DR. LUSHINGTON'S JUDGEMENT (Concluded from our last.)

From the London Guardian. Dr. Lushington's Opinion .- " I would be the first place observe that, with respect to things lawful, this Court is, under circumstances, at liberty to consider what is expedient; but that in matters essential, in all questions of law, all churches are bound by the same law, and that such law is positive, though difficulties may attend its discovery I think that in cases of doubt, and where th law may be obscure, I am not only entitled but bound to bear in mind the character of the Reformation, and the great objects sought to be attained thereby. I agree that the Established church is not the negative of the Church of Rome. I agree that the Established Church was intended to be conformable to the primitive Church, and consequently purified from the abuses of the Church of Rome. I do not assume to decide what weight is to be given to the opinions of the Bishops of the time of Queen Elizabeth in comparison with those of James L, and Charles I., save thus for-that those who immediately succeeded to the Reformation must have known best the minds of the first Reformers, and their declarations and acts are the best exposition of the intentions of the Reformation. I wholly deny that the statute of Edward VI., passed in the second year of his reign, or the Statute of Uniformity, can be affected by non-usage. By the law of England no statute can fall into desuctude. The case of wager of battle is all-powerful to prove this propostion. I think great weight is justly due to mages in the second year of King . Edward VI.; but to make this argument avail, it must be shown, not that any particular ornament might be occasionally found, but that its legality and acceptance were proved by general use and acknowledgment. Assumfacts in the second year of King Edward VI., and for such purpose omitting the words the the authority of Parliance. words by the authority of Parliament, how, after the lapse of these hundred years, are we to ascertain what ornaments were then in use, and especially whether crosses were at that period generally introduced into our parish churches? First, there is the difficulty of ascertaining what did exist in those remote times; secondly, the difference of opinion which would necessarily arise as to the fact; and thirdly, the inevitable consequence that different usages, different ornaments, different observances would prevail through all our churches. What would be come of the uniformity for which the statute was made? Where would be the peace of the Church 1 I must follow this subject a little further, though I do so with much reluctance, as a matter of duty. It is one on which I should much regret if my opinions were not understood, even though I may be in error. I apprehend that the great object of our Reformers were to remove, first, those errors in doctrino which they believed had the maintenance of error. I must assume that what was done at the Reformation was right. The conclusions I draw from these premises are, that I ought not to hold any practices to be illogal merely because they are in use in the Church of Rome; but I ought to consider every practice illegal which was either expressly forbidden, or by implication clearly disapproved of, at the time of the Reformation, and which has not bego avowedly in use since that period. I have been told that many persons who advocate the introduction of some of the artisire is to revive the practice of what was in use in the earliest and purest times of Christienity. I do not dispute that they may be actuated by such motives, but I am clearly of opinion that, in acting upon them and ondeavouring to carry their views into practico they assume to be wiser than our own Reformers and our own Church as by law established. It is not within the scope of my authority to sanction any practice not nov in wirids observantia, on the aupposition that the ancient Church would have sandtioned it. But is the wisdom of men so improved that we can venture upon any departure either from the doctrines or practices of our ancestors with impunity? Have example of the danger of endeavouring anew to reform that which our Reformers left us. and assimilate our system to the Church of Rome? Have we not seen, what never has before, from the days of Craumer, been seen in this land-not lose, in a very fow years, than one hundred clergyman of our Church secede to Rome, and who were, many of them, men of undoubted picty, of great learning, and blameless lives? See the monuments erected to the momory of the martyrs of our own Church at Oxford; and read the names of those who took a leading part in that work. How many have secoded from that Church which they sought to preserve by honouring the memory of its first restorers and martyrs! Ought we not then to pause—to doubt our own atrength and our own judgment-when we seek to mend that which they bequeathed to us, consecrated by their own blood? Ought we not to hesitate before we admit any one practice, lany one thing, not sauctioned by them, and more especially any one thing which has the remotest leaning to the Church of Rome and her usages, which our Reformed faith holds in just abhorrence? Is it not wiser to keep on the safe side-to omit rather that which may be innocent in itself, even decorous or ornamental-than run the remotest risk of consequences so much to be deplored? We must bear in mind, too, that all these matters ought to be kept wholly distinct from questions of doctrine. It has been truly stated in the course of the argument that there have always been two parties in our Church; and it has been said, Why should greater weight be attributed to Archbishop Grindall and his school than to. Archbishops Laud and Juxon, or to Bishop Montague T I am, I think relieved from the necessity of pronouncing any opinion upon this question; from the very fact, however, of priority of time, Parker and Grindan are more trustworthy than Laud and Juxon, for it is not a question of what is

No attempt has been made to show that the usage of the Church has not corresponded with what Cranmer and Ridley stated, or that it has corresponded with the opinions of those in the succeeding century. I cannot. however, pass by the consideration of this point, without declaring that, though there might in those times have been some Reformers to whom the character of ultra Protestants might apply, I never will consent to place in that category the names of Cranmer. Ridley and Jewel-names never to be mentioned without veneration-by whose means, under the blessing of Providence, we have been emancipated from the thraldom and corruption of the Church of Rome. When we inquire what ornaments are sanctioned by our Charch, the first reference is to the statutus:---"'All such ornaments shall be retained

and be in use as were in this Church of England by the authority of Parliament in the second year of King Edward VI.' Two things are then clear; that the orna-

ments must have been in use, and in use by the authority of Parliament. The next inference which appears to me to follow is that we must show what was in use by legal evidence. Whatever was repudiated by competent authority, and disallowed generally from the time of the Reformation, was not in legal use at that time. As to the argument that an ornament or article is not illegal merely because it is used in the Roman Catholic Church, it may be admitted abstractedly to be true, but very erroneous for placing or causing to be placed ornaments deductions will be drawn from it unless duly qualified. The first qualification I will mention, exclusively of the illegality of what is not expressly allowed is, that such ornaments and articles have not been abused to superstitions purposes. If they have, I apprehend that they are not allowed by our Church. The whole object of the Reformation was to abrogate, not only practices

Altars, Crucifixes, and Crosses,-" But

first, as to the fact that it was the intention of the Reformation to prohibit all things, indifferent in themselves, which had been abused to superstitions uses-I think one or two examples will suffice, without having recourse to authorities. Take the case of niture. In the opinion of the Church, the material, the fixture, and the shape had been made subservient to erroneous doctaines they were all abolished, and a different table established. Again, take the case of a crucifix. What can be more innocent in itself than the figure of our Saviour on the cross, in whatever material it may be exhibited? It is admitted on all hands that the crucifix is prohibited. Why? The crucifix had been abused. It might be abused again to superstitious notions. Why should not crosses be put in the same category, as cruoifixes? They have been equally perverted to superstitions practices. Assuming the errors in doctrine which they construct those legal test to be what who repet into the Church; and, next, those the authority of Parliament in the second the authority of Parliament in the second logal test to be what was logally in use by in themselves innocueus, they judged were auxiliary, by their obuse, to superstition and is there to establish the fact that crosses were at that time so in use? I apprehend that the onus probandi clearly lies upon those who undertake to prove the affirma-tive, and in this case, a for core, for other and strong reasons:—1. Because I am decidedly of opinion that crosses and crucifixes fall within the same general principlesboth have been abused. 2. Because it is a fact beyond dispute that, ordinarily, crosses have not been introduced into our churches; there are not half a dozen instances in modern times."

Queen Elizabeth and Bishop Butler no cles and things complained of in this and authority aspexamples .- "I am not at all other instances disclaim looking to the moved by the conduct of Queen Elizabeth Church of Rome, and profess that their de- herself during this period. She desired to own chapel. She gave way to the remonstrance of the Bishops—she relapsed. I do not think that her private indulgence in the use of crucifixes and crosses is very satisfactory evidence us to the law governing the people; but I do think that the persoverance of the Bishops in insisting upon the disuse, even by the Sovereign---and such a Sovereign as Queen Elizabeth—is the tions would apply. I apprehend that these strongest proof that they believed they were candlesticks, which I have seen, and which supported by the law of the land. Can I have better contemporaneous evidence than the conduct of these very Bishops, many of whom could not justly be called ultra-Reformers ! . What weight is to be given to we not, even in our own day, witnessed a sad and what deductions drawn from the conduct of Bishop Butler? The facts I take to be, that Bishop Butler caused to be put up or sanctioned the putting up, a cross in and images of wax beyond doubt prevailed, his private chapel, and also had a cross in and especially when mass was performed. his study. Giving this example its full Lyndwood mentions a constitution of Archforce, this use of the cross is no precedent bishop Reynolds in these terms :--- Temfor a similar use in a parish church. When pore quo missarum solennia peraguntur, actho question is, what was the use and cus-destinatur due candelae, vel ad minus una. tom of the Church, of what avail is the The lighting of those candles was intimately opinion of one, however eminent, against the connected with a rite of the Roman Cathoconduct of all? Nay, how completely does lie Church. Very early in King Edward this isolated instance prove the general oni- V1.'s time---viz.. in 1547, he issued an innion and practice of the Church to have junction, in the following words :--been the very reverse. Does this case rest or of its head, expressed at that time ! The pers, or images of wax, to be set afore any Bishop Halifax, are as follows:- As to the high ultar, before the Sacrament, which, putting up a cross in his chapel, the Arch- for the signification that Christ is the very bishop frankly owns that for himself he wishes he had not; and thinks that in so doing the Bishop did amiss.' But before I leave this topic I must advert to one of the results which followed, partly, I think it cannot be doubted, from those peculiar devotional practices of Bishop Butler. After his death his memory was assailed from various quarters, and on his name was attempted to be affixed the stigma of holding Roman Catholic doctrines while he filled a see of our Protestant Church. However pure in heart and free from error Bishop Butler himself was, is this an example to be followed; or is it not rather a boacon on high

to warn us all from the dangers of so peril ous a course?" Conclusion as to Croses .- 'It now remains to determine whether, upon a due consideration of the arguments on both sides, and of of all the facts and circumstances to which I have already referred, I can come to the conclusion that the introduction of crosses into the parish churches is found to be in conformity with the rubric and authorised by law. I think at must be admitted on all hands that, though beyond all doubt cross of them, and they were not in general use, with the truth; but it is admitted that the other edifices have been erected, and who done or not done. If any doubt remains as Reformation, yet that there is no direct proof lieve that the usage for nearly three hom- by five differently colored coverings, each of structures best fitted in their own opinion. dence, the test is the usage of our Church. of King Edward VI., much less by authority and large candles to be placed on the com- which are varied at different periods of the views and for such purposes have caused sure.

of Parliament; that all the great divines of our Church during the times of Edward VI and of Queen Elizabeth, including Archbishop Whitgift, denounced them as superstitions and succeeded in having them removed by the authority of the Crown, from all our parish Church s; and to the present day their introduction has never again been attempted. The resurrection from this long sleep of 300 years of a practice notoriously abused to idolatrous purposes is in the very teeth of the principles and intentions of the Reformation. I disclaim founding my decision upon the statute of the 3rd and 4th of Edward; but for the reasons stated, can I hesitate as to the conclusion to which I must arrive? I need hardly say that I come to the conclusion that the cross in St. Paul's, and the two crosses in St. Barnahas' are not warranted by law.'

The Bishop of Exeter an authority in this case .- - It is a great satisfaction to my mind that I am confirmed in the opimon I have thus formed upon this question by the deliberate opinion and judical decision of a very learned prelate of the present day - one whose great abilities and extensive erudition have been acknowledged by all-and one who has never been suspected of the sighest inclination towards what is called by some ultra-Protestantism. In the year 1847 the Bishop of Exeter, on his own mere motion, instituted a criminal proceeding aginst the Rev. William George Parkes Smith, minister of a chapel in the village of Tormohum, or other unauthorised things in various parts of the chapel, and especially on the comnunion-table. The ornament placed by Mr. Smith, or under his permission, embra ced, among others a cross two feet high. After stating that Mr. Smith had in his own right nothing to do with the ordering of the ornaments of furniture of the church, but that that matter belonged to the church wardens, the Bishop decided that it would not be lawful for any one to deck the Lord's table, in preparation for the Holy Communion, with vases containing flowers, and with a cross placed on the table for the occasion. I think the right reverend prelate placed the question on the truest grounds-what is not permitted is prohibited. Let it not be supposed that I have uttered one word which opinion; but persons must not set up their own authority, however conscientiously consubvert or alter what has been established

by law.' Candles and Candlesticks .- There is another question upon which it is incumbent on me to pronounce a judgement, the candlesticks and candles on the communion-table and, I must add, the uses made thereof .-The description of them, as given in the net on petition, is as follows :---

"" Two massive gilded candlesticks, one thereof placed on either side of the said cross and holding candles, when new, of at least one yard in height and eight inches in circumference, and which said said candles are on many occasions kept burning during the performance of divine service, and during the celebration on the Holy Communion at times when the same are not needed to affect for the camperformance of divine worship.

In the answer, the use of these candles is defonded, and also the lightning of them, 'whether necessary or unnecessary, for the pur-pose of light. The inquiry is, what is the law applicable to this state of facts? And I do not hesitate to declare it to be a quisand candles may be considered in two ways -first, as affording necessary light; secondnot be disposed to scrutinise narrowly the of the candles; still, it is true that there even were the question to be governed by discretion alone. If the candlesticks are to be considered as ornaments, and to be lights without necessity, very different consideraare described in the proceedings, and respecting which it is avowed that it is lawful to light them without necessity, must, if so lighted without necessity, fall under the legal denomination of ornaments, and not necessaries. If this boso, the law in the rubric must be applicable to them. Before the Reformation the use of candles and tapers

" All ecclesiastical persons shall here! What was the opinion of the Church, from henceforth no torches, nor candles tawords of Archbishop Secker, as reported by image or picture, but only two lights upon true Light of the world, they shall suffer to remain still.

I have already expressed my opinion that this injunction is not entitled to the force of an Act of Parliament, but the injunction is strong and undeniable proof of what, in the early times of the Reformation, was deemed right on this subject and sanctioned by royal authority. There can be no doubt also, that this injunction was accepted and acted upon by Archbishop Cranmer. It is equally clear. however, that this use of candles is not expressly authorised by the 2nd and 3rd of Edward VI., nor by the First Book of Common Prayer. Subsequently, as the Reformation grow in strength, the setting lights hibited. Immediately after the statute of authorities in this realm not to be sunctioned by that statute or the Book of Common During the time of Queen Elizabeth she retained, at least partially, the use of lights, though the Bishops of that day disapproved Speaking to the best of my knowledged bedred years as been for large candlesticks

The Church. minion-table, or near it, in very many cathedrals and come royal and college chapels; but I also believe that such candles were never lighted, save for the purpose of affording light when necessary, and in some cathedrals I have reason to think they were never lighted at all. Further, I believe that the placing such candles on the communion-table or the lighting them, did not prevail as a custom, if it existed at all, in parish churches will advert to another argument, which I and has been advanced in support of the legality of lighted candles. It has been contoused that this practice of having lighted candles on the communion-table existed by law from very early days, and that by virtue of Act of Parliament such law continues in force, and the statute referred to i the 25th of Henry VIII., chap. 19. It is also true that, during the time of Arch bishop Reynolds, it was ordered 'tempore quo missarum solennia peraguntur accondon tur dum candelas, vel ad minus una." true that, unless this statute has been qualified by subsequent acts, such must be its operation; for it has not be expressly repealed. But has it not been qualified and in part repealed in various ways ! First, I am of opinion that this statute of Henry VIII., and all that it purports to confirm and carry into effect, is modified and repealed, protanto, by what is to be found in the Acts of Uniformity, and in other statutes relating to the Established Church of the realm, and by the Book of Common Praver. by all therein to be found inconsistent with those canons, constitutions, and soforth; and that, by necessary implication, all laws previously existing, opposed to the Church by present law established, are repealed. I take the ordinance of Archbishop Reynolds, and the injunction of 1547, and I ask if that ordinance and that injunction can be reconciled with the Church of England as by law established ! The ordinance of Archbishop Reynolds refers to the celebration of the mass. The mass is gone—root and branch -extirpated by the authority of Parliament especially in the establishment of the Book of Common Prayer. What becomes, then, of an ordinance which relates to the mass? Then, as to the injunction of 1547. I'wo lights upon the high altar, says the injunction. Where is the high altar now! Abolished, can justly be construed to restrict private if Sir Herbert Jenner Fust be right, and with all the attributes to it not expressly recognised by our Church in its Articles rinced of the truth of their own views, to and Prayer-book, and a communion-table established in its stead-directly opposed to the high altar of Roman Catholic times. How can lights upon the high altar ap- other decent stuff. I admit that these words ply to the present communion-table? old the ordinance of Archbishop Rey- expression in the singular, 'a carpet,' does nolds and the injunction of Edward VI. tobe utterly incompatible with the doctrines it gives no authority for it. But the question and ritual of the Church of England. If in is not whether there might not be several Ki-g-Edward's time a use of lighted candles was held to be prohibited, what has occurred placed on the communion-table at stated pesince! The Statute of Uniformity, which brings us back to the second year of King Edward and the First Prayer-took, or, in other words, leaves the law where I have colors are used to cover the communion-table. placed it. Then where is the difficulty? It is this-that the usage has been to have large massive candlesticks and cancles on the communion-tables in cathedrals, in royal ighted save for necessary that the use of candles is consonant to law in cathedrals and chapels, and yet repugnant to law in parish churches ! How can I say that the use of candles tends to superstitious purposes in one consecrated building and not in another ! I cannot draw such a tion not without difficulties. Candlesticks line. I have thus candidly stated my difficulty. The solution of it is not easy, but I established for the regulation of the ceremoam bound to attempt it. First-I hold that nies and ornaments of the Church of Engwithout necessity. Now, for the first pur- are, from the premises I have already stated, meretricious display of fantastic and unneed for the nurnose of giving accessary light; form of the candlesticks or the dimensions but the exception must be confined to the necessity, and the use of lighted candles on with jewels, a rood screen and brazen gates. might be such an excess in both particulars the communion-table limited to that neces-I am of opinion that, if I am to decide this as would deserve the attention of the Court, sity, when hit arises from the deficiency of as a question of law, this practice is not justhe requisite light from natural causes, and, tified by the statute, the rubric, or the canon. it may be, the peculiar structure of the edi-It it be a question to be governed by the fice. Secondly-as to the candlesticks and discretion of the Court, I entertain no doubt candles unlighted on or near the communion- whatever that it is my duty to prohibit the use of these cloths in the manner in which table. I acknowledge I have much more doubt. I have none, indeed, that the use of it is admitted they have been used. If it be

> but on such merely my own opinion I do not feel at liberty to act. If they are to be city are not at variance with grandeur and considered as ornaments merely, I should beauty; but they are not reconcileable with hold their use not to be reconcileable with jewels, lace, variegated cloths, and embroidlaw. But I cannot deny that it is lawful to lery, which are better fitted for the gorgeous have such articles on the communion-table. or near it, for necessary purposes; and therefore I cannot say, though I believe that England. such necessity arises very seldom indeed, that it is contrary to law to have them so placed ready for use should occasion require. It may be said, some proper lights on the communion-table may be used when necessary; but the lights in question are not proper lights; they are of a pecuhar construction-a construction which shows that they are meant for ornament and not for use. 1 admit the force of this objection; but then follows another difficulty. How is it possible that the Ecclesiastical Court should scan, in each individual instance, the make and size of each candlestick and candle? After mature deliberation. I am of opinion that the circumstances of this case do not render it my imperative duty to enter upon such minute inquiries; and I admit that, in coming to this determination. I am in no small degree actuated by the consideration that this Court might be driven to pronounce such articles contrary to law, and so incidentally pronounce an opinion that the usages in this respect in cathedrals and colleges are not only a violation of law, but the continuance of a superstitious practice-a consequence which I hope all agree it is my duty, if pos-

costly massive candlesticks, with enormous objected to this my judgment that the Court

candles, is a remnant of Popish practices.

connected originally with Popish associations;

sible, to avoid." Altar Cloths .- "I must now dispose of the question which has been raised with reson the communion table was expressly pro- pect to the coverings on the communiontable used in both churches. The facts are Edward passed, the public lights on the as follows:-With respect to St. Paul's, it Lord's board were deemed by the highest is alleged that the commion-table at the time of the administration of the Holy Comnunion is covered with a covering of worked Prayer, but that such sustom was prohibited. and embroidered white linen, ornamented which would cause discouragement or give and enriched and bordered at the ends with offenc to those earnest and generous elaborately worked lace. This is demed, Churchmen by whose munificence the and I will assume the denial to correspond courcles of St. Paul and St. Barnabas and communion-table is covered and decorated have sought, at their own expense, to raise

year, as follows, to wit :-- a white one from the interior to be arranged with greater costthe evening of Christmas Eve to the octave of Epiphany inclusive (except on the feasts of St. Stephen and the Holy Innocents): from the evening of Easter Eve to the vigil of Pentecost, on Trinity Sunday, Purifica ion, Conversion of St. Paul, Annunciation, t. John Baptist, St. Michael, St. Luke All Saints. A red one on the vigil of Pentecost to the next Saturday, Holy Inno cents (if on a Sunday), and all other feasts A violet one on Ash-Wednesday to Easter Eve. Advent to Christmas Eve. Ember Week in September, Holy Innocents, unless on Sunday. A darker violet one on Good Friday and funerals. A green one on all other days. The law appears to me to lie with a very narrow compass—the notice in the Book of Common Prayer, the rubric before the Communion Service, and the 82ml canon. There are specific directions given. mi in the Book of Common Prayer, in these words ;- "The table at the communion service, having a fair white linea cloth upon it, shall stand in the body of the church, or in the chancel where morning and evening prayer are appointed to be said.' The covering is to be a fair white linen cloth; and any addition to it of any kind would not fall within the description, but necessarily be forbidden, and would not be consistent with it. This brings me to the 82nd canon, which is in the following words :-- The communiontable is to be covered, in time of divine service, with a carpet of silk or other decent stuff, thought meet by the ordinary of the Ordinary of the place, if any question be made of it, and with a fair linen cloth at the time of the ministration, as becometh that table.' This canon is in entire conformity with the rubric. It is therefore valid, and must be considered the law of the Church on the subject. It must be observed, however, that this canon applies only to the time of divine service, and that it does not leave an absolute discretion to the Ordinary, but only, if the carpets be not of silk, the Ordinary shall determine what is the other decent stuff. Confining myself at present to the cloths used at the time of divine service, the first question is, by what authority is the use of divers cloths, ornamented or not, at fixed periods of the year, sanctioned; or is not their introduction into our parish churches an entire novelty? Certainly this canon could not be said to support the practice, for not a word is therein to be found of divers cloths to be used at different periods, or of any ornaments at all. The canon says, the table shall be covered with a carpet of silk or do not necessarily exclude carpets; that the not, vi termini, exclude the plural, though cloths, but several cloths of different colors. riods. For such a practice the canon affords no sanction whatever. The fact is that embroidered and ornamental cloths of different in precise accordance with the usages of the Roman Catholic Church, the colors being emblematic of particular periods. What warrant is there for engrafting into our churches this corporation of il truth is, that, without authority, without reason, this practice of the Roman Catholic Church has been introduced into a place of Protestant worship. What is this but a servile imitation of the Church of Rome? And what is a servile imitation of that Church but a direct violation of all the principles and all the rules ly, as ornaments, and (it may be) lighted all lighted candles on the communion-table land. What is lace and embroidery but a form. The proceeding before the Court pose affording the necessary light, I should contrary to law, except when they are light- cessary ornament ! But look at its accom- but merely an appeal, and the only prayer St. Barnabas'---a metal cross ornamented

> pageantry of the Church of Rome than the pure and severe dignity of the Church of The Chancel Screen .- "With respect to the brazen gates at St. Barnabas', they me connected with the screen which separatethe nave from the chancel; and it is said that they are kept locked when public worship is not being performed for the protection of the church furniture and ornaments within the chancel, the doors of the chanel being left open during a great part of the I do not approve this screen or gates. and still less the reason for keeping the gates closed; but having disposed of the cross, I do not feel that my duty requires me to proceed further, and require the screen and gates to be removed. I am not satisfied that those articles are clearly contrary to law, and, if not, I think the wisest course is to abstain from exercising any discretionary power with which my office may be invested, at the same time declaring that, in my opinion, such separations between the chanel and have are objectionable, and that I would not advise the Bishop to consecrate a burch fitted up according to this example. It is a different thing to pull down, especially when it cannot be said that the screen and gates are directly subservient to superstitious

would leave the House of God barren and

desolate, I answer, that no such conse-

quences would ensue. Chastity and simpli-

The Table of the Decalogue .- " I regret that I am called upon to make any order as to the setting up the Ten Commandments; acquittal. but the canon leaves me no discretion.

and I must carry it into effect." The Effect of the Judgment .- "I shall deeply regret if in the course of this judgment I should have let fill a single word

liness and beauty than has been accustomed for many years past; but I must remind them that there are limits which the law has prescribed, and there are feelings and opinione which ought not to be offended. The whole of history, both sacred and profane, shows the proneness of mankind to idolatrous practices. So powerful has this propensity wen that all who profess themselves Protesants admir that even the religion of Christ, n itself the least likely to give rise to so fearful an abuse, yet has been so abused; and therefore in our Reformed Church every precaution has been taken against so deplo rable an error. I am bound by the office I hold, by principle and conviction, to relax none of these precautions. It is true that a some circumstances since the Reformaion times may have changed; there are some who believe that we are grown so wise. that we may exult in our own wisdom; but, I believe, from the very nature of man, he same proneness to error continues; and I, at least, have no authority to say that the safeguards of our Church should in any respect be ab indoned. It is difficult, perhaps impossible, to trace the steps by which this error creeps in. The very error itself may. as I have said, be accompanied with the most devotional feelings. It may be that the first wish is to see the services of God performed with all honor; but, by setting the heart too much on external appearances, the purity of God's worship is gradually corrupted, and an undue reverence attached to the

things made by the hand of man." The Decree.—" For these reasons decree will be to the following effect:--- i As to St. Paul's, that a faculty do issue the the incumbent and both the churchwardens to remove the credence-table and the cross on or near to the communion-table; to take away all cloths at present used in the church for covering the communion-table during divine service, and to substitute one only covering for such purpose of silk or other decent stuff; that this decree do not issue from one fortnight from this present time; and that, in case neither the incumbent no Mr. Horne declare in writing to the registrar his consent to take such faculty within the time limited, the faculty do issue to Mr. Westerton alone; that it either the incumbent only or Mr. Horne only do so declare his consent, then that the faculty (e issued to Mr. Westerton, in conjunction with the party so declaring his consent. With respect to St. Barnabas', that a monition do issue to the churchwardens to remove the present structure of stone used as a communion table, and to substitute therefor a moveable table of wood. To remove the cross on the chancel screen, that on or near the present structure used as a communion table. To take away all the cloths at present used in the church for covering the structure used as a communion-table during divine service, and to substitute only one covering for such purpose, of silk or other decent stuff; and further, remove any cover used at the time of the ministration of the Sacrament, worked or embroidered with lace or otherwise ornamented, and to substitute a far white linen cloth h, without lace or embroidery or other ornament, to cover the communion table at the to cause the Ten Commandments to be ret up on the east end of the church in compliance with the terms of the canon. In the case of Fust reversed the decree of the Court below, granting the faculty which had been prayed, but he did not admonish the churchwardens to remove the communion-table or the credence-table. It is necessary to explain why the decree was made in that of Arches was not an original suit, which could properly be made by the appellant was the reversal of the decision of the Court below granting the faculty; this the Dean of Arches did, and he could not in that form of proceeding have admonished the churchwardens to remove the tables. I believe I take a correct view of what Sir H. Jenner Fust did, and his reason for not | nels which the duties of life always present. doing more, because, having declared these Before you dream of it, those waters will matters to be idegal, I apprehend that, if fertilize the present, and give birth to fresh the form of proceeding allow, no alternative flowers that may brighten the future-flowis left to a judge but to cause that which is ers that will become pure and boly in the illegal to be removed; it would be contrary to all sound reason for a judge to be called upon to pronounce his judicial opinion that things were contrary to law, and at the same time to leave them to continue in delia ree of the law For many reasons. I shall give no costs in either case. With respect to St. Paul's, because many years have been allowed to elapse before resort was had to a judicial tribunal, and because neither the present incumbent nor the churchwarden was to blame for what was done before his time. Because, also, this long-sufferance. and the opinion of a large part of the congregation, fully justified their appearance in. this suit. The same reasons apply to St. Barnabas', and though less foreibly, still must him at once. It is also rumored in sufficiently to justify my following the same certain diplematic circles, that should dur

The judgment, says the Times, occupied three hours in delivery. "On several occasions there were plaudits which the officers of the court had great difficulty in repressing. On Mr. Weston passing into he quadran le ou side the court he was loudly cheered. An appeal has been lodged against the sentence in both cases."

HOW TO MAKE A FORTUNE .-- The Scientific American says that a pencil which vould give a clear, black stroke and inscribe indellible characters upon paper so as to supply the place of pen and ink, would make a fortune for the inventor.

THE BURLINGTON RAILHOAD SLAUG-TEG .-- The Engineer of the train on this road, which met with the late fatal accident was put on his trial in the Burlington Court of Over and Terminer, on the 28th ult .--The trial lasted five days, and resulted in his

RETHEMENT OF THE WARDEN OF THE COUNTY OF ELGIN .--- Thomas Locker, Esq. having sguilled to the County Council of Elgiu, his intention of retiring from the offices of Warden, Reeve, and Councilman, the the members of that body gave him a public dioner, and presented him with an Address, ! as a token of their esteem.

THE CAR' ETON PLACE HERALD .--This weekly Journal appeared in a new and 7 a m., Toermometer, showed, 18 below much improved does on the 27th ult. We which is embroidered and adorned, and for the worship of the Deity; and with such notice this improvement with much plea-

SPICE ISLANDS. PASSED IN THE SEA OF READING. From Mrs. Stephens Old Homestead. -The maple-trees, shock their golden boughs, as if they had been hearding up sun-him for months, and poured it in one rich deluge over their billowy and restless

-A man must · ossess fire in bimself before he can kindle up the electricity that thrills the great popular beart.

-Home is supplistically the poor man's parachee. The rich, with their many resources, too often live away from the hearth sources, too oremand and store, in heart, if not in person; but to the stone, in heart, if not in person; but to the virtuous poor, domestic ties are the only legitimate and positive source of happiness short of that holter heaven which is the soul's

home.

There are moments in human life when persons, linked together in a series of events may form tableaux, which stand out from ordi: ary grouping, like an illustration stamped in errong light and shadow on the book of destiny.

The all socing One, who judges that

the an seeing one, was junged that thought as well as the act, will make no dis-tinction between life drained drop by drop from the soul, and that sent forth at a blow with the red band.

-Neither men nor women become what trey were intended to be by carpeting their progress with volvet; real strength is tested by difficulties.

-One night, when it had been raining, in the winter—while the great trees were dripping wet—out came the moon and stars bright; with a sharp frost, and then all the bright; with a snarp sroet, and then airthe branches were hung; with ice, in the moon-ahine, glittering and bending low towards the ground, just as if the starlight had all settled on the limbs, and was loading them dewn with brightness.

—A light wind had followed the frost and

all the mossy turf was carpoted with leaves crimson, green, tusset, and gold. Sometimes o commingting of all those confors might be found on one leaf; sometimes, as they look upward, the great branches of an eak stooped over their heads, heavy with leaves of the deepest green, fringed and matted of the deepest green, inuged and matted with blood red, as if the great heart of the tree were broken and bleeding to death through all the veins of its foliago. -Could you have seen them; slumbering

beneath the humble roof, smiling tranquilly on their pillows, you might have fancied that those little rooms were swarming with lavissible angels—spirits from paradise that had come down to make a little beaven of the poor man's home. Indeed, I am not gaite auro that the idea would have been all faber -for Charity, that brightest spiricof heaven was there, and what a glerious, troop she alwas there, and make gierious, troop she al-ways brings in her train I. Talk of flinging your bread on the waters, waiting for it to be east up after many days—why, the very joy of easting the bread you have earned with your own strength upon the bright waves of humanity, is reward enough for the true heart. A warm governous to the true heart was a grast rustic bower that

night. One end was heaped with corn ready night. One end was heaped with corniready for husking; the floor, was nearly swentand, overhead, the tatters were concealed by heavy garlands of white pine, golden maple leaves, and red oak branches, that swent from the roof downwards like that. Buttornut leaves wreathed their clustering gold among the dark green hemlock, while simuch cours, with themo-colored leaves, shot through the gorgeous forcet, branches. While, movement child, we cannot gigamen out through the garlands, starring them to the roof. Still the illumination was modified. brond nor bold, but shed a delicions star-Faulkener v. Litchfield, Sir. H. Jenner light through the barn, that left much to the imagination, and concoaled a thousand little signs of love-making, that would have been ventured on more slily had the light

hoen broader:
—Occupation I what a glorious thing it is for the human heart. Those who work hard solden yield themselves entirely up to lancied or real sorrow. When grief his down, holds its hands, and mournfully feeds upon its own tears, wearing the dim shadows that a little exertion might sweep away, into a functal pall, the strong spirit is shore of its might, and sorrow becomes our masand heavy, toil not with the waves and heavy, toil but with the waves—wrestle not with the torront! rather seek, by occupation; to direct the dark waters that threaten to overwhelm you, into a thousand ohansunshine which penetrates to the path of duty, in spite of every obstacle. Griof, after all, is but a solfish feeling; and most solfish s the man who yiglds bimsult to the indutgeneo of any passion which brings no, joy, to his fellow man.

And why see all good MR. CRAMPTON'S DISMISSAL IMPER-ATIVE.

New York, Jan. 7 The Herald's Washington correspondent tolographs :- I learn from an authentic source that our Government will not, under any contingency, permit Mr Grampton cto remain, and further that they have notified the English Government, that if they do not recall him, they will be compelled to dis-Government dismiss, Mr Crampton; England would refuse all intercourse with the United States, and give Mr. Buchanan his patsports.' The reports to the effect that Mr. Crampton has been empowered to abandon the pretensions in Central America ermin circumstances, is emphatically conradicted.

DREADFUL FIRE IN BROOKLYN.

The extensive ornamental iron manufactory in Brooklyn owned by G. A. Stitwell, was burnt on the night of the 6th int., togother with several adjoining houses Stit. well's loss about \$40,000; insured \$15,000

THE PLYMOUTH ROCK. Abol.

New York dates of the 7th, inform us that Captain Clayfield, of the Propeller Jackson, arrived last evening from Portland. He reports that they passed at 11. 20, a. m., 704 terday, the Steamer Plymonth Rock, 1311 ast ore at Hart Island. She appeared in have sustained no additional . damage track the storm of Saturday, night: hale

THE WEATHER.

MOSTREAL, Jan. J. Thermometer 15 below zero. The lives opposite the City is filled with ice, but it has not taken above Longueuil, where position have been crossing to day. Saturday was the coldest day we have bad this Winter, at QUEBEC, Jan. 7.

Very cold. River one sheet of ice.