

slowly but surely progressing, and is now sufficiently organized to insure not only a bare existence but the prospect at no very distant date of becoming the instrument in God's hands of welding together into one national communion the Old Catholics, the majority of the Roman Catholics, and the Lutherans.

And what is true of the more phlegmatic Teuton stock is no less true of the more mercurial Gothic race. At one time the Christian Faith had no more devoted adherents than the children of the Galican Church, to whom, indeed, we owe at least one strand in the cord of succession which binds us as a Church to the Apostles. But this Church was not in subjection to Rome, nor till France acknowledged, however grudgingly and partially, the supremacy of the Roman See, did the Faith of her fathers begin to wane. With that Faith waned likewise the morality of the people. The climax of that unfaith and immorality is now being reached, at a time when no class has any longer, as in the days of the first Revolution, to complain of the tyranny of king or Church. Such a tyranny has never been less conspicuous than during the last twenty-five or thirty years. The Napoleonic sway was mildly paternal, and while professing loyalty to the Pope, the wily Emperor contrived to clip the wings of Pius IX., and to hamper his freedom of action even more effectually, and (for the Holy See) more disastrously than his uncle. The door thus opened to freedom of thought and action in religious matters has never been shut. Unfortunately, having no one to guide or regulate its course, this freedom has been used for a cloak of maliciousness, and has degenerated into the most awful license. The present rulers of France are powerless to stem this flood, even if they would. M. Gambetta, the only man who could do so, is dead.

THE SENTENCE OF MR. MACKONCHIE.

WE give below articles from three papers which severally represent the views of moderate Churchmen and of those whose sympathies are vehemently in favour of the more extreme ritual and teachings, of which Mr. MACKONCHIE is the stalwart and irrepressible champion. It is highly probable that the dispute is not settled, but rather rendered more difficult to settle, by the recent decision. If there is an appeal the appellants will be placed in the position of men who repudiate an authority to which also they submit a case for adjudication. If there is no appeal they will be on the other horn of the dilemma, by submitting to an authority which they refuse to recognize! They will have the consolation of seeing those who have prosecuted Mr. MACKONCHIE also in a difficulty. Having spent, it is said, \$250,000 in endeavouring to suppress "Mackonchieism," they will find that it has been marvellously stimulated by their efforts. We believe they will also discover that all this litigation has done more damage to *Erastianism*, to which this section of the Church is so especially devoted, than to him and his friends and his cause, against whom and for the destruction of which they have poured out so much treasure. For we need no gift of prophecy to foresee that the Church must rise out of the sphere in which her discipline is exercised by a secular court and her doctrine and ritual are incessantly subjects of disputation before legal tribunals.

The judgment expressed on this case by the *Churchman* will, we are satisfied, be that of the overwhelming majority of Churchmen the world over.

The night of confusion is well spent, the day is at hand when the Church shall sit supreme in her own court, and therein be rarely drawn away

from her higher functions, for all will know the law from the least to the greatest (which cannot now be said of any), then will her sons walk in the way of her commandments, and find peace and strength in obedience.

(From the *English Churchman*.)

The decision pronounced by Lord PENZANCE in the well known MACKONCHIE case does seem hard on a parish priest who has laboured so long and so lovingly in the service of the Church, has played so great and so distinguished a part in the Catholic Revival of the Church's ritual and doctrine, has been personally so deeply beloved by the people, especially amongst the poor amongst whom he has laboured, and has led a holy, godly life, untainted even by the breath of suspicion. In the eyes of many, and not without some show of reason, Mr. MACKONCHIE's attitude of defiance to the law, maintained for fourteen years, through good report and evil report, and even his persistent insubordination to his own ecclesiastical superiors and their friendly admonitions, only add a brighter halo to the glories of martyrdom in one whom they have long looked up to as the ill-used and persecuted champion of so great and sacred a cause.

But, however deeply we may be inclined to sympathize with the Vicar of St. PETER's on the result of this unhappy case, and however much we may admire the purity of his motives, the sincerity of his principles, and the saintliness of his life and all its self-sacrifice, we are still quite at a loss to understand what other judgment could have been delivered by Lord PENZANCE, having due regard to all the circumstances of this most painful and protracted case before him, as a judicial interpreter of the law as well as the official adjudicator of its pains and penalties when violated. Nothing can be clearer, nothing can be truer, than the law of the case as stated by Lord PENZANCE, that "incorrigible disobedience to the Ordinary or to the canons of the Church, and the contumacious disregard of the decrees of the Ecclesiastical Courts, were fitting grounds for deprivation, as was also disregard for the directions of the Prayer Book in the performance of Divine Service." Nor is it less clear or true that Mr. MACKONCHIE has again and again disregarded the directions of the Prayer Book, and shown time after time his contumacious disregard of the decrees of the Ecclesiastical Courts. . . . We have no wish to palliate the ritual excesses of which the Vicar of St. PETER's has been found guilty time after time, nor yet to commend the spirit of insubordination he has shown year after year to the admonitions of his ecclesiastical superiors and to the legal tribunals and their decrees to which he has been subjected, whose patience and longsuffering he has long exhausted. Such resistance and such insubordination has not merely never won the sympathy, but it has even encountered the opposition, and brought upon itself the explicit condemnation of the great High Church party, which forms the backbone as well as the head and heart of the Church of England, condemned as it has been by such bishops as the Bishops of LINCOLN, the great Bishop WILBERFORCE, and such deans as Dean Hook and Dean BURGON, and, let us add, by the living voice of the Church as expressed in the Pan-Anglican Synod and by the action of both Houses of Convocation.

(From the *Evening News*.)

The Queen's Bench division, now clothed with the powers of equity as well as those of law, may not be

content to see a clergyman turned out of a benefice for a cause having nothing in the world to do with that benefice. But if the worst should come to the worst the way is clear for the Archbishop of Canterbury to virtually carry out the intentions of his revered predecessor. If Mr. Mackonochie is deprived he is without a benefice. Let the Archbishop give him one, and let the Bishop of London induct him to it. There is a living now vacant in the Archbishop's gift, that of All Hallows, Barking, Great Tower street. It is well remunerated, it is central, and it might be made a mission centre under vigorous management—indeed it might be so worked as to settle in a favourable sense the crucial question whether our city churches can be utilized fully and filled on Sundays and week-days. It is the original burying place of Archbishop Laud and of a nonjuring bishop, and would, therefore, well be utilized for the assertion of the spiritual independence of the Church of England. It is, as we have said, notorious that the Archbishop of Canterbury, in whose name this sentence has been pronounced, would not have pronounced it. But he is "officially" responsible for it, and it lies in him to make what recompense he can. Let him present to All Hallows, Barking, the Rev. Alexander Heriot Mackonochie, and then let the malignants do their worst. We speak the more strongly because we speak without a particle of personal feeling, and are actuated by a desire that right may be done according to the law of the Church, or, if right cannot be done, that recompense be made. We have no particular regard either for Mr. Mackonochie or for the sort of work that was done by him and his curates at St. Alban's. But it errs certainly no more by exceeding the rule of the Church, endorsed two hundred and twenty-one years ago by the State, than the work of hundreds of clergymen in the Church of England, who are not troubled by the powers that be, falls short of it. If we are to have persecution a *outrance* so be it; but the persecutors will have to look to themselves and their doings. Meanwhile we hope Mr. Mackonochie will take every step that the law of England allows to bar the effect of this iniquitous judgment, and if that fails the Archbishop of Canterbury and the Bishop of London between them will do well to see to it that practical injustice is not allowed to have free course and be glorified.

(From *The Church Review*.)

The die has been cast; Lord Penzance has "done his duty;" Mr. Mackonochie is excommunicated from his sphere of work.

At the last sitting of "the court," Lord Penzance hinted that the result of the suit would be a decree of deprivation, so that the judgment on Saturday was received without surprise. But we have long ceased to be surprised at anything that is done in Lord Penzance's court. A more shameful tale of "backstairs justice" was never read than is provided in the history of the "court" which has just sentenced Mr. Mackonochie. We have seen undisguised collusion between the judge and the prosecutors, judgments based upon sheer unlaw, and justice and common sense virtually cast to the winds times without number, in the proceedings before Lord Penzance.

In the first place, *there was no case*. Mr. Mackonochie had been, it is true, persecuted as vicar of St. Alban's, Holborn, but having ceased for some time to hold that position, his responsibility must have lapsed. Mr. Mackonochie, personally, apart from any benefice he holds, does not come within the so-called Arches Court of Canterbury. Consequently, the suit which has just ended in Mr. Mackonochie's deprivation had no identity with the former suit. It was absolutely a new suit directed against the incumbent of a parish not in issue. In the second place, *there was no promoter*. Mr. John Martin (the Church Association's tool) long ago ceased to be a parishioner of St. Alban's and has since withdrawn altogether from the case. But even if he were still a parishioner of St. Alban's, and had not withdrawn from the prosecution, he could have no possible right to proceed against the incumbent of St. Peter's, London Docks. As a matter of fact, the entire proceedings have been carried on in a manner foreign to English ideas of justice. Dr. Deane and Mr. Jeune might themselves have been the promoters for all that the judge knew to the contrary. He never enquired, never expressed the slightest anxiety to know, whether the suit had promoters or not; and all along the words "Martin v. Mackonochie" seemed to him to have a worth similar to that of x in the eyes of an algebraist. From beginning to end, then, Lord Penzance has been the chief actor in a judicial farce.

Of the judgment nothing need be said beyond that it draws its inspiration from matters which were entirely extraneous to the point before "the court." * * * The Privy Council had rebuked him for not acceding to the former prayer for deprivation, and it would not become him to reopen the question. The only question was as to the degree of punishment; and, without asking himself who he was punishing and for what, he plunged into a maze of precedents.