

much what their Priest is. If we do not see the Life of God growing in them the fault is mainly ours. I think the Epistles to the Seven Churches a good study for pastors; they make me tremble, and I hope humble. If we want to raise our people up, we *must* look to ourselves. It is an awful thought that our faults are reflected in them; that they imbibe our tempers, our worldliness, our selfishness. You speak of severe sermons. It is just this that is ruining ——'s work. If severe, we may be indulging our own *natural* mind. The servant of the Lord must be 'gentle unto all men, and in meekness instruct.' People must be won, not driven. The dearest mother's grave is at last finished and nice."

A few lines from the Bishop of Winchester, in reply to a letter quoted above, are at once characteristic of both the men :

"Osborne, February 18th, 1872.

"My very dear Friend and Brother—I was very glad to get your letter, and see your hand again. I read the account

afternoon of July 23rd, it became known that the intended conductor could not come (H. P. Liddon, I believe, who was detained by the death of a relation), and that the Bishop (Wilberforce), who arrived also the same afternoon, would conduct it himself. He did; and not one, I feel sure, who was present, but must have felt the wonderful power with which it was done. One address, especially, cannot have failed to live in the remembrance of all who heard it, founded on the history of the old Prophet in Bethel, and the man of God from Judah (1 Kings xiii. 11-32). It was most solemn and impressive. When the Retreat was over, and some of those present had already left, the Bishop of Cape Town, who had been present throughout the Retreat, sent to the College, inviting all who could to go into the Palace that they might unite with him in an expression of thanks to the Bishop of Oxford for conducting it. I went, as no doubt did all who were not gone, and the Bishop of Cape Town expressed, in the name of all, our gratitude to the Bishop of Oxford, who, when looking for a period of retirement and refreshment for himself, had suddenly and without preparation undertaken the laborious task of conducting the Retreat, of which we had enjoyed the fruits. All were under the influence of this Retreat; and the Blessing, which at the conclusion of his address, the Bishop of Cape Town asked for, and the Bishop of Oxford gave, as we all knelt in one of the large rooms of the Palace, concluded an incident, simple indeed, but deeply impressive, and all the more so, looking back at it now after an interval of twelve years, and remembering that both those holy men, to whom, as well as to us, that time had been among their holiest moments, are resting from their labours."

of Bishop Merriman's consecration with the liveliest interest. What a work you have been permitted by God to do in that land! I rejoiced in the Dutch Church overtures, and trust that it may please God to bring some real union out of that. It is entirely your having grounded the Church on its own proper basis that makes anything there possible. I have done all in my power as to this vile Bill, both with Kimberley and Gladstone, and I quite trust that we may upset it. The Bishop of London, and the Archbishop (who is wonderfully restored to health), are working with me as to this.

"I long, my beloved brother, to know how God is sustaining you in your loneliness. In some respects our joint loss, and its undying grief, is even a heavier trial when it falls on us young, as it fell on me, than at your age. There is not now the sad looking forward to a long life of lonesomeness. But I have no doubt that there are respects in which every year only adds to the grief. The dear one becomes part of the very life. I trust God, Who is Almighty, is upholding you, and that your health bears it. The illness of the Prince [of Wales] has wonderfully woke up the loyalty which, thank God, is deep in the nation's heart. He is nearly recovered; the Queen, I trust, very well, but her nerves a good deal shaken. I am labouring hard in my new and vast Diocese, and I think I begin to see a decided stirring in it, for which God be praised. I think that we shall escape, at least I trust so, mischievous legislation, now that what I have so long laboured and suffered for,—the restoring Convocation to practical work,—is actually accomplished. But more than ever do we need to pray that we may surrender no point of the Faith committed to us.—I am ever, my very dear brother, yours in hearty affection,

"S. WINTON."

It was, indeed, as the Bishop of Winchester said, "part of his life" that was gone from Bishop Gray. He went on working, and his letters speak cursorily of his different labours, with the often repeated—not lament—but, as it were, a long-drawn sigh, "All brings back my darling forcibly at every

turn." Bishop Cotterill says that almost the last words the Metropolitan spoke to him, when they parted in 1871, were that he could not, like many, find relief from sorrow in his work, because she had been so entirely identified in that work. Yet there was no flagging in it, no giving way. "If they propose to tamper with the Athanasian Creed," he writes, February 15th, 1872, "I must publicly protest." He tells his sister, "You will think me strong again when I tell you that yesterday, with the thermometer at 85°, I walked seven miles, celebrated, and preached twice, reaching home at nine, and that this morning I was up before five o'clock to walk to Claremont for 6.30 celebration. What we want most now is a Theological College."

He was preparing, early in March, to start on a Visitation tour of three months—not well, by his own admission, and having seen the doctor—evidently in suffering, but writing playfully, to take off what might be a sad impression to his sister, and joking about his girls: "Do you know their three names? Regan, Goneril, and Cordelia—I take the liberty of changing these as it suits me." On February 19th, writing to his son, when weary of the "twenty different sets of accounts," the Bishop says: "You have not been so long at Helmsley as I in Africa (to-morrow is the twenty-fourth anniversary of our landing), but your responsibility for the state of souls around you is growing every day. As you grow, I believe your people will grow. I would that I had borne this more in mind during nearly forty years of my ministry. . . . If the Church at home tampers in any way with the Athanasian Creed, it will be a bad day for it. I shall protest with all my might."

To the BISHOP of BOMBAY.

"February 20th, 1872.

"My dear Bishop—The departure of the Squadron for Bombay offers an opportunity for writing to you on this the twenty-fourth anniversary of my landing at the Cape. How full of toil and of sorrow these years have been, you in some measure know. There cannot, in the course of nature, be many

more. All that I care about for myself now is, that I may daily be preparing for the change; that when it comes, I may, with my dearest, behold our Lord's Face in glory. Your last letter was to me somewhat sad. You seem to feel yourself bound hand and foot by the restrictions which tie you to India, when, if in England for a few months, you might probably supply all your wants. It is curious that you should ask me about Benson, at a time when I had been writing to him about a Brotherhood for this land. You will probably have heard from him that your Metropolitan had anticipated you, and that some of the Brotherhood were already destined for India. I have nearly come to the conclusion that I shall never do much for the Malays of Cape Town except through a Brotherhood, and that in the Eastern Province. The (Roman) Christian or Marist Brothers will drive our Church and all others out of the field as educators, unless we train Brothers. . . . The state of the Education question in England also satisfies me that we must have Brothers and Sisterhoods there for education. I am in communication with several leading men in England on this subject. At least half my Sisters wish my Home to become a Regular Sisterhood, *i.e.* that they should bind themselves by vows: Chastity, Poverty, Obedience. There are many practical hindrances and difficulties, and I do not see my way clear. The chief recommendation to me is the greater stability and permanence to the work at my death. . . . If other Bishops will not work with you, and Societies cannot provide you with men, might you not yourself take steps to found a Missionary Order for the conversion of India, to confine their labours to your Diocese, until invited to work in others? . . . If you do anything, you must work out your plan yourself, and invite men to join you. I cannot help thinking you would have a response."

Bishop Gray had written, June 1st, 1871, to Father Benson (then in America, establishing his Society of Evangelist Fathers there), to say that he believed "a Brotherhood most likely to be an effectual instrument for the work of conversion among the Malay population in South Africa," and inquiring

whether the Cowley Fathers “contemplate a work of this kind; whether you have any whom you could spare for such a mission, etc. etc. Will you let me know,—I. Whether pure mission work is contemplated by you, or by any other Brotherhood with which you are acquainted? II. Whether you could send out two men; and if so, whether in Holy Orders or not? III. In what relation such a branch of your Order would stand to the Bishop of the Diocese and to the Clergyman in whose parish they might live and labour? IV. What mission they would receive, and from whom? V. What the probable cost would be?” This letter elicited the following very interesting reply from Father Benson:—

“Charlotte Town, Prince Edward’s Island,

“August 10, 1871.

“My dear Lord Bishop—Your letter has reached me here after nearly three months’ travel. It was a very great pleasure to me to receive the kind invitation which you have given us. I hope it may some day be possible for our Society to avail itself of it. We are growing in numbers, but we are not yet strong enough to put out a fresh branch. . . . It is now barely five years since Father Grafton and I first came together by God’s Providence. The numerical growth is therefore quite as rapid as we could desire. . . .

“You ask about our ecclesiastical position. I am still Incumbent of a parish in the Diocese of Oxford, which puts me so far under the Bishop. Bishop Wilberforce quite sanctioned the formation of our community, and approved its purposes. The present Bishop is very kind.

“I did not feel that it was well to put the Society very definitely under the Bishop’s control, for of course he must be exposed to external pressures which might be fatal to us, however heartily the Bishop in his own person might sympathise with us.

“Our Community is, after all, only a *family*, and is not in need of any permanent mission or jurisdiction. Any one of us who may, like myself, be in charge of a parish, will of course

receive mission by being instituted to that cure. The rest of us are, as far as the Church at large knows of them, only *un-attached Priests*. The fact of these being pledged to Poverty, Chastity, and Obedience, is a matter which merely concerns their own life before God. Even if the Church recognised our Community, and the position of the Superior in it, ever so formally, it would be unable to supply any guarantee, or to enforce any rule against the determination of any individual. Even in the old-established Orders on the Continent, the traditional usages of the Community, and the authority of the Pope, fail to coerce the moral sense of the individual, now that legal force does not back them up; and we see, in the case of P. Hyacinthe, how they are obliged to give way when a real disciplinary difficulty arises. I felt, therefore, that we must trust to the Holy Spirit to enable us to live together in unity in fulfilment of our vows. May He Who has begun the good work in us accomplish it unto the day of Christ.

“As to any *work* which we undertake, we always go at the invitation of the parochial Clergy, and we therefore receive a mission for that work by virtue of that invitation, and of course the Bishop’s sanction, often actually given, and at any rate implied, unless he were to forbid our doing what we are asked.

“We moved from a lodging-house into a permanent Collegiate Home in October 1868. It is situate in Cowley S. John, a new and populous district which has grown up within my parish. When I went to Cowley, twenty years ago, this district was nothing but open fields. Now it is formed into a separate incumbency. I have parted with the old parish church, and retain only the new district. Here the ‘Mission House of S. John the Evangelist,’ the Mother House of our Society, is situated, and the advowson of this district is vested in members of our Society, so that we may be sure of having the parochial authorities always at one with us. We have an annual celebration of our entrance into this House by a Retreat of Clergy in the first week of October—generally 50. Mr. Carter, Principal King, Mr. Randall of Clifton, have conducted them for us hitherto. In the following week I always have a layman’s

Retreat, with especial view to undergraduates,—so that they spend Monday to Friday in retreat, and go into College on the Friday evening after October 10th as usual. Besides having our own regular time-table, we in the Society occasionally go into a religious Retreat for a month. We have so much external work, and our missions involve us in so much society, that we find such Retreats necessary in order to sustain the religious side of our own life. It is not much that we can boast of at the best, but I hope by degrees we shall grow, and, at any rate, that the next generation of the Society will grow into more formed habits of recollectedness, meditation, and Divine life.

“Last year we had various offers from America. . . . The Corporation of the Advent Church at Boston offered us the Rectorship of their Church. Bishop Whitehouse of Illinois offered us a site of land, and money, for an educational institution near Chicago. Accordingly, Father Prescott, an American, has been carrying on all the services of the Church of the Advent, with the assistance of various Priests who have helped us from time to time; and, I am thankful to say, God has greatly blessed the work of the Society there. The revival has been quite remarkable. It is quite the strongest germ of Church life in Boston, and we are hoping to have a fine church built there next year, so that, I suppose, our Society will remain on indefinitely in charge of that work. . . . I found it impossible for us at present to close with Bishop Whitehouse’s offer. . . .

“Bishop Eastburn’s refusal of a license to myself did not injure our work very much, if at all. I used to have Bible classes in the schoolroom, which were well attended. This he sanctioned, as having no right to forbid it.

“Besides this I went with Father O’Neill to the Bahamas, and he spent Lent there conducting missions in the Diocese of Nassau. The Bishop of New York was also very kind to us both publicly and privately. He took me to address the Candidate Class at the Theological Seminary.

“We also had some mission work and preaching in the Dioceses of Maryland, Illinois, Wisconsin, Minnesota, and Rhode Island.

“ Since leaving the States I have been at Montreal and Quebec, and we have had three missions in New Brunswick, one going on now in this place, and some contemplated in Halifax and elsewhere in Nova Scotia.

“ I have, therefore, every reason to be thankful for God’s goodness in helping us on throughout this journey, although there have been some clouds. Probably even the hindrances have been a real strength to our future position. Your very kind letter makes me feel that it is due to you to let you know exactly what our present position is. I did not see how else to do so except by giving you a narrative of our origin and growth. We have been for some time past in communication with Bishop Milman. Father O’Neill has devoted himself to the work of India, if we can get any members of the Society fitted to go out with him there. Permanent mission work amongst the heathen is therefore not a new idea to us. I should not like to send out a Branch of less than *three* to start with. I should greatly delight to think that our Society was working under your auspices; and if the ground is not occupied when our numbers are equal to the undertaking, I hope we may be permitted to do so. But I fear that it must be some time ere we can look forward to it.

“ It was with great sorrow that I heard of your very great loss. I did sympathise with you most sincerely, and do so still, for I know it must be a loss that you feel greatly in almost every circumstance of the day. It is my humble prayer that our Heavenly Father, Who gives us consolation proportioned to our sorrow, may enable you to experience increasingly the joy of His abiding strength, and the living power of the unbroken Communion of Saints.

“ Intreating your blessing upon myself and the Society which is under me, I am, my dear Lord Bishop, yours very faithfully in Christ,  
R. M. BENSON.”

It is interesting to find, that, as far back as June 1854, Bishop Gray was in communication with the future founder of the Society respecting mission work; and, in April 1865,



writing to acknowledge an expression of sympathy from the Brotherhood, the Metropolitan says: "If a man of any intellectual power is called to mission work, India seems to me his field, though I confess the lack of men for China and Japan seems to give those countries great claims. I long to see a strong staff in Pekin and Yeddo." The Bishop's desires have been fulfilled as regards India, and the Evangelist Fathers are doing good work there. We must hope and pray that Bishop Gray's earnest longings for his own Province, as well as for China and Japan, will be carried out, and that Religious Brotherhoods may ere long be established in those lands also.

The Visitation began March 14th, the Bishop leaving "most matters in the Diocese and Province in fair working order, by dint of hard work." He began with Paarl, Wellington, then Ceres, and then the Karroo. The Bishop wrote to his son:

"Beaufort West, April 5th, 1872.

. . . "We are getting on very well, and if it please God shall on this day week have emerged from the wearisome Karroo, through which, however, we have had a prosperous route. I begin to feel that I care less where I am or what I do, so that it be God's work; but I am often tried and depressed as I go from place to place, and remember at each what we did and said when we were last there together. It is wonderful how fresh and vivid these remembrances are: the events seem but as of yesterday; but then I think that I can look forward to being with her again ere long. In a few days a whole year will have passed. . . . Work in this village is going on fairly well. The Rectory with its nice garden is new since I was last here; the church needs enlargement. There are twenty-four candidates for confirmation, among them two Kafirs, who having been baptized here, had gone to the Diamond Fields, where they were making money. They were sadly afraid they would miss my Visitation, and as soon as they heard that I was coming, they came down in the transport wagon, full 350 miles, at a cost of at least £6 each, and when I leave they go back at the same cost. We often meet with encouraging in-

stances like this of zeal and earnestness. This place is miserably divided. . . . After preaching on 'Forgive us as we forgive,' one went up to — and was reconciled before Holy Communion. — afterwards grasped me by the hand, saying, 'You have done one good work, I have forgiven —.' . . . The point about which I am most anxious is the Athanasian Creed. *Any* tampering with that is to my mind an indication of a latent unsoundness, or at least indifference to the Faith. The disparaging of it in any way would give a great lift to the spirit of unbelief. There can be no objection to a new translation in principle, if the old be faulty; or to notes of explanation, but the old translation has not, that I am aware of, been complained of till of late, and I doubt whether comments upon it, with a view to meet objections, would be satisfactory. Were the Athanasian Creed set aside, the very same spirit would next assail the Nicene Creed."

To Mrs. WILLIAMSON.

"Knysna, April 22nd, 1872.

. . . "I am now travelling through the country which the dearest wife so enjoyed riding over, and which is so beautiful, abounding in forest and green grass, and sea views and lake scenery. Everything is full of her. She was never happier than when mounting her horse at the door of this little Parsonage, which stands on a hill looking down on a pretty village, and a lake five miles broad, and gates of rock which form the entrance to the harbour. She is happier now, I trust, in the presence and love of her Lord. This was her special week of suffering. Saturday will be the dark dark day of my life when I lost her. I shall then, D.V., be confirming candidates from our Mission congregation in their little wooden chapel at Plettenburg Bay. We have got on hitherto very well in our journey. The horse-sickness which has denuded the country of horses, has not yet attacked our horses, for which I am most thankful. They have travelled nearly a thousand miles in the last six weeks, and we have perhaps 600 more to go. I have spent most part of to-day in riding out to call on Harry

Barrington's wife; her husband has gone down to Parliament. Dearest wife always rode out there on our Visitations, and I did not wish to omit the visit. It takes up, however, the greatest part of the day, and is fatiguing. To-morrow we start for Plettenburg Bay, and shall not get back here for six days; then we proceed to George."

From the same place the Bishop wrote to his son: "I think the scenery from the Long Kloof to this place looked more beautiful than ever. The dearest mother greatly enjoyed her rides in this part of the country. I remember what happened at each place of difficulty before the magnificent government road was opened. I am now writing in the little room where we have so often been together, and where her figure is constantly before me. I cannot forget that these were the days of her greatest suffering, and that next Saturday will be the sad day when she was taken from me. It is my great comfort to think that she is in Paradise. I am learning the difficulty of ever living by faith in the unseen. . . . I am anxious to do something by way of protest as to tampering with the glorious Athanasian Creed, but I have so little time that I fear that I cannot draw up a satisfactory document. If I get a quiet day this week at Newdegate's I must prepare one, to be signed by the Bishops and perhaps the Clergy. I find our work generally going on well. I had 65 communicants here yesterday; out of a congregation of 120."

The attack upon the Athanasian Creed which so sorely tried the faithful in England at that time, stirred up the Metropolitan of South Africa to the very bottom of his soul. He wrote to the Bishop of Winchester:

"Oakhurst, George, May 1st, 1872.

"My dear Bishop—I write during my only rest of two days during my three months' journey, partly because you ask how I am getting on in my pilgrimage, and partly because I wish to tell you how astounded and shocked I am at this sudden outburst against the glorious creed of S. Athanasius, which the proceedings in both Convocations reveal. The speakers have

taken exactly the line to be expected of each. Say what men will, this movement indicates the little hold which definite dogmatic Truth has upon men's minds in our day, and makes me tremble lest our candlestick should be removed. I do not believe it will, for I am year by year more and more convinced that God is training the Church of England to do Him a work in the world. But nothing that has occurred during these years of struggle has shown me so clearly how many there are who pass for sound and orthodox men, who would never *witness* for Christ amid troublous times. I have read great part of the debates while here, and I have written a Protest in the shape of a letter, which I trust all the Bishops of this Province will sign. The Church of England can, of course, throw over creeds if she will, and relegate them to a great theological lumber-room; but if she wants to continue the Mother of Churches, and to retain the love and allegiance of those she has founded, she must not do so. The Creeds are our common property and inheritance, and they must not be set aside except by the Churches of our Communion in common council, if the union of Churches is to be maintained. I firmly believe that if this movement, fostered by both Archbishops, succeeds, it will go far to break up our Churches. . . . As to myself, I am quite well. . . . May I only be preparing, during the days which are left, for reunion before the Throne. As you say, lives are interwoven, we were identified in everything; she had as much interest in all my work as myself. . . . May God preserve and keep you, my dear Brother, ever to be a witness for Him and for His Truth.—Ever affectionately yours,  
R. CAPETOWN."

A letter written a little later to one perplexed (August 2nd, 1872) goes very clearly and fully into the Bishop's mind on this subject:

"I cannot see," he says, "what safeguards we can have for the Faith, if such a view of creeds were assented to. My position is this.—Our Lord promised that the Holy Ghost should abide with His Church for ever, and guide it into all the truth. Whatever, therefore, the whole Church has agreed

upon as to matters of Faith, is simply what God has revealed in His Word. The Athanasian Creed has been received by the whole Church as the unerring exposition of the mystery of the Blessed Trinity. The monitory clauses have been received by the whole Church equally with the rest of the creed. In these the Church affirms, as part of the Faith, that Faith is essential to Salvation, and she tells us what the true Faith is.

“ No particular Church can lawfully touch a particle of the creed. It is the office and right only of an Œcumenical Council to do so. I do believe that the Holy Ghost did and does guide the Church even in the most minute and particular expressions. It is just here that the guidance is needed. Heretics propound plausible and seemingly orthodox creeds and definitions: the religious instinct of the Church discerns the latent or expressed heresy, and gives the true definition. This is the way in which the creeds have grown. They have been the Church’s heaven-guided voice exposing heresy and teaching truth without error. Really the question as you put it, is whether there is a definite Faith or not? If a man does not believe the Church’s exposition of it, he does not believe the Faith. A Socinian would say, as Arius said, that he believed ‘ the great fundamental truths of Christianity, put forth simply and broadly in God’s Word, for our reception.’ I am sure, if you will think it out, that you will see that the latitude which you advocate would open the door to any amount of heresy upon fundamentals. We have no right to say that any part of the creed is a ‘ preamble!’ It is the creed as it stands in our Prayer Book that the Church has received. It makes no distinction between clauses expounding the truth as to the Blessed Trinity and any other clauses. She delivers to us the whole creed to maintain and hand on un mutilated. . . . The Athanasian Creed has been received by the universal Church, and has in consequence in its entirety the same authority as the Apostles’ Creed. Surely we cannot split it up, and say we receive this portion but not that? I deny the right of any branch of the Church to tamper with the creed. . . . The language of the monitory clauses simply announces God’s decrees, if the creed is a true exposition of the Faith.

With the application of those decrees to individuals we have nothing to do; as the whole Church is indefectible in matters of Faith, the creed must expound it truly. If so, 'he that believeth not is condemned already.' Who believes or who does not must be left to the judgment of the Great Day. I never supposed that the Church would allow the creed to be tampered with, when it spoke out, but at a great crisis each must speak out. Therefore I wrote."

To the Rev. CHARLES N. GRAY.

"Gouritz River, May 10th, 1872.

"We are here for a night by the banks of a river which sometimes rises seventy feet, *en route* from Mossel Bay to Riversdale. I had a satisfactory visit to George, where I confirmed about 60; had 120 at Holy Communion; and ordained two Priests and one Deacon. For six days we had scarce a moment to ourselves. Among the pleasures were one tea-drinking, with speeches and music for the whole white congregation, and another for the communicants of the coloured congregation. . . . On crossing the point at the Brak River from George to Mossel Bay, Jimmie shied and broke the pole of our carriage, which we have got webbed together with iron, and which will, I trust, take us home. At Mossel Bay I confirmed forty-five yesterday, Ascension Day. There were five services during the day and a half we were there, and we preached four times. They asked for six sermons. . . . I shall be out three Sundays more, but I feel that I have broken the neck of the Visitation, and parishes on the coast are more settled, and the country more civilised."

To Mrs. MOWBRAY.

"Swellendam, May 17th, 1872.

"My dearest Lizzie—I have not written to you for a long time, but you know how my time is taken up. From the moment I arrive in a village till I leave again my time is taken up with services, schools, visitors, etc., and when on the road there is nothing to be done. We are now within 200 miles of home,

but we shall take ten days to do it in. We are very weary and tired. In a few minutes I must be off to confirm sixty-seven, of whom only nine are English,—the rest converts from heathenism. You would have been amused if you could have seen our approach on Tuesday to a new Mission Station which I have founded on the coast. About two hours off we were met by half-a-dozen men on horseback;—these made themselves an advanced and a rear guard. As we drew nigh to the station a body of men marched out to meet us; they drew up under command of an American, who dressed his line, and ordered them to make their evolutions. Then came the women in not equal order. And then ‘God save the Queen,’ whereat we all uncovered. They sang and sang, and at last we discovered that it was a Dutch hymn to the tune of God save the Queen! Then we all went in procession singing hymns. . . . Here I am asked to take up a large station of the London Society, which is in great disorder. Altogether the work is prospering, though here and there it flags.”

To the Rev. CHARLES N. GRAY.

“Caledon, May 23rd, 1872.

. . . “At Bredasdorp I confirmed thirty, and had full forty at an early celebration. . . . A few years ago we were doing nothing there, and now we have full 300 people, and 100 children in our schools. At Napier we are to buy a building for a little school chapel.”

The Bishop reached home on May 29th. A fresh annoyance had come upon him through certain persons in Natal inimical to the Church having written to the Archbishop of Canterbury to ask him if Bishop Merriman’s consecration without a Queen’s license was not incorrect; and his Grace replied not very definitely, but intimating that it was wrong to have proceeded without it; upon which encouragement the enemies of the Church began to talk of legal proceedings. The Metropolitan wrote to the Bishop of Winchester that he had “sent the Archbishop an extract from a Natal newspaper containing an extract from his letter, with an indignant remonstrance from myself.

I told him plainly that he had no more right to interfere with the internal affairs of this Province than in those of York; and that we did not look to an Archbishop of Canterbury to sow dissensions among us. It has made one parish in the Graham's Town Diocese repudiate Merriman's jurisdiction, and will probably involve him in legal proceedings."<sup>1</sup>

The Bishop of Winchester had taken a lively interest in the idea of a Bishop of George being consecrated; and the Metropolitan wrote concerning this:

"Bishop's Court, June 17th, 1872.

. . . "I cannot act at once—I. Because the consent of the Bishops of the Province must be given *in Synod* to the foundation of a new See, and they cannot at present meet.

"II. The Provincial Synod requires that an adequate endowment shall be first provided. I may add that I could not consecrate a Bishop with the present income of the Archdeacon. I should have to guarantee more, and I have gone in this direction beyond what I ought to have done. Personally, I am considerably in debt for the support of works which I have guaranteed. I must also see Macrorie's income safe before I venture farther."

The burden of the Bishop's letters continued to be work—"Plenty of work on our hands!" There was much sickness, and pressure of all kinds. Letters were fewer than usual. July 4th the Bishop wrote to his son:

: "I rejoice greatly over the debate and decision *in re* Athanasian Creed in the Lower House. It is one of those steps by which God is training the Church of England for the great work He has for her to do. He tries and scourges her, and she becomes more and more faithful, while full of tenderness and sympathy for the weak in faith. . . . At a meeting of the Clergy here yesterday we discussed elementary education; Marriage Defence Association; Athanasian Creed. An associa-

<sup>1</sup> In one of his letters the Bishop says playfully, "The Archbishop has shown a disposition to make himself a Pope, which you see, having the credit of being a Pope myself, I don't relish!"



tion formed; also a Committee to draft an address to Convocation. All unanimous but —— I shall probably see my Community develop into a strict Sisterhood, and I am gradually getting to the conviction that I must attempt a Brotherhood for education." . . .

"Bishop's Court, July 15th, 1872.

"I am always rushing from one thing to another, doing nothing well. . . . The longer I live the more I feel that *we* are answerable for shortcomings, or deadness, or rebellion, or departure from the true Faith in our people. Watch, therefore, if you would give your account with joy, and pray that I may be more watchful. Our people are interested in, depend upon it, our spiritual state and progress. What a call to self-discipline! God help us both to grow in grace. . . . As to S——, I should, I think, *when I was sure of myself*, and of the spirit in which I approached him, deal with his case as I should with one coming to confession. I would, if I could, make him see himself as he is.

"As to dining out, our Lord's example is enough as to the principle. . . . It is in this principle that I went to Government House last week to dine with the Grand Duke Alexis, and went yesterday to Simon's Town to a grand dinner on board the Russian frigate. I am sure that if the motive is not a worldly one, and we do not go into the world for pleasure or vanity, it is right to be in society occasionally. We may and ought to do some good there, and we may learn something ourselves. . . . As to doing no good, I have always found through life that when I thought I was doing most, and was elated, I was doing least; when I thought I was doing least, and was cast down, I have at times found that I had done some good."

On July 20th the Bishop confirmed on board the British Squadron, then in Simon's Bay, and the following day he preached on board the flag-ship.

In August came tidings of the death of the Bishop's eldest brother, Mr. William Gray.

"I have not been very well myself of late," he wrote,

August 16th, "having been threatened with a return of my Port Nolloth attack. I am still very weak, but I have been into town on Bokkie to-day. . . . This day last week a wild little horse, which shies terribly, gave me a throw. I sustained only bruises, and rode on to town, and did a day's work there: he swung full round with me four times that day! You need not lecture me; it is very seldom that I mount him; he is a first-rate travelling horse, and a great favourite. On Tuesday I got through a Confirmation with 180 candidates, and full 1,000 or 1,200 in church, with some difficulty. I hope to be well enough to preach in the Cathedral on Sunday on marriage with a deceased wife's sister."

By the same mail the Bishop wrote a few lines to his sister, the last of that loving full correspondence which he had never failed in from boyhood. There is not much in the note.

"My dearest Annie—I must send a line to you, though I have told Edward all I have to say. Perhaps the girls will not tell you that they are giving themselves greatly to music. There is a Mr. Burke here, a Clergyman's son, who has taken the whole Cape by storm. He is a great teacher, and has pupils everywhere, and large classes of sixty or seventy in the College Hall, which the girls attend weekly, and another in Cape Town. A few days ago both classes were joined, and they sang a cantata to which they invited their friends. It consisted mainly of choruses, which were much admired. They are now at work on 'Hear my prayer.'<sup>1</sup> Our family circle

<sup>1</sup> There is a happy association with this anthem. Archdeacon Glover wrote to Mrs. Williamson:

"September 5th, 1872.

"It must have been, I think, the last dinner that we had together, we two alone (for the others held night-school three nights in each week), that something suggested that anthem 'Hear my prayer,' in which the wondrously beautiful treble solo and duet occur 'Oh that I had wings like a dove!' etc. The remembrance of the anthem, which the Bishop said he had always loved, recalled to him the past, and seemed to bring the future also before him. For some minutes after he kept repeating the words, dwelling on them lovingly—not that he was one of those whose work for his Lord was ever *distracted* by 'gazing up into Heaven.' If ever any one loved his Lord with an ardent passionate love (though he did not

is dwindling away. In a few short years, or less, we three shall have passed, and our place on earth know us no more. May I be, any way, as nearly ready for my call, dearest sister, as you. May it be a happy day for us all. I trust it will. . . . I am just now in a low and depressed state, entirely, I think, from internal causes. I think for the last six weeks it has rained nearly half the time. I suffer much when I do not get a full amount of exercise. The other night we had, in twenty-four hours, three inches of rain! I get very depressed in illness, chiefly, I suppose, because a sluggish liver seems to be the cause."

The "call" was indeed then very near. On one of the last days of July the Bishop was present at a little festival given by the Sisters to their Refuge girls, distributing prizes, etc., and showing the Sisters, with much amusement, a paper he had just received about the George Diocese, headed with the words "A living dog is better than a dead lion." On the day that he was thrown from his horse, the Bishop went to Cape Town, where he transacted a good deal of business, and received the English mail, which, among other tidings, contained that of his eldest brother's death; and afterwards he went to the Home, where, in the course of conversation, he repeated, what he not unfrequently said, that whenever he thought to be doing a great deal he had really done little, and *vice versa*. Some one asked "Which are you doing now?" "Oh, nothing at all!" he answered, but the next moment added, "I will tell you what I have been doing to-day,—trying to break my neck!"

The next day, August 10th, the Bishop walked to Wynberg, and on Tuesday 13th he held a confirmation in S. George's, which the day before he had feared he should not be able to do, feeling so thoroughly weak and ill as he did. The exertion was very great, however, as all present observed. Three times

talk much of it), it was he; but his love was shown by his work. Even when the other happier world was brought so close to him by his dear wife's death, he did not sit down in sorrow, yearning for his own time, but set to work with zeal quickened, if possible, by the feeling that his Saviour was even nearer and dearer to him than before, and had 'taken him aside to speak to him.' "

his head drooped, and he could hardly raise his hands, and had to drink some water. In his addresses to the persons confirmed (which were very short), he pressed the necessity for coming immediately to Holy Communion with even more than his usual earnestness. At the end of the service, the *TE DEUM* was chanted, the Bishop standing before the altar, with all his Clergy round—the last public office of the Church in which he ever assisted—and surely a most fitting one.

He rode in to Cape Town on Friday, August 16th, and went to the Home, where he took some food—(the Sisters were having their early dinner)—and talked in his usual kindly, cheerful way about many of their interests. Two little boys, who had been handed over to them that morning by the magistrates, were brought to him by the Superior, as the first candidates for the Little Boys' Home, which he was anxious to establish under the Sisters' care. The Bishop talked to the children, and then going to the Oratory, heard some confessions before returning to Bishop's Court, when he seemed very tired.

The course of the following days must be told in the words of his son-in-law, the Ven. Archdeacon Glover, written to one of the Bishop's most valued friends, the Rev. the Hon. Henry Douglas.

“Bishop's Court, Claremont, 2nd September 1872.

“I have heavy tidings to give you—the loss of our dear Bishop and father, and, I well know, your own very dear and loving friend. We ought not to grudge him his rest, nor the happy reunion with wife and daughter, nor, what he looked forward to still more, his being with his Saviour, yet we struggled hard to keep him. All through the most dangerous part of his illness there was daily celebration at S. George's Cathedral, and very earnest prayers were offered with *the* offering; and in the Home, the Sisters and members of their guild kept up a continuous stream of prayer for several days and nights, and from, I suppose, every Church in the Diocese, prayers rose for his restoration—but it was not to be. Christ knew what was for his happiness better than we, and took him to Himself. It is blasphemy to think that the same wise and loving Lord

did not also know what was best for the Church of this land ; and so, though we cannot see it, we must believe that it is so, and I hope *do* so believe. . . .

“ On August 9th, as he was riding to town, his horse shied and threw him rather heavily. He mounted again, rode to town, did business for some hours, received the letters by English mail—one containing the news of his brother’s death (William)—and rode home looking a little shaken and feeling a little bruised, but as he and we thought no otherwise the worse. The next day—10th August—I walked to Wynberg, etc., with him. His bruises, he said, made him *feel* walking. Before my walk with him was over, I was called off to Cape Town to stay with and help poor Lightfoot, whose eldest boy had been drowned. I returned on Monday, and found the Bishop unwell ; the doctor had been sent for, but thought little of the sickness. There was to be a confirmation at S. George’s the following day. Agnes had written to say it must be postponed, but he felt better and took it. The Bishop looked miserably ill throughout, and told me he was glad he had consented to the new arrangement (new for this Diocese) of sitting to confirm. The service took two hours ; he called for water two or three times. After the quiet drive in the carriage, he said he felt better. The next day he had invited to an early dinner some friends who had showed much hospitality in the Karroo ; he took much trouble in entertaining them, as genial as usual. On Friday the 16th he *rode* to town, and returned tired, but not alarmingly so. The next day he asked Blanche and me to ride with him ; but he rode slow, an unusual thing with him, and seemed not to enjoy it. The next day, Sunday, he was to have preached at S. George’s on the proposed legalising in the Colony of the marriage with the deceased wife’s sister—a thing he felt very strongly on ; but he came to my study and told me he felt too ill to preach, and I must go in for him and make arrangements. On the 19th-22nd he was still unwell, but not so much so as to alarm the doctor or us. On the 23rd, having spoken to him first, I arranged with the doctor for a consultation of doctors, who came the next day.

Meanwhile, that same evening, the Bishop suddenly became much worse, falling as he was walking, and being taken with great pain, so much so that I sent off at once for the doctor, and by his advice sat up with him all night. From that time he never left his room, and Agnes, Blanche, or I, were always with him night and day. The doctors on the 24th said that the case was a serious one, but they saw no grounds for despair. They all agreed that he was suffering from diabetes, but thought that the case was complicated by fever supervening. They all thought that the fall *might* have been the cause of the former complaint being brought into more active operation. On the 25th-28th inclusive, he mended so much that we became quite happy. His pulse went down from over 100 to 80, and his strength increased. He even bade me get the last *Guardians*, and read him a letter from Mitchinson about the Mauritius Bishopric, as well as anything else of Church interest, especially with regard to the Alt-Catholic movement. On the 29th he got worse again, suffering very intense pain in his left side. Blanche sat up with him till 2.30 of Friday morning, when I relieved her; then he called me to him, and told me he thought his end was near, and he wished to say some things to me. I wish I could remember his very words—he told me of his hopes and fears with regard to the future of the Diocese, his greatest fear being lest his successor should not sympathise with the work of the Sisters as he had done, and as they deserved. ‘They are but women,’ he said, ‘and have their weaknesses and may make mistakes; but ‘oh, the treasure *is* in earthen vessels,’ and they *are* doing Christ’s work.’ He spoke of the unaltered faith in which he had lived and which he had preached. He spoke of how he had yearned for the union of the Church, and, as he spoke of this, his poor weak voice swelled into power, and his whole face glowed. He spoke of his own spiritual state humbly but *carefully*, telling me that he did, however, feel a very intense love to his Lord, and he did think that he had striven to serve Him and do His work ‘without any self-seeking,’ and he hoped and thought with little thought of self. He told me that, looking carefully back at his

chief public acts, he was thankful to see nothing to repent of: he meant, he said, specially the Colenso case. He added that he told me this, because some said that on their deathbed men see things of that sort in a newer or kinder light. On Friday the 28th the three doctors came again and considered that he was worse than when they first saw him. On Saturday morning when his doctor paid him his first visit, he was shocked at the change since yesterday, and counselled not to wait till the morrow for Holy Communion. When I went and asked him 'What time *to-day* would you like Holy Communion?' he said, 'I thought we said *to-morrow*.' 'The doctor thinks *to-day* better,' I said. He knew what I meant, and said 'Well, dear fellow, I am ready when you like.' He received it at twelve, joining with very clear voice in all responses,—Amens, Gloria in excelsis, etc. He was less exhausted than I thought he would be. The three doctors came again that day, and still professed that it was not hopeless. It was Blanche's turn to sit up that night. I sat up with her; we were both much troubled by the painful and troubled nature of his sleep. At three we each retired to our rooms, leaving the professional nurse in charge. At five she called me to say that there had been a great change. All the trouble and pain seemed gone, and he was apparently sleeping easily, but the nurse's experienced eye was right. We all assembled, I read the commendatory prayer, and two minutes after his soul was with his Saviour.

"I need not say that intense anxiety has been shown by all classes of people during the illness, and an immensity of sympathy and sorrow at his death."

Some few particulars may be gathered from a letter, telling the sad tidings, to her brother, written by one of the Bishop's daughters :

"After his fall he did not complain of anything but a few bruises, but the next day, after walking over to Wynberg to tell William<sup>1</sup> of his father's death, he complained of feeling tired

<sup>1</sup> Captain William Gray, eldest son of the brother just dead.

and weary. However, the next day he insisted in walking over to church at Wynberg in the pouring rain, and the doctors think it probable that the fall or the wet walk brought on or hastened the attack. . . . On Friday evening, the 23rd, he became much worse, and as he was walking off to bed, holding on to me, he fell down on the floor. We got him carried to bed, and he never got up again. . . . He was very quiet and peaceful, and we hardly knew when the last breath was drawn. . . . He told Florence about a week before that he was dying. Occasionally he asked us to read the Lesson for the day, or some hymns, but he was soon tired. In the early part of his illness he went on with a volume of Milman's *Latin Christianity* which he was reading.<sup>1</sup> He did not send messages to any one; he just said a few words after receiving Holy Communion on Saturday, but he was always so weak that speaking much was an exertion. He was always most loving and affectionate to us, and afraid of our tiring ourselves by sitting up."

Thus closed the earthly scene; and one of God's choicest and most devoted servants passed from this world's weary strife (to him, above most, how weary!) to rest, in his own words of humble hope, at the Feet of his Dear Lord for ever. It was at 6 o'clock on the morning of Sunday (14th after Trinity) September 1st, 1872, that the greatest Bishop perhaps of recent times was called to join the Church Triumphant.

Directly that the alarming nature of the Bishop's illness was known, daily prayers and celebration on his behalf were begun. And in the Home, where he was beloved indeed as a father, a continual intercession was kept up night and day. One of the Sisters wrote home:

"September 4th, S. Cyprian's, Cape Town.

"We were privileged to see him on Monday afternoon as he lay in the little chapel at Bishop's Court. At first I was distressed, for I should not have recognised him in the least, so great was the change. But as I looked, I thought to myself,

<sup>1</sup> The last book the Bishop read to himself was the *Spiritual Letters of S. Francis de Sales*.



Why, this is a *young* man of about thirty! . . . This wonderful change<sup>1</sup> in his countenance was so remarkable that Mr. Fisk noticed it in his sermon last night. All were amazed at it. You know our Bishop had a beautiful countenance always, but what that beauty was on Monday you cannot conceive. Do not imagine that I am speaking of what might have been the effect of my own excitement. I am but feebly expressing what the sober minds of those of his Clergy who saw him, also saw with no less astonishment than we felt."

On Tuesday, September 3rd, the Bishop's body was laid to await the Resurrection beside that of his wife in Claremont Churchyard. All that could be shown of public honour was rendered,—flags half-mast high, tolling bells, and universal black,—but there was something far beyond that in the real heartfelt mourning of all classes, all religious professions, all nationalities. After their own fashion, every one felt that the Father of all was gone from them. The burial was attended by thousands, yet the deepest stillness and hush prevailed. The procession included every possible class, from the Governor-General and his staff; Commodore, and every official;—all the religious bodies in the place—the Vicar-Apostolic and his Clergy—and many a poor Malay and Negro, many a poor native who had found a friend in him now being carried to his grave.

"I wish you could have witnessed his funeral" (Arch-deacon Glover wrote to the Bishop of Winchester, September 5th, 1872). "All hearts seemed bowed to one master-feeling, the sense of our irreparable loss, softened and brightened with the thought that the garlands that lay on the head of his coffin meant a great reality;—that he had won his rest. I heard one say as the multitude moved from his grave, 'If ever man won his rest, that man has.' For myself I shall never see his like again,—at once a tower of strength, and loving and gentle as the gentlest woman;—one who never knew what envy was, or that ever gave a thought,—so I verily believe,—to his own

<sup>1</sup> The Bishop's daughters were startled in like manner by the strong likeness they now saw for the first time between their father and brother.

glory and advancement. . . . As we stood in the bright spring afternoon round his grave in the beautiful Claremont Churchyard, tokens of his work met the eye in all directions;—the large band of Clergy,—the Sisters, the thousands of silent mourners of all ranks and denominations;—a wondrous sight to me who remember the first small beginnings of things.”

“If you could see the magnificent country through which we were passing” (one of the Sisters of S. George’s Home writes): “the mountains and every speck of ground are now literally white like snow with flowers, sparkling in a bright sun. Then this mass of living beings of every colour, age, sex, and rank, in profound silence, with heads uncovered. And at last the little church, his own building, and the most beautiful one in the Colony;—the Chancel, which is much raised, and very deep, crowded with Clergy, in their surplices. Of course the churchyard itself could not contain so vast a multitude. The Sisters remained till every one was gone, and then covered the grave with flowers, so that not a speck of the sandy soil was left uncovered. The Cross which they made to lay on the coffin was composed of white camellias, roses, orange-blossom, lilies of the valley, and a few little bunches of sweet violets.”

The Burial Service was said by the Rev. Canon Ogilvie, and the Lesson read by the Rev. A. Wilshere, and the hymn sung—

“ Brief life is here our portion,  
Brief sorrow, short-lived care ;  
The Life that knows no ending,  
The tearless Life, is There ! ”

And before leaving the grave the assembled multitude joined reverently in the hymn (one of the last things his eldest daughter had read to the Bishop, and his favourite hymn)—

“ Art thou weary, art thou languid,  
Art thou sore distrest ?  
Come to me, saith One, and coming  
Be at rest.”

His grave, like that of his wife, is marked by a block of

granite, bearing a full-length white marble Cross, with the inscription—

ROBERT GRAY, D.D.

FIRST BISHOP OF CAPE TOWN AND METROPOLITAN,

Fell asleep, September 1st, 1872.

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*“ My Beloved is Mine.”*

Surely Bishop Gray's life and death need no commentary. His own words have sufficiently told that life, and nothing can strengthen the impression they must make on all true Christian hearts that love the Church of our Dear Lord. We may close the page with the few brief words written to his son, on hearing that he had gone hence, by the dearest friend he had on earth—so soon himself to follow, Bishop Wilberforce :

“ I must tell you how entirely I have been sympathising with you under this great blow to our Church, to our Missionary work, and to all of us who dearly loved him. And yet what a grand and fitting ending has it been. How like his all-enduring, royal, hero-course!—and now to know that he is at Rest, and where he ever longed to be, with his Saviour and his God !”

## APPENDIX.

APPENDIX I.—Vol. I. p. 512.

JUDGMENT of the LORDS of the JUDICIAL COMMITTEE of the PRIVY COUNCIL on the Appeal of the Rev. WILLIAM LONG *v.* the Right Rev. ROBERT GRAY, D.D., Bishop of Cape Town, from the Supreme Court of the Cape of Good Hope ; delivered June 24, 1863.

*Present*—Lord Kingsdown ; the Dean of the Arches ; Sir Edward Ryan ; Sir John T. Coleridge.

THIS is an Appeal from a decision of the Supreme Court of the Cape of Good Hope in a suit between the Appellant, the Rev. Mr. Long, claiming to be the Incumbent of the parish of Mowbray, in that Colony, and the Respondent, the Lord Bishop of Cape Town. Mr. Long, being in possession of the church of the parish of Mowbray, and in receipt of the income attached to the benefice, refused to obey certain orders which the Bishop, in what he considered the due exercise of his episcopal authority, thought fit to issue, and for such disobedience the Bishop issued against Mr. Long sentences, first of suspension, and afterwards of deprivation. The validity of these sentences, and especially of the last, was the question to be decided by the Court below, which, by a majority of two Judges to one, has held them to be valid.

In the argument at our Bar many questions of great novelty and importance were raised and discussed with remarkable ability. Some of them were considered, and very justly, by the Counsel as seriously affecting the well-being of members of the Church of England in the Colonies and other dependencies of the Crown. We propose to deal with these questions only so far as may be necessary for the purposes of the present decision, and to abstain as far as possible from saying anything which may prejudice cases that may hereafter arise.

It is advisable, in order to make the reasons of our Judgment intelligible, to state in some detail the facts as they appear upon the record.

The Bishopric of Cape Town was founded in the year 1847. At this time the legislative authority in the Colony of the Cape of Good Hope was vested in the Crown. There was no State Church ; all denominations of Christians stood on an equal footing ; there were no Ecclesiastical Courts as distinct from Civil Courts. The Supreme Court, under the Charter of

Justice, granted in 1832, had supreme jurisdiction in all causes—civil, criminal, and mixed—arising within the Colony, with jurisdiction over all subjects of the Crown, and other persons within the Colony.

In this state of things Letters-Patent were issued by the Crown, dated the 25th September, 1847, erecting the Colony or Settlement of the Cape of Good Hope and its dependencies, and the Island of S. Helena, into a Bishop's See and Diocese, appointing the Respondent, Dr. Gray, to be ordained and consecrated Bishop of the See, and commanding his Grace the Archbishop of Canterbury to ordain and consecrate him accordingly. The Letters-Patent purported to empower the Bishop to perform all the functions appropriate to the office of a Bishop within the Diocese of Cape Town, and especially to give institution to benefices; to grant licenses to officiate to all rectors, curates, ministers, and chaplains, in all churches, chapels, and places where divine service should be celebrated according to the rites and liturgy of the Church of England; to visit all rectors, curates, ministers, and chaplains, and priests and deacons in holy orders, of the United Church of England and Ireland, and to cite them before him, or before the officers whom he was authorised to appoint, and to inquire concerning their morals, as well as their behaviour in their several stations and offices. Power was given to the Bishop to appoint Archdeacons, a Vicar-General, Official Principal, Chancellor, Commissaries, and other officers; and it was provided that an appeal should be made from sentences of the subordinate officers so to be appointed, to the Bishop, and from sentences of the Bishop to the Archbishop of Canterbury. No Ecclesiastical Court was expressly constituted by these Letters-Patent, nor was power given to the Bishop to establish one; and it was declared that they should not extend to repeal, vary, or alter the provisions of any Charter whereby ecclesiastical jurisdiction had been given to any Court of jurisdiction within the limits of the said diocese.

The Letters-Patent provided that the Bishop of Cape Town should be subject to the Metropolitan See of Canterbury, in the same manner as a Bishop of any See within the province of Canterbury, and should take an oath of due obedience to him as Metropolitan; and they contained a clause that the Bishop might, by an instrument in writing under his hand and seal, addressed to the Archbishop of Canterbury, resign his office; and after acceptance of such resignation by the Archbishop, the Bishop was to cease to be Bishop of Cape Town to all intents and purposes. Dr. Gray having been duly consecrated by the Archbishop of Canterbury, and taken the oath prescribed, went out to the Cape to assume the duties of his office, and continued to discharge them till the latter end of the year 1853.

At that time it was considered by the Queen's Government that the then Diocese of Cape Town was too extensive for one Bishop, and that it would be advisable to divide it and make it into three Dioceses, to be called Cape Town, Graham's Town, and Natal. With a view to this arrangement Dr. Gray, on the 23d November, 1853, resigned his Bishopric into the hands of the Archbishop of Canterbury, by whom the resignation was accepted, and Dr. Gray ceased to be Bishop of Cape Town.

On the 8th December, 1853, new Letters-Patent were issued, by which certain specified parts of the original Diocese of Cape Town were erected into a distinct and separate Bishop's see and diocese, to be called thenceforth the Bishopric of Cape Town, and to this newly-constituted Bishopric Dr. Gray was appointed, and he was also appointed Metropolitan Bishop in the Colony of the Cape of Good Hope and its dependencies, and the Island of S. Helena. The new Letters-Patent seem to have been in other respects in the same form with the old.

But previously to the issuing of these Letters, the Crown had granted a Constitution to the Colony of the Cape. Representative institutions had been founded, and a Colonial Legislature established.

Mr. Long was officiating in the Colony as a Minister of the Church of England before any Bishop was appointed there. He had been admitted into Deacon's orders for the Colonies by the Bishop of London in 1844. In the year 1845 he went to Cape Town, and was appointed by the then Governor of the Colony to be Minister of the English Episcopal Church of Graaff-Reinet, his salary being paid partly by the Governor, partly by the Society for the Propagation of the Gospel, and partly by his congregation. There seems to have been no endowment of any kind attached to this church. He had at this time no other authority for discharging the duties of a Minister in that Church than the Holy Orders which he had received from the Bishop of London and the appointment of the Governor of the Colony.

Soon after the arrival of the Bishop of Cape Town in the Colony in 1848, and while the first Letters-Patent were in force, Mr. Long was ordained priest by the Bishop according to the form and manner of ordaining priests as contained in the Book of Common Prayer; and, on being so ordained he took the usual oaths prescribed by the laws and usages in force in England, and amongst others the oath of canonical obedience to the Bishop, by which he engaged to pay to him true and canonical obedience in all things lawful and honest.

On this occasion the Bishop granted, and Mr. Long accepted, a license from the Bishop to officiate and have the cure of souls over the parish and district of Graaff-Reinet, the Bishop reserving to himself and his successors full power to revoke the license whensoever he or they should see just cause so to do.

In the year 1854 a clergyman of the English Church, named Hoets, built and proposed to endow an Episcopal Church in the parish of Mowbray, in the Colony of Cape Town, and to convey the church to the Bishop, upon certain terms agreed upon between them; and by a Notarial Act in the Dutch form, dated the 2d June, 1854, Mr. Hoets transferred in full and free property to the Bishop and his successors in perpetuity, for ecclesiastical purposes, a piece of land therein described, "with the church which the Appearer had lately erected thereon at his own cost and charge for the worship of Almighty God according to the Liturgy and Ritual of the Church of England, situate in the parish of Mowbray."

By a Notarial instrument of the same date, to which the Bishop and

Mr. Hoets were both parties, the conditions on which the grant was made are stated.

The first is that the church shall with all convenient speed be consecrated, and shall be at all times used and enjoyed by the parishioners of the parish of Mowbray free from any charge.

Mr. Hoets covenants with the Bishop to pay a certain salary to the clergyman or incumbent to be appointed and instituted to the spiritual charge of the said church and parish in manner aftermentioned during the incumbency of the two first incumbents thereof, as and for a provision or endowment towards the stipend of such two first incumbents, and a mortgage is made by Hoets to the Bishop of certain bonds in order to secure the due payment of the stipend.

The Bishop, in consideration of the premises, covenants with Hoets, that he, the Bishop, and his successors will admit, institute, and appoint unto the said endowment, and unto the spiritual charge and care of the said church and parish, a Clerk to be presented and nominated by Hoets (such person being a priest in holy orders of the United Church of England and Ireland, or of any of the Colonial Churches in communion with the said United Church, and not subject to any spiritual or ecclesiastical censure or other impediment) as the first incumbent of the said church and parish. And so in like manner upon the death, resignation, or removal for any lawful cause of the first incumbent, upon the like presentment of Hoets, to admit, institute, and appoint a second incumbent.

There can be no doubt that by these deeds a trust was created between Mr. Hoets and the Bishop, and that the Bishop became trustee of the church and of the funds provided for its support, and held them in that character.

On the 3rd of June, 1854, Mr. Long and several of the parishioners of Mowbray presented a petition to the Respondent, as Bishop and Ordinary of the diocese, praying him to consecrate the church, and on the 6th of June his Lordship consecrated it accordingly, and signed an instrument under his episcopal seal declaring such consecration, and reserving to himself and his successors, Bishops of Cape Town, all ordinary and episcopal jurisdiction, rights, and privileges. On the same day his Lordship preached in the parish church, and referred to the Appellant as being henceforth the parish priest.

There were, or were supposed to be, some impediments to the institution and induction of the new incumbent in the English form, and no such ceremonies took place, but Mr. Long entered into possession of the benefice, and discharged his parochial duties, receiving from the Bishop a license to officiate and have the cure of souls within the parish and district of Mowbray. In this, as in his former license, the Bishop reserved power to revoke it if he should see just cause, and Mr. Long on these occasions renewed his oath of canonical obedience to the Bishop.

We will here observe, in order that we may not have occasion again to refer to the point, that we consider the good faith of the arrangements between Mr. Hoets and the Bishop to have required that the nominee of Mr. Hoets, when admitted by the Bishop to this church, should hold and

retain it on the same terms as a clergyman in England regularly instituted and inducted, and that the Bishop, by means of this license, obtained no right to suspend or deprive Mr. Long by the mere exercise of his discretion, or otherwise than for such cause as would have justified a sentence of suspension or deprivation in the case of a Clerk in full and lawful possession of his benefice. Indeed, it is due to the Bishop to say that we did not understand his Lordship to contend for more than this by his Counsel at our Bar.

In the year 1856 the Bishop was of opinion that, for the purpose of settling some scheme of Church government which should be binding upon the religious community of which he was the head, it would be desirable to convene a Synod, consisting partly of clergy and partly of laymen, members of the Church within his Diocese. The measure had been in contemplation, and, indeed, under discussion, for several years before, and different opinions had been entertained both by clergymen and laymen as to its legality and its expediency.

On the 15th November, 1856, the Bishop issued a pastoral letter, in which, after stating the reasons which induced him to believe that such a measure was expedient, if not indeed necessary, for the well-being of the Church in the Colony, and explaining the objects which might, in his opinion, be effected by means of a Synod, his Lordship proceeded to declare of what persons the Synod should be composed. These were to be, first, lay delegates, to be elected in the different parishes by adults, being, or at the time of the election declaring themselves to be, members of the Church of England, and of no other religious denomination. Secondly, duly licensed clergy, being in Priests' orders. Deacons were to be authorised to attend and speak, but not to vote.

Some of the subjects to be brought under the consideration of the Synod were then enumerated, including matters not exclusively of ecclesiastical cognisance; as, for instance, the tenure and management of Church property; questions relating to the formation and constitution of parishes; difficulties which had presented themselves with regard to marriages, divorces, and sponsors; and, finally, the desirableness, or otherwise, of seeking to obtain the assistance of the Legislature to carry out the objects of the Synod.

Mr. Long was summoned by the Bishop to attend the Synod, which was appointed to be held at the Cathedral Church in Cape Town on the 21st January, 1857, and he was requested to affix a notice of the intended meeting on his church door, and to take the necessary steps for holding the election of a delegate for his parish.

Mr. Long and his parishioners were opposed to this measure. The parishioners held a meeting on the 22d December, 1856, at which they resolved that no delegate should be elected, and Mr. Long neither attended the Synod himself, nor took any steps to forward the election of a delegate.

No attempt appears to have been made at this time by the Bishop to enforce obedience to his summons, but the Synod was held, and was attended, as it appears, by many of the clergy and laity, and various re-



solutions were passed by them, which were termed "Acts and Constitutions of the First Synod, held at Cape Town, January 21, 1857."

These regulations provided that a Synod of the clergy should be convened by the Bishop once in three years. They provided for the mode of electing delegates from the different parishes, and required that on some Sunday, or other convenient day, during Divine Service, each Minister should give notice of the day and place of meeting for such election in his parish or district, and should cause notice of the same to be fastened to the door of the church or chapel of the parish or district.

The clergy and laity were ordinarily to sit and deliberate together, the Bishop presiding, and to vote as one body; but any member of the Synod might demand a vote by orders, in which case no Resolution should be regarded as adopted by the Synod unless carried by a majority of both orders and assented to by the Bishop.

Various rules were made with respect to the formation of parishes, and the institution and induction of clergy; and all Presbyters and Deacons before institution or induction, or before receiving a license from the Bishop and as a condition of receiving such institution, induction, or license, were to sign a declaration that they would subscribe to all the Rules and Constitutions enacted by the Synod of the Diocese of Cape Town.

A Consistorial Court was appointed for the trial of all offences against the ecclesiastical laws of the Diocese, and various provisions were introduced with respect to the mode in which the trial should be conducted.

The Synod had been convened without any express sanction of the Crown, and no attempt was made to obtain the assistance of the Legislature to carry into effect its objects. It was stated at the Bar that the Synod resolved that it would not be desirable to make any attempt for the purpose, but we do not find any Resolution to this effect amongst the printed papers.

In 1860 the Bishop convened a second Synod, to be held on the 17th of January, 1861; and on the 1st of October, 1860, his Lordship addressed a letter to Mr. Long, inclosing a copy of a pastoral letter which he had issued, and also a copy of the printed Regulations adopted by the Synod for the election of Deputies. The pastoral letter referred to the Acts and Constitutions of the last Synod, and mentioned as one of the subjects to which his Lordship would have to call attention, the Constitution of the Ecclesiastical Court.

Mr. Long was of opinion that the convening of this Synod without the authority either of the Crown or the local Legislature was an unlawful act on the part of the Bishop; that the Synod itself was illegal, and its acts of no validity; and he declined therefore to take any steps himself for calling a meeting for the election of Delegates in his parish, but he handed over the papers to the churchwardens and sidesmen, that they might act as they should think proper, informing them at the same time of his own views upon the subject.

After some angry correspondence, in which, as usually happens, there are passages in the letters on both sides which the writers perhaps now

regret, the result was that Mr. Long refused to give the notice required of the intended election.

On the 27th November, 1860, he was served with a citation signed by the Registrar of the diocese, by which he was cited to appear before the Bishop on Monday, the 4th February, 1861, to answer for having neglected and refused to obey the commands and directions of his Bishop to give notice of a meeting to be held "in terms of a certain letter addressed and forwarded to you, and dated the 1st October, 1860, with the pastoral issued on the same day and therein inclosed."

Certain clergymen, five in number, were named by the Bishop to be his Assessors, but his Lordship offered, if Mr. Long had any personal objection to any of them, to change their names for those of other clergymen who might be resident in the neighbourhood.

On the 4th February, 1861, Mr. Long attended before the Bishop and his Assessors, and delivered in a letter signed by himself, stating, in respectful terms, the grounds on which he objected to give the required notice, and adding that if obedience were still required to the Bishop's command in that respect, it was impossible for him to pay it.

Mr. Long's Counsel at the same time handed in a protest signed by them, that no Judgment or sentence pronounced by the Bishop as the Judgment or sentence of any alleged Court was in any degree binding on Mr. Long, because no lawful authority was vested in the Bishop to hold, by himself or others, any Court or Courts competent to hear or determine any causes of what kind soever.

The Court adjourned, as it seems, without hearing evidence; there was no question of fact in issue. The Assessors afterwards delivered their opinions in writing to the Bishop, and on the 8th February, 1861, the Bishop pronounced a sentence suspending Mr. Long from the cure of souls, and the exercise of all ministerial functions and offices for a period of three months, and thenceforward until he should have expressed regret for his past disobedience, and his willingness to render obedience for the future.

His Lordship added, from motives which do credit to his feelings, the following note to his Judgment:—

"I have only to add that as you have a wife and children, I should be sorry to deprive you of any portion of your ecclesiastical income. You will be allowed to receive this, therefore, as heretofore for the present."

This sentence was intimated to the churchwardens of the parish, and they were requested to provide a clergyman to perform duty in the church during Mr. Long's suspension. Mr. Long, however, considered the sentence to be a nullity, and he continued to officiate as usual, apparently with the concurrence of the churchwardens.

On the 19th February, 1861, he was served with a citation by order of the Bishop to appear before his Lordship on Wednesday the 6th March, to answer for having failed to render due and canonical obedience to the Bishop, and for acting in defiance of the laws of the church and the authority of the Bishop. The citation recited the Bishop's order and Mr. Long's

disregard of it, and required him to appear and answer for his contempt, and to hear and receive such Judgment as the Bishop might see right to pronounce, and as the exigency of the case might require or authorise.

Mr. Long declined to attend this summons, and on the 6th March a sentence was pronounced by the Bishop, which, after reciting the various offences against his authority of which he considered Mr. Long to have been guilty, concluded in these terms :—

“ I, therefore, Robert, by Divine permission, Bishop of Cape Town, do for these repeated acts of disobedience and contempt, withdraw the license of the Rev. William Long, and do deprive him of his charge, and cure of souls in the parish or parochial district of Mowbray, and of all emoluments belonging to the same. And I do, moreover, hereby admonish the said William Long not to officiate again in the said church or parish, and warn him that if he should do so after this his deprivation he will render himself still further liable to the censures of the Church. R. CAPE TOWN.

“ Cathedral Vestry, March 6, 1861.”

Notice was given of the sentence on the same day to Mr. Long and to the churchwardens of Mowbray, who were required to conform to it ; and a gentleman of the name of Hughes was appointed by the Bishop to officiate in the church till a new Minister was appointed, and to receive one-half of the income.

On the 7th March Mr. Long and the churchwardens applied to the Supreme Court of the Colony of the Cape of Good Hope for an interdict to restrain the Bishop and Mr. Hughes from interfering with him in the performance of his lawful duties as Incumbent of the parish of Mowbray, and from disturbing him in the enjoyment of his lawful emoluments as such Incumbent.

Some further proceedings took place in this matter, but the Plaintiffs were required to file a declaration in regular form for the purpose of trying the important questions in difference.

The present suit was accordingly instituted.

It was a proceeding, of course, in the forms of the Roman-Dutch Law : a claim in convention by the original Plaintiff, and a defence and claim in reconvention by the Defendant, so that, in fact, both parties were Plaintiffs and both Defendants.

The claim of Mr. Long, after stating those several matters of fact on which he relied, insisted that he was aggrieved by the proceedings of the Bishop, and prayed the protection of the Court, and also a declaration of the law by the Court in conformity with his views on the several points in dispute ; and lastly, that he was entitled of right, and without any license other than his before-mentioned Letters of Order, and the presentation he had already received from Mr. Hoets, and the approval of such presentation publicly made known by the Defendant in June, 1854, to exercise all the lawful functions of Minister and Incumbent of S. Peter's Church, Mowbray.

The Bishop filed an answer and plea in reconvention, by which, as Defendant, he pleaded the Letters-Patent of 1847 and 1853, the license granted by him, and accepted by Mr. Long, as officiating Minister both of Graaff-Reinet and Mowbray; he alleged that until authorised so to do by the Synod and until the formation of rectories by the same authority as after mentioned, and until certain rules on that behalf had been framed, he could not give, nor had he in any previous instance given, institution to cure of souls, or induction to benefices, in any other way than by licenses similar to that granted to the Plaintiff. He insisted that he cited the Plaintiff in accordance with the rules of the Synod, and in exercise of the authority belonging to him as Bishop, conveyed to him by the Letters-Patent; that the sentences were Judgments or sentences ecclesiastical or spiritual so issued under the power and authority conveyed to him by the Letters-Patent, or otherwise of right belonging to him as Bishop of the Church of which the Plaintiff was a Priest; and that the Plaintiff was, in consequence thereof, removed for lawful cause from the Church of Mowbray; and he maintained, in conclusion, that the Court was not entitled to examine the sentence, but that if it were examined it ought to be affirmed.

This was his defence. In reconvention he prayed, by his second plea, that it might be adjudged that the Letters-Patent of the 25th September 1847, and of the 8th December, 1853, are valid in law, and that they confer the rights and powers claimed thereunder, and that ecclesiastical jurisdiction may thereby be lawfully exercised by him.

By his last plea he prayed that the said Plaintiff in convention and Defendant in reconvention might be restrained by interdict, so long as the sentence of deprivation should continue and remain in force, from occupying or attempting to occupy the Church of S. Peter's, Mowbray, or otherwise interfering with the duties of the minister of the said church.

On the 15th February, 1862, the Court gave judgment against the Plaintiff in convention and for the Plaintiff in reconvention, except as to his second plea in reconvention, to which we have already referred, and adjudged each party to pay his own costs.

This was in effect a decision in all material points in favour of the Bishop, and Mr. Long has been admitted to appeal to Her Majesty. The case seems to have been very well argued in the Court below, and though there was some difference of opinion amongst the three Judges who decided it, no one who reads their opinions can fail to admire the great learning and ability which they have brought to bear upon the questions submitted to them, and the judicial temper and moderation which they have shown in a case calculated to produce great excitement in the Colony.

The first question which we have to consider is, What authority did the Bishop possess under and by virtue of his Letters-Patent at the time when these sentences were pronounced? The Judges below have been unanimous in their opinion: 1st, that all jurisdiction given to the Bishop by the Letters-Patent of 1847 ceased by the surrender of the Bishopric in

1853, and the issue of the new Letters-Patent; and 2ndly, that the Letters-Patent of 1853 being issued after a Constitutional Government had been established in the Cape of Good Hope, were ineffectual to create any jurisdiction, ecclesiastical or civil, within the Colony, even if it were the intention of the Letters-Patent to create such jurisdiction, which they think doubtful. In these conclusions we agree.

Dr. Gray had been duly appointed and consecrated a Bishop of the Anglican Church in 1847, and such he remained after the resignation of his See; but by such resignation he surrendered all territorial jurisdiction and power of proceeding judicially *in invitato*, so far as such authority depended upon the Letters-Patent of 1847. These points have not only been decided by the Court below, but have been embodied in their Judgment, by which they have expressly rejected the second claim above stated of the Lord Bishop.

But a majority of Judges below has held that the defect of coercive jurisdiction under the Letters-Patent has been supplied by the voluntary submission of Mr. Long, and that he is on that principle bound by the decision of the Bishop. This point we have next to consider.

The Church of England, in places where there is no Church established by law, is in the same situation with any other religious body, in no better but in no worse position, and the members may adopt, as the members of any other communion may adopt, rules for enforcing discipline within their body which will be binding on those who expressly or by implication have assented to them.

It may be further laid down that where any religious or other lawful association has not only agreed on the terms of its union, but has also constituted a tribunal to determine whether the rules of the association have been violated by any of its members or not, and what shall be the consequence of such violation, then the decision of such tribunal will be binding when it has acted within the scope of its authority, has observed such forms as the rules require, if any forms be prescribed, and, if not, has proceeded in a manner consonant with the principles of justice.

In such cases the tribunals so constituted are not in any sense Courts; they derive no authority from the Crown, they have no power of their own to enforce their sentences, they must apply for that purpose to the Courts established by law, and such Courts will give effect to their decision, as they give effect to the decisions of arbitrators, whose jurisdiction rests entirely upon the agreement of the parties.

These are the principles upon which the Courts in this country have always acted in the disputes which have arisen between members of the same religious body not being members of the Church of England. They were laid down most distinctly, and acted upon, by Vice-Chancellor Shadwell and Lord Lyndhurst in the case of Dr. Warren, so much relied on at the Bar, and the report of which in Mr. Grindwood's book seems to bear every mark of accuracy.

To these principles, which are founded in good sense and justice, and established by the highest authority, we desire strictly to adhere, and we

proceed to consider how far the facts of this case bring Mr. Long within their operation.

To what extent, then, did Mr. Long, by the acts to which we have referred, subject himself to the authority of the Bishop in temporal matters? With the Bishop's authority in spiritual affairs, or Mr. Long's obligations *in foro conscientiæ*, we have not to deal.

We think that the acts of Mr. Long must be construed with reference to the position in which he stood as a clergyman of the Church of England, towards a lawfully appointed Bishop of that Church, and to the authority known to belong to that office in England; and we are of opinion that by taking the oath of canonical obedience to his Lordship, and accepting from him a license to officiate, and have the cure of souls within the parish of Mowbray, subject to revocation for just cause, and by accepting the appointment to the living of Mowbray under a deed which expressly contemplated as one means of avoidance the removal of the incumbent for any lawful cause,—Mr. Long did voluntarily submit himself to the authority of the Bishop to such an extent as to enable the Bishop to deprive him of his benefice for any lawful cause, that is, for such cause as (having regard to any differences which may arise from the circumstances of the Colony) would authorise the deprivation of a clergyman by his Bishop in England. We adopt the language of Mr. Justice Watermeyer, p. 81, that “for the purpose of the contract between the Plaintiff and Defendant, we are to take them as having contracted that the laws of the Church of England shall, though only as far as applicable here, govern both.”

Is, then, Mr. Long shown to have been guilty of any offences which, by the laws of the Church of England, would have warranted his suspension and subsequent deprivation? This depends mainly on the point whether Mr. Long was justified in refusing to take the steps which the Bishop required him to take, in order to procure the election of a delegate for the parish of Mowbray to the Synod convened for the 17th January, 1861.

In what manner and by what acts did he contract this obligation? The Letters-Patent may be laid out of the case, for if the Bishop's whole contention in respect of them be conceded, they conferred on him no power of convening a meeting of clergy and laity to be elected in a certain manner prescribed by him for the purpose of making laws binding upon Churchmen.

A very elaborate argument was entered into at our Bar in order to show that Diocesan Synods may be lawfully held in England without the license of the Crown, and that the Statute with respect to Provincial Synods does not extend to the Colonies.

It is not necessary to enter into the learning on this subject. It is admitted that Diocesan Synods, whether lawful or not, unless with the license of the Crown, have not been in use in England for above two centuries; and Mr. Long, in recognising the authority of the Bishop, cannot be held to have acknowledged a right on his part to convene one, and to require his clergy to attend it. But it is a mistake to treat the Assembly convened by the Bishop as a Synod at all. It was a meeting of certain persons, both

clergy and laity, either selected by the Bishop, or to be elected by such persons and in such manner as he had prescribed, and it was a meeting convened, not for the purpose of taking counsel and advising together what might be best for the general good of the society, but for the purpose of agreeing upon certain rules, and establishing in fact certain laws, by which all members of the Church of England in the Colony, whether they assented to them or not, should be bound.

Accordingly, the Synod, which actually did meet, passed various acts and constitutions, purporting, without the consent either of the Crown or of the Colonial Legislature, to bind persons not in any manner subject to its control, and to establish Courts of Justice for some temporal as well as spiritual matters, and in fact the Synod assumed powers which only the Legislature could possess. There can be no doubt that such acts were illegal.

Now Mr. Long was required to give effect, as far as he could, to the constitution of this body, and to take steps ordered by that body for convening one of a similar nature. He was furnished with a copy of the Acts and Constitution of the last Synod, and he was requested to attend carefully to the inclosed printed regulations with regard to the election of Delegates.

He clearly, therefore, was required to do more than give notice of a meeting, and he could not give the notice at all without himself fixing the time and place at which the meeting was to be held. He was required to do various acts of a formal character for the purpose of calling into existence a body which he had always refused to recognise, and which he was not bound by any law or duty to acknowledge.

The oath of canonical obedience does not mean that the clergyman will obey all the commands of the Bishop against which there is no law, but that he will obey all such commands as the Bishop by law is authorised to impose; and even if the meaning of the rubric referred to by the Bishop in his case were such as he contends for,—which we think that it is not,—it would not apply to the present case, in which more was required from Mr. Long than merely to publish a notice.

We are therefore of opinion that the order of suspension issued by the Bishop was one which was not justified by the conduct of Mr. Long, and that the subsequent sentence of deprivation founded upon his disobedience to the order of suspension must fall with it.

It was strongly pressed, both before us and in the Court below, that supposing these sentences to be erroneous, Mr. Long had no remedy against them except by Appeal to the Archbishop of Canterbury under the provisions of the Letters-Patent. What authority his Grace might possess under the Letters-Patent, or otherwise, to entertain such an Appeal if it had been presented, it is unnecessary, and we think it is inexpedient, to discuss. It is sufficient to say no such Appeal has been presented, and that the suit in which this Appeal is brought respects a temporal right, in which the Appellant alleges that he has been injured. It calls for a decision as to the right of property, and involves the question whether Mr.

Long has ceased by law to be what in England is termed *cestui que* trust of funds of which the Bishop is trustee. Whatever else Mr. Long may by his conduct have done, we cannot hold that he has precluded himself from exercising the power which under similar circumstances he would have possessed in England, of resorting to a Civil Court for the restitution of Civil rights, and of thereby giving to such Courts jurisdiction to determine questions of an ecclesiastical character essential to their decision. Indeed, in this case the Appellant and Respondent have alike found it necessary to call upon the Civil Court to determine the right of possession of the Church of Mowbray.

We think that even if Mr. Long might have appealed to the Archbishop, he was not bound to do so ; that he was at liberty to resort to the Supreme Court ; and that the Judges of that Court were justified in examining, and, indeed, under the obligation of examining, the whole matter submitted to them. We, of course, are in the same situation ; and after the most anxious consideration we have come to the conclusion that the sentence complained of cannot be supported, and therefore we must humbly advise Her Majesty to reverse it, and to declare that Mr. Long has not been lawfully removed from the Church of Mowbray, but remains Minister of such church, and entitled to the emoluments belonging to it.

Being of this opinion, we are relieved from the necessity of considering, as a ground of our decision, whether the course adopted by the Right Reverend Respondent in the proceedings against Mr. Long was in all respects proper, and whether the proceedings themselves, if the Bishop be regarded as acting and entitled to act with the authority of a Visitor sitting *in foro domestico*, were conducted with that attention to the rules of substantial justice and that strict impartiality which are necessary to be observed by all tribunals, however little fettered by forms. Much argument was addressed to us at the Bar in this part of the case, and it would not be proper to pass it altogether without notice ; and first with respect to the suspension, and the constitution of the tribunal for the trial of Mr. Long on the first charge against him.

It cannot be held that all the provisions which would have been applicable to such a case under the Church Discipline Act in England were necessary to be observed in the Colony. This was impossible, but care should have been taken to secure, as far as possible, the impartiality and knowledge of a judicial tribunal. Here the Bishop was not merely in form but substantially the prosecutor, and a prosecutor whose feelings, from motives of public duty as well as from the heat necessarily generated in the purest minds by a long and eager controversy, were deeply interested in the question. It was, perhaps, necessary that he should preside as the Judge before whom the cause was heard, and by whom the sentence was pronounced ; but he should have procured, as a Bishop in England under such circumstances would have done, the advice and assistance, as Assessors, of men of legal knowledge and habits, unconnected with the matter in dispute, and have left it to them to frame the decision which he would afterwards pronounce. But instead of adopting this course, he



selected as assistants three gentlemen, all clergymen sharing his own opinions on the subject of controversy, and all themselves members of that Synod which Mr. Long was accused of treating as illegal.

Mr. Long was cited for refusing to give the required notice, but the sentence was not grounded entirely on this charge. The protest which he had given in by his Counsel against the proceedings was treated as a very grave offence. The Bishop, in speaking of it, says—

“To put in such a document is virtually to reject Episcopacy and the Church, and to stop on the very confines of schism, if not to have overstepped the line.”

Mr. Long's conduct at a private meeting with the Bishop is discussed, as to which there is great doubt what really took place, and no regular evidence appears to have been produced, or was in fact admissible, for it was not to the point in question; and from the language of the Bishop in delivering his Judgment it may be inferred that the sentence against Mr. Long was not founded entirely on the only charge which he had been summoned to meet.

The proceedings which led to the subsequent deprivation are open to no less objection than those which resulted in the suspension.

The Bishop had declared before the first Synod that there were no rules or proceedings for trying ecclesiastical offences, and one of the objects of the Synod was to supply the deficiency. The Synod had established a Consistorial Court and certain regulations by which the trials of clergymen and of laymen before such Court should be guided.

These regulations had amongst other things provided that no sentence of deprivation should be pronounced by any person whatever, but only by the Bishop with the assistance of the Chancellor of the diocese, or, in case there be no such officer, some legal adviser whom he may see fit to appoint. The Bishop insisted that Mr. Long was bound by the rules established by the Synod, and must therefore, it should seem, have considered himself bound by them; and yet without any regard to these rules, without calling in the assistance of any legal adviser whatever, without any analogy to the course of proceedings in England by which the judgment of impartial persons acquainted with the law is secured, the Bishop pronounces sentence of deprivation.

On this occasion, as on the former, the sentence seems to have been founded on what are termed repeated acts of disobedience and contempt by Mr. Long, instead of on the single charge which he was called upon by the citation to meet.

We cannot say, therefore, that the proceedings in this case have been conducted in a proper manner, though our Judgment rests on the other grounds already stated.

We have been much embarrassed by the question how we ought to deal with the costs in this case. We do not doubt that the Bishop has acted in the conscientious discharge of what he considered to be his public duty, and he has succeeded, at great personal trouble and expense, in bringing this contention in the Court below to a favourable issue. On the other

hand, it is impossible not to feel that Mr. Long has been subjected to probably not less trouble and expense by a course of proceeding on the part of the Bishop which we have been obliged to pronounce not warranted in law.

Feeling the hardship of the case upon the Right Reverend Respondent, we still think that we are bound to award the costs of the suit and of the Appeal to the Appellant. We cannot, of course, suggest to Her Majesty any consideration of what it may be fit to do, at the expense of the public; for this is beyond our province. But it is not beyond our province to observe that the Lord Bishop has been involved in the difficulties by which he has been embarrassed in a great measure by the doubtful state of the law and by the circumstance that he, not without some reason, considered the Letters-Patent under which he acted to confer on him an authority which, at the time when he acted under them, Her Majesty had no authority to grant, and that either in this or in some other suit it was important to the interests of the Colony generally, and especially of the members of the Church of England within it, that the many questions which have arisen in this case should, as far as possible, be set at rest.

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APPENDIX II.—Vol. II. p. 75.

THE CITATION.

To the Right Reverend JOHN WILLIAM COLENZO, Doctor in Divinity,  
Lord Bishop of Natal, and a Suffragan Bishop of the Province of Cape  
Town.

MY LORD—By direction of the Lord Bishop of Cape Town, I hereby cite you to appear before the Most Reverend Robert, Lord Bishop of Cape Town and Metropolitan, on Tuesday, the seventeenth day of November, one thousand eight hundred and sixty-three, at eleven o'clock in the forenoon, in the vestry of the cathedral church of Saint George, Cape Town, then and there to answer to certain charges of false, strange, and erroneous doctrine and teaching, preferred against you by the Very Reverend the Dean of Cape Town, the Venerable the Archdeacon of Graham's Town, and the Venerable the Archdeacon of George, to wit, that in and by the writing, printing, and publishing, and the sale within this Province of a certain book or work, entitled "Saint Paul's Epistle to the Romans, newly translated and explained from a missionary point of view, by the Right Rev. J. W. Colenso, D.D., Bishop of Natal. Printed at Ekukanyeni, Natal, 1861."

And in and by the writing, printing, and publishing, and thereafter the sale within this Province of a certain other book or work, entitled "The Pentateuch and Book of Joshua critically examined, by the Right Rev. John William Colenso, D.D., Bishop of Natal. London, Longman, Green, Longman, Roberts, and Green, 1862," being Part I. of said work. And in and by the writing, printing, and publishing, and thereafter the

sale within this Province of Part II. of said book or work last mentioned, entitled "The Pentateuch and Book of Joshua critically examined, by the Right Rev. John William Colenso, D.D., Bishop of Natal. Part II. London, Longman, Green, Longman, Roberts, and Green, 1863 : " Your Lordship did, in and by such writings and publications, in whole or in part, hold, maintain, set forth, teach, inculcate, and express belief, doctrines, views, and opinions in opposition to and at variance with the doctrine and teaching of the United Church of England and Ireland, as set forth, expressed, and maintained in the Book of Common Prayer, the Sacraments, and other rites of the said Church, the 39 Articles of Religion, and the Canons Ecclesiastical ; the several portions or extracts from the said writings and publications containing the erroneous and strange doctrine, contrary to God's word, so complained of as aforesaid, and the charges thereon being hereto annexed, marked with the letters A, B, C, D, E, F, G, H, I, and K, including the schedules marked from No. I. to IX. inclusive.

Should your Lordship fail to appear, either in person or by proctor, or otherwise make default herein, the Bishop of Cape Town, as Metropolitan, with the advice and assistance of such of the Suffragan Bishops of the Province as can conveniently be called together, will, after proof of the due service of this citation, hear and investigate, at the time and place aforesaid, the charges so preferred against your Lordship, and proceed to the final adjudication thereon.

Dated at Cape Town, this eighteenth day of May, A.D. 1863.

I remain,

Your Lordship's obedient servant,

DAVID TENNANT, Registrar of the Diocese of Cape Town.

#### AFFIDAVIT OF SERVICE.

"I, DOUGLAS DU BOIS, of Doctors' Commons in the City of London, proctor, solicitor, and notary public, make oath, and say, as follows :

"That I duly and personally served the above named, the Right Reverend John William Colenso, D.D., Bishop of Natal, with the citation dated eighteenth May, one thousand eight hundred and sixty-three (whereof a copy is above written), together with the charges and schedules thereto annexed, marked respectively from A to K, and from I. to IX., both inclusive ; to wit, by delivering to and leaving with his Lordship the said original citation, with said charges and schedules annexed, at No. 23 Sussex Place, Kensington, in the county of Middlesex, on the first day of July, one thousand eight hundred and sixty-three.

"DOUGLAS DU BOIS.

"Sworn by the said Douglas du Bois at the Mansion-house, in the city of London, this first day of July 1863, before me,

"WM. A. ROSE, Mayor."

APPENDIX III.—Vol. II. p. 75.

*Annexure A.*

THE LETTER OF THE DEAN AND ARCHDEACONS.

To the Most Reverend ROBERT GRAY, D.D., Lord Bishop of Cape Town and Metropolitan.

MY LORD—We, the undersigned, being Clerks in Holy Orders of the United Church of England and Ireland, and having cure of souls within the Province of Cape Town, under your Lordship's Metropolitan jurisdiction, constrained by a sense of duty to the Church within which we hold office, desire to lay before your Lordship a charge of false teaching on the part of the Right Reverend John William Colenso, Doctor in Divinity, Lord Bishop of Natal, and a Suffragan Bishop of this Province.

The charge which we bring is founded upon certain extracts from writings published and put forth by the Bishop, entitled, "*S. Paul's Epistle to the Romans, newly translated and explained from a missionary point of view*;" and Parts I. and II. of the "*Pentateuch and Book of Joshua critically examined*," and sold and published in the city of Cape Town within the last two years.

These extracts are contained in nine schedules, and a copy of them is hereto annexed, numbered from I. to IX. inclusive.

I. With respect to the eight, all and each of them which stand first, we charge the Bishop of Natal with holding and promulgating opinions which contravene and subvert the Catholic faith as defined and expressed in the Thirty-nine Articles of Religion, and the Formularies of the Book of Common Prayer of the United Church of England and Ireland.

And, accordingly, under each schedule of extracts, we have specified the particular article or articles and other portions of the Church's symbols and formularies, which, we are persuaded, those extracts contravene, and which we crave may be considered as if herein inserted and word for word repeated.

II. With respect to the extracts contained in the ninth schedule, we charge the Bishop of Natal with depraving, and impugning, and otherwise bringing into disrepute the Book of Common Prayer, particularly portions of the Ordinal and the Baptismal Services, and in so doing with violating the law of the United Church of England and Ireland, as contained in the 36th of the Constitutions and Canons Ecclesiastical. We are deeply conscious of the gravity of these charges, as brought against one who holds the office of a Bishop, and of the responsibility which we incur in making them; but the scandal which these publications have caused, and the feelings which are entertained regarding them by the clergy of the Province generally, seemed imperatively to require that we should lay them before your Lordship, and ask for your judgment upon the doctrines which are therein maintained.

It only remains for us to inform your Lordship that we are prepared, if required, to prove the charges which we bring, and further to request that an opportunity may be afforded us of proving them at such time and in such manner as your Lordship may see fit to appoint.

Dated at Cape Town the 6th, and at Graham's Town the 12th day of May, in the year of our Lord 1863.

We are, my Lord,

Your Lordship's faithful servants,

H. A. DOUGLAS, Dean of Cape Town.

N. J. MERRIMAN, Archdeacon of Graham's Town.

H. BADNALL, Archdeacon of George, and Rector of S. Mark's, George Town.

Before reading the schedule of charges the Registrar received from the Dean the works containing the alleged erroneous passages, and then proceeded as follows :

#### ARTICLES OF ACCUSATION.

##### *Schedule I.*

*Extracts from "S. Paul's Epistle to the Romans, newly translated and explained from the missionary point of view." Edition, printed at Ekukanyeni, Natal, 1861.*

Pages 93, 150, v. 6.—"On behalf of.—Once for all, let it be stated distinctly there is not a single passage in the whole of the New Testament which supports the dogma of modern theology, that our Lord died for our sins, in the sense of dying instead of us, dying in our place, or dying so as to bear the punishment or penalty of our sins."

Pages 95, 156, v. 10.—"We were reconciled to God by the death of His Son.—The language of S. Paul is 'God hath reconciled us to Himself by the death of His Son.' 'God was in Christ, reconciling the world unto Himself.' It is not He who needs to be reconciled to us; for He loves us all along. It is we, poor, sin-stricken creatures, who need to be reconciled, brought back to Him. And in order to this, as the first step to this, we need to be assured of His love to us." . . .

Page 97.—"Let the expression, however, once more be noted. The Apostle does not say that God is reconciled to us by the death of His Son,

*Articles and Formularies contravened in the Extracts contained in Schedule I.*

Article ii.

Article xxxi.

Prayer of Consecration in the Order of the Administration of the Lord's Supper or Holy Communion.—"Almighty God, Our Heavenly Father, who, of Thy tender mercy, didst give Thine only Son, Jesus Christ, to suffer death upon the cross for our redemption; who made there (by His one oblation of Himself once offered) a full, perfect, and sufficient sacrifice, oblation, and satisfaction for the sins of the whole world."

but that we are reconciled to God. The difference in the meaning of these two expressions is infinite. It is our unwillingness, fear, distrust, that is taken away by the revelation of God's love to us in His Son. There is nothing now to prevent our going, with the prodigal of old, and throwing ourselves at His feet, and saying, 'Father, I have sinned; but Thou art love.'

Pages 110, 176.—“He died not instead of us: but He died for us, on our behalf.”

*The charge preferred is that, in the extracts contained in Schedule I., the writer maintaining that Our Blessed Lord did not die in man's stead, or bear the punishment or penalty of our sins, and that God is not reconciled to us by the death of His Son, impugns and contradicts the Catholic faith as expressed in the Articles, etc., above set forth and referred to.*

## Schedule II.

*Extracts from “S. Paul's Epistle to the Romans, newly translated, and explained from a missionary point of view.” Edition printed at Ekukanyeni, Natal, 1861.*

Pages 62, 112, v. 23.—“Being made righteous freely through His grace. As he has just said that all sin, and all come short of God's glory, so now he must mean that all are made righteous, justified freely by the grace of God. In former days the Jews were all ‘made righteous,’ treated as righteous, though many of them individually were unfaithful. They were all embraced in God's favour, and dealt with as children, not for any works of righteousness which they had done, nor for any virtue they possessed in themselves as descendants of Abraham, but because of God's free grace, which had called them before others to the knowledge of His truth, and the present enjoyment of His gift of righteousness,—a gift, however, which was intended for all mankind, and was actually, in fact, bestowed from the first upon them, though as yet they knew it not, for it was not yet revealed to them. But now it

*Articles and Formularies contravened in the Extracts contained in Schedule II.*

Article xi.

Article xviii.

Article xix.

The Apostles' Creed: “I believe . . . the Holy Catholic Church, the communion of saints.”

Nicene Creed: “And I believe one Catholic and Apostolic Church, I acknowledge one baptism for the remission of sins.”

The 3d collect for Good Friday.

The collect for All Saints.

The Ministration of Public Baptism of Infants to be used in the Church.

The Ministration of Private Baptism of Children in Houses.

The Ministration of Baptism to such as are of Riper Years, and able to answer for themselves.

The Hymn called the *Te Deum Laudamus*.—“When Thou hadst overcome the sharpness of death, Thou didst open the kingdom of heaven to all believers.”

The Order of the Administration of the Lord's Supper or Holy Communion.—(Second prayer in Post-Communion service).—“Almighty

is revealed that this gift of righteousness is meant for all, that all are being made righteous (the Greek present implying their continuing state of righteousness),—all men, everywhere, though many may be unfaithful, who have heard the blessed tidings, and many more may not yet have heard them, and so may have little or no present enjoyment of their Father's love.

“The Apostle's words in this verse most probably mean this, because he afterwards (v. 15-19) fully and explicitly states it, namely that the justification here spoken of extends to all, to those who have never heard the name of Christ, and who cannot have exercised a living faith in Christ, as well as to Christians. It is certain that, in this latter passage, he is speaking of the whole human race.”

Pages 74, 120, v. 30.—“Who will make righteous.—It should be observed that both here and elsewhere, when the Apostle says that God justifies any, or ‘makes them righteous,’ he means, that he justifies them in their own consciences, he brings home to them consciously the gift of righteousness.” . . .

Page 75.—“And all of them, as St. Paul plainly teaches afterwards, are counted as righteous creatures, though they may not know it, through the grace of God, bestowed upon the whole human race, in His own dear Son whom He has given to be their Head, and whose members they are.

Pages 103, 171, v. 19.—“Whenever the ‘unrighteousness’ of any Jew, Christian, or Heathen, ‘is forgiven, and his sin covered,’ whenever he feels any measure of the peace of God's children, in the faithful discharge of any duty or in forsaking any path of evil,—whenever there is brought home to his heart in any way the message of God's fatherly love by means of any one of earth's ten thousand voices,—then he hears, as it were, a fresh declaration of righteousness, he may know that he is recognised again as a child of God's house.”

Pages 114, 180, v. 4.—“Of course, it is true that we ought to do so; but just because we have already died unto sin, and risen again unto righteousness in our very birth-hour, through the gracious gift of God, by

and everlasting God . . . very members incorporate in the mystical body of thy Son, which is the blessed company of all faithful people.”

A Catechism, that is to say, an Instruction to be learned of every Person before he be brought to be confirmed by the Bishop.—“Question: Who gave you this name?

“Answer: My godfathers and godmothers in my baptism, wherein I was made a member of Christ, the child of God, and an inheritor of the kingdom of Heaven.

“Question: What is the inward and spiritual grace?

“Answer: A death unto sin, and a new birth unto righteousness; for being by nature born in sin, and the children of wrath, we are hereby made the children of grace.

“Question: What is required of persons to be baptized?

“Answer: Repentance, whereby they forsake sin; and faith, whereby they steadfastly believe the promises of God made to them in that sacrament.”

that mysterious union with Christ our Head, which we all enjoy through the grace of our Heavenly Father as members of the great human family, and by virtue of which we are partakers of the death which He died, and of the life which He now lives."

*The charge preferred is that, in the extracts contained in Schedule II. the writer maintaining that justification is a consciousness of being counted righteous, and that all men, even without such consciousness, are treated by God as righteous, and counted righteous, and that all men, as members of the great human family, are dead unto sin and risen again unto righteousness, denies that men are justified by faith, and impugns and contradicts the Catholic faith as expressed in the Articles, etc., above set forth and referred to.*

## Schedule III.

*Extracts from "S. Paul's Epistle to the Romans, newly translated, and explained from a missionary point of view." Edited at Ekukanyeni, Natal, 1861.*

Pages 114, 180, v. 4. — "We also should walk in newness of life.— Though his words are true in their measure (v. 15-21) of all mankind, yet the Apostle is specially speaking here of Christians, to whom their baptism is a sign and seal of their share in the death of their Lord, and also in His resurrection-life. This is expressed in the Church Catechism by saying that the inward spiritual grace, or free gift of favour, which is given us in baptism, is 'a death unto sin,' 'and a new birth unto righteousness.' These words of the catechism are often explained to signify that in our baptism is set forth to us our duty to die unto sin, to mortify and kill all vices in us, and so to walk in holiness of life as becomes God's dear children. Of course it is true that we ought to do so; but just because we have already died unto sin, and risen again unto righteousness, in our very birth-hour, through the gracious gift of God, by that mysterious union with Christ our Head, which we all

*Articles and Formularies contravened in Schedule III.*

## Article xxvii.

The Nicene Creed.—"And I believe one Catholic and Apostolic Church; I acknowledge one baptism for the remission of sins."

The Ministration of Public Baptism of Infants to be used in the Church.

The Ministration of Private Baptism of Children in Houses.

The Ministration of Baptism to such as are of Riper Years, and able to answer for themselves.

A Catechism, that is to say, an Instruction, to be learned of every Person, before he be brought to be confirmed by the Bishop.—"Question: Who gave you this name?"

"Answer: My godfathers and godmothers in my baptism, wherein I was made a member of Christ, the child of God, and an inheritor of the kingdom of Heaven.

"Question: How many sacraments hath Christ ordained in his Church?"

"Answer: Two only as generally necessary to salvation, that is to say, baptism and the supper of the Lord.

"Question: What is the inward and spiritual grace?"

"Answer: A death unto sin and



enjoy through the grace of our Heavenly Father, as members of the great human family, and by virtue of which we are partakers of the death which He died, and of the life which He now lives. That is, the 'death unto sin,'—our share in our Lord's own 'death unto sin,'—and that is the 'new birth unto righteousness,'—our share in our Lord's own 'life unto God' (Rom. vi. 10)—which are said to be given to us as the inward spiritual grace, set forth to us by the outward visible sign in our baptism." . . .

a new birth unto righteousness, for being by nature born in sin and the children of wrath, we are hereby made the children of grace.

"Question : What is required of persons to be baptized ?

"Answer : Repentance, whereby they forsake sin ; and faith, whereby they steadfastly believe the promises of God made to them in that sacrament."

The Order of Confirmation (Collect preceding imposition of hands).—"Almighty and Everlasting God, who hast vouchsafed to regenerate these Thy servants by water and the Holy Ghost:"

Page 115.—"But the point now to be noticed is that the 'inward spiritual grace' is not the effect wrought upon ourselves by coming to the holy sacrament, depending, therefore, on the spirit in which we come to it, but the Body and Blood of Christ, which are graciously given to us of God, which we may, or may not, faithfully partake of ; which are given to us, however, and to all the human race, not only in the sacrament, but at all times, and of which, in fact, all men are everywhere partaking, through God's mercy, and so receiving all the life they have, as redeemed creatures, whether they feed upon it by living faith or not, whether they know the precious gift of God's grace or not, whether they heed or disregard it."

*The charge preferred is that, in the extracts contained in Schedule III. the writer maintaining that all men have the new birth unto righteousness in their very birth-hour, that is to say, are regenerated when born into the world, as members of the great human family ; and, also, that all men are at all times partaking of the body and blood of Christ, denies that the holy Sacraments are generally necessary to salvation, and that they convey any special grace, and further denies that faith is the means whereby the body and blood of Christ is received and eaten, and that faith is necessary in order that the grace bestowed by God in sacraments may have a wholesome effect and operation, and therefore impugns and contradicts the Catholic faith as expressed in the Articles, etc., above set forth and referred to.*

#### Schedule IV.

Pages 175, 261, v. 21.—"That the creature also itself shall be set free from the bondage of corruption, into the freedom of the glory of the children of God.—I cannot shut my eyes to the truth, which these words appear so clearly to imply, that there

#### Articles and Formularies contravened in the Extracts contained in Schedule IV.

The Creed of Saint Athanasius.—"And they that have done good shall go into life everlasting ; and they that have done evil into everlasting fire."

is hope in the counsels of Infinite Wisdom and Love for all; for all 'the creature,' for the whole human race, that fell in Adam and has been graciously redeemed in Christ. The children of God, the faithful and true of all ages, all lands, all religions, will be revealed, will receive their glorious freedom in the kingdom of their Lord. While others, perhaps the great mass of human kind, who have been wilfully unfaithful, in greater or less degree, to the light vouchsafed to them, and are still willingly held in the bondage of corruption, though they might have asserted their freedom from it, and lived as good men and true, with the grace vouchsafed to them, will receive their righteous judgment unto condemnation,—indignation and wrath, tribulation and anguish, upon every soul of man that worketh out evil. But this chastisement, after all, comes from a father's hand upon those who may be wilful, prodigal, unruly, disobedient, but yet are creatures, whom He Himself has redeemed, for whom Christ died. Can we say, with those words of S. Paul before us, that such chastisement, however severe, may not be remedial, may not be intended to work out the hope, under which the whole race has been subjected to vanity, which hope, in the Apostle's mind, is the justification of the eternal justice and love, in so subjecting it when it had not deserved such a fate, nor brought it about of its own accord by any act of its own? Is there not ground from this text, as well as others, for trusting that in some way unknown to us, the whole race shall be made to share this hope at last, and so be set free from the bondage of corruption, into

The Absolution or Remission of Sins.—“Wherefore, let us beseech Him to grant us true repentance, and His Holy Spirit, that those things may please Him which we do at this present, and that the rest of our life hereafter may be pure and holy, so that at the last we may come to His eternal joy, through Jesus Christ our Lord.”

The Catechism. —“Question : What desirest thou of God in this prayer?

“Answer: I desire my Lord God our Heavenly Father, who is the Giver of all goodness, to send His grace unto me and to all people; and I pray unto God that He will keep us from all sin and wickedness, and from our ghostly enemy, and from everlasting death.”

The Order for the Burial of the Dead.—“O merciful God, the Father of our Lord Jesus Christ, who is the resurrection and the life, in whom whosoever believeth shall live though he die; and whosoever liveth and believeth in Him shall not die eternally.”

A Commination.—“The day of the Lord cometh as a thief in the night.” Then shall it be too late to knock when the door shall be shut, and too late to cry for mercy when it is the time of justice. O terrible voice of most just judgment, which shall be pronounced upon them, when it shall be said unto them: ‘Go, ye cursed, into fire everlasting, which is prepared for the devil and his angels.’ . . . . . This if we do, Christ will deliver us from the curse of the law, and from the extreme maledictions which shall light upon them that shall be set upon the left hand, and give us the gracious benediction of his Father,