

**The Great  
Gorham Case**

by

**Thomas Binney**



**THE GREAT GORHAM CASE.**

**BY THE**

REV. THOMAS BINNEY.

**Quinta Press**

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**The Great Gorham Case:  
A HISTORY;**

IN FIVE BOOKS.  
INCLUDING EXPOSITIONS OF THE

**RIVAL BAPTISMAL THEORIES,  
BY A LOOKER-ON.**

WITH A PREFACE

BY JOHN SEARCH.

[THOMAS BINNEY]

“The absurdity, the irrational fanaticism, the intellectual drivelling under the abused name of faith which dictates such sentiments ... must disgust every intelligent man, and make him an infidel, if he is really to believe that Christianity is a system so utterly opposed to common sense.”—*Christian Observer*.

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## PREFACE.

I HAVE often been asked to write prefaces for other people's books, and in some instances have consented. When I was solicited, by the publishers of the present volume, to furnish them with some few pages of introductory matter, I promised to do so, if, on looking through what was to constitute its contents, I saw no reason to object to the author's spirit, or to deny his conclusions. I have never thought, indeed, that the writer of a preface was bound to demand that, in any book he recommended, there should be nothing *whatever* to which he did not fully and literally subscribe. In such cases, a general coincidence of opinion is all that is either necessary or possible. A man may consent, therefore, to introduce a work (as I do this) even though there may be some things in it with which he does not agree, Or occasional expressions he may censure or regret.

The following papers, it appears, are a portion of a series, which, at the commencement of a laudable literary undertaking,\* or soon after, was agreed to be furnished by a friend of parties interested in the project. This agreement was made by one who had no connexion—and no need of any connexion—with the press as a profession. It could obviously originate in no thought of either profit or fame. It seems to have been the disinterested acquiescence of personal regard, in what might at once gratify private feeling, and afford an opportunity for an occasional public service to truth.

I knew something of the papers from being a subscriber to the journal in which they appeared. When, however, they were collected and arranged and laid before me, my strong impression was, I confess, to dissuade both author and publisher from reprinting them. Many articles on the same subject had appeared, I thought, in different publications—many distinguished by vigour and ability—and there seemed no reason why these should be rescued from that oblivion which had already engulfed

\* “THE CHRISTIAN TIMES” Newspaper: an unsectarian Religious Journal.



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superior productions. When, however, I took *the entire series* into view, and observed that it constituted something like a regular history of the Case; that it graphically sketched the successive scenes of the delivery of the judgment in the Arches Court—the hearing of the appeal,—and the reading of the decision of the Judicial Committee of the Privy Council;—when I noticed, also, that it made frequent and strenuous attempts to get at the opinions actually in collision, and to expound the theories of the contending ecclesiastics;—when; moreover, I could not but admit, that an individual might gather out of these papers a better notion of the rival baptismal systems, than from what was written by the advocates of either party;—and still farther, that the book might be read, and read with advantage, by many who would nauseate long, dull, controversial treatises, or slow, ponderous, theological tomes;—I repressed the feeling that first arose, and abandoned the thought of hinting at the propriety of non-publication.

Still, I do not feel bound, on this account, to express my approval of every sentence that the volume contains, nor to conceal the fact that I have certainly detected in it some mistakes. It is not necessary, indeed, to point out either

what I disapprove, or where I think the author errs;—it is enough to intimate that I *could* do so. The writer seems to me to have commenced his labours without the least conception of what his idea was to become; he appears to have been led to more serious thought and more earnest labour, as his attention to “the case” continued and deepened; and hence, though often employing a lightness of remark in allusion to his supposed point of observation, or to his personal acquaintance with the actors in the history, there comes gradually to be developed,—what is more especially evinced in the later papers,—a spirit of strong and resolute effort to get thoroughly to the bottom of the subject, and to put his readers in firm possession of the true idea of the whole matter.

The discussions and expositions in which the writer indulges, appear to be calculated to do some service to the more intelligent and reflecting of the Dissenting community, and to the candid and the just among sober Church people. Very few, it is to be feared, on either hand, of the religious classes, have attempted to understand what it really is that the present absorbing controversy is about. In serious circles, baptismal regeneration, the Bishop of Exeter, and the Puseyite party, are all thought of with

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intense repugnance; while Evangelical clergymen, as such, are confided in as right, supposed to be truly scriptural in their views, and looked up to with unquestioning trust. I know of no book from which *unprofessional* readers could easily learn in what sense it is that the Evangelical clergy either hold or deny regeneration in baptism, or how they explain their baptismal formularies. I know of many, in which very strong, but very unsatisfactory sentences occur, denouncing the poisonous and “soul-destroying” dogma, and informing us of the fact, that the writers *can* and *do* use their Offices with comfort. But what their own actual theory is,—how they find it within the boards of the Prayer-book, or harmonise it with all that is actually there,—I know of none;—none, at least, fitted for simple, common-sense people, the plain, the pious, the unlettered, and the young. Now the writer of this book has at least *attempted* to ascertain, to comprehend, and to illustrate the subject in question. So far as Mr. Gorham is concerned, he has, I think, fairly proved that his professions and denials are not quite consistent with his actual system, and that that system itself is not a very clear or credible affair. If *he* is to be taken as the representative and exponent of the Evangelical

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theology of the Church of England; it is high time that Dissenters understood it, and that some others, perhaps, understood it too. A thoughtful perusal, or even careful study, of some parts of this book,—and with all its lightness, it will here and there hath require and repay these,—a perusal and study of this sort may, in my humble opinion, do something towards assisting the reader to get distinct ideas in relation to some modern forms of Evangelical opinion.

I had occasion, some years ago, to step forward in defence of an individual, who had most innocently brought upon himself the bitter abuse of all sorts and sizes of Church writers. He had understood certain Evangelical statements as meaning what they expressed, and he said, in his simplicity, what he had learnt from Churchmen who said it themselves! I *proved* this, out of their own mouth, and in their own words. There was no answering or evading the demonstration. The continued employment of such sort of speech by the Evangelical party, from their professed adherence to the principles that prompt it, comes naturally into notice in the present controversy. It has occasionally been referred to, I observe, by the writer of the following papers, with striking effect.

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He is indebted, indeed, for one or two pointed extracts, to my former work,—a circumstance, the publishers inform me, which led them to solicit the present small service at my hands. In the book I refer to, I had to point out some of the grounds of objection to the Church, taken by Evangelical Nonconformists, from the language of its Offices and the tendency of its teaching. It has so happened, indeed, that to explain or defend *the religious grounds* of Protestant Nonconformity—to give to them repeated private consideration, and to appear as their humble public exponent, has been forced upon me by circumstances, very frequently, in the course of my life. In writing, however, in whatever journal, magazine, or review, with the power and security of anonymous criticism, I am not conscious of having ever indulged in offensive personalities, or forgot the distinction between systems and their supporters—things and men. I have never been reluctant to express my high estimation of many things in the Established Church. I like parts of her ecclesiastical system; I admire the Collects, the Liturgy, and the general tone of her Services and worship. Often have I cordially attended that worship, and so experienced the power of some of the formularies, as to have been melted into

tears—to have had my heart broken and healed at once—and to have felt that I could dispense with the sermon altogether. To me—to my feelings, judgment, and taste—the Church has many and strong attractions. I can not only understand how powerful may be the inducements to devout minds to turn away from theological objections, that would disturb their repose or diminish their enjoyment, but I can also appreciate the nature of the struggle with which minds of deeper insight may endeavour to bring themselves to accept or tolerate the terms of subscription. *With all this, however,* the more I have attempted distinctly to understand the Church Offices, and fairly and honestly to estimate all that they legitimately involved, on whatever theory of interpretation explained, the more have I been confirmed in the soundness and sufficiency of those objections which the Fathers of Nonconformity urged against them. The late decision in the Gorham case may minister relief to some minds, and mitigate or remove the difficulties of others, since it legalises a somewhat broader interpretation of what is supposed to be in *the mind of the imposer* at the time of subscription, than we Nonconformists could ever make out from our unaided, personal study of the

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book. That book, however, still remains just as it was; it is still a matter of individual obligation "to be fully persuaded in one's own mind," as to what its sense actually is to *us*; the advocates of the opposite, thought alike and equally authenticated, readings, are all earnest in denouncing each other; in spite of the authority of the Committee of Privy Council, a conscientious man may, without presumption, question the correctness of their reasoning and judgment; or he may feel dissatisfied to be guided in what he has to utter to God by the cold technicalities of legal interpretation; or, if not, he may certainly hesitate about the claims of a Church, in which two directly opposite opinions, on what each party designates "*vital*" truth, are authoritatively endorsed,—the respective opinions being to their advocates the truth itself, and being regarded, of course, as *so* "*vital*" as to warrant their mutually anathematising each other!

With these views, I need hardly say that I concur, generally, in the reasoning's and conclusions of the writer of this book, and that I believe, with him, that the two theories of baptismal regeneration, or of regeneration in baptism, herein referred to, examined and explained, spring from an original seminal false-

hood—a first and fatal fundamental lie, common to them both. It has hitherto been the custom among religious people to refuse to think upon this subject;—or to speak incredulously, and with bated breath—or with awe and anguish, as temperament might determine. The time has come for the truth to be spoken,—and to be so spoken as that it shall not easily be either missed or forgotten. A whole world-full of modern men, with the thoughts to think and the work to do belonging to their age, have been obliged to listen for weeks and months to the jargon of the schools, to metaphysical distinctions and theological niceties that *they* only can regard as important who draw the pabulum of their internal life from the past—*man's* past, not God's,—the times of councils and popes and priests, who suspended eternity on whatever attached importance to themselves! Why, who cares what this council, or that, or the other, thought or determined? What is it to us, who have got something else to think about and do, in this nineteenth century of the Christian redemption; (and society nothing like redeemed yet,) than to hear what was thought, hundreds of years ago, on matters, it may be, which nobody believes, or about which we can judge better ourselves than any old eccle-



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siastical conclave could judge for us? I believe, for my part, that not only did the arguments and explanations in the Gorham case amaze and disgust vast numbers in general society, by the things it revealed as important to Churchmen with which others could have no sympathy,—but that the Judges themselves who decided the dispute, did so professionally, as lawyers, but with utter incredulousness as to the substantial reality of what was professed, or the value or worth of it, on either side. It is a terrible state for society to be in, when that is inculcated or professed by its teachers, or included in its creeds and forms of belief, which it, itself, does not believe. Now I am firmly persuaded that that is the case with what constitutes the basis of both the theories of baptismal grace of which we have lately heard so much, and are destined, I fear, to hear more. What I refer to is this:—They alike assume the universal liability of all infants, *as such*, TO GOD'S EVERLASTING WRATH AND DAMNATION;—that every babe is born into the world fitted for HELL;—fitted for, that is, or *righteously* exposed to, intense, inconceivable, immittigable, and conscious eternal anguish! Gloss, disguise, modify, extenuate it, as they may, this is the naked and simple truth; both parties hold

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and avow it,—and they do so consistently, for the Prayer-book expressly teaches the doctrine. I will not judge other men, or speak of individuals as identical with their belief. But I will say for myself, that, with my views of the Divine character, the meaning of the Bible, the redemption of Christ, and the probation of mercy, if I were to adopt and to profess this doctrine, I should, in my own estimation, be a traitor to humanity, a denier of the Gospel, an apostate from Jesus, and an infidel to God. Seeing that I should think thus of myself, I dread to think what may have been passing in the mind of the nation with respect to others, who, for months and more, have been publicly proclaiming *this* idea to be the necessary basis of ooth their systems of religious belief. The language I have used, has not been descriptive of *them*; but if it had,—and if it had seemed to thee, O reader, “as a hard saying,”—one “not to be borne,”—I should have requested thee, tender anti sensitive soul, to have turned to the title-page of this book, and to have marked the model of my rudeness of speech in the words of the Evangelical *Christian Observer*,—words uttered in relation to brethren of his own order, and his own Church!

It was my intention, when I began this pre-

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face, to have made some remarks on the tendency of Establishments to protect liberality and latitude of opinion, and to check the ferocity and excesses of the Clergy. I meant to have confirmed and illustrated this position by the past history of the Anglican Establishment, and the disposition to spiritual restriction and tyranny in purely Ecclesiastical convocations and conclaves: from all which premises an inference would have followed as to the necessity of the STATE controlling the Church, and riding it, too, with a tight rein, so long as it is allowed to possess the property of the nation, derives power and unity from that, “stands before kings,” and “lifts its mitred front in Courts and Parliaments.” At the same time, it would have been proper to have adverted to what cannot be denied,—the fearful price, namely, at which latitude of opinion anti diversity of interpretation are secured in a national Established Church, with such dogmatic standards as ours;—on the one hand, by nothing less than by open infidelity to solemn subscriptions, or, on the other, by applying principles of interpretation to the language of formularies, which, if applied by gentlemen to their intercourse with each other, or by merchants and tradesmen in the transaction of business, would sap and

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destroy the foundations of society, by destroying that good faith which alone renders society possible. If a class of men were to construct forms of speech for their communications with the world, such as some others use in their speaking to God and their utterances ill the Church,—and if they were to attempt to do working-day business after such a fashion,—they would throw matters into such mystery and uncertainty, that they would be hooted from the ordinary walks of life as simpletons or cheats, that the sensible and the honest might conduct their affairs through an intelligible language.

The final conclusion of the whole matter, the more I think of it, seems to me to be this—that resolutely righteous and just men have no alternative, in religious matters, but to stand clear or to get rid of secular authority by saying to the State, “thy gifts be unto thyself;” then, to construct forms, if forms they require, or to agitate for the alteration of those they have, so that THE BOOK they are to use in God’s Church shall speak out intelligibly what they themselves believe and mean. I have not space, however, for these discussions, and must therefore leave them with this hint of what they might have been; and I beg to shut

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up the whole of this homily with a final paragraph of some importance.

It is not unlikely that the author of the following papers will be found fault with, for having put his thoughts in the form of observations made from St. Paul's, and for the liberty he takes in speaking as he docs of one or two distinguished individuals. It may possibly happen, too, that even I myself, humble as my present office is, may not escape censure or suspicion from the manner in which I have fulfilled my task. To all those, therefore, whom it may concern—the readers, of course, of this book—I beg to recommend the following true and edifying anecdote.

A celebrated preacher, on a public occasion, introduced into his sermon a striking incident, which greatly assisted the apprehension of his hearers, and stirred and touched their hearts too. At the close of the service several of his friends were eager in their inquiries respecting the time and place of the occurrence, "Were you struck by the story?" inquired the preacher. "Exceedingly." "Did it help you to understand the argument." "It made us *see* it." "Did it quicken your attention, or move your feelings?" "It was impossible to be listless, and it melted while it convinced." "Ah! I'm

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glad to hear it. I thought it would. But—  
IT WAS A PARABLE.

“A tale may catch him who a treatise flies,  
And turn amusement into sacrifice.”

My reason for mentioning this anecdote will be obvious enough to the intelligent reader. If it be not so to others, I cannot help it; it will not be my fault. No author—certainly not the poor writer of a preface—can be expected to furnish both book and brain.

JOHN SEARCH.

*April 12th, 1850.*

P.S. Page xi. “*vital truth.*” The parishioners of St. Just, in addressing Mr. Gorham, speak of his suit “as involving *vital Christian truth.*” Mr. Gorham, in reply to them, speaks of “the important struggle he had been compelled to maintain for the support of what they so justly denominate ‘*vital Christian truth.*’” The opposite party denounce it as deadly, heretical error. Mr. Gorham weaves together several of the beautiful sentences of the Liturgy, to the effect that God had “endued with wisdom the Lords of the Council,” “governed the minds of the Archbishops,” and “disposed the heart of the Queen,” &c. The Bishop of Exeter, Mr. Denison, and others, concur in regarding everyone of them as aiders and abettors of heresy!

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## **The Look-Out.**



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## THE LOOK-OUT.

FRIDAY, APRIL 6, 1849.

### PROPOSED ERECTION FOR TAKING ECCLESIASTICAL OBSERVATIONS.

UNDER the tide of "THE OBSERVATORY," we purpose to insert, either a short series of articles, or occasional papers which, in the course of time, though with chasms and interruptions, may make a series,—the nature and object of which articles will, we think, be sufficiently apparent from the title under which we intend to introduce them. From an "Observatory" we can survey everything above and around us;—we can look behind and before;—can notice what is occurring on the earth,—and can peruse and ponder the language of the stars. An "Observatory," in a time of peace, in the calm sunshine and the bright day, may be a place of delight and luxury, from the scenery it may command—from the prospects it may afford of beauty and abundance,—a fertile and flourishing country dotted with happy villages,

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and revealing in the distance cities and towns with their busy population,—their palaces and cathedrals,—the chimneys and smoke of their manufactories on the one hand, and, on the other, the masts of their shipping, suggesting thoughts of “merchant princes,” and telling of the commerce of the world. In a time of war,—of danger from foreign foes, or of alarm and anxiety from civil dissensions, an “Observatory” is a watch-tower, whence surveys can be taken of what is stirring or approaching, and the signs noted of disaster or success—and upon which may be lighted or unfurled, the beacon-fire that shall call to arms, or the standard that shall announce victory and triumph. An “Observatory,” indeed, has rather a special significance in relation to “the signs of heaven.” We do not claim to be either astrologers or prophets, but we are taught, on the highest authority, that they that “can discern the face of the sky,” ought, also, to discern “the signs of the times.”

“Coming events cast their shadows before.”

As the sun rises, the plain is covered with the shadows of mountains, which are not themselves visibly revealed till the light has increased, and made them manifest. To one in an “Observa-

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tory," however, the outline of the objects between the sun and the plain may loom through the twilight, and be distinctly discerned, long before they are seen by the population below him. We do not pretend to any further insight into things than our neighbours; but, as *they* would see beyond *us*, if they gave attention and looked a-head while we were busied merely with what was in hand-working away in the crowded forum or the noisy manufactory;—so *we*, perhaps, may be able to give a shrewder guess than they, as to approaching events, if, while they are putting their hands to whatever they find needing to be done, we are occupied in looking abroad—noting and weighing the intimations of things, and trying to read, if not actually reading, those predictions of the future, which, from the relation of cause and effect, the calculable forces and necessary connexion of events, present facts are always uttering to those who can understand—whose eyes see and whose ears hear.

We principally intend to notice such things as have a bearing on religious and ecclesiastical matters. Our "Observatory" may be supposed to be the "CROW'S NEST" *that was lately to be seen beside the cross of St. Paul's*, and from which could be commanded a view

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of the metropolis, and “of the region round about.” We shall look round, from our temporary elevation, with the constant recollection of our connexion with “the Church;” and shall endeavour to interpret—and to convey the intelligence to those whom it concerns—whatever may appear to us to be pregnant with interest. Things may be seen by us which will show how matters *are*, or how they were once;—how they have been, and how they must be;—how they are beginning to shape themselves, or how others will require them to be shaped. Suspicious symptoms, or auspicious;—small doings and little words, with great principles in them, and large meaning;—mighty nothings—the froth and foam of the tossings and throes of little men;—the silence or the utterances in high places, either of which may happen to be significant,—transactions or books,—the thing done, or the announcement made—the sacrifice of the conscientious, or the wriggling of the interested,—the Judge, the Bishop, the Curate, the Incumbent,—the Nonconformist, the Dissenter, the Wesleyan,—new lights, or old ones revived, in which the Church is contemplating her former antagonists,—these, and a thousand other things, may be occasionally noted, and may

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be shown to have a meaning far deeper and far more prophetic than many would imagine.

Friday, April 13.

In consequence of our intention to notice, principally, religious and ecclesiastical phenomena, our look-out, as we before said, may be regarded as the "Crow's Nest" lately to be seen near the golden cross on the top of St. Paul's. The two ideas are thus combined, of *aërial elevation*—giving us the command of the palpitations and beatings of the "mighty heart" of the metropolis—and of *connexion with the Church*, so that, whatever we observe, will necessarily affect us as it might be seen to affect, in either its immediate or remote issues, the national institution, and the Christian faith, of which the Metropolitan Cathedral is an "outward and visible sign."

## The Observatory,

OR

CROW'S NEST,

therefore, will present to our readers the idea of an individual looking, through *the spirit* of the "*Christian Times*," from the summit of St. Paul's, trying to mark and to interpret the movements around him, *with an especial reference to*

*their religious bearings and their ecclesiastical tendency.* In spite of the fogs which sometimes prevail in the metropolis—the mists and *mystifications* incident equally to the country and the Church, we expect to be able, by the naked eye, to see a good way around us, and to notice many things; while, by the employment of excellent, appropriate instruments, we have little doubt of bringing distant objects sufficiently close to admit of something like scientific description.



PART I.

**The Case in the Commons.**



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# THE GREAT GORHAM CASE.

## PART I.

### THE CASE IN THE COMMONS.

FRIDAY, APRIL 20, 1849.

LONDON AT SUN-RISE—MR. GORHAM'S CASE—ANTICIPATIONS AND RETROSPECTS OF THE EVANGELICAL PARTY—THE ARCHBISHOP OF CANTERBURY.

As the mornings now break early, and it is our habit always either to be up with the sun, or *before* him, we are beginning to enjoy, though in a higher degree, that sight of London which Wordsworth beheld from Westminster-bridge, and which prompted one of the noblest of his sonnets:—

“This city now doth like a garment wear  
The beauty of the morning; silent, bare,  
Ships, towers, domes, theatres, and temples lie  
Open unto the fields and to the sky:  
All bright and glittering in the smokeless air.

Never did sun more beautifully steep,  
In his first splendour, valley, rock, or hill;  
Ne'er saw I, never felt, a calm so deep!  
The river glideth at his own sweet will;  
Dear God! the very houses seem asleep;  
And all that mighty heart is lying still."

There is, certainly, no place for seeing London, as described in these magnificent lines, like the "Crow's Nest" at the top of St. Paul's. Westminster-bridge is nothing to it. If Wordsworth had such a gush of inspiration where *he* stood, what would have been his rapture, and what the results of it, had he been for once seated with *us!* We have ourselves, occasionally, been visited as he was; though, whether in a manner proportioned to our difference of position, could only be known by submitting to our readers the utterances of our impulses. We will not deny that many profound reflections have been pursued by us, and many great thoughts embodied in the language of poetry, while looking down on the metropolis "asleep," with which we regret that we cannot gratify and surprise the public! Our present vocation is of another character than to admit of what would seem an indulgence and a luxury. We have work of another sort to do, and topics of a different nature to handle.

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The thing that last struck us as observable, as we were looking abroad one morning, was the perceptible increase in the arrivals from the country, by the early trains, of persons anxious to see London. This set us upon thinking of the wonderful things—wonderful, at least, to strangers—that the metropolis contained, and to which these visitors would of course crowd. Just at that moment our eye fell on Doctors' Commons! There was the Court of Arches—with its dark look, its dingy quadrangle, its halo of Doctors—(every door-plate has "Dr." upon it)—*there it was*, lying beneath us, soon to be opened for the Easter term, and to echo with the judgment of Sir Herbert Jenner Fust, in the case of "*Gorham v. the Bishop of Exeter.*" The thought came upon us very strongly, that perhaps *the greatest wonder in London, this season*, would actually be this very thing; for it *is* wonderful, that, after three hundred years, no one seems to know what the Church of England Prayer-book says! It *is* wonderful that the very men who have solemnly subscribed to declarations approving it (and of course they could only approve what they understood), do not seem to understand it at all! It is still more wonderful that they are all waiting to hear, from the lips of a layman, the decision which is

to determine for them the meaning of their formularies, and to make their consciences easy in using them! Marvellous, that they cannot, each for himself, perceive and acknowledge the plain meaning of plain words;—still more marvellous that any man should imagine that the mere *dictum* of a Judge can either take out of solemn expressions the meaning that is in them, or put into them what is not there, however it may *legalise* their use by opposite parties, and thus sanction and perpetuate, according to individual judgments, in the one case a lie, and in the other an inconsistency.

The *Christian Observer*, to which we formerly alluded, contains, in its editorial reference to Mr. Gorham's case, the following words:—

“It now only remains for *the Judge to pronounce* whether it is necessary for every clergyman in our Church to hold and maintain that all infants are, invariably and universally, spiritually regenerated in and by the act of baptism. In the decision is involved the question, whether there is to be another St. Bartholomew's day in the Church. That we cannot say that we entertain the smallest apprehensions on the subject; and *are not a little thankful that we shall at least have a legal decision on the point.*”

The *Record*, in a recent article, states the case as a contention between *the readings* of the baptismal formulary by two different parties in

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the Church. The one *means* by it one thing, the other another. "It is acknowledged," it says, "on the one hand, that there are several thousands (?) of the clergy who materially coincide with Mr. Gorham in their reading of the Services; and it is confessed, on the other, that there are a still greater number who read them materially to the same effect with the Bishop of Exeter." It then refers to the line of argument pursued by Dr. Bayford before Sir H. J. Fust, which was to the effect, that the men by whom the Prayer-book was constituted, or arranged, coincided in opinion rather with Mr. Gorham and his friends, than with the opposite party. It then adds:—

"IN FACT, THE CHURCH HAS HITHERTO TOLERATED, EMBRACED, AND AVAILED HERSELF OF THE SERVICES OF BOTH CLASSES."

It is expected, we believe, that some sort of indefinite judgment will be pronounced by Sir H. J. Fust, which, without giving the victory to either party in the Church, will permit both to keep their opinions—to teach and preach according to those opinions respectively—and to use the same Services, as ministers alike of the same Church.

*And with this judgment, it is understood, that the evangelical clergy will not only be satisfied,*

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*but that they will be thankful; that. they will regard it, in the language of some of the Courts, "as God sending them a good deliverance;" and that they will be easy and happy in the use of forms, which, though "legally" admitted to be useable by them, will be as legally admitted to be useable by, and in harmony with the teaching of, that party, respecting those doctrines they themselves have repeatedly declared that they are awfully dangerous, if not necessarily damnable;—that, in fact, they are adapted, not only "to destroy more souls than they can save," (to use a once well-known phrase), but that, just in proportion as they are taught and believed, they must imperil or destroy every soul they touch!*

The complacency of the *Record* in the startling fact, that *the Church has tolerated, embraced, and availed herself* of THE SERVICES (!) of *both classes* of clergymen—of which two classes of clergymen it has often spoken in the following manner—is truly amazing:—

“We consider ourselves bound to say, that the differences subsisting between [these] different bodies of clergymen, are not *minor* but *fundamental*;—so much so that the preaching of *one class* is raising their hearers to the gates of Heaven, and that of *the other* leading them down to the chambers if death. We use great plainness of speech. The more momentous the truth which is de-



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clared, the more paramount the duty to avoid circumlocution, which might darken the meaning we intend to convey."

*Thus* the *Record* used to speak respecting that "class" of the clergy whom it then, as now, admitted to be the "greater number." Thus it used to describe one of the two parties whom the Church, it now tells us, all along, not only "tolerated," but "*embraced!*" and "of whose *services* she availed herself!"—services that "led her sons down to the chambers of death." Since the *Record* used so to speak, the only change that has taken place is, that this "class of clergymen" is more numerous, more zealous, more "exceedingly mad" for all that is "destructive" and "poisonous" in their system; and yet, we are given to understand that, in spite of the evangelical clergy thinking themselves exclusively true Churchmen, and true ministers, they will be content with a decision, which, while it legalises them and their ministrations, will equally legalise the men and the ministrations they used to characterise in the burning language quoted above! It seems to be forgotten, that while they obtain a "legal" footing in the Church, by a decision of Sir H. J. Fust, which shall recognise the principle hitherto acted upon, of the Church "tolerating, embra-

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cing, and availing herself of the services of both classes"—they will do so at the expense of having to relinquish the idea of the Church *herself* being exclusively on their side—they will henceforth have to admit that the opposite party are as "legally" recognised, and as affectionately "embraced," by the Establishment as themselves; and by acquiescing in that, and still more by rejoicing in it, they will become chargeable with a guilty participation in all the evil done by their compeers. Though there is, doubtless, a sense in which the decision of a competent tribunal is a matter of importance on some ecclesiastical points, yet we do wonder, we confess, at the satisfaction with which some good men, like the editor of the *Christian Observer*, look forward to "legal decisions" on others, and at the importance they attach to them.

In the extract from the *Christian Observer*, it is remarked to the effect, that the Church of England is waiting to hear the authoritative utterance of Sir Herbert Jenner Fust on the doctrine of Baptismal Regeneration, since, after the arguments of the advocates in Mr. Gorham's case, "it now remains for the Judge to pronounce *whether it is necessary for every clergyman in our Church to hold and maintain that*

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*all infants are, invariably and universally, spiritually regenerated, in and by the act of baptism.*" The Court of Arches is the court of the Archbishop of Canterbury. Sir Herbert Jenner Fust is really but the representative of the person and authority of the Archbishop. It was at one time even said, that, feeling the importance of the questions involved in the case of "*Gorham v. the Bishop of Exeter*," the Judge meant to decline trying it as his Grace's deputy, and to refer it for judgment entirely to himself. Many were excited by the thought of Dr. Sumner, who for so many years has been regarded as essentially of the evangelical party—whose elevation to the bench was hailed with hosannahs, and whose translation to Lambeth, if not an actual miracle, was "a great wonder"—constructively a triumph over Puseyism, or, at least, in effect, "a heavy blow and great discouragement"—many, we say, were excited, deeming it a matter singularly difficult for an evangelical Judge officially to determine that the spirit and language of the baptismal formulary was merely the expression of his own personal views. For him to do this, it was thought, by plain men, would be to contradict the Prayer-book; for him not to do it, would be to contradict the Bible. It was thought he would be

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oppressed, at the same moment, with contradictory obligations, having one duty as supreme judge of the Church of England, another duty as simple minister of the Gospel of Christ. It was not known, or not remembered, that the Archbishop *had already given Judgment*; and that he had decided, in the language of the *Christian Observer*, that “it is necessary for every clergyman of the Church of England to hold and maintain that all infants are, INVARIABLY AND UNIVERSALLY, *spiritually regenerated*, IN AND BY *the act of baptism*.”

This announcement, we have no doubt, will surprise many of our readers, and come upon them, as the Bishop of Exeter himself tells us his conduct to Mr. Shore came upon the Duke of Somerset, viz., “like a clap of thunder;”—he was stunned, as by a blow! We shall proceed to give the proof of our assertions, which, when our readers have recovered themselves, they will peruse, perhaps, with some interest.

The judgment of the Archbishop of Canterbury, on the subject of *baptismal regeneration*, is contained in his work entitled “Apostolical Preaching Considered.” His Grace’s statements have recently been extracted, and published in the form of a tract, headed, “Regeneration in Baptism an Apostolical Doctrine.”

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From this tract we shall now make an extract or two.

The Archbishop is reasoning against the doctrine of special grace; he believes and advocates that of common grace,—or that there is given to men (or rather to certain masses of men) a Divine influence sufficient to secure their salvation, but capable of being neglected, abused, lost, so that these very persons may become

wicked, continue wicked, die wicked, and be damned. Now, the impartation of *this grace* the Archbishop connects with baptism; he connects it with it, “invariably and universally;” he *confines* the impartation of it to the baptised; he associates the donation of the Divine Spirit, in which it consists, with the external rite, and calls the effect of it “regeneration,” and thus he teaches that, “in and by the act of baptism,” (to use again the language of the *Observer*), “all infants are “spiritually regenerated.” And still further, he so explains the teaching of the Prayer-book, and so rebukes those who differ from it, as to show that *his* judgment—if he were to speak through Sir Herbert Jenner Fust—would be to pronounce, that “it *is* necessary for every clergyman of our Church to hold and maintain this doctrine.”

Now, we are quite ready to admit that this

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archiepiscopal explanation of regeneration, differs from the Calvinistic idea that regeneration is an act of God's Spirit, which, once done, never can be undone,—that the grace is special, belonging only to those who are certainly to be saved, and, as certainly, to be holy;—that they, once born again, can never be unborn. Dr. Sumner's view of regeneration is not this; and nobody that understands the subject, ever dreams of attaching *such* regeneration to the baptismal formulary. But we wish it to be observed, that, however inferior to the Calvinistic view, the Archbishop's idea *does* include *a real spiritual change*,—the actual exertion of the energy of the Holy Spirit on the soul of the infant,—that he connects this, “invariably and universally,” with the act of baptism;—that he opposes the idea of any other, or any subsequent, “conversion” or “regeneration;”—that he proves this to be the teaching of the Church in the baptismal service—*sends Churchmen to this rite for the evidence and proof of their regeneration*—and pronounces that every clergyman, taking for granted this truth, “is bound to enjoin” upon his hearers the duties and privileges of their high calling—“the grace brought unto them,” at their internal and spiritual baptismal birth.

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We have not seen Mr. Gorham's book, and know not exactly what his views are. He is understood, however, both personally, and through his advocate, Dr. Bayford, very anxiously to protest against being mistaken for a Dissenter, in his views of baptism. He has some interpretation or other, which he deems more than a Dissenter's, and less than a Puseyite's. We shall, probably, produce, by-and-by, several of the thousand-and-one interpretations of the baptismal service by which clergymen endeavour to persuade themselves that they can make the book signify something the very opposite to what it says. At present, we only remark that we are not aware that the Bishop of Exeter himself, or the highest Puseyite in the land would require *more* to be included in the doctrine of baptismal regeneration, than what the Archbishop of Canterbury not only grants, but claims and inculcates; and we will further add, that *this*—explain it how you will—at once attached, and confined, to the baptismal rite—*attached* to it “invariably and universally”—*confined* to it so as to exclude the unbaptised from grace—is a doctrine—whether taught by archbishop or bishop, prebendary or canon, rector or curate”—opposed to the truth of God, at once abusing and

restricting, most unscripturally, the grace of redemption.

We have been led into longer remark than we intended, and can now only append the promised extracts, requesting the reader to keep in view the preceding observations:—

“There is no more common occasion of divisions in a congregation, than the indiscriminate severity with which those are sometimes arraigned, who do not answer the preacher’s idea of *the regenerate*.

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“The example of St. Paul authorises us to believe and argue, that God is no *such* respecter of persons, and that *grace sufficient to salvation* is denied to *none*, to whom the offer of mention is made through faith in Christ Jesus, and who are *united to Him in baptism*. He leads them to believe that grace is within the reach of all, without reserve or distinction; and that the Spirit ‘works’ in the souls of all, enabling them ‘to work out their own salvation.’ His prayers are to the purport that they might grow in grace; might be strengthened, established, comforted by grace; that the good work which *had been begun in them* might be performed unto the end.

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“Another practical evil of the doctrine of special grace, is the necessity which it implies of some test of God’s favour, and of the reconcilment of Christians to Him, *beyond and subsequent to the covenant of baptism*, St. Paul, it has been seen, insists upon the necessity of regeneration: he declares that ‘the natural man *receiveth*



*not the things of God, neither can know them:* he calls the heathen nations '*children of wrath,*' and '*sinner of the Gentiles:*' he speaks of the '*old man as being corrupt according to the deceitful lusts:*' in short, he expresses, under a variety of terms, (Rom. ii. 6, &c.), the assertion of our Saviour, that, '*except a man be born again, of water and the Spirit, he cannot enter into the kingdom of God.*' (John iii. 3.)

"With *equal clearness* he intimates, that the Christians he addresses *were* thus regenerate: as having '*put off the old man with its deeds;*' and having become the '*temple of the Holy Ghost,*' and '*the members of Christ;*' as having the '*spiritual circumcision,* and being *buried with Christ in baptism,*' (Rom. vi. 3; Col. ii. 12); as having *received the spirit of adoption*' (Rom. viii. 15); and as having *washed, sanctified, and justified,* in the name of the Lord Jesus, and by the Spirit of our God.' To the Galatians, '*bewitched,*' as he says they were, '*that they should not obey the truth,*' he still writes, '*Ye are all the children of God by faith in Christ Jesus, For as many of you as have been baptised into Christ, have put on Christ.*' (Gal. iii. 26.) These addresses and exhortations are founded on the principle that the disciples, BY THEIR DEDICATION TO GOD IN BAPTISM, *had been brought into a state of reconcilment with Him, had been admitted to privileges which the apostle calls on them to improve. On the authority of this example,* and of the undeniable practice of the first ages of Christianity, *our Church considers baptism as conveying regeneration,* instructing us to pray, *before baptism,* that the infant '*may be born again, and made an heir of everlasting salvation;*' and to return thanks, *after baptism,* '*that it HATH pleased God to*

REGENERATE *the infant* WITH HIS HOLY SPIRIT, and receive him for His own child by adoption.

“But on the contrary, *if there is a distinction* between special and common grace, and none are regenerate but those who receive special grace, and those only receive it who are elect; *baptism is evidently no sign of regeneration*, since so many after baptism live profane and unholy lives, and perish in their sins. Therefore the preacher of special grace must, consistently with his own principles, lead his hearers to look for some new conversion, and expect some sensible regeneration. This brings him to use language in the highest degree perplexing to an ordinary hearer.

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“What would be the feeling of a plain understanding, or a timid conscience, on learning that the sinfulness or innocency of actions depend on the doer being in a regenerate or unregenerate state at the time when he performs them? *How is this fact of REGENERACY, upon which no less than eternity depends, to be discovered?* The apostle enumerates the works of the flesh and the fruits of the Spirit; *but his test is insufficient*, for the two lists are here mixed and confounded. *The hearers appeal to the Church, an authorised interpreter of Scripture.* The Church acquaints them, THAT THEY WERE THEMSELVES REGENERATED, AND MADE THE CHILDREN OF GRACE BY THE BENEFIT OF BAPTISM; while the preacher evidently treats them as if it were *possible* they might be still *unregenerate*,

“Happily for our Church, the framers of its *ritual* took their doctrine from the *general tenor and promises of Scripture*, and by a providential care extending over a Church so framed, the succeeding believers in *Calvin*

were never allowed to introduce their *subtleties* into her *intelligible and rational (!) formularies*. Therefore we are instructed to declare that those *who are devoted to Christ, as infants, BY BAPTISM, are regenerate, i.e., are 'accepted of God in the Beloved,' and dying without actual sin, are undoubtedly saved.*

“It is indeed a sufficient confutation of the doctrine of special grace, that it *absolutely nullifies* the sacrament of *baptism*, It reduces it to an empty rite, an external mark of admission into the visible Church, *attended with no real grace*, and therefore conveying no real benefit, nor advancing a person one step towards salvation. But *if baptism is not accompanied with all effusion of the Holy Spirit towards the inward renewing of the heart*, what becomes of the distinction made by the Baptist, ‘I indeed baptise with water, but He who comes after me, shall baptise with the Holy Ghost?’ What becomes of the example of Christ himself! After his baptism, the descent of the Holy Spirit in a visible form, was surely intended to confirm His followers in a belief *that their baptism would confer upon them a similar gift; and besides the washing away of their sins and the remission of the penalty* entailed upon the posterity of Adam, *would bestow upon them a power* enabling them to fulfil the covenant laws of their religion.

“NO PREACHER THEREFORE IS AUTHORISED, either *by our Church, or by St. Paul*, to leave a doubt on the minds of his hearers, whether they are within the pale of God’s favour; but, on the contrary, *is bound to enjoin them to seek 'boldly at the throne of grace,' for power to confirm their faith and work out their repentance, and live worthily of their high calling.*”

Such is the Archbishop’s deliverance, from

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the judgment-seat, in the case of "*Gorham v. the Bishop of Exeter*," and such the reasonings by which it is sustained. We leave the whole to be seriously pondered by intelligent and thoughtful Christian men. Is it, or is it not, consistent with the Gospel, and with the *supposed* views of the evangelical clergy? hit, or is it not, a fact, that his Grace, the Prayer-book, and the Church, alike teach, that that which is done for humanity by the atonement of Christ, is said to be done for individuals, to a mysterious extent, mechanically and exclusively, by the ministerial acts of the English priesthood?—done for them, "invariably and universally, in and by the act of baptism?" Is it, or is it not, a further fact, that this is so represented as that it might become the occasion or source of perilous misconceptions? Does the Archbishop, or does he not, authoritatively direct his hearers, for the proof of their possessing a renewed spiritual life,—their having been "*regenerated and made the children of grace*,"—not to their consciousness, faith, experience, habits, and character, but to the mere external circumstance, *that they was once baptised*?

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FRIDAY, MAY 25, 1849.

ATTACK ON THE NEST—THE ARCHBISHOP OF CANTERBURY'S ALTERED OPINIONS—HAS HE ALTERED HIS OPINIONS?

It will be an advantage, we think, to have an understanding established between our readers and ourselves, to the following effect, viz.:—That “The Crow’s Nest” shall in future, or for some time to come, be occupied *occasionally only*, not constantly; for which, at this season of the year, very sufficient reasons would present themselves to any individual who would consent to keep watch with us, day after day, for a whole week, on the top of St. Paul’s! It is not so much that the heat is intense and the duty laborious, but the prospect of the country, from the survey we can take of it, so disturbs us by its attractions, that we are really unfitted for our confinement;—just like the poor girl, who, when sick, felt, in the winter, resigned and happy in the prospect of death, but who, as spring advanced, and the world again looked bright and beautiful, was conscious of an awakened attachment to earth, and felt it to be to nature a hard thing to die *then!*

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This matter being thus explained and understood, we proceed to the immediate object of the present paper. Our readers will remember, or, by turning to the *Christian Times* of April the 20th, they will see, that on that day the "Crow's Nest" contained an examination of the Archbishop of Canterbury's views of baptismal regeneration, as contained in his work on Apostolical Preaching, or in a tract taken from that work. After a whole month, and after, to our knowledge, many private expressions among some of the clergy of their extreme annoyance, regret, shame, anger, and so on, on account of our unanswerable demonstration of the anti-evangelical character of the Archbishop of Canterbury's published opinions, a writer in the *Record*, signing himself "Vigil," comes forward with an accusation against us, and an apology for his Grace. There is something so rich in the whole thing,—both as to the charges brought against ourselves, and as to the way in which the Archbishop is defended,—that we cannot resist laying the article very fully before our readers. Indeed, simply to do this, will be seen by any one, at half a glance, to be the best and most silencing mode of reply. Our extracts, however, shall not prevent a very brief running commentary upon them.

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The following is the first paragraph of the article to which we refer:—

“GORHAM *v.* BISHOP OF EXETER; AND THE QUEEN  
*v.* BISHOP OF EXETER.

“*To the Editor of the Record.*

“Sir,—Your readers are aware that these two cases—in every aspect of great importance to the Church of England—are *adhuc sub judice*. The *Duplex Querela*, having been argued at great length, awaits the judgment of the Dean of the Arches Court of Canterbury; the *Quare Impedit*, upon which no issue, I believe, has yet been joined, is before the Court of Queen’s Bench, in its preliminary stages. While the Royal Patron, and her presentee, are each proceeding, by solemn legal inquiries, to obtain a grave decision on a question, the importance of which cannot easily be overrated—*two parties*, forgetful of the principles of justice and of propriety, have done all in their power to *bias the mind of the Most Reverend person on whom* (it is expected) *will devolve the responsible duty of certifying the Temporal Court* as to the soundness or unsoundness of Mr. Gorham’s doctrine, and whose opinions may reasonably be supposed to have no little weight with the learned Judge who presides in the Ecclesiastical Court. As a clergyman of the Church of England, I beg, through your columns, to protest against *this indecent attempt to prejudice this case.*”

When we read this commencement, we wondered what could be coming next. It gave us, We confess, rather a new idea as to the Archbishop having to “certify the Temporal Court

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as to the soundness or unsoundness of Mr. Gorham's doctrine." The other statement seems just, namely, that "His Grace's opinions may reasonably be supposed to have no little weight with the learned Judge who presides in the Ecclesiastical Court." But *who the two parties could be*, who had such access to the Archbishop's ear, and such weight and influence with his Grace, that they could hope "TO BIAS HIS MIND," and that, too, in spite of "the principles of justice and propriety,"—and who had such confidence in their power over him, and such opportunities of exerting it, as to have done much to bend and subdue, to overawe and control the Primate of all England;—who these two parties could be, did, we acknowledge, surpass conjecture! We began to prepare ourselves for some terrible conspiracy, treason, or rebellion, "*in high places.*" The next paragraph revealed to us the name of *one* of the "two parties;" which, though it is not our business to enter into it, we give, on account of the curious coincidence between its statement and our own, to the effect that the Archbishop's views were such as would quite satisfy the Bishop of Exeter:—

"One of these parties is the Rev. W. B. Barter, who published, early in this year, a pamphlet entitled, 'The



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Opponents of Baptismal Regeneration solemnly warned by an Authority which they are bound to respect.' Dedicated, by permission, to the Earl of Carnarvon. This gentleman, having 'most earnestly prayed that God would put into the hearts of those who have succeeded to the apostle's office' (p. 6), to 'protest against' what he deems, 'the sacrilegious desecration of baptism,' by many clergymen who 'seem to have a considerable share of episcopal favour and countenance,'—imagined that he had received an answer to his prayer in the following way: '*By accident*, I saw on the table of a friend a copy of Bishop Sumner's "Apostolical Preaching"—a copy which belonged to me twenty-five years before. I opened it, and found leaves folded down, in which the opinions of Dr. Sumner, now Archbishop of Canterbury, on the life-giving ordinance of Baptism, were set forth in terms which are not very dissimilar from those of the Bishop of Exeter.' He then quotes from that work passages in pp. 171–175, 154–156, and 163, 164, and concludes thus: 'These are amply sufficient to prove that Baptismal Regeneration was the doctrine of Christ and his apostles.' (p. 19.) But, with true Tractarian disingenuousness, he contents himself with the favourable '*accident*' which enables him to taunt (if not to overawe) the Archbishop with the opinions he expressed more than twenty-five years ago, while he takes no notice of the views of the Primate on the same subject, more maturely set forth, at a later period, and still more deliberately stated only four years ago."

We were not ourselves aware of what Mr. Barter had done. With such passages, however, as those we formerly gave from the Arch-

bishop's writings, we confess we do not wonder at it. We are not at all disposed to hold a man bound by expressions and opinions he may have at any time uttered, as if there was to be no change of views permitted, no advance in knowledge, no increase of light, no conversion of the advocates of error by the propounders of truth. If, therefore, the Archbishop of Canterbury had publicly disavowed his former opinions, and had proclaimed his adoption of others in opposition to them, and *if Mr. Barter knew this*, then it was disingenuous in him "to taunt" the Archbishop with his repudiated convictions. As to "overawing" his Grace, that's all nonsense, on the supposition of his Grace's sincerity. No man can be "overawed," by another's pointing to his former opinions, if he can boldly say, "I did so think and speak once, but I hold entirely different views now." *He* only can be "awed" who can be confronted with opinions as *his*, which he has not the magnanimity to say he has given up, while he yet wishes to act in apparent opposition to them, or to conciliate those by whom they are denied.

Passing from Mr. Barter, we proceed to introduce *the next* of the "two parties" who have attempted "*to bias the mind of the Archbishop.*" The following passage unveils and reveals him.

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Our anxiety to deal fairly with our accuser, and to let him fully and explicitly express himself, induces us to give a longer extract than we can well find room for:—

“The other party who has, in the same way, attempted to forestall the judicial certificate of the Archbishop, is the editor of the *Christian Times*. The conductor of this Dissenting periodical, in his number for April 20, has the effrontery to say, ‘The Archbishop has already given judgment; he has decided, in the language of the *Christian Observer*, that “it is necessary for every clergyman of the Church of England to hold and maintain that all infants are, invariably and universally, spiritually regenerated, in and by the act of baptism.” This announcement will, we have no doubt, surprise many of our readers, and come upon them like a clap of thunder.’ The quotations by which this hardy assertion is plausibly maintained are, the identical passages from Dr. Sumner’s ‘Apostolical Preaching,’ extracted (as I have stated above) by the Rev. Mr. Barter; but taken, by the editor of the *Christian Times*, from another tract, headed, ‘Regeneration in Baptism an Apostolical Doctrine,’ from ‘which it would appear that both the Tractarians and the Dissenters are *strenuously endeavouring to saddle this dogma upon the Archbishop, from the incautious language of his early writings, and, through his authority, to fix it upon the Church of England.* ‘Such,’ says the editor of the *Christian Times*, ‘is the Archbishop’s deliverance, FROM THE JUDGMENT-SEAT, in the case of Gorham v. the Bishop of Exeter!’

“The indecency of thus anticipating the JUDGMENT’ of the Primate, on a case which the Court of Queen’s

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Bench will shortly have to require the Archiepiscopal certificate (if it have not *already* issued its mandate to that effect), is, indeed, 'like a thunder-clap' in the ears of everyone who respects Christian principle, or values the integrity of English law. Even had the Metropolitan written *nothing more* on this subject than is *quoted from his early work, penned twenty-five years ago*, this attempt to *intimidate him* into a judicial 'deliverance,' which shall be in absolute consistency with every word which escaped him in a popular treatise, *written in his comparative youth*, more than a quarter of a century before he became the Primate, is a glaring violation of common decorum. But, when I call to mind that this pious Prelate has delivered his sentiments on this controverted subject, in later years, *in a more deliberate and in a very different way*, I cannot but express my indignation at the dishonesty, or the ignorance,—or both, which such an attempt discloses. The Rev. Mr. Barter, and his Tractarian friends, are simply *disingenuous*; for, as clergymen, they are well acquainted with the facts. The Dissenting 'WE' of the *Christian Times*, are, I trust, simply *ignorant*; for they take their information from a party writer, because it suits their purpose to discredit the Church of England, for they appear to be unacquainted with the writings of the Archbishop: their moral guilt, however, is not less than that of their Tractarian condjutors,—for they had no business to intermeddle flippantly with a matter on which they have not taken pains to procure correct knowledge, and which they have, as might be expected, shamefully misrepresented."

Now, on this passage we shall only say, in a

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few short sentences, the following things: 1st, We are not the Editor of the *Christian Times*; nor is *it*, properly speaking, a Dissenting periodical.—2nd, It was no “strenuous endeavour” of ours to “saddle the dogma” upon the Archbishop, but simply to show that, in every possible way in which strong conviction could be expressed, and opposition to the contrary opinion shown, the Archbishop “saddled the dogma” upon himself.—3rd, We did not do this “to fix, through the Archbishop’s authority, the doctrine on the Church of England,” because we believe it belongs to the Church of England, independently of all bishops’ or archbishops’ authority,—is essentially necessary to give consistency to her subsequent offices,—and is taught by her with a distinctness, that the “authority” of no man, whatever his learning, ability, or preferment, can, with any show of reason, gainsay or resist.—4th, Our language in respect to the “judgment-seat” (we appeal to any candid person who will look at and consider the whole passage), is nothing but an allowable figure of speech, strongly to express the Archbishop’s mode of uttering his opinion. The words follow the quotation beginning with—“NO PREACHER, THEREFORE, IS AUTHORISED, either by our Church, or by St. Paul, to leave

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a doubt on the minds of his hearers," &c.—5th, As to the "indecentcy" of our "anticipating the judgment of the Primate, in a case on which the Court of Queen's Bench will shortly have to require the Archebisocopal certificate," and "to intimidate him into a judicial deliverance," it is only the language of a man who wants to make a terrible black sin out of a mere nothing. We are well aware that the "Crow's Nest" is regularly read by the Archbishop; but the Archbishop knows that we have never attempted "to bias his mind," or improperly to use the unquestionable and great influence which our opinion has with him; nor does any one believe that we meant *in such a sense* "to anticipate the Primate's judgment," as to oblige him, in deference to our authority, to deliver himself either in our words, or in those which formerly were his own.—6th, We will frankly confess our "ignorance." We were not aware of any change in the Archbishop's opinions or writings. We bought the book from which we quoted, some years ago. We did not find much ill it. We do not regard the Archbishop as a very profound theologian, and we have never, therefore, felt anxious for a sight of his "Expositions." His "Charges" have not fallen in our way. We never heard,

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nor do we yet know, that *by any distinct act the Archbishop of Canterbury has repudiated the doctrines of his work on "Aposlolical Preaching."* Is the work not now to be had? Is it not to be had with the objectionable matter just as it was at first published? Can the Editor of the *Record* answer these questions? It is agreed on all hands that the view we gave is true and right, namely, that Dr. Sumner *did* teach the doctrine of baptismal regeneration—that he taught it fully, expressly, palpably; it is admitted that he was wrong; that his views were erroneous, false, unscriptural;—the reply to us is, *that he has changed them.* Well, *has he recalled the book? Has he written a new preface? Has he retracted thus his former teachings? Has he reconstructed the treatise according to the theory of his last thoughts? We ourselves know not. We ask for information. Will "Vigil" or the Record tell us?—7th, As to the defence set up, and the cry raised for mercy and quarter—the appeal to our compassion in respect to his Grace—that the book we quoted from was an "early work," "written in his comparative youth!" and that therefore, he is not to be judged by it;—why, "the man was above forty years old" when he wrote it! that is not an age so very juvenile!*

A divine that becomes an Archbishop, should really be expected to know what he thinks, and to have something like a settled opinion, by the time he gets into his fifth decade! We cannot but suspect that the Archbishop will hardly feel obliged by the apology put forward for him; and we think that recourse to such a defence shows the desperateness of the cause which the writer in the *Record* has undertaken to defend. Not content, indeed, with the apology founded on Dr. Sumner's change of opinion, he even goes further, and, in the next paragraph of his letter, which will be found below, tells us that neither we, Mr. Barter, nor himself, can know anything about what the Archbishop's "*present views*" are! We know, he says, that he has "modified, and even changed his opinions on baptismal regeneration," but what his "*present views*" are, it is not for us or anyone to conjecture. Happy and enviable Church, that has formularies and offices whose meaning nobody can interpret, and a living ecclesiastical Head whose views on a point *vital to religion* no man is to assume that he knows! Is it really to be inferred from this, that the Primate probably does not know himself?

So much for the *Record's* accusations against ourselves. So far as his Grace of Canterbury



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is concerned, we wish him to have all the benefit which his latter statements, as given by his apologist, can afford, and therefore we shall request the editor of the *Christian Times* to print the rest of his letter as a separate article.\* Let it be read by our readers; and, by all means, let the Archbishop have the advantage of its mortified and moderated phraseology. We have not time to say anything about it at present, further than to remark, that it looks very like the title to the last chapter of Rasselas —“THE CONCLUSION, *in which nothing is concluded.*”

P. S.—The “Crow’s Nest,” of April 20th, on which “Vigil” has animadverted, contained something in which the “Editor” of the *Record* is himself deeply concerned. Let our readers turn to the number, and seriously ponder what is there plainly and palpably shown to be the fact, in respect to the *Record* and its friends. It is no light matter for a public writer, and a clerical party, each of them, by emphasis, evangelical, spiritual, conscientious, and de-

\* This was accordingly done, but it is not deemed necessary to reprint the extract here; especially since the Archbishop has himself come to our support and justification by republishing his volume *unaltered*. See below, under date March 15th, 1850.

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nouncers of those who, by hypothesis, are blind leaders of the blind”—it is no light thing for them to go on for years speaking of their opponents as a “body of clergymen” who differ from themselves—“another body of clergymen”—in points “not minor, but fundamental,” and who “lead their hearers down to the chamber of death;”—and then suddenly to discover that the Church, instead of being exclusively on *their* side—the side of the pure Gospel and of saving truth—has always lovingly “embraced” and equally “availed herself of the services of both classes,”—themselves, and “the other body of clergymen” whom they denounced! It is really no light thing to find that these men—the editor of the *Record* and those whom he represents—on a point being raised as to which of the two classes of teachers are most in harmony with the Church, intend to be content with a decision, and even to hail it with gladness, which shall *legally endorse and authenticate them both!* May God give to the editor of the *Record* and his evangelical friends a deep spiritual perception of the bearing of this subject on themselves!

**PART II.**

**The First Judgment.**



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## PART II.

### THE FIRST JUDGMENT.

FRIDAY, AUGUST 3, 1840.

THE JUDGMENT OF THE ARCHBISHOP OF CANTERBURY, IN THE CASE OF MR. GORHAM, CONFIRMED BY THE DELIVERANCE OF SIR HERBERT JENNER FUST.

IN consequence of a report being circulated, during the last day or two, and, on good authority, that Sir Herbert Jenner Fust had fixed yesterday, at ten o'clock, for the delivery of his judgment in the case of Mr. Gorham, we were solicited by the editor of the *Christian Times* once more to occupy our post of observation, and to take notes of the proceedings of the Court. Although—as was intimated by the editor himself, only a fortnight since—it is impossible for us to visit the “Observatory” frequently at this season, we consented to do so, in the present instance, both from the important character of the anticipated judgment, and from our being personally interested in it.

Our readers will remember that, in an early

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number, we brought to light, from the writings of the Archbishop of Canterbury, what *he* regarded as the judgment of the Church with respect to baptismal regeneration, and how he decided that no clergyman was at liberty—*quoad* clergyman—to think or teach otherwise. This drew upon us the wrath of the *Record*, to the utterances of which we very calmly gave a satisfactory and silencing reply. Since then, both parties, we may suppose, have been waiting for that official and authoritative judgment, which, as the voice of the Church, speaking through her legitimate and recognised organ, would publicly decide the matter, and show plainly who was right and who wrong.

We were early at our post yesterday morning, looking from the top of the Cathedral right down on the dingy quadrangle, on the south side of which is the Court of Arches. We observed several clergymen hurrying to the spot soon after nine o'clock. Just as the bell of St. Paul's struck ten—which caused a tremulous motion to extend upwards to where we were sitting, somewhat more intense, sensible, and prolonged than we had ever noticed before, as if the building was aware that *that* was about to take place, which might, in its results, shake it to its foundations—just at that

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moment, Dr. Bayford, Mr. Gorham's advocate, proceeded from his chambers to the Court. Mr. Gorham, however, himself, was there before him. They sat down together, in the gallery, on the left hand of the judge. The Rev. Mr. Goode, the editor of the *Christian Observer*—who said, in March last, that a decision in favour of the Bishop of Exeter “would cause in the Church another St. Bartholomew”—occupied a corner in the back seats in the opposite gallery, and directly facing his friend. The Vicar of Islington; Mr. Hatchard, of Plymouth; in the course of the morning, Mr. Brandram, of the Bible Society; with a considerable number of other clergymen, mostly evangelical, filled the Court. Two or three Dissenting ministers were there:—Mr. Yockney, of Islington, Dr. Fletcher, the Rev. James Shore, so lately in the Court *in another sense*, and still more recently in *Exeter Gaol*. There might have been others, but from the distance between our position and the Court, we could not very well distinguish every individual. As to one, however, there could be no mistake. From time to time we observed that the attention of the audience was directed to a tall ministerial-looking figure standing just beneath the judge, and apparently absorbed in

listening to the judgment; on turning to ascertain who it could be, we found it as Mr. Binney, the author of "Conscientious Clerical Nonconformity," between whom and Sir Herbert Jenner Fust, in relation to their common subject—taking the book of the one and the utterances of the other—there appeared frequently a most entire accordance of reasoning and opinion.

The distance just referred to was still more unfavourable to hearing the judge. Sir Herbert Jenner Fust is a man somewhat advanced in years; he is very round and fat; suffers, moreover, extremely from gout, and was, probably, in great pain during the whole time that he was yesterday on the bench. He appeared sometimes to be greatly exhausted—looked flushed and fatigued; spoke low, and was thus occasionally almost inaudible, we suspect, even to those immediately round about him; it is no wonder, therefore, if we failed in catching his exact language. We the less regret this, however, as there will be added to these remarks a full and accurate report of his judgment; and we need attempt nothing but a brief reference to the substance of his statement, his official decision, and final sentence.

Sir Herbert began by a very clear and dis-



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tinct history of the case—the refusal of the Bishop to induct Mr. Gorham; his communicating that refusal to the Lord Chancellor; his lordship's refusing to judge between them—up to Mr. Gorham's bringing the subject before the Court by petition. He proceeded to point out the real question in debate, viz.:—what was *the teaching of the Church of England*? It was not what the Scriptures taught; nor what were the prime opinions of the Reformers; but what was the doctrine, whether in itself scriptural or not, or right or wrong, of the Church of England? Sitting there as a judge, administering the law of the Church, *this* was what he had to decide. The question, then, was, *How* was this to be ascertained? By the Articles of the Church certainly, but also by its formularies; nay, more by its formularies, or Offices, than by its Articles, as by the former the Church publicly spoke, and spoke more frequently than by the latter. He proceeded to ascertain the meaning of both articles and Offices; and, in going over the Offices, taking that of Baptism in its several parts, following it up by the Catechism and the Office of Confirmation, showed that they all hung together—were entirely of a piece—said everywhere the same thing; and that thing *was*, that *children*,

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*invariably, and always, were SPIRITUALLY regenerated in and by the act of baptism.*

In the course of his review, Sir Herbert adverted, at considerable length, both to the mode of reply which Mr. Gorham had adopted in his examination by the Bishop, and to the kind of argument which had been had recourse to by his advocate; and he showed that both were irrelevant and unsatisfactory. Mr. Gorham admitted the *words* of the Prayer-book, but only after certain conditional explanations, which took away entirely their positive import and distinct and definite declaration. The arguments of the advocate, however ingenious, could not be admitted, nor could the Court undertake to examine everything that had been quoted from the writings of the Reformers, and endeavour to ascertain who spoke this thing and who the other. It was not a question of names and authors, nor of what even the constructors of the Prayer-book, and their friends, the Reformers, might have written *in their private and personal capacity*;—the question was, what was uttered authoritatively by the Church in her own book; or by the constructors of that book, in their public, official, and united character, through the words of the Offices they had fixed and established? Viewed in this

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light, he could not hesitate as to what his decision ought to be. There was no doubt or question about it to the mind of the Court. The Prayer-book said one thing—Mr. Gorham said another. The one was distinct, positive, certain—the other had recourse to probabilities, hypotheses, charitable hope, “prevenient grace,” and what not;—he did not maintain, *what the Church maintained*, that baptism was the means and instrument of spiritual regeneration. The question, therefore, in respect to Mr. Gorham, personally, came to this point—Had the Bishop shown sufficient cause for not instituting him into his benefice? His reply, as the judge of that Court, was, that forasmuch as it was proved that Mr. Gorham did not hold the doctrine of the Church touching baptismal regeneration, the Bishop had shown cause, and was justified in his refusal to induct Mr. Gorham; and that, therefore, the cause must be dismissed in favour of the Bishop, and *with costs*.

Such is the conclusion of this long-pending and important cause. We are extremely sorry for Mr. Gorham. He has already, we believe, spent everything he has, and now these heavy costs will bring pecuniary ruin. It cannot be supposed, however, that the evangelical clergy will allow their champion and confessor thus to

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suffer. It will be a burning shame if the whole evangelical body of the Church of England, clergy and laity, does not rise instantly, as one man, and pay every farthing of Mr. Gorham's expenses. Others, too, must be provided for. Immediately on the judge's concluding his sentence, it was intimated that there would be an *appeal*. Sir Herbert said: "Of course there will. I expected that, or I should have had assistance here this morning. I would have applied to the Chancellor of the Diocese of London to sit with me. The cause is far too important, considering what may be its results for the Church of England, to depend on my individual judgment;—of course, there will be an appeal." If there is not an immediate stir and excitement to raise for Mr. Gorham everything he has spent, or may yet have to spend, it will be, we repeat, to the evangelical party, a burning shame.

The sentence would seem virtually to exclude Mr. Gorham from the Church. He cannot be inducted by the Bishop of Exeter; of course he could not, now, with this sentence hanging over him, be inducted by any other Bishop to a living in any other diocese. All who think with him, are virtually expelled from the Church, in his person, and they must feel this in their

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souls. Whatever may be their private judgment in the matter, this is their *legal* condition. What will they do? What will the editors of the *Record* and *Christian Observer*, and such like prints—the Seeleys, and such like writers, say now? They may impugn the judgment; they may call it that of a layman; they may think lightly of the opinions of a man, who showed that he was not a Calvinist, and did not, perhaps, comprehend the Calvinistic system; but still it is, at present, the judgment of the Church, and the voice of the law, and, they may depend upon it, it will be as surely confirmed by the Committee of the Privy Council, as Mr. Shore's case was sent back unaltered to the Court of Arches.

It is impossible to estimate the results that may flow from the present decision of this celebrated case. With clergymen all the one hand turning papists, and on the other infidels;—oratories opened by the first, and scoffing books written by the second;—and with the doctrine of the Church so interpreted, as virtually to expel from it evangelical religion, as the Fathers of Nonconformity were once expelled,—we cannot but feel that we live in times of no ordinary interest, and that great events must be on the wing. May the God of love and truth

be glorified by his servants ill the battle that is before them!

We are constrained to add, that we deem Sir H. J. Fust's judgment perfectly correct, sound, and, in equity, inevitable; and that we are glad he attempted no miserable compromise that, while it might have saved both parties, would and could have satisfied no honest, clear-headed, and truth-loving man.\*

**FRIDAY, AUGUST 10, 1840.**

PROSPECTS OF EVANGELICAL ALLIANCE AND CHRISTIAN UNION OPENED BY CHURCHMEN'S VIEWS OF SIR H. J. FUST'S JUDGMENT.

One thing would appear to be established by the late decision in the case of *Gorham v. the Bishop of Exeter*, which, if permitted to have its due weight with our evangelical Episcopalian friends, might go far towards promoting charity, affection, and good-will between them

\* For a more particular reference to this judgment, with an account of the *origin* of "the case," see the second paper in the next "Part," October 1st.

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and their Nonconformist brethren. It is admitted that if Sir Herbert Jenner Fust's judgment be a fair interpretation of the doctrine of the Church, *it is a sufficient ground—a full and ample justification of Dissent.*

This admission is made by the *Record* in its leading article of Monday last. "We are members of the Church of England," observes the editor, "because we have believed, and do believe, that in all material points she is a true expounder of Holy Scripture, and, therefore, a fellow-worker with God, and a partaker of his favour and blessing. *But, if she herself declares, BY HER RECOGNISED JUDICATORIES, that in an important point she, in common with Rome, and in opposition to all the Reformed Churches, teaches what all these Churches pronounce to be important error, her foundations are changed, AND HER LIVING MEMBERS WILL SPEEDILY CHANGE ALSO.*"

The *Record* also admits that "it is not to be denied," that "regeneration," in the sense "that every infant becomes, of necessity, in and by baptism, a *living* member of Christ, and *spiritually* born again, or from above," "*appears to be uniformly attached to infant baptism, in the formularies of the Church.*" At the same time, it "reprobates" "such dogma, as opposed to Scripture, to the mind and will of God, and as

*the leading source of spiritual disaster and misery in the present day."*

The *Record* also admits that "the cause has been decided," so far, by one of "the recognised judicatories of the Church," and that "the judgment must be regarded as of no ordinary import;" that, indeed, "it is difficult to over-estimate its importance;" for "while two or three expressions in the Services of the Church, awkward in themselves, are one thing, \* \* \* that it shall be *officially pronounced, by the highest authority in the Church*, that a certain dogma, believed by thousands of her clergy to be false and most injurious, is the doctrine of the Church, as drawn from the Word of God, *is as different a thing as can be imagined, and would be followed by very different consequences.*"

Now, we do think that, on these three admissions, there might be fairly founded a plea to the consciences of evangelical Churchmen, for a higher estimation than many of them form of Protestant Dissenters, and for more respect towards conscientious Nonconformity. It is admitted, that if a certain doctrine of the doctrine of the Church, her living members would be justified in speedily leaving her;—it is further admitted, that the Church, in her formularies, does "*appear*" to teach this doc-



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trine;—and it is granted, in conclusion, that one of the recognised judicatories of the Church has “decided” not only that the Church “appears” to teach it, but that she *does* teach it—teaches it always, everywhere, entirely—and *nothing else!*

Now, *even if Dissenters are mistaken in their judgments*, there is certainly much to be said in their defence. They err—if they err—with one of the authoritative organs for the official utterance of the Church’s opinions; they err, it is acknowledged, from taking the Church to intend and mean what she *appears* to say; and, though they err; yet, seeing that their error is *truth to them*, they only do, by dissenting from the Church, what Churchmen say *they themselves would do*, if the dissenting misconception *was* the truth. We do earnestly hope, after this, there will be cherished by Churchmen a better feeling towards Dissenters than many of them have often shown. It is not wonderful that simple men should mistake, when leamed judges, after days and nights of laborious investigation, mistake with them; it is not surprising that they should adopt an error, when that error “appears” everywhere on the surface;—and, fearing to sanction what “is opposed to Scripture, to the mind and will of God, and is the

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leading source, in the present day, of spiritual disaster and misery," they surely ought not to be harshly judged if they stand apart, give up many advantages, and expose themselves to many mortifications, rather than support so ruinous a delusion,—especially when the Churchman says, that if *he* has to see matters in the same light, he will do exactly the same thing.

With respect to the question as to the *grounds* of those declarations in the Baptismal Service which "appear" to recognise *the spiritual regeneration* of the infant, there are some curious statements, here and there, in the declarations both of Mr. Gorham and Mr. Goode. It is not to be denied that every child is *declared* "to be regenerated by the Holy Ghost." That is admitted. On what ground, then, is this declaration made? Examine, says the *Record*, the Service for adults and for infants, and you will see that "they both proceed on the same grounds. And what are they? *The confession of a true faith, and the promise of a corresponding life.* This is the foundation of *both*. Upon this foundation the sacrament is administered in the same manner to both. In both cases the recipients are pronounced regenerate." The meaning of this is, that, because an adult, in the

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exercise of his will, understanding, and conscience, and in a manner to satisfy an examining clergyman, professes *his own* faith, and utters *his own* purposes of obedience, and is, in consequence, charitably hoped to be regenerate,—*therefore* an infant may be charitably hoped to be so too, because baptism is administered to it on the ground that certain persons make a profession of faith and obedience *in its name!* This charitable hope theory, *resting on such a ground*, appears to us, we confess, in a light in which we dare not publicly put it forward. To hear a person professing his belief in it, and advocating and defending it, is to witness, perhaps, one of the most humiliating proofs that can be conceived of the weakness of human nature. It makes one blush to think that there is anything in common between such all individual, and others who, as men, are obliged to be included with him in the same category. But this is not, perhaps, so startling as some other matters. Mr. Gorham, it appears, holds that baptism confers grace, when “received rightly or worthily;” but he denies that infants can be worthy recipients, because they are “born in sin and children of wrath.” When he gives God thanks, therefore,” that He *has* regenerated a child by His Holy Spirit,” he

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means to say that, if it lives, he *hopes* this, on the ground of its sponsors' confession;—and, if it dies, he hopes it on the ground of “a prevenient act of grace,” which made it a worthy recipient of the ordinance. Does Mr. Gorham, then, believe that, without this prevenient act of grace, a child dying either baptised or unbaptised is undoubtedly damned, as dying in Sill, and *literally* a child of wrath? or does he believe that all that die in infancy are subjects of this prevenient grace, so that, whether they are baptised or not, they are safe?★ Mr. Goode says: “As in the case of adults, such language (as to the efficacy of baptism) is used *only on the hypothesis* that they come to baptism with a right mind, in faith and repentance; so, in the case of infants, *we have no right to suppose that all are equally acceptable in the sight of God.*” Now, however there may seem to be reason for such a statement as this, in some providential facts and laws, and some inferences from theological doctrine, we believe it will be impossible for anyone to read it, whose heart has not been hardened by controversial or metaphysical divinity, without feeling a shock as if all natural

★ Mr. Gorham's theory, in all its minute points and particulars, will be found fully expounded in subsequent papers.

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and holy instincts were outraged and lacerated, and God himself insulted and blasphemed. It would seem as if, in these strifes and questionings about the efficacy of baptism, *the work of redemption by Christ was altogether forgotten*; it appears never to be thought of, that he may have done that for humanity which secures the birth of every human being under such a merciful constitution of things, that, dying without actual sin, anyone is necessarily saved—saved, not because of either outward baptism, or of inward prevenient grace, but because for them “Christ died,” and that, therefore, “of such is the kingdom of heaven.”

It is not our intention, however, to discuss the subject of baptism; nor, indeed, shall we recur to the case of Mr. Gorham again, but quietly leave the judgment of the Court of Arches to be confirmed or reversed by the Judicial Committee of the Privy Council. When this is done, we may perhaps visit and speak from “the Nest” once more. We shall only notice, at present, the singularity of the circumstance, that, *at this moment*, the doctrine of the Church of England is that of baptismal regeneration, in its most literal and positive form, and that it will remain so until it is reversed—if it ever be. So far as the Church is

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concerned, the point is not now an open question that may be argued between Puseyite and Evangelical, or Churchman and Dissenter;—it may be a question whether the Church is right, or whether they are right who speak for her—but it is no question as to *what the Church speaks*,—*that* is now understood and settled. So it will remain, till the subject is taken “for hearing and judgment before the Judicial Committee of her Majesty’s Privy Council, COMPOSED OF LAWYERS OF THE FIRST EMINENCE!” (*Record.*) According as these shall determine, the doctrine of the Church will remain what it now is, or will alter to something else. It is utterly impossible to keep down a strange sort of feeling, which *will* rise, in spite of all our attempts to the contrary, at the idea of a Church waiting, in trembling anticipation, the judgment of a number of eminent “lawyers,” to *know* what her doctrine *is*, or what it is *to be!*

Dissent may be wrong;—Voluntaryism wrong;—no doubt, in both these there are a great many things, wrong;—but such a thing as that just described *cannot be right*. Such discussions as those included in Sir H. J. Fust’s judgment;—such proceedings as this reference of Christian doctrine from Court to Court, and from lawyer to lawyer,—are enough to provoke

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the ridicule of the profane, and to inflict incalculable injury on religion. May the time soon come when every Church, free from State control, will be able to commit all spiritual matters to spiritual men; when it will not be necessary to wait in courts of justice, or the privy chambers of princes, to know what is to be held or taught as truth; when, in short, no Christian Church or party will give up the exercise of its own intelligence on God's revelation, or

“... attempt to draw  
Its *creed* or comfort from the law.”

However we may differ from Mr. Gorham in the interpretation of the Prayer-hook, and however we may think that the Bishop and the Judge are in the right in relation to him, we yet think that he deserves sympathy and *aid*, not only from his own, but from other bodies. He is a devout, conscientious, and good man. He is suffering for conscience' sake. He is standing up for the truth of God, in opposition to error. He is engaged, indeed, in a hopeless cause, as it seems to us—that of harmonising evangelical truth with the spirit and letter of the Church formularies. But he does not think so. He believes he is right, not only in the truth he holds, but in thinking that the Church holds it too; and because of his reve-

rence for truth, and his regard for the liberty of individual Churchmen to judge of the Church's teaching for themselves, he has dared to confront his diocesan, and that, too, with the certainty, whether he win or lose, of being overwhelmed by pecuniary liabilities. We most distinctly say, therefore, to the "more noble,"—the earnest, candid, and catholic of all sects,—However you may differ from Mr. Gorham in judgment or opinion, never mind that;—recognise in his spirit of boldness, independence, and self-sacrifice, the true man—that which should give him a claim to brotherhood and to sympathy,—and *send something to the fund* that is being raised on his behalf: For the sake of love, see to it that he lose not his money; though, for the sake of truth, you may be constrained to hope that he may lose his cause. Believing that the doctrine of the Church is what it is at present declared to be, you may think that for that to be affirmed, will be of more advantage to truth, in the long run, than for truth itself to be declared to be where it is not.



**PART III.**

**Time of Suspense.**



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## PART III.

### TIME OF SUSPENSE.

SEPTEMBER 7, 1849.

#### THE EVANGELICAL PARTY AND SIR HERBERT JENNER FUST.

SELF-PRESERVATION is a law or instinct of all animated nature. Urged by this, we were obliged, some little time since, to vacate our "Observatory," and to leave the Church without the advantage of our detecting and describing to her those "coming events," that "cast their shadows before." The fact really was, that on the delivery of Sir Herbert Jenner Fust's judgment, in the case of "Gorham *v.* the Bishop of Exeter," not only did the Cathedral itself rock and tremble from its own instinctive and spontaneous anticipations, but the motley crowd that finds shelter (or hath hitherto found it) beneath the shadow of its ample dome, was so agitated by conflicting feelings—so violent in its transports of exultation or anger—that,

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while different parts of it seemed heartily disposed to pull each other to pieces, there was great danger of their united efforts bringing the whole edifice down about their ears. Now, however disposed we may be to give our friends the benefit of our aerial observations, we have no wish to perish, ourselves, in the ruins of their Cathedral. We will live with them in good humour—serve them in good faith—but we really cannot die with them in good earnest. We thought it safest, all things considered, to descend from the “Nest” for a little time, and allow matters to cool down. Something of a lull has supervened, and may be expected to continue, till the period approaches for the sitting of the Committee of the Privy Council, and the actual hearing of Mr. Gorham’s appeal. We take advantage of this pause to revisit our post, and to look abroad on passing events.

We wish to direct attention to one thing connected with Mr. Gorham’s case, which, from its belonging to what has already appeared in these papers, it would seem to be but just to ourselves to point out;—we might add, also, respectful to our readers, since some of them find means of not only expressing their obligations and thanks for what we do, but of letting us know how highly they appreciate the little

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service we are attempting to render to the cause of truth, to the Christian Church, to the public, and to *them*.

In the "Crow's Nest" that appeared in the *Christian Times* of April the 20th, there will be found an extract from the *Christian Observer*, referring to Mr. Gorham's case. It is in the following words:—

*"It now only remains FOR THE JUDGE TO PRONOUNCE* whether it is necessary for every clergyman in our Church to hold and maintain that all infants are, invariably and universally, spiritually regenerated in and by the act of baptism. In the decision is involved the question, whether there is to be another St. Bartholomew's day in the Church. *But we cannot say that we entertain the smallest apprehension on the subject, and ARE NOT A LITTLE THANKFUL THAT WE SHALL AT LEAST HAVE A LEGAL DECISION ON THE POINT."*

Very well. Here is the law, and the Judge, and the judgment-seat;—the cause contemplated as brought fairly before them all;—nothing remaining but for the official individual to "pronounce" sentence;—the expression of no Common thankfulness that, whatever the result, there will at least be an unequivocal "legal decision;"—*no intimation is given of the writer's having any doubt as to the wisdom of the constituted appointments, the competency of the Judge, or the propriety of accepting, with something like*

respect, that “legal decision” in the prospect of getting which he felt so “thankful.”

Time rolls on. That, which “only remained” to be, comes. “The Judge pronounces” his opinion. The “decision,” anticipated with so much “thankfulness,” is obtained. And now—*how is it received?* In what words does the *Christian Observer* embody his grateful thanks? How does he deem it fitting to speak of the things and the persons constitutionally concerned in working out for him and his friends that legal decision, which, whatever it might be, would, at least, he told us, be something worth having?

The following passage—which is the whole of what appears in the *Christian Observer* for the present month, on the subject in hand—will answer these questions:—

**“SIR H. J. FUST’S JUDGMENT IN THE CASE OF  
GORHAM *v.* THE BISHOP OF EXETER.**

“We reserve our remarks upon this judgment until the full and corrected report of it has been published. In the meantime, we shall only observe, that a judgment, confessedly given in the teeth of the recorded views of a host of our best and greatest divines, which consigns to ejection and exclusion from the Church those who hold the views most prevalent in our Church for a long period subsequent to the Reformation, and that, too, delivered by one, who we suppose *makes no pretensions to the smallest acquaintance with theology*, is a phenomenon

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which, amidst all the scenes of confusion and turmoil and Laudean persecution of the truth which our Church has gone through, it has been reserved for our times to witness. *Singular enough must it appear to the world that such a question should be left to be so determined*; but this singularity is nothing compared with that of one layman passing so completely the limits of his province as to undertake to decide a strictly theological question upon his own private views (*which are necessarily of not the smallest value*), instead of being guided by the testimonies of able and learned divines. This, however, is precisely what has been done by Sir H. J. Fust, in the case before us. He undertakes to pronounce, in the teeth of a vast number of the greatest divines our Church has produced, that a certain portion of our formularies has not only a certain meaning, but (and here lies the injustice) has *that meaning* EXCLUSIVELY; and that *those who do not maintain that view of the Service are not entitled to remain in our Church*. The injustice and absurdity of the decision are increased, if possible, by the fact, that the meaning so affixed is notoriously opposed to the views of many of those to whom we are indebted for our formularies, and even of the *known author of some of the very phrases in question*. That any mere administrator of the law, therefore, should judicially assign such an *exclusive* meaning to the words, and thus adjudge to exclusion from the Church those who hold any other view, is an act *so palpably and outrageously monstrous and unjust*, that we conceive it to be impossible but that such a sentence will be immediately reversed by the Court of Appeal. In that expectation, we think that the friends of evangelical truth may be contented to wait until the judgment of the Court of Appeal is delivered; *holding*

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*themselves prepared to take what steps that judgment may render necessary."*

Now, on this passage we beg to submit one or two things which very strongly strike us on glancing it over.

In the first place, without noticing that the language before us is anything but indicative of the "no little thankfulness" with which the writer was waiting for the Judge's opinion, we remark, that it does not seem consistent with clerical subscription for a clergyman to indulge in a tirade like this. When he signed the three articles of the 36th Canon, the editor of the *Christian Observer* accepted "the Queen's Majesty as supreme in all ecclesiastical affairs;"—he accepted the constitution of things as existing in the National Establishment; he agreed to it;—and one of the things to which he gave his assent and consent, was, of course, the *mode* in which the royal supremacy expresses itself in ecclesiastical matters,—namely, through the processes and judges of the Ecclesiastical Court. It is very true that "to the world" it may appear "very singular that such questions should be so determined;"—that it *is* an astounding "phenomenon" for a theological point to be decided "by one who makes no pretensions to theology." But *the world* has seen



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this all along,—and long since. Dissenters and their fathers have protested against it, as, in the editor's words, "palpably and outrageously monstrous and unjust;" but their objections and scruples were nothing accounted of; by the Goodes and Gorhams of the Establishment;—they signed and subscribed;—they took and consented to the thing *as it was*;—and we submit, that they have no right to take the ground which the editor of the *Observer* takes here;—unless, indeed, they will follow it up by the acceptance of the principles which they will find upon it,—which they will need for the crisis which is probably before them,—and which they will find *nowhere else*.

But, in the second place, we doubt whether it is quite right to speak of an ecclesiastical judge as it mere "*layman*." Even ordinary judges are regarded as invested with a character of sacredness, that separates them from the mass of common society; but a spiritual judge, we do think, is, *on the Churchman's hypothesis*, entitled to still greater respect. Sir Herbert Jenner Fust is not, indeed, a divine;—he is not an ordained priest, or a consecrated bishop;—but he is *the representative of the Archbishop of Canterbury*: he is an essential part of the Church, in respect to her spiritual discipline,—

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the interpretation and enforcement of her laws,—and the distinct utterance of her authoritative judgments. To disparage the decision of an ecclesiastical court, by talking of the judge as a mere “layman,”—stigmatising him as ignorant and incompetent, and utterly unfit for the discharge of the duty which he had to fulfil—which duty fell upon him in the regular action of things as they are established and arranged by the happy union of Church and State in this country,—this, we do think (in a Churchman, at least), is too bad.

We are fortified in this opinion by the *ARTICULI CLERI*, *stat. 9 Edw. II., cap. xiii.*, in which, as it would seem, a distinction is made, not only between a *bishop* and a *judge*, but between a *judge* and a “*layman*.” The article is the more remarkable, as it actually bears on the point in dispute—the examination into the fitness of a clergyman for the duties of his office; of one, too, rejected by a bishop though presented by the king; the ground of examination being, not only “learning,” but “other reasonable cause,” which certainly *might* be unsoundness of doctrine, and might therefore involve a decision including points of theology and divinity. This, however, is by the way;—the object of the quotation is to show the dis-

inction, authoritatively drawn in the statutes of the realm, between a mere “layman” and such a person as Sir Herbert Jenner Fust. That there may be no mistake, we will give the article, both in Latin and English:—

“Item petitur, quod Per-  
some Ecclesiasticæ, quas  
Dominus Rex ad Beneficia  
presentat Ecclesiastica (si  
Episcopus eas non admittat,  
ut puta propter defectum  
scientiæ, vel aliam causam  
rationabilem), non subeunt  
Examinationem *Laicarum  
Personarum* in casibus ante  
dictis; prout hiis temporibus  
attemptatur, de facto, con-  
tra Canonicas Sanctiones;  
*sed* adeant *Judicem Ecclē-  
siasticum*, ad quem de jure  
pertinet pro remedio, prout  
justem fuerit, consequen-  
do.”

RESPONSIO.—“De ido-  
neitate Personæ presentatæ  
ad Beneficium Ecclesiasti-  
cum, pertinet Examinatio  
ad *Judicem Ecclesiasticum*;  
et ita est hactenus usitatum,  
et fiet in futurum.”

“Also, it is desired, that  
Spiritual Persons, whom  
our Lord the King doth  
present unto Benefices of  
the Church (if the Bishop  
will not admit them, as, for  
instance, for lack of learn-  
ing, or for other cause rea-  
sonable), may not be under  
the Examination of *Lay  
Persons* in the cases afore-  
said; as it is now attempted,  
contrary to the Decrees Ca-  
nonicæ; *but* that they may  
sue unto a *Spiritual Judge*,  
to whom it properly belong-  
eth, for remedy, as right  
shall require.”

THE ANSWER.—“Of the  
ability of a Person presented  
unto an Ecclesiastical Bene-  
fice, the Examination be-  
longeth to a *Spiritual Judge*;  
and so it hath been used  
heretofore, and shall be  
done hereafter.”\*

\* Quoted in Mr. Gorham’s “Efficacy of Baptism.”

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But this outbreak against the lay character of the ecclesiastical judge, and his ignorance of divinity—which, at any time, would be inconsistent and unbecoming in a Churchman—becomes perfectly amazing,—nay, in the *Observer's* own words, “palpably and outrageously monstrous and unjust,” when it is viewed in connexion with two other things. This is our next remark. Let it be observed, then, that the complaint against the spiritual judge, as an incompetent person in a question of theology, is made by those who, in the first place, carried the question itself before him,—solicited his judgment,—and anticipated it with thankfulness;—and, in the second place, by those *who have actually appealed to another tribunal, where the judges are for the most part absolute laymen*,—many of them, perhaps, having no religion (on the Evangelical theory),—some of them no canon or ecclesiastical law,—and all of them, most probably, being quite as ignorant of purely theological questions as Sir Herbert Jenner Fust, or any of the other (by courtesy, it seems) *spiritual* judges. Here is a writer condemning one layman for judging a question of divinity, and appealing from *him* to a *dozen others!* If the first was out of his place in having to do what he did, so are the others;—if the first

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“passed the limits of his province,” in his *manner* of doing it (which we do not think he did), what security is there that the Court of Appeal may not do so too?

Our concluding remark is, that it is curious to observe how both Puseyite and Evangelical treat the Church very much after the same fashion;—something in the way in which certain worshippers used to treat their gods, when they did not comply with their wishes or requests. In the *Christian Observer* of last month, the editor quotes some severe strictures of a Tractarian writer against the Archbishop of York, and then adds, very naturally, “such is the way in which *this bishop-reverencing High Churchman* deals with *an Archbishop’s* statements of the doctrine of our Church:”—that is to say, he who professes the profoundest respect for episcopal authority, does not hesitate “to speak evil of dignities,” and to treat them with contempt, *if they do not happen to coincide with himself*. But precisely like this, as it seems to us, is the conduct of the *Observer* himself, who, when *that institution* to which he has vowed submission and obedience, works out for him, by its courts and officers, an unwelcome and unwished-for result, falls foul of both things and persons—exposes to the

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laugh and wonder of “the world” the *arrangement itself* by which the Church chooses to exercise her “authority in matters of faith”—and ridicules, in language not by any means delicate or refined, the theological ignorance of the very person to whom he and his friends voluntarily appealed, and whose decision they anticipated with so much “thankfulness!” If Sir Jenner Fust had happened to decide *for* Mr. Gorham, and in accordance with the tenor of Mr. Goode’s book, it is curious to speculate on what would *then* have been the estimate in which he would have been held by these gentlemen.

OCTOBER 1, 1849.

THE EVANGELICAL CLERGY AND BAPTISMAL REGENERATION!

(Extracted from the *Eclectic Review*.)

In January, 1846, the Rev. George Cornelius Gorham was presented to the vicarage of

\* “Judgment of the Ecclesiastical Court on the Doctrine of Baptismal Regeneration in the Case of Infants.

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St. Just, in the county of Cornwall, and in the diocese of Exeter. He was admitted by the Bishop, without being required to undergo any personal examination. In December, 1847, he was presented to the vicarage of Brampford Speke, in the county of Devon, and diocese of Exeter; but *then* the Bishop refused to admit him, without having an opportunity, by personal examination, of satisfying himself as to his qualifications and fitness for the charge.

The explanation of this extraordinary conduct is found in the fact that the greater part of the two years of Mr. Gorham's residence at St. Just had been spent in something like constant controversial correspondence with his diocesan, Mr. Gorham gave offence by speaking of the Church as the "National Establishment!" He gave further offence by advertising for a curate "free from Tractarian error." The Bishop smelt heresy in such expressions. He began to suspect what sort of a man Mr. Gorham was. He wrote,—and found he had met with

Gorham *v.* the Bishop of Exeter." 8vo. pp. 20. London: Batty.

"Examination before Admission to a Benefice by the Bishop of Exeter, followed by Refusal to Institute, on the Allegation of unsound Doctrine respecting the Efficacy of Baptism." Edited by the Clerk examined, George Cornelius Gorham, B.D., &c., &c. 8vo. pp. 230.

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his match. From the first, Mr. Gorham, in his letters to the Bishop, with every expression of courtesy and respect towards his diocesan, and especially towards the episcopal office, stands manfully up for himself and his brethren, and for what he deems his secured and constitutional liberty as a clergyman of the Church,—as projected by that system of law to which Mr. Phillpotts was amenable as well as he, Mr. Gorham having excited the Bishop's suspicions about himself, was given to understand that his Curate could not be admitted without undergoing an examination—as to the soundness of his views on the great points of Christian doctrine, *especially on baptism, the foundation of all*. Such language from the Bishop of Exeter was sufficiently alarming. Mr. Gorham almost despaired of finding an individual, who, at the same time, should be acceptable to himself and satisfactory to his superior. The thing seemed impossible. It did so happen, however, that the gentle man recommended to and accepted by Mr. Gorham was licensed by the Bishop *after examination*. But the matter terminated by a long letter of reproof from the Bishop, “signed, with sincere regret and pain, your grieved and offended Overseer in the Lord;” and by a far longer



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one from Mr. Gorham to the Bishop, defending himself and inculcating his lordship.

To this letter the Bishop did not reply. When, therefore, a few months afterwards, Mr. Gorham informed him of his new appointment, and requested to be admitted to Bramford Speke, we are hardly surprised to find that his diocesan demurred. He intimated that he had lost his confidence in his presbyter; and that, as he now approached him for a fresh institution, he must insist on a personal examination into his doctrines, especially into baptism, "the foundation of all." In vain Mr. Gorham protested against what he deemed unprecedented, if not illegal. He was bound to submit. It is unnecessary to detail the many vexatious delays to which he was exposed, and the expense and inconvenience occasioned by them. The examination was continued for many days, and for many hours each day; and at length terminated in the refusal of the Bishop to institute Mr. Gorham to the vicarage of Bramford Speke, because of his "unsound doctrines on the question of baptism."

The matter was then removed into the Court of Arches. Mr. Gorham applied for a "monition to compel the Bishop to institute him within a certain time specified," he being "fully

qualified by age, learning, life, &c.," and being ready "to sign and subscribe all that was required," and the Bishop "refusing to do right and justice." The Bishop appeared to the monition by a proctor, and prayed to be heard, his object being to state the grounds on which he justified his refusal to institute. The parties were thus equally before the Court; the case was argued at great length and with much learning on both sides; the Judge took time to consider the arguments and to make up his mind. At length, the second of August was understood to be fixed for the delivery of his judgment. Interest and curiosity were, in some quarters, wound up to the highest pitch. The day arrived, and, to the consternation of many, the oracle announced that the doctrine of the Church of England *is, that infants, invariably, and always, are spiritually regenerated in and by the act of baptism.*

Previous to this judgment of Sir Herbert Jenner Fust, the Church of England had never declared, through any of her Courts, or in any way that officially and authoritatively expounded her doctrine, what it really was that she believed and held in respect to the benefit of baptism. There was her Prayer-book, indeed, with her Articles and Offices; and it might be

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supposed that in these she expressed herself with sufficient distinctness and without equivocation. Dr. Fust says she *did*; but, before he said it, it was treated as an open question. The most contradictory opinions were held and taught by those who agreed to sign and use the same forms. They willingly, and *ex animo*, subscribed to the Prayer-book, and all things contained in it, as being agreeable; or not contrary, to Holy Scripture, and promised that they would *say*, to God and man, whatever the book put into their mouth to he said; but, as to the *meaning* of the book—what it *was* that they really *did* say—what the words meant, or ought to mean, or what they regarded themselves as meaning by them—this was another matter; every man here had his own theory, and walked according to his own light. Hence, there were different parties in the Church,—different and conflicting bodies of clergymen; and, though bishops and archbishops wrote books, and expounded their particular views and opinions, as at once the creed of the Bible and the Church, these utterances had no authority; they were only the statements of individual men, though men, it might be, of lofty eminence.—*The mind of the Church*, or her meaning in her formularies, was not by them

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so uttered as for the matter to be considered *legally ruled*. To Mr. Gorham, therefore, the exposition of the Bishop of Exeter was—*the exposition of the Bishop of Exeter!*

“A primrose, by the river’s brim,  
A yellow primrose was to him,  
And—it *was nothing more.*”

He turned from the Bishop to the Judge, from the servant to the sovereign. “I appeal,” said he, “to Cæsar;”—“I appeal from a ‘private interpretation’ to a constitutionally constituted Court—from a personal opinion to a legal deliverance.” It was the only course that remained open to him, and, according to the established processes of the Church, it was the right one. “If Demetrius, and the craftsmen that are with him, have a matter against any man, the law is open, and there are deputies; let them implead one another—it shall be determined in a lawful assembly.” The Court of Arches has listened to the arguments of advocates, to the pleadings of “deputies,” and, to the best of its ability, has “determined” the matter. The result, so far, is against Mr. Gorham. He is as much disappointed at the *dictum* of the Judge, as he was disobedient to the *dictation* of the Bishop. He has decided

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on carrying his case further, and appeals from the Court of Arches to the Judicial Committee of the Privy Council. So long, however, as the hearing of this appeal is delayed, and up to the moment of judgment being pronounced, the doctrine of the Church of England is "*legally ruled*" to be—and "*ruled*" in a manner it never was before—*that* which Sir Herbert Jenner Fust has declared. Whether his sentence will be confirmed or reversed, we must leave for some future day to discover; at present, we have simply to take it as it is.

The judgment of the Court was long and elaborate; it took four hours in the delivery, and was listened to throughout, as the papers informed us, with deep attention. We regret that the report before us is not a publication authorised by the Judge. Such publication, we suppose, will appear. In the meantime, we shall make use of what is accessible, premising, however, that we are given to understand, by those who were present, that the report in question is substantially accurate.

Mr. Gorham, in the preface to his "*Examination*," says, "To a different tribunal I must refer the decision, whether or no the law of the Church has been transgressed by the refusal

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of the Bishop.” His friend, the Rev. Mr. Goode, as editor of the *Christian Observer*, when referring some months ago to the cause as before the Court, said—“that it now only remained for the Judge to pronounce” what the doctrine of the Church was; and, while declaring “that he had no fear about the result,” added, that for his part, “*he was not a little thankful that we should at least have a legal decision on the point.*” Now we are not going to blame our brethren for being dissatisfied with “*the decision*” when they have got it—as the law permits them to be so, and has provided for them a superior tribunal to which they can appeal; nor are we going to rebuke the *Observer* for railing, as he does this month (September), against a spiritual judge, the legal and official representative of his archbishop, as a mere “*layman*”—a man “making no pretensions to the smallest acquaintance with theology;” but we think it may be fair to state, that Sir Herbert Jenner Fust himself complained of the manner in which the *divines*, both bishop and presbyter, had brought their cause before him, selecting a method which saved them from *proving* what the doctrines of the Church were, and leaving him to find his own way in the matter as well as he could!

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The following passage will illustrate this remark, and is, in itself, curious;—

“Before entering on the merits of the case, it was necessary to advert to the manner in which the question had been brought before the Court. On a former occasion, he (the learned Judge) had taken an opportunity of stating that the mode of proceeding by Act on petition was neither convenient nor consistent with practice, and he had not been satisfied, by anything which had subsequently occurred, that that opinion was erroneous. The cause ought to have been conducted by plea and proof, which was the only mode to bring the real question at issue before the Court. In the Act on petition, the pleading, as was usual in such cases, was vague and loose, and the answer partook of the same character. Had the case proceeded by plea and proof, the doctrines of the Church of England would have been specifically set forth, and also the points on which it was alleged that they were impugned by Mr. Gorham, and witnesses might have been examined. It had been stated in die course of the argument, not without foundation, that it was impossible to collect, from the manner in which the examination had been conducted, what were the real opinions of Mr. Gorham as to baptismal regeneration. The evidence which had been produced before the Court, if evidence it could be called, was unsatisfactory, and the mode in which it had been brought forward was still more so. It consisted of two short affidavits from Mr. Gorham, and one from the Bishop of Exeter; but annexed to his lordship’s Act on petition there was a book, extending to between 200 and 300 pages, and containing 140 questions addressed by the Bishop to Mr. Gorham, with the

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answers thereto. Upon these questions and answers the whole case turned. The book could not be considered strictly in the nature of evidence, but it was brought into the registry, and when the cause came on for hearing, the Court was to find its way, as well as it could, to what was held to be the doctrines of the Church of England, and the points on which Mr. Gorham had expressed and entertained opinions contrary to those doctrines.”—*Judgment*, pp. 5, 6.

Having thus “to find his way as well as he could,” to what might decide and settle the question on which the two divines disagreed, Sir Herbert proceeded to the work before him. He commenced the inquiry with the following statement, which we deem ill itself perfectly proper, and entitled, on his behalf, to great weight:—

“He (Sir H. J. Fust) was particularly anxious to have it distinctly understood that he was not going to pronounce an opinion as to whether unconditional regeneration in the case of infants was or was not a true *scriptural* doctrine. All that came within the limits of the authority of the Court was to endeavour to ascertain whether the Church had determined anything upon the subject, and if so, then to pronounce accordingly. The authoritative declaration of the Church constituted the law of that Court, to which it was bound to conform, and which it was incumbent upon it specifically to follow, without indulging in speculative opinions of its own. The Court was bound to administer the law as it found it laid down, and not to give any opinion as to what the law ought to



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be; and, therefore, he was most anxious that it should be perfectly understood that in the observations he was about to make he should confine himself wholly to the doctrines of the Church, so far as he was capable of ascertaining them, without any intention to extend them to scriptural interpretation.”—*Ib.* p. 7.

Having laid down this principle to guard himself against being misunderstood, Sir H. J. Fust advanced to the inquiry, “whether the Church had pronounced any opinion, and if so, what?” “Then, this gives rise to another question, namely, from what source the Court was to derive information as to the doctrines of the Church of England?” In his subsequent observations, he throws out certain witnesses, or authorities, which some had relied upon, and decides that the most direct, satisfactory, and accessible source of information was to be found in the *Articles*, *Offices*, and *formularies* of the Church.

“*Primâ facie*, then, the Thirty-nine Articles were the standard of doctrine; they were framed for the express purpose of preventing diversity of opinion; and certainly they were first to be considered and applied to, in endeavouring to ascertain the doctrine of the Church. But if they fell short, or were silent upon any particular point, what then should be resorted to? Should they resort to the opinions of those by whom the Articles had been framed, or to other declarations of the Church?

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“It had been most distinctly stated, upon the high authority of Bishop Burnet, that—

“The truest indication of the sense of a Church is to be taken from her language in her public offices: this is that which she speaks the most frequently and most publicly; even the articles of doctrine are not so much read, or so often heard, as her liturgies are. And so this way of reasoning has been of late made use of with great advantage against the Church of Rome, to make her accountable for all her public offices in their plain and literal meaning, so will I make use of it on this occasion. It is stronger in our case; whose offices being in a tongue understood by the people, the argument from them does more evidently conclude here.”—*Ib.* pp. 10, 11.

Sir Herbert having laid down the principle of appealing to the Articles, and then, if doubts arose, *not* “to the private opinions of individuals, however eminent for their piety, learning, or station,” but “simply to the public acts and declarations of the Church,” proceeds to examine the twenty-fifth and twenty-seventh of the “Thirty-nine Articles,” and finding that there *is* difficulty in applying the doctrine of these articles *to the case of infants*, without further light than what there is in themselves, he goes on to examine the baptismal formularies, and upon these arrives at his result. The mode of remark which we purpose adopting in the subsequent portion of this review, precludes our

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following the learned Judge through this examination. It is enough to say that, after looking at what the "Services" address to those who attend;—to the prayers which the congregation are directed to offer, that the child "might be baptised with water and the Holy Ghost," ("*and the Holy Ghost, not water only,*" as he remarks, emphatically, in passing); after noticing another prayer, that the child "coming to holy baptism might receive remission of his sins by spiritual regeneration," (again remarking, "*not regeneration simply, not sacramental regeneration, but spiritual regeneration*"); after showing that as soon as the rite has been administered, the officiating priest says to the congregation, "Seeing now, dearly beloved, that this child *is regenerate*, and grafted into the body of his Church, let us give thanks to Almighty God *for these benefits*;" after observing that this is followed by a prayer in which "hearty thanks are yielded to God that it hath pleased him *to regenerate the infant with his Holy Spirit*;" after showing, from the "Office for the Private Baptism of Infants," and from the teaching of the "Church Catechism," that all these expressions must be taken in their "plain, literal, grammatical sense," without attenuating reservations, implicated conditions,

or doubtful hypotheses—he sums up the whole matter thus:—

“The points which have to be decided are—

“1. Does the Church of England hold the doctrine of baptismal regeneration in the case of infants?

“2. Does Mr. Gorham hold this doctrine?

“It is quite clear from the formularies of the Church, that children do receive spiritual regeneration in baptism. It is also evident, from the whole tenor of his examination, and from his counsel’s argument, that Mr. Gorham does *not* hold this doctrine.

“The Bishop of Exeter has, consequently, shown sufficient cause for refusing to institute Mr. Gorham to the living of Brampford Speke; and therefore his lordship must be dismissed, and with his costs.”—*Ib.* pp. 18, 19.

Thus has ended, for the present, this celebrated cause of Gorham *v.* the Bishop of Exeter. Without saying, at present, who, in our opinion, is right or wrong, and without speculating on the probable result of Mr. Gorham’s appeal, we proceed to inquire, and shall endeavour to explain *what it is* that Mr. Gorham believes, in opposition to the *apparent* teaching of the Prayer-book, and the positively expressed judgment of the Judge; and *how it is* that he interprets the language of the formularies, and reconciles himself to their utterance and use, in connexion with his holding a system of doctrine which that tribunal to which he appealed dis-

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tinctly says is *not* the doctrine of the Church of England.

We believe it may be said, that at least *three* different opinions exist in the Church of England in respect to the benefit of baptism, and the sense in which her formularies may be understood and used. One of these we have at present to examine; but the other two must be briefly described.

There have been clergymen, and there may possibly be some still, whose views of the baptismal change might be regarded as merely amounting to a sort of external, or *relative*, regeneration. A child, by its natural birth, is born into the world; by its baptismal birth, it is born into the Church; it is brought into new relations, it is connected with a system of external means, and constituted a member of a visible society. Nothing more than this change of relation, or this new and additional relation, is supposed to take place; but, inasmuch as this brings it into connexion with a society, as a part of which it will be placed in contact with the "means of grace," all the strong and lofty expressions of the Prayer-book may be justified and used in respect to *that circumstance*, and as signifying *nothing more*.

Not satisfied with this theory, regarding it as falling far short both of the actual virtue of baptism, and of the distinct and positive teaching of the Church, another class of clergymen strenuously hold, that in all cases the outward baptismal rite is accompanied by an inward spiritual gift; that this gift is the impartation to the soul of divine grace—the commencement, or germ, of a new life—an *actual* regeneration, not one of mere relations and circumstances; and that *this* is what the Church believes, what the Prayer-book teaches, and what the priest says. This, properly speaking, is *baptismal* regeneration. Rightly to understand it, however, it must be remembered that the baptismal grace may lie long dormant, and may even be lost; the life given, the germ implanted, may not grow, or expand, or be developed for years, or it may be quenched, or it may wither and die. Still, if any individual, thus baptismally regenerated, does actually become, in after-life, a spiritual and holy man, however late it may be, and after whatever excesses of sensuality and sin, his change, then, is *not* a regeneration; it is the springing up of the buried baptismal seed, the revival of his suspended spiritual animation. He was regenerated in baptism—he received the gift of

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life then; the gift itself, therefore, is not in subsequent years repeated, it is only developed and rendered visible. In those in whom it is never called forth, it ceases to be; they die in their sins, and are "twice dead, plucked up by the roots." This is the doctrine of the great body of the English clergy, of the old orthodox, the high and dry, the modern Puseyite, and even, we believe, of such men as Archdeacon Hare, Mr. Maurice, and many others of that school. It is the doctrine recognised by the Bishop of Oxford, and his brothers, the Wilberforces, in the Life of their father, whose *conversion* (as some would call it) is described as the sprouting, in early manhood, "of the baptismal germ implanted in infancy;" it is the doctrine of the Archbishop of Canterbury, as expounded and maintained by him, in his work on "Apostolical Preaching;" and it, or something like it, is what is now "ruled" to be the positive teaching of the Church herself, in the Catechism by which she instructs her children, and the utterances with which she dispenses her rites.

Neither of these is the theory of Mr. Gorham. We are sincerely anxious not to misrepresent either him or others. We advance with hesitation. It is a delicate and difficult

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business; but we think it will be acceptable to many of our readers if we attempt an exposition of that "doctrine of baptism," which, if Mr. Gorham and Mr. Goode are fair representatives of the faith of their brethren, is held by what are called "the Evangelical Clergy." This exposition, or attempted exposition, will, of course, include the sense in which our friends in the Establishment understand and use their baptismal services.

The third theory, then, of regeneration, and of the relation of the baptismal rite to it, is this. Regeneration is not, according to the first theory, a thing of external or visible relationship,—with baptism as a mere sign or symbol of truth, but without any positive, spiritual effectiveness;—nor is regeneration, according to the second theory, a universal or general blessing to all the baptised,—a thing that may either be retained or lost,—with baptism as the means or instrument of imparting it, or with God invariably working through that instrument;—but, regeneration is an act of God's grace, or of the Holy Spirit, directly operating on the soul itself, producing, and evinced by, repentance and faith; this divine act, or grace, is the beginning of a life that cannot die,—the privilege of those, who, being once actually "born of



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God," can never be unborn; it is the giving of a gift which is never to be recalled—the commencement of a work "which He who begins, will carry on unto the day of redemption." Further, baptism is to be administered to those who *profess* faith and repentance, as these (faith and repentance) are the pre-requisites, or ground of the administration; if they are sincere, and really have what they profess, then baptism is beneficial,—it is attended with a real, positive, spiritual efficiency,—for "faith is increased, and grace strengthened, by virtue of prayer unto God;" if; however, they have not the pre-requisites, baptism is useless, a nonentity or a curse. It may happen, indeed, that that regenerating grace, of which the subject was destitute up to the moment of his outward baptism, may be given at the time of its administration; but it is not tied to the rite—properly speaking, it does not belong to it at all, and is not imparted *by* it; "it may be given," Mr. Gorham says, "*before* baptism, *in* baptism, or *after* baptism;" and is always the sovereign or gracious gift of God. In strictness of speech, it is necessary, as the source of those qualifications which alone fit an individual *to receive* baptism;—and the benefit of baptism is not regeneration, but the nourishment and increase

of those existing spiritual affections, which are either the thing itself, or the proof and evidences that it has taken place.

If we have in any way misrepresented this third theory, we have done it most unintentionally. We have carefully studied the statements and explanation of it in several passages of Mr. Gorham's book, and of Mr. Goode's, and in the speech of Dr. Bayford; and it has been our perfectly honest and upright intention to give such a view of it as would fairly include, neither more nor less, than what its advocates themselves would admit and consent to. Supposing, then, that we have succeeded (and we really think that we have), the question arises, in what way is this theory to be harmonised with the practice of *infant* baptism at all, and especially with the formularies of the Church of England, and the language employed in them with respect to infants?

The answer is this: Baptism is administered to infants, because they, by their sureties, *profess* repentance and faith. In virtue of this profession, they are regarded as possessing the necessary pre-requisites or qualifications for baptism. The vicarious act of the sponsors is taken for theirs,—it is the ground for presuming

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that, in them, there is existing, at the moment, the germ or seed of all that they profess to believe and feel, and of all that they promise to do. Simply, as infants, they are not fit subjects for baptism;—they are “children of wrath,” and, *quoad* such, are destitute of the qualifications of faith and repentance, on the ground and profession of which *alone* it is proper to baptise. Regarded, however, as possessed of the spiritual qualifications, “*because they profess them both by their sureties,*” they can receive baptism, with the inward conviction, on the part of the administrator, that the demands of the rite have, on the part of the recipient, been all fully and legitimately met.

On the supposition of this being so—that is, that the infant *does* possess the requisite qualifications for baptism—baptism will be a benefit. It is no mere empty sign,—no simply typical or symbolical act, destitute of spiritual force and potency,—but a real, efficient means of grace; it does not, indeed, regenerate; but, “through virtue of prayer to God,” offered in connexion with it, that grace is strengthened, which the subject of the rite already has, and which is at once the offspring and proof of an act of the Holy Spirit on the soul. If the case is otherwise—that is, if the infant is *not* pos-

sessed of the requisite qualifications—the benefit of baptism is not enjoyed.

On this statement, two points seem to arise which need explanation, namely, what constitutes the difference between one infant and another, as, by supposition, some may have the qualification and some not?—and, on the admission of this difference, how is it, that the same positive and unequivocal expressions are used by the Church in relation to *all*?

The reply is, that the actual possession of the spiritual qualifications necessary for baptism in an infant, depend, partly on the piety of the parent, partly on the sincerity of the sponsors' profession on its behalf, partly on the faith of the Church (or of the attendants at the service, or the congregation, by whom the Church is, for the time, represented), partly on the Divine prescience—or the foresight by God, that the child *will*, one day, repent and believe—and partly on “a prevenient act of grace,” by which God changes the “child of wrath” into a “worthy” recipient of the rite. It is not necessary for all these things to be united in each case—at least we think not; for, a child of pious parents, and with sincere sponsors, *not* being divinely foreseen ever to have repentance and faith, would not be worthy; while one with

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wicked and ignorant parents and sponsors, beheld, *in futuro*, by the Divine eye, as penitent and believing, *would*. Whether “the preventive act of grace” is necessary, *as well as* the foresight of subsequent faith, we are not quite sure; but this act is what is relied upon in all cases in which death occurs in infancy; for, it is obvious, that the spiritual qualification *then*, cannot be the foresight of faith and repentance in after-life; and it is equally certain, that of those who die in infancy, the parents and sponsors of *some*, at least, cannot but be irreligious and insincere; while, with respect to those *privately* baptised (the benevolent provision of the Church for such as are in danger of early death), it is to be observed that *they* are baptised without the intervention or profession of sponsors at all. The one or other, then, of the above mentioned things being present, the qualifications for baptism are possessed, and the impartation of the baptismal benefit is secured.

Seeing, however, that none of these things may be present, and that then no blessing will attend the rite, why is it that the Church says the same thing over all? and that thing so wonderful and so great? In what sense are her words to be understood? The answer is, they are to be taken *hypothetically*. The service is constructed

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and proceeds on an hypothesis; *if* the child is properly qualified for baptism, it enjoys the blessing, and only so. However positive, therefore, and decided the language of the Church—however she may testify that the thing is done, and thank God for doing it—all is to be understood on the hypothesis, or with the condition reserved or implied, that the child is *properly qualified*, and receives baptism *rightly*. As to the strength and wonderfulness of the words, “is regenerate,” “spiritual regeneration,” “regenerated by water *and the Holy Ghost*,” a “child of God, an heir of grace, an inheritor of the kingdom of heaven,” “a partaker of the death of thy Son,”—all this is justifiable on the ground, that, in the cases to which it is applicable, *it is all true*; for, either the infants are foreseen *to be* all this, and may be described therefore as *being* it *now*, (in consistency with the statement that God “calleth things that are not as though they were,”) or, they actually *are* regenerate and in possession of the blessing at the time, through that “prevenient act of grace,” which, in fitting them to become “worthy” recipients of the sacrament, so operated on their spiritual nature, changing their condition and infusing life, that they were cleansed from original sin, ceased to be “children of wrath,” and *became*,

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of course, "the children of God." Though, therefore, baptism does not itself regenerate, and though it is not used by God as, nor is intended to be, the ordinary or invariable instrument of regeneration, still, those who are *proper subjects* of baptism, may be spoken of as "regenerate," for they either *are* regenerated, or they *will* be! With respect to others, the words, of course, mean nothing, as the service itself can confer nothing; this, however, is provided for, and, in fact, indicated by the Church, through means of the *hypothesis* on which her services are constructed,—the necessary hypothetical character, therefore, of all her language,—and the mentally understood *conditions* with which its use must be accompanied, and along with which it must be received and understood.

Such, if we have succeeded in understanding him, is Mr. Gorham's theory of infant baptism; and such the principle on which he reconciles himself to the approbation and use of the formularies of the Church. With him, the word "regeneration" is used not in any inferior sense, but as descriptive of a positive, spiritual blessing—one, too, as eternal and enduring as it is Divine. He cannot regard baptism as conferring *this, ex opere operato*; but neither does he regard it as conferring it instrumentally,

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even when all the requisite qualifications concur and meet in the subject, the administrator, and the Church; for though it *may* take place at the time, it *may*, also, “*before*,” or “*after*,”—it is the sovereign and gracious act of God; baptism, therefore, is a rite which is not to be applied *for the purpose* of regeneration; the child that is properly baptised, is baptised because he *is* regenerate, or because he *will* be regenerate, but not that he *may* be. If anyone *happen* to be regenerated in the act of baptism, it is merely a coincidence; it is neither the effect of the rite itself, nor the result of an invariable spiritual law.\*

From the whole subject two or three questions seem to be pressed upon us, which we regret that it is quite impossible to investigate now.

\* The only point in which we may have possibly, though not intentionally, misrepresented the theory referred to, is, we observe, in this, that Mr. Goode draws a distinction between “life and birth; the “life” is imparted by God, and may be, or rather must be, *before* baptism; but the “birth” takes place *at* baptism. Baptism, therefore, may be said to regenerate, as it is the moment of the second birth; not, however, in the sense of the Puseyites; for it is not, as with them, the instrument that begets, but only the occasion that brings forth. On this hypothesis, the Church would not be, as she is so often called, “a mother,” but a midwife. We are not answerable for this idea. It belongs to Mr. Goode.



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The first is, in what way does Mr. Gorham harmonise his views with the teaching of the Church? The second is, supposing his interpretation of the Prayer-book to be right, and that *his* doctrine, and not that of the Bishop of Exeter, is the doctrine of the Church, what is the worth of it? Taking Mr. Gorham's own system, as he explains and holds it, what is the value or use of such theology? And, supposing the Church of England to hold and teach it, what are the claims of *such a Church*, on the confidence, the respect, or the *revenues*, of "a wise and understanding people?"

Mr. Gorham insists on his theory being that of the Church, and on the necessity of explaining the Prayer-book by his theory, on the following grounds. The Articles, which are the Church's authoritative standard of doctrine, attach the benefit of the sacraments to *worthy* reception; the worthy reception of baptism implies faith and repentance in the subject; faith and repentance are personally professed by adults, and in the case of infants they are vicariously professed by their sureties for them; but in the baptism of adults, the benefit is understood to be conditional, being suspended on the sincerity of the baptised, yet the language employed is express and positive; *therefore*, the

same language in the service for infants, ought to receive the same conditional interpretation—*they* make the same profession as the adult, and their sincerity must be understood in the same way, and the language respecting them interpreted on the same hypothesis. Moreover, seeing that the Articles describe the benefit of baptism to those who rightly receive it, to consist in this, “that faith is confirmed, and grace increased by virtue of prayer unto God,” *therefore* the child is regarded as having already faith and grace; its worthiness, in fact, consists in the actual possession of that, which the service is to “confirm” and “increase,” not to bestow. But all children have not this,—“a child of wrath,” cannot be a worthy recipient ‘of baptism, therefore it must be made such by “a prevenient act of grace;” but as this act is something special, confined to those who are ultimately to be saved, it cannot be general, and belong equally to all children; and *hence*, again it follows, that the Church *means* her services to be understood hypothetically! The benefit, also, of baptism, even where rightly received, is not, properly speaking, regeneration, for that is virtually required by the Church as the inward qualification for the outward service; the Church does *not* teach, therefore, baptismal

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regeneration, if she be allowed “such just and favourable construction as in common equity ought to be allowed to all human writings, especially such as are set forth by authority.” And that she *does* teach “a prevenient act of grace” is evident, for, while she asserts that children are born “children of wrath,” she has “ruled” that all who are baptised, dying in infancy, are saved; now, as they must, therefore, have received baptism rightly,—and, as to receive baptism rightly, required their possession of repentance and faith,—there *must* have been a “prevenient act of grace” to confer these, *therefore* the Church teaches *that!* This, however, is to be confined to those infants who die in infancy (whose case the Church has “ruled”), for if children live and grow up, the benefit of baptism may, or may not, prove to have been received; and, therefore, the language of the Church, however strong it may at first sight appear, *must* be understood as plainly hypothetical!

Sir H. J. Fust complained that he could not very well make out what Mr. Gorham’s views were. We, possibly, may have misapprehended them; but the above appears to us to be, correctly and substantially, Mr. Gorham’s mode of explaining his theory, and of finding it in the Prayer-book. The great argument in sup-

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port of his interpretation being the true one,—which he referred to in his examination, which Dr. Bayford dwelt upon in his speech, and which Mr. Goode has composed a whole volume to illustrate,—is, that the Reformers, and especially those who assisted in the construction or expressed their approbation of the English Offices, were, in the first place, Calvinists, who could not consistently hold that all children were regenerated in common; and, in the second place, that they did hold the same views of the connexion of regeneration with faith and grace, separate from the virtue of external rites, which he does, and which require the adoption, in all its parts, of that mode of interpretation, which, to him, gives coherence and significancy to the whole Prayer-book; and which makes it so thoroughly and purely evangelical, that he can subscribe his “assent and consent” to its entire contents; no one thing in it being, in his view, contrary to Scripture, so that every page and every expression may be cheerfully used as agreeing therewith.

*If it be objected* to this theory, that the baptismal Office retains the language of the previously Popish period,—*it is replied*, that there were, even then, two opinions of the power of the sacraments, and that we are at

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liberty to adopt the least superstitious. *If it be objected*, that the Reformers themselves, English and continental, retained expressions out of regard to the prejudices of the people, who would understand what was retained in the worst sense,—*it is replied*, that we must judge of the sense *they* meant to authorise, by the writings in which they embody their own opinions. *If it be objected*, that Calvin himself says that he found in the English Service-book many tolerable follies—“in Liturgia Anglicana multas esse tolerabiles ineptias”—and that he speaks of it with contempt, as being the dregs of Popery—“Reliquias Papisticæ Fæcis”—*it is replied*, that Peter Martyr and Bucer, and other divines, approved and sanctioned it, and that *they* held much of the Calvinistic system. *If it be objected*, that the ground taken of the profession of faith and repentance by the sureties, cannot be the ground of the virtue of the rite, seeing that in the Office of Private Baptism the blessing is secured, and the same positive expressions employed, although no godfathers or godmother!” take part,—*it is replied*, that it must be *supposed* that their promise and profession for the child is *understood*. *If it be objected*, that the principle of interpreting the Office for Infants by that for

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adults cannot be sound, because, at the first construction of the Prayer-book, and for some time after, there was no service provided for adults at all,—*it is replied* (or, we suppose, would be, for we have not met with the reply, though we know the fact), that, nevertheless, the principle *is* sound, for it is most in harmony with the declaration of the Articles. *If it be objected*, that the long list of quotations from divines on the one side, may be balanced by an equally long list on the other, and that both may be regarded as alike the utterance of private opinion,—*it is replied*, that the one list is in harmony with the views of the Reformers themselves, and springs from them—from the speech and thought of their inward life, while the other is the abuse of their misinterpreted liturgical language. *If it be objected*, that our present Prayer-book was virtually re-issued at the Restoration, that Baxter and others, at the Savoy Conference, took the very objections that are now taken to the baptismal formularies, that they were answered by the English divines in a way that asserted the meaning attached to them by Sir H. J. Fust, and that, therefore, *this*, whatever may have been previously the fact, is the sense in which they were *last* affirmed,—*it is replied*, that the Act of Uniformity did not

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authorise this *interpretation*, but only re-established *the book* that had been sanctioned in the first year of Elizabeth. *If, finally, it be objected*, that the language of the offices is so plain, and the doctrine it teaches of baptismal regeneration so palpable, that it is utterly impossible to make it mean anything but what it says,—*it is replied*, in the first place, in opposition to the statement which Sir H. J. Fust quoted from Burnet, that the popular language of Church offices is not to be regarded as accurately conveying a Church's creed, or, in the words of Mr. Goode, that there is a thorough "unfitness in liturgical forms to answer the purpose of a dogmatical standard of faith; and that men fall into errors and absurdities when deducing doctrine, inferentially, from devotional phrases occurring in a book of prayer;" and, in the second place, *it is further replied*, in the words of Mr. Gorham, "that it is deeply to be lamented that, in every age of the Church, there has been a propensity to indulge in symbolical language, with reference to sacramental signs, far beyond safe limits, by the dangerous use of what Bishop Jewell calls 'vehement,' 'violent,' and 'excessive kinds of speech.' That our pious Reformers, while they restored the pure *doctrine*

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of the sacraments, should not have at once and entirely cast aside a *phraseology* which for ages had been the vernacular language of the Church, is by no means a matter of surprise; though, to myself, I confess, it is a subject of painful regret, when I contemplate the effect which that metonymical phraseology has had in the perpetuation of controversies dangerous to the peace, and contaminating to the purity, of the Church. Something must be allowed to their early habits of speech; very much to their difficult position, which rendered it, in their view, necessary to accommodate the language of public services to the prejudices of the only half-protestantised people; but nothing to their hesitation as to the plain scriptural truth, respecting the immediate and necessary connexion of regeneration *with repentance and faith*, of which baptism is the divinely appointed *sign*. The doctrine of *conditional* sacramental efficacy, which they actually held, *and intended to set forth*, is so repeatedly developed (though *still* with more or less of human infirmity) in their own writings; so brightly illustrated by their dying testimonies, even when tried in the fires of the Marian persecution; and (above all) so distinctly declared and scripturally stated in those Articles by which they built up the Church



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of God in this land; that, to my mind, it seems impossible to misapprehend their meaning, *even in the less accurately defined and freely-figurative language of the devotional formularies.*”

Here we must terminate our present labour, which we shall bring to a close with a brief remark or two. We have not written a controversial article; we have not set ourselves to confute Mr. Gorham, or to defend the reasoning and the conclusions of Dr. Fust; we have endeavoured to do, what is far more needed, and, we may add, far more difficult, namely, to ascertain and expound the views held by the Calvinistic, Evangelical clergy, and the way in which they harmonise them with their subscription, and with their use of the baptismal forms. We are not sure that many of our readers fully understand this. It is a mystery to them *in what way* good men can bring themselves to accept the English Prayer-book,—can indiscriminately employ its awful language,—can seem to say what they are known to deny,—or can deny that the book means what it says. If we have succeeded in what we have attempted, we shall have performed, we believe, an acceptable service for very many. As Mr. Gorham often objected to the Bishop of Exeter’s putting his (Mr. Gorham’s) views into his (the Bishop’s)

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words, we fully intended to have extracted from his work passages which would have conveyed them in his own language; but we wished first to expound them at once to ourselves and to our readers, and we have not space, now, to add our authorities. So conscious, however, are we of having honestly aimed at doing right, and so persuaded, too, are we, that we have not misrepresented Mr. Gorham's views, that we are disposed to think he will not dissent from our exposition of them. We only add, that the extract with which we closed the preceding paragraph, appears to us to *let out the whole secret*. The phraseology of the Prayer-book is objectionable. With its Articles and its Offices, it is like the *people* for whom Mr. Gorham says it was meant—only “half-protestantised.” Why should men think one thing and say another? What necessity is there for continuing language which implies an hypothesis, which, at the time when most solemnly proceeded on, *is never explained*, and which positively asserts, or appears to assert, what is not true, or not believed? Why should not honest and bold men agitate for a reform *of the book itself*, so that its words might express an the conditions and all the alternatives which their doctrines embrace? There is no reason, with Mr. Gorham's

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views, why he should not say, in a baptismal service, that infants are *glorified* as well as *regenerated*, for, with his conditional hypothesis, one is as much *foreseen* by the Divine eye as the other, and, on the ground he takes, is *as true*. Another thing strikes us strongly:—if Mr. Gorham's theory is that of the Evangelical clergy generally, we do not wonder that when any of them dissent, they should become *anti-pædobaptists*; it is the most natural thing in the world. The theory, also, explains, what to us has often been "a great marvel," namely, that one *brought up* a Baptist *could* become a Churchman. Once let Mr. Gorham's views be adopted, and the Baptist may conform, not only without materially altering his belief, but with actually finding it sustained and corroborated in his new home. Indeed, what with the *qualifications for* baptism required by Mr. Gorham, and the direction in the rubric to *dip* the child, the Church of England may be fairly considered as *almost* a national *Baptist Church*!!\*

\* It is a singular fact, the statement of which may amuse the reader, that as we laid down the pen, after writing the above sentence, we took up the *Patriot* newspaper of this evening (the 20th of September), which had just come in, and found in it the following extract

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from the *Record*:—"For Mr. Noel, if he must needs become a Baptist, Mr. Evans's pulpit is the most fit and natural place. That this is the ultimate settlement of clergymen who quit the Church,—that the Baptist community, rather than the Independent or Presbyterian, generally receives such seceders,—must have been often remarked by our readers." True, O king; but *the reason thereof* may not have been considered. The philosophy of the fact we have pointed out *in the baptismal theory of the Record's own friends*.

PART IV.

**The Appeal.**



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## PART IV.

### THE APPEAL,

FRIDAY, DECEMBER 14, 1849.

APPEAL TO THE JUDICIAL COMMITTEE OF THE  
PRIVY COUNCIL.

ON Tuesday morning last, between nine and ten o'clock, some unusual excitement seemed to draw numbers of persons towards Downing-street. We were aware of the event, and had fixed and arranged our glasses and tubes, that we might both see and hear; but we were amused by observing how the passengers in the streets stared with amazement as one after another of the Privy Council, or gowned and wigged ecclesiastical advocates, or earnest and thoughtful-looking individuals, turned the corner of the Treasury and passed to the first door on the right. Something of other, it was evident to everybody, of no ordinary sort was going on, or was about to come off; but few seemed to be aware that that something was

nothing less than what might possibly endanger the peace and perpetuity of the Established Church. The Judicial Committee of the Privy Council hears appeals in open Court. The members assemble in a tolerably spacious and commodious room, and sit at a large table in the centre. At the lower end of the table, provision is made for the advocates who have to address the Committee; immediately below the seats enclosed for their accommodation, and between them and the door, there is a portion of the room allotted to the public. Any one may enter and stand in this space, or, if he is early, or the Court not crowded, may find a seat on the one solitary form that runs across the room, close to the advocates' box. On each side of the room there are benches or chairs, affording convenient accommodation for seeing and hearing, to which access is to be had by permission of the members of the Committee, or, at times, perhaps, by the politeness of those who guard the entrances of the sacred enclosures. On Tuesday last, the room could never be said to be crowded, nor the privileged places entirely filled; there was such an audience, however, we suspect, as was rather remarkable, even for numbers, while its different elements were not less so, consisting



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as they did of rather noticeable men, lay and clerical, Churchmen and Nonconformists, nobles and commoners.

Just at ten o'clock, the fog unfortunately gathered all the glass, so that we lost the sight of any formalities that might have attended the opening of the Court. When we looked again the business had begun. Mr. Turner was addressing the Committee, and the members were beginning to take notes of his argument. He stood close to the end of the table at which the Judges (if we may so call them) sat, and had a sort of desk, on which his notes lay, and from which he appeared to read carefully. No one sat at the higher end of the table, as if *presiding* over the committee of Council, by occupying a seat between, and at the head of; the two rows of members on each side. The members present were arranged in these two rows, and sat in something like the following order:—On the right side of the table, the Marquis of Lansdowne, Lord Langdale, Baron Parke, Vice-chancellor Knight Bruce, Mr. Pemberton Leigh; on the left, the Archbishop of Canterbury, the Archbishop of York, the Bishop of London, Lord Campbell, and Dr. Lushington. The two Archbishops, and the Bishop of London, it will be remembered, are *not* actual members

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of the Committee. They were not present as judges. They have no vote, and will not sign the report that the Committee may submit to the Queen. It is well and decent that they attend; though we must confess to something almost amounting to shame and mortification, with a spice of burning and indignant displeasure, when we saw our condescending and venerable friend, his Grace of Canterbury, occupying the mean position which he did, instead of sitting, as he ought, in the chair and throne of ecclesiastical supremacy, whenever questions are to be formally entertained and officially determined, respecting the doctrines of the English Church.

It was excessively humiliating to us, occupying, as we do, this roost in the Cathedral, to have to look on a parcel of lawyers and laymen, listening to abstruse theological arguments on a subject of experimental or doctrinal divinity—a subject which none of them, perhaps, understood, and which some of them are supposed, in *all* senses, utterly to repudiate,—to see such men clothed with the *judicial* function, and empowered to decide on the teaching of the Church, while the true ecclesiastical head of that Church sat by their side, destitute of authority, only to be spoken to if necessary, and

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only to speak if asked!—The sight was so mortifying and melancholy, and suggested so much against the present constitution of things,—the royal supremacy in causes ecclesiastical, and the nature and results of the union of Church and State,—that we were obliged to turn away from the glass that revealed it, lest the glow that we felt crimsoning our countenance, and the sparks of indignation that were darting from our eye, might, by possibility, have so acted through the lenses of the telescope, as to have burnt the whole spectacle to ashes,—lawyers and advocates, judges and doctors—Canterbury, York, London, and all!

Fortunately, after the first thorough sight of the Court, it was more important for us to hear than to see. Our tubes—the best *gutta percha*—are admirably made, and can convey to us almost any kind of whisper from any distance. We are sorry to say, however, that Mr. Turner's voice would defy anything! No science can meet its demands. It would require, for the detection and conveyance of its utterances, something or other which genius, as yet, has failed to invent. Harsh, hollow, grating, dissonant, resembling somewhat the guttural voice of a hand-saw with a bad cold—it is absolutely impossible to catch with clearness what the

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man says, or to feel with certainty that you know what he means. It is very unfortunate for Mr. T. himself, and very painful for his auditors. We sympathise with him, as he suffers, we conceive, what amounts to a calamity. It would be worth his while to see if something could not be suggested to remedy his defect. Demosthenes himself had to undergo such a process. Mr. T. has the reputation of great learning, and is said to be of distinguished professional ability. With mother voice—a voice like Denman's, for instance,—his entire capital of erudition and brain would be increased five-fold.

As we found it impossible to listen for ourselves, we were obliged, reluctantly, to depend on the printed reports of others. We have two or three of such now before us. They do not strike us as very accurate; or, if they are, the substance itself is not clear. It is a remarkable characteristic—this want of clearness—in all the learned and elaborate arguments we have happened to meet with, in which the *apparent* teaching of the Prayer-book is attempted to be reconciled with the known points and peculiarities of Calvinism. It pervades many of Mr. Gorham's distinctions in his book containing his examination by the Bishop; it

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is found in Mr. Goode's work on the efficacy of uaptislll; it is not absent from the speech of Dr. Bayford, before Sir H. J. Fust; it most strikingly characterises a long article on the judgment of Sir Herbert in the *Christian Observer* for this month; and, as we have hinted, it would seem to have belonged to the renewed and recent advocacy of the question by Mr. Turner! It is not possible, at least at present, to go into a particular examination of what is now advanced in this appeal of Mr. Gorham to the Judicial Committee. The old ground is travelled over again. We have not met with anything particularly new or striking. It is no use repeating or discussing explanations, which everybody knows, or which nobody understands. One thing, and one only, we shall attempt to do, in a few concluding words; but that one thing, if we mistake not, is of sufficient importance to demand the serious consideration of Messrs. Gorham and Goode, the editors of the *Record* and *Observer*, and of all the Evangelicals—the M'Neiles, and Stowells, and Bickersteths,\* of the land! *Will* they consider it?

\* This pious and excellent individual has, since this was written, died; but the references to him, in this and the next paper, are retained, because they are not *per-*

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The one point which we wish to bring out, and on which we would fix and concentrate the attention of our readers, we must introduce by a statement, which no one who has a right to have an opinion on the subject will venture to dispute. Our statement is this, namely, that, on the showing of the Evangelical clergy themselves, and of the newspapers and magazines by which they are represented, there is, between them and their High Church or Anglican brethren, *a great gulf*. There is no hesitation, in some quarters, in representing the doctrinal system of the one party as “unscriptural,” “soul-destroying,” “poisonous,” and “destructive;” and this chiefly on the ground of their holding and advocating baptismal regeneration. This error is supposed to taint the whole of their teaching;—to introduce naturally other errors;—to counteract and attenuate whatever por-

*sonal*,—they have regard to him as the representative of a certain form of thought and opinion. Of Mr. Bickersteth himself, we could not write disrespectfully or unkindly, *if we tried*. He was a good and holy man, and has gone to the home of the good and holy, and to “the spirits of the just made perfect.” He was not fitted for the times that are probably coming on the Church, and may be congratulated on his escape from “the stormy wind and tempest.” “*Enoch walked with God: and he was not, for God took him.*”

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tions of truth they may retain;—and thus, by inevitable consequence, to cause their preaching to become that “*of another Gospel.*” Representations like these have not only appeared occasionally,—they have been *characteristic* of the Evangelical press—unquestionably so, of the sentiments and conversation of Evangelical men. The two parties have been weighed and estimated in respect to their possession of spiritual truth, and their different effect on human salvation. The one party “preaches the Gospel,” the other party “does *not* preach the Gospel;”—“the preaching of the one class raises their hearers to the gates of heaven; that of the other leads them down to the chambers of death;”—the difference between two such parties is, of course, “not minor, but fundamental.” This *used* to be felt, and the consequence was, that the Evangelical party claimed to be the only legitimate Churchmen,—asserted that their doctrine was that of the Church,—that she taught and recognised none else,—and that thus (in the language of Mr. Bickersteth, in his letter of the 6th of this present month), she was “the great witness for, and the great defender of, evangelical truth in the world.”

Keeping this in view, then, let it be noticed

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that the advocates for Mr. Gorham have come down to a point like this,—namely, that they do not attempt to prove that Mr. Gorham is absolutely and exclusively right,—right, to the exclusion of the very possibility of the opposite party being tolerated at all,—which ought surely to be the case, if the Church be as evangelical as the Evangelicals have always said it was, and as they affirm that they themselves are; but, all that Mr. Turner and Dr. Bayford now plead for is, that Mr. Gorham's doctrine may be comprehended in that of the Prayer-book;—it may be held fairly and honestly, and might be allowed to be professed and taught. What they plead for is *toleration*; they wish to be continued *along with others*; their great point is, the comprehensiveness and charity of the Church in providing for different parties, and allowing of diversity of opinion. Mr. Turner is reported to have said, “that it was not the intention even of the Articles to determine the question, and that there had always been different views on the subject; and Dr. Bayford, on Wednesday, laboured to show that the Church, by the construction of her Prayer-book, wished to accommodate Roman Catholics; and that Roman Catholics “might conform to the Church of England without



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violating their consciences.”\* Now, it is not possible for us, at present, to pursue this subject into all the grave questions which it would give rise to; we leave it with our friends, only inquiring whether they think that such a plea *is worthy of a party who have been in the habit of making such professions about themselves, and such boasts about the Church, as the Evangelical? Has it come to this, that they will be satisfied to stand side by side, and on the same level, with the men who preach “another Gospel,”—these men being equally authorised and sanctioned by the Church as themselves?* There is something cutting in Dr. Addams’s remark, which Mr. Gorham and his friends will do well to ponder,—“Mr. Gorham described the doctrines of the Bishop as unscriptural and soul-destroying doctrines.” “If the doctrine held by Mr. Gorham were the true doctrine, then that laid down in the Prayer-book was not the true doctrine; and THAT MIGHT BE A VERY GOOD REASON FOR ALTERING THE PRAYER-BOOK, but not for instituting Mr. Gorham.”

\* It was so said in the newspaper reports; but these were often so incorrect, that perhaps there was some mistake. The author’s argument, however, it will be observed, rests rather on the *previous* admissions.

**FRIDAY, DECEMBER 21, 1849.**

THE THREE COURSES OPEN TO THE JUDICIAL COM~  
MITTEE OF THE PRIVY COUNCIL—CONSEQUENCES  
OF EACH—MR. BICKERSTETH AND HIS EVANGELI-  
CAL BRETHERN.

Certain noblemen have discovered a short and royal road to immortality. One, by cutting his coat off at the skirts, and walking through the streets with what was left on his shoulders, originated "the Spencer." Another, by inserting a slice of meat between two pieces of bread and butter, with a slight addition of salt and mustard, invented "the Sandwich." Everybody has heard of "a Stanhope" and "a Brougham,"—though each of the noble lords, thus immortalised by a carriage, has his name associated with the press and its productions—the one by the machine, and the other by the substance, of our living literature. An illustrious commoner has acquired fame, among other things, by giving rise to the remark, that, in certain circumstances, parliaments, councils, and committees have the option before them of "one of three courses."

"One of three courses," then, may be taken by the Committee of the Privy Council, in their

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decision on Mr. Gorham's appeal. They may decidedly confirm the judgment of the Court of Arches;—or they may decidedly reverse it, and pronounce fully and positively for the appellant;—or they may take a middle course, and, by either throwing the thing off on the hinge of a mere legal informality, leave matters just where they were—or, by pronouncing in favour of the charitable construction and comprehensive character of the Articles and Prayer-book, authenticate and endorse both of the contending parties alike. We include both these last courses in one, as equally constituting a *via media*, because they would come very much to the same thing: the first would mean, that the Judicial Committee did not choose to assert that either party was wrong; and the second would affirm, that each of them had an equal chance of being right.

We have means of knowing, that it is very generally supposed, in certain Evangelical circles, that the *third course* will be the one pursued. It is probable, also, that that portion or line of it, by which would be affirmed the comprehensiveness of the Church, and the consequent equal Churchmanship of both parties, will be ultimately taken. It is not at all probable, that, in the face of the formularies, and

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with the horror of laymen at the atrocities of Calvinism, the Committee will affirm, as exclusively accurate, Mr. Gorham's interpretation. Nor, for reasons immediately to be named, is it likely that they will confirm Sir Herbert Jenner Fust's judgment. There is every reason, therefore, to believe and expect that such a deliverance will be come to as, it may be hoped, will keep ecclesiastics quiet for the present.

It may often be seen, in the course of a trial, what is the opinion or bias of the judge. It is said, by some who have scrutinised the countenances, and watched and weighed the questions or remarks of the members of the Committee of the Privy Council, that it is perfectly obvious that they would *wish* to find, if they possibly could, grounds and reasons for coming to some pacificatory conclusion. Mr. Gorham himself, in his exceedingly indiscreet, and almost reprehensible letter, which appeared in the *Times* of Monday last, would seem to take advantage of some of these "questions and remarks," and thus steal a march upon and forestall the decision and judgment of his judges. He quotes and lauds the suggestion of Dr. Lushington, that the Reformers, being Calvinists, were not likely to have approved formularies the meaning of which would ex-

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elude themselves. It is thus intimated by Mr. Gorham, that it would be a fair issue of the cause for it to be decided, that, supposing the Prayer-book *not* to be *exclusively* Calvinistic, it may yet *admit* of an interpretation on the Calvinistic hypothesis, *as well as* of one on the supposed Anglican system. He clings to this idea, as actually already in the mind of the Committee. It was curious, too, it has been affirmed, to watch, on Friday last, the countenance of the Bishop of London, when Dr. Addams called the special and particular attention of their lordships to an extract from the charge of "an eminent prelate," delivered in 1842, in which it was strongly and most positively stated, that no interpretation of the Articles that contradicted the formularies *could* be true; and that the formularies taught, in express terms, the doctrine of regeneration in baptism. *The charge was the Bishop of London's*, and his lordship, it is said, looked like a man who was caught in something he would like to get out of! The advocate, as we have shown in a former paper, might have produced equally strong expressions from the *unrecalled* writings of the Primate himself; so that here are two individuals publicly committed to an opinion and a sentence on the

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question in the process of discussion before them, and yet it is supposed that the judgment of the laymen and lawyers upon it, is to come out as something entirely different from that already given by the very men whom they are supposed to advise with and consult!

And why is this? Why! because *it is said*, that the Government have made it a political question; that the Bishop of Exeter is not liked, and that there are those in power who would not be sorry to see him rebuked; that anxiety has been expressed for certain members to get down to the Committee, from whom a favourable verdict was anticipated; and that, in fact, it is the anxious and earnest wish of the Government to keep the nation from being embroiled by a split in and secession from the Church, and to keep the Church itself one and indivisible, by *assuring* its apparently discordant elements *that they are alike within the meaning of its liberal intentions, and equally embraced by its loving catholicity!*

Now, whether these things *are*, or not, we cannot affirm; we can only affirm that they are *said*. Leaving, therefore, entirely, the question of fact, and looking merely at the circumstance that such things are *spoken*, let us see how matters would stand in respect to *all* the

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courses which the Judicial Committee of the Privy Council might, by possibility, adopt.

Supposing, in the first place, that the judgment should be in favour of the Bishop of Exeter, by the confirmation of that of the Court of Arches; in this case it would be felt to be secure and absolute, as being in opposition to the supposed bias and wishes of the Government. Nothing but the most obvious and unavoidable reasons for the decision would be possible to account for it. The issue would be felt to be unalterable, and the Anglican party would achieve a triumph.

But, in the second place, supposing the judgment to be in favour of Mr. Gorham, it could have no real weight with thinking men. It would save, indeed, the *status* of the Evangelical clergy, and confirm them, legally, in their position; but doubts and suspicions would rest upon it;—while the men who exulted in the advantage it might confer, would be thought of as shielded and saved by a manœuvre.

Again, taking the third course, and supposing the sentence to heal the breach by some tranquillising and liberal interpretation, by which neither party should be pronounced wrong, or *both parties be authenticated and endorsed*; this, surely, instead of a triumph to

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our Evangelical friends, would be “a heavy blow and great discouragement.” It would deprive them for ever of their exclusive pretensions as the only legitimate sons of the Church, and would rob the Church of the character they attribute to it, of being the “great witness for, and the great defender of the evangelical faith.” After all their assertions, and all their boasting of the purity of the Articles and formularies of the Church—after an their denunciations of the “poisonous,” and “destructive,” and “soul-destroying errors” of the Anglican party—they would be obliged to confess, in the language of the *Record*, in April last, that the Church had always “*tolerated, embraced, and availed herself of the services of both classes,*”—those, that is to say, who “raised their hearers to the gates of heaven,” and those “that led them down to the chambers of death.” Evangelicism, in the Church of England, would sink down into *one of the forms of opinion* which it *permitted* to be professed; *it would cease to be the profession of the Institution itself.* “Another Gospel” would be legalised along with it, and the one or the other would equally and authoritatively be ruled as acceptable awl approved in her sons!—Mr. Bickersteth says, that, by the con-



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firmation of Sir Herbert Jenner Fust's judgment, "our beloved Church would be placed in a false position;" but we ask—and we ask with confidence,—on the issuing of a decision which should legally authenticate Evangelical and Anti-evangelical alike, would not the former party be *then* placed in a false position too? And if, as he says, that the doctrine of the latter "flatters the sinner, deadens the conscience, and deludes the soul;" and "is the grand error of the *perilous* times of the last days;" and that from such as hold it "*we are to turn away;*" and, if he means what he says, when he feelingly asks, "What faithful minister but will testify against such a false position,"—*we* ask, Will he carry this out in the circumstances we have supposed?—will he either "testify" against *his own* "false position," or "turn away" from the erring brethren with whom he would be identified?

In all these reasonings, and those of our last and previous papers, we proceed *on the principles and protestations of our Evangelical friends themselves*. We take them according to their own showing, and appeal to them out of their own mouth. For ourselves, we like and admire latitude of opinion. We rejoice in the liberty which is *practically* enjoyed in the

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English Church. We can see everywhere, and on all sides, how the sects are enslaved, and men are made "offenders for a word." There is no tyranny like the tyranny of the people—generally the ignorant, the forward and the prejudiced,—who, in political and religious republics alike, crush and restrain the free utterance of the oracles they should reverence. But liberty in the Church is purchased too dear; it has to be bought at the expense of promising at the threshold to repudiate it for ever; and it can only be exercised by the violation of vows; while, on the evangelical hypothesis, to *enjoy* liberty on a principle which awards it, *at the same time, and in the same Church*, to those teachers who "flatter the sinner, deaden the conscience, and delude the soul,"—this, surely, is something which the conscientious and "faithful minister" ought to find it somewhat difficult to accept! "Who,"—in the language of Mr. Bickersteth—"who would" not testify against so false a position?" But how! Quakers give their "testimony" by suffering wrong;—Nonconformists gave theirs by secession from the Church;—in what way will *Mr. Bickersteth* "testify?" By continuing, *he says*, even on the worst supposition—the confirmation of the judgment of the

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Court of Arches—in the Church, and seeking redress, a reversal of the sentence, by applying to the “highest ecclesiastical and CIVIL authorities of the country!” Asking, we suppose, such an assembly as Parliament to decide and pronounce on the scriptural doctrine of regeneration!

**FRIDAY, DECEMBER 28, 1840.**

THE CONTENDING BAPTISMAL THEORIES—ARE EITHER OF THE PARTIES RIGHT? WHICH?—THE ONLY COURSE TO BE TAKEN BY RATIONAL, GRAVE, AND TRUE MEN.

With this, the closing number for the year, of the *Christian Times*, we shall bring to an end our remarks and reflections on the Gorham case. It has been our duty to make frequent allusion to it, and to point out its present bearings and probable results on the position and prospects of the Evangelical clergy. In taking leave of it for the present, and retiring quietly to wait for the judgment of the Judicial Committee of the Privy Council, we shall offer a few observations somewhat of a different character from any in which we have yet indulged.

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In our last paper we mentioned the three courses, the one or other of which the Committee might take in its ultimate determination;—namely, to decide for the Bishop,—or to decide for Mr. Gorham,—or to leave the question an open one, by not distinctly condemning either party, or by virtually or verbally authenticating both. While the Committee has retired to consider its judgment,—or, rather, while it is dispersed for the Christmas holidays previous to such consideration, and is recruiting itself after its five days' sittings and fatigue, and while the clergy are waiting its ultimate decision, as to *what it is* that the book which they use *says*, or *means*, or is *to be understood, for the future*, to *mean* or *say*,—he will look a little into the whole subject, as it now lies before us, and before the public, in the arguments of the advocates on both sides.

Altogether irrespective of the past decision of the Court of Arches, and the coming judgment of the Judicial Committee,—irrespective alike of convocations and Parliaments, and party opinion,—without waiting for the announcement of what is to be the future doctrine of the Established Church, or whether it is to have any definite doctrine at all,—we can look at the two theories of the men and parties at present

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in contest, and can form our own independent judgment respecting them. With many, it may be a matter of deep moment *which* of the two theories is to be authenticated; but with others, it may possibly come to be a question whether *either* of them is worth contending for!

Let us state the question, then, as it shapes itself to the eyes of one like ourselves, sitting aloof from the scene of conflict, and looking down with such impartiality as they may be supposed to possess who have no *personal* interests involved in the result. Our position is so secure above the dome of the Cathedral, whoever may be dominant, or whatever may be sung or said in its sanctuary, that we can afford to view things in their simple connexion with abstract truth, and in the aspect they present to purified reason and moral consciousness. Whether we shall succeed in presenting the matter without either partiality or prejudice, others must judge; we can only affirm that we shall *try* to do so, and affirming that, we claim to be believed.

There is a certain book, denominated the New Testament, containing the system of religion denominated Christianity,—which system includes in it various spiritual doctrines which its disciples are to believe, and prescribes the

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administration of at least two rites which its ministers are to dispense. There is another book, denominated "The Book of Common Prayer, and Administration of the Sacraments, and other Rites and Ceremonies of the Church, according to the use of the United Church of England and Ireland," in which book there is an explanation of what this latter Church (the Church of England) conceives the doctrines and rites of Christianity to be, and prepared Forms, according to which *it rules* that the rites should be administered. Then, there are two parties in this Church, and among its clergy, represented respectively by the Bishop of Exeter and Mr. Gorham, who each give us what *they* understand the second book to mean in respect to one doctrine (regeneration), and in respect to one rite (baptism),—each, of course, contending that his understanding of the second book is not only correct, so far as *it* is concerned, but that it is the exact representation of the meaning of the first, or, at any rate, not inconsistent with it.

These two views, however, are not only supposed by the unreasoning multitude very greatly to differ from each other, but are asserted to do so by their respective advocates. Still, both the individuals above alluded to, and

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all the clerical members of the two parties or classes whom they represent, have signed the second book, solemnly declaring their belief that it contains in it nothing but what is agreeable, or not contrary, to the first; if, therefore, it was possible for an *infallible* authority peremptorily to decide *which* of the views of the second book was the right one,—and if this book itself was infallible as the exponent of the other,—it would then be decided, not only who were the best Churchmen, but who also were the best Christians. The men and the Bible alike being mirrored in the Prayer-book, all would agree—as things equal to the same thing are equal to one another.

Since, however, neither the Prayer-book nor any ecclesiastical or secular tribunal is, in Protestant Britain, regarded as infallible, it follows that the decision of the question now before the judgment-seat will determine nothing as to what actually is the scriptural truth. When, indeed, the decision is announced, supposing it to authenticate a certain sense, and to fix it authoritatively as the meaning of the second book, *that* will become, *to the Church of England*, the meaning of the first. It must be regarded, or accepted, as such, by all who shall thenceforth sign the one book, as, in their belief,

agreeing with the other; or who repeat and perpetuate their subscription to the declaration, by continuing to officiate as ministers of a Church whose mind and meaning are thus legally declared.

Still, no bodies of fallible men, mere human judges, can *so* decide for others as to enforce their decrees on the understanding. They cannot alter the internal convictions which any one may have of the meaning either of the first book or the second; though they may “rule” that such and such is the meaning to be attached to such and such declarations by those who enter or continue in the Church. Whether any, of either party, in the present contest, will choose to remain and to minister therein, using words authoritatively declared to have a certain meaning, which meaning they inwardly reject as being *that* either of the New Testament or of the words themselves; or, supposing two distinct, and, in their view, contradictory meanings, should be declared to be tolerated, whether they will be satisfied to remain in a Church countenancing equally truth and error, bearing alike “figs and thistles,” and “sending forth, at the same time, salt water and fresh,”—remains to be seen. The *practical* part of this question does not affect distant ob-



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servers, except so far as they sympathise with the embarrassments of the conscientious, and feel interested in anything that may weaken or corroborate public morality. Leaving, therefore, this part of the business to those whom it may concern, let us advance to another and a different bearing of the subject altogether—to one which deeply presses on the thoughts and feelings of many serious, earnest, and good men.

Instead, then, of discussing which of the two contending opinions, at present before the public, is most obviously in harmony with the Prayer-book, with the Articles or the Offices, or both together, let us look at the opinions *themselves*, as explained and held by their respective adherents; and let us see whether either of them approves itself to our reason and conscience. In many disputed points, it may actually happen, not only that one side is right and the other wrong, but that *both* may be wrong; and, in the present instance, we have high authority for saying, “that there are three prelates sent by the Queen to aid the judges, one of whom agrees with the defendant—another with the plaintiff—and a third a little with hath, and altogether with neither!”\*

\* *Church and State Gazette*, Friday, Dec. 14th.

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Where there is such diversity *in* the Council-Chamber, there may well, surely, be diversity out of it. Taking, then, the statements of the men themselves, as to what it is they actually believe, let us see whether they do not, almost equally, utterly confound and mystify common sense;—common sense, not in any mere general form of it, but as instructed and purified, guided and controlled, by the utterances of Scripture, and by the tenor and spirit of the whole scheme of mercy and mediation.

The first question that meets us here is, What *are* the two opinions of the contending parties? What, in plain unequivocal words, *is* it that the men really and respectively believe? It would seem not to be easy to answer this question. Each side complains of the obscurity of the other. Sir Herbert Jenner Fust cannot make out Mr. Gorham's book,—the advocates of the Bishop are at a loss to know how he reconciles his contradictions; *his*, on the other hand, are amazed at the extent and character of theirs; while the editor of the paper just quoted, affirms and declares that "*the accusation* is not definite—and that *the defence* is not definite—and that men are divided as to how they may best define the nature of the charge, and the consequences of the doctrine involved

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in it." In spite of all this, however, we shall do our best, guided by the publications connected with the controversy, and the pleadings of the advocates on both sides, to make out, and to "set in order" before our readers, the general drift of the two systems that are "striving for the mastery."

It is a mistake to suppose, as many do, that Mr. Gorham denies the regeneration of children in baptism; *in words*, he goes the whole length, of course, of the baptismal service, rubric, and Catechism; only he requests that he may put upon them what he regards as the right interpretation. The first reason appended to the prayer of his proctor to the Committee of Privy Council, beseeching them to set aside the judgment against him of Sir Herbert Jenner Fust, is in these words:—

"Because it does not appear, from the examination of Mr. Gorham, that he held, or persisted in holding, that spiritual regeneration is *not given or conferred in the holy sacrament of baptism*, or that infants are not made *therein* members of Christ and the children of God; nor is there anything contained in Mr. Gorham's examination *contrary to the plain teaching of the Church of England* in her Articles and Liturgy, or in the offices of baptism, the office of confirmation, or the Catechism, *as to spiritual regeneration being given or conferred in baptism*, or as to infants being *therein* made members of Christ and the children of God."

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This, then, may be taken as Mr. Gorham's own account of his belief, as it is that of the proctor in his behalf: He claims for himself that there is nothing in his examination from which it can be inferred that he holds any notion contrary to the *plain teaching* of the Church of England *as to spiritual regeneration being given in baptism*, and infants being *therein* made members of Christ and the children of God.—Now, it is not to be supposed that Mr. Gorham, in a serious contest for God's truth, or that his proctor, in a legal document addressed to the highest tribunal of the realm, would either of them condescend to the *conscious* employment of equivocal or artfully-constructed language,—language that would *seem* to say one thing but would mean another. Nevertheless, it is to be observed that the real meaning of the above profession and statement only amounts to this, that Mr. Gorham believes it to be *possible, under certain circumstances and on certain conditions*, for infants to receive spiritual regeneration in baptism. He docs not really believe that this is either given *invariably*, or given *by* baptism. His words, therefore, express nothing but what is fairly and honestly true, *as he understands them*, but that understanding is not that which many people think

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is “the *plain* teaching” of the Church, “in the office of baptism, the office of confirmation, and the Catechism.” The *impression*, whether right or wrong, which would be left on most minds of average intelligence, after reading the above named *services*, would be, that to *all* children, baptised by the Church, regeneration had been given, and given through the rite. At first sight, Mr. Gorham’s words appear to mean this: to mean, namely, what it might be thought *the book* meant. Not so; *he* means, that it cannot be shown that he denies that to children (*some* children), spiritual regeneration is given or conferred in baptism,—(in, that is, *at the time* of their baptism, but not *by* it); and this statement,—by implication so guarded, cautious, and conditional,—he says (and we believe that he believes it) is in exact conformity with the “*plain* teaching,”—that is, as we understand it, *the simple, obvious, unmistakable* meaning of the Church,—not in her Articles only,—but “in the offices of baptism, the office of confirmation, and the Catechism.”

After this general statement, in his own—that is, in his proctor’s—words, of Mr. Gorham’s belief, and this necessary explanation of it—let us try to gather a more full and complete exposition of his entire theory, so far as we

can make it out from his own account and from the arguments of his advocates. For brevity's sake, and partly for clearness, we must give our understanding of it in our own words. If we misrepresent Mr. Gorham, he, or any of his friends, will do us a favour by pointing out the error.

Mr. Gorham believes, that in baptism a spiritual blessing may be conferred; to secure this, however, he requires a certain *worthiness* in the recipient. In adults, this worthiness is faith and repentance; in infants, it is the same—only that in their case this faith and repentance exist in *germ*, not in act, through grace given previous to baptism, or given at the time. Let it be observed, that we are speaking here of what is requisite to actual spiritual benefit. The *profession* of faith and repentance, by themselves, secures *baptism* to adults, and, in public baptism, the *profession* of the sureties secures it for the child; but to secure the inward spiritual grace there must be a worthiness in the subject, arising, in the one case, from faith and repentance being actually exercised, and, in the other, from their existing *potentially* in the infant soul, through an act upon it of “prevenient grace.”

It should be understood, we think, that the

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spiritual blessing given *in* baptism is not to be confounded with that grace which confers—worthiness, even when that grace is not given before the moment of baptism itself. An infant that has been made a fit or worthy recipient of baptism—two days, say, before the administration of the rite—receives a spiritual benefit because of that worthiness; but another, that has not thus previously been made worthy, if, at the moment of baptism, it receives a baptismal blessing, then, it must, *the moment before that*, (as we conceive,) have been rendered worthy by an act of grace, which grace, though so immediately preceding, is still properly “prevenient,” and is not the grace *of* baptism, but the spiritual preparation for it.

The necessity for this act of “prevenient grace,” to give to infants a subjective worthiness for baptism, arises, Mr. Gorham says, from the fact, so often asserted in the Offices and Articles, that children, “being born in original sin, and in the wrath of God,”—subjects of that corruption which, “in every person—born into the world, deserveth God’s wrath and damnation,”—cannot be worthy recipients of baptism, unless by an act of “prevenient grace” that shall *make them* worthy. To those, however, thus made worthy, baptism is a source

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of spiritual benefit;—that is to say, *in* baptism (though not, strictly speaking, *by* it) a further blessing will be conferred; for, to worthy recipients, the sacraments are efficient, “grace being given, and faith strengthened by virtue of prayer unto God.”

Here, in passing, we must be allowed to observe, that, on Mr. Gorham’s own showing, we do not see very clearly, how he can say that “*spiritual regeneration is given or conferred in baptism;*” because *that* must really be included in the gift of “prevenient grace,” Regeneration, *the change* of “the child of wrath” *into something the opposite to that*, must have taken place, and *must* take place, it seems, previous to baptism—though but one moment previous;—hence, though *in* baptism further grace may be given, it can only be that which shall strengthen and nourish the new nature already conferred; it cannot confer it.

But, supposing a child has not received “prevenient grace” to make it worthy of baptism,—and does not receive it at baptism,—does such child, in every case, receive baptism unworthily?—This is a fearfully important question; because Mr. Gorham bases so much on worthy reception, and on the Article which refers to it, the words of which are, “in such only as wor-



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thily receive the same (the sacraments) they have a wholesome effect or operation; *but they that receive them unworthily purchase to themselves damnation.*" If a child, then, is not made worthy before baptism, or at baptism, is such child necessarily unworthy? It would seem so, by the very reason that Mr. Gorham gives for insisting on the necessity of "prevenient grace." Nevertheless, it does not follow, it appears, that children destitute of "prevenient grace," necessarily *so* receive baptism as to purchase to themselves damnation, or that baptism to them is a mere nullity. The case is this:—all children are baptised on their profession of faith and repentance through their sureties, for, though no such profession is made in private baptism, Mr. Gorham holds that it is understood. On this profession the rite proceeds, and, if God foresees that the profession is a reality, and will one day be exemplified in the child, then, though He has not bestowed upon it "prevenient grace," and cannot, therefore, see faith and repentance *in germ* in itself, yet, "seeing them afar off," the baptism may, potentially, be a blessing and not a curse; for, though no grace is conferred in it, or by it, still, *when* the individual does exercise faith and repentance, the rite will become efficient

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then;—the *man* will be endowed with the baptismal gift, which he failed to receive *as a child*;—and he will receive it (having *become worthy*) *because* of, and *in virtue* of, his baptism.

By regeneration, Mr. Gorham means *that* spiritual grace and life which are indissolubly connected with eternal salvation. He would seem to take the word in the highest possible sense, as indicating a blessing which, once given, is never withdrawn;—it is the Spirit of God taking up his residence in the soul, and, however obscured and marred in His manifestations by immaturity, inconsistency, or sin, is still there, as “a well of water springing up into everlasting life.” *All* children who die in infancy, before committing actual sin, having been baptised, Mr. Gorham believes to have received baptism rightly or worthily (that is, with subjective worthiness); he believes, therefore, that they *must* have received a prevenient act of grace to make them worthy, for, without that, worthiness could not be. These two propositions he believes, because the Church *has ruled* that such children are undoubtedly saved! Their being saved, therefore, involves their having worthily received baptism; but their having worthily received baptism, involves the

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act of “prevenient grace,” for, without that, they were children of wrath, and heirs of hell.

Such are the great outlines of Mr. Gorham’s theory of spiritual regeneration and baptismal grace. We have drawn them, we think, fairly and accurately; and here, without dwelling on the point, we must be permitted to say, that, so far as we understand Mr. Gorham’s views, we do *not* think that they authorise the statements and language of his first reason for appealing to the Privy Council, as already quoted. We do not accuse either him or his proctor of intentional equivocation; they have so identified, in their minds, by long habit, the language they use with the ideas they attach to it, that they think everybody else will hear their words in their sense of them; but we put it to anyone who has carefully noted and accurately apprehended Mr. Gorham’s theory, as we have drawn it out, and who, with that apprehension of it, will look back, and read the “reason” above given, recollecting, as he reads, the theory of the speaker,—we put it to such an one, honestly to say, whether the speaker does not *seem*, at least, to use words and phrases with such a mental reservation, as makes them weigh, in

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reality, as to fulness of meaning, *far less* than they do in appearance?

The theory of the party opposed to Mr. Gorham is capable of a much briefer and simpler statement than his. It would seem to be this. They hold that baptismal grace is tied to the sacrament, and invariably accompanies it. That infants, "being born in sin and children of wrath," are, in and by baptism, through a spiritual grace, appointed to accompany it, delivered from the consequences of original guilt, made the partakers of a new nature, and become children of God and inheritors of' the kingdom of heaven. As, for the reception of Mr. Gorham's "prevenient grace," no antecedent subjective fitness is required,—so, none, his opponents think, is needed for the reception of the baptismal grace. With them, "to receive baptism *rightly*," and so to secure its spiritual benefits, is, in the case of children—not to receive it with subjective spiritual worthiness, but—for it to be "rightly administered." In every such case, they hold, that, as the child could offer no bar from voluntary guilt, it receives, in and by the sacrament (but *from God*), the inward grace; and that thus, as it was passively and unconsciously placed, by the sin of another, in its perilous original condition

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of “a child of wrath,” so it can passively and unconsciously receive, by God’s mercy, that spiritual regeneration which secures its salvation if it dies,—and which, if it does not die, will be the element and beginning of an inward life, which may ultimately be predominant over its worsen nature. For, here it is to be observed, that, with this latter party, regeneration, though truly and strictly a spiritual and internal grace, is yet not of a sort that is indefectible, and that is necessarily connected with perseverance and salvation. The life given in baptism meets all the spiritual needs of the infant if it dies; but, as it grows up and becomes a *personally* responsible agent, it may be neglected or nourished, increased or lost; it may expand into maturity, and ultimately flourish in heaven; or it may be forfeited and extinguished, and the man himself ultimately perish.

Such are the two theories of regeneration in baptism, which secretly divide the Church, and which, at the present moment, by their contests and squabbles, are scandalising the world. For ourselves, we do not hesitate to say, that if we were bound to use the words of the Prayer-book, we should use them with the greatest calmness, and with the nearest approach to conscious honesty, on the last theory; and that,

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even if we had only to choose between the systems, we should prefer it to the first for its own sake. Mr. Gorham, believing regeneration to be the supernatural commencement of immortal blessedness—nothing else and nothing less;—believing, therefore, that it belongs, and only can belong, to a certain number,—those whom God has either appointed to eternal life, or whom he foresees will ultimately attain it,—which alternative takes in the Calvinistic and Arminian theory alike;—believing further, in a number of conditional pre-requisites, to secure a blessing at the moment of baptism—prevenient grace, sponsorial profession expressed or implied, sponsorial sincerity, the life or death of the infant itself, Divine prescience, and so on,—with all these things, reducing the probabilities of baptismal benefit in an enormous degree, especially when connected with the action of a Church so situated that it must of necessity baptise *the world*—(for what is meant by “the world,” in religious language, necessarily, in England, belongs to the Church),—with all this, he consents to say of *every* child, without exception, that God *has* regenerated it by the Holy Spirit—to use language himself, and to teach children to use it and learn it in their Catechisms, which he

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admits, “in its naked verballity,” is false and perilous—and he does this, because, in his opinion, there is a *condition* and an *hypothesis* underlying the whole thing—which hypothesis, however, nothing clearly presents or explains to the common mind—and, therefore, that he may say a thing *is* done, and thank God for doing it, because it either *was* done some time since, *is* done now, or *will* be one day!—all available phenomena, however, *on his own theory of adult society*, going to prove that, in the great majority of instances, the thing is never either done, or likely to be done at all! With the second theory, the Offices of Baptism, of Confirmation, and the Catechism, and even the Articles themselves, appear to us far more fully to agree, and to present a sense which, on the whole, is harmonious and consistent.—We neither believe the book, nor either of the systems of interpretation; but looking, impartially, at all three together, such is our opinion and belief.

The two theories alike proceed on the assumed fact, that, in spite of God’s “inestimable love in the redemption of the world by Jesus Christ;”—in spite of the mediatorial work of the Redeemer, and the gracious constitution of things in Him, through which humanity is

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born under mercy, and continually in contact with spiritual influences;—in spite of the declaration of Jesus—(in whom we see the Father)—in relation to children, that “of such is the kingdom of heaven;”—in spite of the asserted “holiness”—(whatever sense may be attached to the word)—of the offspring of a union where even only *one* of the parents was a Christian;—in spite of the instincts of nature, the authority of the heart, and the Fatherhood of God;—in spite of all this, and far more, the foundation—fact of both theories is, that every babe drops from the womb, and falls into the loving arms of its mother, in a condition, spiritually, *fit for hell!*—that it actually *is* under God’s wrath and curse; and that, whatever joy may kindle in the soul, brighten in the eye, and tremble on the tongue,—joy, full, infinite, irrepressible,—“because a new man is born into the world,” must be dashed and darkened by thoughts of *God’s wrath*, hell, and the devil, until “holy baptism,” or “prevenient grace,” has benevolently interposed and snatched the guilty but unconscious immortal from the “horrible pit!” If we are to have the one doctrine, by all means let us have *the Bishop of Exeter’s exposition* of the other. Mr. Gorham’s hypothetical and con-



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ditional theory affords no relief;—with his view, indeed, of the effects of *unworthy* reception, it may increase doubt and exasperate despair. It may be an very well to be baptised, *if* the child has received prevenient grace—or, *if* its sponsorial profession is followed up—or, *if* it is one day to be spiritually benefited by the grace of the rite—if, in fact, it *is* regenerated, or *will* be. But, if not?—if “the holy sacrament of baptism,” as Mr. Gorham and his proctor call it, is received in vain, and “unworthily,” and, as in the vast majority of the baptised, is a mere ceremony, and nothing more, what then? Why, then, “as they that receive the sacraments unworthily (which is Mr. Gorham’s great point for the necessity of prevenient grace), purchase to themselves damnation,” the condition of the child is rendered worse—worse, *not by its own fault in falling from grace*, and neglecting to use and perfect a Divine gift bountifully given, but because it was brought by others into contact with the sacrament, while it had not received, did not receive, and *was never intended to receive*, that special act of sovereign mercy which could alone make it worthy of the baptismal blessing! That is to say, *being* “a child of wrath,” and “deserving God’s

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curse and damnation," *by nature*,—and, *never ceasing to be this*,—it is, by an *unavoidable* unworthiness in the reception of baptism, made *doubly* "a vessel fitted for destruction!" Bad as *adult* unworthy reception is, on the other theory—(there cannot be infant *subjective* unworthiness),—absurd as some of Mr. Baddeley's statements appear in relation to it,—it hardly amounts to what is worse than this. Startling is it to hear, indeed, that the grace is so inseparably connected with the sacrament, that, so far as simple regeneration is concerned, it *must* be received, even in adults who approach the rite without either faith or repentance! "They receive regeneration,"—the oblivion of original guilt,—"but they do not receive the remission of their own personal sins," Unworthy reception, therefore, is something very like a blessing and a curse at once;—it does for the adult what, *if he had been an infant*, would have saved him;—but seeing that he receives it unworthily, so that it cannot save him as a man, and yet cannot remain a nullity, it so operates, that all his former unforgiven offences take the character of sins "*after baptism*," as they become sins belonging to one of the baptised; and so *he*, also, regenerated though he be, is made doubly the

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child of hell that he was! Still, let it be acknowledged, that he is not entirely without hope—while, as everything is connected with *personal* wrong-doing, the system, after all, revolting as it is, is not quite so bad as the first. The good that is imparted to the unworthy recipient (because the rite cannot be divorced from the grace), may, by possibility, even in him, become a victorious antagonist against the bad nature into which it is infused. It will be his own fault if it does not; and hence, though if inoperative his condition is worsened, *that* being the result of his own sin, it is but reasonable that the grace, which was presumptuously sought, remaining unestimated and unimproved, should act on his destinies as his sacrilege and profaneness might be expected to occasion.

We have thus sketched the two theories of the two clerical parties of the English Church, who are at present before the public in violent collision. To us, they alike involve great absurdities. We would not give the value of a brass button to secure the defeat of one by the other. “The potsherds of the earth may strive with the potsherds of the earth,” but he “who understandeth and knoweth God,” looking on the strife afar off, will avoid being involved in

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their common destruction, for assuredly both shall ultimately be confounded. "Woe unto him that striveth with his Maker." "Woe unto him that sayeth to his father, *What begettest thou?* or to the woman, *What hast thou brought forth?*" The theology of the Prayer-book, which lies at the basis and looks forth out of all its teaching—its doctrine of baptisms, sacraments, and priesthood—needs an entire revolution and reform. It is an utter impossibility that there ever *can* be a scriptural or defensible interpretation of that book,—entire, and as it is. No devout, earnest, reflective man, whose soul is in harmony with the ultimate truths revealed in the Gospel, with the glory of the atonement, the love of the Spirit, the Fatherhood of God, and the character of Jesus, can, for one moment, hesitate to reject *both* the theories at present in question. Each of them distorts apostolic truth, and "darkens counsel by words without knowledge." They are each mixed, and very extensively, with "the wood, hay, and stubble," which *some* fire or other will certainly consume. If either is to be exclusively authenticated, it will be bad,—if both are indulged and tolerated, worse. And, while these discussions are going on, and the newspapers are filled with Patristic trash and Popish preten-

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sions—with ancient errors and modern misbeliefs—which amaze the simple, confound the wise, and please the profane, all rational and Christian England is to stand by, look serious, and say nothing!

The clergy of Kent recently complained of one of their number, that in preaching at Dover, before his Grace of Canterbury, he had advocated “the *Dissenting* doctrine concerning the sacraments.” Mr. Gorham, through his advocate, Dr. Bayford, strongly protested, in the Court of Arches, against being supposed to have any sympathy with Dissenting opinions, And yet there is “great lamentation and wrath,” in many quarters, that *Dissenters* should exult in the present divisions and agitations of the Church! Why should they not? When *they* quarrel, whose teaching is “the teaching that causeth to err from the words of knowledge,” the loyal to Truth may hope that her cause will be bettered by the conflict. This is the simple explanation of the matter;—and it is sufficient. *Who* are the Dissenters that exult? Not the worldly; for they wish the Church to be undisturbed from within and from without, and are not much concerned when their sons join it through Mammon, or their daughters by marriage. Not the here-

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tical, for they look upon the thing as a political institution, which, with all its absurdities, may have its use,—yea, its use even to *them*. No: it is only the earnest, the serious, and evangelical of the Dissenting body, who watch the spectacle of the Church at war—at war with itself—and who indulge hopes of good from the collision. They do this, because they believe, in their inmost souls, that the English formularies, according to Mr. Gorham’s own acknowledgment, are couched “in language accommodated to the prejudices of only a half-protestantised people,” and that they give rise “to controversies dangerous to the peace, and contaminating to the purity of the Church;”—they believe that they teach, and that they cannot but teach, uphold, and sanction, tremendous error and perilous delusions, WHAT-EVER THEORY OF EXPLAXATION IS RESORTED TO. They wish, therefore, to see the error exposed—they wish *that* to fall, *but not the Church*;—the doctrine, *not the Episcopacy*. They see no more reason why the Institution should not continue, after it is purged from the doctrines that defile it, than that the present Church should be the same with the one that was washed at the Reformation, though washed but imperfectly. They grieve that the ecclesias-

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tical property of the nation should be devoted to the support of what they think false, and that new property should be taken from the taxes, or extorted from themselves, for the same object. They are glad, therefore—and it is right they should be—nay, even if they are wrong in their opinions, it is right they should be glad—when things are astir which bring out to the view of all men what they deem delusions, and which, by possibility, may tend to the ultimate prevalence of truth. We defy the world to find in the conduct of the Evangelical Dissenters a just ground of accusation at the present crisis.

It is fearful to think what an amount and depth of internal suffering lie hid in the recesses of the homes and hearts of the English clergy! How many of them there are, that groan under sorrows, which they dare not utter, from the pressure upon them of harrowing thoughts on the language of their formularies! How many, alas! have become callous—have given up thought—dare not think—*will* not think! What terrible toil, intense and unavailing, to repress doubts, and sophisticate the understanding, and to find an interpretation that may be held as harmonising with scriptural truth! And what stabs, and darts, and

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shootings through the soul of the flaming arrows of shame and remorse, as ever and anon, while the words of the book are breathed to heaven, repugnance to their meaning lacerates the heart! No decision of Committee of Privy Council,—no authoritative legal deliverance, fixing a sense or tolerating differences, can reach the core and eradicate the causes of a disease like this! Nothing will do but *a change in the Offices of the Church themselves*. Many know this, and secretly sigh for it. Let it, then, be asked—sought for—pursued. Let some real Reformer arise,—some modern Luther,—that shall dare to look at things in their true light, and to call things by their right names. Let such an one appear. Let him inscribe on his banner, “ALTERATION OF THE BOOK,” and throw to the winds the miserable foolery of appealing to the Queen, to tell them through the lips of lords and lawyers *what it is* that the Church believes! It is known well enough what the Church says,—and *some*, at least, know to their sorrow, that *they* are obliged to say it too. Let, then, some one appear at the present crisis—as Mr. Pownall appeared on the platform of the Anti-Slavery Society, and by one bold and decisive stroke, shattered, as by a blow, the system of tempori-



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sing expediency and delay. Let this be done—done by some true, thorough man, tired of pretences, and ashamed of shams. Let it be done loudly and bravely,—in deep, terrible, strong earnestness;—let it be taken up by the many that mourn and that sigh in secret, waiting and wishing for light to dawn, and on whose behalf the stirring and echoing word would be uttered;—let us see something of this sort—united, growing, irrepressible—and we will believe in manhood, truthfulness, and sincerity once more.

JANUARY 4, 1850.

LORD LANGDALE'S OBJECTION TO PART OF MR. GORHAM'S THEORY—THE BISHOP OF LONDON'S BILL FOR A NEW ECCLESIASTICAL COURT OF APPEAL—CONTRAST BETWEEN THE ANGLICAN AND EVANGELICAL PARTIES.

*TO THE EDITOR OF THE CHRISTIAN TIMES.*

The Observatory, St. Paul's,  
December 31, 1849.

SIR,—Just as I was about to descend from the "Nest," a *few* minutes ago, I met your messenger with the two letters which you

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kindly sent by him, and which I again enclose. I cannot, at present, make any remarks upon them. The fact is, I am under engagements to spend a day with the Archbishop of Canterbury, another with Lord Langdale, and others with a few more of the members of the Judicial Committee of the Privy Council, and it is not to be supposed that I shall carry business with me into the country. I shall be *doing business* indeed, for I have to discuss with Lord Langdale his lordship's notion of the word "prevenient" being *unnecessary*, as used by Mr. Gorham, to express his idea of the necessity and means of subjective "worthiness," previous to the reception of baptismal grace. I hope to convince his lordship that, on the Gorham theory, the view I have taken is the more correct one, namely, that if an infant receive grace *in baptism*, it is necessary to this, that it must receive, the moment before, (if it has not received it earlier,) *preparatory* grace; if, therefore, an adult, having received infant baptism without effect, comes to receive the benefit of baptism, he must be prepared for this by an act of grace, which, though "subsequent" *in relation to the administration of the rite*, is "prevenient" *in relation to its spiritual effect*. Prevenient grace and baptismal grace must not be confounded.

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If *one* infant might receive the latter, without having received the former, another might,—*all* might,—and thus Mr. Gorham's *natural necessity* for the thing would have to be given up. If he does not distinguish between the grace *that imparts a subjective worthiness*, and the grace *that that worthiness appropriates*, he *must* give up that necessity, and then his whole superstructure falls to the ground. Lord Langdale, thinking that grace is grace, whenever given, objected to the term "prevenient" as unnecessary, when Mr. Turner admitted that one ineffectually baptised in infancy, would be regenerated through his baptism, when he repented in riper years. Mr. Gorham's statement, also, that a person "may receive grace *before* baptism, *in* baptism, or *after* baptism," would seem to sustain his lordship's remark. I submit, however, that the confusion arises from forgetting the difference between the grace *required to make nature worthy*, and the grace *given to that worthiness*. These two things must be different, and his lordship's objection must be overruled, if Mr. Gorham's theory is to hang together, and Mr. Gorham means what he says, when he so repeatedly asserts that grace is needed to make a child worthy, as the subject of baptism, and there-

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fore *capable* of advantage from it. I cannot, however, go into this matter at present, but may possibly do so after I have talked it over with Lord Langdale.

February 8th, 1850.

We have returned to town; not, however, in a condition for immediate work. It is not our intention, therefore, to *see* anything, or to hear anything either, till the delivery of the judgment of the Committee of the Privy Council on the great "Gorham Case." \* \* \* We met, at the Archbishop's, his Lordship of London; and though, at first, he was rather shy of our recognition, he came round, and was not only cordial, but confidential and communicative. His lordship was aware (for, of course, he had read every "Nest" on the "Gorham Case") that we had watched his countenance, and seen the vibrations of its white and red, when Dr. Addams read the passage from his own charge; the consciousness of this flushed him a little when we were first introduced, but when that wore off we were very good friends; we became, as boys say, "quite thick," and nothing would serve him but our promising to spend a week or two at Fulham. This unexpected visit has naturally interfered with the

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opening of the "Observatory." We could not find time to commence operations, nor if we had, could we, with any propriety, have referred to the subject on which his lordship and ourselves frequently conversed, but which, now, he has *himself* openly flung before the public. No one will be surprised that we found the mind of the Bishop as indignant as our own at the idea of the prelates having no vote in determining the judgment of the Privy Council;—that he was deeply sensible of the humiliation of the Church in having actually to submit, in a case of disputed false doctrine, to the decision of laymen who knew nothing about it;—and that he was stung and mortified by a constitution of things that did not even provide for these laymen *being themselves members of the Church at all!* No man better knows the weak points of his own system than the Bishop of London;—none realises more the way in which the thing will look to *Dissenters*,—how they may view it, *and what they will say*;—and no human being, perhaps, is at once so proud and lordly in himself, and yet so sensitively alive to surrounding opinion. He was feverishly anxious to get something done that might put a better face on the ultimate appeal respecting doctrinal differences. He was deter-

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mined, if possible, to get them referred to the Bench of Bishops,—or, if not, to some other purely ecclesiastical tribunal,—or at least to one where *one* of the prelates should have a voice. We laboured with and lent him all our assistance in concocting his measure, as it proposed to meet some of the points we have had to expose. As to his getting the Convocation together, for a *bona fide* discussion, or act, of *any sort or kind whatsoever*, we warned and entreated him not to attempt *that*. We were impelled to this, not only from our conviction that nothing would so speedily destroy the Church as a *living* Convocation,—a clerical Legislature that should *not* be a sham,—a thing, as at present, to meet in St. Paul's, to make a few ghastly galvanic movements, to open its lips, mutter a few sentences in Latin, and die;—but we were actuated, also, by a very natural feeling of self-preservation, since, as from what might take place in a *real* Convocation it would be impossible to answer for the security of the Cathedral, it *might* happen that we ourselves should be in some danger. Why the Bishop was anxious to precipitate the bill—and especially his reasons for wishing to get it passed *before* the delivery of the judgment of the Judicial Committee of the Privy Council—

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are matters which we do not feel ourselves at liberty, *at present*, to state. We should not, indeed, have referred to the subject at all, but that we can do so without any violation of private confidence. When we left Fulham, it was agreed between his Lordship and ourselves, that we should announce nothing from the "Nest" before he had introduced the matter to the Lords. He did this on Tuesday evening, as may be seen in another portion of this paper. Our compact is, therefore, at an end. We are now placed, in relation to the proposed bill, on the same level with the rest of the public. *Hence these utterances.*★

February 15, 1850.

With respect to the Gorham case, the senti-

★ Although we agree with the Bishop, as our principles oblige us to do, in the abstract hypothesis that a spiritual or ecclesiastical tribunal is the proper bar before which should be argued, and by which should be determined doctrinal questions; yet, we are bound to acknowledge, that at least ninety, or ninety-nine, out of every hundred clergymen, would rather be judged, on any matter, by a company of laymen, than by the bench of bishops. However it may be accounted for, such is the fact. The proposed bill of the Bishop of London, it will probably be seen—or, at least, it will be found in *private* intercourse—will not meet with anything like cordial clerical support.

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ment of the great Educational Meeting at Willis's Rooms was unequivocal and intense. It not only referred to what everybody feels, the scandal of appealing to such a tribunal as the Judicial Committee of the Privy Council for the settlement or interpretation of the doctrine of the Church, but it denounced the idea, which we have so often urged on our Evangelical friends, of quietly comprehending within the same body two such opposite souls, as are represented by the opposite opinions on baptism, we cannot but contrast the manly, unequivocal, and decided tone of the Willis's Rooms. ecclesiastical "agitators" (it is their own word) with the pitiful appeal of Mr. Gorham and his friends to be permitted a tolerated existence in the Church, *along with* the advocates of the sentiments they denounce,—or with the shameless and scandalous avowal of the *Record* of its satisfaction with the fact, that the Church has always equally "*embraced* and availed herself of the *services* of both parties." The Evangelical theory is a miserable compromise. We assert this, utterly careless of anything the Judicial Committee of the Privy Council may say or decide in their coming judgment. The advocates of Mr. Gorham, in arguing his appeal, aimed, at last,



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simply to secure the ratification of this compromise. It was not their object to affirm the *exclusive* truth of the Evangelical interpretation, but to obtain its *legal permissive recognition as one form of opinion with others* which might *all alike be authorised or allowed*. It is terrible to think, what, *on their own principles*, this involves—nothing less than the recognition and sanction, *by themselves*, of doctrine regarded as “soul-destroying.” Compare with this the following passage, from the speech of Mr. Denison, and ask thyself, O reader, whether this man, be he right or wrong, does not speak and bear himself *like* a man,—and whether it would be possible for any individual, with the Prayer-book in his hand, to appeal to it *so* in behalf of Mr. Gorham’s interpretation,—or whether, if he did, such a mighty mass of the English clergy could be got together, to sympathise enthusiastically with such sentiments, or to hail their utterance with “TREMENDOUS CHEERING?” It is the judgment of Solomon over again. The Evangelical party are submissively willing for the king’s order to come forth—“Let the Prayer-book be divided, and give half to the one and half to the other.” It says, beseechingly, to its elder sister, “Let it be *neither mine nor thine*,”—for such is the mean-

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ing of its belonging to both.—Mr. Denison and his friends are indignant at the insult, and stand up for the safety and integrity, and the exclusive possession, of their living child. Verily and indeed, *the High Church* “is the Mother thereof!”

“I may be allowed to say in this great assembly, holding in my hand the Book of Common Prayer and Administration of the Sacraments, with my finger upon the Catechism and the Offices of Baptism, that all Church education depends upon, and flows from, the Catholic doctrine of Regeneration in Baptism. (*Loud and tremendous cheering.*) We have lived to see what our fathers never saw. We have lived to see it called in question before a Supreme Court of Appeal, a Court not composed necessarily even of professing members of the Church of England—a Court with no spiritual character necessarily attaching to it,—we have lived to see it called in question, before such a Court as this, whether the Church of England holds, as necessarily and *exclusively true*, the doctrine of the one Catholic and Apostolic Church in respect of the Holy Sacrament of Baptism. In other words, we have lived to see it called in question before a Supreme Court of Appeal, whether the Church of England is or is not a branch of the Church Catholic. We have lived to see a Supreme Court of Appeal asked to declare *not* that *Regeneration in Baptism*, as held always by the Church Catholic, is *not* the doctrine of the Church of England—for *this* nobody has *yet* dared to ask—I say *yet*, for we know not what may be coming upon us—but *that there is room in the Church of Eng-*

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*land for this, and also for the denial of it.* In other words, we have lived to see it asked of a Supreme Court of Appeal that it should set the seal of its authority upon this—that the Church of England has *no doctrine* of Holy Baptism. *Has anything so revolting been ever, at any other time, attempted to be palmed upon the religious sense of the English people?* (Cheers.) Room for *two* doctrines of the *one* Baptism in the *one* Catholic and Apostolic Church! Why not say, at once, room for ten thousand doctrines? There would be some honesty in that.”



PART V.

**The Final Decision.**



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## PART V.

### The Final Decision.

FRIDAY, MARCH 15, 1850.

**THE JUDGMENT OF THE JUDICIAL COMMITTEE OF THE  
PRIVY COUNCIL—THE ARCHBISHOP OF CANTER-  
BURY CONCURS IN THE JUDGMENT, BUT DISSENTS  
FROM MR. GORHAM.**

DURING the afternoon of yesterday week, Thursday, the 7th instant, it began to be whispered throughout the metropolis, that the judgment of the Judicial Committee of the Privy Council, in the great Gorham case, would be pronounced at two o'clock on the following day. As evening set in, the whisper had risen to a murmur, and the murmur to a loud, distinct, articulate sound;—long-suppressed expectation rose into hope, and doubt and fear were displaced by certainty. Notices and intimations, impossible to be questioned, were publicly abroad, so that all interested in ecclesiastical concerns began to feel that a few hours only

were between them and the utterance of a word on which, as many supposed, more and weightier results depended, both immediate and remote, than had hung for ages on any judicial deliverance whatsoever.

*We*, of course, could not be taken by surprise. Our personal acquaintance with some of the members of the Judicial Committee, necessarily precluded the possibility of that. While, therefore, many—some of them Scotch and Presbyterian editors of religious journals—were breathlessly inquiring of their equally breathless and hurried informants—“But are ye *sure* the news is true?”—we were calmly making our arrangements, and adjusting alike our glasses and tubes, that, weather permitting, we might be able accurately to observe and hear, and thus be prepared to describe, *for the third time*, the public interest in this ecclesiastical controversy. That interest has been gradually but steadily on the increase. The cause was *introduced* into the Arches Court, and the argument pursued, with little or no external excitement, or at least with but few outward and visible signs of it. *When judgment was to be pronounced*, however, by Sir H. J. Fust, many had awoke to the importance of the question, and found their way to the



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“Commons” and the “Quadrangle,” to listen for once to an ecclesiastical judge,—to look upon the antiquated inhabitants, and to venture within the thick, dingy atmosphere of a spiritual Court. *When the appeal came on* before the Judicial Committee of the Privy Council, public interest was found to have greatly augmented and deepened; larger numbers, from day to day, attended to hear the repetition of the arguments than had before assembled to listen to the exposition and sentence of the Judge. The result of that appeal has been anxiously expected for many weeks, and now that it has been made known, it is our duty to state that the scene in the Council-Chamber, and about the building, previous to, and during, the deliverance of the judgment, surpassed in interest, excitement, and numbers, whatever had preceded it at any previous step of the proceedings.

It is not usual to open the doors of the chamber in which the Judicial Committee of the Privy Council assemble for public business till the appointed hour, when the members are discovered already in their places, having had previous, private access. On this occasion, not only were the doors of the Court (which is an *upper* room), kept closed till two o'clock, but the

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*street* doors were unopened, so that all access into the body of the building was denied—there was no getting up to the passage or ante-room, to wait there, as is commonly done on ordinary occasions. Soon after one o'clock, not only did a crowd—(a crowd of gentlemen, be it observed)—assemble in the street, adhering to the door, hanging on the steps, and spreading on the pavement, but numbers of distinguished or favoured individuals, who had the *entree*, or had sought and obtained it, were admitted into the Court by private approaches, and filled the spaces on each side of the room, near to the wall; while on a bench, immediately behind Lord Brougham, Lord Campbell, and Dr. Lushington, who were on the *left* of the table, and in front of the favoured individuals standing a little farther back, sat the Earl of Carlisle, Lord Monteaule, and several other distinguished persons. A few ladies were also in the Court before it opened; and a few others were *carried* thither,—in the crowd and as a part of it.

Before two o'clock, the numbers outside had grown multitudinous—the sea of hats appearing more like what surrounded the pit-door of the Opera-house, on a “Lind” night, than anything else. When entrance was granted, the rush, squeezing, and struggling, were tremendous.

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One or two gentlemen all but fell, and were in imminent danger of being trodden down by the advancing mass, inspired, as it was, by its own instincts, and irresistibly urged on from behind. The hall was passed with a sort of bound by some, and the staircase scaled with incredible rapidity. The doors of the Court were still closed, and, for a long time, the dense crowd stretching from the ante-room, along the passage, and down the stairs, looked, from our position, like an immense serpent erecting its head on an enormous coil of its body and extremities, and ready to seize on something before it. Everyone seemed in great good humour; and as two ropes, with a sort of leathern pocket attached to one of them, by which letters might be conveyed up or down, were seen dangling and moving between the banisters, many were the jokes that were uttered, or attempted, on this unexpected revelation of the "machinery of Government." At length the welcome sounds of the opening of the doors were heard and hailed; the crowd compressed itself as with resolute determination to rush forward; in a few minutes, all was in motion; and then, as in the twinkling of an eye, every vacant and available space in the comparatively inconvenient and contracted

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chamber, was more than occupied. The echoes of the Court seemed frightened at themselves,—popular excitement and rude earnestness being somewhat uncommon in those “highly respectable” and elevated regions! Lord Brougham began to think of the Yorkshire election,—Dr. Lushington of Freemasons’ Hall, and the days of his anti-slavery popularity,—and some of the clergy of the probable effects on the people and themselves of a real *discussing* and *voting* Convocation, that should actually have the settlement of theological questions, and—the *unsettlement*! It was some little time before order could be enforced and quietness obtained. It was, however, effected, And then, in the ears of no common auditory, and in the midst of profound and Prolonged silence, Lord Langdale proceeded to read, from a printed paper, the judgment of the Committee.

His lordship was at first rather inaudible, even to those at a slight distance, He made, of course, no particular effort to be heard; and was thought by some to be discharging a duty which he and his colleagues would willingly have escaped, The character of the audience, and the nature of the engagement, restrained, as he proceeded, any marked indications of acquiescence or dissent. That *both* sentiments

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were represented and present cannot be doubted, when it is remembered that among the auditors were, Mr. Gorham and many of his friends—the ex-chaplain of the Bishop of Exeter and many of his lordship's—the Rev. GEORGE ANTHONY DENISON, the Bishop of the Weigh-house, Dr. Wiseman, laymen who wish things to remain undisturbed, others who detest episcopal tyranny, and others who glorify the priest and the sacraments, Here and there stilled remarks and comments might be heard, which betrayed the theological party of the speakers; and, once or twice, as the judgment proceeded, a gentleman sitting at the head of the room, not far from Lord Brougham's right hand, lifted up his arms and his eyes to heaven, in perfect amazement, and with *incredulous wonder* at what he heard! Except this, we observed nothing particular, till, at the close of the last sentence, a few persons at the skirts of the audience attempted a shout, which, however, was not generally or cordially taken up, although we have reason to think that the great majority of the persons present welcomed the deliverance as a tribute to truth, liberty, and charity, and restrained themselves therefore, from a sense of decorum, and some of them, doubtless, from the predominance of feelings too intense

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and solemn for utterance, except in devout breathings to God;—on their knees in prayer, or in the closet or the Church in psalm and song!

With respect to the judgment itself, it is not necessary for us to enlarge. In previous papers we have said almost everything that the sentence can suggest. We are quite willing honestly to confess that we erred in our anticipations—but we erred, we believe, with large numbers—when we expressed our belief, on the appeal being made at the close of the judgment in the Court of Arches, that that judgment would certainly be confirmed by the Judicial Committee of the Privy Council. With our views of the meaning of the Prayer-book, we were not prepared for the present result. It has come, however, and is now the law. The supreme authority of the realm—the Queen, as the head of the Church, the last appeal in all things and causes ecclesiastical, has, through her constituted advisers, so expounded and explained the spirit, language, and force of the formularies, as, to a certain extent, to authenticate and endorse Mr. Gorham's opinions. The judicial sentence, considered in itself, simply states that Mr. Gorham's views "are not contrary or repugnant" to the doctrine of the Church—without defining what that doctrine

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actually is; but the *reasoning* upon which the sentence is grounded,—the process by which the conclusion is arrived at,—will seem to some, at the first glance, rather to lean to the startling admission that Mr. Gorham's views are correct, or, in other words, that *his doctrine is* the doctrine of the Church herself. The pervading spirit of the document, is one of a plea for mutual forbearance, liberty, and toleration *within the Church*;—for the sanction and permission of diversities of opinion on all points which the Church has not expressly and positively ruled; and it makes, apparently, such concessions in respect to what has been thus left uncertain, as would seem to allow, with undisturbed complacency, the interpretations alike of Puseyite and Puritan. In one passage, indeed, the Judges seem to admit that other men, who differ from Mr. Gorham, may do so, perhaps, with “greater” and better “reasons” for their belief than he has for his, and by such a statement they would appear to countenance the Exeter theory; still, the *reasoning* pursued, the premises adopted, the conditions and modifications urged and required, the several articulations of the logical process as it gradually unfolds itself, and the conclusions established as the inevitable result to which everything leads—

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may possibly appear to some minds, so to favour the theory of Mr. Gorham as to leave little room for the *legal* adoption of any other.

The judgment begins with a brief statement of the circumstances out of which the cause and the appeal arose. It then proceeds to reflect on both the parties, because *neither* of them states distinctly what the doctrine of the Church actually is. Bishop and presbyter are alike occasionally the subject of remarks anything but complimentary;—as in the following description of the “long series of questions and answers,” which constituted Mr. Gorham’s book, and “which was the only evidence adduced on either side,”—“QUESTIONS upon a subject of a very abstruse nature, *intricate, perplexing, entangling, and many of them not admitting of distinct and explicit answers,*—ANSWERS, not given plainly and directly, but in a guarded and cautious manner, *with the apparent view of escaping from some apprehended consequence of plain and direct answers.*” The inconvenience, indeed, of the mode of proceeding adopted by the litigant parties, is represented as so great, that the Judge of the interior Court, it is said, would have been “well justified” in refusing to pronounce any opinion, and, “even at the last moment,” in



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requiring the case to be brought forward after another fashion.

Encompassed themselves with the same difficulties, their lordships, however, proceed to do the best they can with the evidence before them. After stating what they think they have made out that Mr. Gorham's doctrine is, they proceed to define the exact duty that devolves upon themselves. The extent and limits of that duty are thus stated:—

“These being, as we collect them, the opinions of Mr. Gorham, the question which we have to decide is, not *whether they are theologically sound or unsound*—not whether, upon some of the doctrines comprised in the opinions, *other opinions opposite to them* may or may not be held with equal or *even greater reason* by other learned and pious ministers of the Church, but whether these opinions now under our consideration are *contrary or repugnant to the doctrines* which the Church of England, by its Articles, formularies, and rubrics, requires to be held by its ministers, *so that* upon the ground of those opinions the appellant can *lawfully be excluded from the benefice* to which he has been presented.”

Nothing can be more moderate than this statement, or could more accurately, perhaps, define the duty of lawyers in sitting in judgment on a spiritual question. They are not *divines* appealing to Scripture to determine the *absolutely true*; they are not *ecclesiastics* ap-

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pealing to the Prayer-book, under certain theological and traditionary influences, to decide, aided by something like sympathy and sentiment, which of two rival interpretations is *relatively* correct—founded on the “greater reasons,” and most in harmony with Catholic truth; but they are *lawyers*, sitting down to the interpretation of the printed document called the Book of Common Prayer, Exactly as they would to the interpretation of an Act of Parliament; and they wish to discover, not whether Mr. Gorham’s doctrine is scripturally right,—nor whether either it, or any other, is the more obviously or exclusively right in relation to the Prayer-book,—but simply whether it can be grammatically and legally made out that it is “so,” “contrary or repugnant” to the doctrines of the Church, “that” the man, on the ground of it, can be lawfully condemned to suffer a great and manifest civil injury—“the loss of a benefice to which he had been presented.”

Everyone who remembers the extreme jealousy with which, for the most part, the law of England watches over personal rights, property, and claims; and how reluctant it is to inflict punishment, by confiscation, deprivation, or other injury, except on grounds *legally*

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*proved*—how favourable it and its dispensers usually are towards those accused, giving them the benefit of every doubt, and interpreting, generally, whatever will admit of it on the side of mercy—and, moreover, whoever considers the repugnance of the age to punishment for opinion, the deep-seated hatred in general society to everything in the form of spiritual despotism, and especially when carried to the extent of depriving *a gentleman* of bread—all such will easily see that it would necessarily require the most cogent and inevitable demonstration to shut up the Committee of Privy Council to the necessity of depriving Mr. Gorham of that property to which he had, *prima facie*, a legal right;—especially when they were not bound, in saving him, either to condemn the holders of any other opinions, or exclusively to endorse Mr. Gorham's as true, but merely to determine whether or not they were "*so*" repugnant or contrary to the Prayer-book, as to expose him, lawfully, to the loss of all things.

There is another circumstance which, in looking at this judgment, ought not to be forgotten. The charge against Mr. Gorham was,

“That he was of unsound doctrine respecting the great and fundamental point of baptism, inasmuch as

Mr. Gorham held, and persisted in holding, that spiritual regeneration is not given or conferred in that holy sacrament—in particular, that infants are not made therein members of Christ and the children of God, contrary to the plain teaching of the Church of England, in her Articles and Liturgy; and especially contrary to the divers offices of baptism, the office of confirmation, and the Catechism, severally contained in the Book of Common Prayer and Administration of the Sacraments, and other rites and ceremonies of the Church, according to the use of the united Church of England and Ireland.”.

BUT TO THIS CHARGE MR. GORHAM PUTS IN A POSITIVE DENIAL. His very first reason, as we formerly showed, for appealing to the Judicial Committee, and which is embodied in their report, is thus formally stated by their lordships:—

“He distinctly and emphatically denied that he in his examination did maintain, or had at any time maintained, unsound doctrine respecting the efficacy of the sacrament of baptism, or that he had held, or persisted in holding, any opinions thereon at variance with the plain teaching of the Church of England in her Articles and Liturgy; and further *explicitly and expressly* DENIED that he either held, or persisted in holding, *that infants are NOT made in baptism members of Christ and the children of God*; and he alleged that he did not maintain any views whatever contrary to the true doctrine of the Church of England, as dogmatically determined in her Articles, familiarly taught in her Catechism, and devotionally expressed in her Services.”

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Now, when it is considered, as we before intimated, how reluctant to punish an English gentleman, a number of other highminded English gentlemen, unimbued with the *odium theologicum*, would naturally be, it is not to be wondered at that they should be anxious to escape from a painful necessity; but when, in addition to that, the accused party—a man of honour, education, and religion—“distinctly and emphatically” *denies* the accusation against him;—when, the charge being that “he holds that spiritual regeneration is not given or conferred in the sacrament of baptism, and that infants are not therein made members of Christ and the children of God,” he “EXPLICITLY and EXPRESSLY” *denies* either that he holds “unsound doctrine respecting the efficacy of the sacrament of baptism,” or that he holds or persists in holding “that infants are *not* made *in baptism* members of Christ and the children of God;”—when these things are considered, it seems not unlikely that, *as lawyers*, these same English gentlemen would give great weight to this solemn, “explicit,” and “express” disclaimer on the part of the accused, and accord to him the benefit of any doubt springing from such a fact; and still further is it to be observed, that if Mr. Gorham,—a spiritual person,—by emphasis too,

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an evangelically spiritual man—one bound, as by an oath, to have his “yea, yea,” and his “nay, nay,”—a follower of that apostle whose boast it was that his words always weighed neither more nor less than what they professed—that his conversation in the world, and “more abundantly” towards the Church, was in “simplicity” and “sincerity,” not with fleshly wisdom, or carnal craft—that his language was never “of deceit” nor “in guile”—if, we say, Mr. Gorham, accused of *denying* a certain dogma, and supposed by multitudes to embody in that denial a formal profession of scriptural truth, and a public protest against the deadly and destructive affirmation which he opposed—if he—so environed by obligations to say, simply and directly, what he means—could meet the accusation by a counter-charge of direct falsehood by “explicitly and expressly” stating that he did *not* deny the dogma in dispute!—if a *divine* could thus use language, which, somehow or other, grammatically expressed only what he believed, though it *seemed* to imply (*but did not*) that he held all that the Bishop believed,—why, is it to be wondered at that lawyers, as lawyers, should be able so to expound words and phrases as to rule and determine that they might legally mean, or that they only literally

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meant, far less than ordinary men had been in the habit of imagining?

Though we make these remarks, we are far from insinuating that their lordships sat down only to find out plausible grounds on which to erect a foregone conclusion. Far off be the day when it shall be possible for such an opinion to be generally current, or apparently probable, respecting one of the noblest forms of humanity—an English Judge! All that we mean to say, respecting either their lordships or Mr. Gorham, is, that there are feelings and circumstances which may so operate on the best of men, or on the better part of the nature of man, as to bias the judgment in weighing words, and to influence the pen or the lip in using them—and thus, that without any imputation on their consciences integrity, truthfulness, and honour, individuals may come either to interpret or to employ language, in a war, at first sight, difficult of apprehension by the popular mind. We do not choose even to go so far as the writer in the *Times*, who said, on Saturday last, in referring to the judgment of the Judicial Committee, that “no other decision could be arrived at consistently with the strict rules of legal construction, AND WITH THOSE HIGH CONSIDERATIONS OF PUBLIC POLICY! *which are indissolubly united*

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*to the peace and stability of the Church.*” While we think that their lordships would naturally be disposed in favour of the accused, and while we do not deny that they might be influenced, also, by the probability of the public and general consequences that might be suspended on their decision, yet, it appears to us, that, if they had liked, they might have found a way to their ultimate judgment far shorter and more direct than the one they travelled, if that had not appeared to them, in conscience and honour, sound and safe. Before we state what that way was, we give the conclusion in which it terminated. Their lordships set out, as our readers have seen, to discover, if they could, whether Mr. Gorham’s opinions on baptism were contrary or repugnant to those of the Church, *so that on the ground of those opinions he could be lawfully excluded from the benefice to which he had been presented.* After travelling far, and clearing their path, step by step, as well as they can—doing this to the satisfaction or acquiescence of their entire number, with the exception only of two—the Bishop of London and Vice-chancellor Knight Bruce—they arrive at the conclusion, and, with the exceptions referred to, “are unanimously agreed in the opinion—that the doctrine held by Mr.



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Gorham is not contrary or repugnant to the declared doctrine of the Church of England as by law established; and that Mr. Gorham ought not, by reason of the doctrine held by him, to have been refused admission to the vicarage of Bramford Speke.”

In carefully going through the judgment to discover the path by which their lordships reach this conclusion, it appears to us that the sentences in italics should be particularly remarked. As the judgment was read from a printed paper, the *Times*, of course, would obtain a copy; and as certain *italicisms* appear in the document as published by the *Times*, we take for granted that these were made by their lordships themselves. There is much of point and meaning in some of them.

We had prepared a full analysis of their lordships' argument, which we intended to have introduced in this place. It would have made, we think, their train of thought more obvious to some of our readers. Unfortunately, it is of greater length than we can find room for in this paper; for the present we must draw to a conclusion with a brief remark or two,—any allusions in which to their lordships' argument the reader must endeavour to understand by referring to the judgment itself.

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This important judicial deliverance establishes and authenticates the Evangelical clergy as consistent members and ministers of the Church, against all gainsaying, *so far as law and a legal interpretation* of the Articles, Offices, and formularies, are concerned. It may be thought by some, as we before intimated, that the *reasoning* of the document authenticates the Gorham theory *exclusively*; but—not to mention the guarded manner in which it is expressed that his doctrine is not considered so “contrary or repugnant” to that of the Church as to warrant his deprivation—it is to be noted, that, by expressly stating that *two* of the things left undecided by the Church are—What constitutes *right* or *worthy reception*, and *What* the grace, or the effect of the grace, of *regeneration is*,—their lordships have allowed all the latitude that could be required by any of the forms of Puseyite opinion, and have legalised interpretations opposite to Mr. Gorham’s as much as Mr. Gorham’s itself. It is impossible, however, to enlarge on this at present, or on the manner in which it should modify the joy and triumph of the Evangelical party, and the strange light it necessarily casts on some things which have already appeared among the utterances of those by whom it is repre-

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sented. There is one thing, however, which we must notice.

Our readers are aware that, some months ago, we gave large quotations from a work by the Archbishop of Canterbury, in which his Grace advocated the doctrine of baptismal regeneration. For doing this we were attacked, accused of "biasing his Grace's mind," and reproved for referring to what was written "in his comparative youth," and for holding him answerable for opinions and expressions which he had repudiated. We asked, in reply, has the Archbishop withdrawn the book? has he republished it, with new matter replacing the old, or with a new preface accounting for omissions? We obtained no reply. The Archbishop himself, however, has now answered us. He has republished his book, and he has written, also, a new preface. In the book, *he reprints and sends forth, as containing his present and unaltered views, EVERY PASSAGE AND ALMOST EVERY WORD WHICH WE QUOTED FROM HIM*; and in the preface he distinctly states what amounts to this—that Mr. Gorham's views are rather *tolerated* in the Church than *the views of the Church herself*; and that he, while consenting to the judgment of the Privy Council in respect to Mr. Gorham, does

not sympathise with, or concur in, his opinions. His Grace refers to the present controversy—quotes *the very passages* with which their lordships conclude their judgment, containing, as they say, “doctrines they cannot distinguish from Mr. Gorham’s;” but, *after giving these*, the Archbishop alludes to them by saying—“*Without concurring in these opinions.*” He also says, that he has not insinuated and does not feel a doubt that “a person may be a consistent minister of our Church, who holds a *different opinion* concerning the effect of baptism *from that which is advocated in this volume*; and who believes that the grace of spiritual regeneration *is separable*, and, in fact, *is often separated, from the sacrament of baptism.*” But we shall return to this subject.

MARCH 22, 1850.

ANALYSIS OF THE JUDGMENT OF THE JUDICIAL COMMITTEE-REMARKS.

It is our intention, in this paper, to wash our hands of the Great Gorham Case, and be done with it. It will be long before the Church or the country can do this. The re

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sults and consequences of the decision may, in more ways than one, very materially affect both, in their thinkings and interests, for some years to come. In taking our leave of it, we shall lay before our readers the analysis of the judgment, which, though drawn out, we were obliged to omit last week. This, we believe, is by no means a work of supererogation. Distinctly to discern, and clearly and continuously to trace, the line of argument pursued by their lordships, requires a more careful perusal of the document they so laboriously prepared, than many readers may have yet given to it; while, as that document is not only a declaration of the legal construction of the Prayer-book, and, as such, the present binding law of the land in respect to the acceptance of the book by Churchmen,—but an exposition of the reasons of that construction—an elaborate argument in justification of itself—it fairly deserves to be detained before the minds of reflective men for a longer period than is usually allotted to the newspaper record of law reports. Besides, it is such a settlement of the question as is not likely to be speedily disturbed. In spite of individual clerical “protests,” and of united and unanimous “resolutions” and “declarations,” the *legal* import of that voice which

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men listen to, when, with Dr. Hook, they “*hear the Church,*” will, we expect, for a long time remain at what it has now been declared to be. It cannot be unimportant to ascertain, if possible, what *that import actually is*,—nor, certainly, is it less important to ascertain, precisely, *why* it is, that the sense, thus fixed and determined, has been authoritatively selected and declared.

We shall aid, we think, some, at least, in making their way to both these points, by laying before them the following analysis. It was made under the pressure of circumstances which may have rendered it somewhat inaccurate or imperfect, and it is not possible for us to reconstruct it now; it is, however, we are quite persuaded, sufficiently full and sufficiently correct for the attainment of the ends proposed. We divide it into distinct sections, by what appears the natural divisions of the subject; and, as their lordships by their *italics* (as we mentioned last week), indicated to the eye the points on which they rested the weight of their argument, we have recourse here and there to the same device, to exhibit our *apprehension* of it, or to mark important and memorable matters. To avoid, however, imputed misrepresentation on our part, or misapprehension

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on that of our readers, let it be distinctly understood that our own indications are made by *italics*, while *their lordships' italics* appear in CAPITALS.

At the risk of prolixity, we must begin by giving their lordships' statement of Mr. Gorham's doctrine, and of the precise object of their own inquiry, though the latter of these was given by us in our last paper. They stand as contiguous passages in the judgment, and are as follow:—

“The doctrine held by Mr. Gorham appears to us to be this—that baptism is a sacrament generally necessary to salvation, but that the grace of regeneration does not so necessarily accompany the act of baptism that regeneration invariably takes place in baptism; that the grace may be granted before, in, or after baptism; that baptism is an effectual sign of grace, by which God works invisibly in us, but only in such as worthily receive it,—in them alone it has a wholesome effect; and that, without reference to the qualification of the recipient, it is not in itself an effectual sign of grace. That infants baptised, and dying before actual sin, are certainly saved; but that in no case is regeneration in baptism unconditional.

“These being, as we collect them, the opinions of Mr. Gorham, the question which we have to decide is, not whether they are theologically sound or unsound—not whether, upon some of the doctrines comprised in the opinions, other opinions opposite to them may or may not be held with equal or even greater reason by other

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learned and pious ministers of the Church, but whether these opinions now under our consideration are contrary or repugnant to the doctrines which the Church of England, by its articles, formularies, and rubrics, requires to be held by its ministers, so that upon the ground of those opinions the appellant can lawfully be excluded from the benefice to which he has been presented.”

Having been required to determine “the question” here indicated, and setting themselves down to the discharge of the duty, their lordships find their way to the thing sought for, by a train of argument of which something like the following are the basis and order:—

#### I.—GENERAL PRINCIPLES.

The question must be decided by the articles and liturgy.

As a book, that composed of the articles and liturgy must have applied to it *the same rules of interpretation* as are *by the law* applicable to all written instruments.

As the subject is doctrine, it is material to observe that there were different doctrines or opinions prevailing or under discussion at the times when the articles and liturgy were framed.

The Church having resolved to frame articles of faith as a means of avoiding diversity of opinion, must be presumed to have desired to accomplish this as far as it could, but not to have attempted the authoritative settlement of all questions which had arisen or that might arise. Some points would be fixed—other some would be left to the private judgment of conscientious individuals.



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In all cases in which the articles, considered as a test, admit of different interpretations, it must be held that *any sense of which the words fairly admit may be allowed*, if that sense be not contradictory to something which the Church has elsewhere allowed or required—and in such a case it seems perfectly right to conclude that those who impose the test command no more than the form of the words, *employed in their literal and grammatical sense*, conveys or implies; and that those *who agree to them* are entitled to *such latitude or diversity of interpretation as the same form admits*.

Doctrines expressed ambiguously in the articles, are to be considered as intentionally so left, unless the rubrics and formularies clearly and distinctly decide them,—if they do, they are fixed and authoritative; but if the rubrics and formularies are ambiguous, it is not to be supposed that the Church meant to establish, indirectly, as a doctrine, that which it did not establish directly as such by the articles of faith.

*Rule, deduced from these principles:—“We must proceed, therefore, with the freedom which the administration of the law requires, to examine the articles and the Prayer-book, for the purpose of discovering what it is, if anything, which, by the law of England, or the doctrine of the Church of England as by law established, is declared as to the matter now in question; and to ascertain whether the doctrine held by Mr. Gorham, as we understand it to be disclosed in his examination, is directly contrary or repugnant to the doctrine of the Church.”*

## II.—THE ARTICLES.

In respect to the articles, it appears that they underwent successive alterations, and expressed on the subject

of baptism different shades of opinion, as different opinions as to the sacrament itself were held by successive reformers.

In 1536, the doctrine of the articles is full and positive in respect to spiritual regeneration in and by baptism. Everything is asserted that could possibly be claimed for it—insomuch that infants and children dying in their infancy are declared to be saved *thereby* and else *not*.

In 1543, “the King’s Book” expresses itself in a manner indicative of a change or modification of opinion. Baptism is declared to be efficacious in doing away original sin, and actual sins committed previous to it, in adults who DULY RECEIVE IT, and in imparting forgiveness and the Holy Spirit, and securing the salvation of infants who are offered in THE FAITH OF THE CHURCH. Besides this, the articles of 1552 and 1562 differ greatly from those of 1536, and have special regard to the qualifications of worthy and right reception.

More especially those of 1562, in describing the blessings conferred by baptism, speak of those only who RECEIVE IT RIGHTLY; and instead of saying that children obtain remission of their sins, &c., by baptism, and dying in their infancy, are saved *thereby*, else *not*, they merely approve infant baptism as a right thing, but say nothing distinctly as to the salvation of either baptised or unbaptised.

So far, then, it is apparent that once, in 1536, two things had been decided, namely, that baptised infants dying before actual sin, were undoubtedly saved *thereby*; and, that unbaptised infants were *not* saved.

But, afterwards, in 1562, the articles say nothing on either point; not distinguishing the case of infants from that of adults; they state, *in general terms*, that those

who *receive baptism rightly* have the benefits there mentioned conferred.

From the import of the articles, according to their last construction and present state, two things are to be observed:—

First, They do not determine what is signified by *right reception*.<sup>★</sup>

Second, They do not particularly declare *what is the distinct meaning and effect of the grace of regeneration*.

Therefore, these (and other points) being left undecided, there could not be avoided *differences of opinion, on what was thus left open*, even among those who sincerely subscribed to the articles. Hence, *such differences of opinion*, it may be supposed, *were thought consistent with subscription, and not contemplated with disapprobation*.

### III.—THE PRAYER-BOOK.

In passing from the articles to the offices and liturgy, it is to be noted, that if there be liberty for differences of opinion in interpreting articles, or drawing inferences from them, *much more* must that liberty be supposed to be possessed in relation to forms not framed for the purpose of determining points of faith.

Some portions of the Prayer-book are doctrinal and dogmatic, and must be accepted as authoritative and final; but others are not—they call only be interpreted according to the distinct declarations of doctrine in the

★ To this their lordships add, Mr. Gorham says the expression always means or implies a fit state to receive—viz. in the case of adults with faith and repentance, and in the case of infants *with God's grace and favour!*"

articles, and *with reference to the faith, hope, and charity, with which they are to be used.*

Most manifest is the necessity for regarding general, positive expressions as being used *charitably*—that is to say, as *not involving universal truths*—for, those of the burial service *cannot* be true;—hence, other positive expressions, in other services, *may* come under the same rule.

With relation to baptism, then, the following things are to be noticed:—In public baptism the reasons for the publicity are, not only that the congregation may testify the receiving of the baptised into the “ark of Christ’s Church,”—but that everyone present MAY BE PUT IN REMEMBRANCE OF HIS OWN PROFESSION MADE TO GOD IN HIS BAPTISM. Then, there follow *divers prayers for the child*, that he may be delivered from wrath, and receive remission of sins by spiritual regeneration; and an exhortation to those present not to doubt, but earnestly to believe, that God “FAVOURABLY ALLOWETH THIS CHARITABLE WORK OF OURS IN BRINGING THIS INFANT TO HIS HOLY BAPTISM.” Further, *before the ceremony* is performed the *sponsors are questioned and make their answers*, and a prayer follows for the sanctification of the water to the mystical washing away of sin, and that God would regard *the supplications of the congregation*. Thus studiously is prayer made for the grace of God, that the child may receive remission of his sin by spiritual regeneration,—so firm is the belief expressed that God will favourably receive the infant; so confident is the negation of all doubt that God favourably alloweth *the charitable work* of bringing the infant to baptism. Then, *after* the baptism has been administered, and *during the continuance of the same per-*

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*suasion, and the same undoubting confidence of a favourable reception and allowance, the priest is directed to say that the child is regenerate, and to give God thanks that "it has pleased Him to regenerate it with His Holy Spirit," &c.*

So, after private baptism, when the child is brought to the Church, if the matter and words of its baptism are found to have been correct, the priest has to certify that all is well done, and that the child *being born in sin, and in the wrath of God, is now, by the laver of regeneration in baptism*, received into the number of the children of God, and heirs of everlasting life.

*But, the baptism thus referred to, and the effect of which is thus stated or expressed, is a baptism which may have taken place without any prayer for grace, or any sponsors. It seems plainly, however, to have been intended for cases of emergency, in which death might prevent the ceremony being performed; for such occasions, and the child dying, the Church holds the baptism sufficient, and not to be repeated. One baptism for the remission of sins is acknowledged by the Church; nevertheless, if the child, which is after this sort baptised, do afterwards live, the rubric declares the expediency of bringing it into the Church, and appoints a further ceremony with sponsors.*

Hence, the *rule* of the Church must be considered to be *the requirements she makes in her public service*. The adult person is *not pronounced regenerate* until he has first declared his faith and repentance; and, before the act of infant baptism, *the child is pledged by its sureties to the same conditions*. In the exceptional case, when the rite is administered in the expectation of immediate death, and the exigency does not admit of sure-

ties, the same promises, though not expressed, *must be considered as implied*. Any other conclusion would be an argument to prove that none but the imperfect and incomplete ceremony allowed in the exceptional case, WOULD BE NECESSARY IN ANY CASE.

This view of the baptismal service is confirmed by the catechism. The child is taught to say that infants are baptised, *not* because they cannot be unworthy recipients, or cannot present an obex or hindrance to the grace of regeneration, *but because they promise repentance and faith by their sureties*, which promise, when they come to age, they themselves are bound to perform. The answer has direct reference to the *condition* on which *the benefit* is to depend; the whole catechism requires a *charitable* construction.

#### IV.—GENERAL INFERENCE AND DECLARATION OF OPINION.

The conclusion arrived at by the above line of argument, without going through the other formularies, which is not thought necessary, is this:—"That the services abound with expressions which must be construed in a charitable or qualified sense, and cannot, with any appearance of reason, be taken as proofs of doctrine;" that a man "strongly impressed with the earnest prayers which are offered for the Divine blessing and the grace of God may not unreasonably suppose that the grace is not necessarily tied to the rite; but, is to be prayed for, that *it may be present then, or when God pleases, to make the rite beneficial*:"—that *the rule* of the Church, expressed in her ordinary, and implied in her exceptional, service, is to require a *profession* of faith and repentance as the condition of baptism both in adults and infants.

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Therefore, the baptismal services may consistently be used *conditionally*, as they must certainly be used *charitably*; the blessing is asked—it may be given *when God pleases*; it is *said* to be bestowed at the time, but this is language expressive only of what may be true in any individual case, but which is not to be construed as expressing what is certainly true in all cases. The rubrics decide one of the points formerly left open, namely, that baptised infants, dying before committing actual sin, are undoubtedly saved; but it is not said that such children are saved *by baptism*.\* On the whole, there are *many points of doctrine* respecting the sacrament of baptism, which by the rubrics and formularies (as well as articles) *are capable of being honestly understood in different senses*. On such, conscientious men, *having duly made the subscription required by law* (and taking Holy Scripture as their guide), are at liberty honestly to exercise their private judgment without offence or censure. Mr. Gorham's doctrine may be contrary to that of many learned and pious men; contrary to their opinion of what the Scripture teaches; contrary to the inferences they deduce from usages and doctrines of the primitive Church, or from *uncertain and ambiguous expressions* in their own formularies; but it is the unanimously agreed opinion of the members of the Judicial Committee of the Privy Council, with the exception of his Honour the Vice-chancellor Knight Bruce,—which opinion is approved by the Archbishops of Canterbury and York, the Bishop of London not concurring,—*that the doctrine*

\* It was at this announcement that the gentleman mentioned in our former paper lifted up his eyes and hands in amazement, indicating the most vehement dissent from it.

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*held by Mr. Gorham is not contrary or repugnant to the declared doctrine of the Church of England as by law established: and that Mr. Gorham ought not, by reason of the doctrine held by him, to have been refused admission to the vicarage of Bramptord Speke. Q. E. D.*

The judgment, it may be observed, is drawn to a close by the quotation of a number of extracts from eminent divines, intended to show that doctrines, which their lordships “cannot, in any important particular, distinguish from those entertained by Mr. Gorham,” have always been taught by some in the Church.

Their lordships give no opinion on the theological accuracy of those doctrines; they do not deny that other men equally eminent have advocated and published very different views; but the mere fact that such opinions have been propounded and maintained, proves, they say, that “*the liberty which was left by the articles and formularies has been actually enjoyed and exercised by the members and ministers of the Church of England.*” To which their lordships might have added—“*and a great deal more.*”

The determination we have formed to conclude our observations on this important case in the present paper, and our necessarily limited space, forbid our entering, at any length, into the many momentous and pregnant topics, which the foregoing document is calculated to suggest. We the less regret this, however, as we have so placed before the eye of our readers the principles and reasoning of their lordships’



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judgment, that most of them, we imagine, will have already detected the topics for themselves. Two or three only, of the matters to be noticed, we shall briefly indicate in a few words.

But, first, we will correct an error in our former paper. In describing the object of their lordships' inquiry, and stating the results of their investigations, we quoted their own words, to the effect that the question was, whether the opinions of Mr. Gorham were "contrary or repugnant to those of the Church, *so that* on the ground of those opinions he might lawfully be excluded," &c. Now, we made the words "so that" *qualify* the *preceding* phrase, as if the question was, whether Mr. Gorham's doctrine was "so" "repugnant or contrary," &c., "*that*" "he might lawfully be excluded," &c., instead of making them express the *consequence* that would result from *an absolute finding*,—the question really being, whether the one doctrine was "contrary or repugnant" to the other, "so that," *that* being the case (if it should really prove so), Mr. G. "might lawfully be excluded," &c. Although some, we know, regard the first reading of the matter as the correct one, and others think it an "open question," we are bound to acknowledge, that, on full consideration, it seems to us, the latter

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version gives the true sense. It may be some excuse for our involuntary error, that it was derived mainly from the impression left upon us by the mode and emphasis of the oral delivery of the judgment itself.

With respect to the impressions which the principles and reasonings of their lordships' argument leave upon the mind, we regret that we cannot enlarge as we could wish. Questions crown upon us as we accompany their lordships along their path, and spring up at our feet at every step—often with whizzing and startling sound. We must allow the most of them to pass by us without notice, and detain only one or two of them.

“That *is* the doctrine of the Church of England, according to their lordships—the Judicial Committee of the Privy Council? The word “doctrine” would almost seem to be used in the two different senses of which it is susceptible, without our knowing exactly, at times, which is to be understood. The word may mean either some definite, dogmatic statement—a fixed idea; or it may mean “teaching”—the mode of inculcating a thing. If their lordships, *as appears to be understood on all sides*, mean to sanction such a latitude of opinion, as that the doctrines of Mr. Gorham, and those of

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the Bishop of Exeter, and others, are equally allowable within the Church;—if, therefore, they could construct (AS, ON THIS PRINCIPLE, THEY MIGHT) *another* argument, to the effect that, according “to the rules of interpretation applicable *by law* to written documents,” and “the freedom *which the administration of the law* requires,”—they unanimously agreed that the doctrine of GEORGE ANTHONY DENISON, for instance, respecting baptism, was “not contrary or repugnant” to “the *declared doctrine* of the Church of England;” if it be thus possible to conclude respecting both parties, that neither hold what is contrary or repugnant to the “declared doctrine” of the Church; we wish to know what that “declared doctrine” *itself is*? We can understand that two men, holding different opinions, may neither of them be opposed to the *teaching* of a certain hook or a certain system, because such system or book, respectively, may, in its teaching, *expressly admit* the holding and avowal of either opinion. Mr. Gorham and M. Denison may alike be sanctioned by the teaching of the Prayer-book, —or the *mode* in which it puts, or leaves, the matter in question; but “*declared doctrine*” is a phrase that should stand for something positive—something fixed, definite, dogmatic;—

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and we do say, therefore, that the inquiry is rather curious, which naturally arises out of their lordships' judgment in the sense in which it is understood by both parties. Here are two opposite, *positive* things; neither of them contrary or repugnant" to a third thing *equally positive*—for it is a "declared doctrine." What, then, *is* that third thing? Who can tell? Can their lordships?

Some glimmering of light may perhaps be obtained by looking at two or three of the phrases which occur in the course of their lordships' reasoning. It appears that the Church does acknowledge "one baptism *for the remission of sins*;"—that it states the "effect" of the rite to be, that "*the child being born in sin, and in the wrath of God, is, by the lover of regeneration in baptism, received into the number of the children of God, and heirs of everlasting life*;" and it further appears, that the grace which is prayed for at the administration of the sacrament, is grace "*to make the rite beneficial, THEN, OR WHEN God pleases.*" From all which statements of their lordships, considered in the connexion where they occur in the argument, and in relation to the final result, it would appear, that the "declared doctrine" of the Church of England is this:—that there is such

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a positive connexion between baptism and—the remission of sins, the grace of regeneration, and heirship to eternal life—that, *at whatever time* in the course of a man's life he becomes the subject of these blessings, he does so in virtue of grace, *which makes* “the baptismal rite beneficial.” This would seem to be the “*doctrine*” of the Church; but, seeing that in its *teaching* it has not defined “*right or worthy reception,*” on which the benefit depends,—nor *what* regeneration is,—nor *when* it will “please” God to give it,—nor whether he gives it *by* baptism,—(on most of which points there are those who will differ from their lordships' statements)—seeing that these things are left, there is room for two parties in the Church, who may hold different views on all these matters,—only, they must agree in holding that the grace of regeneration, whatever it is,—and with all its concomitants, whatever they are,—come when they may into the human soul—*come in consequence* of the baptismal “rite *being made beneficial,*” and as the actual realisation of that “effect,” which, at its administration, is *conditionally* declared. If this is not the meaning of their lordships, what is? and, if it be, what does it amount to? Not, indeed, to the fact, that “the grace” is so “tied” to “the rite” as

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always to be given by it, or at the time, or even that it *will*, certainly, one day, be bestowed;—no; but it says this,—that *whenever* spiritual blessings *are* enjoyed, it is *baptism* “being made *beneficial*,” and that in *such* cases, therefore, both parties in the Church may regard the grace as tied “to the rite,” only that the one may think of it as tied with a short string, and the other with a long one! In a former paper, in which we fully dissected the two theories of Mr. Gorham and his opponents, we expressed it as our opinion that neither one nor the other was worth a rush. We still and solemnly believe that. To us it is a matter of perfect indifference whether the Prayer-book be declared to teach the one system or the other, or to sanction or tolerate both. Nothing can conceal the absurdity of either. All the care and labour of their lordships, so far as we understand their results, have certainly done nothing to reconcile our reason either to the “declared doctrine” or to the tolerated theories.

Their lordships, it will be observed, rest everything on the requirement of a *profession* of faith and repentance as the condition of baptism; the infant is not *declared to be regenerate* without the profession of its sponsors, *expressed* or *implied*. Oh! dear, no. But this being

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understood, all is easy. The profession of the sponsors, with the faith and prayers of the congregation concurring—it is allowable to use the most intense language,—language, addressed to God and man,—language, positive, absolute, unconditional; it is allowable to use this, because *if* the profession is sincere, or *if* the faith of the people is strong and their prayers fervent, or *if* the child has God's "grace and favour," or *is* to have them, or, if two or three other things are, or are to come,—then, the infant either *is* regenerated, or it *will* be, and *therefore* the unconditional language, asserting that it is *now* regenerated, and thanking God *for the fact*, may be used—being used with an *implied* condition! Of course, their lordships do not say, either that they themselves believe a single thing on the one side or the other of the controversy, or that this way of constructing a book, and of using language, is wise and right; all that they do is, to sanction this way of interpreting the formularies, and thus to authenticate and legalise a great absurdity. Why, if the whole thing be so *conditional*,—if the terms and statements are to be used with such necessary limitations, and such charitable hope,—why not *say* so? Why not have Services constructed according to their real meaning, and speaking

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out the truth that is believed, as if there was something like common honesty and common sense in God's Church as well as in the devil's world? Why *should* men be content to go on *saying* things after such a fashion that their meaning is to be arrived at only by an elaborate process of argument, and is *never explained* (or at least no provision is made for its explanation) at the time when it is uttered, and when so many may so lamentably mistake it? To these questions their lordships offer a reply *somewhat original*. The positive declaration that the child *is* regenerated, and the thanksgiving to God for it, are, it appears, to be accounted for from the fact, that priest and people have been so excited by their previous exercises,—lifted up to such a height of enthusiasm by their *persuasion* and *confidence* of the Divine favour, that, as it is “*during the continuance of the same persuasion, llml the same undoubting confidence,*” that the priest has to speak, “he is directed” to express himself in the most positive and unqualified terms!—nothing else would seem to be in keeping with the strong faith and fervour of the moment!—inspired by these, he has to utter language both to earth and heaven, which, in one acceptation of it, he may not believe, and which, in another, is only true by possibility or



hypothesis, and very likely will never be true at all!—

“Ev’n ministers they hae been kenn’d  
 In holy rapture,  
 A rousing whid at times to vend,  
 And nail’t wi’ Scripture.”

Profane as it will be thought by some, we really know nothing so expressive of the exact force of their lordships’ statement, *coupled with their decision*, as the above lines of poor Burns.

In spite of our resolution, it is quite impossible for us to finish the subject at present. We have two or three things of great importance yet to say; in one paper more we shall say them.

MARCH 20, 1830.

THE JUDGMENT OF THE JUDICIAL COMMITTEE CONTINUED—THE ARCHBISHOP OF CANTERBURY—THE EVANGELICAL PARTY—THE BISHOP OF EXETER—CONCLUSION.

In the “Declaration” in the Prayer-book, which preceoes the “Articles” of the Churdl of England, the Queen, who, in the first section

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of the thirty-sixth canon, is recognised by the subscribing clergyman, "as, under God, the only supreme governor of this realm, as well *in all spiritual or ecclesiastical things*, as temporal," thus speaks in respect to the way in which it is her pleasure that the said "Articles" should be interpreted:—"We will ... that no man shall print or preach to draw the Article aside any way, but shall submit to it in *the plain and full meaning* thereof; and shall *not put his own sense or comment* to be the meaning of the Article, but shall take it *in the literal and grammatical sense*."

The import of this expression of the royal will amounted, formerly, in the estimation of ordinary persons, to this:—that the Articles, and, by consequence; the offices and formularies sanctioned or enjoined by the same authority, were to be taken to mean just *what they said*,—what would be their "plain and full," their "literal and grammatical," sense, to such as had an average share of common understanding. From the judgment, however, of the Judicial Committee of the Privy Council, we seem to learn that the book is literally to be interpreted like *an Act of Parliament*. It is "to have applied to it the same *rules of interpretation* which are *by law* applicable to all written

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documents." Of course, as there are no principles of interpretation, which, "*by law*," are furnished, or fixed, for literary criticism. Biblical exegesis, or theological controversy, the rule laid down by her Majesty's advisers can only refer to such legal principles as are usually applied to those "written documents" that constitute the laws and statutes of the realm. The same idea occurs when their lordships say, that they must proceed in their inquiry "with the freedom which *the administration of the law* requires;" and that they wish to ascertain "what it is, if anything, which, *by the law of England*, is declared as to the matter in question."

Now, we are not going to controvert the propriety of this proceure in men invested with a judicial function, and engaged in searching for a legal deliverance. We may, however, be permitted, without presumption, to express a doubt as to whether such principles as lawyers recognise, and such processes of thought as they are accustomed to indulge in, are quite the things which are most to be depended on in ascertaining the meaning (which ought to signify the *spirit*) of a religious book. The principles of legal interpretation are often employed (and legitimately employed) not in

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evinced what a document actually docs mean, or must mean; but what it *may* mean, or *might* mean, or might *be made* to mean: so that the positive, public, and well-known purposes of even the *living* framers and authenticators of a “document,” may be thoroughly overridden and set aside by the judicial interpreters of their words. A bill may be passed, and all Parliament may think they have passed it, for limiting the hours of la bonr to *ten*; but “the principles of interpretation applicable *by law*” to the document in question, may bring out, to the astonishment of everybody, that it really means that the ten hours lllay stretch themselves out over twelve or fifteen, and yet the enact-lllent remain unbroken! It is obeyed *to the letter!* But the “letter killeth:”—

“It keeps the word of promise to the ear,  
But breaks it to the hope.”

The manner in which their lordships enlarge upon their first statement, and amplify and illustrate their meaning, would seem to corroborate the description we have given of the distinctive nature and frequent results of legal interpretation. They say, that where “the Articles admit of different interpretations, *any sense of which the words fairly admit* may be

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allowed, if that sense be not contradictory to something which the Church has elsewhere allowed or required. It seems perfectly right to conclude in such cases that those who impose the test *command no more than the form* of the words, employed *in their literal and grammatical sense*, conveys or implies; and that those who agree to them are entitled to such latitude or *diversity* of interpretation as *the same form admits.*”

God forbid that we should seem to be opposed to mental or religious liberty;—to full indulgence to individual conscience and reason, whether tender or bold;—to free, and even fearless, thought! We have already said, in a previous paper, that we are not blind to the tyranny of opinion which too frequently prevails and domineers among religionists—even among those who profess to be emancipated from the shackles of creeds and the dictates of authority—“making a man an offender for a word;” and that we like the liberty practically enjoyed in the English Church, in which individuals, without molestation, fear of consequences, or loss of favour—without the forfeiture of caste or connexion,—could embrace, preach, publish, and defend all sorts and varieties of belief;—only, that, with our views—or

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the views we had hitherto taken of the fixed and dogmatic teaching of the Church—the enjoyment of the liberty appeared to us to be purchased at too high and awful a price, namely, by subscribing at the threshold, what, *once in*, was to be disregarded or denied. With all our attachment to individual freedom, liberty, and independence, it is not to be forgotten that *a Church-men* in community—by emphasis, therefore, their teachers and guides—must be bound together by something positive,—by some definite conceptions of objective truth, which they hold and profess as component parts of the same body, and as “heirs together” of the same spiritual inheritance of thought. Now, we are far from saying that their lordships deny this in respect to the Church of England, or that they deny it in respect to the one subject of baptism; but it is unquestionably the case, that they have so expounded many of the questions pertaining to the subject, as to reduce all that is *positive* and *dogmatic* both to what is very minute and very unintelligible. They begin by informing us, that, in respect to the matter submitted to them, they will try to make out “what, IF ANYTHING, the Church has declared;” and they conclude by saying, *with respect to so many*

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*matters*, that different clergymen may entertain about them “contrary” opinions—opinions deduced from their private views and interpretations of Scripture, or inferred from “uncertain and ambiguous expressions in their own formularies,”—that *the whole thing* seems very much to take the character of a mere matter of opinion altogether, So much is “ruled” to be “doubtful and ambiguous,” that little remains to be the subject of faith. That little we endeavoured to detect in our last paper; find, if we were right, little as it if it does not seem worth the picking up.

We cannot advert, at any great length, to particular passages, in which we may think that their lordships’ “principles of interpretation” misled them. We will just mention, in passing, *two*, which we noticed ourselves in listening to the judgment, and observed or overheard that they were noticed by others.

In their anxiety to make out the strength of the expressions in the “burial service,” in order to sustain the propriety of the principle of “charitable use,” they certainly appeared to overstate the case. Churchmen, we think, are entitled to the benefit of the distinction which they recognise when they say that “the sure and certain hope” refers to “*the* resurrection

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to eternal life”—the distinctive and peculiar doctrine of the faith—and does not express anything “sure and certain” in their views respecting the individual interred. Their lordships, however, after quoting the expression, referred to the prayer in which it is asked, that, “when we depart this life we may rest in Christ, as our hope is this our brother doth,” and then added, that “*the hope*” in “*both places was the same.*” To which statement we heard several mutterings,—“they are no such thing.” And we really think that the mutterers were right. We are willing, at least, by the application of their lordships’ rule, to take the stronger expression in the impersonal sense, though, grammatically, perhaps, it may be taken otherwise,—and will be so taken, probably, according to the conclusion which an interpreter wishes to establish or avoid.

But the other instance is the most observable. Their lordships stated that the Rubric decided one of the points which had formerly been left open, by affirming that “it is certain by God’s Word, that children which are baptised, dying before they commit actual sin, are undoubtedly saved;” they then added, “but this Rubric does not, like the Articles of 1536, say that such children are saved *by baptism.*”



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Whreupon, as we informed our readers last week, one of the *seated* auditors—probably, therefore, some noble and distinguished person—lifted up his hands in earnest protestation against the gloss. Nor do we wonder at it. What *can* be the meaning of that plain Rubric to any plain man? When the Service is looked at; the prayers noticed; the significance attributed to the Scriptures quoted, fairly weighed; the solemn assertions as to the “effect” of the rite devotionally allowed; what *could* the Rubric be intended to say, but that it was *us baptised*, and *in consequence* of being baptised, and therefore, *by* their baptism, that the children were saved? That this was the *spirit* and *intention* of the Rubric, we have no doubt;—that most persons would admit it to be so, we have nearly none; but still it is possible, on their lordships’ principle of admitting “*any sense*” that the statement will bear, or “no more than the form thereof literally and grammatically implies,” to make it mean—*nothing*; nothing, that is, in respect to the privilege and benefits of the sacrament, at the conclusion of the Office for the dispensation of which it stands! It speaks, they say, “with authority;” but it seems also to speak “like the scribes,” for it leaves the ordinance “without effect.”

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Such, we cannot but think, is the view that may be taken, and will certainly be taken by some, of the result that comes out when “principles of interpretation” are applied to spiritual expressions and religious formularies, which are “*by law*” applicable to parliamentary documents.—“*The freedom which the administration of the law allows*” would seem to be something pretty considerable!

Their lordships’ statement of what appears to them Mr. Gorham’s doctrine\* seems to us to be very imperfect; that, however, which they take it to be, must, of course, be that which they keep in view in the progress of their argument; but if the idea be incomplete which they compare with the formularies, their deductions from the comparison will of necessity be vitiated.

Their lordships say, in the first place, “the doctrine held by Mr. Gorham appears to us to be this—that baptism is a sacrament generally necessary to salvation, but that *the grace of regeneration* does not *so necessarily* accompany the act of baptism that regeneration invariably takes place in baptism.” Now, we maintain, and have pointed out in a previous paper, that Mr. Gorham’s doctrine, fairly interpreted and

\* See last paper, p. 199.

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understood, is, that, even where baptism is “rightly” and “worthily received,” the baptismal blessing or grace that accompanies it, is not, properly speaking, regeneration *at all*. He “explicitly and expressly *denies*,” indeed, as their lordships record, “that he either held, or persisted in holding, that infants are *not* made *in baptism* members of Christ and the children of God.” But, whatever *he* may mean by this, we have proved that *his system* must mean (and he himself repeatedly admits it in his examination), that all that really makes infants” members of Christ and children of God”—all that properly constitutes *regeneration*—*takes* place, in those that worthily receive baptism, *before* the rite is administered,—and in those that receive it unworthily, it can, of course, only take place *subsequently*, and may never take place at all, Nay, even where regeneration takes place *in* baptism, it can only do so, on Mr. Gorham’s principles, by an act which *happens* to occur at the moment *preceding* the rite, but which is not itself connected with the rite, nor a part of the rite, but yet is that, without which, the rite itself could effect nothing. Mr. Gorham’s theory is, that children are by nature children of wrath, and, *therefore*, unworthy subjects of baptism; they can only be made worthy by an act of

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prevenient grace,—which act of prevenient grace, *he admits*, amounts to *regeneration itself*; hence, that which is regeneration being actually necessary *for* baptism, baptism can never, in *any* case, *confer* it; even if it takes place *in*, that is, at the time of baptism, it must take place *one moment* at least previous, or baptism could neither be worthily received, or convey any blessing whatever. All this Mr. Gorham admits. But how, in consistency with it, he can affirm what he does, about “*not* denying that children are made *in baptism* members of Christ,” &c., or how their lordships can say, that “his doctrine is, that the grace of regeneration does not *so necessarily accompany* the act of baptism, as that regeneration invariably takes place *in* baptism,” we really are at a loss to comprehend! Why, the doctrine of the man, logically and strictly carried out, is, that regeneration never takes place in baptism *at all*. It may chance, by possibility, to occur just as the priest lifts his hand over the head of the child, to let the sacred shower fall on its forehead,—but if it does so, *that* is by an act of “prevenient grace” *distinct from baptism*,—which might as appropriately have taken place a day, a week, or a month sooner,—and without which occurring, (though so late,) the rite would

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only have been an empty sign, or might become the occasion of a deeper damnation.

Their lordships further say, that Mr. Gorham believes “that the grace”—grammatically, *the grace of regeneration*—“may be granted before, in, or after baptism.” Certainly; but in no case is it the grace *of* baptism. In the two former, it is *prevenient* grace *fitting* and capacitating for the reception of the rite,—and for the grace of baptism when worthily received, whatever that may be; and in the latter, it is something that comes to operate afterwards on the soul, changing and regenerating it, but still *previous* to baptism itself becoming effectual. Their lordships go on to say that Mr. Gorham believes “that baptism is an effectual sign of grace, by which God works invisibly in us”—(does he work by the “sign” or the “grace?”) “but only in such as worthily receive *it*—in them alone *it* has a wholesome effect,”—(“it,” that must be the sign, baptism.) What, then, is this “effect,” this “wholesome effect?” *Not* “the grace of regeneration”—not the “being made the members of Christ and children of God,”—though Mr. Gorham would seem to say so,—for *that* is the pre-requisite for the beneficial administration. Their lordships proceed—“and that without reference to

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the qualification of the recipient it is not in itself an effectual sign of grace;”—which qualification, according to Mr. Gorham, *is* regeneration,—the “effectualness” of the sign consisting in something else,—that something else being “that grace is increased and faith strengthened;”—a statement, we confess, which we have always regarded as referring rather to adults than infants. In respect to infants, their lordships conclude their statement of Mr. Gorham’s doctrine, by saying that he believes, “that infants baptised, and dying before actual sin, are certainly saved,” True. But why does Mr. Gorham believe this? He believes it, he says, because the Church has “ruled” it—ruled it by the Rubric. And what follows, *on his theory*, from that?—“*therefore*,” (these are his own words,) “they *must* HAVE BEEN REGENERATED by an act of grace *prevenient* to baptism, *in order to make them worthy recipients of that sacrament.*” And this is his invariable language. Everything that properly constitutes or enters into regeneration, is given to the worthy recipient “*before* baptism, and not *in* baptism,” (his own express words again). And yet, with all this, over, and over again in Mr. Gorham’s book, their lordships conclude the summary of his doctrine, by saying that he be-

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believes, "that in no case is regeneration *in baptism unconditional*." Why, the man's doctrine is, that regeneration is *itself* the *condition* FOR baptism,—that is, for its being worthily received,—for its being an instrument, or mean, or effectual sign of grace at all! *Regeneration*, with Mr. Gorham, *is* an unconditional thing; for it is the effect of a sovereign act of God, unconnected with the outward rite, precedent to it, qualifying for it,—for the exercise of which act no reason can be given but God's good pleasure, and no condition possessed, since it falls directly on "the child of wrath" *as such*, changing it into the opposite, and thus fitting it for whatever may be wrought upon it further *in baptism*. It is absurd to say that the *same thing* can at once be the "condition" *for* baptism, and the blessing or grace which *in baptism* is to be bestowed *on some other condition!* and yet this is what their lordships and Mr. Gorham make out between them!

But the statement of Mr. Gorham's doctrine by their lordships is not confined to the formal paragraph through which, sentence by sentence, we have thus rapidly gone. There is one other place in which they refer to it, hut in such a way as, we confess, has again and again filled us with great surprise, as we have

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looked at it in their lordships' argument. After stating that the Articles have left undetermined what "right" or "worthy" "reception" is, their lordships add, "Mr. Gorham says, that the expression always means or implies a fit state to receive—viz., in the case of adults with faith and repentance, and in the case of infants 'with God's grace and favour.'" This latter phrase, though marked as a quotation, we do not remember to have met with in Mr. Gorham's work. It is a most inadequate expression to set forth his full idea. Many things might be received with God's grace and favour,—as the result of them, or accompanied by them; nay, *grammatically* speaking, baptism itself most emphatically is so, *according to the theory of the Bishop of Exeter* and those *opposed* to Mr. Gorham. Mr. Gorham's notion of right reception is, not merely to receive baptism "*with God's grace and favour,*" but it is to be fitted, and prepared, and qualified for the rite, by a supernatural and sovereign *act* of God's grace, spiritually regenerating the child, and constituting the germ and commencement of a life, which, whether the child live or die, shall, *itself, never die,* but be "carried on to the day of redemption," and he perpetuated and perfected in the upper world! Is their lordships'



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language at all an adequate expression of *this* idea?—and yet *for* that idea their words stand!

Their lordships accounted, as we saw last week, for the strong *assertions* of the baptismal service, by referring to the glow and rapture of the hour, the high state of confidence and persuasion “*during the continuance of which*” the priest had to speak, and *in consistency with which, therefore*, he was “directed” to make use of the most positive declarations. But *the Catechism* cannot be thus interpreted. A manual for children, it will hardly be pretended, must have been flung from the heart in some moment of passion, when expressions are prompted by an inward afflatus, distinct from “the cool element of prose.” And children, in the use of it, could never be expected to rise into a region so lofty and exciting, that nothing would adequately express their conceptions, but utterances that should seem to the thoughtful observer the language either of inspiration or madness—a declaration of sober though supernatural truth, or the statement of something like a delusion and a lie! Yet so it is. *Spiritual* regeneration—regeneration *in* baptism—regeneration *by* baptism—with all the concomitants and consequences of the blessing springing thence, are all taught, avowed, and claimed in

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the answers of the child. They are “conditional,” say their lordships;—they must be “construed charitably.” Very well; we accept the explanation. *That* is now the *legally* “ruled” interpretation of the formulary. But, we ask, if *that* be the sense, and nothing but that, why not *say* so? Why not say so plainly to the children, and teach the children to say so too? It surely would be better to have a book with Services and Catechisms that should intelligibly speak forth the truth that was in them, than for that to have to be *conjectured* and spelled out by means of a *latent*, conditional hypothesis!

But it is time to turn from the “judgment” of their lordships, to notice, as we promised, in a few words, the publication of his Grace the Archbishop of Canterbury. In a former paper, we referred to the circumstance that we had given extracts from Dr. Sumner’s volume on “Apostolical Preaching,” in which his Grace asserted and maintained the doctrine of baptismal regeneration; that we had been censured for referring to the work of his “youth;” and that we inquired, in reply, whether the work had been recalled, or repudiated, or republished with new matter answering to his supposed altered opinions; or with a new preface retracting the error of the early impressions. We

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received no reply. His Grace, however, has himself replied. A new edition of the work in question has just appeared. We obtained it on the day succeeding that of the delivery of the "judgment," and it now lies before us, side by side with a former edition of 1824.

*Every word* which we gave to our readers in our first paper on the Gorham case (April 20th, 1849), with the single exception of a brief sentence, is re-issued at the present moment by the venerable Primate. We may fairly consider, therefore, that we possess in this edition his Grace of Canterbury's present views. He refers, in the preface, to the Gorham controversy, and actually gives the identical quotations with which the Judicial Committee conclude their judgment. He attempts to show that in that judgment he could as *consistently* acquiesce as he did *in fact*, though we have some doubts, we must candidly acknowledge, of the success of his demonstration. We shall content ourselves with placing before our readers a few passages, and with asking two or three questions respecting them.

We take the following quotations *from the present edition*, and give chapter and verse for every line:—

“Another practical evil of the doctrine of special grace,

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is the necessity which it implies of some test of God's favour, and of the reconcilment of Christians to Him, *beyond and subsequent to the covenant of baptism*. St. Paul, it has been seen, insists upon the necessity of regeneration. ... These addresses and exhortations are founded on the principle that the disciples, *by their dedication to God in baptism, had been brought into a state of reconcilment with Him*, had been admitted to privileges which the apostle calls on them to improve. On the authority of this example, and of the undeniable practice of the first ages of Christianity, *our Church considers baptism as conveying regeneration*, instructing us to pray, before baptism, that the infant 'may be *born again*, and made an heir of everlasting salvation;' and to return thanks, after baptism, 'that it *hath pleased God to regenerate* the infant with His Holy Spirit, and receive him for His own child by adoption.'" —pp. 158–160.

"But, on the contrary, if there is a distinction between special and common grace, and none are regenerate but those who receive special grace, and those only receive it who are elect; *baptism is evidently no sign of regeneration*, since so many after baptism live profane and unholy lives, and perish in their sins. Therefore, the preacher of special grace must, consistently with his own principles, lead his hearers *to look for some new conversion*, and expect *some sensible regeneration*. This brings him to use language in the highest degree perplexing to an ordinary hearer."—p. 161.

"What would be the feelings of a plain understanding, or a timid conscience, unable to unravel the windings of these secret things, on learning that the sinfulness or innocency of actions does not depend upon their being

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permitted or forbidden in the revealed law, but on the doer being in a regenerate or unregenerate state at the time when he performs them? *How is this fact of regeneracy, upon which no less than eternity depends, to be discovered?* The apostle enumerates the works of the flesh and the fruits of the Spirit; *but his test is insufficient*, for the two lists are here mixed and confounded. The hearers appeal to the Church, an authorised interpreter of Scripture. *The Church acquaints them, that they WERE THEMSELVES REGENERATED, AND MADE THE CHILDREN OF GRACE, BY THE BENEFIT OF BAPTISM;* while the preacher evidently treats them as *if it were possible* they might be still unregenerate, without defining the meaning which he ascribes to the term *regeneration.*”—pp. 102, 103.

“Happily for our Church, the framers of its rituals took their doctrine from the general tenor and promises of Scripture, and by a providential care extending over a Church so framed, the succeeding believers in Calvin were never allowed to introduce their subtleties into her intelligible and rational formularies. Therefore we are instructed to declare, that those who are devoted to Christ as infants by baptism, are regenerate, i.e., are ‘accepted of God in the beloved,’ and dying ‘without actual sin, are undoubtedly saved.’”—p. 168.

“It is indeed a sufficient confutation of the doctrine of special grace [that it absolutely nullifies the sacrament of baptism] [Omitted in this last edition], that it reduces baptism to an empty rite, an external mark of admission into the visible Church, attended with no real grace, and therefore conveying no real benefit, nor advancing a person one step towards salvation. But if baptism is not accompanied with such an effusion of the

*Holy Spirit towards the inward renewing of the heart, that the person baptised, who of himself had of his own ullture could 'do no good thing,' by this amendment or regeneration of his nature is enabled to bring forth fruit, 'thirty, or sixty, or an hundred fold,' and, 'giving all diligence, to make his calling and election sure,'—if the effect, I say, of baptism is less than this, what becomes of the distinction made by the Baptist, 'I indeed baptise with water, but He who comes after me shall baptise with the Holy Ghost?' What becomes of the example of Christ himself? After His baptism, the descent of the Holy Spirit in a visible form, was surely intended to confirm his followers in the belief that their baptism would confer upon them a similar gift; and besides the washing away of their sins, and the remission of the penalty entailed upon the posterity of Adam, would bestow upon them a power enabling them to fulfil the covenant laws of their religion."*—pp. 176, 177.

"NO PREACHER THEREFORE IS AUTHORISED, either by our Church, or by St. Paul, to leave a doubt on the minds of his hearers, whether *they are within the pale of God's favour*; but, on the contrary, is bound to enjoin them to seek 'boldly at the throne of grace,' for power to confirm their faith, and work out their repentance, and live worthily of their high calling."—pp. 179, 180.

Now, with these passages, unaltered, standing before us in his Grace's reasoning, we are at a loss to conceive what he can mean in other passages—which passages he directs attention to in his new preface—to the following effect:—

"There may be danger in addressing a congregation collectively as 'regenerate;' since the term has neither

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been accurately defined in Scripture, nor restricted to one sense in the common language of divines. It is therefore very possible that they should imagine *something more* to be included in that metaphor, *than the change of state* in which they were placed by baptism.”—p. v.

“It is scarcely necessary for me to add, that I have nowhere insinuated a doubt which I have never felt, whether a person may be a consistent minister of our Church, *who holds a different opinion concerning the effect of baptism from that which is advocated in this volume*: and believes that *the grace of spiritual regeneration is separable*, and, in fact, *often separated*, from the sacrament of baptism.”—p. vii.

How is it possible that the same person who describes baptism as “*conferring regeneration*,”—regeneration, “*upon which no less than eternity depends*,”—who sends his hearers to the Church, “an authorised interpreter of Scripture,” to acquaint them that “*they were themselves regenerated and made the children of grace by the benefit of baptism*,” and who describes that baptism “*as accompanied with an effusion of the Holy Spirit towards the renewing of the heart*,” and who illustrates that by the prediction of the Baptist, that “Christ should baptise *with the Holy Ghost*,” and by the example of Christ, on whom “*the descent of the Holy Spirit*, in a visible form, was intended to confirm his followers in a belief that *their baptism would confer upon them a similar gift*, washing

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away their sins, and remitting the penalty entailed on the posterity of Adam;" how, we say, is it possible for this same Person to be afraid of "the danger of addressing a congregation collectively as regenerate," lest "they should imagine SOMETHING MORE to be included in the metaphor (!) than the change of *state* in which they were placed by baptism!"—which change he himself teaches *cannot include less* than a Divine and spiritual" amendment or regeneration of their *nature!*" One would think that he *meant* them to believe the very thing that he seems afraid they should! Why, if change of state be all that he intends by the terms and language just quoted, he surely exposes himself to the reproof contained in his own book as addressed to others,—and which, we think, applicable, also, to the *Offices* of his Church, according to the "judgment" which he has himself sanctioned:—"What is gained towards the great object, edification, by *making a strong assertion in one page*, the effect of which *must be explained away in the next?*" What indeed!

Or how is it that his Grace can say he has never insinuated a doubt that "a person may be a consistent minister of our Church," who holds a different opinion from that which he



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advocates, and believes that the grace of spiritual regeneration is separable, and, in fact, often separated, from the sacrament of baptism” —*which separation and separability, as being opposed to his Grace’s opinion, he, of course, docs not believe,*—how can he say all this, consistently with his somewhat oracular decision, appended to quotations of Scripture respecting baptism;—“NO PREACHER, THEREFORE, IS AUTHORISED, either by OUR CHURCH, or by St. Paul, *to leave a doubt on the minds of his hearers whether they are within the pale of God’s favour?*”

We submit these quotations and these queries to the intelligent reader, and shall only further observe here, that we had noticed and marked all these passages, and those, also, in the judgment of their lordships to which we have referred, *previous to our seeing* the Bishop of Exeter’s letter to the Archbishop, in which most of the points, if not all, or more than we have noticed, are animadverted upon. One thing we cannot help remarking: the Bishop of Exeter quotes two or three passages, which he calls “*new matter,*” introduced into his Grace’s present edition of his former work; but, all that he quotes as such, and which he thinks attenuate “the old wine,” we find in black and

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white lying before us in our old copy of 1824! For so practised a disputant and wary a controversialist as the Bishop of Exeter, this is really a singular and memorable mishap!

We cannot bring to a close these papers on the Gorham Case, without referring for a moment to the Puseyite and the Puritan interpretation of the judgment. Each, it would appear, regard the decision as alike authenticating both parties. This is declared by the series of resolutions issued by the Reverend Messieurs Manning, Mill, R. J. Wilberforce, Pusey, Keble, Dodsworth, Bennett, and others, dated March 19th, in which it is said, "that the remission of original sin to all infants in, and by the grace of baptism, is an essential part of the Article, 'one baptism for the remission of sins;' and that the sentence, delivered on appeal, in the case of *Gorham v. the Bishop of Exeter*, *while it does not deny the liberty of holding that article in the sense hitherto received*, does equally sanction the assertion that original sin is not remitted except when God bestows regeneration beforehand, by an act of prevenient grace," &c., &c.

It is also declared by the avowed organ of the Evangelical party—the *Record* newspaper, of March 11th—in the statement it makes,

that, according to “the judgment,” “*either view of the subject may be held AND PROMULGATED without infringing the declared code of law of the Church.*”

Now, keeping in view the opinions we have recorded of *the Archbishop of Canterbury*, in the above quotations, and recalling the impossibility of the “clay and the iron,” “the precious stones, and the wood, hay, and stubble,” adhering together, let us further look at the terms and phrases in which the editor of the *Record* delivers his soul. The following passages are from the same article to which we have referred:—

“The judgment is in harmony with the facts of history. For while it confirms the fact that the Reformers, in framing the Articles and Services of the Church, did not exclude themselves from being members of it, it shows that, in their attempts *to comprehend as large a proportion as possible of the then Popishly-affected portion of the nation*, THEY VERGED SUFFICIENTLY NEAR TO THE CONFINES OF ERROR.” ... “Let not this judgment,” however, “induce the belief that the Romish delusion of every child baptised being thereby made a partaker of the Divine life, is in accordance with the revelation of God. Assuredly this cannot be held by any man *fully enlightened* in the truth by the Spirit of God. *It is the grand error of the day, and there is none practically more dangerous or MORE DESTRUCTIVE.*” ... “If, under the Jewish dispensation, circumcision only

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admitted the child to the outward privileges of the ancient Church, it cannot be reasonably inferred that the rite of baptism should do more, of necessity, than introduce the baptised child to the still higher outward privileges of the Christian Church. *To teach the opposite is to teach deadly error.* The teachers, and the taught, receiving it as a part of their creed, that whatsoever is meant by the new birth was imparted to them in baptism, conclude that they are in a state of life, *while one and all may be in a state of death.* That a man should believe that he was made ‘alive to God in baptism,’ and that all others were so made alive with him, affords strong presumptive proof *that he continues among the dead.*” ... “Against this deceptive teaching we are bound to protest. *It is no minor evil. It is no insignificant error.*” “THOSE WHO HAVE BEEN SEEKING TO EXPEL US FROM THEIR COMPANY think it not so. In pity, accordingly, to them,—in pity to their souls, and to the souls of those *whom they delude,*—in pity to all men, to whom religious error is the greatest curse,—&c., let no consideration whatever prevent us from declaring the whole truth of God which he has revealed to us.”

Well, after all this, what are the feelings with which the excited and indignant writer contemplates his position? But for the suspicious looking statement just given, at any rate implied, that he was *reluctant to part company* with “the congregation of the dead,”—that he was determined to retain Church-communion and ecclesiastical identity *with all that he de-*

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*nounces*,—one would have expected the cry,—“Be not partakers of other men’s sins;” “If any bring not the doctrine, receive him not;” “Come out of her, my people, that ye be not partakers of her sins, and that ye receive not of her plagues,” &c., &c. No such thing. What, then, we again ask, are the feelings with which the party, (shall we say?) represented by the writer of the foregoing utterances, *describes and contemplates its position?* They are these:—“*It has been ruled that the code of laws of THE CHURCH gives no decided judgment on this matter!!*”—a matter *vital*, on the Evangelical theory, if any *can* be;—*essential* to the scriptural character and being of a Church. Well, the Church (of England) “*gives no decided judgment about it;*” yet, “we are abundantly thankful for it as it is.” “In considering this great mercy vouchsafed by God to His (?) Church, thankfulness to the Giver of all good will be the first sentiment experienced by the intelligent and rightly-exercised Christian.” Let him “thank God and take courage!” Truly, some people are thankful for small mercies! It utterly surpasses our comprehension how any man can rejoice in the condition of a Church so “ruled,”—whose code of laws is so elastic,—and who

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himself must be obliged to acknowledge as his brethren—as *ministers*, too, *equally authenticated with himself*—the teachers of an error, “THAN WHICH,” *he* says, “NONE IS MORE DANGEROUS OR MORE DESTRUCTIVE!!” The repugnance, however, of any right-thinking, well-constituted, and devout soul to a position like this, we have more than once remarked upon and illustrated.

Here we conclude this somewhat extended series of papers on “THE GREAT GORHAM CASE.” They began nearly twelve months ago, when the case was waiting its decision in “the Commons.” We have noticed in their order, as they successively arose, the various incidents which have attended its progress. We have given something like a *history* of the thing—we have attempted to develope and explain its *mysteries*,—we have uttered some of the many reflections which the theories of the disputants, the conduct of parties, the Prayer-book, the Church, with other accordant and connected matters, awoke within ourselves—as we looked down, distant, disinterested, but not *uninterested* observers—of what we surveyed; and now, honestly believing that our thought and labour have enabled us to say some things not said by others,—but things needing to be said,

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and to be *pondered*, too,—we commend what we have done to the gracious blessing of the God of truth, and the candid judgment of truth-loving men.

#### NOTES.

Page 5. *Last line*. To me, an unprofessional person, Sir Herbert is, of COURSE, “a layman;” but *to clergymen* it is a question, as is afterwards shown, whether he ought not to be regarded as being something more.

Page 31. *Last line but one*. This is a mistake, founded on the error of the writer replied to. From the late edition of His Grace’s work, it was published, it appears, *thirty-five* years ago.

Page 53. *Top*. “When we find,” says Bishop Morton, “that the ancient and universal custom of the Church was, to appoint only two times in the year for solemn baptism, we require of our adversaries the reason of the alteration of the custom which hath been for antiquity so long, and large for universality. This we take to be a sufficient acknowledgment that the primitive doctors held no such absolute necessity of baptism for infants; except ye shall dare to think the primitive Mother Church to have been either so unwise as not to discern the now *pretended* danger, or else so unnatural and graceless (especially in so great hazard of salvation) as not by speedy baptism willingly to prevent it. The Church of Rome *despaireth of the salvation* of such a soul *dying without baptism*: the Church of the Protestants do believe, *that, BY THE MERCY OF GOD IN CHRIST, it shall*

*enjoy blessedness.*" ("Catholike Appeale for Protestants." By Thomas Marten. Fol. 1610.)

Again, Babington, Bishop of Worcester (1615), in his "Exposition of the Catholic Faith," after referring to the fact, that circumcision was deferred to the eighth day, remarks:—"This answereth the fear of some good ones, and *the false boldness of some bad ones, in these days, touching children that die without baptism; for God is no worse to us under the Gospel, than he was to them under the Law; neither less able to save now without baptism, than he was in those days without circumcision, the seed of the faithful. See plainly, that salvation is not tied to baptism, as some imagine. ... How do not these men consider, that they put life and death, salvation and damnation, into the hand of a mortal man? ... O, fearful doctrine! fearful to all parents, injurious to thousands of poor infants, and* BLASPHEMOUS AGAINST THE BOTTOMLESS MERCY OF A SWEET AND TENDER FATHER, who hath said, 'I will be thy God and thy child's,' not adding any condition of baptism."\*

\* Quoted, in the *Patriot* of April 8th, from "Conferences of the Reformers and Divines of the English Church."