usage in the West, and their advisers, seeking for primitive models, had studied the books in which reference was made to the practice. The practice of mixing water with wine, apart from and before the service, could not be disallowed on the ground that it was unknown in either the Eastern or Western Churches, because while it was shown to have been adopted in the West, it was further proved to have been almost universal in the East. It had been argued that curates and church wardens were required to provide bread and wine, and that if any wine remained unconsecrated the curate was to have it to his own use. This being so, it was contended that this could not refer to wine mixed with water; but, on the other hand, it was urged that the direction was not a liturgical direction, but one that simply related to the question of expense to be incurred, and that in this connection water could not be mentioned. It remained to be observed that the mixed chalice would be an additional ceremony if done during the service, but if it was not done during the service it could not be an addition. No one, for example, could call the careful division of the bread made almost universally before the service an addition to the service, although the bread could be administered without this being done. If the putting of water in the wine were not unlawful, the administration of it could not be unlawful. The Court therefore concluded that the Church of England had the same authority as any Church, Western or Eastern, to retain, change or abolish ceremonies or rites of the Church created by man's authority. By this authority the mixing of the cup was removed from the Church. No reason had been shown for the abolition of the almost universal use of the mixed cup, and it was not within the competency of the Court to make a new rule—in fact, a new rubric—which the order that a mixed cup should not be used would be. The Court decided that the mixing of the wine as part of the service, however, was against the law of the Church; but there was no ground for saying that the mixing of the cup beforehand was an ecclesiastical offence.

The charges in the eighth and twelfth articles were that after the Communion the Bishop of Lincoln poured what remained of the wine and water into the chalice and drank it. The point of that charge was that it was done without any break or interval, and that therefore it was done as part of the service. It was also pointed out that the wine and water was drunk in the face of the congregation, and that it was a ceremony of ablution. The Court held that the term "ceremony of ablution" was not properly applicable to what was described. The rubric in this case turned generally on what was to be done with what remained after the Communion Service. If a conscientious scruple were entertained by the officiating clergyman as to carrying out the slight remnants of the chalice even into the vestry, this Court did not propose to override it, and could not hold that the minister who, after the service was ended and the benediction given, cleansed the vessel of all elements in a reverent way without ceremony or prayer, before leaving the holy table, would thereby have subjected himself to penal consequence by so doing. This charge must therefore be dismissed. (Slight applause in the body of the Court followed this announcement, but it was promptly followed by the cry of "Silence" from the officials of the Court.)

Another charge made against the Bishop of Lincoln was that he had stood in the cathedral during the whole of the Communion Service down to the ordering of the bread and wine on the west side of the table, and not on the north side in front of the altar. The Court here remarked that there was no proper allegation of illegality brought against the Bishop of Lincoln in this particular—any charge of offending against any statute, rubric or canon being omitted from the articles charging this offence. Nevertheless, the Court had thought it advisable to consider and give its opinion on the question. The Bishop of Lincoln claimed to have observed the rubric precisely, contending for a different interpretation of the term "north side" to that which was attached to it in the Articles. In order to arrive at a conclusion regarding this point, it had been necessary to make an historical retrospect of what had been the practice in the Church. In doing this His Grace entered into some detail as to the conflicting views that had been taken on the subject, and the frequent contentions urged that, according to the position in which in many cases the Communion table was placed, it was impossible for the clergyman to officiate from the north side. The Court found that Bishop Juxon's Articles of 1642 required the minister to stand at the north side or end of the table, but that the next set of Articles in 1662 with one exception, omitted this requirement. Contemporaneously with the last revision of the Prayer Book, the requirements as to the north side or end in the Articles and Ordinaries ceased, and never reappeared. The result was that the north end became the generally used position, and was beyond question the true liturgical use in the Church of England, formed as most uses were formed, not by enactment, but, as the word itself implied, by use. As this point there came in such illustrations as the Court were able to command of actual use. In support of the North End Position it was not necessary to cite many instances, because the prevalence was beyond doubt; but from the position in which the book was almost invariably placed on the table in the engravings, it showed that the celebrant from 1662 stood at the north end. It had been pointed out that the only parts of the service to which the north side applied were the two opening prayers, the collect for the Queen and the collect for the day. It had been argued that the direction of the rubric could not be extended beyond the four prayers. The defendant Bishop had adopted an alternative not altogether unknown. He applied the term "north side of the table" to the north part of the front. An attempt had been made to show that the north part of the front was the north part of the table, as intended by the rubric, but that was held by the Court to be inconsistent with the continuous use of the rubric. It had been said that the Eastward Position was the sacrificial position and the natural position for one offering a sacrifice; but, if this were true, it would apply more strongly to the consecration prayer, where such a position was admitted to be lawful, than to the beginning of the service. But, by whoever put forward, the statement was without foundation, and neither those who approved or those who disapproved of an action recognized by authority could invest it with any sense contrary to that authority. The place to the west had never been invested with a sacrificial character; and, indeed, the quarter designated by Scripture for laying the hand upon and shedding the blood of the offering was a different one, as it lay on the side towards the northward of the altar. The Court concluded that the term "north side" was introduced into the rubric to meet doubts that had arisen, owing to the change that had taken place in the position of the table. The term was at that time perfectly definite and distinct in its meaning; but eighty years after the first publication of the rubric a general change was made by authority in the position of the table, which was moved to the east end, and this made the north side direction impossible of fulfilment in the sense originally intended. As far as the information before the Court extended, it was of opinion that a certain liberty of interpretation had been exercised, and although it had been exercised less and less for a long time, it did not appear to have been lost or taken away. Such liberty as still existed, it was not the function of the Court, but rather that of the Legislature, to curtail. It would be virtually attempting to make a new rubric if the Court were judicially to assume a secondary meaning to a definite primary term, and to declare with penal consequences that what had never been set forth as the only possible form of obedience was admissible. In order to make the act described illegal, it would be necessary to prove that no position except that at the north end was correct in point of language, and that no other had been permitted. This, however, had not been proved It was necessary, therefore, that the charge should be dismissed, although not upon the ground alleged in the responsive plea (Applause, which drew from the Archbishop the remark that there must be absolute silence.)

The charge contained in the fifth and tenth articles was that the Bishop stood while reading the prayer of consecration at the west side of the holy table, with his face to the east, that he stood with his back to the people, so that the communicants could not, when he broke the bread and took the cup, see him do so, according to the direction of the rubric. It was not charged as illegal that he stood in the Eastward position, but that he stood in such wise that the manual acts could not be seen. The responsive plea of the Bishop was that he had no wish or intention to prevent the communicants from seeing him break the bread and take the cup in his hand. The plea did not deny that the manual acts were done out of the sight of the people; but it was said that that was unintentional. It was, therefore, for the Court to satisfy itself, first, whether the Order of the Holy Communion required that the manual acts should be visible; and, secondly, whether the hiding of the acts, without any wish or intention to do so, constituted a transgression of the Order. The Court entertained no doubt as to what the Order required. It required the celebrant to take care that the manual acts should not by his position be rendered invisible to the bulk of the communicants, and the Court decided that the Order of the Holy Communion required that the manual acts should be visible. The next question was whether the Order of the Holy Communion requiring the manual acts to be visible, the hiding of those acts without wish or intention constituted a transgression of that Order. The Court decided that in the mind of the minister there ought to be a wish or intention to do what was to be done. It was not merely that there should be no wish or intention not to do it, and he must not therefore hide the acts by doing that which might hide them; that he must not be so indifferent as to what the results might be of what he did. The Court, therefore, held that the Bishop of Lincoln had mistaken the true interpretation of this Order of Holy Communion, and that the manual acts must be performed so that they might be seen by the communicants.

The sixth article charged the Bishop of Lincoln with having caused or permitted to be said or sung before the reception of the elements, and immediately after the reading of the prayer at consecration, the words of the hymn or prayer commonly known as the "Agnus," and the defendant, in his fifth answer, admitted that the choir had, with his sanction, sung the words of that hymn. Nothing turned on the statement that it was commonly called the "Agnus." The words were sung by the choir in English, and formed the well known hymn or anthem used in the Litany, as well as of the "Gloria in Excelsis," the words being taken from the Bible. The question was whether the hymn so sung was an addition to the service in contravention of the ecclesiastical laws of England. In that case it must be either because it was illegal to