Church party, and has induced them to deny him the right and title of an ecclesiastical judge at all.

The commissioners have suggested a remodelling of the courts in several ways, most notably of the Court of Final Appeal, the functions of which they seek to transfer to an entirely new body. Their reason has probably been not so much that they deem the present courts faulty in construction, as that they have thought it well to make the largest possible concessions to the prejudices and suspicions and complaints of unfair play which have come under their notice. Church Courts should command the confidence of Churchmen. As long as this is refused them there will always be some loophole or other found to escape making submission to them, or some plea of conscience for declining to obeytheir decisions.

The following are the "reservations" put on record by some of the Commissioners: The Archbishop of York, in signing the report, is compelled to record his dissent from it in two important particulars.

1. In allowing anyone to lodge a complaint, the report makes the hearing of the complaint depend absolutely upon the permission of the bishop. Except with this permission the courts will be closed entirely to a layman, and no layman will have the right of appeal from this absolute decision, however great the wrong which he may conceive himself to have sustained.

2. Great evils have resulted from litigation in the past. To prevent the evils for the future, something should be done to afford a means of direction and arbitration without resort to the courts. One such means is supplied by the Prayer-Book, in the reference to the authority of the bishop when doubts or divers interpretations prevail. But unless the decisions of the bishop are held to be binding, till they are appealed against, they are of no avail. Let the bishop have power to make an order in all matters affecting the conduct of public worship, which shall be binding until reversed by the Court of Appeal. Let the commencement of a suit be either from such an order, or from a trial in the Diocesan Court. Let the appeal lie from the bishop's order to the Archbishop's Court, or from the Diocesan Court to that of the Archbishop. Once make the bishop's authority a reality, and not an utterance of which no court will take notice, and he would be able to compose many of the disputes which now arise about such subjects without prolonged litigation. W. EBOR.

While agreeing generally with the suggestions of the majority of my colleagues, which, in my opinion, would effect a considerable improvement upon the present mode of procedure in the ecclesiastical courts, I feel unable to concur in the following recommendations:—1. That the bishop should preside in his own court except under certain specified circumstances:—

(*a*) I object to this, because I consider that every clerk charged with a breach of the law ought to have the best and fairest trial that the Legislature can provide. With this view, it seem to me that all judges in ecclesiastical courts should be laymen, learned in the law.

(*b*) Because also, under the recommendations in the report, it seems more than probable that in some dioceses the Court of First Instance will be presided over by the bishop, and in others by the bishop's chancellor, thus creating a very anomalous discrepancy, in the constitution of the court, between one diocese and another.

2. I also object to the continuance of the present mode of procedure, recommended in the report, which requires the consent of the bishop before any proceeding can be instituted in his own court.

3. I concur generally in the suggestion of his Grace the Archbishop of York appended to the report, for giving something of a local character to a bishop's orders as to the conduct of public worship. CHICHESTER.

1. I am unable to concur in the recommendation that there should be in all cases an appeal from the Provincial Court to the Final Court.

I think that the right to appeal should belong to the defendant only.

2. I dissent also from the recommendation that the obligation on the part of the Final Court of Appeal to obtain from the archbishops and bishops answers to specific questions as to the doctrine or view of the Church of England should only exist when one or more of the lay judges present at the appeal should demand it.

I think that this reference should be made in in all cases of doctrine or ritual. DEVON.

We concur in this reservation.

J. F. OXON,
W. C. LAKE.

We desire to express dissent from that recommendation which gives to the bishop absolute power of refusing leave to institute proceedings in cases of ritual and doctrine.

PARKER DEANE,
THOMAS E. ESPIN, D.D.

I wish to state my dissent from the words which confine the hearing of appeals to the Crown to members of a single profession. I would leave it open to the Crown to appoint lawyers, Churchmen, or any other persons who may be thought competent, as was the case with the Court of Delegates under the statute of Henry VIII. I hold that the examination of questions of this kind constantly calls for knowledge of a special kind, the presence of which is by no means implied in the professional learning of the lawyer, and which is just as likely to be found in other persons, clerical or lay. EDWARD A. FREEMAN.