temporal, and not to the ecclesiastical courts. A prohibition was granted to stop proceedings till the next term, when the spiritual court might appear to show cause why a writ of prohibition should not be made out. The counsel on the other side did not appear, and the ecclesiastical court was tied up from any further prosecution.

Now how vexatious these proceedings were will be judged when it is pointed out that Claridge taught some of these children gratis; that he claimed "not to corrupt the youth, but to instruct them in the principles of truth and righteousness." But to show conclusively that the legal action was based on difference of theological tenet, and not upon any question of educational fitness, it is enough to say that Claridge was an M.A. of the University of Oxford, where he had the reputation of being a good orator, philosopher and Grecian. That he was a good teacher may be concluded from the size of his school, in which the boarders increased, and divers of the townspeople also sent their children to him. A clear statement of the Bishops' views as to their ecclesiastical jurisdiction is to be found in a letter from Bishop Nicholson to Mr. Baron Price in 1705 He says: "Archbishop Arundel's Constitutions in Lyndwood's 'Provincial,' where it is stated that all manner of teachers (*quicunque docentes*, as well as *magistri*) are under the cognizance of the Canon as to licensing. 2. The gloss observes that the instructors of women and girls (which will hardly ever appear to have been the case of men in orders) are comprehended under that general title. 3. The private teachers *in cameris et introitibus* are then required to have licenses from the Ordinary in form; and they that have them not, are to be proceeded against as sowers of schism."*

This, however, is not the view held by the Crown Law Courts, as will be shown by the following case:—

In 1700, a schoolmaster called Cox was summoned before the Ecclesiastical Court at Exeter for teaching school without a license from the Bishop, and, on motion before the Lord Chancellor, an order was made that cause should be shown why a prohibition should not go. It was in the Court of Chancery moved to discharge the said order, alleging that before the Reformation this was certainly of ecclesiastical jurisdiction. Lord Keeper Wright gave judgment: "That both Courts may have a concurrent jurisdiction, and a crime may be punishable both in the one and the other. The Canons of a Convocation do not bind the laity without an Act of Parliament. But I always was, and still am, of opinion that keeping of school is, by the old laws of England, of ecclesiastical cognizance. Therefore, let the order for prohibition be discharged." But he held that, if it was for the teaching of any school except a Grammar School, viz., writing schools, reading schools and dancing schools, and such like, then the prohibition was to be granted.

As a practical illustration that, in the popular view, jurisdiction was accorded to the Bishop's power of licensing, the case of the Charity Schools may be cited. These schools, established about 1700, by 1760 had reached the number of over 1,800. The number of scholars was about 42,500.† The great text-book for these school-masters was Dr. Tal-

*From a letter of Bishop Nicholson to Mr. Baron Price, 1705, in Sir H. Ellis' "Letters of Eminent Literary Men."

†"Charity School Sermon," by Dr. Vorthington, 1768.