Table Annexed to Article: The Pace of Change in Civil Polity 1688-1765 As Cataloged in Blackstone’s Commentaries on the Laws of England

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VI. FROM the revolution in 1688 to the present time. In this period many laws have passed; as

-the bill of rights,
-the toleration-act,
-the act of settlement with its conditions, the act for uniting England with Scotland, and
-some others: which have asserted our liberties in more clear and emphatical terms;

-have regulated the succession of the crown by parliament, as the exigences of religious and civil freedom required;

-have confirmed, and exemplified, the doctrine of resistance, when the executive magistrate endeavours to subvert the constitution;

-have maintained the superiority of the laws above the king, by pronouncing his dispensing power to be illegal;

-have indulged tender consciences with every religious liberty, consistent with the safety of the state;

-have established triennial, since turned into septennial, elections of members to serve in parliament;

-have excluded certain officers from the house of commons;

-have restrained the king's pardon from obstructing parliamentary impeachments;
- have imparted to all the lords an equal right of trying their fellow peers;
- have regulated trials for high treason;
- have afforded our posterity a hope that corruption of blood may one day be abolished and forgotten;
- have (by the desire of his present majesty) set bounds to the civil list, and placed the administration of that revenue in hands that are accountable to parliament; and
- have (by the like desire) made the judges completely independent of the king, his ministers, and his successors.

Yet, though these provisions have, in appearance and nominally, reduced the strength of the executive power to a much lower ebb than in the preceding period; if on the other hand we throw into the opposite scale (what perhaps the immoderate reduction of the antient prerogative may have rendered in some degree necessary)

- the vast acquisition of force, arising from the riot-act, and
- the annual expedience of a standing army; and
- the vast acquisition of personal attachment, arising from the magnitude of the national debt, and
- the manner of levying those yearly millions that are appropriated to pay the interest;

we shall find that the crown has, gradually and imperceptibly, gained almost as much in influence, as it has apparently lost in prerogative.

THE chief alterations of moment, (for the time would fail me to descent to minutiae) in the administration of private justice during this period, are

- the solemn recognition of the law of nations with respect to the rights of embassadors:
- the cutting off, by the statute for the amendment of the law, a vast number of excrescences, that in process of time had sprung out of the practical part of it:
- the protection of corporate rights by the improvements in writs of mandamus,
  and informations in nature of quo warranto:
- the regulations of trials by jury, and
- the admitting witnesses for prisoners upon oath:
- the farther restraints upon alienation of lands in mortmain:
- the extension of the benefit of clergy, by abolishing the pedantic criterion of reading:
- the counterbalance to this mercy, by the vast encrease of capital punishment:
- the new and effectual methods for the speedy recovery of rents:
- the improvements which have been made in ejectments for the trying of titles:
- the introduction and establishment of paper credit, by indorsments upon bills and notes,
  which have shewn the possibility (so long doubted) of assigning a *chose in action*:
- the translation of all legal proceedings into the English language:
- the erection of courts of conscience for recovering small debts, and (which is much the better plan)
- the reformation of which the foundations have been laid, by clergy developing the principles on which policies of insurance are founded, and by happily applying those principles to particular cases: and, lastly,
- the liberality of sentiment, which (though late) has now taken possession of our courts of common law, and induced them to adopt (where facts can be clearly ascertained) the same principles of redress as have prevailed in our courts of equity, from the time that lord Nottingham presided there; and this, not only where specially impowered by particular statutes, (as in the case of bonds, mortgages, and set-offs) but by extending the remedial influence of the equitable writ of trespass on the case, according to its primitive institution by king Edward the first, to almost every instance of injustice not remedied by any other process.

And these, I think, are all the material alterations, that have happened with respect to private justice, in the course of the present century.
(1) the bill of rights,
(2) the toleration-act,
(3) the act of settlement with its conditions,
the act for uniting England with Scotland, and
(4) some others: which have asserted our liberties
in more clear and emphatical terms;
(5) have regulated the succession of the crown by parliament,
as the exigences of religious and civil freedom required;
(6) doctrine of resistance, have confirmed, and exemplified,
(7) maintaining the superiority of the laws above the king,
by pronouncing his dispensing power to be illegal;
(8) have indulged tender consciences with every religious liberty,
consistent with the safety of the state;
(9) have established triennial now septennial elections
(10) excluded certain officers from the house of commons;
(11) restrained the king's pardon from
    obstructing parliamentary impeachments;
(12) imparted to lords an equal right of trying their fellow peers;
(13) have regulated trials for high treason;
(14) expectation that corruption of blood be abolished and forgotten;
(15) set bounds to the civil list, and placed the administration of that
    revenue in hands that are accountable to parliament; and
(16) made the judges completely independent of the king,
    his ministers, and his successors.
(17) vast acquisition of force, arising from the riot-act, and
(18) annual expedience of a standing army; and
(19) the vast acquisition of personal attachment,
    arising from the magnitude of the national debt, and
(20) the manner of levying those yearly millions
    that are appropriated to pay the interest;
(21) the recognition of the law of nations as to ambassadors:
(22) cutting off, by the statute for the amendment of the law,
    a vast number of excrescences, that in process of time had
    sprung out of the practical part of it:
(23) the protection of corporate rights
    by the improvements in writs of \textit{mandamus},
and informations in nature of *quo warranto*:

(24) **the regulations of trials by jury, and**
(25) **the admitting witnesses for prisoners upon oath:**
(26) **the additional restraints upon alienation of lands in mortmain:**
(27) **the extension of the benefit of clergy,**
by abolishing the pedantic criterion of reading:
(28) **the counterbalance to this mercy,**
by the vast encrease of capital punishment:
(29) **the new and effectual methods for the speedy recovery of rents:**
(30) **the improvements which have been made in**
ejectments for the trying of titles:
(31) **the introduction and establishment of paper credit,**
by indorsments upon bills and notes,
which have shewn the possibility (so long doubted)
of assigning a *chose in action*:
(32) **translation of all legal proceedings into English:**
(33) **the erection of courts of conscience for recovering small debts,**
(34) **the reformation of which the foundations have been laid,**
by clergy developing the principles on which policies of
insurance are founded, and by happily applying
those principles to particular cases: and, lastly,
(35) **the liberality of sentiment,**
which has now taken possession of our courts of common law