

but to observe its workings, and then try it by its fruits. That there exists no discipline in the Anglican Church, is an inevitable consequence of the paramount place which her standards assign to the civil magistrate. For it is of the nature of civil law that it will not bear — let men frame its requirements and penalties as they may — against what happen for the time to be the gentlemanly vices. If hard drinking chance to be fashionable, as fashionable it has been, no one is ever punished for hard drinking. A gentleman may get drunk with impunity at a chief magistrate's table, and have the chief magistrate's companionship in the debauch, to set him all the more at his ease. In like manner, if swearing chance to be fashionable, as fashionable it has been, even grave magistrates learn to swear, and no one is ever fined for dropping an oath. Exactly the same principle applies to the licentious vices: there are stringent laws in the statute-book against bastardy; but who ever saw them enforced to the detriment of a magistrate or a man of fortune? And it is by no means in exclusively a corrupt state of the courts of law that this principle prevails: it obtains also in their ordinary efficient condition, in which they protect society against the swindler and the felon, and do justice between man and man. It is of their nature as civil courts, — not a consequence of any extraordinary corruption, — that they will not bear against the gentlemanly vices; and it is equally of their nature, too, in a country such as Britain, in which the influence of the toleration laws has been directing for ages the course of public opinion, that they should be thoroughly indifferent to the varieties of religious belief. Unless the heresiarch be an indecent atheist, who insults society and blasphemes God, he is quite as good a subject, in the eye of the law, as the orthodox assertor of the national creed.

Now, the magistrate does not relinquish this indifferency to