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THE  
VOTES OF THE BISHOPS  
IN THE  
HOUSE OF LORDS.

THE LEGISLATIVE POWER OF THE BISHOPS IN THE HOUSE OF PEERS IS A GREAT HINDRANCE TO THE DISCHARGE OF THEIR SPIRITUAL FUNCTIONS, PREJUDICIAL TO THE COMMONWEALTH, AND FIT TO BE TAKEN AWAY BY BILL.

*Resolution adopted by the House of Commons, March, 1641.*

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## THE VOTES OF THE BISHOPS IN THE HOUSE OF LORDS.

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ON the 21st of March, 1884, Mr. WILLIS, M.P., moved, in the House of Commons, "that the legislative power of Bishops in the House of Peers in Parliament is a great hindrance to the discharge of their spiritual functions, prejudicial to the Commonwealth, and fit to be taken away by Bill"—which motion was defeated by only eleven votes. It was not an original resolution, but an exact copy of one proposed in the days of Charles I. (March, 1641), and supported by Oliver Cromwell, and by such illustrious men as Hampden, Vane, Selden, and Hyde. *Then* the motion was not only proposed, but adopted and acted upon; the Bishops being expelled from Parliament; to which, however, they returned on the Restoration, and in which they have sat ever since.

They have, however, sat there under protest, rather than with the approval of the British public. On that point there has been agreement between some of the supporters of the Church Establishment and political reformers. For the BISHOP OF LIVERPOOL is "unable to see that the Church of England derives much benefit from its Bishops being temporal peers, and, after forty years' study of the debates and divisions of the Upper House, is of opinion that they are "often present when they ought to be absent, and absent when they ought to be present."\* DEAN PLUMPTRE equally questions whether their presence in Parliament "is of any real advantage to either the Church or the nation," and he pointedly adds, "the record of their votes on questions essentially moral has for the most part been *on the wrong side.*"† What that record is will be seen on another page, so far, at least, as the present century is concerned. It

\* Church Reform Papers.

† *Contemporary Review*, December 1885.

shows three things: first, that the bishops have tenaciously clung to every right and privilege, and maintained every civil disability, supposed to be necessary for the continuance of the Church Establishment; second, that they have also resisted political reforms of an altogether non-ecclesiastical character; and, third, that they have done comparatively little to support even non-political measures for promoting the social welfare of the people.

### Are the Bishops growing wiser ?

The opinion has prevailed in some quarters that, whatever may have been the political action of the Bishops in past times, the prelates of to-day are wiser and more liberal than their predecessors. That may be substantially true, because they, like other public men, have felt the strong influence of public opinion. Nevertheless, it is a fact that the Bishops have never, during a single session, given so many votes on what, probably, the majority of the people consider to be "the wrong side," as they did during the session of 1893-4. Not content with championing the alleged rights and the undoubted privileges of their Church, they have meddled with questions with which they had no special concern, in order to assist Lord Salisbury and the Opposition in defeating or mutilating measures adopted by the representatives of the nation in the House of Commons. That has especially been the case in regard to the Local Government Bill, which has lately become law, and which everyone expects will be productive of the greatest and most beneficent results. The Bishops expressed great friendliness to the measure, but their treatment of it was described in language of just severity by Sir WILLIAM HARCOURT, when he said\* :—

Nothing to my mind is more deplorable in all this business than the attitude taken up in the House of Lords by the bench of Bishops. "Property, property, property," is the chant of the lords temporal; "Amen!" cry the lords spiritual. "Property, property, property, privilege, privilege, privilege, exclusion, exclusion, exclusion!" are their matins and their evensong. It was not always so. I can remember the days of Archbishop Tait, not so long ago; of Wilberforce, in whom the character of an English Bishop was not inconsistent with tolerant and liberal sympathies. This distrust of the rural population, this fear that Lord Salisbury describes, that they are or may be their enemies, against whom they must be ever on their guard, this eagerness for sectarian ascendancy, this jealousy of ecclesiastical

\* Speech at Portsmouth, February 14, 1894.

privilege have characterised the conduct of the Bishops all through on this Bill. They have throughout been amongst the most militant and aggressive antagonists of popular rights.

### Out of place in the House of Lords.

What is the moral to be drawn from the action of the Bishops as Spiritual Peers? It is of a two-fold kind. They may be good, enlightened, and even liberal men when acting in a spiritual capacity, as ministers and officers of the Church; but when sitting in Parliament they show themselves to be narrow and obstructive, and to be the supporters of unjust privileges and restrictions; while, as Mr. BRIGHT once put it, they lamentably fail to exert their influence "on behalf of kind and Christian and generous legislation." Probably the ministers of any other religious body would similarly act, if they occupied a similar position; and in that lies the explanation of the anomaly. The bishops of the Church of England are bishops of a Church which is "by law established." They represent a politically privileged institution, and not only consider it their duty to maintain its privileges, but think it expedient to support other privileged institutions also. But, in doing so, they inflict injury on the Church as a religious organisation; and even injury on the religion, by the prejudice which they excite among the masses of the people. Their removal from the House of Lords would, therefore, be a double gain. They would do greater good by devoting all their time and energies to work in their dioceses, and they would do less harm, by refraining from political action which is seldom useful and is often mischievous. The political objections to spiritual peerages are equally strong. For, while the bishops represent only one religious section of the people, they legislate in regard to matters affecting all other religious sections, as well as the people at large. They represent interests which, to a great extent, are hostile to the interests of Nonconformists. They are, or think they are, bound to be on the side of old institutions, laws, and traditions—of aristocracy, as against democracy—of a standstill or timid policy, altogether opposed to the progressive spirit of the present age. Whatever may become of the House of Lords, whether it be "mended or ended," or continue to exist, but with limited powers, the bishops of the Church should cease to be among its members. That will necessarily be one of the results of the disestablishment of the Church, and it is one among the many reasons why disestablishment should become an accomplished fact.

## I.—VOTES OF THE BISHOPS, 1807 TO 1891.

The following is a record of some of the principal votes of the Bishops during the present century. In the study of such a record it should be borne in mind that episcopal speeches have sometimes been as objectionable as their votes, and that there has also been reprehensible silence on the part of the Bishops on occasions when their voices should have been heard on behalf of justice, or mercy, or purity, or peace.

	BISHOPS.	
	For.	Against.
National Education: Parochial Schools Bill (authorising provision of schools out of the rates)—1807 ... ..	3	15
Appointment of Committee of Privy Council for Education—1807. (Rejected without a division)... ..	—	—
Bill to abolish capital punishment for stealing from shops property of the value of five shillings—1810 ... ..	0	7
Roman Catholic Disabilities Bill, 1821 ... ..	2	25
Do. do. 1822 ... ..	1	23
Do. do. 1829 (Ireland then on verge of civil war) ... ..	10	19
Reform Bill, 1831 ... ..	2	21
Do. 1832 ... ..	12	15
Jews' Disabilities Repeal Bill, 1833 ... ..	3	20
(The Archbishop of Canterbury [Dr. Howley], in moving the rejection of this Bill, urged that the "moral and intellectual capacity of the Jews was not such as to entitle them to any share in the Legislature.")		
Jews' Disabilities Repeal Bill, 1858 (when Bill passed) ... ..	7	11
Admission of Dissenters to Universities, 1834 ... ..	2	22
University Tests Abolition Bill, 1867 ... ..	2	4
Do. do. 1869 ... ..	0	3
Church Rate Abolition Bill, 1858 ... ..	0	24
Do. do. 1860 ... ..	0	16
Do. do. 1867 ... ..	0	7
Qualification for Offices Abolition Bill (to abolish the declaration which prevented Nonconformists accepting public offices) :—		
Do. do. 1860 ... ..	0	2
Do. do. 1861 ... ..	0	4
Do. do. 1862 ... ..	1	12
Do. do. 1863 ... ..	0	8
Do. do. 1865 ... ..	1	10
Irish Church Bill—1869 ... ..	1	13
Burials question (Lord Granville's motion to permit "Christian and orderly" services other than that of the Church of England in Churchyards)—1876 ... ..	1	16
Similar motion—1877... ..	1	15
Do. (later in session)—1877... ..	3	11
Do. do. 1877... ..	4	8
Burials Act—1880 ... ..	10	6
Marriage with Deceased Wife's Sister—1883 ... ..	0	22
Do. do. 1883 ... ..	0	17
Abolition of payment of wages in public-houses—1883... ..	2	0
Factories and Workshops Bill (inclusion of laundries)—1891... ..	2	0



## II.—THE BISHOPS AND THE LOCAL GOVERNMENT BILL.

For the sake of convenience, the votes of the Bishops on, what is popularly known as, the Parish Councils Bill are given in two classes, the first including only matters specially affecting the Established Church; the second those which were of an altogether non-ecclesiastical character.\*

### I.—ECCLESIASTICAL QUESTIONS.

#### The Parochial Charities.

Clause 14 provided that where churchwardens were appointed trustees of non-ecclesiastical charities the Parish Council should elect trustees in their place. On Lord Selborne's amendment to strike out that provision, and to retain the churchwardens as trustees, there

*Voted for the amendment*, the two Archbishops, and the Bishops of Exeter, Gloucester, London, Newcastle, Ripon, St. Albans, Salisbury, and Southwell.

*Against*, none.

On Lord Salisbury's amendment against allowing Parish Councils to elect a majority of the trustees (Mr. Cobb's proposal), there

*Voted for the amendment*, the two Archbishops, and all the Bishops just named, except the Bishop of Ripon (9).

*Against*, none.

After the House of Commons had restored the clause to its original form, an amendment was proposed limiting the number of elective trustees to one-third, instead of a majority. There

*Voted for that amendment*, the two Archbishops, and the Bishops of Bangor, Chichester, Ely, Exeter, London, St. Albans, St. Asaph, and Salisbury.

Finally, even the one-third limit was objected to, and it was proposed that, in certain specified cases, the Parish Councils should make such additions to the trustees as might be sanctioned by the Charity Commissioners, and that is the

\* At present there are, in addition to two Archbishops, thirty-two Bishops; but of these eight are now without seats in the House of Lords, and are waiting their turn for vacancies there. The Bishop of Sodor and Man is not entitled to a seat.

very limited provision which was ultimately assented to, and has been inserted in the Act.

*Voted for the limitation,* the Archbishop of Canterbury, and the Bishops of London, St. Albans, and Salisbury.

*Against,* none.

LORD HARROWBY moved an amendment excluding from the charities to be administered by the Parish Councils, charities "vested in any minister, a minister and officers of the Church," or "any other religious denomination," if the Charity Commissioners were satisfied that it was the founder's intention that it should be distributed through their agency.

*Voted for,* the two Archbishops, the Bishops of Exeter, London, Newcastle, St. Albans, Salisbury, and Southwell (8).

### Parish Rooms.

Clause 69 included among ecclesiastical charities any building erected, within forty years before the passing of the Act, at the cost of any particular Church or denomination. Lord Selborne moved the omission of the limit, and proposed to include any building the trusteeship or management of which is vested in the ministers or officers of any particular Church or denomination, either alone or jointly with others. The two Archbishops and the Bishops of Gloucester, London, St. Albans, and Salisbury (6) supported him. A similar amendment was subsequently voted for by the two Archbishops, and the Bishops of Chichester, Ely, Exeter, London, St. Albans, and Salisbury (8).

### Use of Schoolrooms for public purposes.

On Clause 4 Lord SELBORNE moved amendments to prevent the use of public elementary schools for meetings relating to allotments, to candidates, or to committees, and there

*Voted for,* the Bishops of Chester, Chichester, Durham, Ely, Exeter, London, Newcastle, Oxford, St. Albans, St. Asaph, Salisbury, Wakefield, and Winchester (13).

The votes of the Bishops on this amendment having been severely animadverted upon by the public press, the Primate published a letter, explaining that they were by no means desirous of compelling people to hold meetings in public-houses, but only wished to prevent the use of the school-rooms for educational purposes being interfered with—an



object already secured by the safeguards provided by the Bill. Accordingly, when it was proposed to strike out the prohibition of Parish or District Council or Guardians' meetings in public-houses, whenever a suitable room was available elsewhere, the Archbishop of York and the Bishop of London opposed the amendment, which was ultimately withdrawn. Nevertheless, the fact remains that the Bishops, while not wishing the villagers to hold meetings in public-houses, did their best to keep them out of the schoolrooms. They did this on two occasions—first on Lord Selborne's amendments already named, and next, when Lord Clinton moved the omission of the word "public" from the provision that, where there is no suitable public room to be obtained free of charge, a schoolroom might be resorted to. For that omission there voted the Primate, and the Bishops of Ely, Gloucester, London, and Salisbury (5). The episcopal attempt to keep the school door closed against the public, as far as possible, failed; but the attempt is not likely to be forgotten.

## II.—NON-ECCLESIASTICAL QUESTIONS.

### The population limit for Parish Councils.

The Bill originally provided that there should be a Council in every parish containing a population of 200. In the first instance it was proposed to raise the limit to 500, which would have had the effect of depriving a large number of parishes of Parish Councils.

*Voted for that amendment,* The two Archbishops, and the Bishops of Chester, Chichester, Durham, Ely, Exeter, Gloucester, London, Newcastle, Oxford, St. Albans, St. David's, and Wakefield (14).

*Against*—None.

When this had been rejected by the House of Commons, it was proposed that parishes with less than 500 population should be able to decline having a council. On this occasion three Bishops (Ely, Chichester, and Exeter) voted *for*, and three (Bangor, Asaph, and Salisbury) *against*.

Finally, when Lord Salisbury proposed that the limit should be 300, only the Archbishop of Canterbury and the Bishop of Salisbury voted—the former *for*, and the latter *against* the amendment. It is this provision that has been embodied in the Bill, and the fact to be remembered is, that fourteen Bishops tried to shut out Parish Councils from many

parishes, and did *not* support the subsequent less limited proposals.

### Composition of the Electorate.

An amendment was moved confining the franchise to those who are on the Local Government Register; which would have excluded owners, lodgers, possessors of the Service Franchise, and others. On this important question the Bishops were divided; the Primate and the Bishops of Chester, Chichester, Ely, Gloucester, London, Oxford, Salisbury and Wakefield (9) voting *for* the limitation, and the Bishops of Durham, St. Albans, St. Asaph, and St. David's *against* (4).

### The compound Householder.

An amendment, which would have had the effect of restricting the choice of representatives in the Parish Councils, required that they should be personally rated.

The Archbishop of Canterbury, and the Bishops of Ely, Gloucester, and Salisbury (4) voted in its favour. The Archbishop, and the Bishops of Ely, London, and Salisbury (4) also voted for an amendment applying the same principle to guardians. For an amendment against any future compounding there voted the Primate, and the Bishops of Exeter, Gloucester, St. Albans, Salisbury, and Southwell (7).

It thus appears that the Bishops supported every proposal which had in view a limitation of the number of Parish Councils; that they tried to deprive a numerous class of the elective franchise in parochial matters, and that they also wished to prevent the people having a free choice in the election of their representatives.

### The question of Allotments.

An amendment substituting the County Council *and Parliament* for the Local Government Board as the final authority was supported by the Primate and the Bishops of Gloucester and London (3); and opposed by the Bishops of Chester, Durham, Exeter, Newcastle, and Ripon (5). In this case a majority of the Bishops voting supported the Government.

A prohibition against the sub-letting or the division of allotments was supported by the Primate, but opposed by the Bishop of Chester—the only prelates who voted.

**Miscellaneous.**

The divisions on some other and minor questions equally illustrated the unwisdom of the Bishops—the questions in no way concerning the Church, and being of a kind on which they were not specially qualified to form an opinion. Thus the proposal that all District Councillors should be *ex officio* Parish Councillors was supported by six Bishops (Chichester, Ely, London, Oxford, Salisbury and Winchester), and opposed by only one (St. Albans). A similar proposal for making County Councillors Guardians was voted for by seven Bishops (Exeter, Gloucester, London, St. Albans, Salisbury, Southwell, and Winchester), and opposed by none. An amendment to prevent Chairmen of District Councils being magistrates was supported by the Bishops of London, St. Albans, and Salisbury. The amendment providing that the expenditure under the Bill should be met by a special, instead of a general rate, would have favoured the owners of land at the expense of other ratepayers; and it was supported by no fewer than eight Bishops (Exeter, Gloucester, London, Ripon, St. Albans, Salisbury, and Southwell; no Bishop voting against it. And for omitting London from the Bill, there voted the two Archbishops, the Bishop of the diocese, and the Bishops of Newcastle, St. Albans, and Salisbury (6), who have no connection with London.

**OTHER RECENT VOTES OF THE BISHOPS.**

**Home Rule Bill.**—On the second reading, in 1893, the two Archbishops and twenty Bishops voted *against*, and none *for*.

**Employers' Liability Bill.**—On Earl Dudley's clause in favour of contracting out of the Bill, (December 8, 1893), the Bishops of Bangor, Durham, and Wakefield voted *for*, and only the Bishop of Ripon *against*. On the motion that an amendment in clause 4, to which the Commons objected, be not insisted upon, not a single Bishop voted *for*, and the Primate and six Bishops voted *against*. On the motion that the contracting-out amendment be not insisted upon (January 29, 1894), no Bishop voted *for*, and the Primate and six Bishops voted *against*. On the motion for agreement in the Commons amendment limiting contracting-out to three years, the Primate voted *against* and no Bishop voted *for*.

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**Welsh Educational Schemes.**—The action of the Bishops has been specially mischievous in connection with schemes for the advancement of education in Wales. On the draft charter for constituting a University for Wales being laid before Parliament, the Bishop of Chester moved an address, praying Her Majesty to withhold her assent till such portion thereof were omitted as prevented the inclusion of St. David's College, Lampeter, as a constituent college of the University, the said college being Church of England, and strictly denominational. There voted *for* the address, three Welsh Bishops (Bangor, St. Asaph, and St. David's), and the Bishops of Chester, Chichester, Ely, London, Oxford, St. Albans, and Salisbury—ten in all, while none voted *against*. On September 4, 1893, the BISHOP OF CHESTER moved an address praying Her Majesty to withhold her assent from the part of the Merionethshire Intermediate and Technical Education Scheme which prevented the use of denominational formularies in family worship in boarding-houses. This was carried by 39 to 23; the Motion being voted for by the Bishops of Chester, Ely, and St. Albans, and no Bishop voting against.

On the same day the same Bishop, on behalf of the Bishop of St. Asaph, moved an address relating to a similar scheme for Cardiganshire, on the ground that Lampeter (Church) School was not included. This was voted for by the same Bishops, and carried. Speaking of these proceedings, MR. ACLAND has said: "The resolution carried by the Bishop of St. Asaph has swept away the whole of the provisions contained in Clauses 48 and 81 to 87 for carrying scholars from elementary to intermediate schools, for giving bursaries to poor scholars, and for taking the most successful scholars from intermediate schools to University Colleges and other places of higher instruction." Since then, a Denbighshire scheme has been similarly mutilated at the instance of the Bishop of St. Asaph, and the Charity Commissioners state that they will be bound by these decisions in framing future educational schemes for Wales!

**Marriage with a Deceased Wife's Sister.**—The Bill authorising marriages with a deceased wife's sister has been passed seven times by the House of Commons. In addition, it has been seven times initiated in the House of Lords, which has rejected it fourteen times. The Bill has invariably been opposed by the Bishops, and on five occasions its rejection has been due to their votes. It was so on June 15, 1894, when the Bill was defeated by nine votes only (129 to 120)

Twenty-one Bishops, including the two Archbishops, voted with the "Non-contents," and but for their votes the second reading would have been carried by a majority of twelve. No Bishop voted in its favour, and the absentees were either ill or abroad. Yet the Bill authorised such marriages only in Registrars' offices and Nonconformist places of worship, and therefore imposed no obligation on the clergy.

**London Improvements Bill.**—When it was proposed that the Lords should not insist on the omission of the clause establishing the principle of "betterment," the Bishops of such distant dioceses as Chester and St. Albans voted against it; and neither the Bishop of London nor any other Bishop voted the other way.

#### THE BISHOPS AS LEGISLATORS.

(From "*The Speaker*," March 10th, 1894.)

If we said that from the beginning of the century, onwards, the Lords spiritual have been active partners in the whole disastrous work of obstruction and reaction which lies at the door of the Lords temporal, we should not be far from the truth. Not only partners, indeed, but leaders; for if there is one field in which the Peers have surpassed themselves, it is in their opposition to religious reform, and here they have acted at the direct instigation of the Anglican Bishops. Against Catholic emancipation, against Jewish emancipation, against the abolition of tests, the prelates were in the forefront of the agitation. Seven times they helped the Peers to reject the Bill which admitted Jews to Parliament; and if Catholic emancipation came earlier it was no fault of theirs. Fifteen years after Catholic emancipation they clung to the last shreds of the penal laws, and the Bishop of London, in 1844, vehemently opposed the repeal of the measure which made it criminal for a Catholic to attend Mass, and punished Catholics who taught their children to spell without the licence of a Protestant bishop. If they would not exclude Nonconformists from Parliament, the Anglican prelates, at least, did their best to exclude them from the universities and from the graveyards. The Bishop of Peterborough declared it to be among the duties which the Peers owed "to God and the Church" to fling out the Tests Abolition Bill. A few years earlier, the Bishop of Exeter had advised that it was repugnant to the constitution



of the realm for an unlicensed Nonconformist to hold a service in a private house. The Church Rates Bill, the Dissenters' Marriage Act, and all schemes for the control of charities, or the reform of education, which have touched the privileges of the dominant sect, have incurred a similar animosity. These are settled controversies upon which two opinions are no longer possible; but the history of them reveals to us this plain fact—that, in their own special field of religious measures, the Bishops have displayed a tenacity of privilege and lack of charity which are hardly to be equalled in any other portion of the Upper House.\*

But the mischief unfortunately does not end there. If they have led badly on spiritual matters, they have followed a bad lead on spiritual matters. Their silence on certain occasions has been only less disastrous than their unfortunate speeches on others. We may search the files of "Hansard" in vain for any firm protest ever made by the Anglican Bishops against destruction or mangling by the temporal Peers. Which of them had a word to say against the long refusal of justice to the Irish tenant? Which of them protested against that mutilation of the Mines' Regulation Bill which postponed the reform of child-labour in England for twenty years, or stood up for the pit lad when the Lords deprived him of his chances of education in 1860? Where were the Bishops, again, when the Peers attempted to prevent a cheap press; when they mutilated the first chief measure for the housing of the working-classes; or when they insisted on the doctrine of common employment?

They might, if they had chosen, have confined their attention to purely spiritual matters, and taken the line that ordinary politics, even when they entered into primary matters of public well-being, was not their business. That course, however, they have never adopted. In all their appearances during the present century they have never stood together to check one piece of mischief, or to utter the strong word of protest which at many a crisis might have come with overwhelming force from a group of men who spoke in the name of religion. Silence, absence, or at most, the votes of one or two, have been the sole contributions of the prelates to the cause of popular reform. . . .

The scandal has undoubtedly come to a climax. . . .  
Their conduct throughout the debates on the Parish Councils

\* To the above list the writer might have added the Qualification for Offices Bill; which abolished the declaration that public officials would not use their offices to the prejudice of the Established Church. This was rejected five times by the Lords; though it was admitted that the declaration was not worth the paper on which it was written.



Bill surpassed anything that the most critical student of their methods had expected. Utter lack of any conception that there was a great popular reform to be generously welcomed, and turned to wise purposes, and, instead, one prolonged, nervous dread lest the Church should lose her social influence or her control over property was manifested from beginning to end. In this spirit they recorded that disastrous vote which, in order to protect the schoolroom, would have driven the village meetings to the public-house, and in similar fear they sought to limit the number of the Parish Councils, to disqualify the labourer, to keep the London vestries unreformed, and to maintain the sectarian control of village charities. Such is their record for this last Session in shaping legislation.

That this state of things should cease as soon as possible is of the highest importance to both Church and State. It is not the least of the offences of the ecclesiastical legislator that he throws the glamour of religion over bad causes. For how shall we reproach the temporal Peer for his intolerance, narrowness, and class selfishness, when these eminent representatives of religion are there to stamp all these qualities as Christian virtues? . . . Even established churches have not in other countries this extraordinary privilege, and it is at least as impolitic to draw our spiritual as well as our temporal lords from a class which is wholly Conservative and reactionary. Moreover . . . the ecclesiastical legislator does infinite harm to the Church itself. . . . He fixes it in the popular eye as a Conservative and anti-popular institution. . . . Clearly, in the interest of the Church itself, the sooner the Bishops cease to have a bench in the House of Lords the better.

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