

**A TABULAR VIEW OF ARTICLES XXV,
XXVIII, XXIX. WITH CONSIDERATIONS
UPON 'THE TRUE AND LEGAL EXPOSITION
OF ARTS. 28, 29,' AS SET FORTH BY THE
COURT AT BATH IN THE TRIAL OF THE VEN.
THE ARCHDEACON OF TAUNTON**

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C. S. GRUEBER

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WITH CONSIDERATIONS UPON

"THE TRUE AND LEGAL EXPOSITION OF ARTS. 28, 29,"

AS SET FORTH BY THE COURT AT BATH

IN THE TRIAL OF THE

VEN. THE ARCHDEACON OF TAUNTON.

BY THE

REV. C. S. GRUEBER, B.A.,

INCUMBENT OF S. JAMES, CAMBRIDGE, DIOCESE OF BATH AND WELLS.

"That ancient divine Irenaeus, who lived near the times of the Apostles, teacheth, that, 'The Eucharist consisteth of two things, an earthly and a Heavenly.' By the earthly thing he understandeth the bread and wine, by the Heavenly, the Body and Blood of the Lord. From that time every orthodox divine hath followed Irenaeus."—SABAVIA.

In the Sacrament are TWO PARTS: bread and wine the OUT-ward part; the Body and Blood of CHRIST the IN-ward part.—CHURCH CATECHISM.

"Since Sacraments consist by Divine institution of two things, of which the one be visible and earthly, the other invisible and heavenly, he, who separateth these parts one from the other, destroyeth the Sacrament. For the bread without the Body of CHRIST is not a Sacrament, nor the Body of CHRIST without the bread."—SABAVIA.

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CONSIDERATIONS
UPON THE
OPINION OF THE COURT,
AND THE
EXPOSITION OF ARTICLES XXVIII. XXIX.
THEREIN SET FORTH,
WITH
Other Matter.



“THE OPINION OF THE COURT.”¹

“THE TRUE LEGAL EXPOSITION OF ARTICLES XXVIII. AND XXIX.”

“That the Body and Blood of CHRIST are taken and received by the worthy receivers only, who, in taking and receiving the same by faith, do spiritually eat of that Flesh of CHRIST and drink His Blood; whilst the

¹ The Court at Bath, it is to be borne in mind, were empowered under the 3rd and 4th Victoria to carry out the provisions of the 13th *Elizabetha*.

Now the slightest regard to the spirit and intention of Elizabeth's government in ecclesiastical matters must itself have led the Court to a very different conclusion from that, at which they arrived.

“Queen Elizabeth seems to have been willing to comprehend as many as possible in the new English Church; and with that view to have endeavoured to use a language, which all might adopt, who did not profess Transubstantiation in the strictest sense, and which might nevertheless be used by those, who did not admit any presence of CHRIST in the Eucharist perfectly corporal. Such language would comprehend all Lutherans and some Ppists.”—*Hey, Norristian Professor. Divinity Lectures, Bk. 4, Art. 28, s. xi.*

“Upon Queen Elizabeth's accession the Protestation of the Second Book of Edward VI., disclaiming ‘Adoration unto any real and essential* presence in the Sacrament of CHRIST's natural Flesh and Blood’ was laid aside. For it being the Queen's design to unite the nation as much as she could in one Faith; it was therefore recommended to the Divines, to see that there should be no definition made against the aforesaid notion, but that it should remain as a speculative opinion not determined, but in which every one might be left to the freedom of his own mind.”—*Wheatley on Protestation at the end of Communion Office, and Mant in loc.*

* In 1662 “Corporal Presence of CHRIST's natural Flesh and Blood.”

The Opinion of the Court is entirely at variance with such a course of legislation, and it is not too much to say the Act of Elizabeth has been made use of to effect a purpose the very opposite to that which was nearest to her heart.

wicked and unworthy, by eating the Bread and drinking the Wine without faith, do not in any wise eat, take or receive, the Body and Blood of CHRIST, being void of faith, whereby only the Body and Blood of CHRIST can be eaten, taken, and received."

In the following remarks it is desired,

(1) To submit respectfully a few considerations upon the assertion of the "Opinion" of the Court, that the Thirty-nine Articles are "The *only* Standard of the Church."

(2) To test the "Exposition" of the Court by Articles XXVIII. and XXIX., of which Articles it professes to be a "*true and legal*" Exposition or Interpretation.

(3) To cite passages from *two* Divines of the Church of England: viz., Bishop Ridley, to whom was assigned a prominent part in the composition of the first set of Articles of A.D. 1552, and Thorndike, who was one of the Commissioners appointed for the Revision of the Liturgy of 1662, at which period the Articles were for the last time confirmed: and this with the view to ascertain whether the said "Exposition," which bears date August 12, 1856, and is to be binding for ever upon the Church of England as the one construction of Articles XXVIII., XXIX., has any just claim to be either "*legal*" or "*true*."

The Thirty-nine Articles are "The *only* Standard of the Church."*
* V. Tabular View.

If I am not mistaken, this is the very first time, that ever they were declared to be so in any Ecclesiastical Court.

"The Book of Common Prayer," then, "and Administration of the Sacraments and other Rites and Ceremonies of the Church, according to the use of the Church of England," is *not* admissible as a test of doctrine.

Such is the construction put upon the 13th Elizabeth of 1571.

The assertion of the Court is directly contrary to fact; for the Act of Uniformity of the 13th and 14th Charles II. of 1662, which recites the 13th Elizabeth, requires, alike with subscription to the Thirty-nine Articles, "an unfeigned assent and consent to all and everything contained and prescribed in and by the Book intituled, *The Book of Common Prayer*;" and enacts, that "all and every such person, who shall neglect or refuse the same, shall *ipso facto* be deprived of his spiritual promotions." Upon this no comment is required.

But further; in the Declaration before us, not only is the Liturgy, thus set forth, to say the least, as being "*pari passu*" and "*pari auctoritate*," with the Articles, disallowed as a test of Doctrine, but even ignored as a handmaid with the Articles in interpreting the mind of the Church; the Articles themselves, contrary to any just construction of the Act of Elizabeth, being thereby *wrenched*, to serve a purpose, from that entire system of theology, in which, as has been aptly said, they lie "embedded."*

Now it is to be noticed, that the Commissioners, acting under the advice of Dr. Haggard, their Legal Assessor, in the finding given at Clevedon, dated January 10, A.D. 1855, did pronounce the Doctrines of the Archdeacon of Taunton "repugnant to the *Doctrines of the Church of England*, and especially to the Articles;" also, as "unsupported by the Articles, taken in their literal and grammatical sense," and "contrary to the *Doctrines and Teaching of the Church of England*." What, then, we may ask, are we given to understand by "the Doctrine and Teaching of the Church of England," as distinguished from, and over and above, "the Articles," if it be not the Liturgy and other Formularies of the Church? Therefore the Commissioners, who sat at Clevedon in January, 1855, under the 3rd and 4th Victoria, with a view to carry out the provisions of the 13th Elizabeth, and the Court, who sat at Bath in August, 1856, deriving their authority solely from the Report of the said Commissioners, are themselves at issue upon the interpretation of the very Act which they are empowered to carry into effect, and that upon a point that materially affects the whole course of the proceedings, and the judgment that may be founded thereupon.

* The Guardian.