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ART. V.—THE ORNAMENTS RUBRIC.¹

WHETHER the words so described ought properly to be spoken of as a Rubric or not, at any rate there they stand as a direction in the Book of Common Prayer before the offices for Morning and Evening :

“And here it is to be noted that such ornaments of the Church, and of the ministers thereof, at all times of their ministration, shall be retained and be in use as were in this Church of England, by the authority of Parliament, in the second year of the reign of King Edward the Sixth.”

Although it is perfectly clear from the history of the question that this direction means exactly the contrary of what it seems to mean, yet the words, taken by themselves, appear not only to warrant, but to require all our clergy to wear alb, chasuble, and other eucharistic vestments at all times of the service.

The extraordinary thing is, that from the year 1552, when the mediæval vestments passed out of use in the English Church, till the year 1853, when they were revived in the church of St. Thomas the Martyr at Oxford, for three hundred years in every parish church in England the simple white surplice was the distinctive garment of every minister during the performance of Divine worship. It never occurred to one of them during all those three hundred years that he ought to wear an alb, chasuble, dalmatic, tunicle, or other eucharistic vestment. When Hooker argued with the Puritans, it was not in defence of the pre-Reformation attire, which was never mentioned, but in support of the plain white surplice.

The conclusion is inevitable. One of two things—either

(1) The direction had been nullified by more authoritative directions ;

(2) Or a different interpretation of it has to be taken than that on the surface.

If the vestments of the minister ought to be the same as that of the Roman Church, then an outcry against the universal neglect and departure would have been inevitable, especially in the days of Archbishop Laud.

Before the Reformation you would have seen all kinds of vestments suitable to the miracle of the Mass: amice, alb, girdle, maniple, chasuble, dalmatic, or tunicle, and the rest. The one thing you would never have seen was the Mass-priest in a surplice. A surplice was never allowed to a celebrant.

What said the first Prayer-Book of Edward VI. in 1549? It was a return towards simplicity. Nothing was said about

¹ I wish to express my obligation in this Article to the writings of my friends the Rev. F. Dyson Hague and Mr. J. T. Tomlinson.

dress in the first part of the book. But in the Communion Office, which was called "the Supper of the Lord, and the Holy Communion, commonly called the Mass," after the three first rubrics, which are still the first three in our Book of Common Prayer, a direction was given for the dress of the officiating priests:

"The priest . . . shall put upon him the vesture appointed for that ministration, that is to say, a *white alb plain*, with a vestment or cope"; and any priests or deacons helping were also to have corresponding vestures, "that is to say, alb with tunicles."

When I say this was a move towards simplicity, I mean this: The dress of the celebrant had hitherto been the chasuble. It was now to be the cope, which was not sacrificial at all, but a dress of dignity. And the plain alb was what was worn by choir and sexton; the sacrificial alb had square embroideries before and behind, and was often coloured.

The second Prayer-Book came three years afterwards, in 1552. In place of our present Ornaments Direction were these words:

"And here it is to be noted that the minister at the time of the Communion, and at all other times in his ministration, shall use neither alb, vestment, nor cope; but being Archbishop or Bishop, he shall have and wear a rochet; and being a priest or deacon, he shall have and wear a surplice only."

This Prayer-Book was established by an Act of Uniformity, and alb, vestment, and cope became illegal. The Mass vestments were forbidden because the Church no longer held the doctrine of the Sacrifice of the Mass, and in spite of all tradition and association, they chose for the celebrant the one dress in which he had never been allowed to celebrate—a simple white surplice.

Then came Queen Mary. Prayer-Books of 1549 and of 1552 were alike abolished, and the old Romish garb and ritual restored.

Then came Queen Elizabeth. In the first year of her reign the second Prayer-Book, that of 1552, was restored, three slight changes being authorized therein, "and none other or otherwise."

It had its own Act of Uniformity, which legalized its restoration. In the twenty-fifth section appear these words:

"Provided always, and be it enacted, that such ornaments of the Church, and of the ministers thereof, shall be retained and be in use, as was in this Church of England by authority of Parliament, in the second year of the reign of King Edward the Sixth, until other order shall be therein taken by authority of the Queen's Majesty, with the advice of her Commissioners

appointed and authorized under the Great Seal of England for causes ecclesiastical, or of the metropolitan of this realm."

This Act of Uniformity gave the Queen power to take further order in the matter. And this she did afterwards by her Advertisements and her Injunctions, which therefore have the same force as the Act of Uniformity which authorized them.

This same Act of Uniformity, by section 3, enacted the second Prayer-Book of Edward VI. as the law of the land, which, as we have seen, enjoined the wearing of "*a surplice only.*"

The difficulty arose from what was found printed in Elizabeth's Prayer-Book when it first appeared in 1559:

"And here it is to be noted that the minister at the time of the Communion, and at all other times in his ministration, shall use such ornaments in the Church as were in use by authority of Parliament in the second year of the reign of King Edward VIth, according to the Act of Parliament set in the beginning of this book"—that is, Elizabeth's Act of Uniformity, restoring the second Prayer-Book and the surplice.

This was a professed summary of part of the Act of Uniformity, made privately, and interpreted without any authority as a rubric. The Act to which it refers expressly states that the direction was only provisional till further order shall be taken, which was done by the Advertisements and Injunctions. The same Act, as we have seen, restored the second Prayer-Book, with its exclusive use of the surplice.

This note was put in to please Elizabeth, who liked to see the cope in the Communion Service. From the very first time it appeared it was regarded as mere waste-paper, self-contradictory, and against the law, and from that day to this the vestments in question have been abolished in the Church. They were abolished deliberately and absolutely by law.

In this same year, 1559, the Commissioners referred to in the Act of Parliament at the beginning of Elizabeth's Prayer-Book did frame and prepare a set of authoritative orders to the clergy in explanation and enforcement of the Act, to show them clearly what they were to wear and do as clergymen of the Church of England; and these orders were issued by the Queen, with the advice of her Commissioners, in strict accordance with the authority given her by the Act of Uniformity.

These orders were known as "Elizabeth's Injunctions," and they provided for the church garments in the clearest possible way:

"Item, Her Majesty being desirous to have the prelacy and clergy of this realm to be had as well in outward reverence as otherwise regarded for the worthiness of their ministries,

thinking it necessary to have them known to the people in all places and assemblies, both in the Church and without, and thereby to receive the honour and estimation due to the special messengers and ministers of Almighty God; willeth and commandeth that all Archbishops and Bishops, and all other that be called or admitted to preaching or ministering the Sacraments . . . shall use and wear such seemly habits, garments, and such square caps as were most commonly and orderly received in the latter year of the reign of King Edward the Sixth."

The Queen's "Injunctions," authorized by the Act of Uniformity, thus swept away chasuble, alb, cope, tunicle, and the rest; and the 30th Injunction ordered the surplice only.

From henceforth the restored Marian garments were abolished. New editions of the Injunctions were constantly put forth, even till 1600. They are held in law to have the same force as the illustrious Act of Uniformity which gave them birth.

In the year 1566 a slight alteration was made in favour of the cope in cathedrals and colleges. There was a new set of ecclesiastical directions known as "Queen Elizabeth's Advertisements," issued by the Queen's Commissioners in her name, under authority of the Act of Uniformity. They had the same force as the Injunctions, and were referred to as the binding law of the Church on vestments by the Canons of 1571 and of 1604. The Advertisements expressly ordered that the minister, without any exceptions whatsoever in the case of parish churches, and at all services, should wear the surplice. In cathedrals and college chapels only, the cope was permitted (to the exclusion of chasubles and tunicles) in the ministration of the Holy Communion (the cope not having any sacrificial significance), and even in cathedrals and collegiate churches, at all other services, a surplice was to be worn.

Thus the so-called ornaments rubric or direction, was obviously repealed, and vestments, albs, tunicles, and the rest, were to be regarded, not merely as unauthorized and illegal garments for any minister of the Church of England, but as things associated with Popish superstitions and therefore to be destroyed.

Contemporanea expositio fortissima est in lege—contemporaneous explanation is of all others the strongest in law. There can be no doubt about the authority of the Advertisements, for the Archbishops and Bishops were determined utterly to extirpate the old vestments, as anybody can see by the Visitation Articles of Archbishop Parker, Archbishop Grindal, Archbishop Whitgift and Archbishop Piers. Chasuble,

alb and tunicle disappeared from vestry and chancel and perished in the flames. Even in cathedrals, copes, which had only been retained to please the pomp-loving eyes of Queen Elizabeth, fell into disuse. Universally the clergy recognised the surplice as their only legal vestment. Chasuble, tunicle and cope in parish churches were universally discarded as illegal.

In 1603-4 came the Canons of the first year of King James I. They were authorized by the King, and passed by both Convocations. They modernized, modified and codified the Acts, Injunctions and Articles of Edward VI. and Elizabeth, especially the canons of 1571 and 1597.

The 24th Canon expressly provides that, according to the Advertisements published Anno 7 Elizabeth, the principal minister, with Gospeller and Epistler agreeably, in all cathedrals and collegiate churches, at Holy Communion shall on *certain great feasts* wear a decent cope.

This repeats the authority of Elizabeth's Advertisements, which abolished the vestments of Edward VI.'s First Prayer-Book, and confined the non-sacrificial cope to cathedrals and colleges. Also it dressed Gospeller and Epistler in copes like the principal ministers.

The 25th Canon says that in cathedrals and colleges when there is no Communion it shall be sufficient to wear surplices.

The 58th Canon declared the law for parish clergymen :

"Every minister saying the Public Prayers, or *ministering the Sacraments, or other rites of the Church*, shall wear a decent and comely surplice with sleeves, to be provided at the charge of the parish."

The only legal parochial vesture is thus the surplice. Copcs on occasions are for cathedrals and colleges; chasuble, alb, tunicle and the rest are absolutely illegal.

These canons were considered by the Convocations which passed them to be entirely consistent with other canons, 14th, 15th, 56th, which enjoined the strictest possible conformity with the orders, rites and ceremonies prescribed by the Book of Common Prayer without addition, omission or alteration. If the old Ornaments Directions possessed any statutory authority, then these canons were directly contradictory to it and to each other.

But the Advertisements possessed legal force, and had repealed and abrogated the old direction, and thus the canons were absolutely and completely consistent.

Some say that the Mediæval Canons, authorizing mediæval vestments under a statute of Henry VIII., were still authorizing them; but that statute expressly provided that such canons were only to be in force when not against the law of

the land, or until further orders had been given. Now, whatever may be the case with regard to others of the Mediæval Canons, those on clerical vestments were most unquestionably abrogated by the Acts of Uniformity; and in the second place the canons of 1603 and 1604, compilations of Acts and Injunctions of previous reigns, being authorized by the King and accepted by the Church in the two Convocations, disannulled the former canons wherever they contradicted them. They, in short, took the place of them.

In the year 1662 comes the great puzzle. You remember the words of the old obsolete direction :

“And here it is to be noted that the minister at the time of the Communion, and at all other times in his ministration, shall use such ornaments in the Church as were in use by authority of Parliament in the second year of the reign of King Edward VI. according to the Act of Parliament set in the beginning of this book.”

You will recollect how the Act of Parliament referred to was the Act of Uniformity of Elizabeth, which prescribed the ornaments of the Second Prayer-Book, abrogating those of the first, and authorizing only the surplice.

We now find, in 1662, a new edition of this obsolete direction :

“And here is to be noted that such ornaments of the Church and of the ministers thereof at all times of their ministration, shall be retained, and be in use, as were in this Church of England, by the authority of Parliament in the second year of the reign of King Edward the Sixth.”

In this new edition of King Charles II., the saving reference to Elizabeth's purgative Act of Uniformity is omitted, and apparently the law of the Church in the year 1548 and 1549, the year of the First Prayer-Book, becomes the law once more, and the semi-popish vestments of that era, chasuble, alb and tunicle, become the compulsory and legal vestments to the exclusion of all others.

But stop a moment from this hasty conclusion. The Act of Uniformity of Charles II. legalizing the Prayer-Book of 1662 did not repeal Elizabeth's Act of Uniformity, but left it still in force, the guiding principle of the whole.

Elizabeth's Act most effectively overruled the old obsolete Ornaments Directions, and there is no escape from the fact that Charles II.'s Act of Uniformity, by retaining Elizabeth's, overruled that direction in precisely the same way.

In other words, the law remained in the same state in which it had been up to that date.

Up to that date the surplice only was the law for parishes,

copies on certain days for cathedrals and colleges at Communion.

Notice the words in Charles II.'s direction, "shall be retained." How could things be *retained* which for one hundred years had been disannulled, abrogated, declared illegal, and destroyed? They would have to be "restored," not "retained."

The legal authorities in England have held that as Elizabeth's Advertisements unquestionably abolished the sacrificial vestments, and as what is not in existence cannot be retained, the words of Charles II. authorized only those vestments to be retained as were in use up to that time, 1662.

Did the revisers of 1662 intend to restore the vestments that had been abolished by law for one hundred years? How could they expect an obscure direction in a corner of the Prayer-Book to override great Acts of Uniformity?

In the opinion of the legal authorities, the rubric was intended to keep the law as it was up till 1662, and to *retain* in use the dress of the last hundred years. It was expressly stated by Convocation that the alteration in its form was not material, but only verbal.

You must remember that for one hundred years the similar direction had been printed in the Prayer-Books, and had been entirely governed by the Act of Uniformity. No one ever dreamt that it could overrule the laws of Elizabeth, her "Injunctions and Advertisements," or invalidate the directions of the Canons of 1603-4.

There it stood all the time, inoperative, ineffective, emasculated, impotent, overruled, because invalidated and overridden by subsequent, expected, supreamer legislation.

Did the rubric in its new form in 1662, modified not materially, but only verbally, do what it could not do before? Did it abrogate all the legislation on vestments, turn out the surplice, and restore chasuble, tunicle, and alb? Certainly not. Inoperative, ineffective, invalidate it had been; inoperative, ineffective, invalidate it remained. Nobody took any more notice of it than before. No clergyman ever dreamed of putting on the vestments of the Mass. For two hundred years all the clergy to a man acted on it in one way: they wore the surplice according to the Injunctions and Advertisements of Queen Elizabeth, the Act of Uniformity, and the Canons of 1604.

Contemporanea expositio fortissima est in lege. What did the makers of the change do themselves? Surely they must have known its meaning. If they intended to restore the vestments of the Mass, and override the law of the Church and realm, did they proceed to order and wear them? Not one.

In fact, as a matter of history, Baxter, in commenting on this very place in 1690, twenty-eight years after the revision of 1662, says of the alb and tunicle they are "things that we see nobody use." "We see that *all* those that subscribe or consent to this *yet use them not.*"

The Bishops drew up the words of revision with great care. They knew what they intended, and what they intended they showed by their practice. They never revived the disused garments; they never asked anybody else to revive them. They themselves used the grave and plain dress of the reformed Bishops, and they insisted on the clergy wearing the surplice, and the surplice only.

The change in the form of the words of the direction was, in fact, made in consequence of objections by the Puritans at the Savoy Conference. They said:

"Forasmuch as this rubric seemeth to bring back the cope, alb, etc., and other vestments forbidden by the Common Prayer-Book 5 and 6 Edward VI. [the Second Prayer-Book, A.D. 1552]; and so our reasons alleged against ceremonies under our eighteenth general exception, we desire it may be wholly left out."

The Bishops replied:

"For the reasons given in our answer [to the general demand for the abolition of certain ceremonies], we think it fit that the rubric should continue as it is."

The Puritans had in this general demand objected to the use of the surplice, and the Bishops had defended it. There had been no reference in the general demand to the older vestments. The Bishops were referred to their previous defence of the surplice.

Subsequently, however, they did alter the Ornaments Direction, with a view to contenting the Puritans.

The previous Direction had mentioned the time of Communion and all other times of ministration. The new Direction abolished this difference, and introduced the expression "at all times of their ministration" absolutely, thus bringing the Direction into conformity with the language of the 58th Canon.

If the contention of the Ritualists is right, then the clergy are compelled to wear the vestments of the Mass not only at Communion, but at all their ministrations.

It is quite clear that what the Bishops intended was to enforce the surplice at all their ministrations.

Note these facts:

(1) The Puritans objected to the Direction as seeming to bring back the sacrificial vestments.

(2) The Bishops altered it in consequence of this objection.

(3) The Bishops, far from having the least notion of having done anything to bring back the vestments, insisted always on the surplice, and on the surplice only.

Why was the rubric left there at all?

The Ritualists say that the Bishops were speaking only of a minimum, and that the legal maximum was the gorgeous vestments of Henry VIII.

But there is not one jot of evidence to show that in the reigns of Elizabeth, James, and Charles the surplice was only the minimum, with copes in cathedrals on great days. On the contrary, it was the only vestment *permitted and ordered*. Laud would only have been too happy if the sacrificial vestments had been legal, and if he could have enforced them. The Acts were not Acts of Biformity, but Uniformity. All the legislation of the day was characterized by extreme exactitude. There was no breath of suspicion of a minimum and maximum; the object was uniformity for all Churchmen.

Others have held the view that the Direction is to be interpreted literally, and that for three hundred years every Bishop and clergyman of the Church, up to the time of Mr. Chamberlain at St. Thomas's, Oxford, did not know what they were about, and acted illegally universally every Sunday.

The answer to this is simply that there never has been a single instance of the user of the surplice being held to be a lawbreaker, nor has there been even so much as one instance of such a prosecution.

On the contrary, it has been decided by the highest court of the land that anyone who wears these vestments at the administration of Holy Communion is committing a legal offence against the Church of England (Purchas judgment).

The law of the land and the law of the Church alike is that the surplice is the only lawful vestment for the clergyman at all times of his ministration.

What is the explanation of the perplexing Direction?

This. The Direction is not to be regarded as a rubric at all, for a rubric it never was, but simply as a kind of reference note to the Elizabethan Act of Uniformity, which remains now, as before, the primary authority as to ornaments.

In its original form the Direction (which was not a rubric, for it was an entirely unauthorized and imperfect article) referred the people to the great Statute of Uniformity, which was to settle the question.

In its final form its intention still was to retain the standard then existing, as provided for by the Act of Elizabeth.

That this explanation is the true one from the standpoint of the Church of England is proved by the fact that neither

the inserters of it or their antagonists ever regarded it as a fresh enactment determining the vestments of the clergy.

The original reference to the second year of King Edward VI. was a provisional reference to the Prayer-Book of 1549, but it was explicitly governed by its own reference to Elizabeth's Act of Uniformity, which ordered the surplice only. It was explicitly governed by the authority the Act gave the Queen to take further order with the advice of her Commissioners, when they should have had time to consider the question.

It was only the intense conservatism of printers and of authorities in matters of antiquarianism and history that kept this rubric being printed in edition after edition, time after time, long after it had been superseded by the expected Injunctions, Advertisements, and Canons. It is an antiquarianism of the same kind, though not in the same matter, as the obsolete and ridiculous address to King James still printed at the beginning of the Authorized Version.

It is in the highest degree uncritical and unconstitutional to pick out a sentence of the Prayer-Book—especially one that is the most difficult in the whole volume—and interpret it literally, in the face of facts, without regard to history and intention.

WILLIAM SINCLAIR.

Notes and Queries.

AN INCIDENT, WITH THE MORAL OF IT.

IN the days of Saladin, that renowned Sultan who so well fought against our own Richard Cœur de Lion, Bohadin, a renowned historian and judge, was on the seat of judgment. An old merchant tendered a bill of complaint, and insisted that it should be opened. "Who is your adversary?" inquired the judge. "My adversary is the Sultan," responded the merchant; "but this is the seat of judgment, and it is said that you are not governed by regard for persons." Replied the judge: "The case cannot be decided without the adversary being first apprised." The Sultan was informed, condescended to appear, produced his witnesses, justly defended and gained his cause. The old man's bravery and confidence in the law so pleased the Sultan that he dismissed him with a robe of honour, a rich donation, and an assurance of friendship.

The Moral.—We, with all creation changing moment by moment, we, like a flower of the field to-day, and to-morrow cast into the oven, are all before Thee, our glorious God. We would be wise, not defer our work till to-morrow; to-morrow's sun we are not sure will rise. Israel was invited: "Come now, and let us reason together." She would not. We, Lord, would reason: "Hast Thou made us to be sold for naught? Do we, like Asaph, cleanse our heart in vain, wash our hands in innocency, and chasten ourselves every morning? Hast thou deceived us? and are we