

*Gladstone and the Colonial Church Clause: An Episode in Church-State  
Relations, 1849—1850*

*I am astonished that he seems in his  
argument so completely to have supplanted  
principles. I looked upon the right hon.  
Gentleman as the last paladin of principle,  
the very abstraction of chivalry. . .<sup>1</sup>*

We are still amused at Disraeli's wit in so taunting Gladstone from the floor of the House of Commons in 1845 in response to his support of an increase to the Roman Catholic seminary at Maynooth. Our amusement is not, however, at Gladstone's expense. It is impossible to make a serious assessment of his career, scarcely of a week of his ordinary activities, and say that we are not in the presence of an extraordinary man. Yet the ironies in Gladstone's life are as thick as his achievements. Had he never disestablished the Anglican Church in Ireland and become the champion of the nonconformists, we might be laughing at him with the M.P.s of 1845. But as it is, we can only ponder the mysteries of God and man that enable a sincere believer in *The State in its Relations with the Church* to write *A Chapter of Autobiography*, and "the rising hope of the stern, unbending Tories" to become "The People's William."

William Gladstone was a force in politics from the first time he uttered a speech in the House of Commons in 1833. He was early marked among great men as a rising great man himself. He was a gifted orator. But he was naïve and idealistic. This became widely evident, for those who were not aware, with the publication of *The State in its*

*Relations with the Church* (1838). There he argued that religion was “directly necessary to the right employment of the energies of the state as a state”. He also warned that “should the Christian faith ever become but one among many co-equal pensioners of a government”, it would prove that “subjective religion” had “again lost its God-given hold upon objective reality” (Gladstone 1841: I: 124-30). Such propositions were full of anachronistic ideas, abstruse phrases, the stuff of impossible politics in the 1840s. Sir Robert Peel was “astonished” that he would entertain such a form of political suicide. But for many years, Gladstone displayed believer’s blindness in imagining that renewal within the Church of England might lead to a restoration of its high place in relation to the state. When Peel dissented from Gladstone’s support for a Bishops’ Council in 1840, Gladstone knowingly noted in a private memorandum:

He does not take into his calculation that daily growing knowledge of Church principles which is extending and consolidating the broad common ground of faith and discipline upon which Churchmen can afford to hold in peace their minor differences (Brooke and Sorenson 1972: 127).

With benefit of hindsight, Gladstone reflected that in “the sanguine fervour of youth” he had “dreamed” that the Church was capable of recovering lost ground and of bringing back the nation to unity in her communion” (Brooke and Sorenson 1971: 246). This was not an ignoble position, nor, in his estimation, strictly an error, but the derision it engendered made him think. From the early 1840s he began a slow progression away from his Tory roots, and from doctrinaire positions of any kind. Having been burned over *The State and its Relations with the Church*, he learned a hard lesson in the virtues of practicality.<sup>2</sup>

According to Colin Matthew, the decade 1841-51 was “the crucial period of Gladstone’s political development”, a period when he was still uncertain of his political calling (Matthew 1986: 60-61, 80). Yet it remains a period for which judgment by historians has largely been reserved.<sup>3</sup> When brought into the cabinet under Peel, Gladstone showed ability at the Board of Trade (1843-45) and at the Office of War and the Colonies (1845-46). But he continued to confound his friends and colleagues—by resigning over the proposed increase of a grant to the Roman Catholic college at Maynooth (1845), by seeking to become envoy in an imagined resumption of diplomatic relations with Rome (1845), by clumsily handling a local colonial squabble involving the Governor of Van Diemen’s Land (1846). “My mind,” he recalled, “contemplated all things in the abstract. . . and could not grasp or estimate the element of flesh and blood which counts for so much in them” (Brooke and Sorenson 1971: 248). Seldom has so much talent and miscalculation gone forward together. We know that Gladstone learned his politics along the way. By the latter part of his career, the dramatic measure became the hallmark of his political style. But it is not altogether clear by what process he came to progressively abandon abstract principles and to embrace “the element of flesh and blood” that made his landmark legislation work.

Here I want to trace one small part of Gladstone’s mental and political movement in 1849-50, an important period of transition for both Gladstone and the Church of England.<sup>4</sup> Though no single event demarcates his earlier views and methods from later ones, the parliamentary maneuverings surrounding the Church Clause of the Australian Colonies Bill suggest the complex contours of the political and religious terrain he was occupying at that point. The events of 1845-1848 collectively had weakened most of the

institutions upon which Gladstone had relied, forcing him to reexamine his beliefs. The Tory party had been smashed over protection and the Peelite rump was drifting; illness and financial trouble haunted his family; Ireland was devastated with famine and the British government had few answers; Chartists threatened England and revolutionary liberalism the rest of Europe; and the special role of the Church of England as God's instrument for moral order was under unrelenting attack. All the old institutions that spoke of external authority were threatened, and it was not clear that they would be able to repair themselves.

At the parliamentary level, this is a study of how Gladstone spent his political capital as both a colonial expert and a parliamentary tactician. But it also recognizes a confluence of political, personal, and religious uncertainties, all of which made strong claims for resolution, and any of which might have been elevated as a motive in a moment of crisis. In keeping with this approach, no appeals will be made to later political successes, personal developments, or religious beliefs that might shape our conclusions. It is my goal here to go with Gladstone as he traversed an uncertain political landscape, and to wonder, with his contemporaries how far he would move, and whether it would be to the left or right. Though his talents were beyond dispute, in 1849 his future was unsure. More than a decade later Walter Bagehot was still wondering what his legacy would be:

Who can tell whether he will be the greatest orator of a great administration; whether he will rule the House of Commons; whether he will be, as his gifts at first sight mark him out to be, our greatest statesman? Or whether, below the gangway, he will utter unintelligible discourses; will aid in the destroying many ministries and share in none; will pour forth during many hopeless years a bitter, a splendid, and a vituperative eloquence?" (Bagehot 1889: 85).

It was not clear, either to Gladstone or his contemporaries.

*Approaching the Session of 1849*

During the first half of 1849, general interest in colonial reform was palpably on the rise in England, but it was unclear to most people exactly what should be done. The range of colonial circumstances—from Vancouver Island, to Ceylon, to the Cape, to New South Wales; combined with famine, free trade, emigration, revolution, and religious controversy, produced a bewildering array of possible political combinations as politicians grappled with the role each colony might play as a component in any given policy. There was a marked and general dissatisfaction with the once promising Whig Government of Lord John Russell. Though it had granted responsible government to Nova Scotia (1846) and Canada (1847), it also had attempted to revise Canadian tariffs contrary to local wishes, to renew the policy of penal transportation throughout the empire, and to delay instituting promised constitutional reforms in New South Wales, South Africa, and New Zealand. Radical M.P. John Arthur Roebuck had written to Richard Cobden on February 22, 1848, complaining that Russell was driving the country “headlong to ruin” and wondering if Cobden would speak out and organize an opposition (Cobden: ff. 207-209). At the same time, Edward Gibbon, the eccentric colonial theorist, was conspiring with John Robert Godley, who wrote for the *Morning Chronicle*, and Stephen Rintoul, editor of the *Spectator*, about fresh ways to drive Colonial Secretary Lord Grey from office. On July 25, long-time Radical Colonial Office critic, Sir William Molesworth, moved a resolution in the House of Commons to inquire into colonial expenditure, arguing that it could be reduced “without detriment to the interest of the empire” (Molesworth 1903: 154). By October, he was corresponding with Cobden,

hoping to coordinate policy for the next session. Roebuck and Wakefield were both preparing major treatises, Roebuck's *The Colonies of England* being mainly historical, and Wakefield's *View of the Art of Colonization*, according to W. P. Morrell, a "bitter heresy hunt against Lord Grey."<sup>5</sup> As the next session neared, the number of men who took a particular interest in colonial affairs grew. The "Colonial Reformers" of the press were no longer a handful of Radical politicians, but rather a politically diverse amalgamation of men of all parties, each bent on redressing some evil perpetuated by the Whig government.

Gladstone's two great public concerns in 1849 were the constitution of the political parties and the declining authority of the Church, both broader problems than could be resolved by any "practical" measure, and neither of which was intimately linked to colonial policy. During 1849 and 1850 he was nevertheless ineluctably drawn into the colonial reform movement along several paths that related to his larger concerns. First, he had a personal history that influenced his attitude toward some colonial measures. In 1833 he had made a strong maiden speech in defense of the treatment of slaves on his father's plantation in Demerara. Two years later he was briefly Aberdeen's under-secretary in Peel's administration. He served on committees on waste lands, relations with natives at the Cape, and on the colonization of New Zealand. In six months as colonial secretary in 1845-46 his record was mixed. He appointed Lord Lyttelton, his brother-in-law, as under-secretary. He encouraged the development of responsible government in New Zealand. But he also muddled a generally liberal colonial reputation by supporting an expansion of penal transportation, particularly in northern Australia; and demonstrated how unprepared he was to run an office in which distance, delay, imperfect

communication, and innumerable local circumstances tended to dispel the usefulness of parliamentary persuasion and rhetorical distinction. He spoke frequently on colonial topics, but by 1849 he had had made, in Morley's words, "no particular contribution" to colonial policy (Morley 1903: 1, 359).

The larger question of financial reform specially interested Gladstone, and tended to draw him into colonial topics where the two touched, but in 1849 his position was unclear. With free trade the principal cause of the Tory split, Gladstone was sensitive to how his votes might affect party alignments. Though generally against protection, in 1848 he voted with Derby against the Government's inadequate West Indies Relief Act, arguing that Britain's imperial policy in abolishing preferences on colonial sugar had caused exceptional suffering there. During 1848 and 1849, Gladstone spoke eloquently for repeal of the Navigation Acts, but preferred conditional rather than unilateral reciprocity. Peel, who went to great lengths to support the Whigs, demurred, exasperating Gladstone, who finally voted for the Government's measure despite his reservations (Conacher 1972: 50-51; Brooke and Sorensen 1978: 34-42).

In addition to these factors naturally occurring in the realm of general politics, three private initiatives drew Gladstone toward the center of the colonial reform debate. In 1841, in the heyday of his attempt to restore the unity of church and state, he became a founding member and treasurer for the Colonial Bishops Fund ([Anon.] 1841: 2, 13; [Anon.] 1848: 185). Recognizing that the spiritual needs of colonists were going unmet for "want of episcopal superintendence", and that the State—"whose natural duty" it was to supply them—was unwilling, Gladstone and other subscribers agreed to voluntarily organize to provide funding for Bishops. The first bishop sent under the new scheme was

Gladstone's friend and fellow Etonian George Selwyn, who was consecrated Bishop of New Zealand in October 17, 1841. Selwyn, and other High Churchmen, were determined to make a complete break with the state, calling together a synod to establish rules of governance for the Church in the colonies. Out of this conflict, in 1846 Gladstone began to embrace the idea of an independent Church in the colonies, operating purely as a voluntary organization under the laws of contract (Jacob 1997: 123; Strong 2007: 218-19).<sup>6</sup>

Another colonial project that intrigued Gladstone was a proposal by James Edward FitzGerald, a young Irish antiquities curator at the British Museum, for establishment of a British colony on Vancouver Island. Submitted to the Colonial Office in June 1847, it brought him into direct conflict with the powerful but fiscally anachronistic Hudson's Bay Company, which had applied to settle the region during the previous year. In September 1848 Gladstone read FitzGerald's "Vancouver's Island.—The New Colony", which pointed to the economic importance of location, and argued in favor of a colony comprised of men of "birth, intelligence, education and enterprise" (FitzGerald 1848b: 419-433). Gladstone responded on September 20, and was soon assisting FitzGerald behind the scenes, enclosing a letter of introduction to Francis Baring, who stood to help in the looming battle with the Hudson's Bay Company (Gladstone 1849: ff. 11-12). When Montgomery Martin replied to Gladstone's parliamentary attack on the Hudson's Bay Company in *The Hudson's Bay Company's Territories and Vancouver Island*, FitzGerald requested the titles of works Gladstone had used in preparing his speech. Gladstone sent two books to assist in FitzGerald's rebuttal, so that it could be in the hands of M.P.s before the session began (Gladstone 1849: ff. 32-

35, 44-45). As FitzGerald neared completion of his work, on January 11, 1849, he sought and received permission to dedicate *An Examination of the Charters and Proceedings of the Hudson's Bay Company, with Reference to the Grant of Vancouver Island* to Gladstone. In the letter he lamented, considering that Britain might now be “absorbing all the gold for the provisions” which had been scarce in California when the initial application for settlement was made (Gladstone 1849: 44368, ff. 61-62). “Six months ago, it was a question merely of colonizing Vancouver Island,” FitzGerald wrote in his defense of Gladstone; “now it is a question involving the interests of the whole of British North America, and of the empire of Great Britain in the Pacific” (FitzGerald 1849: 288).

A third colonial initiative that attracted Gladstone's attention was the Canterbury Association, the brainchild of Wakefield and Godley. In part because of Wakefield, Gladstone remained aloof from formal affiliation, but he was in close communication with a number of the association's principal figures. Like FitzGerald, Godley had hoped in 1847 to alleviate suffering in Ireland through a massive, state-supported scheme of emigration to Canada. When that failed, he began to collaborate with Wakefield on a new plan that offered the colonial theorist a new opportunity to test his “sufficient price” theories of land distribution, and Godley the chance to build a moral and religious society from the ground up. Officially organized in March 1848, the new colony became an observable laboratory for testing abstract theories regarding moral society and relations between Church and State. The stated goals of the Canterbury Association were closely linked to Gladstone's ongoing interest in addressing the “spiritual destitution” found in the colonies, a cause he had publicly supported since the founding of the Colonial Bishops Fund. As an experiment, it appealed to High Churchmen like Gladstone who

disliked the “one lax and comprehensive creed” that was so enervating to the Church in England ([Anon.] 1850: 2-3). The Association planned to provide churches, common schools, a parochial clergy, a bishop, and a college. The settlement was to consist “entirely of members of the Church of England. . . as by law established”. It was still unclear what this ambiguous phrase meant, but apparently was in keeping with the policy of a self-governing Colonial Church that Selwyn had been pursuing in New Zealand since 1846.<sup>7</sup>

In addition to sympathizing with the higher purposes of the Canterbury Colony, Gladstone had a number of intimate connections with its founders. The right-minded Selwyn was already in New Zealand as bishop. Pious Godley was in charge of operations. Many members of the management committee were Gladstone’s friends and close associates, including the Bishop of Oxford, the Rev. Ernest Hawkins (also secretary of the Colonial Bishoprics fund), the Rev. J. P. Gell, and Gladstone’s brother-in-law, Lord Lyttelton. Among the sponsors were the Archbishops of Canterbury and Dublin, and his close friends the Earl of Lincoln, and Sidney Herbert, who together with Edward Cardwell had in February 1848 purchased the *Morning Chronicle* and turned it toward Peelite purposes. Despite the connections, Gladstone was cautious, partly because of Wakefield’s reputation,<sup>8</sup> and partly because it was all talk at that point—no one had yet sailed for Canterbury, and no churches or schools had been built. Gladstone and Godley nevertheless continued to discuss colonial politics and grew to be friends.

*The Session of 1849*

Even before the new session began on February 1, Colonial Reformers were hounding the Government, and the courtship of Gladstone was soon to begin. Godley consulted regularly with Wakefield; his old Christ Church friend and critic of the transportation system, C. B. Adderley; and Lyttelton. Godley and Adderley both continued to contribute colonial articles to the *Morning Chronicle*, including Godley's review of FitzGerald's *Examination of the Charter of the Hudson's Bay Company*—a subject which Gladstone had not yet exhausted. As Gladstone was contemplating a motion attacking Government policy on Vancouver Island, on February 12 Godley suggested that the public would show little interest in so “remote a topic”, and encouraged him to take “a bold plunge into the general question of colonization”. When Gladstone objected to putting forward such “abstract resolutions”, Godley countered that they would nevertheless be “clearly practical in spirit”. Even if Gladstone were beaten, “a foundation would be laid.” Then he made a first, indirect, appeal for Gladstone's leadership, in tones clearly religious—“the field is open; the need is crying; we only want a worthy champion to do a mighty work. . . .” (Godley : vol. 1, 69-71).

Gladstone was soon immersed, however, in a more specific colonial subject whose antecedents went back more than a decade, the indemnity of losses incurred during the Canadian rebellion of 1837-38. When Canada had been granted responsible government in 1847, Grey had carefully avoided any attempt to delineate spheres of imperial and colonial authority—one of the main issues that Molesworth had taken up in the previous year. In April 1849 the Canadian Government passed the Rebellion Losses Bill, partially aimed at reconciling French and English Canadians by compensating for

property wantonly destroyed during the rebellions of 1837-38, but excluding anyone convicted of treason. Because many rebels had not been convicted, some would undoubtedly claim funds. Conservatives in Canada and their supporters in England howled at the idea of state payments to rebels. A *Morning Chronicle* leader of March 19 argued that if Governor-General Lord Elgin allowed “this monstrous bill” to stand, it would “inflict a most deadly blow on the authority of the British Government, and the integrity of the Empire”. Gladstone immediately raised questions in parliament regarding Government knowledge of the measure. On May 15 the British public learned that rioting had broken out in Montreal, ratcheting up the tension and further suggesting the potential dangers of colonial autonomy. The following day Gladstone determined to make it a test case. After a speech of two hours on June 14, Gladstone voted with the minority to withhold the royal assent—with Peel, Graham, and Goulburn supporting the Government.<sup>9</sup> But neither Gladstone’s defeat nor his opposition to Canada’s exercise of responsible government deterred the colonial reformers from seeking his support. Their principal goal was condemnation of Russell’s arbitrary policies—and that Gladstone had accomplished admirably, albeit on the Tory side.

It was clear that Gladstone would be a formidable ally, but also well known among the reformers that he preferred to act independently. Thus, while preparing a rival constitutional scheme for Australia, Wakefield and Rintoul deliberately withheld their resolutions from Gladstone so he could remain “perfectly independent” (Wakefield 1868: 71-72). On June 26, Molesworth proposed a Royal Commission to inquire into the administration of the colonies, with three goals in view: “removing the causes of colonial discontent”; “diminishing the cost of the colonies”; and “affording free scope for

individual enterprise in the business of colonization” (Molesworth 1903: 259). Gladstone in support produced the “speech of the evening” according to the *Colonial Magazine*, displaying “complete mastery” of the subject, and leading Adderley to seek his “permission and the materials to print” the speech as a pamphlet ([Anon.] 1849, 86; Gladstone 1849, f. 193].<sup>10</sup> The motion was defeated, but in arguing for a Royal Commission, Gladstone had publicly committed himself the general cause of colonial reform.

Sensing the possibilities of the moment, Adderley invited men from all parties who had shown their mistrust of the Government’s shuffling policy. On July 18, 1849, some 50 “friends of colonial reform” met at the Trafalgar Hotel in Greenwich. After the usual toasts, Molesworth rose, proposing “prosperity and good government to the colonies”, which they obviously had not had. What especially galled Molesworth was postponement of the Australian Colonies Bill, one more example of a failed Whig colonial policy based on “a system secret and irresponsible”. What was needed, he argued, was combined action. After dinner, Francis Baring and Godley spoke on New Zealand; Monteagle on the Colonial Office; Francis Scott on emigration; Adderley on Australia; and Alexander Mackay—whose pamphlet, *The Vindication of Lord Elgin*, had materially assisted the Government during the Rebellion Losses debate—on Canada. Cobden and Milner Gibson were there (*The Times*). “What a battle we shall make next session”, Godley wrote to Adderley. They enlisted Rintoul for the assault, and Godley agreed to secure Molesworth, Adderley, and Lord Monteagle to “write occasional letters” upon which to comment in “appropriate leaders” for the *Chronicle* (Godley, Godley to Adderley, September 1849, p. 129). The reformers were admirably energetic, but unless

one man stepped up as leader, Wakefield reminded Adderley, it would all “come to nothing” (Wakefield 1868: 127-28).

*Gladstone and the Question of Leadership*

In the eyes of the reformers, Gladstone was obviously the “one man”. In addition to being the best debater in the Commons, he had given vigorous public support to a searching enquiry of the Government’s colonial policy. Though Molesworth had the credentials as a colonial reformer dating back more than a decade, he was too closely tied in the public mind to Wakefield, and carried little political clout outside the Radical camp. Most of the other reformers were one-issue adherents, marginal politicians, or out of parliament altogether. But Gladstone did not attend the first meeting of the “friends of colonial reform”; he had departed for the continent six days earlier to find Lady Lincoln and was gone for a month, returning on August 9.<sup>11</sup> He was, however, the first person approached regarding chairmanship of the “proposed committee of colonial discussion and cooperation”, around the end of September.<sup>12</sup> Still determined to act independently, he observed to Adderley that as men of all parties were already sharing in colonial debates and the feeling for reform was growing, such an organization was not necessary. This in part reflected Gladstone’s ambivalence toward concerted colonial action in the fractured state of Party politics; but also his uncertainty regarding the exact nature of any unified policy. Adderley appealed, at least for Gladstone’s regular membership, by stressing the “free and eclectic” plan of action. Also, there was to be no “appearance of intrigue”, as Lord Grey’s intimate friend, Francis Baring, had agreed to serve as chairman. After an amendment to the address, an Australian Constitution would be ready

to “bring the whole weight to bear on one definite point, which if carried all else follows” (Gladstone 1849: Adderley to Gladstone, October 3, 1849).

Finding a “definite point” in a practical measure was precisely the direction Gladstone had been heading. But the question still remained, what exactly should the point be? By mid-November, Gladstone had not made up his mind whether there should be a colonial amendment to the address; if so, what form it should take; or precisely what a new Australian constitution should look like. “I have. . .a thorough Sir Robert Peelian horror of abstract resolutions”, he wrote, “and I fear you could not frame any more general engagement to improve Colonial Government and Constitutions for which I could with a safe conscience vote” (Childe-Pemberton 1909: 81-82). This was a polite but direct negative from Gladstone, who now hardly seemed worth pursuing. But Adderley persisted, appealing to Lyttelton to again approach his brother-in-law. Lyttelton wrote, calling to mind abolition and electoral reform as important movements that would have been lost had their supporters followed Gladstone’s principled objection to “participating in extra-parliamentary agitation for parliamentary objects”.<sup>13</sup> Godley then gave Gladstone another reason for cooperation, for he had decided to emigrate to New Zealand. His decision left Adderley as the principal engine of organization, but placed Godley as a potentially powerful High Anglican Churchman on the ground in Canterbury. “You are the man if any”, Gladstone wrote just before his departure, “to put colonizing operations from this country into harmony with the Bishop”.

The main factor driving Gladstone toward cooperation with the colonial reformers was his conviction, after much discussion with Manning, that the preferment of the heterodox Renn Dickson Hampden to the see of Hereford had “materially established the

claim of the Civil power against the archbishop's power of judicially confirming the Election of Bishops". Where Manning saw some plan of reaction as imminent, Gladstone urged delay, feeling that a number of other appointments, confirmed across time, would be necessary before any actual precedents had been set. (Erb: Manning to Gladstone, October 6, 1849; Gladstone to Manning, October 9, 1849.) While Manning was beginning to doubt the spiritual validity of the Church of England, Gladstone was seeking practical expedients to restore it. By December, he had decided to work through Godley in New Zealand, and Adderley at home, to "set the Church on her legs" in the Colonies.<sup>14</sup> As Godley prepared to depart, Gladstone gave him permission to affix his name to a farewell letter to be published in the *Morning Chronicle*. Although Gladstone was pleased that his name "should appear in connection" with. . . your views on Colonial Policy", this is misleading. Godley recognized, and stated clearly, that he did not prefix Gladstone's name to his observations "from any presumed accordance" of views, but because he seemed to be the person who had most conscientiously considered the issues. "Judging, indeed, from the speeches which you have made during the last two sessions," Godley wrote, "I infer that you do not agree with me; that is, that you are far from estimating so highly as I do the danger which threatens our Colonial Empire."<sup>15</sup> And Godley was right. Gladstone's interest was not primarily in saving the Empire, but in saving the Church. Although Godley thought the "true patriot personifies and idealizes his country", what especially appealed to Gladstone was the possibility of something altogether un-English in the days of Hampden and Gorham—a Colonial Church completely free to act on its own behalf, without interference from government—the ecclesiastical equivalent of what the colonial reformers wanted in politics.<sup>16</sup> According

to Gladstone, this would require “church legislation for the Colonies”, and in December 1849, the best chance for success was to cooperate with the colonial reformers.<sup>17</sup>

*The Colonial Reform Society and the Church Clause, 1850*

Adderley’s idea of a “colonial society”, first broached in September, had been germinating, and he was now pursuing it with more vigor. With Gladstone having refused to move a Colonial Amendment to the Address, on December 14 Adderley approached Disraeli, who declined on tactical grounds, but agreed to support a “substantive and well-concerted motion” if brought forward by Molesworth. Though discounting the influence of both Wakefield and Godley, Disraeli recognized that the colonial reformers had “organized some force & are determined to be troublesome to the Government” and recommended to Derby on December 17 that the Protectionists consider how they might cooperate in striking “a deadly blow” to the Government (Disraeli 1993: 264, 267-68). Two days earlier, Adderley, Wakefield, Molesworth, FitzGerald, and Rintoul settled the goals of the society, which were straightforward and clearer at the beginning than in the heat of battle. The general object was to aid in gaining for every dependency “the real and sole management of all local affairs by the Colony itself” in order to promote “loyal and devoted attachment on the part of the Colonies towards the mother country”. The means for accomplishing this would be “an organized association” including men of all parties that would promote discussion of colonial topics; assist in “co-operative and concentrated” parliamentary action; and facilitate communication with the Colonies (Wakefield 1868: 173). Indeed, the non-partisan nature of the affiliation was one of the most important features of the public relations campaign launched with the publication of

Adderley's anonymous article in the *Colonial Magazine* as the new year opened.<sup>18</sup> The combination of men was extraordinary—and misleading. Adderley spoke of three of the four interested “parties”: Tory, Radical, and the colonists themselves, uniting in opposition to the Russell government, which wished that “imperial authority” of control and patronage should be “left untouched as sacred mysteries.” The Tories joined in order to defeat an “un-English” Whiggish centralism; the Radicals to reduce wasteful expenditure; and colonists simply to ensure their freedom—from taxation “without their own consent”, from “laws to which they have not given their consent”, and from the scourge of the transportation system.<sup>19</sup> The true nature of the struggle was less dramatic. No “party”—as loosely as this term must be applied in 1850—was represented in any way. Party leaders—official and unofficial—paid attention but stayed out. The list of members did include Protectionists (Baring, Stafford, Walpole, Napier), philosophic radicals (Molesworth, Hume, Roebuck), free traders (Cobden and Milner Gibson), liberals of various backgrounds (Kinnaird, Horsman, Wodehouse), and high-minded philanthropists (Adderley, Lyttelton). But the only Peelite was M. J. Higgins, who had no seat. Nor was there uniformity within these nominal groupings. Among the Radicals, for instance, Roebuck was a staunch independent and Cobden doubted Milner Gibson's free-trade credentials. And despite the high-sounding phrases bandied about in correspondence and the press, the “reformers”—excepting Molesworth<sup>20</sup>—were largely undoctinaire and principally concerned in seeing that *something* was done to address an accumulating and diverse array of colonial problems that threatened to break up the empire.<sup>21</sup>

Early discussions between Gladstone and the Colonial Reformers had not been productive. On December 20, Adderley sent the prospectus of the now-named Society for the Reform of Colonial Government, and informed Gladstone that Molesworth's resolution for the next session would not address the condition of the Colonial Church. He could not imagine how an "Act of Parliament" could accomplish what Gladstone wished. Adderley thought the Church would "most safely form itself" in "voluntary correspondence with our Church at home". Because of the Hampden decision and the pending Gorham case, however, Gladstone was unwilling to risk what this "correspondence" might mean. But the two men did agree that any Whig policy regarding the Church in the colonies would end in disaster.<sup>22</sup> So two days later Gladstone went straight to the one point on which virtually all colonial reformers agreed—the need for colonial self-government. *Where colonial freedom exists*, he argued, the Church:

- (1) should be bound in substance at least to the Articles and Liturgy; (2) that it should stand in the same relation as other bodies in the Colony to her Colonial Legislature; (3) that unless as to some intervention of the Crown in the appointment of bishops—which exception, however, I would leave dependent on the will of the people there—its should enjoy self-government; (4) that this self-government must be started by some at least enabling procedure from hence; and (5) must widen the basis of her Old Convocation instrument.

In saying that “no thoroughly good Australian Bill” could be concocted that did not settle “this part of the question”, the political implication was clear—a Church Clause would be the price of Gladstone’s support.<sup>23</sup>

FitzGerald, who had accepted the position as Secretary of the Colonial Reform Society, continued to explore a possible basis for cooperation. He visited with Gladstone on December 31, and on January 8 wrote to ask if Gladstone could suggest someone who might “embody your views on Church matters” (Gladstone 1850, ff. 1-4, 7-8). By that time, Gladstone had through correspondence with Manning further refined his thinking on the matter, coming to view the Colonial Church as an opportunity for both positive—if not ideal—good and as a means of avoiding the immediate impact of an anticipated decision against the Church in the Gorham case. In hoping to avoid “last alternatives”, Gladstone wanted to see what the “state of its own free and good will” might still “do or allow to be done for the Church while yet in alliance with it.” He even found confirmation in the *Daily News*, which proclaimed the “necessity” of the Church having “her own organs to guard & construe doctrine” (Erb, Gladstone to Manning, January 5, 1850). Sensing a ripeness in the moment, Gladstone turned to the possibility of a practical parliamentary measure relating to the condition of the Colonial Church—a fresh test for the Government, even before the first was decided. Neither FitzGerald nor Adderley yet appreciated that Gladstone’s interest was not establishment or special privileges for the Colonial Church, which everyone viewed as impossible, but its own right to govern itself. (Gladstone 1850: ff. 1-4).

Once Adderley informed Gladstone that “all parties” were open to a church clause, Gladstone decided to draft it himself (Gladstone 1850: ff. 7). On January 11 and

12 he talked with Hope on the Colonial Church question, and the following day began work on the clauses, while FitzGerald and Walpole were preparing the main body of the bill. For Gladstone, an elastic and non-political organization like the Colonial Reform Society was a godsend. With the supreme destiny of God's Church at stake, he was determined to act "independently, without faction, & without subservience, on all questions", but he needed help in order to do it (Morley 1903: I:355, Gladstone to Catherine Gladstone, February 22, 1850).

With the debate on the Australian Colonies Bill set for February 12, the reformers set to work in earnest.<sup>24</sup> J. W. Parker was secured to publish books and pamphlets for the Society, with Samuel Lucas's *Charters of the Old English Colonies in America* being agreed upon for first release. At meetings on January 15, 18, and 26, language for the draft of the "bill for the better government of New South Wales" was read and discussed; on January 18 Gladstone's Church Clause was read (see Appendix). Eight days later the wording of Molesworth's resolution was settled. All was in order for the C.R.S. initiative. Then on January 31, Russell announced that on the following Monday he would make a statement on the Government's colonial policy. As this had been one of the goals of the C.R.S., they agreed to postpone Molesworth's motion, and after hearing Russell's statement, began preparing amendments to the Government's Australian Colonies Bill, which was introduced on February 12. Molesworth had written to Cobden on January 21 that public opinion was then "so nearly ripe" that a powerful statesman proposing "a complete reform" would "succeed and gain great glory." He imagined that Gladstone—"crotchety, and overrefining"—was thinking about it, but he was completely

wrong (Cobden, ff. 59-62). Gladstone had no wish to attack the Government, but instead did all he could to secure their support for the Church Clause.

Throughout February, March, and April Gladstone zealously worked on the Clause, regularly meeting with members of the C.R.S., the Government, and the Anglican hierarchy. Although the substance of all his conversations is not known, it is clear that Gladstone was, even before the Gorham decision, simultaneously exploring a number of responses, including a letter from the bishops, an Engagement respecting delay, reform of the Court of Appeals, and his own testament, *Remarks on the Royal Supremacy*. On February 9, the Society appointed a sub-committee to examine Gladstone's Church Clause, including Molesworth, Stafford, Walpole, Roebuck, and Horsman, who had a history of hostility toward the bishops. After meeting with the C.R.S. Committee (*sans* Horsman) on February 20, he sent Russell a copy of his proposal, who sent it on to Stephen Rumbold Lushington for review. In Lushington's opinion, the portion of the Clause seeking to establish Convocations in the Colonies was "so general and sweeping in its terms, that it would be impossible to say to what such enactments would not extend". Further, it "too evidently" intended to "compel a complete uniformity of opinion in the Clergy themselves", dangerous because "all such attempts end in separation".<sup>25</sup> Russell supposed that such a clause would be "very dangerous", but encouraged Gladstone to correspond with Lushington, which he did, before and after they met on March 9.<sup>26</sup> On April 8, Gladstone met Walpole, Sir John Hope, Robert Phillimore and Roundell Palmer to discuss the Church Clauses, which were then sent to the draftsman, Henry Thring. Thring fastened on the concerns previously expressed by Russell and Lushington, relating to the right of Convocation to "make any regulations

they may think fit for the Government of the Church within the diocese”. Thring sent his report to Walpole, who was drafting the C.R.S. alternative, expressing his fear that the Church might, for instance, “impose a fine on a layman for not attending church, or any similar breach” of ecclesiastical law.<sup>27</sup> On April 25 Gladstone again met with Thring and Phillimore, and the following day with Ernest Hawkins. On several occasions he met with Liberal barrister and M.P. for Oxford, William Page Wood, who also offered suggestions. As a result of these consultations, Gladstone drafted five provisos to stand with his original Clause, giving the measure its best chance for success. As early as December, he had perceived the severity of consequences for men of conscience in the Church of England. After months of grappling with the implications of Gorham, by April he was searching—both in England and the Colonies—for “the very least that will rescue and defend the conscience of the Church from the present hideous system” (Erb, Gladstone to Manning, April 4, 1850).

On May 6 Gladstone rose to move the Church Clause, now with five provisos, like a skeptic’s Bill of Rights. He had “very reluctantly” undertaken what he believed to be the “absolute duty” of the Government—to include some provision for the Church in the Colonies. “Simply untie the hands” of your “fellow-subjects who are members of the same church”. He urged the House to make it lawful for bishops, clergy and lay persons “to meet together from time to time and, at such meeting, by mutual consent, or by a majority of voices. . .to make all such regulations as may be necessary for the better conduct of their ecclesiastical affairs”. Addressing the concerns of Lushington, Russell, Wood, and others, the provisos guaranteed that it would be unlawful to impose “temporal or pecuniary penalty or disability” or to extend controls outside the Church. Nor would it

be permitted to ordain a clergyman who did not declare “unfeigned assent and consent to the Book of Common Prayer.” Also, any regulations passed by Convocation would require the consent of the Archbishop of Canterbury, who could disallow them within one year.<sup>28</sup> Truly, Gladstone had asked for about as little as anyone could who at once believed in the principles of *The State in its Relations with the Church* and understood the implications of the Gorham judgment. The amendment was defeated by a vote of 187 to 102, with Cobden, Hume, Roebuck, and Milner Gibson voting with the majority. The Act for the Better Government of Her Majesty’s Australian Colonies received the royal assent on August 5, with government prerogatives still in place.

### *Epilogue*

The amendment was defeated, Gladstone was told, because Roundell Palmer had raised the issue of Convocation in England (Erb, Gladstone to Manning, May 9, 1850). But it is unlikely that this made the difference. Few people really understood the language Gladstone was speaking or appreciated the conflict of conscience generated by the Hampden and Gorham controversies, one that might require renunciation of the old true Catholic Church. Many of those who supported him, both in and out of parliament, had no real understanding of the weighty burden borne by those whose lives and convictions were, in Manning’s words, up to “so decisive a step in a matter of the Faith” (Erb, Manning to Gladstone, April 6, 1850) . Lincoln, Herbert, and Adderley, with whom he had worked closely for months and good Churchmen all, did appreciate that a large tempest had been raised, but for them it did not seem to be blowing very close to home. Lyttelton wearied under “the incessant controversy among people who seem only half to

understand each other”, but Gladstone remained hopeful.<sup>29</sup> Although the Church Clause was defeated, he felt that it would soon be passed and would “settle the whole question for the Colonies” (Erb, Gladstone to Manning, June 23, 1850). If Gladstone’s efforts in the 1850 were unsuccessful in consolidating the “new paradigm” of church-state relations in the colonies, they nevertheless marked an important stage in his mental journey, and an early practical demonstration that he had settled on the political—rather than spiritual—option for effecting religious and social change.<sup>30</sup>

### Notes

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<sup>1</sup> *Hansard* (1845): v. 79: 558.

<sup>2</sup> “It is, then, by a practical rather than a theoretic test” he ultimately argued in his “A Chapter of Autobiography” (1868), “that our Establishments of religion should be tried.” Gladstone, *Gleanings of Past Years, 1843-79*, 8 vols. (London: John Murray, 1879), 7:150.

<sup>3</sup> Note Matthew’s significant disclaimer: “The reader may judge for himself whether, having experienced real power, Gladstone found a satisfactory alternative in his out-of-office pursuits” (61). A number of factors together have discouraged scholars from assessing the period more fully. It was, in the first place, a period of opposition, and thus did not follow a single, organizing political thread. Then, as Gladstone himself observed, it was a time of political confusion when clear pronouncements were few, when the “liberal proceedings of conservative governments, and the conservative proceedings of the new liberal administration” suggested to him the “propriety of an abstinence from high-pitched opinions” (Morley 1903, I: 353). It was a period too in which the Church establishment—vitaly important to Gladstone on both public and private grounds—was under constant attack, and losing at every turn. Closely related was the drift of leading men toward Rome, culminating in the conversion of his intimate friends, Hope and Manning in 1851. While public and church affairs were shifting and unstable, numerous more purely personal concerns weighed on him, including the bankruptcy of Oak Farm; the deaths of his daughter and father; the bad behavior of Lord Lincoln’s wife; his sister Helen’s drug addiction and adherence to Rome; and his own personal struggle with sin, guilt, and acceptable religious devotion. As he later observed, it was a period when his “political life” was “in partial abeyance” (Brooke and Sorenson 1971: 65). Ultimately the most challenging aspect of understanding Gladstone’s politics in this period is biographical. He was so interested in so many issues, and left such voluminous records regarding each of them, that his relative concern for any one of them has been obscured. This lack of distinction is illustrated by the quantity of fine dualistic studies of Gladstone related to this period, all suggestive of significant influence. See, among many others, Anne Isba, *Gladstone and Dante: Victorian Statesman, Medieval Poet* (Woodbridge, Suffolk: Royal Historical Society, 2006); Peter Ghosh, “Gladstone and Peel” in Ghosh and Lawrence Goldman, ed. *Politics and Culture in Victorian Britain: Essays in Memory of Colin Matthew* (Oxford: Oxford University Press, 2006); Stewart J. Brown, “Gladstone, Chalmers and the Disruption of the Church of Scotland”, Eric Evans, “‘The Strict Line of Political Succession’? Gladstone’s Relationship with Peel: An Apt Pupil?”, David Bebbington, “Gladstone and Homer”, Anthony Howe, “Gladstone and Coben”, all in Bebbington and Roger Swift, eds. *Gladstone Centenary Essays* (Liverpool: Liverpool University Press, 2000); Owen Chadwick, “Young Gladstone and Italy”, V. Alan McClelland, “Gladstone

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and Manning: a Question of Authority”, both in Peter J. Jagger, ed. *Gladstone, Politics and Religion: A Collection of Founder’s Day Lectures delivered at St. Deiniol’s Library, Hawarden, 1967-83*. New York: St. Martin’s Press, 1985).

<sup>4</sup> Though Gladstone’s deep interest in spiritual matters is well understood, it has seldom been linked to his conception of the empire. Brown (2008), for instance, finds it unnecessary to say anything of Gladstone in his surveys of “theological controversy in the Church of England” and “the revival of convocation” (2008): 174-180.

<sup>5</sup> Morrell 1966: 478. Consult Morrell for a detailed examination of the range of colonial issues during this period.

<sup>6</sup> For the broader context, see Williams (1990): 1-9.

<sup>7</sup> On Selwyn’s intent to govern the Colonial Church independent of state influence, see his *A Charge: Delivered to the Clergy of the Diocese of New Zealand at the Diocesan Synod, in the Chapel of St. John’s College, on Thursday, September 23, 1847*, 4<sup>th</sup> ed. London: Francis and John Rivington, 1850. Gladstone read a copy of the first edition on April 1, 1848.

<sup>8</sup> On Wakefield’s reputation, see Martin 1997.

<sup>9</sup> For a superb analysis of this complex issue, see Martin 1977.

<sup>10</sup> *Hansard* (1849): v. 106: 982-92.

<sup>11</sup> On the Lincoln divorce case and Gladstone’s role in investigating Lady Lincoln’s infidelity, see C. C. Eldridge. “The Lincoln Divorce Case: A Study in Victorian Morality.” *Trivium* 11 (1976): 21-39; *Gladstone Diaries* 4:136-47.

<sup>12</sup> Contrary to the intimation in Childe-Pemberton (1909): 81, that he had not been consulted prior to November 12. The dating of letters to and from Gladstone there is vague, perhaps purposefully so. See Gladstone 1849: Adderley to Gladstone, October 3, 1849, ff. 278-81.

<sup>13</sup> Gladstone Papers 44238, f. 231, Lyttelton to Gladstone, November 13, 1849.

<sup>14</sup> Godley-Wakefield Correspondence, Gladstone to Godley, December 3, 1849 (typescript), volume 3.

<sup>15</sup> Cf. the full text of Godley’s letter in the *Morning Chronicle*, December 20, 1849, p. 4, with the edited version in Adderley 1863, which suggests Gladstone’s agreement in the wider concerns of the Colonial Reform Society. See also Wakefield 1868: 168-69.

<sup>16</sup> A study of the origin, development, and precise nature of Gladstone’s interest in a self-governing Church of England is needed. See Bebbington 2004: 108-11.

<sup>17</sup> Godley-Wakefield Correspondence, Gladstone to Godley, vol. 3, December 3, 1849, typescript.

<sup>18</sup> *The Times* for January 2, and the *Spectator* for January 5 extensively cribbed Adderley’s article. Such a “union of parties in opposition”, *The Times* reported, “can only be accomplished when the common object for which they unite is of overwhelming importance”.

<sup>19</sup> See Adderley [1850]: 83-88; *The Times*, January 2, 1850; *Spectator*, January 5, 1850, p. 1.

<sup>20</sup> This is precisely why Adderley did not consider Molesworth for the chairmanship of the Society. Childe-Pemberton 1909: 81.

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<sup>21</sup> See, among many examples, “Colonial Reform” in *Fraser’s Magazine* (March 1850), p. 378, where it is argued that “some colonial government bill must be passed this session, or the colonies are lost.” The C.R.S. authorized republication of the article as a pamphlet.

<sup>22</sup> This was made clear with Grey’s veto of the 3<sup>rd</sup> clause in the Charter of the Canterbury Association, which had required settlers to be members of the Church of England. “No such bigotry”, Grey minuted. “I’m for civil and religious liberty”. “Their notion of toleration”, Adderley wrote on December 20, “is that no people shall be unanimous” (Gladstone 1849: ff. 303-308).

<sup>23</sup> Gladstone to Adderley, December 22, 1849; undated in Childe-Pemberton, pp. 82-84, but cf. GP 1849a, Adderley to Gladstone, December 20, 1849 and diary entry for December 22, 1849, *Gladstone Diaries 5*: 173.

<sup>24</sup> All activities of the Colonial Reform Society, unless otherwise indicated, are drawn from “Minutes of the Council of the Society for the Reform of Colonial Government,” Norton Papers 2735, Birmingham Central Libraries. For a good discussion of the wider debate, see Ward: 1958.

<sup>25</sup> For the annotated drafts, see Gladstone Papers, Add. MS 44738—ff. 1-6, 91-99.

<sup>26</sup> Gladstone Papers, Add. MS 44291, Russell to Gladstone, March 4, 1850, f. 6.

<sup>27</sup> Gladstone Papers, Add. MS 44332, ff. 1-7.

<sup>28</sup> *Hansard* (1850): v. 110: 1195-1207.

<sup>29</sup> Gladstone Papers, Lyttelton to Gladstone, September 26, 1850, Add. MS 44238, f. 239.

<sup>30</sup> On the crucial nature of 1849-50 in the shifting paradigm of relations between church and state in the colonies, see Strong 2007: 251-54.

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*Appendix*

*Gladstone's Colonial Church Clause*

Extract from the Votes and Proceedings of the House of Commons, May 6, 1850

And whereas doubts have existed as to the rights and privileges of the bishops, clergy, and other members of the United Church of England and Ireland, in regard to the management of the internal affairs thereof in the said Colonies, Be it Enacted, That it shall be lawful for the bishop or bishops of any diocese, or dioceses, in the said Colonies, or in any Colony which Her Majesty shall, by Order in Council, declare to be joined to them for the purposes next hereinafter described, and the clergy and lay persons, being declared members of the Church of England, or being otherwise in communion with him or them respectively, to meet together from time to time, and, at such meeting, by mutual consent, or by a majority of voices of the said clergy and laity, severally and respectively, with the assent of the said bishop, or of a majority of the said bishops, if more than one, to make all such regulations as may be necessary for the better conduct of their ecclesiastical affairs, and for the holding of meetings for the said purpose thereafter.

Provided always, and be it Enacted, That it shall not be lawful to impose or inflict, by any such regulation, any temporal or pecuniary penalty or disability other than such as may attach to the avoidance of any office or benefice held in the said church.

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Provided also, and be it Enacted, That no such regulation shall be binding on any person or persons other than the said bishop or bishops, and the clergy and the lay persons, within the said Colonies, who are, or may be declared, members of the Church of England, or otherwise in communion with him or them respectively.

Provided also, and be it Enacted, That any such regulation, touching the existing relation of the said bishops, clergy, and others, to the Metropolitan see of Canterbury, shall be forthwith transmitted by the presiding bishop, or his deputy, to the Archbishop of the said see, and shall be subject to disallowance by the said Archbishop, under his hand and seal, at any time within twelve months from the passing of the said regulation, or within six months from the receipt thereof by the said Archbishop, but not afterwards.

Provided also, and be it Enacted, That it shall not be competent to the said bishops, clergy, and lay persons, or any of them, to pass any regulation affecting the rights of the Crown in the nomination of bishops, without the consent of her Majesty's Principal Secretary of State for the Colonies.

Provided also, and be it Enacted, That no such regulation made as aforesaid shall authorize the bishop of any diocese to confirm or consecrate, or to ordain, license, or institute, any person to any see, or to any pastoral charge or other Episcopal or clerical office, except upon such persons having immediately before taken the oath of allegiance to Her Majesty, and having likewise subscribed the Articles of the United Church of England and Ireland, and declared his unfeigned assent and consent to the Book of Common Prayer.

(Drawn from Henry Venn. *Colonial Church Legislation. A Letter to Sir Robert Harry Inglis, Bart. M.P.* London: John Hatchard and Son, 1850, pp. 19-20).

