FEAR NOT TO DIE.

Fear not to do ! though in the probest strongth Of youth, and power, at d bloom.
That long repriet d; the blow must fell at length.
Thou canse not show that touch?

Fear not to die ! It may be there art t % o When singly o'erhang the heart-And ever they burst- La ! peace also Down in thy narrow bed!

Fear not to do tibe and the dend attacker And become bound to the season and who a vain . There is no trespare done !

Fure not to die! Destroyeelde what life deals A sanctuary wife,
Alone, enchanged by time and destroyes,
Death and the dead endure.

then maves outlive thy joy-For ever balanced are the scales that meter Life's gold and life's alloy t

Fear est to die! thou leavest a t much behind-Like elements Let free !-

Feet not to die ! for great cony be the ente, And small indeed thy loss! It f Beupon the grave where then are being The shadow of the Cross !--

THE FLEET IN THE BLACK SEA

It is pleasing to think of the amount religious knowledge, which is to be met with among our soldiers and sailors. Many enfeel their nearness to eternity, can look to a world beyond the grave, and take comfort in the hope revealed to them in the gospel .--This has been suggested to us by a letter recently received from a sailor, who some time since came out to this Colony, and who now writes to a clergyman here, formerly his fellow passenger, from on board 11. M. letter is dated March 11th. We subjoin the latter portion :--

"I shipped from Melbourne in a vessel be to our Heavenly Father for all his blessings, and now I think I shall remain in the of Mrs. ----, and it is on account of Mrs. that you should like to keep sight of me, that I have taken the liberty of wrighting to you, to let you know where I am. I have still got the little Testament that Mrs. ----, to perform difficult at least if it is to be perit is still power, and power of the highest
gave me. I have been twice exposed to the formed well; you have to remove if possible order and most enviable kind. "Nothing gave me. I have been twice exposed to the dangers of war, but I thank the Lord that from your mind all worldly thoughts, and to I am still spared, while so many thousands have been swept away by the pestilence and war will soon be brought to a close, and that the presence of and that the blessings of the Prince of peace may be extended to all lands, and Ithat the blessed truth of the Gospel may prevail among the whole of the human family, and

to God our Lord and Redeemer. Remember me in your prayers, and believe me, Rev. Sir, yours very truly."

may be so blessed as to turn many sinners

GOOD HUMOR.

Keep in good humor. It is not great calamities that embitter existence: it is the petty vexations, the small jealousies, the lit-tle disappointments, the minor miseries, that make the heart heavy and the temper sour. Don't let them. Anger is a pure waste of sence; may our prayers and praises rise vitality. It is always foolish, and always before thee as sweet inconse, and do Thou disgraceful, except in some rare cases when hear from Heaven, Thy dwelling place, and it is kindled by seeing wrong done to ano-ther; and even that noble rage seldom. O how aminble are thy d mends the matter. Keep in good humor!

No man does his best except when he cheerful. A light heart makes nimble hands and keeps the mind free and alert. No mis fortune is so great as one that sours the temper. Until chee fulness is lost, nothing is lost. Keep in good humor!

The company of a good humored man is a perpetual feast; he is welcomed everywhere Eyes glisten at his approach, and difficulties vanish in his cheering presence. Franklin's indomitable good humor did as much for his country in the old Congress, as Adams' fice or Jefferson's wisdom; he clothed wisdom with smiles, and softened contentious minds into acquiescence. Keep in good humor!

A good conscience, a sound stomach, and a clean skin are the elements of good humor. Get them and keep them, and-Be sure to keep in good humor!

ORIGIN OF PREACHING FROM TEXTS OF SCRIPTURE.

About the year 1203 began the custom of preaching from a text, but the Sages and Seniors of the University would by no means conform to this new method, but fol lowed the old course according to the manners of the fathers, St. Augustine, St. Jerome St Bernard, and others, who preached to the clergy and people, by postillizing, i. e., expounding any particular chapter, after which way, St. Augustine, without a text preached 400 sermons; at other times they preached

If we refer to Sacred Scripture, we shall find that the practice of preaching from particular texts may be traced as far back as the time of Ezra, (Neh. viii. 8.) " they read, and caused the people to understand the law." So at verse 12 it is recorded, "they understood the words that were declared unto them." So also in Luke IV. in the sacrament of the altar !"

20., after reading the law our Saviour re- "No," answered the blind boy, " that I turned the book to the priest, &c.

rupted for some ime in the dark ages, and heretic and shall be burned. But who taught the Nicomachean Ethics of Aristotle were von this heresy !" read in many churches, even on Sundaysanstead of the Holy Scriptures.

PRAYER BEFORE DIVINE SERVICE.

There is a custom so prevalent in English churches as to be almost universal, and a very excellent custom too, namely, that of offering up a private prayer immediately upon assuming our place in the church. I believe that in most churches a person who should take his seat without first appearing at least to offer a prayer would be regarded as ignorant and rude, if not something worse. But yet, like many other customs, there would sometimes appear to be too much of custom and too little of reality in the practice; and not unfrequently a man seems as though reading in the crown of the hat which he holds before his face, rather than as though he were engaged in prayer. But the practice is a most holy one, and commends itself to our judgement as oppropriate, not to say necessary; for the success of public worship depending (as it does) upon the present help of God's Holy Spirit, we cannot too soon after our entrance into God's House ask His blessing upon the work which we are about to take in hand; soon we shall be joined in the public expression of prayer and praise, and in order that we may not be left behind in zeal and spirit by our fellow worshippers, it is well to pray for God's preventing grace. Moreover, if we could fully realize the character of a church as being the prese ce chamber of the Most High, the place where his honor dwelleth, the house where He has been pleased to put His name, the guest-chamber where Christ meets His disciples and sups with them, we should also feel that a posture of reverence befitted a suitor in this presence-chamber. gaged in active service, who are daily led to It is no superstition, but a wholesome and reasonable feeling, I would almost say that it is an instinct of the human mind, which invests churches with a solemn character and would teach us to fall down and ask God's mercy whenever we are call dupon to enter them; but eve apart from this, private devotion is the proper preparation for his fellow passenger, from on board 11. M. public, and it may safely be said that he steam ship, Spiteful, off Schastopol,—his will never reap the full ben fit of public by begging the assistance of God's Holy Spirit. And undoubtedly the general pregoing to Ceylon, and there I joined another valence of the custom of which I have spothat was going to England; where, after ken shows that this is felt to be true; nor is my arrival I entered the Royal Navy, and there any need to recommend the introducsailed for the seat of war in the Black Sen, tion of a practice which already is wellwhere I am at present in good health, thanks | nigh universal; but I may without danger of Royal Navy until I shall be entitled to a apparently in the case of many Christians The man with a mind disciplined, a memory pension, if it pleases the Lord to spare and not quite what it should be, and I may also continue his blessings towards me. Dear perhaps do him a service by presenting to Mr. —, I shall over feel a lively recollection of all your kindness towards me while have been able to find. Phose which are qualities. Whatever may be your trade or the condition of England, in the colony, is one on board the ---, and likewise the kindness given below are to be taken merely as spe- calling, the acquisition of Knowledge will not of any by and indifference

definitely. I would say then, Christian read r, when ship, remember that you have a difficult task formed well; you have to remove if possible hold yourself in the attitude in which you would hold yourself, if you were one of a ance of past favours. This is not easy Satan will strive to prevent you from of Spirit can so influence your mind as to bring it into tune with the minds of angels and that they may live in harmony with each other: and I pray the Lord that your Chrisarchangels who without weariness ever worship God; kneel down then on coming tian endeavours in the Church of Christ, into church, and offer up with all carnest ness such prayers as the following:

Lord, let me behold Thee in this thy sanc better the therefore my lips shall praise Thee. As long as I live will I magnify Thee after this manner, and lift up my hands in Thy Name. which are in Jesus Christ our Lord. Amen.

This is the house of God, this is the gate of Heaven! Give me grace, O Heavenly Father, to remember that I am in Thy presence; may our prayers and praises rise

O how amiable are thy dwellings, Thou Lord of Hosts! My sout hatha desire and longing to enter into the courts of the Lord my flesh and my heart rejoice in Thee, O most merciful a digracious God!

Almighty and everlasting God, mercifully look upon our infirmities; and in all our right hand to help and defend us, through Jesus Christ our Lord. Amen. The Rev. Harvey Goodwin's Guide to the Parish Church.

THE MARTYRED BOY.

In the reign of " Bloody Mary," of England, when the good bishop (looper was about to be burned to de the a blind boy, by much importunity, prevailed on the gund to bring him to the bishop. This hoy had lately cultured imprisonment in Olonoceter for contessing the truth. Aver the bishop had examined him concerning his faith, and the cause of his imprisonment, he looked on him steadfastly, tears standing in his eyes, and said, "Ah, poor boy, God hath taken from thee thy outward sight, for what reason he best knoweth; but he bath endued thy soul with the eye of knowledge and faith God give thee grace continually to pray unto him, that thou lose not thy sight; for thou shouldst then be blind both in body and

The boy's name was Thomas Dowry. How often or how long he had endured imprisonment for the truth's sake is not known; but on his final examination he was brought before Dr. Williams, Chancellor of Gloucester, sitting judicial with the register of the dioceso in the consistory, near the south door of the cathedral church, who administered the usual articles, chiefly urging that

on transubstantiation, and saying: "Dost thou not believe that after the words of consecration, spoken by the priest, there remaineth the very real body of Christ

¡ do not.' The custom of text preaching was inter- "Then," said the Chancellor, "thou art a

> · You, Master Chancellor." " Where, I pray thee f"

where the pulpit stood. The Chancellor again inquired:

" When did I teach they so ! well as to me, upon the sacrament. You said the sacrament was to be received spiritually, by faith, and not carnally and really,

as the papists have hitherto taught." The shameless apostate answered: live, as I do, and escape burning."

The blind boy said: Though you can so easily dispense with faith count in yourself, and mock God, the world, and your conscience, yet will I not do so."

joined the Chancellor: "for I will and the condemnation sentence against thee." " God's will be fulfilled!" said the young

martyr. Hereupon the Register, being moved with the scene, stood up, and said to the Chancellor:

" Fie, for shame man! will you read the sentence against him, and condemn yourself! Away, away, and substitute some other to give sentence and judgment."

sentence myself according to mine office." poor bricklayer, condemned also for the testimony of the truth; when both, in one fire, English Martyrology.

MENTAL CULTURE.

commercial young men is, to rid themselves | districts. of the erroneous notion, that it is not neces-sary for them to know much—that, as comclaims that are incumbent upon us to cultifrom such cultivation, on which we could wasting my reader's time suggest, that the largely dwell, it is highly serviceable to us; manner of prayer before public worship is in whatever station we are called to occupy. retentive, a judgment sound, an understanding acute, must surely possess advantages cimens; the collection might be swelled in- unfit you for its duties, but on the contrary, will the better qualify you for their discharge. "Knowledge is power," and whether it be you come into God's House for public wor- possessed in the shop, the counting-house, can be more erroneous than the idea, that to discipline and expand the mind with general knowledge unlits a man devoted to busiknows beyond them the better it is for his The writer from whom the business. taining a blessing if he can, and only God's above extract is taken states that "a gen- here and another there, must tail. Uniwhen he first became an apprentice he took lodgings in a boarding house with eleven other young men. A part of them solicited the lade who bear the hour the lade who bear the lade who lade who lade the fluary, and see Thy power and glory! For portion of the evening, and of having the united off room the part of the people. room kept still for that purpose. The others would at our o clear while their companions were studying, they were out spending their evenings in theatres O satisfy me with the riches of Thy mercy and other places of amusement and dissipaand prospects of these two classes gradually increased. Every one of those who wasted came to nothing; while all those who devoted their leisure time to study succeeded well in

guished and valuable citizens." tim s also on things concerning the interests dangers and necessities, stretch out Thy cultivated mind be then materially felt! An his sout in church, nothing for his c organal cannot but discern it. If he be not nequainted with any particular department of will cover nearly the whole of his church ox either by observing silence, or by making some collateral observation which will at least be acceptable, if not particularly useful; the enemies of his e-ourry without even while an ignorast individual would probably have assumed a knowledge of it, and have condemned himself as a fool by so presuming. The man of knowledge cannot but manitest it. It is a light within him that must shine forth, either in a greater or less degree; and though for a time circumstances may partially eclipse it, you can no more fail in perceiving it than you can the light on the distant rock, though it easts its rays but

faintly over the dark expanse. If, however, commercial young men prize the benefits of mental culture only in proportion as they may augment their secular gain, we confess that their estimate of it must be comparatively low and positively unjust .--Such a view of intellectual improvement is mean and contracted, and only confirms the ignorance of those who look at it in this

A STAMPEDE OF LADIES At Bouogne, during the reciption of her Majesty, a number of English ladies, in their auxiety to see everything, pre-sed with such force against the soldiers who were keeping the me, that the latter were, in some instances. obliged to give way, and generally were--to use the expression of our policement impeded in the execution of their duty. The officer in a minared, seeing the state of affairs, should out: One roll of the droit, then if they don't keep back, kiss masters have been out of in Onio for men all. At the first sound from the depresations won the made parchinent, the Eng ish ladies took to flight. If they had been French, says a Parisian journalist, they would have temained to messo yell we've and colors in eight

"Even in yonder place," replied the boy, THE CHURCH OF ENGLAND REturning and pointing with his hand towards (CORD FOR VICTORIA, AUSTRALIA

A monthly publication, under the above title tor the Document Victoria, has lately been Dowry anwered, "When you preached commenced, with overy good prospect of there (naming a day) a sermon to all men as a cross and usefulness. We have received our publication, sufficient to indicate the subhighly i teresting and written with much

We take comits columns a brief article "Then do as I have done, and ther shalt make store of the Cherch in Victoria. It All the cure pleasing by all who take any interes, in the Churches welfare in distant

" It weem vory much the fashion in the onscience, yet will I not do so." eology at the present moment to deplore, a Then God have mercy upon thee," re- what is called the specify and indifference of menders of the Church of England Our position is spoken of unfavourably, in comparame water that of other religious bodies. and we are told that we are not making th un ada orce to the Church of their Intliers

It is easily important that we should consome we ther this charge by true; are if ask what are the usesons of, and the come-

"No, Register," said the fearfolly hardened man; "I will obey the law, and give dened man; "I will obey the law, and give wise, or to charge we sent a ogether sentence myself according to mine office."

He did so; delivered bin to the secular song-free son t appear that in any one power, who on the very same day led the poeties of the Colemy, whether town or blind boy to the place of execution at Glou-country to is an otter back of desire for cester, together with one Thomas Croker a the Charles condensors or zend on its behalf vomas eravel northward, enstward and res ward, and wherever any number most constantly and joyfully yielded their some of the constantly and joyfully yielded their some of the constantly and joyfully yielded their some of the constantly are willing to lend souls into the hands of the Lord Jesus--- not in a constant of the constant of the lord Jesus--- not in a constant of the constant of the lord Jesus--- not in a constant of the lord J of our car toymen are located, we shall find their messe, in neveling then salves with Clere men, then a Worship, and Schools. The contraction to its continually sounding in The first step, we think, to be taken by the ear of choose he pass through our Bush

mercial individuals, a moderate degree of Thorapid increase in the number, both of will never reap the full benefit of public mental culture will suffice. This notion has Clergymen and Pines of Worship, is well prayer, who has not first prepa ed himself entailed upon thousands the miseries of igno-knews. Within the space of little more rance, and will ever prove injurious while it that twelve months, ending with January is suffered to have a lodgment in the head. of the ener-ne year, the clerical staff of the Apart from what we have already said on the colon; was increased from about 30 to 50 neither, we may add, has one of these claims that are incumbent upon us to culti-vate the mind, arising from its superlative to said of one, that his arrival at his destin-value, and from the pleasures which spring out up to of labour was any thing short of source of out gratification to his flock.

Out of rea in building churches, par-on ages of schools, have been such as to make our presentionate daims for Government aid for second the quote of the yearly grants allotted to us.

Surley in the face of facts, such as these And yet conswithstanding all this, there is a point of view in which we must allow

some to be to such a statement. ganisa on of the Church's secular office is gertainly most imperfect, and hus great the forum, the pulpit, or in the senate-house, hindrances to her usef in secare presented. Any one who has been connected with committees for various purposes bearing up a the Church's well-heing and alvance mont, knows the difficulty with which and committees are formed and the still greater difficulties which attend their workin -Thursdia margely one of the Association which can be blocken up well in a promporen condition and this simply for want of active and continued co operation on the part of its mombers. The isolated off ris of one tleman of large wealth and of most estimable | and concentration are induscensable to area character and influence, informed him that success. One of the results of this failure other young men. A part of them solicited silv upon he Trustees, or Local Commuter the lady who kept the house the favor of but the moral responsibility falls on the constudying in her dining-room a prescribed | grogation In most cases, a strongon and refused to come to this arrangement, and impostes the progress of every good work growth of a descondent spirit with regard tion. The difference between the characters it is taken to granted unjustly, we bolieve) that uch thorts will be unsuccessful.

We may however find a reason for at less their evenings in annisement and pleasure some of these short comings. We stand subsequently failed in business, and finally there on a very different footing from that which the Church holds in the British Isles. There, in ch is done for us by state provision, which here we have to de for ourselves. business, and, with the exception of one who There, much is loft in the bands of the has since died, they are still living as distin- clorgy, which in this country necessarily and (we think), advantageously, devolves All persons are daily called upon, more or upon the laity. Work has to be gorthrough less, to exercise their judgment and reason and morey has to be found by those who upon matters relative to themselves, and at have, till very recently, been secusiomed to its control of the kind. Take say of our old of others; and will not the advantages of a parish churcles in England, you will find that the ather of a family pays nothing for intelligent man is so in any occupation; you stipend (unless it has few shillings at Eastor Jamel that an annual guines to the schools business on which he may be solicited to pomos. Thus the tairy of the Church of offer a remark, he will display his wisdom England in this country may be compared to a man nor to work at a trade who has never sorved his apprenticethip; or to one who has le bn called to active service againes preliminary drill. We have had overy thin to fearn, and it our die dynntages be taken account of, our progress will appear by to means despicable

Wream at pricate from mensioning another reason for the plant conings which we feel and deploid viz:—the want of a deeper and more widely drended spirituali ty of mid among our Jopelo. It a larger proportion of logge and lers were 'seeking the kingdom of Oo! his righteourness,' the aspect of our coloniastical affairs would mend as it were spontaneously. Thus in toking to our prospects for the future we must desira as preliminary to, or connected with every other increvement is more powc'ul auplication of the truth to men's hearts, and in subardination to this we must suck to have such an organization of the monitors of the church, as may secure a systematic co-operation with each other, and with the chergy in every good work

It will be our hamble endeavour from time to time, to for-and these objects in our pages. If to a settled organization be joined orived spirituality, then may we hope year after year to see our helogod Church extending her horders, taking his true position,position formidable sike to Popery to pectation of her Lord's climing, clear as the norning, fair as the moon, clear as the sun, and terrible as an army with banners

The New Orleans harman to the epide yeurs.

DR. LUSHINGTON'S JUDGEMENT

From the London Guardian.

We were enabled last week to give some account of the judgment, by Dr. Lushington, in the Conistory Court, on the day of to one in it were a numbers and find them stance of the learned Judge's conclusions upon the cases of " Westerton and Beal v. Liddell and others," in the matter of St. Paul'- Church, Knightsbridge, and St. Barnabas', Pimlico. We now proceed to put our readers in possession of the judgement at length. The court, we need hardly say, was crowded, a large proportion of clergymen being present, including the Bishon of Rochester:

In setting out, the learned Judge explained the nature of the inquiry and the princioles he thought ought to govern it. l am ound to ascertain, to the best of my ability. what the law is which rules the questions progress which we ought to make consist siscussed at the bar, and by that law I am diving the numbers of those who profess bound to decide them. I am not to consider iscussed at the bar, and by that law I am whether, in my own private opinion, this practice or that usage be abstractedly right or wrong—convenient or inconvenient; but I am to ascertain, if practicable, what the law of the land enjoins, and obey it. If, indeed, it should happen that the law has said there shall be no inflexible rule on any particular subject, but that the Court may exercise its discretion with respect thereto. I must still remember that the discretion confided to me is a judicial discretion, to be exercised according to authority and practice, and not to be influenced by merely private notions of what I may deem right or expedient. I am to inquire what has been done; not what quelit to have been done. It will fall within my province to examine what has been established by competent authority, at the Reformation and since that period, respecting the questions before me, but not to examine whether all these measures were wise-whether too much or too little h : been done-or whether some things might not have been done better. So also, where I find that any principle has been Isid down by the Legislature or any other authority binding upon me, I must carry out that prin ciple to its legitimate conclusion, such as I believe were intended--not such as I might consider expedient. These are, indeed, trite maxims, and will not be disputed by any one to whom legal principles are familiar; but I have deemed it necessary to state them, that there may be no misapprehension among others less acquainted with the rules which govern judges, and that the course I am about to pursue in this judgement may be d stinctly understood. My present task is not to investigate and ascertain great principles buffto institute a dry and tedious inquiry into doubtful questions of positive law. am called upon to pronounce judgement two separate suits, of which the circumstan ces are dissimilar in some respects, but the questions raised depend so much upon the same considerations that they have been argued together, and may properly be deci-ded by the same judgement."

Having recited the pleadings, with which our readers are already familiar, Dr. Lushington said he had made a personal inspection of the churches, and proceeded to advert to the evidence in the case. "There tition, signed by eight persons, from their rank and station in life of the first respectability; they object to the use of the articles mentioned as inconsistent with the simplicity of the Protestant Church, and they say that hey themselves, being residents in the district, are in consequence driven to abstain from frequenting the church, and they believe many others are similarly situated. No.2 is an affidavit by nine other residents to the same effect. No. 3 is simply an affidavit as to the candlesticks not being in the church part of Mr. Liddell and Mr. Horne there are several affidavits. The first is the affito Church tunds-there is a di posizion to davit marked A, of Mr. Liddell himself, and refram from efforts to raise money, because is to the effect that the communion-table, the wooden cross, and the credence-table were in the church at the time of itt consecration; that the coverings are used as staed in the act on petition; and that the lights are used only when an artificial light is necessary; and he swears to his belief that the religious feelings of the congregation would be graviously violated by the removal or alteration of these articles of church furniture; that there are 1,000 rented sittings in the church-109 let to non-parishioners, forty in the gallery unlet, and the remainder held by parishioners or original subscribers; and he annexes a copy of a memorial presented to the Bishop of the diocese, upon a complaint having been made by Mr. Westerton, which is signed by

unwards of 500 of the congregation, and which is in the following words: "We, the undersigned, members of the congregation of St. Paul's, Wilton-place. lesire to express to your lordship the feelings of attachment and confidence which we intertain towards our pastor, and our deep sense of his devotion to his ministerial duties: and we earnestly deprecate any attempt to enforce alterations which would do violence to the religious feelings of many of the congregation, and rekindle the party spirit which the conciliatory conduct of Mr. Liddell, during his incumbency, has, by God's blessing, allayed." The next affidavit is marked B, and made

by Mr. Beresford Hope, and is to the effect that the schedules annexed to it are correct. Schedule No. I is a list of the churches in

At. St. Barnabas', at the time of the ad- the Arches' Court I am bound to obey, whe ministration of the Sacrament, the table is ther I concur in the law laid down or not, said to be covered with a linen cloth orna- and I believe I may say that I have never mente I with lace. Objection is also made deviated from strict obedience to that rule. to the screen and cross thereon, and to the In the first Braintree case I followed a decibrazen gates attached thereto; and I am sion of Sir W. Wynn, Dean of the Arches, also praved to direct that the Ten Com- against my own conviction of what was really mandments be set up at the east end of the the law; but I stated at the time that, though church. In all other particulars ! believe the two cases are the same." Upon this state of facts the Court had to

s on depending upon legal considerations only. The great object to be kept in view is so to regulate the performance of divine service and the furniture and ornaments of formity with the law, and, secondly, that no just or reasonable cause of offence may begiven to any number of the parishioners. Our parish churches are pre-eminently churches for all who belong to the Church of perly used. Some portion of St. Paul's is consult. establishment of a mode of worship peculiar in itself, and fitted, not for the parishioners, all parts of the metropolis, in clear defeasance of our parochial system; a d to this observation I feel it right to add that, whatever may be the judgment of the Court upon these controverted questions, I cannot refrain, in the very first instance, from expressing, not my earnest hope, but my conviction, that none of the contending parties save so far as the one party may apprehend superstitious uses, and the other. that they conduce to the more decorous and effectual performance of divine worship. We must all feel that these things in themselves are all utterly immaterial, and derive their importance only from the idea connected with them — by some considered as indicia which our Reformed Church has been happily purified."

To arrive at a just and legal decision of whatever has been confirmed or done by the authority of Parliament. In these respects canons in force. 3. The ecclesiastical common law, if I may use such an expression. 4. Judicial decisions; those of the superior courts, as the Delegates or Arches, being binding on this Court. And it may be right to observe that I have no more power to have prevailed. This, indeed, more properly belongs to the ecclesiastical common law, and must be traced quocunque modo by any evidence or authority which can fairly eluciespecially for the purpose of ascertaining the they might be found." principles and reasons on which usage has He proceeded to apply this decision to

Dr. Lushington could not ascribe much weight to the argument that the Bishops by consecration had given the weight of their authority to things placed in churches prior to their consecration. "Unless the Bishop at the time of the consecration had present to his mind all the matters which are now in dispute, the mere act of consecration would be no evidence of approbation; for approbation can be founded only on knowledge and intention. Considering the duty the Bishop is performing, it cannot reasonably be supposed that, unless his attention was specially called thereto, he would bestow his consideration on things of this description. He is assured by the petition presented to him omnia rite esse facta, and is justified in acting on that presumption. But I will also shape so prominent as to call for the interadd that, whenever a Bishop is called upon to consecrate a new church, and there are therein at the time ornaments of any description not accordant to common and ordinary usage, it is the duty of those who apply for consecration to draw the attention of the that the judgment of Faulkener v Litch-Bishop to such ornaments, that he may advisedly exercise his own discretion with respect to them. How little, indeed, the mere act of consecration can effect the question has been recently evinced by the conduct of a right rev. prelate, the Bishop of Gloucester and Bristol, who has not hesitated to consectate the new church at Bedminster though it contained an ornament not free from objection, the removal of which he requested in vain. After consecration, says his lordship, if any ornaments be judged superstitious or improper they will be removable by a decree of the Ecclesiastical Court.

The articles complained of he divided into two parts---ornaments, and such as were which the communion-table is of stone, wholly not. Following Sir Herbert Jenner Fust, or in part, and the number appears to be the communion and credence-tables were two hundred. Schedule No. 2 contains a not ornaments. "This distinction between list of seventy churches and colleges, one of what is ornamental and what is not, is of eswhich is at Edinburgh, in which candlesticks | seutial importance in this case, for, according are used. Schedule No. 3 gives a list of to Sir Herbert Jenner Fust, the rules that credence-tables, fifty in number. Affidavit are applicable to ornament do not apply to marked (is the belief of Mr. Smith, an communion-tables and credence-tables. He architect, that crosses are to be found in beld that the order in the Book of Common other churches. Affidavit marked D shows | Prayer immediately preceding the Morning that crosses exist on the communion-table ervice, that such ornaments of the church or in the wall of the chancel in very many should be retained and be in use as were in churches; that in England and Wales cre- this Church of England by the authority of dence-tables are still to be found. Affida- Parliament in the second year of the reign vit E is from Mr. Sluter, an architect, to of King Edward VI.,' did not apply to comthe same effect; so is affidavit F. Affida- munion-tables and credence-tables, because vit G is from Dr. Wesley, stating that in they were not to be deemed ornaments. of the crosses, which he described. "The the Chapel Royal of St. James, Whitehall, The communion and credence tables, two of facts appear to be, as they relate to St. and the German Chapel Royal, gilded the most important matters complained of in Paul's, that the alter has a cross about two candlesticks are placed upon the Lord's both these churches, have already been the feet high levated thereon. With respect table with candles therein. As to St. Bar- subjects of discussion and legal decision in to St. Barnabas there are what appears to nabas' the proceeding differs in form, for the the case of 'Faulkener and Litchfield,' my be a rood screen, according to every definiapplication is for a monition to the church- first duty is to see what has been decided in tion that I can find of that term; it is a woodwardens to remove the articles objected to. that case; my next, how far that decision is en screen, with a large cross of carved wood

I obeyed, I did not concur. It must be re membered, however, that this obedience is

confined to decisions on points of law; it pronounce its judgement; and it must be does not extend to matters of opinion, which obvious to all that, whatever attention is partake not of law, nor even to the reasons justly due to the wishes and religious opinions of any number of persons, however high in rank and character, such considerations decision of modern times in an ecclesiastical cannot in the remotest degree affect a deci- court which has been relied upon. I must remark that that suit differed from the present, being an appeal from an inferior court against a faculty which that court had granted. Sir Herbert Jenner Fust refused to the church, that, first, they may be in con- sanction the confirmatory faculty, and, in some important particulars, reversed the decree of the court below. The case raised two questions--1st, as to a stone communion-table; 2nd, as to a credence-table. The Church of St. Sepulchre's, in Cambridge, England, and not for any particular section was a very ancient one. It had recently thereof-if, indeed, that term can be pro- been repaired, and, as I understand by the munificence of individuals, and on that occadrawn from places out of the district. It is sion the tables objected to had been intronot their approbation that I am at liberty to duced. The table so introduced was of I should, if I so erred, give the stone, and of considerable weight. Mr. sanction of the Ecclesiastical Court to the Faulkener contended that it was immoveable; the churchwardens that it was moveable. This was, as I think, a dispute about the but for persons who may be collected from meaning of words. In the case of St. Se. nulchre's the table was, in the ordinary sense of the word, immoveable, both by reason of its material, its weight, and its being imbedded in the floor. The learned Dean of the Arches held that the table in question was not legal; and now I must inquire the grounds of that decision. Was the judgment founded on the fact of the material being do for one moment conceive that in the stone; or on the weight and consequent immatters now under discussion there is any- moveability; or on its being affixed to the thing of real or essential importance to ground! Or how many of these incidents vital religion, or, indeed, to true worship, must be found together ! Sir Herbert Jenner Fust begins by citing authorities from a that the things complained of may lead to very early period to show that altars, unless of stone, could not be consecrated (page 215 of Dr. Robertson's Ecclesiustical Reports); and he cites further authorities to show that when the material of which alters were composed was changed their shape was also changed, and they became quasi alta aræ. The judgment proceeds (p. 218), to of the ancient and decorous worship of our state that at the time of the Reformation the Christian faith; by others as denoting a altars were certainly made of stone, fixed disposition to return to those abuses from and immoveable, and the generality of them in t'e form of the tombs of the martyrs; and then the learned Judge adds, ' such was the description of altars which was to be got these questions, "I must consider --- 1. All | rid of at this time, in order to remove, as far Acts of Parliament bearing upon them, and as possible, all those superstitious notions which attached to these services in the Church of Rome, connected with the docthe duty of the Court is of course confined trine of transubstantiation.' Now, what to ascertaining the true construction of the was to be got rid of? Stone Altars. The act and its proper application. 2. The form in the shape of a tomb was an aggravation. After referring to the Second Book of Common Prayer, and the directions therein that the table should be covered with a fair white linen cloth, and should be moveable, and in further explanation of the meaning of the word 'table'- - having referred to the bread dispersed the decision or to overrule the which was to be taken at the sacrament, to judgment of a superior court than I have to refuse enforcing obedience to an Act of junctions in 1550, and to the Order in Coun-Parliament. 5. The usage and custom that cil mentioned in Burnett's History of the Reformation, at page 224-that learned Judge used these words, ' the table was not to be of stone, and fixed, but of wood and moveable.' At page 249 he states that there date the point at issue, Books of history or is not an instance in which it is shown that antiquity---the writings and acts of eminent stone tables were used under legal authority, theologians---inay be justly referred to, and though there were some few churches where

church is not of stone, but of wood bighly carved. As to material, therefore, it is in accordance with law. As to moveability, t certainly is very massive, and could not be moved with facility, but I should be very reluctant to press the point of moveability to the utmost extent to which it could be carried, the most so as in these days the custom of moving the table has altogether, as I believe, ceased. If the table be of wood and capable of being moved, I do not conceive that I am bound by the judgment. I save cited to pronounce it contrary to law. With respect to its shape, though I wholly disapprove the making of any communion table to resemble a tomb or any imitation of any such practice, yet I do not think that

position of legal correction. " The 'table or alter' in St. Barnabas' i ubject to different considerations. It is of stone; not indeed a solid mass of stone, but the whole material is stone. I apprehend field' has pronounced all tables of stone to be illegal. In conformity with that judgment, and in obedience to it, I must pronounce that the alter in St. Barnabas' Church is not authorised by law. It is right that I should add that my own opinion as to the law en-tirely concurs with the judgment of Sir Her-bert Jenner Fust." The credence tables were briefly diemissed. "According to the judgment in 'Faulkener v. Litchfield,' credence-table are not permitted by law. I am not at liberty to enter into any cosideration of convenience."

The learned Judgenow came to the conideration of the law touching the ornaments of the church, properly so called. That law is primarily to be found in the Book of Common Prayer, in the direction therein given, in the following words: - " And here is to be noted that such ornaments of the church, and of the ministers thereof, at all times of their ministration, shall be retained and be in use as were in this Church of England by the authority of Parliament in the second year of the reign of King Edward the VI." Originaly this direction was confined to the ornaments of the minister, and was subsequently extended to the ornaments of the church.

Next came questions on which, unfortunately, said Dr. Lushington, he had no authority to guide him. He began with that of the crosses, which he described. " The There are also some differences in the facts, applicable to the present. The decisions of thereon. The screen has brazen gotes, and