

pulsion, or necessity; which is, 1st, that of civil subjection; 2dly, that of duress *per minas*; 3dly, that of choosing the least pernicious of two evils, where one is unavoidable; 4thly, that of want, or hunger; which is no legitimate excuse.

(4.) The king, from his excellence and dignity, is also incapable of doing wrong.

SECT. III. *Of principals and accessories.*

(1.) THE different degrees of guilt in criminals are, 1. As *principals*. 2. As *accessories*.

(2.) A *principal* in a crime is, 1. He who commits the fact, nor is present at, aiding, and abetting, the commission.

(3.) An *accessory* is he who doth not commit the fact, nor is present at the commission; but is in some sort concerned therein, either *before* or *after*.

(4.) Accessories can only be in petit treason, and felony; in high treason, and misdemeanors, all are principals.

(5.) An accessory, *before* the fact, is one who, being absent when the crime is committed, hath procured, counselled, or commanded, another to commit it.

(6.) An accessory *after* the fact, is where a person, knowing a felony to have been committed, receives, relieves, comforts, or assists, the felon. Such accessory is usually intitled to the benefit of clergy; where the principal, and accessory *before* the fact, are excluded from it.

SECT. IV. *Of offences against God and religion.*

(1.) CRIMES and misdemeanors

cognizable by the laws of England are such as more immediately offend, 1. God, and his holy religion. 2. The law of nations. 3. The king, and his governments. 4. The public, or commonwealth. 5. Individuals.

(2.) Crimes more immediately offending God and religion are, 1. *Apostacy*. For which the penalty is incapacity, and imprisonment. 2. *Heresy*. Penalty, for one species thereof: the same. 3. Offences against the established church:—Either, by *reviling* its ordinances. Penalties: fine; deprivation; imprisonment; forfeiture.—Or, by *nonconformity* to its worship; 1st, Thro' total *irreligion*. Penalty: fine. 2dly. Thro' protestant *dissenting*. Penalty: suspended by the toleration act. 3dly, Through *popery*, either in professors of the popish religion, popish recusants, convict, or popish priests. Penalties: incapacity; double taxes; imprisonment; fines; forfeitures; abjuration of the realm; judgment of felony, without clergy; and judgment of high treason. 4. *Blasphemy*. Penalty; fine, imprisonment, and corporal punishment. 5. *Profane swearing and cursing*. Penalty: fine, or house of correction. 6. *Witchcraft*; or, at least, the pretence thereto. Penalty: imprisonment, and pillory. 7. *Religious impostures*. Penalty: fine, imprisonment, and corporal punishment. 8. *Simony*. Penalties: forfeiture of double value; incapacity. 9. *Sabbath-breaking*. Penalty: fine. 10. *Drunkenness*. Penalty: fine, or stocks. 11. *Lewdness*. Penalties: fine; imprisonment; house of correction.

SECT. V. *Of offences against the law of nations.*

(1.) THE law of nations is a system of rules, deducible by natural reason, and established by universal