

Abbott, Walter, 159	against removal of licence, 191
absolution, 190, 191	see also Privy Council.
accusations, false, 134-135	Arbuthnot, John, 306
Ace, Daniel, 90	archbishops, 305
Act of Supremacy 1534, 35	on Judicial Committee of Privy Council,
Act of Supremacy 1558, vii, 35, 258	114–115
Act of Uniformity 1559, 35	Roman Catholic, 263
adultery, 121, 207	Archbishops' Commission on Church and State
advocates, 103-104, 132	1935, 293, 295, 302, 305
Aglionby, Henry, 276	Archbishops' Commission on Church and State
Aitken, Robert, 19	1970, 306
Allen, Hugh, 187	Archbishops' Commission on Ecclesiastical
altar lights, 194, 195, 196	Courts 1954, 305
altars, 116, 117, 190	Archbishops' Commission on the Revision of
Alternative Service Book, 296	Canon Law 1947, 305
Althorp, Lord (Spencer, John, 3rd Earl Spencer),	archbishop's court, 200–201
14, 63, 268	archdeacons, 70
Ammon, Charles, 300	in clergy discipline procedures, 132
Anglican Formularies, 35, 37–39, 127	courts of, 105
see also Book of Common Prayer; Thirty-Nine	power of, 178–179
Articles.	Armstrong, Benjamin, 4
Anglican-Roman Catholic Commission, 304	on Dissenters, 244–245
anti-disestablishmentarianism, 42	on Dissenters' burial, 218
apparitors, 102	and Forbes, Winslow, 5–6
appeals	on Mackonochie case, 184
under Church Discipline Act 1840, 165,	parishioners, visits to, 17
181–182	on revivalism, 30
in clergy discipline cases, 140–141, 303	on role of laity, 298
costs of, 71	on sermons, 16
against Court of Arches, 177	and Tractarianism, 142
courts of, 102, 110–119,	vestries, rowdy, 289
164, 197	Arrowsmith, Thomas, 57
Court of Delegates, 108–111	Arundell, John Francis (12th Baron), 95
ecclesiastical, 104, 108–111	Ashley-Cooper, Anthony (7th Earl of
House of Lords, 51	Shaftesbury), 29, 193
reform of, 119–120	Ashton, Henry (4th Baron Ashton of Hyde), 291
in doctrine cases, 113–115, 116–119,	Assheton Cross, Richard, 126–127, 138–139
154, 195	atheism, 229, 260–261
in heresy cases, 165	Auckland, 3rd Baron (Eden, Robert, Bishop of
petitions as, 53, 109	Bath and Wells), 180
in probate cases, 213	Augustine of Hippo, 37



318

authority Church, spiritual, 34, 37-38, 294-296 of Convocation, 145-146 monarch's, limits of, 36 of secular courts on doctrinal matters, 178 over ecclesiastical courts, 292 Papal, concerns about, 231, 232 of Privy Council Judicial Committee, 197 and appointment of clergy, 172-174 over temporalities, 34

Bagot, Richard (Bishop of Oxford, Bath and Wells), 172-173, 176, 178-180, 252 Baines, Edward, 242-243, 247, 268

Avebury, 5th Baron (Lubbock, Lyulph), 290

Baldwin, Stanley, 294

Ballantine, William, 107-108 Bancroft, Richard (Bishop of London), 71 banners, 189

baptism, 23, 39-40, 157, 166, 250 Baptist views on, 250 and burial rights, 215-217 Church authority over, 34

by Dissenters, 216-217 of Dissenters, 245

doctrinal differences on, 159-161, 162

Evangelicals and, 157 lack of, 220 by laity, 216 as regeneration, 167, 180

of Roman Catholics, 57 salvation through, 39, 161 by total immersion, 244 validity of, 215-217, 220

Baptists, 40, 159 academies, 267

conversion to, 248-250, 251-252 ecclesiology, 249-250, 251-252

Baring-Gould, Sabine, 1 Caught Napping, 1, 33–34

Barrington, Shute (Bishop of Durham), 12 Barrow, William, 219

Bath, Marchioness of, 169, 171 Beach, Sir Michael Hicks, 69

Beaconsfield, Earl of (Disraeli, Benjamin), vii, 175 Beaumont, 8th Baron (Stapleton, Miles

Thomas), 276

Becket, Thomas (Archbishop of Canterbury), 120 Beckett, Edmund (1st Baron Grimthorpe), 139 Belgrave, Lord (Grosvenor, Robert), 13

Benefices Act 1898, 97 benefices see livings. benefit of clergy, 120-121 Index

Bennett, William, 169-177, 181

A Plea for Toleration, 175 Benson, Edward (Archbishop of Canterbury), 42,

139-140, 200-201

Best, Mr Justice, 225

Best, William (1st Baron Wynford), 48-49

Bethell, Richard (1st Baron Westbury), 146, 192, 213, 214-215

Bible, 157

divine inspiration of, 148

private interpretations of, 143, 147, 148-149,

bigamy, 204, 210

Bishop of Rome (Pope), 34, 36

authority, concerns about, 231, 232

bulls, 231, 263

Bishopric of Manchester Act 1847, 46

Bishoprics Act 1878, 47

bishops, 5-15

appointment of, 44-45

opposition to, 12-14, 71-73

appointment of clergy, role in, 172-173

cathedrals, limits of power in, 7-8

chaplaincies, 12

clergy's obedience to, 6, 14

conflicts of interest, 199-200

in Convocation, 70

diocesan/consistory courts, role in, 105-106

doctrinal differences, management of, 5-6

income of, 8-10, 12-13

on Judicial Committee of Privy Council, 113,

114-115

livings held by (in commendam), 9, 12

obedience to, 255

overseas, 307

in Parliament, 44-50, 304

House of Lords, viii, 36

political activity of, 47-50

power, 6-8, 124, 199-200

abuse of, 162-164

in clergy discipline, 129-131, 132-134, 139

threats to, 128, 218

Roman Catholic, 263, 264-265

translation, 63

women as, 301

Bishops and Priests (Consecration and Ordination of Women) Measure

2014, 301

blasphemy, 60, 224-226, 229-230

Blasphemy Act 1697, 224, 225

Blomfield, Charles James (Bishop of London)

and appeals processes, 113-114, 165 and Bennett, William, 169, 172

church demolition, proposed, 23

and Convocation, constitution of, 77



and Gompertz case, 129–130	Caroline, Queen Consort, 61
income of, 9	cases
on worship in private houses, 30	Aston Cantlow Parochial Church Council
Book of Common Prayer, 17, 37, 136, 191	v. Wallbank [2003], 290
revisions, 41, 294–296, 299–301	Austen v. Graham (1854), 211
Bouverie, Edward Pleydell, 124–125, 155	Barnes v. Shore (1845), 151
Bouverie, William Pleydell (Viscount	Blake v. Usborne (1832), 26
Folkestone, 3rd Earl of), 53	Bowerbank v. Bishop of Jamaica (1838–9), 115
Bradlaugh, Charles, 260–261	Boyd v. Phillpotts (1875), 7–8
Braintree church-rates case, 283–284	Breeks v. Woolfrey (1838), 111–112
Bramwell, William, 256	Churchwardens of the Parish of St. George,
brawling, 221–224	Jamaica, v. Charles Thuthell May (1858),
Brethren, 157, 250–251	115–116
Exclusive, 250, 251	Cooper v. Wickham (1839), 279
Open, 251	Courtail v. Homfrey (1828), 226
Plymouth, 250	Cowan v. Milbourn (1867), 226
	Dawe and Nockolds v. Williams (1824), 222–223
Bridgeman, William, 294	
Bright, John, 27–28	D - E v. A - G (1845), 204
British Critic (journal), 183, 187, 246	Downer, David, In the Goods of (1853), 211
Brontë, Anne, The Tenant of Wildfell Hall, 17	Dysart v. Dysart (1844), 204–206
Brougham, Henry (1st Baron Brougham and	Elizabeth Hicks and Phœbe
Vaux), 28, 61	Gibbons (1827–29), 235
and appeals under Church Discipline Act	Elphinstone v. Purchas (1870), 117
(1840), 165	Ewing v. Wheatley (1814), 203
on chapel registration, 29	Faulkner v. Litchfield (1845), 117
on Court of Delegates, 109, 110–111	Fendall v. Wilson (1864), 146
on divorce, 210	Fox v. Bishop of Chester (1829), 85
on doctrine in appeals judgments, 114	Gaudern v. Selby (1799), 112, 292
on ecclesiastical court reform, 125	Gethin v. Gethin (1862), 207
on judges' pay, 102	Giels v. Dickenson (1851), 59–60
and Parliamentary privilege, 236, 237	Gorham v. Bishop of Exeter (1849, 1850), 113,
and religious liberty, 232–234	163–164, 171
on Shore case, 152	Harris v. Drew (1849, 1850) (1827–29), 235
Browne, Harold (Bishop of Winchester), 271	Hart v. Hart (1854), 206
Bulteel, Henry, 251–252	Harwood v. Baker (1840), 115
Burgoyne, Montagu, 5, 129	Hebbert v. Purchas (1870), 117–118
Burial Act 1854, 218	Hodgson v. Oakley (1845), 225
burials, 215–221	Jenkins v. Cook (1876), 118
cemeteries, 218–221	Jersey (Dean of) v. Rector of (1840), 134
refusal on grounds of 'invalid' baptism,	Kemp v. Wickes (1809), 217
215–217	<i>Liddell</i> v. <i>Beal</i> (1855), 116
Butler, Joseph (Bishop of Bristol), 253–254	Liddell v. Westerton (1857), 116
Butler, William John, 185	Martin v. Mackonochie and Flamank
Byron, Anne Isabella Noel, 61	v. <i>Simpson</i> (1868), 184, 194–195
	Masters v. Durst (1876), 116
Calvinism, 251, 253	Mastin v. Escott (1841–2), 216–217
Cambridge University Act 1856, 269	Meddowcraft v. Gregory (1816), 203
Cambridge, University of, 2, 267–270	Mudway v. Croft (1830), 211
Campbell, John (1st Baron), 125, 231, 238	Palmer v. Roffey (1824), 223
canons (clergy), 82	Palmer v. Tijou (1824), 223
appointment of, 46	Pettman v. Bridger (1811), 25–26
Canons of the Church of England, 1–2, 35,	Poole v. The Bishop of London (1859), 191
166, 167	Proctor v. Stone (1808), 143
creation/amendment of, 41, 71, 76–78	R. v. Adams (1832), 274
Carey, William (Bishop of St Asaph), 123	R. v. Boulter (1908), 226



cases (cont.)	children
R. v. Capel (1840), 277	baptism, 17
R. v. Joddrell (1830), 274	religious education of, 17, 29, 186
R. v. Ramsey and Foote (1883), 227	Christian Remembrancer (journal), 71
R. v. Woolston (1732), 225	Christian unity, 242–247
Read v. Bishop of Lincoln (1889), 200–201	Church and School Gazette, 86, 94
Robson v. Rocke (1824), 211–212	church attendance, 29
Spry v. Flood (1840), 26–27	lack of, 29–30, 41, 121
Steward v. Bateman (1842), 278	legal requirements for, 15
Stockdale v. Hansard (1839), 227–228	moral standards and, 23
Swift v. Kelly (1835), 207	Church Building Act 1822, 305
Taylor v. Morley (1837), 226–227	church buildings, 21–25
Titchmarsh v. Chapman (1843), 216–218	demolition of, 22–23
Veley v. Burder (1837), 283	Dissenting meeting houses, registered as, 151
Veley v. Gosling (1843), 283	funding, 21
Walter v. Montague and Lamprell (1836), 279	objections to, 24
Watson v. Thorp (1811), 108–109	State, 23, 24–25
Westmeath v. Westmeath (1829), 236	in London, 22–23
Williams v. Bishop of Salisbury (1863), 146	maintenance, viii, 282
Williams v. Hall (1837), 222	chancel repair liability, 290–291
Wing v. Taylor (1861), 202	funding of, 25, 286–287, 289–291
Woolley v. Morgan (1843), 272	new, 149
catechism, 17	seating in, 25-27
Cathedral Commission 1852, 82	see also chapels.
cathedrals, 44	Church Commissioners, 306
bishops' power in, 7–8	church, definitions of, 247–258
decoration of, 7–8	gathered, 247–251
Durham, 82	'little' (ecclesiolae), 253, 254
Exeter, 7–8	Church Discipline Act 1840, 106, 123, 124,
as landowners, 82	130–134, 174
Cathedrals Measure 1963, 306	appeals process for, 165, 181-182
Catholic Apostolic Church, 257–258	Denison case, 180
Catholic Emancipation Act 1829, 42, 208	reform of, 127
Catholic University of Ireland, 266	Church of England
Cecil, Lord Robert, 27, 194, 286	'contract with the nation', vii
censorship, 130	criticism of, 248–250
Census, religious profession in, 242-243,	income, 81–82
245, 247	laity, role in, 296–301
ceremonies, 37–38,	membership, 37
116–119, 195	Methodism, separation from, 255, 257
Chambers, John Charles, The Priest in	overarching jurisdiction, lack of, 34
Absolution, 192–193	patronage rights of, 81-82
Chambers, Thomas, 67	resignation from, 248–250
Chancel Repairs Act 1932, 290	and State, boundary with, 33–97, 293
chapels	Anglican Formularies and, 37–39
building of, 27–28	bishops in Parliament, 44–50
cemetery, 218	challenge to, 36
Dissenter, 233–234	development of, 34–41
of ease, 149–151	ministry of the Sacraments, 39-41
registration of, 30–31, 233	theology, 2–3
regulation of, 31–32	'visible Church', 37
Chapman, Mr (Rector of Bassingbourn), 216	see also archbishops; bishops; cathedrals;
Chelmsford, 1st Baron (Thesiger, Frederic), 260	clergy; livings; rites/ritual.
chiding, 221–224	Church of England Assembly (Powers) Act
Childers, John, 166	1919, 299



Church of Scotland, 41–42	low, 81, 97, 220, 276
church rates', viii, 278–291	responsibility for, 270–278
abolition, proposed, 282, 285–288	surplice fees, 271
law reform, 281–291	tithes, 271–278
proper use of, 279-280	large congregations, pressure of, 23
refusal to pay, 237–239	lay assistance to, 297–298
setting	licensing, 6-7, 150
invalid, 283–284	refusal of, 129–130,
refusal, 278, 279, 280	151, 152, 162
Church Temporalities (Ireland) Act 1833, 42, 274	removal of, 191–192, 252
Church, Richard (Dean of St Paul's), 143, 292	magistrates, 106–108
churchmanships, 141–143, 160	marriage, 80
ChurchState boundaries	obedience, to bishops, 6, 14, 154
England, 33–97, 293	overseas, 306–307
Anglican Formularies and, 37–39	overwork, 23, 135
bishops in Parliament, 44–50	parishioners, moral guidance for, 17–18
challenge to, 36	residence of, 83, 84
development of, 34–41	resignation, 14, 198, 248–250
ministry of the Sacraments, 39–41	scholarship of, 3–5
Ireland, 42	training of, 77–78
Scotland, 41	unfit, 95–96, 128–129, 139–140
Wales, 42	see also livings; ordination.
churchwardens, 188, 195, 201, 226	
brawling, cases of, 222–224	clergy discipline, 75, 108–109, 126–141 accusations, false, 134–135
and church-rates, 278–279, 280, 283	
	appeals process, 140–141, 303
clergy quarrels with, 5 Dissenters as, 280	archdeacons' role in, 132
	bishops, role in, 128, 129–131, 132–134, 139 and contract with nation, 126–128
class, social, 17, 103, 222	debates on
among clergy, 107	
church attendance, impact on, 27	in Convocation, 137–138
middle class, 29	parliamentary, 138–140
mixing of, 29	through ecclesiastical courts, 108–109, 129
and speech crimes, 227	grounds for, 128–129
Clay, William, 285	legislation, 140–141
clergy	penalties, 120–121, 140
appointment of, 46	dismissal, 20
bishops' role in, 6–7, 172–173	removal of licence, 191–192
through donatives, 95–97	suspension, 133–134, 141, 150, 154, 197
lay protests against, 170–171	procedures, 132–134
Parliamentary inquiry into, 172–174	and religious opinion, 149–156
and simony, 92–93	through secular courts, 140–141
suitability, 91	see also Church Discipline Act 1840.
'character'	Clergy Discipline Act 1892, 115, 140–141
criticism of, 158, 159	Clerical Disabilities Act 1870, 155–156
divestment of, 151, 156	Cleveland, 4th Duke of (Powlett, Harry), 89
conversion	Cockburn, Henry (Lord Cockburn), 197
to Dissenting churches, 78–79, 155–156	Cockburn, Sir Alexander, 209
to Roman Catholicism, 142, 186	Coghill, Douglas, 69
in Convocation, 70	Coker Adams, Thomas, 115
curates, 7, 129–130, 157–158, 188	Colenso, John (Bishop of Natal), 114, 294
deaconesses, 301	Coleridge, Sir John (1st Baronet), 119, 176, 227
deacons, 301	Collier, Robert, 68
housing, lack of, 46	Collins, Wilkie, No Name, 209
income, 6, 23, 84	Colonial Bishops Act 1853, 305
glebe lands, 270–271	Colonial Clergy Act of 1874, 307
	0/



322 Index

Church Assembly, creation of, 305 Commissions Anglican-Roman Catholic Commission, 304 and church rates, 281 Archbishops' Commission on Church and clergy discipline, discussion of, 137-138 Committee of Grievances, 76 State 1935, 293, 295, 302, 305 Archbishops' Commission on Church and constitution, 77 and doctrine, 77, 114 State 1970, 306 Archbishops' Commission on Ecclesiastical Essays and Reviews, judgment on, 143-149 jurisdiction, 70-71, 76-77 Courts 1954, 305 and laity, role of, 296, 297, 298 Archbishops' Commission on the Revision of Canon Law 1947, 305 Church Assembly, 299-301 Cathedral Commission 1852, 82 Lower House, 70, 75 Ecclesiastical Commission 1835, 8-10 on church attendance, 41 Ecclesiastical Courts Commission 1832, 61 and clergy discipline, 137-138 Ecclesiastical Patronage 1874, 87 constitution, 77-78 Ritual Commission, 175, 176, 193-194 and Denison case, 74, 181-182 Royal, 85-88 membership, 70, 75-76 on sale of livings, 89-95 Parliament's views on, 79 Commissions of Inquiry, 132 procedural matters, 75 common law, 224 Queen Victoria, address to, 76-77, 138 Common Worship>, 296 reformanda, 76, 77 Communion tables, 116-117, 194, 195 revival of, 71-74 Compulsory Church Rate Abolition Act 1868, ritual, discussion of, 183 288, 289 Upper House, 75, 78 Comyn, Henry, 158 and clergy discipline, 137 as court of appeal, 164 confession, 142 confidentiality of, 192 liturgy, proposed changes to, 41 private, 190-193 membership, 70 sexual questioning in, 191, 192-193 York, 70, 71, 78-79 confirmation, 17 Cook, Flavel, 117 Congregationalists (Independents), 247-248 Cooper, Job, 279 congregations Copley, John (1st Baron Lyndhurst), 209, 231, 232 ministers, appointment of, 248, 250 Corporation Act 1661, 42 participation in services, 297 corruption, viii, 68, 124 size of, 23, 135, 149, 183-184 Cosens, William Burrough, 150, 151-152 see also laity. costs of legal action, 234-239 consecration Cottenham, 1st Earl of (Pepys, Charles), 123-124, of bishops, 38-39, 45, 72, 301 158, 159 Countess of Huntingdon's 'connexion', 154, 267 of cemeteries, 218-219 Constable-Maxwell, Marmaduke (11th Lord Court of Probate Act 1857, 215 Herries), 277 Courtail, Harriet, 226 contempt of court, 62, 192, 235-239 Courts Contempt Act 1832, 62 contumacy, 197, 239-241 courts, ecclesiastical, viii, 5, 52, 98-106 Conventicle Act 1664, 28 advocates, 103-104, 132 convents/monasteries, 66-67, 188, 301 apparitors, 102 conversion of appeal, 104, 108-111 of clergy, 78-79, 155-156, 186 archbishop's court, 200-201 archdeacons' courts, 105 of Dissenters, 254 to Dissenting churches, 78-79, 155-156, and baptism, validity of, 216-218 248-250, 251-252 church-rate cases, 278-280, 283 vs regeneration, 159-160 in clergy discipline, 303 complaints to, 54-56 to Roman Catholicism, 142, 186 Convocation, viii, 292 contempt, 62 corruption in, 124 authority of, 145-146 Canons, creation/amendment of, 35, 76-78 costs of legal action, 234-239 Canterbury, 70, 71, 75-78 Court of Arches, 98-101, 163-164, 176-177, 181



Court of Audience, 98	deacons, 301
Court of Delegates, 108–111	Dean and Chapter Act 1840, 84
Court of Faculties, 101, 102	Deans, 7, 9
death sentence, allowed to impose, 36	Deans of Arches see Dodson, Sir John; Jenner-
defamation, 122	Fust, Sir Herbert; Lushington, Stephen;
diocesan/consistory, 56, 61, 104–106, 176, 177,	Nicholl, Sir John; Phillimore, Robert;
180, 226, 235	Wilde, James (1st Baron Penzance);
Ecclesiastical Courts Commission 1832, 61	Wynne, Sir William.
gravamina (concerns), 76, 77	debt, 53–54, 116, 154
jurisdiction, 55, 106, 210, 224, 226, 302	imprisonment for, 235, 237–239
laity, trials of, 121–122	Debtors Act 1868, 239
and marriage, 202–207	decoration, in churches, 7–8
oaths, 133	defamation, 122, 153, 226–227
precedents, set by, 112	Denison, Beckett, 208
probate, 61–62	Denison, Edward (Bishop of Salisbury), 74
procedures of, 102, 105–106, 125	Denison, George (Archdeacon of Taunton), 7,
proposed abolition of, 58, 66	74, 178–182
reform of, 122–125, 214–215, 305	on church-rates, 278, 280–281
secular courts, answerable to, 292	on clergy discipline, 137–138
sexual offences, 121, 122	on Essays and Reviews, 144, 148–149
speech crimes, 221–234	and private confession, 190
and freedom of speech, 227–234	and the 'real presence', 183
blasphemy, 224–226	Denman, Thomas (1st Baron), 229, 230
brawling, 221–224	deprivation (removal of living), 140, 141
chiding, 221–224	Devil, belief in, 118
defamation, 226–227	Dew, Edward Parker, 96
offensive language, 227	Dickens, Charles, 4, 246
violence, offences of, 122	Arches Court, descriptions of, 99–101
wills and probate, 211–215	David Copperfield, 99–100, 103–105, 106, 123
witnesses, 133	Little Dorrit, 235
courts, secular, 106–120	Sketches by Boz, 99, 210, 221–222
clergy as magistrates in, 106–108	dioceses, 6–8
clergy discipline, role in, 140–141, 303	creation of, 45–46
and contempt of court cases, 235	reorganisation of, 45
Court of Chancery, 213	Roman Catholic, 262–263
doctrinal matters, authority in, 178	unequal wealth of, 8–10
ecclesiastical courts, authority over, 292	discipline, clergy, 75, 108–109, 126–141, 302–303
ecclesiastical expertise, lack of, 112–113, 116–118	see clergy discipline
reform of, 120 Cranworth, 1st Baron (Rolfe, Robert), 209	disestablishment, vii, 293, 294
Criminal Law Act 1827, 121	and church rates, 280–281 implicit, 307
Criminal Law Commissioners, 231	in Ireland, 42, 274
Cross, R. A. (Richard Assheton), vii	threats of, 25
crosses, 116	in Wales, 42
cruelty, in marriage, 204–206	Disraeli, Benjamin (Earl of Beaconsfield), vii, 175
curates, 7, 129–130, 157–158, 188	dissent, 71–72, 78–79,
Cushendun, 1st Baron (McNeill, Ronald),	232–234
299, 300	Dissenters, 14, 150–151
277, 300	academies, 31, 255, 266–267
Dampier, Thomas (Bishop of Ely), 157	Anglicans, relationships with, 246
Darby, James, 250	baptism by, 216–217
Darwin, Charles, 144	Baptists, 40, 159
Davidson, Randall (Archbishop of Canterbury), 295	academies, 267
Dawe, William, 222	conversion to, 248–250, 251–252
deaconesses, 301	ecclesiology, 249–250, 251–252
, j==	



324

Index

Dissenters (cont.) Convocation, powers to amend, 77 Brethren, 157, 250-251 differences of, 5-6, 180 Exclusive, 250, 251 baptism, 159-161, 162 Eucharist, 5 Open, 251 Plymouth, 250 disciplinary cases on, 135-137 discussion of, as potential crime, 147-148 burial services for, 220 Catholic Apostolic Church, 257-258 and faith, interrelationship of, 37-38 judgments, improperly based on, 164 cemeteries, 218, 219 chapels, 151 preaching of, 127 building of, 27-28 secular courts, authority on, 178 registration of, 30-31, 233 Trinity, 31, 198, 225 regulation of, 31-32 see also rites/ritual; ritualism. Doctrine of the Trinity Act (Unitarian Relief Act Church of England, relationship with, 19 'church rates', 289 (Trinity Act)) 1813, 31 exemption from, 288 Dodson, John George (Baron Monk-Bretton), payment of, viii, 64, 280 60 refusal to pay, 237-239, 281-282 Dodson, Sir John, 60, 206 as churchwardens, 280 donatives, 95-97 Congregationalists, 247-248 Drummond, Henry, 50, 248, 257-258, 286 conversion from, 254 drunkenness, 4 Duncombe, Thomas, 58, 226 conversion to, 78-79, 155-156, 248-250, Durham, 1st Earl of (Lambton, John), 48 251-252 'disabilities' of, 233-234, 43-44, 63-64 Dysart, 8th Earl of (Manners, William higher education for, 2, 266-270 (Tollemache)), 204-206 licensing of, 30 Ebrington, Viscount (Fortescue, Hugh), 219 marriage laws for, 56, 64, 234 Methodism/Methodists, 14, 19, 252-257 Ebury, 1st Baron (Grosvenor, Robert), 190, 194 ecclesiality, of Methodism, 255-257 Revivalist, 18 Wesleyan, 28 Ecclesiastical and Church Estates Commissioners Millennialists, 257-258 for England Act 1836, 81 ministers, appointment of, 248, 250 Ecclesiastical Commission 1835, 8-10 as MPs, viii, 42-44, 127, 231, 247 Ecclesiastical Commissioners, 123 Quakers, 43, 82, 86, 91-95, 127 Ecclesiastical Commissioners Act 1836, 9, 305 oaths, refusal of, 231, 258-259, 260-261 Ecclesiastical Commissioners Act 1840, 81 petitions from, 43-44 Ecclesiastical Courts Commission 1832, 61 population of, 243, 244-245 Ecclesiastical Courts Commissioners, 111 Ecclesiastical Courts Contempt Act 1832, 236-237 Quakers (Society of Friends), 208, 246, 259-260 Ecclesiastical Courts Jurisdiction Act 1860, 224 as MPs, 43, 82, 86, 91-95, 127 ecclesiastical courts see courts, ecclesiastical. State funding of church buildings, objections Ecclesiastical Dilapidations Measure 1923, 289 Ecclesiastical Discipline Commission, 294 to, 24 Ecclesiastical Gazette, 86 Unitarianism, 31-32, 225, 246 violence against, 255 Ecclesiastical Jurisdiction Act 1847, 106 worship, restrictions of, 28 Ecclesiastical Jurisdiction Measure 1963, Dissenters Chapels Act 1884, 32 302-303, 305 Ditcher, Joseph, 180, 181, Ecclesiastical Patronage Commission 1874, 87 Ecclesiastical Titles Acts 1851, 265 divorce, 61, 204, 207, 209-210, 236 Dix, Mary Ann, 53-54 ecclesiolae ('little churches'), 253, 254 Doctors' Commons, 100, 103-104 ecclesiology, 247-258 abolition of, 58, 125 Baptist, 249-250, 251-252 Court of Delegates, participation in, 109 Congregationalist, 247-248 on Judicial Committee of Privy Council, 113 Methodists, 252-257 review of, 123 Millennialists, 257-258 doctrine Eden, Robert (3rd Baron Auckland, Bishop of Church authority over, 34, 37-38, 294-296 Bath and Wells), 180



education, religious, 17, 186	Fifth Lateran Council, 120
see also higher education.	Finance Act 1977, 277
Eliot, George, Adam Bede, 254	Fisher, W. F. 179
Elizabeth I, Queen, 120	Folkestone, Viscount (Pleydell-Bouverie,
Endowments and Glebe Measure 1976, 270	William, 3rd Earl of Radnor), 53
English Church Union, 190	fornication, 121
English College at Douai (College des Grands	Forster, William, 127
Anglais), 265	Fortescue, Hugh (Ebrington, Viscount), 219
English, Michael, 301	Fourth Lateran Council, 190
Episcopal Church of Scotland, 42	Fox, George, 259
episcopate see bishops.	Free, Edward Drax, 4–5, 129
Equality Act 2010, 304	freedom
Escott, Mr (Vicar of Gedney), 216–217	of belief, 228–234
establishment, 300–301	to dissent, 232–234
Eucharist, 39, 72, 161	freedom of speech, 227–234
Church authority over, 34	in academic disputes, 225–226
doctrinal differences on, 5	and parliamentary privilege, 228
Evangelicals and, 171	Freeman-Mitford, John (1st Earl of Redesdale),
heretical views on, 171–172	165, 193
'real presence' in, 171, 172, 175, 180, 181, 183	10), 19)
refusal to administer, 117	Garbett, James (Archdeacon of Chichester), 76
regulation of, 40–41	Garnett, William, 280
ritual in, 117–118, 183, 194, 201	Gascoyne-Cecil, Robert (3rd Marquess of
services, 41	Salisbury), 194
Tractarianism and, 171	Gaskell, Elizabeth, 246
and transubstantiation, 40–41, 171	Mary Barton, 246
Evangelical Church Association, 194, 196	North and South, 246
Evangelicalism/Evangelicals, 2, 141,	George IV, King (Prince Regent), 22
150, 187	Giffard, Sir Harding, 261
and baptism, 157	Gladstone, William Ewart, 42, 65, 72–73, 174,
bishops, 14	261, 289, 296
Countess of Huntingdon's 'connexion',	glebe lands, 270–271
154, 267	Gompertz, Solomon, 129–130
criticism of, 142–143	Goodwin, Charles Wycliffe, 144
and Eucharist, 171	Goodwin, Harvey (Bishop of Carlisle), 183, 271
opposition to, 156–168	Gorham, George Cornelius, 156–168
poor parishioners, served by, 183–184	Phillpott, lawsuit against, 163–164
and Sabbath observance, 16	Phillpott's examination of, 160–162, 163
support for, 190	gossip, charges based on, 134–135
Tractarians, legal proceedings against, 180–182	Goulburn, Henry, 268
Evans, Elizabeth, 254	Graham, James William, 211
Evans, William, 272	Graham, Sir James (2nd Baronet), 12, 263
Everett, James, 255–257	Granville, 2nd Earl (Leveson-Gower, Granville)
Eversley, 1st Viscount (Shaw-Lefevre,	189, 220–221
Charles), 275	gravamina (concerns), 76, 77, 144
Evidence Amendment Acts 1869 and 1870, 260, 261	Green, Sidney Faithorn, 239–241
Examining Chaplains, 7	Grey, Charles (1st Earl Grey), 47–48
Exclusive Brethren, 250, 251	Grey, Sir George, 79
excommunication, 37, 53–54, 121, 164	Grimthorpe, 1st Baron (Beckett, Edmund), 139
C.:.L.	Grosvenor, Robert (1st Baron Ebury, 1801–93),
faith	190, 194
and doctrine, interrelationship of, 37–38	Grosvenor, Robert (1st Marquess of Westminster
examination of, for ordination, 38–39	Lord Belgrave, 1767–1845), 13
lack of witness to, 298	Guthrie-Browne, Geoffrey (2nd Baron
salvation through, 253	Oranmore and Browne), 265



326

Index

Hackney Theological Academy, 267 as court of appeal, 51 Hale, William (Archdeacon of London), 76 Halifax, 1st Viscount (Wood, Charles), 173 housing, 21 Hampden, Renn Dickson (Bishop of Hereford), 71 Hansard (journal), 227-228 Harbord, Edward (3rd Baron Suffield), 28 Hardinge, Sir Henry, 13 Hardy, John, 28 Hunt, Henry, 229 Hartree, Llewellyn, 122 hymnals, 189-190 Harvey, Daniel, 36, 55 Haslam, Charles Junius, 230 Haslam, William, 18-20 incense, 194, 195 From Death into Life, 18 incest, 122 Hatchell, John, 264 Head, Henry Erskine, 136 Henley, Joseph Warner, 178 Henry Hetherington, 229-230 Henry II, King, 120 Henry VII, King, 120 Henry VIII, King, 35, 97, 120, 131, 163, 272 of livings, 80 Henson, Hensley (Bishop of Durham), 293, see also wills. Inns of Court, 66 299, 301 heresy, 121, 147 insanity, 211 appeals, in cases of, 165 bishops, accused of, 200-201 charges of, 176 on the Eucharist, 171-172 Herries, 11th Lord (Constable-Maxwell, Marmaduke), 277 Hewley, Lady Sarah, 31 Hibbert, Sir John, 88 Irvine, James, 135 High Church see ritualism; Oxford Movement; Irving, Edward, 258 Tractarianism. higher education, 2, 265-270 Jelf, Richard, 144 admission Jenkins, Henry, 117 of Dissenters, 267-270 of non-Anglicans, 2 Fellowship, ordination requirement for, 3 Hobhouse, John, 24 Hodgkin, John, 281 Holker, Sir John, 114 Holy Communion see Eucharist. Homilies, 37 Jeune, Francis, 87 Hope, Beresford, 240 Jews, 243 Horsman, Edward, 10, 45-46, 166-167 and Bennet, William, 169-170, 172-173, 174-175 Houghton, 1st Baron (Milnes, Richard), 32, 143 Jones, W. P. 89 House of Commons Bishops in House of Lords, debate of, 45, 46 petitions to, 229 iudges see also Members of Parliament. House of Lords bishops in, viii, 36, 44-50

judges as members of, 51 Howley, William (Bishop of London, Archbishop of Canterbury), 123, 124, 131 Hubbard, John Gellibrand, 188, 239 Hughes, Thomas, 86 Hume, Joseph, 46, 54, 83, 228, 229 illegitimacy, 208-209 Independents see Congregationalists. Industrial Revolution, 21 Inglis, Sir Robert, 83, 132, 173, 268 inheritance, 61-62, 210-215 of Church property, 81 and invalid marriage, 208-209 Ireland, 42, 266, 274 Church Temporalities (Ireland) Act 1833, 42 Church Temporalities Ireland Act 1833, 274 disestablishment in, 42, 274 Irish Church Act 1869, 42, 274 Tithe Commutation Act for Ireland 1838, 274 Irish Church Act 1869, 42, 274 Jenner-Fust, Sir Herbert, 58-60, 111, 123, 124 Bowerbank v. Bishop of Jamaica (1838-9), 115 Erskine case, judgment in, 136 Gorham case, judgment in, 163-164 Mastin v. Escott (1841-2), 216-217 Shore case, judgment in, 151 Titchmarsh v. Chapman (1843), 216-218 'disabilities' of, 233 as MPs, 260, 261-262 Jews Relief Act 1858, 43, 262 John Bull (newspaper), 57 Jowett, Benjamin, 144, 145–146, 149 appointment/removal of, 57, 109-110 ecclesiastical, 51-69, 125 bias, suspicion of, 59-60



Catholic emancipation, objections to, 54 and convents/monasteries, 66–68	Lansdowne, 4th Marquess of (Petty-Fitzmaurice,
in diocesan/consistory courts, 105, 110	Henry), 114, 275
ecclesiastical courts, defence of, 53-54	Lateran Council
and marriage law reform, 56–57	Fifth, 120
monitoring, lack of, 57	Fourth, 190
petitions against, 54–56	Latimer, Thomas, 153–154
remuneration, 69	laws
House of Commons, members of, 50–69	Canons of the Church of England, vii, 35,
Catholic emancipation, objections to, 54	166, 167
and convents/monasteries, 66–68	creation/amendment of, 41, 71, 76–78
ecclesiastical courts, defence of, 53-54	ChurchState, relationship of, 35,
and marriage law reform, 56–57	common, 224
petitions against, 54–56	statute, vii
House of Lords, members of, 51	see also legislation.
remuneration, 69, 102	lawyers
secular, 101	ecclesiastical, 51–69, 87
Judgment of Death Act 1823, 121	advocates, 103–104, 132
Judicature Act 1873, 119	apparitors, 102
Judicature Act 1875, 120	proctors, 100, 102, 103–104
Judicial Committee see Privy Council, Judicial	education of, 66
Committee.	in Parliament, 50–69
	secular, 101, 103,
Kaye, John (Bishop of Lincoln), 123	107–108, 113
Keble, John, 142, 181	lay agency, 297–298
Kent, Constance, 192	Layard, C. C. 167–168
Kimberley, 1st Earl of (Wodehouse, John), 265	Leatham, Edward, 82, 86–87, 89, 91–95
King, Bryan, 187, 188	legislation
King, Edward (Bishop of Lincoln), 200–201	Act of Supremacy 1534, 35
Kingsley, Charles, 246	Act of Supremacy 1558, vii, 35, 258
Knight-Bruce, James, 113	Act of Uniformity 1559, 35
Knox, John, 6, 41	Benefices Act of 1898, 97
	Bishopric of Manchester Act 1847, 46
Labouchère, Henry, 261	Bishoprics Act 1878, 47
laity	Bishops and Priests (Consecration and
baptism by, 216	Ordination of Women) Measure
blasphemy, charges of, 226	2014, 301
cathedrals, role in, 306	Blasphemy Act 1697, 224, 225
Church Assembly, 299–301	Burial Act 1854, 218
Church of England, role in, 296–301	Cambridge University Act 1856, 269
clergy appointments, protests against, 170–171	Cathedrals Measure 1963, 306
freedom of religious belief, 228–234	Catholic Emancipation Act 1829, 42, 208
legislation, involvement in passing of, 299	Chancel Repairs Act 1932, 290
nominations to livings, 6	Church Building Act 1822, 305
as patrons of livings, 80, 91	Church Discipline Act 1840, 106, 123, 124,
trials in ecclesiastical court, 121–122	130–134, 174
Lamb, Charles, 229	appeals process for, 181–182
Lambton, John (1st Earl of Durham), 48	Denison case, 180
Lancashire Independent College, 267	reform of, 127
Land Registration Act 2002, 290	Church of England Assembly (Powers) Act
landowners	1919, 299
bishops as, 44–45	Church Temporalities (Ireland) Act 1833,
Church as, 270–271	42, 274
livings, patronage of, 23–24	Clergy Discipline Act 1892, 115, 140–141
see also property rights.	Clerical Disabilities Act 1870, 155–156



328 Index

legislation (cont.) Poor Law Act 1834, 276 Colonial Bishops Act 1853, 305 Profane Oaths Act 1745, 224 Colonial Clergy Act of 1874, 307 Public Worship Regulation Act 1874, 69, Compulsory Church Rate Abolition Act 1868, 198-200, 239, 240, 294 Queen Anne's Bounty Act 1714, 97, 271, 305 Reform Act 1832, 43, 48 Conventicle Act 1664, 28 Corporation Act 1661, 42 Religious Disabilities Act 1846, 232, 242 Court of Probate Act 1857, 215 repeals of, 304-305 Representation of the People Act 1832, 43 Courts Contempt Act 1832, 62 Criminal Law Act 1827, 121 Residence of Incumbents Act 1869, 305 Dean and Chapter Act 1840, 84 Roman Catholic Relief Act 1829, 262, 264 Debtors Act 1868, 239 Statute Law (Repeals) Measure 2018, 304 Dissenters Chapels Act 1884, 32 Test Act 1673, 42 Doctrine of the Trinity Act (Unitarian Relief Tithe Act 1936, 277, 290 Act (Trinity Act)) 1813, 31 Tithe Act 1951, 277 Ecclesiastical and Church Estates Tithe Commutation Act (England and Wales) Commissioners for England Act 1836, 81 1836, 275, 277 Ecclesiastical Commissioners Act 1836, 9, 305 Tithe Commutation Act for Ireland 1838, 274 Ecclesiastical Commissioners Act 1840, 81 Toleration Act 1689, 31, 151, 152, 154 Ecclesiastical Courts (Contempt) Act 1832, Transportation Act 1717, 121 236-237 Universities Tests Act 1871, 2, 269 Ecclesiastical Courts Jurisdiction Act 1860, 224 Lester, Charles Edward, 237-238 Ecclesiastical Dilapidations Measure 1923, 289 Letters of Request, 176, 177 Ecclesiastical Jurisdiction Act 1847, 106 Leveson-Gower, Granville (2nd Earl Ecclesiastical Jurisdiction Measure 1963, Granville), 189 302-303, 305 libel, 57, 153, 228 Ecclesiastical Titles Acts 1851, 265 blasphemous, 229 licences, 6-7, 150 Endowments and Glebe Measure 1976, 270 for Dissenters, 30 Equality Act 2010, 304 Evidence Amendment Acts 1869 and 1870, preaching without, 28, 30, 253, 254 260, 261 refusal of, 129–130, 151, 152, 162 Finance Act 1977, 277 removal of, 191-192, 252 Liddell, Henry, 81 Irish Church Act 1869, 42, 274 Jews Relief Act 1858, 43, 262 Liddell, Robert, 191 Judgment of Death Act 1823, 121 literacy, 120 Judicature Act 1873, 119 'little churches' (ecclesiolae), 253, 254 Judicature Act 1875, 120 liturgy laity involvement in, 299 Church authority over, 34, 37-38 Land Registration Act 2002, 290 criticism of, 249 Marriage Act 1835, 208 proposed changes to, 41 Matrimonial Causes Acts 1857-8, 210 see also rites/ritual. Metropolitan Burial Act 1857, 218 livings New Churches Act 1818, 23-24 appointments to, 6-7 Oaths Act 1888, 261 bishops, held by (in commendam), 9, 12 Oaths of Allegiance Act 1858, 43 Crown, 157, 158 Overseas and Other Clergy (Ministry and donatives, 95-97 Ordination) Measure 1967, 306-307 gift of (advowsons), 80, 83 Oxford University Act 1854, 269 inheritance of, 80 Parliamentary Oaths Act 1866, 260, 261 new, 188 Parliamentary Papers Act 1840, 228 nomination to, viii Parochial Assessments Act 1836, 275 by laity, 6 Pastoral Measure of 1968, 304 by universities, 3 Patronage (Benefices) Measure 1986, 304 owners of Pluralities Act 1838, 84, 97, 305 clergy, 92-93

laity, 80

Pluralities Acts Amendment Act 1885, 97, 305



Roman Catholic, 89, 95	marriage, 202–210
women, 89	affinity prohibitions on, 202, 208
pluralities (multiple), 62, 82-84	bigamy, 204, 210
and property rights, 23-24, 82-84	of clergy, 80
removal of, 140, 141	conjugal rights, restitution of, 204–206
sale of, 83, 84–95	as contract, 207
agents for, 89-90, 93-94	cruelty in, 204–206
checks on, 90–91	Dissenters, laws for, 64, 207-208, 234
'next presentation', 85, 91, 94	divorce, 61, 204, 207, 209–210, 236
objections to, 87–88	law reform, 56–57, 60, 207–210
Royal Commission on, 89–95	Roman Catholic, 263, 264
sinecures, 42, 83	separation, 61, 204–207
spiritualities of, 6	validity of, 115, 202–204, 208–209, 263
temporalities of, 6, 7	Marriage Act 1835, 208
value of, 272	Marshall, Arthur Featherstone, 2, 4, 20, 84
see also patronage.	Comedy of Convocation, 70, 142–143, 160,
Lloyd, Thomas (Archdeacon of Salop), 281	171, 177
London, 61, 185–187, 188–190	Marshall, William, 2
Longley, Charles (Archbishop of Canterbury),	Massingberd, F. C. 281
146, 147, 148, 176, 193–194	Matrimonial Causes Acts 1857–8, 210
Low Church see Evangelicalism.	May, Charles Thuthell, 115–116
Lowder, Charles Fuge, 185, 188	McNeill, Ronald (1st Baron Cushendun),
Lowe, Robert, 199–200	299, 300
Lubbock, Lyulph (5th Baron Avebury), 290	Melbourne, Lord (Lamb, William, 2nd
Lushington, Charles, 9	Viscount), 74
Lushington, Stephen, 15, 25, 43, 54, 55, 61–65, 98,	Members of Parliament (MPs)
123, 156, 194	Dissenters, viii, 42–44, 231, 242, 247, 261–262
on church rates, 281, 283, 284–285	Quakers, 43, 82, 86, 127
	Jews, 260, 261–262
consistory court judge, 105, 112 Ditcher v. Denison (1856), 181	
Essays and Reviews, judgment of, 146	judges, 50–51 Roman Catholics, viii, 42–44, 62, 208
and higher education for non-Anglicans,	Merriman, Frank, 294
268–269 on imprisonment of debtors, 238	Methodism/Methodists, 14, 19, 252–257 Revivalist, 18
- ·	
on marriage, 204	Wesleyan, 28
as contract, 203	Metropolitan Burial Act 1857, 218
for Dissenters, 207	Millonnialises 257 258
fraudulent, 203	Millennialists, 257–258
Master of Faculties, 102	Milnes, Richard (1st Baron Houghton), 32, 143
and parliamentary privilege, 228	ministers, Dissenters, 248, 250
and Poole case, 191	ministry
Privy Councillor, 113	regulation of, 38
Lyndhurst, 1st Baron (Copley, John), 209,	of the Sacraments, 39–41
231, 232	wandering, 39
Manual Thamas Bakimana as as	see also clergy.
Macaulay, Thomas Babington, 50–51	missions
Mackonochie, Alexander, 134, 184–189, 194–198	overseas, 253
Maclagan, William (Archbishop of York), 139	to the poor, 185–187, 188
Magee, William Connor (Bishop of	monarch
Peterborough/Archbishop of York), 88,	bishops, role in appointment of, 44
92, 95–96	Canon law, assent to, 35, 71
magistrates, clergy as, 106–108	canons, appointment of, 46
Malkin, William, 14	clergy discipline appeals, role in, 303
Manchester Academy, 266–267	Convocation, Royal Licence for, 75, 76–77
Manning, Henry Edward (Cardinal), 114, 148	judges, appointment/removal of, 57



330

Cambridge University Press 978-1-316-51597-6 — Crown, Mitre and People in the Nineteenth Century G. R. Evans Index More Information

> regulation of, 38-39 monarch (cont.) jurisdiction of, viii, 34, 35 of Roman Catholic clergy, validity of, 264 patronage of, 166 routes to, 1-5 spiritual matters, limits of authority in, 35, 36 of women, 301 monasteries/convents, 66-67, 188, 301 Original Sin, 39 Overseas and Other Clergy (Ministry and morality and church attendance, 23 Ordination) Measure 1967, 306-307 Owen, Robert, 42, 50 Church as guard of, 16-18 poverty, damaged by, 185 Oxford Movement, 74, 127, 142, 183 public, low standards of, 21 Oxford University Act 1854, 269 Morley, George, 226 Oxford, University of, 4-5, 12, 56, 71-72, 142, Mormons, 243-244 Moxon, Edward, 229, 230 Muntz, George, 275 Palmer, Sir Roundell (1st Earl of Selborne), murder, 243–244 87, 289 Musgrave, Thomas (Archbishop of York), 78 parish cess see tithes. music, in church services, 18-19 parishes boundaries, 23 Napier, Sir Charles, 66 new, 188 nepotism, 68 size of, 23, 135, 149, 183-184 New Churches Act 1818, 23-24 urban, 21-23, 184 Newdegate, Charles, 288 see also livings. parishioners, needs of, 183–184 Newman, John Henry, 19, 142, 266 Nicholl, Sir John, 26, 52-56, 123, 203, 207, Parker, John William, *Essays and Reviews*, 143–149 211-212, 223 Parliament Nockolds, Martin, 222 bishops in, 44-50 Nugent, George (1st Marquess of Westmeath), Church matters, withdrawal from, 305-307 clergy discipline, debate of, 138-140 189-190, 192, 236-237 ecclesiastical courts, review of, 123-125 ecclesiastical law, approval of, 35 oaths, 133, 258-262 of abjuration, 261-262 measures, veto of, 294-296 affirmations, instead of, 260 see also Convocation; House of Commons; of MPs, 231, 260-262 House of Lords; Members of Parliament; refusal to swear, 258-259, 260-261 Privy Council. Oaths Act 1888, 261 Parliamentary Oaths Act 1866, 260, 261 Oaths of Allegiance Act 1858, 43 Parliamentary Papers Act 1840, 228 obedience, of clergy, 6, 14, 154, 255 parliamentary privilege, 228, 235-237 observance Parochial Assessments Act 1836, 275 domestic, 16, 118, 297 Pascoe, Thomas, 158 Sabbath, 16 Pastoral Measure of 1968, 304 O'Connell, John, 268 patronage, 12, 150 Open Brethren, 251 checks on, 90-91 Oranmore and Browne, 2nd Baron (Guthrie-Church rights of, 81-82 Browne, Geoffrey), 265 interference with, 166 Ordinal, 37 by landowners, 23-24 ordination, 11 lay, 80, 91 bishops' role in, 6 legislation on, 304 Canons on, 1-2 monarchs, 166 political, 52 as career, 3 Patronage (Benefices) Measure 1986, 304 Church authority over, 34 as contract with nation, vii, 126-128, 151, 155-156 Pattison, Mark, 144 doctrinal examination in, 179 Pattle, Thomas, 211 Peel, Sir Robert, 12, 24, 55, 234, 274 indelibility of, 151, 155-156 Methodist, 255 Pelham, John (Bishop of Norwich), 5 non-graduate entry, 2 penalties, 120-122, 141



	····
for blasphemy, 224–225	Circular on Confirmation, 136
branding, 120	and Convocation revival, 71, 73–74, 75, 77
death sentence, 36, 120, 121	Denison, George, support for, 181
for debt, 235, 237–239	diocesan synod, holding of, 165–167
deposition from holy orders, 141	disciplinary cases of, 135–137
deprivation (removal of living), 140, 141	on Dissenting preaching, 252
excommunication, 37, 53–54, 121	doctrinal position, criticism of, 135–137
imprisonment, 108–109, 120, 141, 227, 229, 235,	ecclesiastical courts, review of, 123, 124
237–239	Exeter bishopric, appointment to, 12–14
for the laity, 121–122, 223, 227	on freedom of religious belief, 231
penance, 121–122, 226	and Gorham, George, 157–159, 160–167
preaching, prohibition of, 154	and Haslam, William, 20
recantation, 181	High Church views of, 11–12
for ritualism, 239–240	in the House of Lords, 47–50
suspension, 133–134, 141, 150, 154, 197	Letters to Charles Butler, 12
transportation, 121	licensing, refusal of, 162, 167–168
'white sheet' confessions, 121–122	obedience of the clergy, views on, 14, 20
Penzance, 1st Baron (Wilde, James), 68-69, 98,	political views, 11
118, 197, 239	and sale of livings, 88
Pepys, Charles (1st Earl of Cottenham), 123–124,	and Shore, James, 149, 150, 152–155
158, 159	on tithes, 272–273
petitions	Phillpotts, John, 11, 12–13
as appeals, 53, 109, 116	Philpot, Joseph Charles, 248–250
from Convocation, 137	Pleydell-Bouverie, Edward, 58–60, 124–125,
to Convocation, 73, 75, 76, 77, 297	155, 212
for 'disabilities relief', viii	Pleydell-Bouverie, William (Viscount
against disestablishment, 42	Folkestone, 3rd Earl of), 53
from Dissenters, 43–44	pluralities (holding of multiple livings), 62, 82–84
to House of Commons, 229	Pluralities Act 1838, 84, 97, 305
to House of Lords, 152–153, 167, 272	Pluralities Acts Amendment Act 1885, 97, 305
against judges, 54–56	Plymouth Brethren, 250
Petty-Fitzmaurice, Henry (4th Marquess of	Pole, Chandos, 77
Lansdowne), 114, 275	Pollock, Bertram (Bishop of Norwich), 300
pew rents, 25–27, 122, 285	Poole, Alfred, 191–192
Phillimore, John, 67–68, 79	Poor Law Act 1834, 276
Phillimore, Joseph, 55–57, 109–110, 202	Pope (Bishop of Rome), 34, 36
Phillimore, Robert, 23, 56, 65–68, 69, 190	authority, concerns about, 231, 232
and Bennett case, 177	bulls, 231, 263
on church rates, 284, 285, 286	Portman, Edward (1st Viscount Portman), 271
Ditcher v. Denison (1856), 181	Portman, Henry (2nd Viscount Portman), 95
ecclesiastical courts, description of, 101–102	poverty, 246
ecclesiastical courts, support for, 125	of clergy, 81, 97, 276
on Essays and Reviews, 145	living conditions in, 21
and King case, 201	morality, impact on, 185
and Mackonochie case, 195	Powell, Baden, 144 Powlett Harry (4th Duke of Cleveland) 80
Master of Faculties, 101, 102	Powlett, Harry (4th Duke of Cleveland), 89
on probate, 213, 214–215	prayers
sale of livings, objections to, 85, 87–88	family, 16, 118 for the dead, 111
on tithe commutation, 276–277	
Phillpotts, Henry (Bishop of Exeter), 7, 10–15 Archbishop of Canterbury,	preachers/preaching, 16, 19 and doctrine, 127
'excommunication' of, 164	itinerant, 39, 254, 255, 259
Charge Delivered to the Clergy of the Diocese of	Methodist, 255, 256–257
Exeter, 14	missions, 251–252
Church Discipline bill, objections to, 128, 131	prohibitions on, 154
	4 21



preachers/preaching (cont.)	Quakers (Society of Friends), 208,
regulation of, 38	246, 259–260
without licence, 28, 30, 253, 254	as MPs, 43, 82, 86, 91–95, 127, 260
by women, 254	Queen Anne's Bounty Act 1714, 97, 271, 305
precedent, 292	Queen's Bench Division, 197
on baptism, 217	D 1 17 1 6/D1 1 11 D 1 17711
in Convocation, 73	Radnor, 3rd Earl of (Pleydell-Bouverie, William
ecclesiastical courts, set by, 112, 292	Viscount Folkestone), 53
on oaths, 261	rectors see clergy.
for pluralities, 13	Redesdale, 1st Earl of (Freeman-Mitford, John),
preferments see livings.	165, 193
pregnancy, 5	Redfern, Alastair (Bishop of Derby), 290
Presbyterian Church of Scotland, 6, 42	Reform Act 1832, 43, 48
priests see clergy.	reformanda, 76, 77
Privy Council, 58, 60	Reformation, 34, 39
discretion of Court of Arches, ruling on, 177	regeneration, 167, 180
Essays and Reviews judgment, appeals against,	vs conversion, 159–160
146–148	Religious Disabilities Act 1846, 232, 242
Judicial Committee, 52, 69, 110–119; for	repentance, 40
individual cases see under cases	Representation of the People Act 1832, 43
authority of, 197	Residence of Incumbents Act 1869, 305
Church membership of, 113, 114–115, 118, 167	revivalism, 19–20, 30
Doctors' Commons members on, 113	Richard, Henry, 127
on marriage, 207	rioting, 187–188
probate, 61-62, 68, 211-215	rites/ritual, 182–201
processions, 189	appeal cases, 116–119
proctors, 100, 102	banners, 189
Profane Oaths Act 1745, 224	bread, 194
property rights, 35, 80–97, 304	candles, 190, 194, 196
bishops as landowners, 44–45	chalices, 183, 194
Church, 81–82, 270–271	Church's authority over, 37–38
and divorce, 209–210	doctrine, variation from, 127
evidence of title, 213	in the Eucharist, 117–118, 183, 194, 201
glebe lands, 270–271	incense, 190, 194, 195
inheritance, 81	kneeling, 194, 195, 196
livings	processions, 189
donatives, 95–97	regulation of, 175–176
pluralities (multiple), 82–84	sacrament, elevation of, 194, 195
sale of, 84–95	vestments, 117, 142, 190, 194
and patronage, 81–82	wine and water, mixing of, 194, 195
	Ritual Commission, 175, 176, 193–194
and pew rents, 25–27, 122, 285	ritualism, 69, 142, 294
simony, 80, 87, 88, 92–94, 96	
tithes, 271–278	criminalization of, 198, 239–240
see also livings.	hostility to, 187–188
prophecy, 39, 257–258	legislation against, 198–200
Provinces	Parliamentary discussion of, 189–190, 192–193
Canterbury, 98–101	and poor people, 185–186
probate, grant of, 213	private confessions, 190–193
York, 78–79, 98	support for, 188, 190, 196, 197
Public Worship Regulation Act 1874, 69,	Roberts, Samuel, 294
198–200, 239, 240, 294	Robinson, Christopher, 123
punishment see penalties.	Rolfe, Robert (1st Baron Cranworth), 209
Punnet, John, 158	Roman Catholicism, 34
Pusey, Edward Bouverie, 142, 175,	Anglican clergy and, 170
181, 298	Anglican-Roman Catholic Commission, 304



church hierarchy, re-establishment of,	Sanford, Edward Ayshford, 178
262–263	Scotland, 41
conversion to, 142, 186	Scott-Joynt, Michael (Bishop of Winchester), 303
ecclesiastical titles, use of, 264–265	Scripture, 157
influence, fears of, 142, 189–190, 232, 264–265	divine inspiration of, 148
in Ireland, 42	private interpretations of, 143, 147, 148–149,
Mass, as sacrifice, 40-41	251, 259
ordination, validity of, 264	Selborne, 1st Earl of (Palmer, Sir Roundell),
Papal authority, concerns about, 231, 232	87, 289
Roman Catholics, 262, 264	sentences see penalties.
archbishops, 263	sermons, 16, 19, 78
baptism of, 57	criticism of, 118
bishops, 263, 264–265	doctrinal differences in, 180
'church rates', payment of, viii	see also preachers/preaching.
'disabilities' of, 233, 262–265	services
emancipation, 13, 262, 264	burial, 220
objections to, 54	Eucharist, 41
higher education of, 2, 265–266	length of, 41
livings, owners of, 89, 95	Mass, 40–41
marriage laws for, 56, 208,	Matins, 41
263, 264	music in, 18–19
as MPs, viii, 42–44, 62, 208	participation in, 297
population of, 243	sexual conduct
Roper-Curzon, Henry Francis (14th Baron	adultery, 121, 207
Teynham), 273	confession, questioned in, 191, 192–193
Rothschild, Lionel de, 262	sexual offences, 121, 122
Routh, Martin, 12	Shaftesbury, 7th Earl of (Ashley-Cooper,
Rowse, A. L. 295–296, 302	Anthony), 29–30, 176, 193
Royal Commissions, 85–88	Shaw, Frederick, 232
Ecclesiastical Patronage 1874, 87	Shaw-Lefevre, Charles (1st Viscount
on sale of livings, 89–95	Eversley), 275
Rule Committee, 141	Shelley, Percy Bysshe, Queen Mab, 229
Ruskin, John, 246	Shiel, Richard, 31
Russell, Edward, 188	Shipley, Samuel, 89
Russell, Lord John, 8, 45, 72	Shore, James, 149–156
and Bennett, William, 170, 173	Shutte, Reginald Neale, 15
and church property rights, 81–82, 83	simony, 80, 87, 88, 92–94, 96
on church rates, 282	sin, 39
contumacy bill, 240	Sisterhood of St. Saviour, 189
on diocesan synods, 166	sisterhoods, 301
on 'disabilities', 232	Skeat, Walter, 4
on Dissenters' marriage laws, 207	slave trade, abolition campaign, 61, 65
and Jewish MPs, 262	Slesser, Henry, 300
	Sling and the Stone, The (journal), 79
Sabbath, observance of, 16	Smith, Sidney, 130
sacraments	Society for the Propagation of the Gospel, 16
Church authority over, 34	Society of Friends (Quakers), 208, 246, 259–260
ministry of, 39–41	as MPs, 43, 82, 86, 91–95, 127, 260
see also baptism; Eucharist.	Somerset, 11th Duke of (St Maur, Edward),
sacrifice, 40, 171	149–153
Salisbury, 3rd Marquess of (Gascoyne-Cecil,	speaking in tongues, 39
Robert), 194	Spectator, The (journal), 129–130, 227
salvation	speech crimes
through baptism, 39, 161	blasphemy, 60, 224–226, 229–230
through faith, 253	brawling, 221–224



334

Cambridge University Press 978-1-316-51597-6 — Crown, Mitre and People in the Nineteenth Century G. R. Evans Index More Information

> speech crimes (cont.) Taylor, William, 226 chiding, 221-224 Temple, Frederick (Bishop of Exeter, Archbishop defamation, 226-227 of Canterbury), 144, 148 and freedom of speech, 227-234 temporalities, 6, 7, 34, 36 obscenity, 227-228 Test Act 1673, 42 Spencer, George (Bishop of Madras), 179 Teynham, 14th Baron (Roper-Curzon, Henry Francis), 273 Spencer, John (3rd Earl Spencer, Lord Althorp), theology, Anglican, 2-3 14, 268 spiritualities, 6, 34 Thesiger, Frederic (1st Baron Chelmsford), 260 Spooner, Richard, 232 Thirlwall, Connop (Bishop of St David's), Spurgeon, Charles, 159 162, 231 St George's Mission (London), 185-187 Thirty-Nine Articles, viii, 37, 72 Article 9, 39 St Maur, Edward (11th Duke of Somerset), 149 St Alban the Martyr, Holborn, 188-190, 194 Article 16, 40 Stanley, A. P. (Dean of Westminster), 176 Article 19, 37 Stanton, Arthur, 188 Article 20, 37-38 Stapleton, Miles Thomas (8th Baron Article 23, 38 Article 24, 39 Beaumont), 276 Stark, Mr (agent for sale of livings), 89, 90, 93-94 Article 26, 128 State-Church boundaries Article 27, 40 England, 33-97 Article 31, 40 Anglican Formularies and, 37–39 Article 33, 37 bishops in Parliament, 44-50 Article 36, 38-39 challenge to, 36 Article 37, 36 development of, 34-41 Article 38, 270 ministry of the Sacraments, 39-41 Article 39, 259 Ireland, 42 Thomson, William (Archbishop of York) Scotland, 41 contumacy bill, 240 Wales, 42 and legislation on public worship, 199 Statute Law (Repeals) Measure 2018, 304 and Mackonochie case, 195, 196 Stockdale, John, 228 on Privy Council Judicial Committee, 118, 147 Stuart-Wortley, Charles, 94 on sale of livings, 88 Thorogood, John, 237–239, 240 Suffield, Lord (Harbord, Edward), 28 Sumner, Charles (Bishop of Winchester), 108 Tiptaft, William, 251 Sumner, John Bird (Archbishop of Canterbury), Tithe Act 1936, 277 23, 77, 128, 154-155, 164, 180-181 Tithe Act 1951, 277, 290 Sunday observance, 16 Tithe Commutation Act England and Wales suspension, 133-134, 141, 150, 154, 197 1836, 275, 277 Sweet, James Bradby, 297-298 Tithe Commutation Act for Ireland 1838, 274 synods tithes, 23, 271-278 commuting of, 274-277 diocesan, 165-167 General, 290, 296, 304, 305 parliamentary debate of, 47, 63 Toleration Act 1689, 31, 151, 152, 154 Tait, Archibald Campbell (Bishop of London, Towle, Eleanor, 185-187, 194, 196 Tractarianism/Tractarians, 4, 141, 142, 179–180 Archbishop of Canterbury) and Ritual Commission:Ritual, 194 Bennett, William, 169-177 and cemetery consecration, 219-220 and the Eucharist, 171 contumacy bill, 240 legal proceedings against, 180-182 on donatives, 97 and the poor, 183-184 and legislation on public worship, 199 rites/ritual, influence on, 183 and Mackonochie case, 188, 189, 190, 197 support for, 190 and Poole case, 191 Tracts for the Times (journal), 183 on Privy Council Judicial Committee, 118 Transportation Act 1717, 121 on sale of livings, 88 transubstantiation, 40-41, 171 Talbot, John, 94, 240 Trelawney, Sir John, 280, 286, 287-288



I rinity, doctrine of, 31, 198, 225	Westmeath, 1st Marquess of (Nugent, George),
Trollope, Anthony, 4	189, 192, 236–237
Barchester Towers, 16	Westminster, 1st Marquess of (Grosvenor,
The Last Chronicle of Barsetshire, 133	Robert), 13
Phineas Finn, 50	'white sheet' confessions, 121–122
Phineas Redux, vii, 204	Whitefield, George, 253, 256
Rachel Ray, 16	Wigram, Loftus, 285
The Warden, 71	Wilberforce, Samuel (Bishop of Oxford, Winchester)
Unitarianism, 31–32, 225, 246	at Convocation, 75, 137
universities, 2, 265-266,	Dissenters, burial services for, 220
268–270	on Essays and Reviews, 144
admission	on licensing, 30
of Dissenters, 267–270	on oaths, 231
of non-Anglicans, 2	oratory of, 16
Fellowship, ordination requirement for, 3	Wilcox, Judith, Baroness, 290
livings, nominations to, 3	Wilde, James (1st Baron Penzance), 68-69, 98,
Universities Tests Act 1871, 2, 269	118, 197, 239
University of Cambridge, 2, 267–270	Williams, Henry, 223
University of Oxford, 4–5, 12, 56, 71–72, 142,	Williams, Rowland, 144, 146, 147
145–146	wills, 61–62,
urban development, 21–23	210–215
urban development, 21–25	and invalid marriage, 208–209
Van Mildert, William (Bishop of Durham), 123	law reform, 212–215
Van Straubenzee, William, 305–306	probate, 68, 211–215
Vane, Harry see Powlett, Harry.	Wilson, Daniel (Bishop of Calcutta), 14–15,
Vansittart, Nicholas (1st Baron Bexley), 22, 23, 24	16, 21
Verney, Sir Harry, 173	on creation of dioceses, 46
vestments, 117, 142, 190, 193	on Anglican Formularies, 35
vestries, 223, 289	on baptism, 159
vicars see clergy.	on Bennett case, 169
Victoria, Queen, 75, 138	on Blomfield, 129–130
Vincent of Lérins tests, 195	on simony, 80
violence	Wilson, Henry Bristow, 144, 146
clergy, assaults by, 4	wine and water, mixing in Eucharist, 194, 195
against Dissenters, 255	Winslow, Forbes, 5–6
offences of, 122	Wiseman, Nicholas, 263–264
rioting, 187–188	witnesses, 133, 205, 206
Voysey, Charles, 78–79	Wodehouse, John (1st Earl of Kimberley), 265 Wolff, Sir Henry Drumond, 261
Wagner, A. D. 192	women
Wales, 42	confession, sexual conduct questioned in, 191
Walker, Samuel Abraham, 177	192–193
Walter, Edward Newton, 279	deaconesses, 301
Walter, John, 127	and divorce, 209–210
Weaver, Robert Thomas, 57	livings, ownership of, 89
Wellington, 1st Duke of (Wellesley, Arthur),	ordination of, 301
12, 43	preachers, 254
Wesley, Charles, 253	property rights, 209–210
Wesley, John, 252-254,	Wood, Charles (1st Viscount Halifax), 173
256, 257	Wordsworth, Christopher (Bishop of
Wesleyan Theological Institution, 267	Lincoln), 281
Westbury, 1st Baron (Bethell, Richard), 146, 192,	Wordsworth, William, 229
213–215	Workman, Mr (agent for sale of livings), 89,
Western Times, 153–154	90, 94



336 Index

worship
Act of Uniformity 1559, 35
Church authority over, 34
conduct of, 127
in private houses, 28–30
regulation of, 27–30, 37, 64, 69, 175–176, 294

for Dissenters, 28 legislation, 198–200 rites/ritual, 182–201 see also Book of Common Prayer. Wynford, 1st Baron (Best, William), 48–49 Wynne, Sir William, 112