

ciples of law remain unchanged, yet (and it is one of the advantages of the common law) their application is to be changed with the changing circumstances of the times."

Mr. Justice Stephen, on the other hand, quotes *Blackstone* (*Com. 2nd Ed. IV., 43*) as exhibiting the present condition of the law: "Doubtless the preservation of christianity as a national religion is, abstracted from the intrinsic truth, of the utmost consequence to the civil state, which a single instance will sufficiently demonstrate. The belief in a future state of rewards and punishments, the entertaining just ideas of the moral attributes of the Supreme Being, and a firm persuasion that He superintends and will finally compensate every action in human life (all which are clearly revealed in the doctrines and forcibly inculcated in the precepts of our Saviour Christ), these are the grand foundations of all judicial oaths which call God to witness the truth of those facts which perhaps may be only known to him and the party attesting. All moral evidence, therefore, all confidence in human veracity, must be weakened by irreligion and overborne by infidelity. Wherefore all affronts to christianity, or endeavors to depreciate its efficacy, are deserving of human punishment."

We will now set out the statutes and decisions and leave our readers to judge as between these judges.

The statute of 29 Car. II., c. 2, s. 9, provided that "heresy" should no longer be an offence punishable by the secular law, but should be only subject to ecclesiastical correction "*pro salute animæ*"; and concludes as follows: "Nothing in this Act shall extend or be construed to take away or abridge the jurisdiction of protestant archbishops or bishops, or any other judges of any ecclesiastical courts, in cases of atheism, blasphemy, heresy, or schism, and other damnable doctrines and opinions."

The Act 9 and 10 Wm. III, c. 32, is still in force except as to the doctrine of the Trinity. It is entitled "An Act for the more effectual suppressing of blasphemy and profaneness," and is as follows:—