

and such churchwardens and vestry in all matters connected with the church, and persons usually attending its services and ordinances within their respective parishes shall have the like powers as they have heretofore exercised in this province.

5. Churchwardens and vestries are hereby constituted within their respective parishes bodies corporate, with power to sue and be sued, to receive grants of real and personal estate for the use of the church and all parish purposes, to improve the same and receive the rents thereof for the like use, and, with the approval of the Bishop, to sell and convey such real and personal property, and to have a common seal, and to make by-laws and regulations consistent with the laws of the province for the management of the temporalities of their church and the due and orderly conducting of their affairs.

6. The parishioners shall consist of pewholders and others accustomed to attend upon the services of the church; and such parishioners who have previously paid up their pew rents and assessments, or the accustomed contributions to the church, may if they think fit at their annual meeting by a majority of those present, grant money for the support of their ministers and all other expenses which shall be required for the payment of such officers as may be found necessary, and for repairs and other services, which shall be assessed by the churchwardens and vestry in just proportions upon such parishioners being persons usually attending the services and ordinances of the church according to their respective abilities, and shall be collected in the name of the clerk of the vestry for the use of the parish as an ordinary debt; but no act of the churchwardens and vestry shall be valid unless it be agreed upon by seven of their members, nor shall the assessment be valid unless it be subscribed by that number at least; and the parishioners at their annual meeting shall appoint three of their number, by whom the churchwardens and vestry shall be assessed.

7. The churchwardens and vestry shall have power to abate any individual assessment if it should appear unequal, and to compromise the same for prompt payment or otherwise as it may be for the interest of the church, without affecting the general rate.

8. The churchwardens and vestry may meet for the transaction of business as often as occasion may require; and the churchwardens, vestry and parishioners may assemble for all business connected with the parish except the choice of officers or making assessments as often as it may be considered necessary, either upon the application of the rector, the churchwardens or the parishioners, provided that ten at least of the latter sign a requisition to that effect, notice of such meeting and of the business to be transacted thereat having been given by the minister of the parish during divine service in the church on some Sunday at least three days previously.

9. In case of refusal to act by persons nominated as churchwardens and vestry, the parishioners shall proceed to nominate others in their place until a sufficient number shall accept office.

10. No conveyance by lease or otherwise of any parsonage or glebe held by a minister of the Church of England shall be valid for a longer period than his own incumbency unless with the concurrence of the churchwardens and vestry expressed in writing under their common seal, and in no case for a longer period than twenty-one years; but with the concurrence of the Bishop, the Rector and the Churchwardens and Vestry, absolute sale may be made of any glebe lands or other real estate belonging to the parish, if the same be thought for the interests of the church.

ENGLAND.

DIOCESE OF EXETER.

PICTORIAL ORNAMENTS IN CHANCERY OF CHURCHES. JUDGMENT OF THE BISHOP.

Judgment in Complaint against the Rev. J. Somers Cocks, Rector of Sherborne, Cornwall.—I have read, with much attention, the clear, able, and impartial report made by the Rural Dean, having had, in his inquiry, the aid of his two immediate predecessors in that office, on the painting now in progress in the chancel of Sherborne Church.

In forming my judgment on the case reported, I deem it my duty to dismiss altogether those parts of it which have not a direct bearing on the matter specially complained of, but which, nevertheless, I here briefly recount.

On the one hand, a very great majority of the communicants (chiefly, I believe of the poorer classes), forty-nine out of fifty-nine (though of these one is stated to be blind, two bed-ridden, and one who had become a communicant only during sickness, in which he has since died), warmly approved, and have addressed a memorial to me in favour of the paintings.

On the other hand, a vote, condemning the paintings, and praying me to use my authority to require that what is already done be effaced, and what is further intended to be done, be abandoned, was passed at a meeting of the vestry, called for the purpose, with only one dissentient voice, the Rector's; the meeting itself, however, consisting, as has been stated to me, of seven persons only.

Again, of four parishioners who attended the Rural Dean after due warning, as complaints, three are not now communicants.

These are particulars which the Rural Dean has done most properly in reporting, but which I deem it right to dismiss altogether from consideration in deciding on the matter now before me. That matter, I must not forget, involves a question of right—the right of the Rector to adorn the walls of the chancel at his own discretion, subject to be controlled by the Bishop, if he place there any ornament of a character in itself open to just censure, whether as superstitious, or indecorous, or otherwise improper. I have no hesitation in saying that I recognize that right of the Rector, and disclaim, as Bishop, all authority which is not consistent with it.

Looking at the question thus, I find very little which demands my interference in the partially executed designs for ornamenting the chancel of the Church at Sherborne, or in what is further intended. The north wall only is, as yet, at all dealt with. It is covered with a diapered ground of red and white, the white being intended to be gilt. On this ground are five circular, or "medallions," each of about two feet six inches in diameter. Within these circles are delineated, in water colours,

1. The Annunciation.
2. Our Lord "in Majesty," seated on a rainbow.
3. Our Lord being led to execution.
4. Our Lord with Martha, Mary, and Lazarus.
5. The First Miracle in Cana of Galilee.

These representations are stated to be all taken from *Oberck*. They are all scriptural subjects, and in

design seem to be unexceptionable, with a single exception. In the Annunciation the Angel is kneeling to the Virgin Mary. This is open to censure, as implying that the Blessed Virgin is an object of adoration; and this objection is not removed by the fact (in itself satisfactory) of the Virgin being also kneeling, with uplifted hands, as in prayer to God. I direct that the scandal of representing the Angel as kneeling to the Virgin be removed; and if this be done, there appears to be no part of the work hitherto executed which I have any just authority to forbid.

There is not at present any other painting begun, except on a part of the east wall, where a blue ground is prepared for the first Table of the Ten Commandments, which are to be described in golden letters. This space seems to be not much larger than one of the medallions on the north wall; and as the chancel is somewhat darkened by the stained glass of the window, the requirement of the 82nd Canon, that "the Ten Commandments be placed on the east end of every Church, that the people may see the same," will hardly be satisfied, unless the scale be enlarged. I direct, therefore, that this be duly attended to.

It is proposed to place on other parts of the east wall the symbols of the four Evangelists. To this I have no right to object.

On the south side it is stated that nothing yet has been done. But an untinted sketch of what is intended has been sent to me. The principal subject there delineated is a copy of a painting of "The Last Judgment," in the Academy of the Fine Arts at Florence. So far as I can judge from the sketch, there is nothing in it with which I ought to interfere. There is also proposed a painting of Our Lord bearing the Cross, after a sculpture at Nuremberg, and four smaller pieces, two from illuminations and two from *Oberck*, viz. "The Ascension," "The Walk to Emmaus," "Noli me tangere," "The Resurrection." All these I deem it to be within the lawful discretion of the Rector to adopt as ornaments of his chancel walls, as well as an intended window of stained glass, containing figures of St. Stephen and St. Alban.

Having thus gone in detail through the report made to me by the Rural Dean, I think it right to add, that I not only recognize the right of the Rector to ornament his chancel, but also respect the holy feeling which has prompted him to do this, at an expenditure which must be very considerable, and with the aid of an able artist, who will secure the execution of it to be such as shall become the building on which he is employed. In an age when no decoration is deemed too costly for the dwellings of the opulent among us, of all orders, it is surely a matter of just praise, rather than of reasonable censure, that a non opulent clergyman, modest and unpretending in his own house, devotes whatever means he can command to the somewhat sumptuous, it may be, yet sober and reverential adorning the House of God.

Bishopstowe, Dec. 6.

II. EXETER.

[It is very much to be wished that, in such cases—1. There should be scrupulous care taken to avoid anything approaching to Romanizing; 2. That the designs of Roman artists should be avoided as much as possible; 3. That any doubtful designs should be submitted to the Bishop.—*Ed. E. C.*]

THE CHURCH AND THE PEOPLE.

REPORT OF CLERGY IN THE RURAL DEANERY OF LEEDS.

(Continued from our last.)

Nor are your Committee disposed to think the existing want sufficiently met by the system of late introduced under high authority of paid scripture Readers, who, though often men of piety and diligence, are seldom men of sufficient education and vigour of mind, are uncomfortable from having no recognized position in the Church, and in general look upon their office only as a means of entering by a more easy road into the Ministry. But a conviction has long been impressed upon the minds of some of your Committee which has lately been brought forward by a venerable and experienced Dignitary of the Church, the Archdeacon of London, and to it your Committee would call the most thoughtful and earnest attention of the Chapter, as the means in their judgment most likely, with the blessing of God, to meet the wants of the Church,—and that is a considerable increase in the Diaconate. The distinction between the Diaconate and the Presbyterate of our Church, says that learned Divine, appears to me to be very strongly marked; the Deacon is permitted to perform the ordinary duties of life, but the Presbyter bids adieu to worldly employments, and makes the duties of Ministry his all-absorbing care. The duties of Deacons are evidently of two kinds, Ecclesiastical and Temporal. Their Ecclesiastical Ministrations are all public in their character to assist the Priest in the Divine Service, especially in the Holy Communion and in the distribution thereof; to read Holy Scriptures and Homilies in the Church to the people then assembled; to instruct the youth in the Catechism; to baptize infants in the absence of the Priest; to preach, if admitted thereto by the Bishop himself. The temporal ministrations of the Deacons are to search for the sick, poor, and impotent people of the parish, and to intimate their estates, names, and places where they dwell, to the Curate, who has Cure of Souls, that by his exhortation they may be relieved, &c.

The qualifications required for the Deacon are,—

1. Profession of purity of motive in undertaking the office.
2. Acknowledgment that his call to the Ministry is consistent with the rule of Christ, and the due order of the realm.
3. Profession of belief in the Holy Scripture.

The promises made by the Deacon are, official, that he will fulfil the ecclesiastical and temporal duties of the office; and personal, that he will frame his life, and that of his family, according to the doctrine of Christ, and make them exemplary to the flock of Christ. And lastly, that he will be obedient to the Ordinary and other chief Ministers of the Church.

Such, and such only, are the duties and obligations of the Deacon's office, entrusted to him by the Bishop alone, without the concurrence and sanction of any person whatever. From the Bishop alone he derives his authority, and from him alone receives it by imposition of hands.

And are not these ministrations which are thus defined by the Church, as the peculiar sphere of the Diaconate, the very ministrations which are suited to the wants and condition of our populous neighbourhoods? If the Gospel must be preached in courts and alleys, in order to reach large masses of our working men; if the poor need opportunities of Public Worship and Prayer more suited to their social state than those which the Churches supply; if on the Lord's Day a system of personal visitation be required to our crowded lanes and courts, which on that day especially contain

their full quota of inhabitants, while the Clergy of the towns are wholly occupied in performing Divine Service in the Churches, in Marrying, Churching, Baptizing, Interring the Dead, and superintending Sunday Schools: if no Minister of any populous parish is able by himself, or his Curate, to hold converse with the great body of the youth of his parish, at the very age when friendly pastoral care is most required, why should the Church hesitate to call forth a numerous body of Deacons to perform these their specific duties? And if men can be found, as assuredly many would be found, in our large towns, engaged in professions or offices, and even of independent fortune, willing to perform these duties, but who would decline that advancement to the Priesthood, which would require them to give up all other cares, and to make the Cure of Souls their one object in life: is it wise to forego the services of such persons, or to perpetuate the notion, that no man is fit to be a Deacon who is not desirous to be a Priest; and when the Church requires various duties from men variously gifted, to limit the character and qualifications of those from whom she is willing to receive help, to those of one Order of the Ministry? Your Committee cannot but most heartily agree with the respected Divine, whose words they have quoted, that there is just reason to admire and adore the wonderful Providence of God, in directing the minds of our Reformers to impress upon the third Order of Ministers in our Church, the nature of whose office had been lost sight of from the period of the corruption of religion by the Church of Rome, to prescribe such duties to be performed as, though not requiring in the last three centuries a numerous body of men to execute them, are now proved to be the very office and duties requisite for the perfection of our Church, and for the supply of the spiritual necessities of the people.

Were Our Church now to renew in practice, as well as in theory, the perfection of the Apostolic age, by the development of the agency of the third Order of the Ministry upon an extended scale, such a change would not be an alteration in the fundamental principles of our ecclesiastical polity, nor any deviation from the laws of our Church.

Your Committee are not unaware of the objections which may be urged against this plan; that men of extreme opinions, and ardent but unstable minds, would be very likely to offer themselves for such an office, and then, when faith and love failed, draw back and become a scandal; that unfit men might in this way creep into the Ministry through the easiness of some Bishops, the personal partialities of some Incumbents, and the desire of others to obtain help without cost; and, lastly, the danger that the Bishop's power of discipline would be weakened; because such Deacons might withdraw from their functions, and be none the worse off in a worldly point of view.

These objections point out the care with which the change must be carried out, but do not seem to your Committee in any degree to outweigh the advantages which would be derived from it. They think that if great care were used to ascertain the qualifications of candidates it would not only be practicable but prove an incalculable blessing to the Church to admit to Deacon's orders men continuing in their callings,—above thirty years of age,—married, and able to shew at the time of their Ordination that they were in independent circumstances, or that for three years previously, they had maintained themselves and their families by their professional exertions. They ought to be chosen men; not novices in any sense, but men proved in the trial of life, and so brought to think soberly of themselves and to know their own mind. Such Ministers in no case to receive stipend, and not to be ordained to the Priesthood, unless they shall have remained Deacons for perhaps three years, or a longer time, at the discretion of the Bishop; and unless further, they shall have attained the present standard of competency in learning, and attest the sincerity of their desire and motive by the sacrifice of their temporal vocations.

Under restrictions of this kind, such as the practical wisdom of our Spiritual Rulers would not fail to suggest, your Committee think that this plan might be safely introduced, and they dare scarcely express the degree in which they believe, that, under the blessing of the Holy Spirit, it would promote the interests of pure and undefiled religion throughout the land.

8. In closing this extended consideration of an agency which they believe to be urgently required, and the one most adapted for the object in view, your Committee cannot but record their strong sense of the great benefits which have flowed from the practice of visits from house to house in the various parishes and districts, by pious members of our congregations, especially ladies. This system is extensively established amongst us, and cannot be too highly estimated, or too widely diffused.

With regard to the institution of Societies of persons for the more exclusive care of the Sick and the Poor, your Committee would observe, that they have watched with interest the operations of the Institution for Nurses, established in Fitzroy-square, London, and other Institutions of a like kind, and trust that, should these Institutions continue successful, they will spread to all the large towns of the kingdom; for it cannot be concealed that the ordinary attentions of District Visitors do not provide for the numerous, and often heavily afflicted inmates of our Hospitals, nor for those of our Workhouses and Gaols.

Connected with this subject is the important instrumentality of Tract Distribution, one highly productive of good, both directly and indirectly, and on which your Committee have but one remark to offer, viz. that in a reading age like this, with the certainty of all classes, including those for whose benefit Tract Distribution has been peculiarly carried on, becoming more educated, this itinerant literature of religion might well take a higher intellectual character, if it is to subserve the ends for which it is designed.

9. And this brings your Committee to consider, lastly, the important and pressing subject of Education. And your Committee would begin by expressing their deep thankfulness for the successful exertions made, especially during the last few years, by the Church of England, and nowhere more than in this town, for its extension and improvement.

They desire also to express the strong sense they entertain of the advantages which have resulted both as regards the quantity and quality of education, through the instrumentality of the Committee of Council, advantages which they believe have been in full proportion to the outlay of the State. Your Committee have long felt a conviction, which experience has only tended to confirm, that so long as the Church is aware of, and acts up to her responsibilities, she has nothing to dread, but everything to hope, from the intellectual advancement of the people; that every extension of sound education extends the interests of the Church; enables the people better to understand its Doctrines and Ministrations, and attaches them more cordially to it as a Nursing Mothers, both of their minds and of their hearts.

But your Committee are but too painfully aware of the absolute necessity which exists, for a yet further

increase in the quantity and quality of education; of the difficulty of maintaining schools in the poorer districts; of the fact but too legible on every side, that "the ignorance, irreligion, and demoralization, which have grown upon the labouring people of this country, are far too widely spread to be overtaken by the isolated efforts of the few benevolent individuals, here and there, who are willing to devote themselves to that task."

Various plans have been proposed, by different bodies and individuals, for the solution of this question. Into the details of these, your Committee do not think it necessary to enter; they trust that the Church and the State are fully alive to the necessities of the case. There are, however, it appears to your Committee, certain great principles which have been hitherto happily kept in view, in the provisions made by the State; and which it is necessary that both the State and the Church should adhere to, in the devising and carrying out of any more extended plan of education.

(1.) That Religious Training shall be recognized as an essential element in any National System of Education; for otherwise, both Churchmen and Dissenters would alike give it the most determined opposition.

(2.) That the rights of conscience should be respected. While Churchmen claim the privilege of conducting their own Schools on their own principles, so that no Church child shall be debarred from receiving instruction in the Distinctive Doctrines of the Church, they can have no wish to force that privilege, or make it a condition of admitting to their Schools those who are unwilling to accept it. [1]

Whether a plan, embracing these two conditions,—without which, in the opinion of your Committee, no system of National Education can be carried out,—shall consist of an extension of the Parliamentary grant for education, or of support by special rates for schools, to be taught by certified masters, and open to Government Inspection,—is a matter perhaps more especially within the province of the Legislature to determine. They believe that, if such a plan were brought forward by authority, it would be calmly considered by the great body of the Church, in connection with the manifold difficulties which surround the question in a state of society so complicated and artificial as ours; and, though in such plan there might be details of which they could not in the abstract approve, it would be thankfully accepted, and, as far as their part lies, zealously worked out by the Parochial Clergy in our great manufacturing towns.

10. In connection with the question of Education, your Committee have felt bound to take into consideration the manner in which the Clergy should regard the various Scientific Institutions for the working classes, which, in all directions, are springing up around us.

Some of the Clergy, seeing what a great instrument of good they may be turned to, have felt constrained to unite themselves with them; while others, finding the question of religion to be passed over, have felt compelled to withhold their countenance and support. The time, however, seems now to have come for united action upon this question; it will not do to ignore their existence.

A Committee of this Chapter, which was appointed about two years ago to examine the working of the Mechanics' Institution in this town, after a careful investigation, reported that a great number of young members of the Church were members of the institute,—that no books of an immoral or irreligious tendency were admitted into the library, and that, generally, the working of the Institution was not unfavourable to religion; but rather had a decided tendency to improve the moral as well as intellectual condition of our young men.

Your Committee believe that the members of the Church ought to take a more decided and leading part in the literary and scientific instruction of the people. If unwillingness exist among any considerable number of their body to unite in institutions which exclude Theology as well as Politics, and it appears necessary, as the only alternative, to establish one under no such restriction, they believe that, instead of one great institution for the whole town, it would be advisable to combine several adjoining parishes, or districts, into smaller affiliated Societies, with which libraries, courses of lectures, and Night Schools should be connected; and it would be very practicable for the whole body to meet in some central place, and together celebrate their anniversary by some social and intellectual entertainment.

11. In the last place, your Committee have only to allude to the various most praiseworthy endeavours which are now made for ameliorating and improving the Domestic and Social condition of the Working and Poorer Classes, and to express an opinion, with which they feel assured the whole of their body will agree, that in all such attempts, whether it be for carrying Sanitary provisions in the humbler dwellings, for providing more adequate Lodgings for the traveller and the homeless, a work already commenced under favourable auspices in this town, for opening Houses of Refuge for the sinner and the penitent, for the support of Hospitals, for abating the great evils of drunkenness and dishonouring the Lord's Day, the Clergy will ever feel it to be their duty and their privilege cordially and perseveringly to assist.

Before concluding, your Committee would once more refer to the principle they have carefully had in view in drawing up this Report, and especially such parts of it as are more directly connected with the Services and Ministrations of the Church—viz. that the Prayer Book is to be preserved whole and intact.

The Committee, in common and individually, recognize this as the common principle of Churchmen, and their Bond of Union. In our controversies with other Christian communities, the standard of principle is the Bible, and by the Bible rightly interpreted we must be prepared to maintain our position, and prove the soundness of our doctrine. But, in the discussion of Churchmen with each other, it is taken for granted that our Formularies are Scriptural, and the only point of dispute which can legitimately rise among us must relate to the fact whether our conduct or opinions be consistent with the Principles which we have already accepted, and with the Documents we have each of us Subscribed.

We are aware that, after the acceptance of a principle, there must frequently be great difference of opinion with respect to its application, and your Committee are prepared to have discussed in the Chapter the propriety of certain conclusions at which they have arrived, not without some discussion among themselves. They can only commend the suggestions to which they have agreed, to the prayerful consideration of their constituents.

At a time when we are assailed on the one hand by new forms of infidelity, and on the other by a resuscitated superstition, it is important not to break, but to bend our principles to the exigencies of the times, and while we most carefully adhere to what is essential, to be prepared to make a sacrifice of what are merely prejudices, though they be the prejudices generally to be respected, of honest and upright minds.