

church shows that its removal is never contemplated; and that if it is not to be moved it is useless to require it to be moveable; that if it be in such a form that a sufficient portion of it may be covered with a fair linen cloth to receive the sacred elements, it is idle to insist on the whole being capable of being covered. To these observations the answer is, that the distinction between an altar and a table is in itself essential; that the circumstances, therefore, which constitute the distinction, however trifling in themselves, are for that reason important; and that when positive rules are established by law, courts of justice, when called into action by parties entitled to maintain the suit, are bound to enforce the law as they find it, leaving it to the Legislature, if it sees fit, in any manner to alter it. The next question is as to the credence tables. Here the rubrics of the Prayer Book become important. Their lordships entirely agree with the opinions expressed by the learned judges in these cases, and in "Faulkner v. Litchfield," that in the performance of the services, rites, and ceremonies ordered by the Prayer Book the directions contained in it must be strictly observed, that no omission and no addition can be permitted; but they are not prepared to hold that the use of all articles not expressly mentioned in the rubric, although quite consistent with and even subordinate to the service, is forbidden. Organs are not mentioned, yet, because they are auxiliary to the singing, they are allowed. Pews, cushions to kneel upon, pulpit cloths, hassocks, seats by the communion table, are in constant use, yet they are not mentioned in the rubric. Now, what is a credence table? It is simply a small side table on which the bread and wine are placed before the consecration, having no connexion with any superstitious usages of the Church of Rome. Their removal has been ordered on the ground that they are adjuncts to an altar; their lordships cannot but think that they are more properly to be regarded as adjuncts to a communion table. The rubric directs that, at a certain point in the course of the communion service [for this is, no doubt, the true meaning of the rubric], the minister shall place the bread and wine on the communion table, but where they are to be placed previously is no where stated. In practice they are usually placed on the communion table before the commencement of the service, but this certainly is not according to the order prescribed. Nothing seems to be less objectionable than a small side table, from which they may be conveniently reached by the officiating minister, and at the proper time transferred to the communion table. As to the credence tables their lordships, therefore, must advise a reversal of the sentence complained of. Next, as to the embroidered cloths, it is said that the canon orders a covering of silk, or of some other proper material, but that it does not mention, and therefore by implication excludes more than one covering. An order that a table shall always be covered with a cloth surely does not imply that it shall always be covered with the same cloth or with a cloth of the same colour or texture. The object of this canon seems to be to secure a cloth of a sufficiently handsome description, not to guard against too much splendour. In practice, as was justly observed at the bar, black cloths are in many churches used during Lent, on the death of the Sovereign, and on some other occasions, and there seems nothing objectionable in the practice. Whether the cloths so used are suitable or not is a matter to be left to the discretion of the ordinary. In this case their lordships do not see any sufficient reason for interference, and they must therefore advise the reversal of the sentence as to the cloths used for the covering of the Lord's table during the time of Divine Service, both with

respect to St. Paul's and to St. Barnabas. The next question is with respect to the embroidered linen and lace used on the communion table at the time of the ministration of the Holy Communion. The rubric and the canon prescribe the use of a fair white linen cloth, and both the learned judges in the Court below have been of opinion that embroidery and lace are not consistent with the meaning of that expression, having regard to the nature of the table upon which the cloth is to be used. Although their lordships are not disposed in any case to restrict within narrower limits than the law has imposed the discretion which, within those limits, is justly allowed to congregations by the rules both of the ecclesiastical and the common law courts, the directions of the rubric must be complied with; and, upon the whole, their lordships do not dissent from the construction of the rubric adopted by the present decree upon this point, and they must therefore advise Her Majesty in this respect to affirm it. As the judgments in these cases have been materially altered, and such alterations ought to have been made at the hearing in the Arches Court, so much of the sentence of that Court on each case as awards costs against the appellants must of course be reversed; and in those proceedings, as well as in the present appeals, each party must bear his own costs. In the case of "Gorham v. Bishop of Exeter" it was stated at the end of the judgment that the right reverend prelates present did not all coincide in it; but their lordships are happy to say that the Archbishop of Canterbury and the Bishop of London fully concur in the present judgment. The Lord Chancellor would have been present, but has been prevented by public duties.

The delivery of the judgment occupied about one hour and a half.

THE "PRINCE CONSORT."—ALTERATION IN THE LITURGY.

[From the London Gazette of Friday, June 26th.]

At the Court at Buckingham Palace, June 26. Present—The Queen's Most Excellent Majesty in Council.

Whereas there was this day read at the Board the draft of Letters Patent, conferring upon His Royal Highness Prince Albert the title and dignity of Prince Consort, Her Majesty having taken the same into consideration, was pleased, by and with the advice of her Privy Council, to approve thereof, and to order, as it is hereby ordered, that the Right Hon Sir George Grey, Bart, one of Her Majesty's Principal Secretaries of State, do cause a warrant to be prepared for Her Majesty's signature, for passing Letters Patent conformable to the said draft under the Great Seal of Great Britain.

Whereas by the Act of Uniformity, which establisheth the Liturgy, and enacts that no form or order of Common Prayer be openly used other than what is prescribed or appointed to be used in and by the said book, it is notwithstanding provided that in all those prayers, litanies, and collects, which do any wise relate to the King, Queen, or Royal progeny, the names be altered and changed from time to time, and fitted to the present occasion, according to direction of Royal authority. Her Majesty was pleased this day in Council to declare her Royal will and pleasure that in all the prayers, litanies, and collects for the Royal Family, the words the "Prince Consort" be inserted, instead of the words the "Prince Albert." And Her Majesty doth strictly charge and command that no edition of the Common Prayer be from henceforth printed but with this amendment; and that in the mean time, till copies of such edition may be had, all persons,

vicars, and curates within this realm do (for the preventing of mistakes), with the pen, correct and amend all such prayers in their church-books, according to the foregoing directions; And, for the better notice hereof that this Order be forthwith printed and published, and sent to the several parishes: and that the Right Reverend the Bishops do take care that obedience be paid to the same accordingly.

In pursuance of an Act, passed in the tenth year of her Majesty, Queen Anne, and of another Act, passed in the thirty-second year of his Majesty King George the Third, wherein provision is made for praying for the Royal Family in that part of Great Britain called Scotland: it is ordered by Her Majesty in Council, that henceforth every minister and preacher in Scotland shall, in his respective church, congregation, or assembly, pray in express words for "the Prince Consort," instead of for "the Prince Albert;" of which all persons concerned are to take notice, and govern themselves accordingly.

WM. L. BATHURST.

SUBSCRIPTIONS RECEIVED TO AUG. 16.

Dr. G., Toronto, vol. 4; Rev. J. Van L., Mono Mills, vols. 4 & 5.

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