

were disabled or abolished ; but as the offence of blasphemy was a crime at common law the court of King's Bench undertook the administration of the law, and acted in the character of *custos morum*. This, as pointed out by Mr. Justice Stephen, is the origin of the modern law as to blasphemy and blasphemous libels. The law then is to be found in the decisions of the courts and in any statutes passed since the period just referred to. These we propose to shortly notice, but as the arguments for the opposing opinions are derivable from them, let us first, for the sake of clearness, state shortly the gist of these conclusions.

Lord Chief Justice Coleridge holds that the following extract from *Starkie (Folkard's Starkie pp. 559, 560)* contains a true exposition of the law : " There are no questions of more intense and awful interest than those which concern the relations between the Creator and the beings of His creation ; and though as a matter of discretion and prudence, it might be better to leave the discussion of such matters to those who, from their education and habits, are most likely to form correct conclusions, yet it cannot be doubted that any man has a right not merely to judge for himself upon such subjects, but also, legally speaking, to publish his opinions for the benefit of others. Where learned and acute men enter upon these discussions with such laudable motives, their very controversies, even where one of the antagonists must necessarily be mistaken, so far from producing mischief, must in general tend to the advancement of truth and the establishment of religion on the firmest and most stable foundations. The very absurdity and folly of an ignorant man who professes to teach and enlighten the rest of mankind are usually so gross as to render his errors harmless. But be this as it may, the law interferes not with his blunders so long as they are honest ones, justly considering that society is more than compensated for the partial and limited mischief that may arise from the mistaken endeavor of honest ignorance, by the splendid advantages which result to religion and to truth from the exertions of free and unfettered minds. It is the mischievous abuse of