By the Civil and Canon Laws, those are guilty of Blasphemy who by Word or Deed Wrote against God. Nov. 77. 1 j c.10 cau. 22 q.2. Because such persons from [illegible] with the Heresy of Anthropomorphites, who believed that God was of human shape.

According to the Divine Law Blasphemers are to be put to Death, Levit. 24. 13 & 16. and the Civil law do the same also punish them Capitally Nov. 77 cap. 1 & 2. But in the Canon Law their punishment hath had Successive variations. For at first a Layman was to be Excommunicated, and a Churchman Deposed c.10 cau. 22 Quæst. 1. But was by a Mitigation afterwards converted into publick Penance inflicted by the Spiritual Judge and a pecuniary Mulct by the temporal power c.2 X de Maledict. And by a Different punishment is ordained by the Laterane Council held in the Year 1514 Under Pope Leo 10.

By the Law of Scotland, whosoever not being distracted in his mind is found guilty before the court of Justiciary, of Railing upon or Reproaching God, or any of the persons of the Blessed Trinity may be punished with death Act 21 Jac. 1 Parl. 1 Ch. 1. This Reason perhaps why the Simple Railing upon or Cursing God, or any of the persons of the Trinity is punishable with Death and the Denying them only so punishable, when Aggravated by the offender's Obstinacy; is because the latter Crime may proceed from Ignorance, and the former Argues Malice in Cursing our Lord and Saviour Christ and affirming that he was an Impostor and plaid his pranks by the Working of his Miracles by Vertue of Magick Learning and by him in Aegypt, tho not so good a Artist as Moses was, and that Mans Imagination could do any thing by Exalted by art and Industry, could do any thing in the Infinite power of God 2 December 1696 Thomas Aikenhead or affirming that Christ was a Bastard calling Mary Bowger of God and Sinner of Christ and wicked by saying, that if any Man had God on the one hand and Christ on the other he could

Prop his Ears in Despite of them 13 December 1697 Kinnimonth of that ilk was found Relevant to Infer the pain of Death and Confiscation of Movables. For one to call himself the Messiah or the Son of God is Torrided Blasphemy and a Railing upon God and the Trinity Mckenzie Crim. part 1 Tit. 3 § 5 infine and Vilifying of them.

The Laws of England Restrains by Temporal punishments Blasphemy and prophaneness, as the prophane using the Name of God, Jesus Christ the Holy Ghost, or of the Trinity in any Stage Play, Interlude, Shew &c. 3 J. 1 cap. 21 the Denying any person of the Trinity by writing teaching printing or advised Speaking or asserting more Gods than one, or Denying the Christian Religion to be true, or the holy Scripture of the old and New Testament to be of Divine Authority 9 & 10 W. 3 cap. 32 James Naylor one of a Sect called Quakers Gondal Lambert who Blasphemously set up to be Jesus himself in person, and Entred the City of Bristol Riding upon an Ass with Women and a Mob Crying Hosanna &c. and gave no Answer to any Question but those last said it was by the Parliament of England 8 December 1656 Ordered only to stand in the Pillory 2 hours, to have his Tongue bored thro with a hot Iron, and his Forehead Stigmatized with the Letter B. to be Whipped thro the Streets and thereafter to be Committed to prison in Bridewell where he was to be kept to Continual Work till he was by the Parliament released.

A person Furious or Distracted in his wits cannot be punished as a Blasphemer 21 Jac. 1 Parl. 1 Ch. 2. But fury or Distraction arising from Drunken ness will not Exculpate such a one 13 December 1697 Kinnimonth of that Ilk Carpenter Suspended Forens. part 1 Consist. Def. 2.

Rash and Passionate words are ordinarly punished with less severity than Deliberate Expressions. But Passion loseth not the Crime of Blasphemy, Hostius Gil. de Maledict. some Lawyers will have the punishment of Blasphemy Mitigated upon the Account of Passion when