in the fin as if he approved it and Were the Father
lies. Which is a Dishonoring of God, worse than down right
Atheism. Men do more Dishonour to the Divine Maj-
ty by having evil thoughts of him than by having None
at all: the one being to say that he is, and the other that
he ought not to be. This is swearing Men out of their
lives and estates, and publick justice out of the world,
and in effect God out of Heaven. Therefore as God will
not hold him Guiltless that taketh his Name in vain
so all Nations have a just abhorency of Perjury, as
a Crime Most Destructive to Society.

By the Civil law, there was no ordinary Punish-
ment established for this Detested Crime, in which sen-
tence dum. Ulterior habuit l. 2 C. de Rob. Vend. But
it was arbitrarily punished l. 22 ff. de Dolo Malo l. 13
C. de Testib. By Rudgolling l. 13 ff. ult. ff. de pecuniis
famy l. 41 C. de Iudaeis. Loss of honour l. pen. C. de
Dignit. Banishment l. ult. ff. de Stellionatu or other Ways.
The Canon law punisheth perjured persons with Ex-
communication c. fine 22 qu. 1 and infamy c. 17. 6 qu. 1.
Perjury in some Foreign Countries is arbitrarily pun-
ished, and in others by Putting off the foot finger of the
up in swearing Groonveg. ad l. 2 C. de Rob. Vend. Cf.
Vool. Comm. ad Pit. ff. de Iurejur. n. 32.

In England Perjury and Subornation of perjury
may be punished either at Common law, by fine, im-
prisonment, Pillory and incapacity of the offender
to bear Witness Tacho 3 Iacobi 1603 or by Statute
5 Eliz. cap. 9. A Greater penalty is inflicted on Sub-
ornation of perjury, than on the perjury itself: be-
cause the Author sins more than the Actor. Besides
which punishment for the Crimes of Perjury or
Subornation of perjury, it is lawful for the court
or Judge before whom any person is Convicted of
either of those Crimes, to order also such person to
be sent to a Correction house within the County
for a time not Exceeding 7 Years there to be kept
to hard Labour during all the said time, or other-
ways to be transported as a felon to the Plan-

tations beyond Seas for a term not exceeding Seven
Years, as the court think most proper. And if any per-
son so Committed or transported shall Voluntarily escape
or break prison or Return from transportation be-
fore Expiration of the time for which he was ordered
to be transported, such persons shall upon Conviction
thereof suffer death as a felon without Benefit of Clergy
2 Geo. 2 cap. 25 §. Which law is to be of force for the
space of seven Years, ibid. §. But Some Things done by perjury or common Law shall not within
the Statute, nor the Statute extend to punish perjury or Subornation of perjury at common Law.
By the Statutes of Scotland, such as bear false Wit-
ness, or induce any person to bear false Witness are
punishable in their persons and goods with all Rigour
conform to the Common law Act 60. Parl. 6 J. 5 Act 22
Parl. 5 Q. M. or by Piercing of their tongues, and Es-
cheating of their goods to the Soveraign Act, and In ca-
pacity to bruick honour office or Dignity and further
punishment in their persons according to the quality
of their Crime, Act 47 Parl. 6 Q. M. as whipping, bear-
ing on the Cheek &c. The Perjury of Bigamists, by ha-
ving two Wives or two Husbands at once, is punished
with Confiscation of all their Moveables Imprison-
ment for Year and day, and Longer during the Soveraigns
pleasure, Infamy and incapacity of Offices honour Dig-
nity or Benefice Act 19 Parl. 5 Q. M. Perjury of Assizers
is punishable with Confiscation of Moveables in-
famy and Imprisonment for Year and day Act 48
Parl. 6 Act 64 Parl. 8 J. 3. junct. Reg. Majest. lib. 1 cap.
14 All which laws import only an arbitrary pun-
ishment, which Extend not to death Vid. Sup. pag. 69
Thus a false Witness was only whipped 15 March
1605 Alexander Troy others were whipt, burnt on
the Cheek with a hot iron and Banished out of
Scotland never to return without licence upon pain
of death 8 March 1615 John Hamilton and Adam
Moffat. Another was taken to the Market Cross
and had his tongue pierced with a hot Bodkin and
thereafter Banished, 20 dem. de William Fock.
Another was Stone the Market Cross for the
Space