

ment to provide a new hierarchy for the new Church. The archiepiscopal see of Canterbury had remained vacant since the death of Cardinal Pole, on the 17th or 18th of December; and on the 18th of July, the queen by a *conge d' eslire*, granted permission to the dean and chapter to proceed to the election of an archbishop. The first of August was the day appointed; seven out of twelve members refused to attend; four met the dean, Dr. Wotton, pronounced judgment of contumacy against the absent, and subscribed an instrument by which they bound themselves to approve whomsoever the dean should name. He named Dr. Matthew Parker, who, when he received the official information of his election at Lambeth—for he had already been put in possession of the archiepiscopal palace—replied to the deputies, that he gave his consent lest “he should seem to resist the Divine will, or to disobey her good pleasure, who had recommended him to the dean and chapter.” But how was the elect to procure confirmation and consecration in conformity with the provisions of the statute of the 15th of Henry VIII, which, though it had been repealed under Queen Mary, had been re-enacted in the last parliament? On the 9th of September, a precept was issued in the queen’s name to Cuthbert, [Tunstall] bishop of Durham, Gilbert, [Bourne] bishop of Bath and Wells, David (Pool) bishop of Peterborough, Anthony, (Kitchen) bishop of Landaff, William Barlowe, bishop, and John Scorey, bishop, ordering them to confirm and consecrate the archbishop elect, and to perform all things necessary, according to the laws and customs of the realm. The reader will notice the difference of style in the titles of these persons. The three first had not attended parliament; the oath of supremacy had not been tendered to them, and in consequence they were bishops according to law, and in the actual possession of their bishoprics. So was Kitchen; and, therefore, if these should concur in obedience to the precept, the confirmation and consecration would be performed in strict conformity with the statute. Barlowe and Scorey were styled bishops only, because they possessed no bishoprics. Barlowe, to escape deprivation under Mary, had resigned, and written with great severity against the Reformation. Scorey had been intruded, in the time of Edward, into the bishopric of Chichester, in the place of Day, and of course had been ousted on the restoration of that prelate under Mary. He had then done penance, renounced his marriage, and received absolution; after which, he was permitted to resume his former duties as a priest. These two were probably added to the commission, that, if one or two of the others should refuse to act, they might, as assistants, supply the place of the absent. It appears, however, that the bishops in possession did not obey the royal mandate: the twenty days within which they were bound to act, were suffered to pass over without consecration or confirmation: and the very next day, September the 23rd, Tunstall of Durham was deprived. It was, perhaps, hoped that his fall might make impression on

his colleagues, Pool and Bourne; if so, these hopes were disappointed; and in the month of November they also suffered deprivation.

There now remained but one bishop within the realm in the actual exercise of episcopal authority, and the statute required four for the confirmation and consecration of an archbishop. There were, indeed, several Protestant prelates, who, under Mary, had resigned, or been deprived of their bishoprics; but, were such persons who possessed no power as bishops, competent to perform episcopal duties? After much consultation, a new form of precept was devised, with an additional clause, in which the queen, out of the plenitude of her royal power was made to supply every defect in the quality or the proceedings of the commissioners, “time and necessity so requiring.” The instrument, in this state, was submitted to the consideration of six eminent doctors of laws, who replied in the following words:—“We whose names are here under subscribed, think in our judgments, that by this commission in this form penned, as well the queen’s majesty may lawfully authorize the persons within named to the effect specified, as that the said persons may exercise the act of confirming and consecrating to them committed.”—From the whole of this proceeding, and from the tenor of the opinion thus given, we may fairly infer, that, whatever may be thought of the matter by the Oxford teachers now, the question was considered as one of considerable difficulty then; that no attempt was made to justify the employment of these commissioners, on any other ground than the urgency of the case; and that recourse was had to the omnipotence of the queen, not because she possessed any such power by the law of the church, or of the state, but because, without the assumption and exercise of it, the new church would have to be governed by bishops who had never received any manner of episcopal consecration whatsoever.

On the 6th of December, a precept in the proposed form was issued to seven persons, four of whom, the number required by law, had already engaged to act under it. These were Barlowe, now styled elect of Chichester, and Scorey, now elect of Bath and Wells, with whom the reader is already acquainted; and Coverdale, who, on the forced resignation of Voisey in the reign of Edward, had been placed in the see of Exeter, and had afterwards been compelled to quit it on the restoration of that prelate in the reign of Mary; and Hodgkins, who, under Henry, had been the suffragan of Bedford. On the 9th, the commissioners met in the Court of Arches and pronounced a definitive judgment confirmatory of the election of Parker, and at the same time supplied, by the royal authority, of which they were the delegates, every defect which there might be in their manner of proceeding, or in the quality, status, or power of all or any of them, or in any point prescribed by the laws of the church or of the state; the circumstance of the time, and the necessity of the case so requiring. Eight days later they proceeded

to the consecration of the archbishop in the chapel, at Lambeth; and he in return on the 20th confirmed the elections of Barlowe and Scorey in virtue of a similar precept, with the same supplementary and sanatory clause. Was there not something very like a vicious circle in this proceeding? They first confirmed his election, then he confirmed theirs.—However, the circumstance of the time, and the necessity of the case, were held to be a sufficient justification. In fact, a kind of consciousness seems to have been felt, that there existed a radical defect in the process from the very beginning; for during the next six years, on every confirmation and consecration of a new bishop, the same healing clause was inserted in the commission to the metropolitan.—At length, in 1566, it was declared by act of parliament, that the queen being in possession of all jurisdictions, privileges, superiorities, and pre-eminences, spiritual and ecclesiastical, exercised by her predecessors, and having, by her supreme power and authority, dispensed with all causes or doubts of any imperfection or disability in the confirmation and consecration of bishops, made in virtue of her letters-patent, therefore all acts and things heretofore had, made, or done on those occasions, were and should be judged and deemed good and perfect to all respects and purposes, any matter or thing, that could or might be objected to the contrary thereof in anywise, notwithstanding.—From that period, every doubt was supposed to have been taken away, and the clause supplying all defects was discontinued.

But here it must not be forgotten that not only the competency of the consecrating ministers, but also the form of consecration, which they employed, was called in question. The form was acknowledged to be illegal; by many it was judged to be invalid. When, in answer to a question by Cecil, Parker had written in his letter, “the order of King Edward’s book is to be observed,” the secretary added the following on the margin, “this book is not established by parliament.”—For it had happened that, by some unaccountable oversight, the act which authorized the use of the book of common prayer, had omitted all mention of the ordinal. There was, however, no alternative.—Both the Catholic form and the new form had been abolished by statute; yet one must be adopted; and the latter of course was preferred. But still the question remains, was it of itself a valid form or not? We do not mean to open the controversy, but must state the fact. Its validity was as warmly denied by the men of the old, as it was maintained by the men of the new learning; and during the last reign, several of Edward’s bishops, consecrated with it, were deposed on the ground that they had never received the episcopal character; *ob nullitatem consecrationis* occurs repeatedly in the records of the time. How then stands the case with respect to Dr. Parker? He was consecrated by men without any spiritual authority of their own, or any delegated to them by others possessing such authority; by men who had no communion with any

one of those whom the Oxford teachers acknowledge to have been at that moment the real successors of the apostles; he received his commission from men who held no commission themselves, and therefore could give none. There is a fact which must still be fresh in the memory of many of our readers, the deprivation most justly deserved of the Right Rev. Dr. Jocelyn. He had been, in the opinion of our opponents, one of the successors of the apostles; for his misconduct the other successors of the apostles deprived him of the exercise of his apostleship; they took from him his commission; they ousted him from their company. If Dr. Jocelyn, notwithstanding, were to consecrate another person a bishop, would the new prelate become a successor of the apostles, a link in the chain of apostolical succession? We do not think that any man will have the hardihood to assert it. Now, the consecration of Dr. Parker was in the same situation as Dr. Jocelyn’s. They had either resigned, or forfeited, or never possessed the episcopal commission; they were rejected and disowned by the acknowledged successors of the apostles; how then could they communicate such commission or such succession to another? Hence, we are convinced, that to every impartial man, who considers the want of spiritual authority on the part of the consecrators, coupled with the doubt of validity in the form of consecration, the claim of Dr. Parker to apostolical succession must appear very problematical. He was appointed archbishop by authority of the queen in 1559; he was confirmed as archbishop by the authority of parliament in 1566. These are his real titles; his descent from the apostles must be built on that frail and treacherous foundation laid in the royal warrant, “the circumstance of the time, and the necessity of the case.”

UNITED STATES.

From the New York Herald.

The Message of the President of the United States came to hand at an early hour. In relation to the receipts and expenditures of the government, it appears that \$5,492,726 of the \$11,000,000 loan only has been negotiated, and yet the deficit on the 1st January next, will be but \$827,557 showing conclusively, that the loan was not needed. In relation to fiscal agent the message shadows forth a plan which is to be presented by the Secretary of the Treasury. It is an exchange government bank—that is, it is authorized to issue not exceeding \$15,000,000 of a paper currency, to be thrown out on deposits of gold and silver, and the purchase of exchange. This is an objectionable feature. The bank cannot become a purchaser of exchange, without raising the rates on the mercantile buyer, and will inevitably produce derangement. The project, however, is stated as a mere experiment, and is repealable at any moment. It proposes, however, to place the Treasury Department entirely without the control of the Executive.

In relation to the State debts the message merely mentions the fact of the heavy indebtedness, and hopes that the States will be able to pay very soon.