Natal, that he could if he were the Bishop of an English diocese, with this exception, that he cannot enforce the execution of these orders without having recourse to the civil tribunals for that purpose. The letters patent therefore are inoperative in that respect; they are also inoperative in this further matter; that they purport to give an appeal to the Bishop of Capetown, and they also purport to give an appeal from the Bishop of Capetown to the Archbishop of Canterbury, to whom no such appeals by law can lie, so as to enable the Bishop of Capetown or the Archbishop of Canterbury to enforce the coercive jurisdiction in these matters which the Bishop of Natal was unable to exercise. It is not that there is no appeal in such matters, but the appeal, such as it is, the extent of which I shall presently point out, lies to the civil tribunal, and from the civil tribunal in the colony to the Sovereign herself in Council, who, with the assistance of her Councillors, will determine the question between the parties. The more I have considered the question, which I have done very carefully, the more I have found myself at a loss to understand why, the duties and functions of the Bishop remaining in every respect the same, the fact that in order to enforce obedience to his orders and to remove obstructions interposed to impede his action he must have recourse to the secular arm instead of enforcing it by his own power—that is, by officers of his own court—in any degree affects his *status* or position as a Bishop. He is a titular Bishop all the world over, he is territorial Bishop within his see or diocese of Natal, and with the assistance of the secular tribunals he can perform all the acts and duties which belong to the office of a Bishhop according to the doctrine of the Church of England. It is clear that this was all that was included in the word Bishop from the earliest institution of that office down to the time when, the Christian religion having become the religion of the State, coercive jurisdiction was conferred on the prelates of the Christian Church.

An Appeal only to Civil Tribunals.

It is, in my opinion, impossible correctly to assert that this necessity of resorting to the civil tribunal, instead of enforcing obedience by the jurisdiction of the Church itself, can annihilate a see or make it cease to be a legal diocese. On the contrary, I believe that when a careful inquiry is made into what the difference is that lies between them, it will be found that the law, as pronounced by the Judicial Committee, is likely to afford greater stability and unify to the Church of England in her colonial dependencies than if the law had been as contended for by the Bishop of Capetown. In the one case, if the letters effected all that they were originally supposed to effect, the law on the subject would be declared by one prelate of the Church of England with an appeal to another prelate, and possibly finally to the Primate of All England, where the matter would end. In the other case, the law would be declared by a civil tribunal with an appeal to the Sovereign in Council, where also the matter would end. The law, it is important to observe, is and must be the same in both cases, and ought to be similarly administered, and that law is the law of the doctrines and ordinances of the Church of England. The former are fixed and immutable, the latter are equally fixed unill altered by statute. This law, whether it be enforced by the ecclesiastical or by the civil tribunals, is the same and should receive the same construction, and when ambiguous the same interpretation; but if it be administered by different tribunals, a variation and discordance will arise which would be much to be deplored.