

News Department.

From Page by Chamber Niagara August 10.

HOUSE OF COMMONS SATURDAY, JULY 26.
THE SCOTCH EPISCOPAL CHURCH.

Mr. Gladstone called the attention of the House to the recent announcement by Her Majesty's Government of their intention to discontinue an allowance heretofore made to the bishops of the episcopal communion in Scotland, and to the legal disabilities, not applicable to the members of any other religious denominations in this country, to which those bishops and their clergy are subjected in common with the episcopal clergy in the United States of America. The right hon. gentleman also moved for copies or extracts of any correspondence relating to the subject. He said that the bishops and clergy of the Scotch Episcopal Church were originally subjected to severe pains and penalties on account of their adherence to the Stuarts, notwithstanding the profession of the reformed religion by that Church. Those penalties did not touch the laity of that community, but struck at the heart of its organized body of officers, who were prohibited, under pain of transportation and imprisonment, from officiating to any number of persons who could be styled a congregation. But when the legislature apprehended no further danger from the Stuart family, it was thought these severe laws ought to be repealed, and an Act of Parliament was accordingly passed at the time when Pitt was Prime Minister, for the purpose of giving relief to the Scotch episcopal clergy. In that Act, however, was inserted, on the suggestion of Lord Thurlow, who was previously entirely ignorant of the existence of such a body, a clause to prohibit the Scotch bishops and their clergy from officiating elsewhere than in Scotland, so that they were prevented from holding a cure of souls in England or in the colonies, although they were nearer to the communion of the Church of England than any other religious body not belonging to the Established Church. A Roman Catholic priest, or a priest of the Greek Church, might present himself to a Bishop of the Established Church, and upon complying with certain forms, might by virtue of his orders obtain a cure of souls; but such was not the case with regard to a clergyman of the Scotch Episcopal Church. He thought that the legislature would be moved by a feeling of public decency, justice, and toleration, to put an end to such glaring and absurd inconsistency and injustice.

Mr. A. Pellet suggested that the Established Church in this country, and not the legislature, should grant the concessions asked for by the right hon. gentleman on behalf of the Scotch episcopal communion.

The Chancellor of the Exchequer expressed his concurrence in the complaints of the right hon. gentleman with regard to the absurd distinction which the Act of Parliament passed in Pitt's time made between the Scotch Episcopal Church and the Established Church of the United Kingdom, of which difference he was not aware until it had been that day mentioned by the right hon. gentleman. Mr. Pellet was mistaken in supposing that the Established Church could of itself do away with that distinction. To do so would require the intervention of the legislature, and he thought that it was time for the legislature to pass a measure upon the subject. With regard to the discontinuance of the grant to the Scotch bishops, he admitted that it was with some reluctance that Her Majesty's Government came to the conclusion that the grant ought to be withdrawn. Her Majesty's Government thought that the Scotch Episcopal Church was sufficiently wealthy to do without the pecuniary aid of the State.

The papers moved for by Mr. Gladstone were then ordered.

DITCHER v. DENISON.—THE ARCHBISHOP'S DECISION.

(Reported for the London Guardian.)

BATH, August 12.

His Grace the Archbishop of Canterbury and assessors took their seats precisely at half past one o'clock, the court was crammed, the audience consisting of ladies and clergymen principally.

Dr. Lushington opened the proceedings by reading a document, from which we gather the following:—His Grace the Archbishop has taken into consideration the articles filed in these proceedings on behalf of the Rev. Rev. J. Ditcher, the Vicar of South Brent, in the county of Somerset diocese of Bath and Wells, against the Ven. Archdeacon Denison, Vicar of East Brent, and Archdeacon of Taunton, in the county and diocese aforesaid; the evidence adduced in proof of the said articles, the arguments of the counsel, and the author-

ities cited, and with the assistance and unanimous concurrence of his assessors, has come to the following conclusion. Before stating these conclusions, I am desirous to state by His Grace now these proceedings came to originate with his Grace. It was in consequence of the preferment held by the Archdeacon being vacant in the Bishop of the diocese, and by virtue of the 3rd and 4th Vict. ch. 86, his Grace, under certain conditions, it fell to the Archbishop; therefore, in fulfilment of his duty, His Grace caused a commission to be issued and the duty as had been defined was most imperative upon him to discharge, and respecting which no legal discretion was vested in him. Having cited the 3rd section of Victoria, the learned Doctor said—It is perfectly clear, therefore that in the Archbishop, under this statute, think fit, he has a discretion which he is entitled to exercise, as to whether he of his own mere motion would direct any proceedings against a clergyman; but it is not so with regard to an application being made to him, and for various reasons, if it were so the ancient law of the Church would be subverted by this statute, but there was no intention of doing that, as appeared by the decision of Lord Stowell in Stone's case. And what would be the consequence if the Archbishop or Bishop had purely a discretionary power to initiate proceedings according to his "fancy"? Every person would then be at the mercy of a single Bishop, who might have a persecution against him for improper doctrine, or immoral behaviour, according as in the opinion of the Bishop was right; the probable consequence would be, that the uniformity which now prevails among clergymen of this country would be destroyed and perverted. Having made these observations he (Dr. Lushington) had only to say, before he gave the conclusions, that these proceedings were instituted under the 13th Eliz. ch. 12. The mode of proceedings is—the Court which sits is established by the statute of Victoria, but the question to be tried is to be tried by the statute of Queen Elizabeth. This is not a question to the Gorham case, as to what may be considered admissible doctrine, but it is a question wholly turning upon the second section of the statute which I will now read. [The learned Assessor here quoted the words of the section, who declared that any clergyman who should adversely affirm or maintain any doctrine directly contrary or repugnant to any of the Articles of the Church, and on being "convicted" before the Bishop or the Ordinary, should not revoke his error, should be liable to deprivation.] Now, then, the question which His Grace had to try was this:—Whether the doctrine set forth and printed by the Venerable Archdeacon in the three sermons annexed to the articles filed in this proceeding are or are not directly contrary and repugnant to the Articles of the Church of England; or, in other words, to the Authority of Parliament, which had established the Thirty-nine Articles to be the true exposition of Scripture upon every subject to which these articles refer. I state this in order that it may be made known to all why and wherefore the Venerable Archdeacon was not permitted to go into an examination of the Scriptures with a view to justify his doctrines.—The reason was this:—There could not be a more inconvenient proceeding, or one more opposed to the law than that, when the Legislature of the country has authoritatively pronounced in the given form of the Thirty-nine Articles what are the doctrines of the Church of England, an individual sermon should be compared, not with that standard which is the only standard of the church, but with a number of disputed texts of Scripture. What might be the possible consequence of the adoption of such a course? One or more judges might be found who would conceive that certain doctrines were conformable with Scripture; but should they hold that those doctrines (conformable in their opinion with Scripture,) were not equally conformable with the Thirty-nine Articles, in what position would they then be placed? That anomaly is excluded by the law applicable to this case. It is excluded from all our courts of judicature. The only question which His Grace could try is, whether these sermons did or did not contain doctrines opposed to the Thirty-nine Articles. He, (Dr. Lushington) then proceeded to say—I will state the conclusions. The first eight articles filed are proved against the Archdeacon, so far as the law considers it necessary. The ninth, tenth, eleventh, thirteenth and fourteenth of the articles are proved, and that the charges therein are established, so far as heretofore are mentioned. Whereas it is laid in the said ninth article filed in this proceeding, that the said Archdeacon, in a sermon preached by him in the cathedral church at Wells, on or about Sunday, the 7th of August, 1853, did adversely maintain and affirm doctrines directly contrary to the Twenty-fifth, Twenty-eighth, and Twenty-ninth Articles of Reli-

gion referred to in the statute of 13 Elizabeth, ch. 12, or some one of them. Among other things, he did advise, maintain, and affirm "that the body and blood of Christ, being really present after an immaterial and spiritual manner, in the consecrated bread and wine, are therein and thereby given to all, and are received by all who come to the Lord's table;" and that by all who come to the Lord's table, to those who eat and drink worthily, and to those who eat and drink unworthily, the body and blood of Christ are given; and that by all who come to the Lord's table, by those who eat and drink worthily, and by those who eat and drink unworthily, the body and blood of Christ are received." His Grace, with the assistance and unanimous concurrence of his assessors, has determined that the doctrine in the said passages is directly contrary to and repugnant to the 28th and 29th of said articles of religion, and the various statutes of Queen Elizabeth, and that the construction put upon the said articles of religion by the Ven. the Archdeacon of Taunton, namely, "that the body and blood of Christ become so joined and become so present in the consecrated elements by the act of consecration, that the unworthy receivers receive in the elements the body and blood of Christ," is not true, and is not an admissible construction of the said Articles of Religion: that such doctrines are directly contrary and repugnant to the Twenty-eighth and Twenty-ninth Articles, and that the true legal exposition of the said Articles is that the body and blood of Christ are taken and received by the worthy receivers only, who in taking and receiving the same by faith do spiritually eat the flesh and drink the blood of Christ, whilst the wicked and unworthy by eating the bread and drinking the wine without faith do not in anywise eat, take, or receive the body and blood of Christ, being void of the faith whereby only the body and blood of Christ can be eaten, taken, and received. Whereas it is pleaded in the said eleventh article filed in these proceedings that divers printed copies of the said sermons or discourses were by the Ven. Archdeacon's order and direction sold and distributed some time in the year 1853 and 1854, within the said diocese of Bath and Wells, and whereas the said discourses or sermons contain the following among other passages:—"That the body and blood of Christ being really present in the consecrated bread and wine after an immaterial and spiritual manner, are therein and thereby given to all, and are received by all who come to the Lord's table." "And that to all who come to the Lord's table, to those who eat and drink worthily, and to those who eat and drink unworthily, the body and blood of Christ are given; and that by all who come to the Lord's table, by those who eat and drink worthily, and by those who eat and drink unworthily, the body and blood of Christ are received." His Grace, with the assistance of his assessors, has determined that the passages aforesaid contain a repetition of erroneous doctrine charged in the 9th article filed in these proceedings, and that such doctrine is directly contrary and repugnant to the Twenty-eighth and Twenty-ninth Articles of Religion mentioned in the various statutes of Queen Elizabeth. Whereas it is pleaded in the said 14th article filed in these proceedings, that divers printed copies of the sermons or discourses in the 12th article mentioned as written and printed, or caused to be printed, by the said Archdeacon, were by his order and direction sold and distributed in the years 1853 and 1854 within the said diocese of Bath and Wells; and whereas the said sermons or discourses contained the following among other passages:—"And to all who come to the Lord's table, to those who eat and drink worthily, and to those who eat and drink unworthily, the body and blood of Christ are given; and that by all who come to the Lord's table, by those who eat and drink worthily, and by those who eat and drink unworthily the body and blood of Christ are received;" and "It is not true that the consecrated bread and wine are changed in their natural substance, for they remain in that very natural substance, and therefore may not be adored. It is true that the worship is due to the real, though invisible and supernatural presence of the body and blood of Christ in the Eucharist, under the form of bread and wine;" his Grace, with the assistance of his assessors, has determined that the doctrines of the said passages are directly contrary and repugnant to the Twenty-eighth and Twenty-ninth Articles of the said Articles of religion mentioned in the various statutes of Queen Elizabeth. His Grace desires me further to state that he will allow time to the Ven. Archdeacon to revoke his error; he will allow him till Wednesday the 1st of October; and if no such revocation as is required by the statute aforesaid shall be made and delivered to the registry of Bath and Wells by that time, he will, in obedience to the statute, pronounce sentence in this Court—(laughter)—which will be.