

posed of, to propose another law immediately against ecclesiastical tyranny; a tyranny so gross and scandalous, that it would disgrace the Inquisition. Having said this, his Lordship proceeded to defend his Bill; and as a justification of the necessity that called for it, read a Canon of the Church respecting the casting out of Devils, and another respecting the enforcement of the attendance of religious worship, which ordered, that if a man be bald, and had no hair on his head, so that he was in danger of catching cold, he must nevertheless go to Church, but he might wear a night-cap. Having exhibited several of these absurdities, his Lordship said, he felt it his duty to return his sincere thanks to the Rev. Prelates who had spoken on the subject, for the very great trouble they had saved him; those of the Rev. Bench who had delivered their sentiments, having successively contradicted and refuted the arguments of each other. But with regard to the Rev. Prelate who had spoken last, his arguments had been so different from those of the other Bishops, that he merited his particular thanks. The learned Prelate had argued clearly and ably. He could understand his meaning distinctly; he could ascertain in what they agreed, and knew at a glance the exact point on which they separated. The Rev. Prelate had said, 'that there were laws in existence which did no credit to the times in which they were made;' and he had afterwards said, 'That the jurisdiction of the Magistrate should be confined not to those things which were merely sinful, but only to such as were injurious to society.' He agreed with the Rev. Prelate, that such was the distinction. His Lordship added a variety of other arguments to prove the ecclesiastical law abominable in practice; that it did not adhere to its professed maxim of jurisdiction, *pro salute animi peccatoris*; and urged the necessity of going into a Committee with the Bill, to examine what laws ought to be repealed, and what ought not. He said he wished to shorten the debate, in order to go into one still more important respecting tythes. Before he sat down, he declared, that his great objection to the laws existing in regard to religion was, that he detested compulsion in matters of conscience; and he declared, he objected to the principle of the laws he wished to see repealed, and not to the extent of the penalties merely. The arguments used that day reminded him of a Bill introduced in the reign of Henry the Seventh, repealing all laws against priests for crimes of every denomination committed by them, and among others for all

rapes committed by men of their order. He rendered this allusion pleasant, by stating that the argument against the Bill had been, that a rape implied compulsion, and compulsion ought always to be considered as reprehensible and punishable; to which the priests answered, that it was a very gentle kind of compulsion that they had resorted to.

Lord Stormont assured the House, that he had not intended to trouble them, and that he would not detain them long. His Lordship then declared, he should be particularly sorry, on the noble Earl's account, to see the ancient practice revived, of obliging the proposer of every new law to have a rope round his neck when he made the proposition. The noble Viscount next paid some high compliments to the Reverend Bench, declaring, that they had that day, in his humble judgment, done themselves infinite credit, and urged arguments that would hold their sacred characters high in the public opinion. He afterwards adverted to the Bill before the House, and after complimenting the noble Earl on the goodness of his intention, and the general ability with which he brought forward any measure of a public nature, said, he conceived the noble Earl had not looked at the subject with his usual accuracy. The more regular method of bringing so important a topic under discussion, would in his conception have been, to have moved for a Committee first to revise the various laws existing relative to toleration, and to have suffered the House to have been guided and governed by their Report, as to their future proceedings in it. His Lordship rescued the reign of William the Third from the imputation of a propensity to encourage intolerance, and touched upon some parts of the arguments of the Rev. Prelates, with whom he appeared to concur in a great measure, particularly with the definition of the legal exercise of the right of opinion of conscience, as laid down by the Bishop of St. David's.

Lord Stanhope rose again, and with some warmth repelled what had been advanced by Lord Stormont. His Lordship said, he was determined to persevere; and if the Right Rev. Bench would not suffer him to load away their rubbish by cart-fulls, he would endeavour to carry it off in wheel-barrows; and if that mode of removal was resisted, he would take it, if possible, away with a spade, a little at a time.

The question was put on the second reading by the Lord Chancellor, when it was negatived without a division.