

of States and the rights of Sovereigns, because that independence and those sovereignties were of necessity the firmest barriers against her own lust of universal empire. Thus, for centuries before God gave to our forefathers the grace needful to enable them to cast off the yoke of her spiritual corruptions, the English people, through their Kings and Parliaments, though Roman Catholics, were striving to the death against her continual aggressions, and were passing laws, refusing bulls, and banishing cardinals, to prevent her from drawing all causes to her courts and all power to her centre. And a good and manly light did our Henrys and our Edwards make against that mysterious working of iniquity, backed up evermore by that sturdy English spirit which our old traditions, our free laws, and our insular position tended, under God's goodness, so powerfully to keep alive." National life, he argued was the condition of strength. "In animal life, and even in inanimate matter, organisation was the secret of strength, because it rendered possible the combination of scattered powers for one object. There was more real power gathered into the perfect organisation of a single shrimp than was diffused through an ocean of jelly fish; and almost every Eton schoolboy could tell them that there was more force in a few impact pieces of birch than there would be in a thousand miles of nebulosity. (Laughter.)" So much stronger would be a nation as its national life was more complete. "How far weaker for example, was Russia in her recent struggle, for her unprincipled destruction of the nationality and acquisition of the territory of Poland! How did that destroyed nation, like some undigested mass lying within the vast monster, impede his action and prostrate his strength! How in every time of trial all the Lombard additions of the empire of Teutonic Austria proved the sources of fear and the invitations to aggression! Nay, to come nearer home, how had the strength of Great Britain been increased by the comparative merging of the separate life of Ireland in the common nationality of the empire! How vastly stronger should we be if fears of misgovernment and the miserable divisions bred by a disunited faith had not made yet impossible in its perfectness that entire unity between ourselves and her which had made so absolutely one the once divided southern and northern kingdoms of this Island! (Applause.)" After impressing upon his hearers that they should endeavour to keep alive in their day a sense of the master truth that it must be for high moral purposes, not for our own power and glory, that God had gathered us into national life, his lordship insisted that every selfish, luxurious idle life was a denial of its gift to us for a moral purpose, and that each one should contribute heartily his due proportion to the common labour before us as a nation. "How great was the work set before the British people! How large and manifold were the powers for its fulfilment which God had intrusted to us! Scarcely less great or manifest was the trust and the charge of the chosen people of Israel than was ours in the present day. Surely it was ours at once within the limits of Christendom to maintain and to exhibit purity of faith and worship, and, as flowing forth from these, a rational, well-balanced, ennobling liberty, under whose protection our people should be trained by all the complicated machinery of our social life to higher and higher measures of moral and intellectual excellence; to witness for truth, and justice, and mercy, against the huge lies, and heinous wrongs, and cruel unmercifulness with which so many a national life was still stained almost to obliteration—(applause)—and without the limits of Christendom to spread by all lawful means that blessed and renovating faith to which we owed all God's other gifts to this favoured land. And who could assign any limits to the degree to which any one of his hearers, if he really strove hard in the work of self-education, and then in the due use of his educational faculties, might tend to effect these noble purposes? For, as Great Britain, by her political, colonial, and commercial relations with other members of the human family, really touched every people, so might every Englishman, at some time or other of his life, because he was her son, touch for healthy enlightenment the dwellers in every clime, and the members of every country." As instances of this, the Bishop of Oxford referred to the lives of Sir John Malcolm, his brother Pulteney, Lord Harris, the conqueror of Seringapatam; William Telford, a general officer of distinguished service in the Royal Engineers; and an Admiral, all of whom had sprung from one confined and lonely district on the borders of England and Scotland which he had lately visited, several of them having been educated in the same village school. "Why had he turned the eyes of those present to these remarkable instances from so narrow a soil of the up-growth of greatness and success! Not to give

any who heard him the mere desire of rising in the world, though such a desire, if subordinated to the higher purposes of doing God's will, became a blameless, nay, an honourable ambition; but he pointed to them to show how great a destiny of usefulness to others might be before every citizen of such a land as this, the natural life of which reached to the world's end. The wide extension given in the cases he had mentioned to individual exertions was the result of no accidental and uncommon concurrence of circumstances, but flowed from the more ordinary working of the great principles of civilisation and developed national life, in which their life also was equally cast. This was the rich inheritance which our fathers have earned, and which God's goodness had preserved for us. This it was to have been born a Briton. Let his hearers strive to educate themselves, and so to live as not to shame their parentage or cast away their birthright. (Loud applause.)"

News Department.

Extracts from English Papers by the Canada.

ENGLAND.

In the Arches' Court, on Friday, Sir John Dodson gave judgment against the appeal in the case of *Ditcher v. Denison* from the judgment at Bath, so far as his Court was concerned. The learned Judge said—

"An inhibition, as he understood, had been taken out of the registry and served. The libel of appeal had since been brought in, and was now opposed. He must confess that he felt not a little surprised when he first heard that an appeal was to be brought before him from a decision pronounced in open court by the Archbishop himself, the Primate of all England and Metropolitan. It appeared a strange and anomalous proceeding, and contrary to all principle and practice, that an appeal should lie from a superior and higher authority to a subordinate officer appointed by that same superior authority, from the principal to the official. It looked, as the learned counsel for the appellant expressed it, like turning everything 'topsy turvy.' If, however, upon examination of the statute, it should be found that the Legislature had thought proper to confer that unusual and extraordinary power, it was the duty of the Court to carry the law into execution as best it might. The sole question which the Court had at present to consider was, whether it had jurisdiction to entertain the appeal. With the merits or demerits of the case he had now nothing to do, nor had he any knowledge of them, except from mere rumour. It was agreed by the learned counsel on both sides that the question depended altogether upon the construction which should be put on the statute. He would, therefore, now proceed to the consideration of the statute. The sections of the act to which he had been principally referred, and which were most important, were the 15th and 24th, but they were to be considered in conjunction with the 21, 31, 4th, 5th, 6th, 11th, and 13th sections, in the latter of which it was said, for the first time, that the Bishop might send the cause to the court of appeal of the province. It was said by the learned counsel for the appellant, that this point had in fact been already decided in the Court of Queen's Bench, by Mr. Justice Coleridge, with the concurrence of Mr. Justice Erle and Mr. Justice Crompton. It would have been a great relief to his (Sir J. Dodson's) mind to have found that there had been such a decision of the Court of Queen's Bench—it would have afforded him a guide by which he might safely have arrived at a just conclusion. In looking, however, to the report of the case in the *Law Times*, vol. 27, page 153, he could not discover that there had been a decision to the extent which the learned counsel had stated. All that the Court of Queen's Bench had decided was as to the place where the party was to be cited to appear, and in which the proceedings were to be carried on, namely within the diocese of Bath and Wells.

"The *Admiralty Advocate* did not mean to press it beyond that, but there were certain dicta which fell from the learned Judge.

"Sir J. Dodson—The dicta of Mr. Justice Coleridge were, that the Archbishop was to be considered *pro hac vice* as sitting for the Bishop: that he was, in fact, the mouthpiece of the Bishop. The Bishop of the diocese was incapacitated from sitting, because he was patron of the preferment held by the Archdeacon, and it could hardly be said in such a case that the Archdeacon was the mere mouthpiece of the Bishop of Bath and Wells. The 15th section of the statute, according to the marginal note, had reference to appeal, and was as follows:—'And be it enacted that it shall be lawful for any party who shall think him-

self aggrieved by the judgment pronounced in the first instance by the Bishop, or in the court of appeal of the province, to appeal from such judgment; and such appeal shall be to the Archbishop, and shall be heard before the Judge of the Court of Appeal of the province when the cause shall have been heard and determined in the first instance by the Bishop, and shall be proceeded in in the said Court of Appeal in the same manner, and subject only to the same appeal as in this act is provided with respect to cases sent by letters of request to the said Court; and the appeal shall be to the Queen in Council, and shall be heard before the Judicial Committee of the Privy Council when the cause shall have been heard and determined in the first instance in the Court of the Archbishop.' That section standing by itself was clear enough. When the case was determined by the Bishop the appeal lay to the Archbishop of the province—to that Court; but when the decision was pronounced by the Archbishop's Court, then the appeal lay to the Judicial Committee of the Privy Council. The 24th section had been very much relied upon by the learned counsel for the appellant, and ran thus—'And be it enacted that when any act, save sending a case by letters of request to the Court of Appeal of the province, is to be done, or any authority to be exercised by a Bishop under this act, such act shall be done or authority exercised by the Archbishop of the province in all cases where the Bishop, who would otherwise do the act or exercise the authority, is the patron of any preferment held by the party accused.'—It had been said that in that case the Archbishop was to be considered merely as the Bishop of the diocese, consequently that the appeal lay to that court; and he had been referred to the second section of the definition clause, where it was said that the word 'Bishop, when used in this act, should be construed to comprehend 'Archbishop.' The circumstances under which the term 'Bishop' might be made to comprehend 'Archbishop' were quite clear. The Archbishop was not only Archbishop of a province, but he had a diocese, and it was with regard to that that 'Bishop' comprehended 'Archbishop.' That was the interpretation put upon the section by Mr. Justice Coleridge.—It seemed a little extraordinary that there should be an appeal from the Archbishop to the Archbishop; indeed it could hardly be contended that there was.—The learned Judge then referred to the various sections of the act he had before cited, and said that it appeared to him that it never could be the true intention and meaning of the act that where the Archbishop himself had heard a case himself in open court there should be an appeal to be heard by his inferior officer—that was to say, that the official principal of the Archbishop should have power to revoke a sentence pronounced by superior authority. Under these circumstances the Court thought that its duty was to pronounce against the appeal, and to reject the libel which had been offered. He was well aware that the case was surrounded with considerable difficulty, and that the Act of Parliament was worded in a manner somewhat extraordinary. Whether the Judicial Committee of the Privy Council had power to hear and determine the case was not for him to decide—that Court was perfectly able to decide the point for itself."

SIR ROBERT PEEL AND SIR CHARLES NAPIER.

At the municipal dinner at Tamworth, on the 9th inst., the *Marquis of Townshend*, who, it may be remembered was formerly member for the borough, and is in the naval profession, took Sir Robert Peel to task for his recent attack on Sir Charles Napier, which he declared to be uncalled for, unnecessary, and certainly out of place, coming from one filling the situation Sir Robert did. He regretted the language used by Sir Charles depreciating the men in the fleet he commanded, and which he did not believe to be true; still Sir Charles was a brave man, and his feelings ought not to have been wounded in the manner they were. "In fact, he is in a state of extreme pain at this moment; and he has written to the Grand-Duke Constantine, and also to the French Admiral, to know whether the statement of Sir Robert Peel is correct or not." Sir Robert Peel, responding to the toast, "The Members for the Borough," had his reply. He denied the right of the noble marquis to take him to task thus before his constituents. As member for the borough he was not amenable to the noble marquis—

"The *Marquis Townshend*—No, no. Nothing was farther from my wishes than to do any such thing.

"Sir Robert Peel—That was the direct and apparent meaning of the words you used. (No, no.) If it were not the noble marquis's intention to convey