

*Judgment of the Lords of the Judicial Committee of the Privy Council on the Appeal of Heath v. Burder, from the Court of Arches; delivered 6th June, 1862.*

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Present :

ARCHBISHOP OF YORK.

BISHOP OF LONDON.

LORD CRANWORTH.

LORD JUSTICE KNIGHT BRUCE.

LORD JUSTICE TURNER.

THE question which their Lordships have to decide in this case is one of considerable importance ; —the question whether certain opinions and doctrines entertained and promulgated by the Appellant, a beneficed clergyman, are, or are not, directly contrary or repugnant to the Articles of Religion, and, therefore, such as to create a forfeiture of his living under the 13 Elizabeth, cap. 12.

It may be well to premise that the offence charged against Mr. Heath, though of an ecclesiastical character, is one strictly defined by Statute. He is accused of having, in violation of an Act of Parliament, propounded doctrine contrary to that laid down in certain of the Articles of Religion. In investigating the justice of such a charge we are bound to look solely to the Statute and the Articles. It would be a departure from our duty if we were to admit any discussion as to the conformity or non-conformity of the Articles of Religion, or any of them, with the Holy Scriptures. The Statute forbids the promulgation of any doctrine contradicting the Articles. It leaves no discretion. All, therefore, which we have to do is, first, to ascertain, on the ordinary principles of construction, what is the true meaning of any of the Articles alleged to

be infringed ; next, what is the fair interpretation of the language used by Mr. Heath ; and then, finally, to decide whether, by his language so construed, he has or has not put forward doctrine which contradicts the Articles.

These are the principles of decision which the Dean of the Arches laid down, and we think most correctly laid down, as those by which he ought to be governed, and they must also guide us.

That very learned Judge, in an able and elaborate Judgment, came to a decision adverse to the Appellant. He was of opinion that the volume of Sermons published by the Appellant does contain doctrine irreconcilable with several of the Articles of Religion ; and, therefore, in obedience to the Statute he pronounced the sentence of deprivation, the Appellant having declined to revoke the errors which he had promulgated.

From that sentence the Appellant has appealed to Her Majesty in Council under the Statute 2 & 3 Wm. IV, cap. 92. And the case was argued, in the month of March last, before their Lordships at great, but not unnecessary, length, and with very great ability. We have given to the case the best attention in our power, and we are now prepared to state the advice we propose to tender to Her Majesty.

The charge against the Appellant is, that in or since the month of March 1858 he wrote and caused to be printed and published a volume containing nineteen Sermons, in which he advisedly maintained and affirmed certain positions or doctrines directly contrary and repugnant to the doctrine of the United Church of England and Ireland as by law established, and especially to the Articles of Religion agreed upon in Convocation in 1562.

In the argument before us a doubt was suggested whether these Sermons, or any of them, were ever preached. It is sufficient to say that there is no charge against the Appellant of having preached them, and, therefore, if that were material, which, however, we do not think it is, it must be taken that the publication charged is not a publication by preaching. The charge is a charge of publishing generally without indicating any particular mode of publication, and if any criminality would arise from publishing by preaching, greater than or different

from what would be the consequence of publishing in any other mode, it must be taken that no such special criminality is alleged. For the purpose of this case, however, it does not occur to us that any such difference exists.

It was also argued that whatever may be theologically the merits or demerits of the volume in question, the Appellant cannot be said to have thereby *advisedly* maintained doctrines contrary to the Articles. It was contended that the use of the word *advisedly*, in the Statute of Elizabeth, must be understood to show that the enactment was directed against those who avowedly rejected the Articles; those who not only maintained doctrine at variance with them, but did so with the intention of disputing their soundness. The learned Judge below refused to listen to any such argument, and we think rightly. The word is evidently used to show that what the Statute points at must be the deliberate act of the party charged, not a casual expression dropped, to use the correlative term, *unadvisedly*. The word is used in the same sense as in the Statute 9 Wm. III, cap. 35. On this point it is impossible to entertain a doubt.

We come, therefore, to the substantial question in dispute. Do the passages complained of in Mr. Heath's Sermons contain doctrines directly contrary to the Articles of Religion as settled by Convocation in 1562?

As the pleadings stood originally, Mr. Heath complained that the charges against him were stated in so vague and general a manner that he was ignorant of the precise matter of accusation against him; and the question whether the pleadings stated the charge with sufficient distinctness having, by leave of the Court below, been brought before their Lordships, they were of opinion, and reported to Her Majesty, that the Articles ought to be reformed, so as to contain a statement of those portions of the Thirty-nine Articles which the Appellant's Sermons were said to contravene, and a specification of the unsound doctrine which he was alleged to have maintained. The Articles were then reformed, but not, as their Lordships thought, satisfactorily. A further amendment was then made, and the Appellant did not oppose the pleadings as thus finally settled. It must be assumed, therefore, that the

nature of the charge now appears with sufficient distinctness on the pleadings.

Proceeding, then, as was done by the learned Judge below, with each charge separately, their Lordships will now follow the same course which he pursued. They must satisfy themselves first as to the meaning of the Article or Articles of Religion which in each charge is alleged to be contravened, and then as to the meaning fairly to be put on the language of the Appellant complained of. If the doctrine propounded by the Appellant can be reconciled with that enunciated by the Articles of Religion, then he will not have brought himself within the provisions of the statute of Elizabeth. But if the propositions put forward by him cannot, upon any reasonable construction of them, consist with the Articles of Religion, and, on the contrary, are repugnant to them, then the judgment of the Court of Arches must stand.

There are four distinct heads of charge against the Appellant, each of which we will consider separately.

In the first the charge is, that by certain passages set out at length, and which are contained in the third, sixth, fourteenth, and nineteenth Sermons, the Appellant advisedly maintained or affirmed doctrine directly contrary or repugnant to the 11th Article of Religion. That Article is in the following words:—

“ARTICLE 11.

“*Of the Justification of Man.*

“We are accounted righteous before God, only for the merit of our Lord and Saviour Jesus Christ by Faith, and not for our own works or deservings. Wherefore, that we are justified by faith only is a most wholesome doctrine, and very full of comfort, as more largely is expressed in the Homily of Justification.”

The evident meaning of this 11th Article is, that man is accounted righteous, which in the Article is treated as the same thing as being justified before God, not for his own merits, but for the merit of our Saviour by faith in him, *i.e.*, that man is admitted to the favour of God, not for his own works or deservings, but for the merit of our Saviour, and by faith in him, *i.e.*, by man's faith in our Saviour (howsoever faith is to be defined).

The question is, whether the passages cited from the Sermons under this head of charge contain

doctrine directly contrary or repugnant to that thus set forth in the 11th Article.

The learned Judge below held that they do, and in this view their Lordships concur. It was suggested that the passages complained of have no meaning, and so cannot be treated as containing any doctrine at all, orthodox or unorthodox. Undoubtedly, if the passages contained no intelligible proposition, they could not be described as containing doctrine contrary to the Articles. In such a case it would be impossible to say that they contained any doctrine. But after frequent examination of the passages in question, their Lordships cannot come to the conclusion that they are irrational in the sense of being incapable of having a meaning affixed to them.

In the 3rd Sermon, viz., that on the text, "How then can man be justified with God?" the Appellant gives his explanation of the meaning of the word "justification." He says it means "putting every one in his just place, or doing strict justice to all;" and the scope of the Sermon seems to be to show, that whereas this object, *i.e.*, the object of justifying, or putting every one in his just place, is effected, or is attempted to be effected, where human laws are concerned, by inflicting penalties on those who are guilty of transgressions, the same end is or will be attained by our Saviour by spiritual means, by what Mr. Heath, speaking of our Saviour, calls *his* "hard work," which by *his* own personal faith he carries out.

This same view of the subject pervades many of the other Sermons. Thus in the 6th he says:—

"The plan of Jesus is a most merciful and just one to the whole world. It is the great plan of Justification, and Jesus believes his own Gospel. He has faith in it, and by that faith he will succeed in it. Justification by the faith of Jesus will make the whole world safe. It is the introduction of just and simple righteousness."

Again in the 14th Sermon he says:—

"When I talk of justification by faith, I mean justification by our Saviour's trust in the future. The Saviour still trusts in our Father as he always did. He still has faith, and his faith still works by love. He still believes he can put the world right, and I believe so too."

The object of the last Sermon, the 19th, is to enforce very much the same views.

Now with the most sincere endeavour to find some interpretation to be put on these passages consistent with the 11th Article, their Lordships are unable to do so. The doctrine of the Article is, that our justification arises from the merits of our Saviour by faith, *i.e.*, by the faith of man in our Saviour and in his merits; whereas Mr. Heath first gives a new explanation of justification, which he thinks means the putting of every one in his just place; and this result he considers will follow, not from the faith of man in the merits of his Saviour, but from the faith of our Saviour himself. He in many passages labours the point, that the faith leading to justification is not the faith *in* Christ, but the faith *of* Christ.

Their Lordships cannot understand him otherwise than as rejecting the doctrine founded on the merit of our Saviour and our faith in him.

In the 19th Sermon he says:—

“The inconsistency of Modern Theology is indeed most extraordinary; it first invents the word ‘merit,’ an unscriptural and incomprehensible word, which darkens everything.”

He then goes into a long discussion on the meaning of the word “merit,” and proceeds thus:—

“Now, after inventing this disagreeable word ‘merit,’ the modern Theologians go on to say that nobody has any merit except Christ, but the nearest approach any one can make to this incomprehensible word merit, is faith. A man cannot have merit, but he can have faith; and if he have faith, God will act towards him as if he had merit. So merit, then, is at least something rather near to faith. And now comes the inconsistency; for people talk of the merit of Christ. We are justified for the merit of Christ. We are also justified by faith. Then why will not people allow it is the faith of Christ if it is the merit of Christ.”

It is surely impossible to hold that the word merit is an unscriptural and incomprehensible word, which darkens everything, and that the faith leading to justification is not the faith of man in Christ, but the faith of Christ in his own work, without at the same time contravening the doctrine of the 11th Article, that man is justified solely for the merit of Christ, and by faith in Christ. Their Lordships do not feel bound to say that they distinctly comprehend the exact bearing of the whole of Mr. Heath’s opinions on this mysterious subject. Perhaps his own views are not very distinct or clear even to himself. It is sufficient for the present purpose to

say that the doctrine propounded by him is not that contained in the 11th Article; it differs from it fundamentally, and is inconsistent with it.

The first charge against Mr. Heath, therefore, appears to us to be distinctly made out, and we will only add further on this part of the case that we find nothing in any other part of the volume which can be held so to qualify the passages we have referred to as to enable us to attribute to them a meaning different from that which is certainly *primâ facie* their import. We are aware that, in his 4th Sermon, p. 29, Mr. Heath has these words:—

“We, on our part, must have the same sort of faith to accept the good offices of Christ; we must believe that he has an office and a work; we must trust in his word, and believe that there shall yet be a justification, a restitution of all things, a putting things right without laws, but by spiritual methods; a righteousness introduced by faith, not forced into the world by law.”

But whatever may be intended to be the qualifying force of this passage, we cannot hold that either in it or in any other part of the volume is the effect of those other statements done away in which, as we have already pointed out, Mr. Heath has taught that the doctrine of justification by faith is something entirely different from what the Articles declare it to be.

The next charge which the Appellant was called on to answer was, that by certain passages in the 8th, 9th, 15th, 18th, and 19th Sermons he had advisedly maintained and affirmed doctrine directly contrary and repugnant to that part of the 2nd Article which is in the following words:—“Whereof is one Christ, very God and very man, who truly suffered, was crucified, dead, and buried, to reconcile his Father to us, and to be a sacrifice not only for original guilt, but also for all actual sins of men;” and also directly contrary and repugnant to the 31st Article, entitled “Of the one oblation of Christ finished upon the cross.”

These two Articles are as follows:—

“ARTICLE 2.

“*Of the Word or Son of God which was made very Man.*

“The Son, which is the word of the Father, begotten from everlasting of the Father, the very and eternal God, and of one substance with the Father, took man’s nature in the womb of the Blessed Virgin, of her substance; so that two whole and perfect natures, that is to say, the Godhead and Manhood, were joined together in one person never to be divided, whereof is one Christ.

very God, and very Man, who truly suffered, was crucified, dead, and buried, to reconcile his Father to us, and to be a sacrifice, not only for original guilt, but also for all actual sins of men."

"ARTICLE 31.

*"Of the one Oblation of Christ finished upon the Cross.*

"The offering of Christ once made, is that perfect redemption, propitiation, and satisfaction, for all the sins of the whole world, both original and actual; and there is no other satisfaction for sin, but that alone. Wherefore the sacrifices of masses, in the which it was commonly said that the Priest did offer Christ for the quick and the dead, to have remission of pain or guilt, were blasphemous fables and dangerous deceits."

Now proceeding, as we are bound to do, to put a construction on the language of these Articles, there surely is no difficulty in saying that they lay down as clear doctrine that our Saviour suffered and died in order to reconcile the Father to us, whatever may be the exact import of that phrase, and to be a sacrifice for sin. And further that this sacrifice thus made was a perfect propitiation and satisfaction for the sins of all mankind.

Their Lordships know not how to reconcile with these Articles the following passage:—

"I am afraid it is a very common idea that God was propitiated 1,800 years ago by blood. I know not how to find words strong enough to express my abhorrence of this detestable doctrine. God is propitiated by Christ, but Christ's blood has long ago been poured out, not to propitiate his kind and benevolent Father, but to bring men to his Father again."—Sermon 9, p. 91.

It seems to us that this passage directly negatives the doctrine of the Articles. We cannot understand Mr. Heath otherwise than as expressing his conviction that Christ was not crucified, dead, and buried to reconcile his Father to us, and to be a sacrifice for the sins of the world, and that the offering of our Saviour so made was not a perfect propitiation or satisfaction for the sins of the world.

And if this be a correct interpretation of the words which Mr. Heath uses, it is unnecessary minutely to inquire what are his precise views on these abstruse points. If he maintains what amounts to this, namely, that the doctrine laid down by the Articles is unsound, that is, within the meaning of the statute, maintaining doctrine directly contrary and repugnant to the Articles. It is unnecessary to inquire what are his own views, or whether he has any clear views of his own; he violates the statute equally by maintaining a negative—that the doctrine



of the Articles is wrong—as by affirmatively stating some heterodox position.

We are bound to add, in reference to this as well as to the former charge, that the effect of the passage we have quoted is not destroyed or modified by any others we can find in other parts of the volume. There is, indeed, a passage in this same 9th Sermon (p. 87) in which Mr. Heath says of Christ, “It was by his blood that he was a propitiation.” It is not for us to determine how this passage is to be reconciled with that which we have previously quoted. We are of opinion that the former is a direct contradiction of the Article; and nothing we can discover in other passages enables us to say that it is not a fair representation of Mr. Heath’s views on this subject.

This second charge, therefore, seems to their Lordships, as it did to the learned Dean of the Arches, to be clearly made out.

The third charge is founded on several passages cited from the 16th Sermon, in which Mr. Heath is alleged to have maintained doctrines directly contrary and repugnant to the 8th Article, affirming the Apostles’ Creed which declares our belief in the forgiveness of sins, and the Nicene Creed which declares our belief in one baptism for the remission of sins, and also contrary and repugnant to the 27th and 16th Articles. These Articles are as follows:—

“ARTICLE 8.

“*Of the Three Creeds.*

“The three Creeds, Nicene Creed, Athanasius’s Creed, and that which is commonly called the Apostles’ Creed, ought thoroughly to be received and believed; for they may be proved by most certain warrants of Holy Scripture.”

“ARTICLE 16.

“*Of Sin after Baptism.*

“Not every deadly sin willingly committed after baptism is sin against the Holy Ghost, and unpardonable. Wherefore the grant of repentance is not to be denied to such as fall into sin after baptism. After we have received the Holy Ghost, we may depart from grace given, and fall into sin, and, by the grace of God we may rise again, and amend our lives. And, therefore, they are to be condemned which say, they can no more sin as long as they live here, or deny the place of forgiveness to such as truly repent.”

“ARTICLE 27.

“*Of Baptism.*

“Baptism is not only a sign of profession, and mark of difference, whereby Christian men are discerned from others that be not christened, but it is also a sign of regeneration or new birth, whereby, as by an instrument, they that receive baptism rightly

are grafted into the Church; the promises of forgiveness of sin, and of our adoption to be the sons of God by the Holy Ghost, are visibly signed and sealed. Faith is confirmed, and grace increased by virtue of prayer unto God. The baptism of young children is in anywise to be retained in the Church, as most agreeable with the institution of Christ."

The just interpretation of these Articles, taking the creeds as incorporated with and forming part of them, is, so far as concerns our present inquiry, that in the Gospel dispensation are contained promises, on what conditions it is not necessary here to define, that God will forgive us our sins; that by baptism those promises of forgiveness are visibly signed and sealed; and that those who after baptism fall into sin may yet repent and obtain forgiveness.

The whole of the 16th Sermon is devoted to the subject of the forgiveness of sins. It is entitled "Forgiveness and Remission." The text is from Colossians i, 14: "In whom we have redemption through his blood, even the forgiveness of sins."

The whole scope of the Sermon seems to be, that there is not, and cannot be, in the Christian dispensation any such thing as a forgiveness of sins, using the word in its ordinary acceptation; that the word ought to be remission of sins, which Mr. Heath endeavours to explain as being something altogether different from forgiveness.

Thus he says (p. 162):—

"For myself I feel beaten to the very ground at the enormity of the task of persuading all England to reject totally the idea of forgiveness of sins as having anything at all to do with the Gospel. Yet the case is as clear as can be. The Greeks had one word, we have two, so half the times their word came in we put in our first word, and for the other half we varied it by introducing our second. That the two ideas corresponding to our two words are, in fact, just the contraries to each other, is evident enough, but nobody seems to care for such a small difficulty as this."

Again (p. 166)—

"Did Christ come for the remission of sins, or for the forgiveness of sins? If he came for the remission of sins, he came to do a certain work, and a very difficult and glorious work."

And soon afterwards he proceeds—

"But if Christ came for the forgiveness of sins, and if repentance and faith are necessary conditions in order to secure this forgiveness, then only one in a thousand, or less even, of the human race, will be forgiven."

Again, at page 168,—

"God's scheme is a scheme for remission, but no scheme at all is required for forgiveness, which may and must be assumed as a matter of course, unconditionally."

There is much more in the Sermon to the same purport; the object being, apparently, to show that forgiveness of sins does not and, for some reason which their Lordships are unable to understand, cannot form part of the Gospel dispensation; that in lieu of *forgiveness*, we ought to substitute in our minds and belief the word *remission*. Their Lordships must here remark, as on the preceding charge, that it is not necessary, in order to bring himself within the Statute, that Mr. Heath should have propounded any intelligible heterodox doctrine. It is sufficient that he should have propounded doctrine directly contrary or repugnant to the doctrine laid down in the Articles; and this he appears to their Lordships clearly to have done. It is impossible, with every inclination to put as favourable a construction as possible on his language, not to perceive that he rejects totally the idea of forgiveness of sins according to the ordinary meaning of the word forgiveness, as having anything to do with the Gospel. Whereas it certainly is in the ordinary meaning of that word that we are taught to say in the Apostles' Creed that we believe in the forgiveness of sins. And it is in the same sense that the 16th Article states, that "they are to be condemned who deny the place of forgiveness to such as truly repent;" and that the 27th Article states "the promises of forgiveness of sin to be visibly signed and sealed by baptism." It is true that the expression in the Nicene Creed is not "forgiveness," but "remission." It is evident, however, that the word remission is there used as equivalent to forgiveness. The one baptism for the remission of sins, spoken of in the Nicene Creed, is that same baptism by which the 27th Article states that the promises of forgiveness of sin are visibly signed and sealed. On these grounds we concur with the Court below in the conclusion that the third charge, like the two former, is fully established.

The only remaining charge is one of a nature somewhat different from those which have already been considered. Mr. Heath begins his 12th Sermon as follows:—

"The more I study the Bible for myself, the more astounding I find it how many of the most fundamental ideas and phrases of modern theology have been foisted in without sanction from that all-sufficing record of our religion. One after another no less

than about twenty ideas or phrases, such as guilt of sin, paying a penalty, going to heaven, going to hell, immortality of the soul, satisfaction, imputed righteousness, appropriating the work of Christ, necessary to salvation, and many others, have vanished from my system, because, as a minister of Christ studying these matters professionally, I see them to be phrases and ideas not only absent from Scripture, but darkening and confusing the clearest of the otherwise most intelligible and comforting statements of Holy Writ."

The charge against Mr. Heath under this head, as we understand it, is, that some of the phrases and ideas which he thus repudiates so form part of the propositions enunciated in the Articles that the rejection of the phrase and idea necessarily implies a rejection of the Article in which they are found. He cannot, for instance, reject, as something which darkens and confuses the clearest statements of Holy Writ, the idea and phrase of "*guilt of sin*," without at the same time rejecting the doctrine contained in the 2nd Article, that "Christ suffered to be a sacrifice not only for original guilt, but also for all actual sins of men."

So the 31st Article expressly declares, that "the offering of Christ once offered was a perfect satisfaction for all the sins of the whole world;" and it is impossible for any one holding that doctrine to reject, as tending to darken Holy Writ, the idea and phrase of "satisfaction."

The 6th of the Thirty-nine Articles declares that Holy Scripture containeth all things necessary to salvation. How can any one be said to concur in that article who rejects the idea involved in the phrase "necessary to salvation," as being calculated to darken and obscure Holy Writ? He cannot, as has been already stated under the first head of charge, reject the word "merit" as unscriptural and incomprehensible, without at the same time rejecting the 11th Article, which declares that we are accounted righteous before God only for the merit of our Lord and Saviour Jesus Christ by faith. On all these points their Lordships think it impossible not to come to the conclusion that Mr. Heath has propounded doctrine incapable of being reconciled with the different Articles to which reference has been made.

There are other expressions imputed to Mr. Heath as controverting the Articles which their

Lordships think more doubtful; he rejects the phrase and idea "*immortality of the soul*" as not warranted by Holy Writ. Now it does not appear certain that he may not mean by rejecting this phrase and idea merely to express his opinion that there is no warrant in Holy Writ for the doctrine of immortality as a quality necessarily inherent in the soul.

So there are passages in Mr. Heath's Sermons tending to show that when he rejects the phrases "going to heaven" and "going to hell," he may not have meant to dispute the doctrine of everlasting life as it appears in the Creeds, but merely the language in which that doctrine is expressed when coupled with the word "*going*;" and it is right to guard ourselves against the possibility of having in any point attributed to Mr. Heath a meaning contravening the Articles which may nevertheless consist with them. All the Creeds distinctly enunciate a belief in everlasting life, and if this was intended to be rejected by Mr. Heath it is needless to say he would be repudiating the most fundamental doctrines of our Church; but it would be unsatisfactory to rest our decision on his rejection of these expressions, "*immortality of the soul*," "*going to heaven*," or "*going to hell*," as it is possible that in using them he might have had a meaning not inconsistent with the Articles.

Reviewing, therefore, the whole case, their Lordships decide that Mr. Heath has maintained and affirmed doctrine directly contrary and repugnant to the Articles.

He has done so:—

First. By maintaining that justification by faith is the putting every one in his right place by our Saviour's trust in the future, and that the faith by which man is justified is not his faith in Christ, but the faith of Christ himself;

Secondly. By maintaining that Christ's blood was not poured out to propitiate his kind and benevolent Father;

Thirdly. By maintaining that forgiveness of sins has nothing at all to do with the Gospel;

And fourthly. By maintaining that the ideas and phrases "*guilt of sin*," "*satisfaction*," "*merit*," "*necessary to salvation*," "*have been foisted into modern theology without sanction from Scripture*."

and do darken and confuse the clearest of the otherwise most intelligible and comforting statements of Holy Writ.”

Their Lordships have had their attention directed to a letter addressed by Mr. Heath to the Lord Bishop of Winchester on the 2nd of January, 1860, in which he states that, if he has laid down any doctrine or position at variance with the Articles or formularies he has done so unwittingly and in error, and in which he requests his Diocesan to point out in what respects he has done so, that he may correct whatever error he has fallen into. Another and more formal document has also been brought before their Lordships, in which Mr. Heath has stated that, if it appears to his Ordinary, and to the official Principal of his Grace the Archbishop of Canterbury, that his language does contain or teach a doctrine directly contrary or repugnant to any of the Thirty-nine Articles of Religion, he expresses his regret and revokes his error. Their Lordships desire to know whether Mr. Heath is now ready to act in accordance with these statements. They are unwilling to proceed to the last step in their duty, but unless he expressly and unreservedly revokes the errors of which he has been thus convicted, their Lordships have no course left but to advise Her Majesty to confirm the sentence of deprivation under the Act.

At all events, Mr. Heath must pay the costs of this Appeal.

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Mr. Heath (in person) having stated to their Lordships that he had nothing to revoke, their Lordships agreed humbly to report to Her Majesty in the terms of the foregoing Judgment.

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