," whatever that means, "may," if it chooses, "accept," whatever that means, but certainly not in its obvious sense, "the sentence," whatever that means, because of some sort of judgement having taken place, of which the Bishops themselves have said that it is "doubtful" and "null and void in law."'[1]

"But, if a meaning must be found for these words, it seems to amount merely to this, that any who please may refuse to recognise my episcopal office, may disregard my advice and admonitions, and reject my authority—as they may do that of the Bishop of Oxford or the Bishop of Capetown—*except where the law of the Church*, in other words, the law of the Realm, *requires them to recognise it*,—a simple truism, which it needed not the wisdom of the Committee of Bishops, after four months' consideration, to enunciate. Whatever 'the Church, as a spiritual body,' may rightly do in this respect, the Church of England, as a corporate body, as a visible entity, having form and substance, *cannot* 'accept the validity' of the said sentence. As a body recognised and established by law, it *must* recognise my

[1] See pages 180, 214.

office and authority, and respect the validity of my lawful acts—my baptisms, confirmations, ordinations—so long as I am recognised as Bishop of Natal by the Head of that Church. And so the Bishop of London said:—

"'So far as I can understand this very complicated matter, at this moment the Bishop of Natal is just as much Bishop of Natal as any one of your lordships is Bishop of his own diocese. It has been decided by the court before which the matter was brought that, in the eye of the law of England, Dr. Colenso is Bishop of Natal, and until that decision is reversed he is in the same position as myself or any other of your lordships at this table.'

"V. The Bishop says:—

"'That therefore the clergy and laity in Natal, who have accepted the validity of the deposition, are intitled to all the aid and encouragement which can be given them in this distressing position; and, as they desire to have one to preside over them capable of exercising episcopal functions, the support which they solicit ought to be supplied by the Bishops of this Province, if there should be any legal impediment to its being supplied by the Archbishop of Canterbury.'

"It is true that there are *nine* clergy in Natal who reject my authority, including Mr. Green, now in England. But be it remembered that of these nine *five* have been intruded by Bishop Gray, three of them deacons recently ordained by himself, whereas nine others (of whom eight are presbyters) adhere to the discipline, as well as the doctrine, of the Church of England. So in the diocese of Salisbury, it is well known, a number of the clergy have lately protested against the teaching of their Bishop, as in their opinion thoroughly Romanising in its tendency; and doubtless they would desire, if it were lawful, to be ruled by a Bishop whom they would regard as a more true representative of our Protestant Church. Yet would an English Archbishop be guilty of such a manifest violation of the first principles of Church order as to send another Bishop to officiate in the diocese of Salisbury without the permission of its Bishop, even if he were not restrained by law from so doing? Or did the Bishop of Salisbury himself pretend to send an 'orthodox' clergy-

man to discharge pastoral duties in the parish of one of his clergy, a well-known writer in *Essays and Reviews*, whom he prosecuted not long ago for heresy, whose condemnation he procured in the court of the Archbishop of Canterbury, and whom, perhaps, he, as a member of 'the Church as a spiritual body,' may regard still as heretical, though the law, as declared by the Supreme Court of the Realm, has decided otherwise? The Archbishop of Canterbury and the Bishop of Salisbury know well that such proceedings, involving plain contempt of the order of the Church as well as for the law of the land, would not be tolerated for a moment in England, though, of course, in a colony disorderly and arbitrary acts, like that threatened by the Bishop of Capetown and supported by the Bishop of Grahamstown, may be done, and perhaps, from the expense and difficulty of instituting a legal process to prevent or remedy them, will be done.

"Or take the case of Archdeacon Denison, which has been compared lately in England with my own. . . . The Archdeacon has all along been one of my most vehement accusers, and indeed has usually led the attack against me, though in the late meeting of Convocation—perhaps under judicious advice—he kept rather in the background, and only supported the resolution which others brought forward.

"It is well known, however, that some years ago Archdeacon Denison himself was condemned as heretical, by the court of the Bishop of Bath and Wells, for teaching doctrines identical in substance with those put forth by the Bishop of Salisbury in his recent Charge, and since adopted publicly by the Archdeacon and others.

"Now, suppose that his present Bishop were to say to Archdeacon Denison:—

> "'You have been condemned of heresy by a lawful court. It is true, you appealed against the decision, and the sentence was set aside; but this was only on a technical ground which you had pleaded. On the merits of the case you were left still—not legally, indeed, but—spiritually condemned. To use my brother of Gloucester and Bristol's words in another case, "The course which an honest and fair-meaning man would have adopted in the first instance would be to meet the charge on its merits." You neither did this in the first instance nor in the second. In the Diocesan Court you

threw every possible impediment in the way of the prosecution, your object being not to bring your doctrine at all to the test, but to prevent its being tried or tested in any way whatever. You even refused to acknowledge the authorship of your own sermons, on which the charge against you was founded, and compelled your accusers to incur the trouble and expense of proving it. At last, however, you were brought to account upon the merits of the case. Every form was duly observed; you were duly summoned and appeared; the case was argued "fully and fairly" on both sides. And the result was that you were condemned by a court consisting of the Archbishop of Canterbury, the Dean of Wells, the Oxford Margaret Professor of Divinity, and Dr. Lushington,—a court, therefore, of which the majority were (as you would have desired) ecclesiastics, but which had also the benefit of lay counsel from one of their number, one of the most experienced ecclesiastical lawyers of the day, the late Dean of the Court of Arches. Against this sentence you appealed; but even then, on this second occasion, instead of "meeting the charge on its merits" as "an honest and fair-meaning man" would have done—more especially as you had actually been condemned by a lawful judgement, intitled to great weight from the character and position of the judges, and had now the opportunity of removing the impression which that judgement must have left in the minds of many, that the teaching in question was really heretical—you urged once more the petty technical objection, which had been overruled in the Bishop's court, viz. that a few days had elapsed beyond the limit allowed by law for the charge to be brought against you, the delay having been almost wholly caused by the efforts of your own friends to prevent legal proceedings. Of course, you had a legal right to do this, though the effect on the Church at large of your having thus availed yourself of a mere technical informality, to evade a final decision upon the merits of the case, is rather painful. But I need not be bound by the result of this appeal. There can be no doubt that "substantial justice" was done to you in the Bishop's court. You were condemned of heresy—a dangerous heresy, as some think—a very subtle heresy, which very many Protestants regard as involving the essence of Romish doctrine; and you were sentenced to be deprived of your preferments. As a member of "the Church, as a spiritual body," I "may rightly accept the validity of the sentence"; and I intend to do so, and

shall appoint at once a new Archdeacon for all who may choose to reject your authority.'

"May not all this be said in Archdeacon Denison's case with far more justice than what has been said in mine? True, he tells us himself in his letter of August 3 (see *Church Opinion*, August 8) :—

"'Hitherto no man in the Archdeaconry of Taunton has excepted to my jurisdiction, in the course of the twelve years which have elapsed since the Bath judgement, on the ground of that judgement or its issue, nor do I believe that any man is so silly as to except to it.'

"No one, of course, with the fear of an English law court before him, would be 'so silly' as to dare to commit disorderly and unlawful acts, such as those which Bishops Gray and Cotterill have done their utmost to encourage in Natal. But observe the *contrast*—not the resemblance—between the two cases.

"The Archdeacon of Taunton was condemned *after full hearing* on *both sides* by *a lawful* and *canonical court ecclesiastical*, acknowledged by *both* parties; and on appeal he raised successfully *a technical objection*, and so avoided all revision of the judgement given upon the merits of the case.

"The Bishop of Natal was condemned *without being heard*, by *a court unlawful and uncanonical*, which *he did not acknowledge*, and *was bound*, as a loyal subject and by the very terms of his patent, *not to acknowledge*, and also by *a Synod to which he was never summoned or even cited*. But he *has raised no technical objections or hindrances;* he avowed at once the authorship of his works; he maintains that, in publishing them, he has committed no offence against the laws of the Church of England; and, like Dr. Pusey, he has pledged himself again and again that, whenever brought before a lawful tribunal, he 'will oppose no legal hindrance, but will meet his opponents on the merits of the case.' And yet Bishops and others in Convocation can declare that the Bishop of Natal has had 'substantial justice' done to him, though they breathe not a syllable against the Archdeacon of Taunton! and Archdeacon Denison can put himself forward to lead or support the attack upon Bishop Colenso, and insist on his having been justly condemned, deposed, and excommunicated!

"Bishop Gray, indeed, says in his letter to Mr. Fearne:—

"'The Bishop selected by us as your proxies, and afterwards confirmed by a majority of the Bishops of the province, will, I trust, now that the Convocation has spoken so decidedly, be received and welcomed by all who desire *to continue in the communion* of the Church of England.'

"Does he really mean to say that the nine clergy and the great body of the laity in this diocese, will no longer be regarded by him—holding office still under his letters patent, as Metropolitan Bishop in this South African province of the Queen's dominions—as being 'in the communion of the Church of England,' because they refuse to acknowledge his unlawful proceedings?

"But, in point of fact, Convocation has not 'spoken decidedly' at all upon the question. The Upper House has merely stated its 'opinion,' which the Lower House by a majority has adopted, that 'the Church, as a spiritual body, may rightly,' some time or other, 'accept the validity of the sentence.' There is no act of Convocation saying, 'and we do accept it.' As Canon Blakesley said:—

"'What has been sent down to us is not, in the proper sense of the word, the "judgement" of the Upper House, but merely a certain amount of information which may guide us in forming a judgement, or which may guide their lordships at some future time in forming a judgement. The Upper House does not, in addition to adopting the Report of its Committee, which is now put into our hands, go on to say, "though," in consequence of this, "the sentence having been pronounced by a tribunal not acknowledged by the Queen's courts, whether civil or ecclesiastical, can claim no legal effect, the Church, as a spiritual body, may rightly accept its validity, and we do accept its validity," which would be the proper form of giving a judgement; but it confines itself simply to this statement of opinion with regard to the legal bearings of the question, and leaves it for us or for themselves at some future time to determine whether they will, on the strength of this Report, proceed to affirm the deposition of the Bishop of Natal. This is an extremely important matter, because, as the Dean of Westminster said, no judgement of this House or of Convocation is valid except the whole of the forms are gone through. In order to do that which would be effectual in a matter of this kind, it

would be necessary that we and the Upper House should distinctly affirm the judgement of the Bishop of Capetown, that we should be summoned together for that purpose, that this should be reduced into an act, signed and sealed by the members of Convocation, and promulgated afterwards. No opinion which may be given as to this or the other fact is a judgement of Convocation.'

"VI. Lastly, the Bishop says:—

"'That there is nothing contrary to the law, in the consecration of a Bishop in this colony, without the Royal mandate, for these clergy and laity in Natal. Bishop Mackenzie was thus consecrated in 1860, by the Bishops of Capetown, Natal, and St. Helena, the opinions of the law officers of the Crown having been obtained previously."

"No doubt Bishop Mackenzie was so consecrated, and I myself took part in the consecration without any hesitation—and why? Because Bishop Mackenzie was consecrated for the natives of Central Africa, and was never meant to intrude into the diocese of a lawful Bishop of the Church of England. The case is very different when, as here, a Bishop is to be consecrated, who is expressly intended to head a schism in the diocese; though it may be that even such intrusion, on the part of a new Bishop, would not be 'contrary to the law,' however contrary to the order of that Church, of which Bishops Gray and Cotterill profess to be Bishops, so long as they hold Her Majesty's letters patent. If, indeed, the proposed Bishop were consecrated under Royal mandate, he would become a Bishop of the Church of England, and as such, both under Lord Romilly's judgement and under the recent decision of the Supreme Court of this colony, which has affirmed the entire validity of my letters patent, he could not *lawfully* officiate at all in this diocese without my permission. I must say, I shall be somewhat surprised if the Government of England can be coerced into doing such a wrong as to grant a mandate for the consecration of a Bishop who is expressly intended to violate the law, as it has now been declared in this colony. The Bishop of Capetown, however, tells us, in his letter to Mr. Fearne, that the Secretary of State for the Colonies

"'has himself *invited* his Grace the Archbishop of Canterbury to

apply for a mandate for the consecration of a Bishop for this our voluntary association;'[1]

and he adds:—

"'It is not determined whether we shall proceed in this way or hold the consecration in Africa. I am myself indifferent as to which course is pursued.'

"Whereas elsewhere he says (*European Mail*, August 11):—

"'It was very important that Mr. Macrorie should be consecrated in England. . . . The fact of Mr. Macrorie being consecrated in England would have its weight in Africa, and it would undo many false prejudices which prevailed there. Such a statement went down with many people, and it would be a very great advantage if their minds could be disabused by sending out a Bishop with the full sanction of the Crown and the Church of England. . . . Mr. Macrorie was to have been consecrated with the Bishop of Hereford, had not the law officers of the Crown thrown difficulties in the way. . . . The Queen gave Dr. Colenso the title of Bishop of Natal, and he had as much right to it as the Duke of Buckingham had to his [though Bishop Gray makes a point of never allowing me my rightful title, but always speaks of me as Dr. Colenso].'

"And Bishop Ellicott says:—

"'There is no ground now for asserting that the State intends to recognise Dr. Colenso in his spiritual position. . . . I hope and trust that those who are intrusted with superior power in this country will feel that he who is sent forth upon this mission should carry with him their fullest recognition and sanction of his spiritual authority.'

"A short time will show what the Government really intends to do under the 'enormous pressure' brought to bear on them, and whether, while contending so vigorously for the maintenance of the Royal supremacy in Ireland, they will tread it under foot in Natal, and actually sanction by a Royal mandate an act which contemplates direct and continual breaches of the law as it now stands declared in this colony, by the judgement of our Supreme Court, pending my appeal. If the mandate is refused, after being formally applied for,

[1] See Appendix B.

and when such powerful influences have been brought to bear upon the Government, the meaning of this would be clear, and you would be able to appreciate it. If the mandate is granted, we shall know *under what conditions* it has been granted, and whether these conditions include the pledge, given by Bishop Gray to the Secretary of State, that the new Bishop is not in any way to interfere with my legal rights. Of course, I should welcome him as a 'neighbouring Bishop' of the Church of England, if he comes out consecrated under Royal mandate merely for Zululand. If, however, he were not consecrated under Royal mandate, he would merely be a Bishop of a Church dissenting on some important points of doctrine and discipline from the United Church of England and Ireland, though it may be, for the present, in communion with it; and I should, in that case, be perfectly ready to welcome him as a Bishop of a Non-conforming Church, if he did not himself reject my fellowship. As such, he would be free to exercise his office for any who might gather round him, however irregular, rash, and disorderly would be the act of those who sent him, and who at any rate, it might be supposed, would have thought it right to await the decision of the Privy Council in respect of the two appeals now pending, by which it is probable that my legal status, as Bishop of Natal, will be more exactly defined, and the judgements of Lord Romilly and our Supreme Court be either set aside or confirmed. Bishop Selwyn, however, seems to intimate that these appeals will *not* be prosecuted. He says:—

> "If we are to inquire what is the validity of the decision of the court assembled at Natal, we know perfectly well that an expensive process must be gone through in the hope, *the vague hope, of a satisfactory result.* We are not prepared to undertake that expensive process ourselves, and I believe that the colonial Bishops are also unprepared."

"Thus it will be seen that my opponents are shrinking from this appeal to the law, as they have shrunk from the other—that is, from bringing my books themselves, and the merits of the case, before a lawful tribunal. What says Bishop Gray, in his reply to the Archbishop of York, with reference to the straightforward and just proposal of his Grace, the Bishop of London, and others, that my teaching should be submitted to the judgement of some competent court?

"'Before you do so, I pray you and your brethren to consider what you intend to do, should such a court affirm that Dr. Colenso's teaching is *not contrary to the faith held and taught by the Church of England*, or upon some technical ground should uphold him in his position.'

"Finally, the Bishop of Grahamstown is right, as he says, to 'choose God's truth'—that is, what he believes to be God's truth—'before Church order.' But the inference which he deduces that therefore he does right, 'even at the risk of some present irregularity,' to 'use the whole influence of his office' to attain a certain end which he deems to be desirable for the maintenance of the truth, involves a transparent fallacy. It is the same principle which has led to grave breaches of trust, and been assumed to warrant violent and arbitrary measures, on many well-known occasions of past history,—'the end justifies the means.' This maxim it is, which has probably influenced the minds of many good men in reference to the present question, and helps to account for much in their proceedings against me which would otherwise be strange and inexplicable. The Bishops of Cape-town and Grahamstown, however, need not commit 'a present irregularity' in order to 'throw the whole influence of their office' as Bishops in support of what they deem to be God's truth. They now hold an influential position under the Crown, as Bishops of the Church established by law in England, and are bound, both morally and legally, to respect and observe its laws and maintain its order. Let them only resign their patents, and their office in the National Church, whose order they deliberately propose to violate. Let them thus throw themselves on their spiritual powers, and openly declare themselves to be no longer Bishops of the Church of England, but, in accordance with the ninth resolution of their Synod, 'Bishops of the Church of South Africa, in union and full communion with the United Church of England and Ireland.' No objection whatever would then be made, if they were to break up Natal into any number of dioceses of 'the Church of South Africa,' and send a Bishop for each of them.

"I have ventured to address these remarks to you, which I beg you to communicate to the other gentlemen who have signed the address to the Bishop of Grahamstown. My views, as to the paramount importance of maintaining 'God's truth,' are perhaps as strong as those of your own Bishop, though I differ in many respects from his

conclusions as to what constitutes the truth of God. But you are not in any way committed to agreement with my theological teaching, which is amenable at any time, as I have said, to lawful authority.

"I would only beg to be permitted to remind you once more, in the words of the eminent lawyers whom Bishop Cotterill formerly consulted, and whose opinion, as that of 'one of the best Church lawyers,' he communicated at the time to me, that 'other parties, besides the Bishop, have interests in his independence,' and that, in the stand which I have made against the usurped authority of the Bishop of Capetown, I have been maintaining your rights and liberties, and those of every member of the Church of England in Her Majesty's South African possessions—as well as my own.

"I have the honour to be, Sir,

"Your very faithful and obedient Servant,

"J. W. NATAL."

APPENDIX D.

THE TEMPTATION OF EVE.

See pages 277, 286.

In his comments on the narrative of the third chapter of Genesis, Bishop Browne asserts (as children are still sometimes or often taught in schools) that the devil tempted Eve; but he cannot give the supposed fact without comment.

> "The reason," he urges, "why Satan took the form of a beast remarkable for its subtlety may have been that so Eve might be the less upon her guard. New as she was to all creation, she might not have been surprised at speech in an animal which apparently possessed almost human sagacity."[1]

According to Bishop Browne's theory, she needed not to be surprised at anything. Indeed, having absolutely no experience, she could be surprised at nothing; and not having had any opportunities for comparison, she could not possibly be on her guard against any one thing more than any other, or weigh the sagacity of men against that of any other animal. But, however it may have been with Eve, we at least are intitled to demand that facts shall not be misrepresented. The serpent is not a beast remarkable for its subtlety. This Bishop Browne knows perfectly well, although he may find it convenient to affect ignorance of the nature of the serpent which tempted Eve. The animal serpent is not possessed of almost human sagacity, or of anything like the sagacity of a dog, or even of a cat; and this also Bishop Browne knows perfectly well. He also knows well that the word translated subtle really means naked. He knows, in short, that only the decent veil of symbolic language makes it possible that this record of the supposed origin of sexual sin can be read in our churches in the ears of decent men and women. How long it

[1] *Bible Commentary Examined*, Part I. p. 85.

may continue to be read depends much upon critics like himself. Religion in England would probably be none the worse if the whole narrative were ejected from the Lectionary. But we turn from one misrepresentation only to be encountered by another. Bishop Browne remarks that

> "the most natural interpretation of the curse might indicate that the serpent underwent some change of form. It would, however, be quite consistent with the narrative, even in its most literal acceptance, to understand that it merely implied continued and perpetual degradation, coupled with a truceless war against mankind."

We have a right to deny the statement strenuously,—a vastly better right to deny it than he has to affirm it, for we can allege for our denial the experience of present facts, while he can rest his affirmation only on a miserable hypothesis which he is ashamed to avow. But what does Bishop Browne mean? The narrative in Genesis certainly tells us a story of punishment passed upon the serpent. But if the sentence did nothing more than continue a degradation to which it had always been subject, where was the punishment? Let us suppose that the temptation had come not from a snake, as Bishop Browne affirms, but from a horse. How could we say that it would be a punishment to the horse to be sentenced to go always upon four legs, as indeed it has always done? or are we to indulge in more of airy hypothesis, and say that, if the serpent had not tempted Eve, he would have been rewarded by a release from his humiliation, and might have been enabled to pirouette perpetually on the tip of his tail without being tired? But Bishop Browne must again misrepresent facts, if so mild a phrase can be justifiably used. It is not true that the serpent wages a truceless war against mankind. It is not even true that all men are in a state of truceless war against serpents, if by these he means snakes. Man may sometimes hunt them up; but the instinct of a serpent is to fly from him. The plunging through morasses is not a pleasant process. It is even nauseating to have to wade through a slough of evasions, misrepresentations, and distortions of fact. The Jehovist story of the temptation is strictly that which Dr. Donaldson in his *Jashar* has conclusively shown it to be.

APPENDIX E.

MISSIONARIES IN ZULULAND.

See page 463.

CETSHWAYO, as we have seen, from the time of his installation in 1873, was "an advocate of secular education."[1] He acknowledged the advantage of being able to read and write, and "expressed regret that the missionaries did not confine themselves to that kind of teaching." We may at once admit that the outlook was discouraging for the missionaries. It is true that by 1873 the Norwegians had been allowed to establish nine stations in Zululand, the Hanoverians ten, and the S.P.G. three or four,[2] while by 1879 some 300 to 400 natives were claimed as belonging to the S.P.G. mission alone. But many of these converts had been imported from Natal, and with the Zulus themselves little way had been made.[3] It never seems to have occurred to the good men to consider that the mistake might not be all on the Zulus' side, and that the obligation of rendering unto Cæsar the things that be Cæsar's lay upon the threshold of all useful missionary work in such a country as Zululand.[4] To understand the position we must refer to the domestic economy of the Zulus. They had, strictly speaking, no standing army, but the men of fighting age voluntarily enrolled themselves; and in time of peace,

[1] [C—1137, p. 19.] *Digest*, vol. i.

[2] *Cetshwayo's Dutchman*, p. 178.

[3] The ten Norwegian stations numbered their converts at this time as "over *one* hundred;" and some of the people belonging to Kwamagwaza, the chief S.P.G. station, stated in 1879 that there were only ten male Zulu converts and about thirty women and children at that station.

[4] *Digest*, vol. i. p. 488.

though for the most part "just living at home with their families," they were liable to be called out "if the king wants them for anything, perhaps one regiment, perhaps two, as he sees fit, either to build a new kraal, or to move an old one, or for hunting parties, or to hoe his *amabele* (corn) crops." From all such obligations, as well as from the strict regulations of the Zulu marriage law, the native converts claimed to be exempt, by the mere fact of their having joined the missionaries; and it must be admitted that the Zulu chiefs spoke not altogether without foundation, when in 1877 they complained to an emissary of Sir Th. Shepstone, Mr. F. B. Fynney:— "If a Zulu does anything wrong, he at once goes to a mission station, and says he wants to become a Christian; if he wants to run away with a girl, he becomes a Christian; if he wishes to be exempt from serving the king, he puts on clothes, and is a Christian; if a man is an *umtagati* [evil-doer], he becomes a Christian. . . . . We do not care if the missionaries go or stay, but they must not interfere with the Zulus, that is all. . . . The missionaries desire to set up another power in the land, and as Zululand has only one king that cannot be allowed." With this argument, it might be thought, British officials, so jealous of any—especially of clerical—"interference" with "constituted authorities" might have sympathised. That this Zulu complaint was well grounded has since been only too grievously proved. On this same visit, July, 1877, Mr. Fynney found "there were all sorts of wild rumours going about from station to station, one that the British Government intended to annex Zululand at once." Before June, 1877, says the Rev. Mr. Oftebro, superintendent of the Norwegian missions, "strong rumours" of this nature "had reached us from Natal;" and on August 31 the Secretary of State referred to this "wild rumour" as "an impression" which "prevails in Zululand," having already received through Sir B. Frere, "several communications from private persons in Zululand upon the state of affairs in that country." By July, Mr. Fynney found that most of the missionaries had already decided upon leaving; some had already left. The king forbade the return of these; but to those who had *only* "informed him of their intention to discuss the question, holding out to him the prospect of their departure almost as a threat," says Sir H. Bulwer, he "notified" on their "deciding eventually not to leave the country" "that he gives their land to them to live on as they have hitherto done"; and

there they remained uninjured until April, 1877. During this and the following months they all left the country on the advice of Sir Th. Shepstone—while the Zulu representatives were quietly attending the sittings of the Boundary Commission—in expectation of "a political crisis," or as some of the S.P.G. converts expressed it, "We left Zululand [in July, 1877] because Mr. Robertson (their missionary) told us that Somtseu [Sir T. Shepstone] was now coming to make the Zulus pay taxes, and there would be fighting, and that therefore we had better cross into Natal." They are, indeed, careful to state that they left in consequence of this advice, rather than on account of "the terrorism and tyranny prevailing there":—an extraordinary admission of foolhardiness, if some of their accounts were to be believed; although one ingenuously admits the fact that "some missionaries lost their servants, so that by that reason only it was almost impossible for them to stay in the country"! and another detailed as "outrages," or "acts of terrorism by the Zulu authorities," a theft of fowls and of tobacco-plants. He was one of the first to leave, but his converts remained behind, when "during almost a whole year the station was left in good order." Meanwhile certain missionaries had given further and serious cause of offence. Mr. F. E. Colenso visited Cetshwayo in January, 1878, and found that, as was to be expected, the king had received an account of the sedulous misrepresentation of Zulu affairs in the Natal papers, by correspondents living under his own protection in Zululand, one of whom, and not without reason, he had identified with just indignation as a certain missionary. Mr. Colenso told him, however, that in his opinion the presence of missionaries as a body in his country was a great advantage to him, and the king disclaimed having ever treated them with anything but great consideration. In fact the only action which he took even then was to send a message to Sir H. Bulwer that he "wishes his Excellency to know that he is not pleased with the missionaries in the Zulu country, as he finds out that they are the cause of much harm, and are always spreading false reports about the Zulu country, and would wish his Excellency to advise them to remove, as they do no good." For his own part, Cetshwayo left them undisturbed; while, notwithstanding the notorious facts of the "wild rumours" spread by themselves, six months previously, of impending annexation, and of the many channels through which matters published and discussed throughout

Natal were likely to reach the Zulu king, some of the missionaries, and Sir H. Bulwer in their wake, permitted themselves to represent that Mr. Colenso's influence was required, and had been used, to "prejudice the king's mind against" the missionaries. From this position it is obvious that a single step would suffice to deduce another instance of "interference" on the Bishop's part. But Sir H. Bulwer himself disposes of the specific charges brought against Cetshwayo of persecuting the missionaries by attacking stations and killing converts. He writes, on November 18, 1878, that he had at the time that the charges were made, taken "some pains to find out how the case really stood, and ascertained that the number of natives either converts or [N.B.] living on mission stations who had been killed was three," and that these were not attacks on missionaries and mission stations, but were "directed against individual natives for personal reasons." The Bishop shows that this refers to all Zululand through the five years of Cetshwayo's reign, and that the distinction noted above is essential, one of these three being described by the missionaries themselves as having "lapsed." He had, it seems, "been baptised seven years ago, but was not a good Christian," and was accused of more than one crime for which the punishment would be death by Zulu law. A second was killed—on a charge of having poisoned several persons—by their enraged relations, a somewhat different matter, let us hope, from "listening to the teaching of missionaries." The Bishop points out that the supposed victims may really have sickened with eating diseased or putrid meat; and, while accounting the third man, Maqamsela, a martyr, and likening his death to that of John Brown, the Ayrshire carrier, he showed that this man was killed by his own chief Gaozi. Against this hereditary chief of one of the principal Zulu tribes the king could hardly have proceeded after the event, except by remonstrance, seeing that the man was killed not for becoming a Christian, but through his and his pastor's intentional disregard of what was due to the authority of his tribal chief, who had undertaken to procure for him the necessary permit of exemption from the duties of a Zulu citizen. In short, it has been proved that Cetshwayo never caused the death of a single native Christian, as such.

One missionary, presuming that he had been asked to state cases of tyranny and murder during Cetshwayo's reign, and by his orders, jumbled together cases of murder by whomsoever committed, and

the executions of reputed criminals by the orders of different great tribal chiefs within their own jurisdiction, with executions by the king's orders, throwing in a dozen or so of cases which had occurred in his father's (Mpande's) reign. No doubt people were killed in Cetshwayo's time for impossible crimes, such as witchcraft; doubtless also he himself was by no means free from superstition. But on this point the tables were completely turned on his accusers by the bringing to light a fact to which every Zulu questioned by the Bishop eagerly testified, that Cetshwayo had actually established what we may call "cities of refuge" for the protection of persons accused by the witch-doctors. In their own words:—"While his father was yet alive, he began saving anyone who was accused either by the king or by the indunas of being an *umtagati* (evil-doer), saying, 'No, don't kill him! give him to me!' and sent him to his own kraal Ukubaza, to belong to the Usutu (Cetshwayo's own people). That kraal, when he began, consisted of three huts only or perhaps four. It has now four circles of huts (some 300 to 400 huts in all), and every man in them is an accused *umtagati*, whose life Cetshwayo has saved!" Umtagati, literally evil-doer, may very often be best translated "poisoner," but sometimes "wizard" or "witch"; the mischief-makers being the witch-doctors or soothsayers who profess by their arts to recognise such miscreants.

APPENDIX F.

EMPLOYMENT OF POISON IN WAR.

See pages 486, 487, 534.

THE following passage is taken from a letter by Mr. J. E. Ollivant in the *Spectator* for December 27, 1887. Mr. Ollivant may well say that "only to read of" such things "must bring shame and confusion of face to Englishmen."

"During our struggle in America in 1763 with the Indian border tribes . . . Sir Jeffrey Amherst, the Commander-in-Chief, hard pushed by an enemy whose strength he had not at first realised, writes in a postscript to Colonel Bouquet, who was commanding on the frontier, as follows:—

"'Could it not be contrived to send the small-pox among these disaffected tribes of Indians? We must on this occasion use every stratagem in our power to reduce them. (Signed) 'J. A.'

"To this Bouquet replied, also in a postscript, on July 13, 1763:—

"'I will try to inoculate the —— with some blankets that may fall in their hands, and take care not to get the disease myself. As it is a pity to expose good men against them, I wish we could make use of the Spanish method, and hunt them with English dogs, supported by rangers and some light horse, who would, I think, effectually extirpate or remove that vermin.'

"In answer to this, Amherst wrote:—

"'You will do well to try and inoculate the Indians by means of blankets, as well as by every other method that can serve to extirpate this execrable race. I should be very glad if your scheme for hunting them down by dogs could take effect, but England is at too great a distance to think of that at present.

(Signed) 'J. A.'

"The originals of this correspondence are in the British Museum among the Bouquet papers, No. 21,634; but copies of the letters, with remarks and a note therefrom, may be found at pp. 39, 40, vol. ii. of *The Conspiracy of Pontiac and the Indian War*, by Francis Parkman, ed. 1885.

"There is no more painful and discreditable episode than the above in all our colonial history, though matched perhaps by that of the extinction of the aborigines in Tasmania. It is, however, fair to conclude with a passage from Mr. Parkman's book:—

"'There is no direct evidence that Bouquet carried into effect the shameful plan of infecting the Indians, though a few months after the small-pox was known to have made havoc among the tribes of the Ohio. Certain it is, that he was perfectly capable of dealing with them by other means, worthy of a man and a soldier, and it is equally certain that in his relations with civilised men he was in a high degree honourable, humane, and kind.'"

APPENDIX G.

DISENGENUOUS CRITICISM.

See page 599.

In an article published immediately after the Bishop's death the editor of the *Guardian* (June 27, 1883) referred his readers to an article "of great length" in the *Guardian* of December 3, 1862, as likely to "enlighten" them in 1883 as to "the character" of the Bishop's criticisms on the Pentateuch. The volume which alone could then (1862) be reviewed was the first part only of *The Pentateuch and Book of Joshua Critically Examined;* and this volume is but one twelfth or fourteenth part of the work, as it lay before the reviewer, or was accessible to him, at the time when he wrote (1883). It follows that such a reference could be nothing less than a deliberate throwing of dust in the eyes of any who might be disposed to look through the paragraphs quoted by the *Guardian* of 1883 from an article which was sufficiently disingenuous in 1862. To republish such statements immediately after the Bishop's death will to possibly not a few seem in a very high degree dishonourable. The writer inveighs against the Bishop for raising objections "to the narrative of a professed eye-witness, and then without regard to his character, his guarantees, or internal evidence of honesty, dismisses him peremptorily as an impostor." There is no professed eye-witness. There may be a number of narrators, and the Bishop dismissed no one of them as an impostor. The assertion that there was, or that there could be, one eye-witness and narrator for all the events, stretching over millenniums, recorded in the Pentateuch, is now, whatever it may have been twenty-four years ago, an impertinent absurdity; and to say that there were many eye-witnesses and many narrators is to admit in full the composite character of the Pentateuch, the very point for which the Bishop was contending. See further, the admissions and recantation of Professor Delitzsch, above, page 599, *note.*

APPENDIX H.

THE COLONY OF NATAL AND THE ZULU WAR.

See pages 532, 544, 618, 633.

In a despatch, dated 10th March, 1880, Sir H. Bulwer addressed to the Colonial Office a summary of the entire situation leading up to the Zulu War. Referring to the military preparations in Natal on the 24th of August, 1878, he says:—

"Now I venture to say that up to that time we, in this colony, had not so much as heard the word of war . . . the idea of a Zulu war had not yet occurred to any one. The idea was an imported idea. It was imported at the time of the arrival of the troops and the head-quarters staff from the Cape Colony. Once introduced under such circumstances the idea spread fast enough."

In a letter to the Secretary of State, dated 4th April, 1880, Sir H. Bulwer says:—

"The views of his Excellency the Lieutenant-General, and also of his Excellency the High Commissioner, were both based on the assumption of an invasion of Natal by the Zulus, a contingency which, though it was of course a *possibility*, as it had been a possibility for the last thirty years, was, in the opinion of this Government in the highest degree improbable, unless indeed it should be brought about by compromising action on our part.

"The annexation of the Transvaal had indeed . . . essentially altered the relations between English authority in South Africa and the Zulus; and as by that annexation the English inherited questions and disputes which might bring them at any moment into collision with the Zulus, so the situation of Natal, as a neighbouring country and a British colony, became necessarily much affected thereby.

But, so far as regards the chance of an invasion of Natal territory by the Zulus, I believed then, and I believe now, that such a movement had never so much as entered into the counsels of the Zulu king and chiefs, and that it would have been utterly repugnant to the views of the greater portion of the Zulu nation. I believed then, as I believe now, that unless we ourselves provoked a quarrel or otherwise greatly changed the temper of the Zulu nation towards Natal, or unless on other accounts British authority in South Africa went to war with the Zulus, an attack by them upon Natal was to the very last degree improbable."

APPENDIX I.

GOVERNMENT ADMINISTRATION IN NATAL.

See pages 345—363.

The following passage is taken from a letter written by the Bishop on December 6th, 1878, to Mr. Chesson. It is given as an illustration of the methods by which the office of the Secretary for Native Affairs in Natal thought fit to maintain the dignity of the Government where the Bishop was concerned. The man mentioned was notorious amongst the natives of the colony as having been publicly convicted, under the circumstances mentioned at page 344, of bearing false testimony against Langalibalele. The office to which he was afterwards promoted involved his administering justice in a court of first instance under the Native Administration Law of the Colony:—

"One of my own tenants came to me a day or two ago with a policeman bringing an order from a magistrate to call out one hundred natives, and to take 'unemployed natives on *private* farms' [lands] if he could not get his number on Government location-land. Another came yesterday with the same story, the 'chief' who summons them being that lying scoundrel Mawiza, who figured so disgracefully in the Langalibalele affair, and who, instead of being discarded for his lies (about being stripped, prodded with assegais, &c.), of which he was openly convicted (as told in my Bluebook), was actually made chief of his tribe [by the Secretary for Native Affairs], having no pretensions whatever by birth, &c., to such promotion, and the people having very generally protested against the appointment. This was done in Sir Garnet Wolseley's time, and no doubt with the view of damaging *my* position in respect of the Langalibalele affair, and all my people are put under [Mawiza] as chief. So much for the way in which we teach our natives to *speak the truth.*"

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