three estates of the realm, has been interwoven with the fundamental law and Constitution of the nation. The regulation of schools, has, therefore, in England, to a certain extent, been * subjected to that ecclesiastical establishment. *Cox's Case*, 1 *P. Will.* 29; *In re Masters, &c. of the Bedford Charity*, 2 **503** *Swan.* 522. And consequently the authority of the English Chancellor to interfere with, and direct the religious education of infants, so far at least as to prevent them from being brought up in the belief of any religious creed, in direct and open violation of that of the established church, is founded upon this fundamental law and on that obligation by which all judicial officers are bound to support the Constitution of their country. *Storke* v. *Storke*, 3 *P. Will.* 51; *Roach* v. *Garvan*, 1 *Ves.* 158, *and Supp.; Villareal* v. *Mellish*, 2 *Swan.* 533; *Blake* v. *Leigh*, *Amb.* 306; *De Manneville* v. *De Manneville*, 10 *Ves.* 61; *Wellesley* v. *Beaufort*, 3 *Cond. Cha. Rep.* 11; *Lyons* v. *Blenkin*, 4 *Cond. Cha. Rep.* 115; *Shelley* v. *Westbrooke*, 4 *Cond. Cha. Rep.* 126. Before the Revolution, a religious creed having been established by law here, a similar obligation was imposed upon the Courts of justice here, to take care of what was then deemed the proper religious education of infants in Maryland. 1715, ch. 39, s. 10; 1729, ch. 24, s. 12.

It has, however, been declared, by the Constitution of this Republic, "that, as it is the duty of every man to worship God in such manner as he thinks most acceptable to him, all persons professing the Christian religion are equally entitled to protection in their religious liberty," &c.; *Decla. Rights*, *Art.* 33; and also, "that the liberty of the press ought to be inviolably preserved." *Decla. Rights*, *Art.* 38. And it having also been declared, by the Constitution of the United States, that "Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof, or abridging the freedom of speech, or of the press." *Const. U. S. Amend. Art.* 1. It follows, that none of the public functionaries of this State, or of the Union, can exercise any authority at variance with those great rules of fundamental law by which the freedom of religious and political opinions are secured to our citizens. Consistently, however, with those constitutional provisions, it may, nevertheless, be held to be within the scope of the Chancellor's jurisdiction in the case of infants, to have them removed from under any open or direct immoral and vicious influence or example; as from the tuition of an infamous convict; 1798, ch. 101, sub-ch. 4; where the infant could not fail to be engaged in vicious pursuits, or be prevented from acquiring those virtuous principles and habits indispensable to the formation of a good and useful citizen. *Beaufort* v. *Berty*, 1 *P. Will.* 703; *Storke* v. *Storke*, 3 *P. Will.* 51; *De Manneville* v. *De Manneville*, 10 *Ves.* 61; *Whitfield* v. *Hales*, 12 *Ves.* 492; *Ball* v. *Ball*, 2 *Cond. Cha. Rep.* 299; *Wellesley* v. *Beaufort*, 3 *Cond. Cha. Rep.* 1; 2 *Lond. Jurist*, 66; *Jones* v. *Stockett*, *ante*, 428.