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CONTENTS

OF THE

QUARTERLY CHRISTIAN SPECTATOR.

VOL. VIII.—1836.

No. I.

	PAGE.
ART. I. The Doctrine of a Particular Providence, -	1
II. Is Christianity a part of the Common-Law of Eng- land? - - - - -	13
III. Memoir of Rev. John H. Rice, D. D., -	22
IV. Domestic Education, - - - - -	43
V. Influence of Religion upon the Health, -	51
VI. Illustrations of the Divine Government, -	80
VII. Present state of the Slavery Question, -	112
VIII. Wordsworth and his Poetry, - - - - -	127
IX. Winslow on Social and Civil Duties, - - - - -	151
X. Andrews on Slavery, - - - - -	160
XI. Mendon Association, - - - - -	170

No. II.

ART. I. Brougham's Natural Theology, - - - - -	177
II. Sketch of the Life and Character of the Hon. Ste- phen Mix Mitchell, LL. D., - - - - -	205
III. Hopkins' Primitive Church, - - - - -	225
IV. An Inquiry concerning the Soul, - - - - -	276
V. Christian Intercourse, - - - - -	292
VI. Etymologies and Criticism. By Noah Webster, LL. D., - - - - -	311
VII. Kaufman's Translations of Tholuck on John, -	319
VIII. Mendon Association and Hopkinsianism, -	327

No. III.

ART. I. Connection between Egyptian and Jewish History,	337
II. John Wesley on the 'Witness of the Spirit,' -	357
III. On the Cherubim of the Sacred Scriptures, -	368
IV. Beecher on Colleges, - - - - -	389
V. Characteristics of our Lord's Ministry, - -	411
VI. Injurious Effects of Popular Works on Health,	439
VII. Influence and Effects of Foreign Travel, -	455
VIII. Colton and Connelly on the Religious State of the Country, - - - - -	488

No. IV.

ART. I. The Dangers of our Country, - - -	505
II. The Bible always the same in its Authority and re- lation to Mankind, - - - - -	519
III. The Puritan, - - - - -	528
IV. Natural Evidence of a Future Life, - -	556
V. Memoir of Dr. Bedell, - - - - -	577
VI. Colton's Reasons for Episcopacy, - -	591
VII. Tyndale and his New Testament, - -	618
VIII. Physical Theory of Another Life, - -	643
IX. The Proper Standard and Aim of Piety, -	663
X. Miscellaneous Notices, - - - - -	669
Correspondence, - - - - -	671

INDEX

TO THE

EIGHTH VOLUME

OF THE

QUARTERLY CHRISTIAN SPECTATOR.

ABOLITIONISTS, errors of, 114.

Adam, meaning of the word, 314, 315.

A few thoughts by a member of the Bar, 670.

Andrews, Prof., on slavery, 160-170.

Apostle, its meaning, 312.

Arts, in great perfection in ancient Egypt, 349.

Atonment, its import in Hebrew, (*cofer*), 316.

Authority and relation of the bible to mankind, always the same, 519-528.

Bakewell, Frederick C., Natural evidence of a future life, 556-577.

Bedell, Rev. Gregory T., D. D., Memoir of, 572-591: Birth and early life, 678, 679: character at first as a preacher, 581: success at Fayetteville, 582: settlement and labors in Philadelphia, 582-584, 588: character as a pastor, 585, as preacher, 587: death at Baltimore, 590.

Booher, Catherine E., Letters on the difficulties of Religion, 671.

Beecher, Rev. Lyman D. D., on Colleges, 329: eloquent extracts from, 410, 411.

Bible, in its authority and relation to mankind, always the same, 519-528. Proof, 521-525. Reflections, 525-528.

Brigham, Amarihi, M. D., Observations on the Influence of Religion on the health and physical welfare of mankind, 51: disciple of Spurzheim, 56: self professed malice and self confidence, 57.

Brougham, Lord,—Natural Theology, 177-205.

Channing, William E.,—Present state of the slavery question, 112.

Characteristics of our Lord's ministry, 411-439: difficulties of the subject, 412: principles of his teaching, 416; manner, 422; simplicity, 423; illustration, 424; directness, 426; addressed to common sense, 428; aimed at conscience, 429; dignified confidence, 430; enforced by the sanctions of eternity, 431; fearless, 432; consoling, 433: His history as a Teacher should be studied, 434; defects of religious teachers, 435: most effective manner of teaching divine truth, 436; reasons of little success, 437.

Cherubim of the sacred scriptures, 368-388: different forms; Gen. iii, 24, 368; Exodus, xxvi, 1, 31, 369; employed in the ark of the covenant, 370; Ezekiel's descriptions, i, 1, 371;—form, movement, and attendants, &c., 374-377; whole appearance, 378; Rev. iv, 6-11; other passages; King of Tyro so represented, Ezek. xxviii, 14, 381; analyzed, 382-383; traditions, 384; origin; results of the investigation, 386-388.

Christianity, part of the common law of England, proved, 13-22; common law has been progressive, 15; conversion of Britons before the Saxon conquest, 17; crimes against the christian religion punished by common law before 1455, 19.

Christian intercourse,—difficulty of regulating without destroying it, 296; importance of the subject should be clearly stated, 299; considerations due to earthly and providential distinctions, 301; parties of pleasure, 306; injury done to religion, 307.

- Church and State legislation in Connecticut while a colony, 493-497; as a State, 499.
- Classical studies, importance of, 397.
- Colleges, why needed, 389-392: advantages, 393: reform in considered, 394: proper constitution and government, 407, 408: to what extent should they be multiplied, 409.
- Colton, Rev. Calvin,—Thoughts on the Religious state of the country, 482-504; a distinguished man in his own eyes,—his book a sort of Biographia Theologico-literaria, 488; psychological process of his conversion to Episcopacy, 489; compared and contrasted with Mr. Connelly, 491; gross blunder as to the ecclesiastical history of Connecticut corrected, 492: his reasons for Episcopacy considered, 591-617; extract from his work on American Revivals, 601, 602.
- Connection between Egyptian and Jewish History, 337-353: materials for the early history of Egypt, 339; dynasties reconciled, 340; Egyptian cycle, 341: confirmation of scripture in Egyptian antiquities, 342; Exodus, time of, 344; Pithom, is it the name of a man or city? 366; reference to Judah in Hieroglyphics, 380.
- Connelly, Pierce, on the religious state of the country,—his conversion from Episcopacy to the Roman Catholic faith, 491; his lamentations over the country, 503.
- Correspondence, 672.
- Dangers of our country, 505-519; from general agitation, 506; from intolerance, 508; political party-spirit, 510; disregard and violation of the sabbath, 512; papacy, 515; infidelity and atheism, &c., 519.
- Dew, Prof., his defense of slavery noticed, 119.
- Divine Government, illustrations of, T. Southwood Smith, reviewed, 80-112; based on the doctrine, that sin is the necessary means of the greatest good, 81; theory of providence, 82; of free agency, 83; justice, 84: annihilates distinction between right and wrong, 85: excludes all sense of guilt or remorse, 86: subverts the very foundations of moral government, 87: theory of moral evil, extracts, 90, 91; baseless, 92; how does God purpose sin, 94; another view, 99; its advantages, includes a plan, 100; harmonizes with divine attributes, 101; other objections to Dr. Smith's view, 109-112.
- Education, what ought to be included in a liberal one, 394.
- domestic, John Hall, Esq., on, 43-57; wrong estimate of earliest character of children by parents, 45; personal neglect of government of children, 46; disclosures of their faults, 47; choice of schools, 48.
- Education too often solely for this world, 48.
- , parents form too low views of it, 49.
- , physical, leading principles respecting it, 404.
- , practical, mistakes in corrected, 401.
- Eloquence, its origin, 411; its nature, 410.
- Episcopacy,—Calvin Colt's Reasons for: faults of Presbyterianism, system of church judicatories, 591-593; loss of pastoral influence, 595-597; excessive amount of labor, 597; mode of admission, 598; mutual watch and care, 602-606; his answers to objections against, 606; arguments for, its advantages, 607-609, 612-614: objections, 614-617.
- Essay-writing, remarks on, and on the English essay, 529: utility and advantages, 531, 540; a difficult species of composition, 541.
- Eternity, meaning of the term, (*aion* in Greek,) 317.
- Etymologies and criticism by Noah Webster, LL. D., 311.
- Ezekiel, i. 1: xxvii. 14, description of cherubim, 371, 379.
- Gen. iii. 24; description of the cherubim, 368.
- Goodrich, Rev. Elizur, D. D.—document of much interest prepared for General Convention at Stamford, 498, 499.

- Harris, Rev. John, author of the Great Teacher,—bold and servid writer, 418.
- Hall, John, Esq., on the education of children, 43.
- Haste, in the preparation of books, to be deprecated, 293.
- Health, injurious effects of popular works on, 430-455: on the mind, 443: vis-

- ionary plans of living, 447: common sense the best guide, 448, 454: they overlook the accommodating powers of the human system, 452.
- Health, influence of religion on, Dr. Brigham's, 51--80.
- Hopkins, Bishop, Primitive Church,—views of doctrine unscriptural, 227; on union to a church, 228; election, 230--233; baptism and sponsors, 234--236; confirmation, 237, 240; bible societies, &c. 241; prayer meetings, 242; revivals, 243: opposition to temperance societies, 244; his reasons examined and refuted, 246--253.
- Induction—true meaning of the term, 182—184.
- Jefferson, Thomas, his denial, that christianity is part of the common law of England, refuted, 15.
- Johnson, James, M. D.—change of air or philosophy of Traveling, 455: spirit of the work, vaunting and illiberal at times 456, 457, a book of reflections, and impressions, 459:—journey in Europe, 458, remarks on France and French character, 459, 460; scenery on the way to Italy, &c. 461--465, Florence and Rome, 466, and Pompeii, 469: his views of Italy as a residence for invalids, 469, climate, 470--472 malaria, 472, 473, medicinal influence of the climate, 474, in pulmonary affections, 475, bronchial, nervous or dyspeptic disorders, 476, 477; moral and religious effects of Italian residence, 479.
- Kaufman, Rev. A. translation of Tholuck on John, 319--327; his defects as a translator, 319.
- Loigh, Hon. B. W. speech in defense of slavery in U. S. Senate noticed, 124.
- Life, future—Natural evidence of, furnished by analogy drawn from facts in science—solution 586, rarefaction, 556, natural decomposition, 560, light and heat, 562, electricity, galvanism, and magnetism, 566, chemical attraction, 568, gravitation, 569, vegetation, animal organization, 570, animal life, 571, organs of sensation, 572, Personal Identity, suspended animation, spectral illusions, 573.
- Logic—too much neglected, 400.
- Manual labor in colleges considered, 404--407.
- Maryland, progress of this state towards becoming a free state, statistics, 166--168.
- Mathematics and science necessary in colleges, 398, 399.
- Memoirs, best method of writing, 41.
- Mendon Association, 170,
— and Hopkinsianism; letter to Conductors of Christian Spectator, and remarks, 327.
- Miscellaneous Notices, (65).
- Mitchell, Hon. Stephen Mix, LL. D.—Sketch of the life and character of, 205: birth and ancestry, 206, 207, education, 207, tutor in Yale College, reproof of Dwight, 208:—professional life, 209; a statesman, 209, 210, aid in securing to Connecticut the Western reserve 211; original letter on this subject, 211 note; influence as to Mr. Madison's commercial resolutions 1794, 212—character as a statesman, confidence in him, 213, wide and liberal views, 214, quick discernment of character &c. moderation and firmness, 215, sterling integrity; social and private character, 217--220; intellectual character, 221; moral and religious character, 222--225.
- Mortality, comparative, of free black and other classes, 169.
- Natural Evidence of a future life—object of the work, 557; character, 576.
- Orders of the Ministry, Bishop Hopkins views examined, 266--276.
- Phrenology, chances for its truth, 53--55, note.
- Physical Theory of another life, 643--663. Outline of the work—conditions of corporeity, 646: prerogatives of the spiritual body, 647 points of advantage, 648; probability of happiness or misery, 649: his three conjectures as to the theater of action, 650: Objections to the theory, 652; singular notions as to the intermediate state, 656: excellencies of the work, 659; extracts, 660

Philip, Robert, Young Man's Closet Library, 669.

Piety—proper standard and aim of, 663; practicability of high attainments in individuals, 664, in the church, 666.

Polity, ecclesiastical, Bishop Hopkins' views of, 260—his arguments examined, 266--276.

Power, meaning of according to West, &c. 174, 175.

Prayer, modes and forms discussed, 253--260.

— meetings, Bishop Hopkins' views of them, 242.

Providence particular, doctrine of, 1--12: evident from God's general providence, 2, from his word, 3, from history—sacred, 4—civil, 5: objections answered, 7--10: practical bearings of the doctrine 10--12.

Puritan, The, by John Oldbug, Esquire, 528--556, character of the work, 538--542.

Revivals, Bishop Hopkins' views of them, 243.

Rev. iv. 6--11. description of the cherubim, 379.

Reform sure and only safe way of, 155.

Rice, Rev. John, H. D. D.—sketch of his life, 22--43: character, 27; as a preacher, 33; as a writer, 39; his views on slavery, 39, 40; Reflections, 41.

Ridicule and sarcasm in the pulpit, how far lawful, 533.

Special agency of the Holy Spirit—meaning, 65--68: objections refuted, 68--72: Effects or incidents, 73--78.

Slavery, Prof. Dew's defence of, 119.

— Dr. Rice's views, 39, 40.

— Prof. Andrews on, 160—southern in theory and practice, 161, as a system, 161--165.

— question, present state of, 112.

Smith T. Southwood, M. D. his illustrations of divine government, 80--112.

Soul, an inquiry concerning, 276--292.

Sprague, Rev. William B., D. D.—Hints designed to regulate christian intercourse, 292, defect as to final impression, 309.

Ticknor, Caleb, M. D.—Philosophy of living, 439.

Temperance Societies—opposed by Bishop Hopkins, grounds, of objection examined and refuted, 244--253.

Theology, Natural—its importance, 179, the argument of design not strictly inductive, 182--184, but surer and safer, 184, 185—design and nature of the argument from, 182, conclusive in its application, 187: Examples in the material world, 190--195, in the intellectual, 196; ultimate design of God, with regard to man, 200; its character, 203—true position, 204.

Tholuck on John, its excellencies as a commentary, 234, contrasted with Kuinoel, 325, 326.

Thoughts—importance of precision or condensation in, 400.

Tyndale William,—sketch of his life, 618; Birth, early studies, 620, ordination, first attempts at translation of the new testament in English, specimen, 621: persecuted, flees to Germany, 625: translates and publishes the testament in English, 626: efforts made to suppress its circulation, 627; effect, 629: his tracts, 630: chaplain to the English merchants at Antwerp, efforts made to get him to England 631, his noble sentiments 632--634, his life at Antwerp, 635, is betrayed, 636, imprisoned, and put to death, 636, comparison of his testament with Wiclif's, 639.

Wesley, John—"on the Witness of the Spirit," 353--368—his character, 355, the doctrine of his discourse—a real impression—felt before the commencement of holiness, its divinity can be instantaneously demonstrated—identical except in its office with the views of the Quakers, 356--367: Evil tendency of the doctrine, unwarrantable fancy of mysticism, extravagant and wild in its principle, 368, destroys healthy action of christians, by creating intemperate demand for excitement, 363, spasmodic religion, 365, declension and insensibility, 366.

West, Dr. Stephen,—father of the divine-efficiency scheme, his views, 172, 173.

Winslow, on civil and social duties, 151--160.

Wordsworth and his poetry, 127--151.

Worship—modes and forms of, examined, 258--280.

CONTENTS

OF

NO. I.

	PAGE.
ART. I. THE DOCTRINE OF A PARTICULAR PROVIDENCE, .	1
II. IS CHRISTIANITY A PART OF THE COMMON-LAW OF ENGLAND?	13
III. MEMOIR OF REV. JOHN H. RICE, D. D.,	22
A Memoir of the Rev. John H. Rice, D. D., first Professor of Christian Theology in Union Theological Seminary, Virginia. By Wm. Maxwell.	
IV. DOMESTIC EDUCATION,	43
On the Education of Children, while under the care of Parents and Guardians. By John Hall, Principal of the Ellington School.	
V. INFLUENCE OF RELIGION UPON THE HEALTH,	51
Observations on the Influence of Religion upon the Health and Physical Welfare of Mankind. By Amariah Brigham, M. D.	
VI. ILLUSTRATIONS OF THE DIVINE GOVERNMENT,	80
Illustrations of the Divine Government; designed to show that all mankind will, ultimately, be restored to perfect purity and happiness. By T. Southwood Smith, M. D.	
VII. PRESENT STATE OF THE SLAVERY QUESTION,	112
Slavery. By William E. Channing.	
VIII. WORDSWORTH AND HIS POETRY,	127
The Poetical Works of William Wordsworth. Yarrow Revisited, and other Poems. By William Wordsworth.	

- IX. WINSLOW ON SOCIAL AND CIVIL DUTIES, . . . 151
 Christianity applied to our Civil and Social Relations. By Hubbard Winslow, Pastor of Bowdoin-street church, Boston.
- X. ANDREWS ON SLAVERY, 160
 Slavery and the Domestic Slave-trade in the United States. In a series of letters addressed to the Executive Committee of the American Union for the relief and improvement of the colored race. By Prof. E. A. Andrews.
- XI. THE MENDON ASSOCIATION, 170

ERRATA.

Owing to the delay of the mail, the revised proofs of Article V. were not received in time to give the author's corrections. The following errors which escaped our notice, are all of any importance: p. 55, line 2d, for *sense* read *science*: p. 64, line 6th from the bottom, for *morals* read *revivals*: p. 70, line 2d, for *force* read *free*: same page, line 10th, for *governed* read *gendered*: p. 71, line 8th from bottom, for *near* read *new*. We notice, also, in an obituary of Dr. Speece, that he was settled in Augusta, Va. instead of Augusta, Ga. as we have it on page 32, Art. III.

THE
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VOLUME VIII.—NUMBER I.

MARCH, 1836.

ART. I.—THE DOCTRINE OF A PARTICULAR PROVIDENCE.

To a thoughtful, and especially to a thoughtful and serious mind, the world in which we live is one of deep and solemn interest. Like a bright and beautiful abode, into which, for the first time, we have just entered, every thing in it is fitted to remind us of some invisible agent, who has produced the effects that we witness, and to impress us with the presence of some mighty but unseen power, which is every where acting around us. Above are the hosts of heaven, walking in majesty and splendor, or fixed as radiant points of the glory of Him who made them, kindling up the day, adorning the night, and ever rolling onward summer and winter, seed-time and harvest. Around us are the varied aspects of animal and physical being; the mineral kingdom, with its forms of beauty and its fitness for use; the brute creation, in air, and earth, and seas, sporting in conscious enjoyment, or providing for their various wants; the fruits of the earth, supplying us with our daily food, and the flowers of the field, robed in their garments of brightness and beauty, to perpetuate their kinds and minister to our delight. In all these departments of nature,—in ourselves, in every thing, changes are ever going forward, which no created power could produce, and in which no visible hand is seen; and on every side, events are constantly transpiring, which set at nought our calculations, defeat our plans, and defy our control. And what is the power which is thus at work around us? whose the hand that rolls onward these changes, and guides them all to the best final results? The atheist, (if there be such an *unthinking monster*.) may talk of chance, and the fatalist, of the necessities of things; but they both prate in unmeaning language. Infidel science may tell us of physical causes; but the last possible causes which the analysis of science can reach, are themselves *effects* of some antecedent

cause,—a cause which cannot be physical. Philosophy may conjecture, and tradition allude to, an over-ruling providence ; but the experience of heathen antiquity shows us, that they could never inspire the assurance of its certainty. Tradition and philosophy do indeed afford a very strong presumptive argument of its truth. But it is only from revelation, that we know, with the clearness of demonstration and the confidence of faith, that God is present in all his works, administering with perfect wisdom and goodness all the affairs of his wide dominion ; extending his watchful care to every being and every event, from the rolling of worlds through space, to the falling of the sparrow on earth,—from the glorious scheme of redeeming grace, to the numbering of the very hairs of our heads.

This is the doctrine of GOD'S PARTICULAR PROVIDENCE ; some evidences and illustrations of which, it is our design to present. And,

I. That God exercises a PARTICULAR PROVIDENCE in *all* the affairs of the world, is evident *from his GENERAL providence.* That God exercises a *general* providence over all his works, is not denied even by infidels and deists, or by the writer (see Edinburgh Review, vol. xi. pp. 356, 357,) who has been bold enough to declare the doctrine of a *particular* providence “untrue,” “ridiculous,” “degrading,” and even dangerous. And if it were denied by them, their denial would be useless. For, laying aside the declarations of scripture, and meeting them on their own grounds, the truth of the doctrine may be proved by the same arguments that prove the divine existence. It is necessarily implied in the very idea of an infinitely perfect being ; for nothing is plainer than that such a being cannot, will not be, indifferent to what is going on in a world of his own creation. And as his wisdom and power *enable* him to conduct all things to the best ends, so his goodness is an unchanging pledge that he *will* do it. The most heedless and wicked man will usually take some care of his property ; and is it possible, or even *supposable*, that a being, whose wisdom and goodness are *infinite*, will take no care of his ? Never ! A God without some kind of providence, is a contradiction in terms ; for nothing is more evident than that the very character of God requires that he care for his works. But precisely the same reasons that influence the Deity to exercise *any* providence whatever, are also reasons for extending that providence to *all* beings and *all* events ; for, so far as it overlooks *any* being or event, so far it is *incomplete*, and of course inconsistent with the idea of an infinitely perfect being. Indeed, the very idea of a *general* providence, which is not at the same time *particular*, is absurd, or rather, impossible. That an individual in *general* is an extensive reader, while in *particular* he never opens a book ;

that in *general* he is a lawyer or a physician of extensive practice, while he never attends to a single *particular* cause, or prescribes for any *particular* patient; that in *general* he is immensely rich, while in *particular* he is not the owner of a single farthing; any or all of these things we may as well assert, as to admit the *general* providence of God, while we *deny* its extension to every being and event of the universe. A *general* providence, in fact, is constituted only by a series of *particular* acts on the part of the providential power. As, when we say of the law of gravitation, that it is *universal* and *general*, we intend to assert, that it extends to every *particle* of matter, so that every body tends invariably to its own proper center of gravity; so when we speak of a *general* providence, we mean, (if we have any meaning,) that it extends to every being and every event; that is, that it is a *particular* providence.

II. That God exercises a PARTICULAR PROVIDENCE over all his works, is also evident from the plain declarations of his word. There is this remarkable difference between the sacred history and all others, that while they seldom go for their causes higher than the passions of men and the powers of nature, this always carries our thoughts up to the first great cause, and points us to God, as the author and governor of all things. The entire history of the bible is one continued display of the superintending providence of God. The sword, the pestilence, and the famine, are spoken of as sent by him. The winds and the lightnings go forth at his bidding, and the stars are guided by his hand. The Psalmist abounds with references to God's particular providence. "The eyes of all wait on thee, and thou givest them their meat in due season. Thou satisfiest the wants of every living thing. The Lord prepareth rain for the earth; he causeth the grass to grow for the cattle, and herbs for the use of man. He sendeth the springs into the valleys; he watereth the hills from his chambers. He appointeth the moon for seasons, and the sun knoweth his going down." In Proverbs it is said, "The lot is cast into the lap, but the whole disposing thereof is of the Lord;" and that though "a man's heart deviseth his way, the Lord directeth his steps." Paul tells us, that "he hath made of one blood all the nations of the earth, and hath appointed beforehand the bounds of their habitations;" and that "in him we live, and move, and have our being." In the evangelists we are explicitly taught, that he clothes the lilies of the field with their garments of beauty, and feeds the ravens when they cry; that not a sparrow falls to the ground without his notice; that even the hairs of our heads are all numbered by him; and that by him our lives are continued, and all our wants are constantly supplied. These are but a few of the many passages and assertions by which we are clearly taught, that

the doctrine of a *particular* providence, (a providence extending alike to the actions of voluntary beings, and to contingent events,) is the doctrine of God's word, on every page of which, it is, more or less, plainly revealed. But further,

III. The view thus given of providence by the declarations of scripture, is strikingly confirmed and illustrated *by history*,—by the history of revealed religion, by the civil history of nations, and by the history of incidents and events in common life.

The history of revealed religion is, in fact, the history of a particular providence. In the establishment of a church on earth, and in the means used by God in every age to sustain, and guard, and purify it; in Noah's salvation; in the destruction of the world by the deluge, and of Sodom and Gomorrah by fire from heaven; in the plagues of Egypt, the division of the Red Sea, the journeys of the children of Israel, and their supply of food by showers from heaven; in the moon standing still on Gibeon, and the sun going backward ten degrees; in the ravens feeding Elijah; in the fiery furnace, scorching not God's faithful servants; and in the lions, whose mouths were closed for the safety of his prophet Daniel; in all these, and thousands of similar things, we may see the hand of God, acting for his own glory and his people's good. If we trace more minutely the history of Joseph or David, how easily may we perceive the movements and influence of the same divine providence! Men usually assign no other reason for Joseph's being sold into Egypt, than the envy and hatred of his brethren; or for David's success against Goliath, than his skill in using the sling: but if we look beyond the surface, we shall find that these events were not only *foreseen*, but that they were *projected*, as it were, into their respective places, and *that* for the most important ends. Joseph was sent into Egypt, that he might save the lives of his father's family, and perpetuate the existence of the Jewish nation. As to David, it was God's intention to place him on the throne of Israel; and now notice the means by which that end is accomplished. The country is invaded by a foreign enemy, and while the hostile armies are encamped against each other, the champion of the invaders comes forth and defies any one of the Hebrew host to meet him in single combat. When no one else dares to risk the unequal contest, the youthful David, who has been sent to the camp with provisions, resolves to accept the challenge. In defense of his flock, he had killed some wild beasts in the wilderness; and he thinks it may be as easy to kill a *man* as a wild beast. At all events, he knows, that a stone well-directed from his sling, will be as fatal to a giant as to a dwarf; and, in God's name, he resolves to meet the enemy of his Maker and his country. He does it, and with complete success. The boaster is slain, and Israel is free. Here no one's free agency is interrupted, and no miracle is

performed; and yet, by this *train* of circumstances, thus *made* to meet together, a foundation is laid for the future greatness of David and of his country, and for the fulfillment of all God's designs in reference to both. The same train of remark might be extended to the times of Christ and his apostles, and to the history of the progress of religion down to the present day. But we pass on, to glance briefly at

Civil history, and some of the events and incidents of common life. In these we may trace the dependence of the most important concerns upon what seem to us the merest trifles, and may see the most marked displays of providential influence. The mere sight of a fig, shown in the senate-house at Rome, occasioned the destruction of Carthage. The accidental loss of a letter, led to the discovery of the famous gun-powder plot, and saved the lives perhaps of hundreds. That one act of Napoleon's life, (his second marriage,) by which, more than all others, he thought he should surely increase and confirm his power, probably did more than all others to insure his overthrow and ruin. Voltaire boasted that he would exterminate christianity, and "*crush the wretch,*" (as he impiously termed its author;) but now, a protestant church stands near or on his grave, and the religion of Christ is preached over his ashes; while the very same printing-press from which he once sent forth his infidel tracts and books, is now used in printing the bible, and in publishing the offers of that gospel which he labored to destroy. When the apostate Julian, in defiance of divine prophecy, and that he might prove it false, undertook to rebuild Jerusalem, his building materials were dispersed by a storm, attended by an earthquake; and when he repeated the impious attempt, streams of fire, (according even to Gibbon, who records and admits the account,) rushed forth from the earth upon his workmen, scorching some and destroying others. An insult offered to a hot-headed monk, while on a pilgrimage to Jerusalem, roused him to preach up the crusades, which changed the whole aspect of Europe, we had almost said of the world. The simple circumstance of cutting a few letters on the bark of a tree, and then impressing them on paper, suggested the art of printing. The discovery of a boy, who was amusing himself with two spectacle-glasses, led to the invention of the telescope, that magnifier of God's glory as seen in the planetary heavens. And to the simple falling of an apple, are we indebted for the discovery of the law of gravitation, by which thousands and millions of rolling worlds are guided in their ceaseless course through space. The son of a humble tradesman in London, at his birth was laid aside as dead; but by the efforts of a faithful nurse, his life was happily preserved, and he afterward became known to the world as Philip Doddridge,—a man whose usefulness will ever be re-

membered with joy on earth and in heaven. A single sermon from John Newton, excited the first serious impressions in the mind of a youth who incidentally entered the house where he was preaching. That youth was Claudius Buchanan, whose name will ever be dear to the friends of missions, and whose efforts will rouse up multitudes to plead for and preach to the heathen, long after his own voice shall have been for ages silent in the grave, —we should rather say, vocal with the praises of heaven! The lives of John Newton and Col. Gardiner, abound in the most striking displays of the providence of God; in fact, that of the former is one continued series of providential interventions. The history of our “revolution” affords several instances in which the finger of providence is clearly visible,* and the same is true of that of the “Pilgrim Fathers.” And to mention but two additional cases, most of our readers will remember, that when a day of fasting and prayer was first observed throughout the country, “for the conversion of the world,” a missionary wrote from heathen lands, that *on that very day* the influence of the Holy Spirit was manifestly poured out upon his pagan audience; and last year, within less than five weeks after the day of special supplication “for colleges and literary institutions,” we had heard of the presence of God’s converting Spirit in no less than six of those institutions. These are but a few of the almost numberless facts which might be adduced, both from history and common life, in illustration of the doctrine before us. Taken separately, no one of them would seem of sufficient weight to convince us of the truth of the doctrine; but viewed unitedly, (as the different parts of a *cumulative* argument,) do they not speak loudly of the con-

* In illustration of this remark, one incident may be mentioned, connected with the withdrawal of the American troops from Long-Island, which (if true, as it has often, without contradiction, been asserted to be,) is almost a counterpart to the miraculous interposition of the cloud and pillar of fire between the Israelites and Egyptians. Safely to withdraw the American troops before the superior forces of the British, flushed as they were with victory, the most profound secrecy was essential. The boats from Brooklyn to New-York were passing and repassing through the whole night; but notwithstanding the utmost diligence, morning dawned before an entire evacuation had been effected. It now seemed as if a discovery of the movements of the Americans must be inevitable. But a dense fog arising and spreading between them and the British camp, so concealed their movements, that they could not be seen. The drums beat, to call the British, who were in high spirits, to the attack of Brooklyn, when suddenly the fog rolled away, and discovered to Sir Henry Clinton, (the English commander,) the last boats of the Americans crossing the river, beyond his reach. What adds to the interest of the incident, is the fact, (as asserted,) that a similar fog has never been witnessed there since that morning of glorious deliverance. The writer from whom this anecdote is taken, very properly suggests the wish, “that some historian, with suitable literary qualifications, added to a pious heart, would write the history of our country with direct reference to the exhibition” of God’s *providential* goodness toward us a nation, in times alike of prosperity and of trial, especially in our early existence as a people, and in the war of the revolution.

stant presence of some superintending power, which is ever active in all the affairs of the world, bringing great events from little causes, and guiding all things according to the schemes of infinite wisdom? Do they not confirm, in a striking manner, the doctrine of God's particular providence, which, as we have seen, is so plainly and fully asserted in the sacred scriptures?

There are *multitudes* of other and of similar arguments, abundantly confirming this doctrine. The formation and adjustment of our physical frame; the surprising and unexpected turns often given to the revolutions and changes of states and empires, which are frequently such as to astonish, and confound, and baffle, the wisest statesmen; the strange and unexpected discoveries of long-hidden crimes; the visible judgments of heaven sometimes overtaking the guilty even in this world; the whole history of discoveries and inventions; the numberless and striking fulfillments of prophecy in every age; and the private experience of many an individual: these are but a few of the many sources of argument for a particular providence,—but a few of the many things in which we may discern the presence of an almighty, and uncreated, and unseen hand. They all furnish, in a greater or less degree, evidence of the reality and the nature of the ceaseless and universal providence of God. That providence is concerned with all the affairs of the universe, and is ever conversant with all their changes. From the tremblings of the earthquake that ingulfs kingdoms, to the tremblings of the leaf which is fanned by the breeze; from the falling of a world to the falling of a sparrow; from the flight of an angel to the creeping of an insect; in *all* things its power is ever present, upholding all by its sustaining influence, and guiding all to the best and most glorious final results.

Such is the doctrine of scripture, and of enlightened reason,—a doctrine partially received by some few of the heathen sages, but which is fully unfolded and abundantly sustained only by the revealed word of God,—its truth being entirely confirmed by history, and by the otherwise inexplicable incidents of common life.

One or two *objections* to the doctrine before us, may be worthy of a passing notice. And,

(1.) It has been objected to the doctrine of a particular providence, *that it must be troublesome and perplexing to the Deity to superintend and direct all the immense variety of concerns which take place in the universe.* This objection, however, is founded in low and inadequate views of the character of God; and it is at once and completely overthrown by the consideration, that HE is a being of *infinite* perfections. To such a being, (and such a being is God,) the *utmost* that is *conceivable*, is as completely easy of performance as the merest trifle; and to suppose, that he can be perplexed, or troubled, or wearied, by excessive care or

watchfulness, is unphilosophical and absurd. The same remarks apply with equal force to the objection urged with so much labor-ed sophistry by Mr. Hume, viz: that God is not *able* to exercise a particular providence. To this, and all kindred objections, it is sufficient to reply, that God is *infinite*.

(2.) It has also been objected to the doctrine before us, that it is *derogatory to the majesty of God, and degrading to his dignity, thus to be constantly occupied with the most trivial affairs of the world.* From the days of Epicurus until now, this objection has had its advocates; and it will often start up in one form or another, among the practical sentiments of those who would hardly dare to reduce it to a definite shape in their own minds, much less formally to own or defend it. Like the objection previously mentioned, however, it has its origin in the imperfection of our own natures, and in the presumptuous fallacy of reasoning analogically from ourselves to the infinite God. We feel, that it is wrong and disgraceful *for a man* to be occupied with trifling concerns. And why? Because we know, that *when* thus occupied, he must, from the imperfection of his nature, be obliged to neglect matters which are more important. But it derogates nothing from the dignity of a man, to be engaged in any affairs, however trivial they may seem, if they do not call him off from more important pursuits, and especially if they form a necessary part of some greater scheme. Now, unless we can prove that the Deity, like ourselves, is imperfect, we have no right to suppose, that he *can be* distracted or perplexed by any conceivable number of calls upon his agency or care. He can notice the falling of a sparrow, or can clothe the lily with beauty, while at the same time he is rolling every planet in its pathway of light, and administering with undistracted mind, the most momentous affairs of his wide-spread dominion. The smallest events, too, form the necessary part of one great comprehensive whole; for, as we have already seen, the most trivial incidents often lead to the most important results. In this view, no event, if traced to its possible consequences, as seen by omniscience, can be too trivial for the notice and directive agency of the Almighty; for it may be so woven into the chain of causes and effects, as to involve the fate of kingdoms, or what is far more, the destiny of souls! The objection, then, under the pretense of honoring God, would, if well-founded, plainly dishonor him; for what would be degrading to him, is, not to *watch over and care for*, but to *neglect* any event connected with the welfare of his dependent creatures. And to suppose him above the notice of any such event, is to suppose him above acting up to the full extent of his rectitude and goodness. Besides, it cannot be inconsistent with his dignity as a God, to *care for* that which it was not inconsistent with his dignity to *create*; and as he is infinite, all be-

ings and things are *equally* because *infinitely below* him, and all distinctions of high and low are of no account in his sight.

It is further to be noticed, that the objection before us does not attempt a formal reply to any of the arguments by which a particular providence is proved. It merely treats the doctrine as if it were absurd, because an abhorrent consequence seems to flow from its admission. But *this very consequence we embrace in all its length and breadth, and for it we contend*, as in the highest degree glorious to the character of God. For it exalts our conceptions, and magnifies the glory of his infinite perfections, to know, that their care is extended to every being and event,—that his guardianship embraces the vast extent of his wide-spread creation, while its lowest object is not overlooked,—that he is every where present, ever active but never weary; living in all life, and moving in all motion; guiding at the same time the stars in their courses, and the flight of the meanest insect that floats upon the breeze; penciling the humblest flower with beauty, and clothing with eternal freshness and verdure the tree of the waters of life, around which the sons of heaven are gathered to study his works and hymn his praise. Once more,

(3.) It has further been objected, that this view of providence *makes it a continued series of miracles*. If by this is meant, that *all* the exertions and displays of providential power are to be considered as miraculous in the sense that they are *wonderful*, then the objection ceases to be an objection; for this is not only admitted, but is asserted in the broadest terms. If by it, however, be meant, that every manifestation of providence is of the same *nature* with what are called *miracles*, then the assertion is unfounded; for there is this wide difference between the two, that the former is of common or rather constant occurrence, while the latter is the obvious, visible display of divine power, in attestation of the truth of some particular assertion or claim. Every miracle is providential; but every act of providence is by no means miraculous. The recovery of a person from a common disease is not miraculous; though if we were not familiar with such recoveries, every one would regard them as most wonderful. But where an apostle declares that he is sent by God, and in proof of the truth of his assertion, instantly, and with a word, cures the sick or casts out devils,—this is properly a miracle.

These are the only objections to a particular providence that are worthy of notice; for as to the objection, that such a providence is inconsistent with the liberty of free-agents, it is completely refuted *by consciousness*, by which we are all compelled to feel, that we are entirely at liberty, and free to do, or not to do, whatsoever we will, and this with no other restraint than that imposed by the *moral laws* of God; and as to the inconsistency (sometimes

alleged) of providence with the general laws of nature, it can have no existence; for the expression, "laws of nature," is but another name for the mode in which God is ever acting around us; they are but a *part of his system of providence*, or rather the *method* in which, to some extent, it operates.

With a brief glance at some of the *practical* bearings of the subject before us, we conclude. And,

I. If a constant and particular providence is exercised over the world, by the infinitely wise and benevolent God, *then we should never be dissatisfied with any of his dealings*. We are sometimes prone to complain of the hardships of our earthly lot, or to murmur against what seem to be, *in reference to ourselves*, "*mysterious dispensations of providence*." But if we make a proper *practical* improvement of the doctrine before us, we shall rejoice that a God of infinite wisdom and goodness is on the throne, and that all things are ordered by him with the wisest counsel, and for the best ultimate ends. Whatever be our condition, we shall recognize in its allotment, the hand of our heavenly Father; and if others are more favored than ourselves, we shall be satisfied that it is for the wisest and best reasons. Whatever be our station in life, we shall feel, that it is for us the station of honor, and fitness, and duty, and that our estimation in God's sight, depends not upon the elevation of our sphere, but on the manner in which we fill it.

The same train of remark is equally applicable to the inequality of the dealings of providence, *as manifest around us*, against which we are sometimes disposed to murmur, as unjust or severe. We refer not to the theoretical objections of the infidel, which are easily answered, but rather to that want of entire *practical* confidence in God, in reference to the dark dispensations of his providence, which sometimes leads even christians to be dissatisfied with its allotments, as if they could have advised for the better. With regard to all such dispensations, every rising murmur should at once be hushed by the thought, that God is infinitely perfect; and that if many of his providential movements now appear unjust or unwise, it is merely because they are not seen *in all their relations*, and as they will be seen in the light of eternity. So far, then, from dishonoring the providence of Jehovah, by assuming to sit in judgment on its operations, we should ever cherish an implicit and child-like faith in the rectitude of all his dealings, knowing that they are all conducted not only by infinite wisdom, but by infinite goodness. There is a Jewish tradition concerning Moses, which so beautifully illustrates the point before us, that it is worthy of being mentioned; for though a mere fable, it is not on that account the less instructive. That great prophet, says one of the Rabbins, was called by God to the top of a high mountain, where

he was permitted to propose any questions that he pleased concerning the government of the universe. In the midst of one of his inquiries, he was commanded to look down upon the plain below, where was a clear spring of water. At this spring, a soldier had alighted a moment from his horse to drink. No sooner had he gone, than a little boy came to the same place, and finding a purse, that the soldier had dropped, took it up and went away. Soon after, there came an infirm old man, with hoary hairs, and weary with age and traveling, who, having quenched his thirst, sat down, for rest and refreshment, by the side of the spring. The soldier by this time had missed his purse, and returning, he demands it of the old man, who affirms that he had not seen it, and appeals to heaven to attest his innocence and the truth of his assertions. The soldier, not believing his declarations, kills him on the spot! Moses falls on his face, in horror and amazement, that such an event should be permitted by God; when the divine voice thus prevents his expostulation: "Be not surprised, Moses, that the Judge of all the earth should have suffered this to come to pass. To you there seems to be no reason why that child should be the occasion of the old man's blood being spilled; but know, that the same old man, years ago, *was the murderer of that child's father!*" In every dispensation of providence, there is some wise design; and in every one, the Judge of all the earth will do right. Again:

2. In the doctrine of a particular providence, *the christian should find an unfailing source of consolation in all the afflictions and trials of life.* This world is a world of sorrow and trial, in which all must expect their portion of calamity. Afflictions beset the whole length of our pathway through life, and the agonies of death hold their watch over its close. But though we are "born to trouble, as the sparks fly upward," yet we are taught by the doctrine before us, that afflictions do not spring from the dust,—that troubles do not come from the ground, but that all things are ordered by ONE who loves us too well not to mingle trials with our joys. Without his permission, no power can harm, no ill can befall us; and every afflicting stroke is meant for our good,—to cultivate our graces, to mortify our passions, to elevate and purify our affections, and so to discipline our spirits, as to work out for us a far more exceeding and eternal weight of happiness and glory in the heavens. Let the atheist, who believes that chance dashed the fragments of chaos into a world, believe, if he can, that the same chance directs (or rather leaves at random,) every event. It is the consolation, the joy of the christian, to *know*, that God is the God of individuals, and of individual events, and that every thing which transpires is ordered by him; that every dispensation, whether joyous or grievous, is sent with some definite purpose of

mercy,—that even the evils of life are intended to instruct us in patience and virtue, and its very tribulations to be the ministers of our highest joy.

3. This doctrine of a particular providence, should also teach us *ever to be watchful of our conduct.* The thought, that God is ever round about us, moving in every motion, and acting in every event, makes this world a *serious* world, and should lead us to walk through it with serious steps, with our hearts bent upon duty and our eyes fixed upon heaven. It should indeed increase our cheerfulness, and sweeten our enjoyments, to think, that *our Father is beside us*; but it should also fill us with a holy jealousy of ourselves, and with anxious watchfulness against every thing, whether in spirit or conduct, which may be displeasing to him. An ancient philosopher advised the magistrate, as a restraint to the wicked, to write at the corner of every street, "*God sees thee, O sinner!*" But to us, who believe in a particular providence, the inscription, "*God sees thee,*" is not only in every street, but upon every object, above, around, within, and beneath us. If we would but open our hearts to its reception, every thing would proclaim to us the obvious presence of that God,

"Who gives its luster to the insect's wing,
And wheels his throne upon the rolling winds."

We might see it in our own existence and enjoyment,—in the revolving year and the changing seasons. We might read it in the stars, the alphabet of heaven, in which he has stereotyped his own glory, and in the planets which are rolled by his hand through trackless space. We might hear it in the thunder's voice, and see it gleaming in the lightning's flash. Every insect would sing to our ears of the hand that sustains it. Every breeze would murmur of his presence. Every leaf would whisper, "*God is here!*" And if the *imaginary* presence of some great and good man could restrain impropriety, and prompt to nobleness of conduct on the part of a *pagan*, then surely the *known* presence of the *heart-searching* God, the *greatest* and *best* of all beings, should make us watchful of all our actions,—should check the first risings of folly and sin,—should give purity to our motives, and humility to our hearts, and holiness to our lives,—should lead us ever to live as under Jehovah's eye, in such a manner as to secure his approbation, both here and hereafter.

ART. II.—IS CHRISTIANITY A PART OF THE COMMON-LAW OF ENGLAND?

As christian spectators, we feel bound to notice the various attacks made upon religion, from whatever quarter they may come. It may not, however, be evident to every one, what connection the question at the head of this article has with religion, at least in this country. To such, it may be sufficient to say, that the *common-law of England* has been adopted in this country, with such modifications as our situation and circumstances require; in some states, by an express provision of their constitutions, and in others, by the uniform usage of the courts, with the approbation of their different legislatures.* Now, inasmuch as the free exercise of all religions are guaranteed to the people of this country, it is claimed, (with how much truth we stop not to inquire,) by those who deny that christianity is part of, or sanctioned, by the common-law, that all legislation, having for its object the punishment of offenses against the christian religion, is unconstitutional, and all adjudications of our courts of justice on this subject, “legislative usurpation.” The attempt to disprove this maxim, is an effort on the part of those who deny or reject the gospel, indirectly to undermine the principles of religion and virtue, and to break down those barriers which have been erected by the gospel against irreligion and infidelity. It is possible, indeed, that some who deny the truth of the maxim, that christianity is sanctioned by the common-law, may not desire the effects which the course pursued by their coadjutors tends directly to produce.

At the head of those who, in this country, have denied the truth of the foregoing principle, we are sorry to be obliged to place the name of a writer and statesman of celebrity, Thomas Jefferson. We are the more sorry for this, because we are aware of the extensive influence which the opinion of Mr. J. will exert upon his and our countrymen.

But we are unwilling that error should at any time go uncontroverted, and more especially when sanctioned by the authority of great names, and are fully called upon to expose every attack upon religion, though it be at the expense of those who make the charge.

We learn from Mr. Jefferson, that Major John Cartwright, an Englishman, had written a work on the British Constitution, in which he undertook to prove, “that christianity could not be part

* 1. Kent's Com. Am. Law. p. 472. 1. Swift's Dig. p. 9. Knowles vs. the State. 3. Day's Rep. 103. State vs. Danforth, 3. Comes, 112. Commonwealth vs. Knowlton, 2 Mass. Rep. 530. U. S. vs. Williams, 2. Cranch. 182. Const. Mass. N. Y. N. J. and Maryland.

of the common-law, inasmuch as the common-law existed among the Anglo-Saxons, while they were pagans, before they had heard the name of Christ pronounced, or knew that such a character had ever existed;" and Mr. J. pronounces this proof *incontrovertible*. He then proceeds to show in what manner the law was stolen in upon us, and claims to have proved, that all the books and cases in which this principle is recognized, rest ultimately for authority on a dictum of Ch. J. Prisot, made 34 Hen. 6. Year-Book, fol. 38, (A. D. 1458,) and that the opinion of Prisot means no such thing. The mistake, or forgery, (as he terms it,) arose from a mistranslation of the words *ancien scripture*, by Finch, in his first book of the law, c. 3. 1613, who renders these words by *holy scripture*, in which he is followed by Wingate, in 1666, who sets down this mistranslation as a maxim of the law, (*Wing. Max. 3.*) and cites Finch, as Sheppard, in 1675, copies the same and cites Finch and Wingate. Ch. J. Hall, a few years after, said, *Rex vs. Taylor*, 1. Vent. 293. s. c. 3. Rob. 307, that *christianity is the parcel of the laws of England*, and cites nobody. In 1728, the court in the case of the *King vs. Woolston*, 2. Strange, 834, would not suffer it to be debated, whether it was an offense at common-law to write against christianity. Wood, 409, gives the same principle, and cites 2. Strange, and Blackstone, in 1773. Com. 459, cites Ventris and Strange, as authority for the same assertion. In 1767, Lord Mansfield decided a similar principle, and quoted nobody. Thus, says Mr. J., we find this chain of authorities hanging link by link one upon another, and all ultimately upon one and the same hook, and that a mistranslation of the words, "*ancien scripture*," used by Prisot, and adds, "I might defy the best-read lawyer to produce another scrip of authority for this *judiciary forgery*."* In a letter to the Hon. E. Everett, some time after, he holds the same language in reference to the same subject.†

The biographer of Mr. J., B. L. Rayner, quotes so much of the letter as relates to this subject, and says: "The part we quote contains the detection, through a long labyrinth of legal authorities, of a fundamental heresy, which, at an early period, through a palpable mistranslation of two words, crept into the common-law, and finally, by a series of cumulative adjudications, became firmly embodied in the text."‡

The only answer that, so far as we are aware, has been made to this principle, so confidently insisted upon, is a very brief one, contain-

* Letter to Major John Cartwright. Jefferson's works, 4 vols. 8vo. vol. 4, p. 239 and on.

† Vol. 4, p. 403.

‡ Life of Jefferson, 8vo. N. Y. 1832. p. 31.

ed in the *American Jurist*,* made by some person apparently desirous of denying the truth of Mr. J's positions, without directly contradicting him. It is treated there, however, strictly as a legal question, and therefore does not dispense with the necessity of a further examination.

The above quotations from Mr. J. contain two propositions: the first asserts, that christianity cannot be a part of the common-law, because that law existed among the Anglo-Saxons while they were pagans; and the second, that the maxim which declares it to be so, is a "judicial usurpation," crept in through the mistake or chicanery of its judges.

That neither of these positions are true, we shall prove by showing,—

1. That the *common-law* has been progressive, and that the principles which compose it, have been drawn from the customs of the primitive Britons, the Saxons, Danes and Normans.

2. That the Britons were christians long before they were conquered by the Saxons, and that the Saxons became so immediately after their settlement in Britain.

3. That crimes against the christian religion were punishable at common-law before the time of Prisot.

4. That christianity was considered as part of the common-law before the time of Prisot.

5. That the authorities cited by Mr. J. do not warrant the conclusion he has drawn.

1. The common-law has been progressive.

To determine this, we must first ascertain what composes the common-law. "The common-law," says Chancellor Kent, "consists of a collection of principles, to be found in the opinions of sages, or deduced from universal and immemorial usage, and receiving progressively the sanction of the courts."† The definitions of Sir W. Blackstone‡ and Lord Coke,§ are to the same effect. But it is not necessary to prove, that a given custom has been in existence from time immemorial, to justify courts and juries in finding such an usage; for it has been repeatedly decided, that an usage for twenty-years, unexplained and uncontradicted, is sufficient for that purpose;|| and if contradicted, need not date back farther than Richard I. 1189.¶

The very definition of the common-law, shows, that it has been progressive, and consequently could not have existed among the Anglo-Saxons when they were pagans; but we proceed to show

* Vol. 9. p. 336.

† Com. Am. Law, vol. i. p. 72. 2d edition.

‡ Com. Eng. Law, b. i. p. 62.

§ Coke Litt. sec. 171 and 214.

|| Black. Com. 35. 6. East. Rep. 214.

¶ 2. Black. Com. 31. 1. Sanders Pl. and Ev. 399.

from history, that the customs which make up that law, have been derived from various sources.

Fortescue, who was chief justice in the reign of Edward IV., and cotemporary with Prisot, says, "the realm of England was first inhabited by the Britons, then the Romans possessed it, then the Britons again. Afterwards the Saxons, then the Danes; after, the Saxons, and then the Normans had possession of the country; and yet during all these times the country has been governed by the same customs:"* upon which Mr. Selden observes, that the truth seems to be, that there never was any formal exchange of one system of laws for another; but that the Saxons made a mixture of their own customs with those of the Britons, the Danes those of their own with those of the Britons and Saxons, and the Normans likewise.†

Upon every irruption and conquest by a foreign nation, new laws and customs were introduced, and incorporated with those already in force; and therefore the common-law of England, like the language of that country, has originated from a variety of sources. The histories of that period fully justify this view of the subject.

The variety of local customs prevalent in the days of Alfred, gave rise to the *dome-boc*, *dom-boc*, *liber judicialis*; but in the eleventh century, this code of Alfred had fallen so much into disuse, or been superseded by other customs, that we find no less than three systems of laws prevailing in England, called the *Mercian-lage*, partaking most of the old British customs; the *West Saxon-lage*, coming nearer to the code of Alfred; and the *Dane-lage*, partaking, as its name imports, of the customs of the Danes.‡

Upon the accession of William of Normandy, these three systems of laws were digested, and such alterations and additions made as the situation of the country required.§ One of the changes made at this time was the establishment, if not the introduction, of the feudal system, which has exerted such an extensive influence upon the estates of Europe for centuries.|| All these customs, with such modifications as a progressive state of civilization, of literature, science and the arts, would work, together with such as these things have given rise to now, compose the common-law. It follows, therefore, from the foregoing facts, that the first position of Mr J. and Major C. is entirely wrong.

* De Laudibus Legum Angliæ, c. 17, p. 30. Eng. Trans. fol. Savoy, 1737.

† Selden's Notes on For. shr. sup. and 1. Black. Com. 64.

‡ 1. Black. Com. 64, 65. Hale's Hist. Com. Law, p. 55.

§ Crabb's Hist. Eng. Com. Law, c. v. p. 44. 8vo. Burlington, 1831.

|| Spelman Orig. Feudal. Hist. H. C. and 203. Black. Com. c. iv. Crabb, H. E. C. and c. v. Coke Litt. 191. a. Butler's Additional Notes.

We now proceed to show,—

2. That the Britons were converted to christianity before their conquest by the Saxons, and the Saxons immediately after that conquest.

As early as A. D. 180, we find Tertullian declaring, that—“the extremities of Spain, and the different nations of Gaul and Britain, inaccessible to the Roman arms, had been subdued to Christ.”*

Eusebius, about 324, says, the first preachers of christianity “passed over the ocean, to those which are called the British isles.”†

Gildas, himself a Briton, who wrote about 560, dates the first introduction of christianity about 61,—and in this he is supported by the ancient British documents preserved in the Welsh Triads.‡

Clement of Rome, about 90, says that Paul reached the *furthest extremity* of the west, by which it seems that Britain was intended.§

The Romans left Britain about 410, and the Saxons were invited to England about 450. From this time war raged with varied success between the Britons and those from whom they sought protection, until about 590. As late as 527, the Britons obtained a considerable victory over the Saxons, which was followed by a peace of forty years; and in 585, they obtained another considerable victory.|| The Saxons seem to have obtained a permanent settlement in Kent as early as 580; and in 596, St. Austin, with forty missionaries from Rome, landed in that kingdom, and in two years converted and baptized the king of Kent, with more than ten thousand of his Anglo-Saxon subjects.¶

The way seems to have been prepared for the easy introduc-

* Adv. Jud. c. 7. p. 180. fol. ed. 1675.

† Demons. Evang. c. 3. p. 112. fol. ed. 1628.

‡ Rob. Calmet. Bib. Dic. on Christianity.

§ Clem. Rom. Ep. 1. c. 5. Trans. Chevalier, p. 3. 12mo. N. Y. 1834. p. 145. Le Clerc. Apos. Pat. vol. i. fol. 1698. Plutarch Vit. Cæsar. Euseb. Vit. Cons. lib. i. c. 25, 41. l. 2. c. 28. Nicephor. Hist. l. 1. c. 1. Theodoret in Ep. 2. ad Tim. iv. 7. Theod. Rel. Hist. c. 26. tom. 3. p. 881. D. Edit. Paris, 1642. Hier. in Amas. c. 5. tom. 3. p. 1412. Ed. Benedict. Catullus Carm. 20 and 11. Horace, Carm. l. 35. Stillingfleet. Antiq. Brit. Ecc. c. 1. vol. 3. fol. 1710, in 6 vols. from which it will be evident, that by the *farthest west*, Britain was intended. See also Bede's Hist. Ecc. lib. i. c. 4. p. 44. fol. Cont. 1722. Selden's Hist. Titles, c. 9, sec. 1. p. 1206. vol. iii. ap. fol. Lond. 1726. Ledwich's Antiq. Ireland. p. 51. 4to. Dublin. 1722. Stone's Chron. Eng. p. 36. fol. London. 1631. Mosheim by Murdock, b. 1. cent. 2. Par. 1. c. 1. note.

|| Anc. Univ. Hist. vol. xvii. pp. 124, 129.

¶ Bede's Ecc. Hist. lib. i. c. 27. lib. ii. c. 4. Hume's Hist. of Eng. vol. i. Gibbon's Dec. and Fall of the Rom. Emp. vol. iii. c. 45. p. 210. 4 vols. 8vo. N. Y. 1831. Turner's Hist. Anglo-Saxon, vol. i. B. 2d. 8vo. 3 vols. London. 1828. It is common for those who desire the fact to be so, to represent this as the first introduction of christianity into Britain. So Hume and Gibbon are entirely silent as to the conversion of the Britons before their conquest by the Saxons.

tion of christianity among the Saxons, by the influence and example of the Britons, with whom the Saxons associated; and the latter appear to have borrowed their alphabet, literature, and much of their civilization, from the persons from whom they had taken their possessions.*

The christian religion was introduced into Northumbria by a resolution of the *wittem-gemote*, as the established religion, 625. It was introduced into Mercia 655, Essex 659, by a resolution of the king and his counselors; and in less than a century from this time, it had become common for the Anglo-Saxon kings to abdicate their thrones, and give themselves up to religious pursuits.†

The piety of Alfred had led him to introduce into his laws, not only the essential principles of christianity, not before recognized by law, but also many of the enactments of the Levitical code.‡

It is not unreasonable to suppose, that a nation who had just emerged from barbarism, had acquired letters, literature, and a degree of civilization, would find it necessary to change many of those customs, which, before that time, had had the force of law. Indeed, we find that such was the fact; for among the Saxons, before their conversion, murder, and all other high crimes and misdemeanors, were only punished by a fine, varying in amount, according to the rank of the person injured. Every man had, in fact, at that period, a legal valuation set upon him.§ But no man will pretend, that murder is not now punishable with death by the *common-law*. We might instance many other customs, prevalent among the Saxons, which the progressive state of the common-law has entirely changed; but it is unnecessary.

* Wood's Rel. in Brit. p. 75. 8vo. London, 1835. Cambrian Reg. vol. iii. p. 150. Henry's Hist. Great Britain, b. ii. c. 2. sec. ii. Turner's Hist. Angl. Sax. b. iii. c. 7. vol. i. p. 358; b. iii. c. 8. p. 365; b. ix. c. 1. p. 389. Bede's Ecc. Hist. lib. iii. cc. 25 and 27; b. ii. c. 4. pp. 234—241. Camden. Brit. vol. p. 1316. fol. 2 vols. London. 1722.

† It has been said, that the almost entire absence of Celtic words in our language, is good evidence that the primitive Britons were completely eradicated by the Saxons; but to this it may be replied, that Britain was inhabited by the Britons, Angles and Jutes, before the arrival of the Saxons, and that the two latter, together with the Saxons, were corval twigs of the same barbaric race, descended from the same Teutonic branch of the Scythian or Gothic tree, as appears from their identity of language. Turner's Hist. Angl. Sax. b. i. c. 5. Camden. Brit. c. lib. ix. Procopius De. Bell. Goth. lib. iv. And further, the Cimbric, or German Celtic, the language of the Britons when conquered by the Romans, though of a Celtic character, abounds with words of a Gothic origin — *Varieties of the Human Race*, by J. G. Percival, M. D. p. 3. in an appendix to Goldsmith's *Geographical View of the World*.

‡ Turner's Hist. Angl. Sax. b. iii. cc. 2, 7, 8, 22, and others. Bede's Hist. Ecc. lib. v.

§ Wilkins' *Leges. Ang. Sax. Leg. Alfred.* fol. Lond. 1721. Turn. Hist. Angl. Sax. b. v. c. 6. vol. ii. p. 143. Mr. J. pronounces these spurious; but Mr. Turner, than whom, no man living is better able to judge, declares them genuine, and Wilkins gives them without any doubt of their authenticity. See also Holt's *Law of Libel*, p. 32. 8vo. N. Y. 178.

¶ Wilkins' *Leg. Angl. Sax.* Turn. Hist. Angl. Sax. ap. 1. b. iii. c. 4 and 5.

We shall now show,—

3. That crimes against the christian religion, were punishable at common-law, long before the time of Prisot, 1458. If we can prove this, it will not be contended, that some of the principles of christianity were not recognized by the common-law; for nothing can be more absurd, than the idea that crimes against religion are punishable at common-law, and yet that the common-law does not recognize the principles of religion, against which those crimes are committed.

Bracton, who was justice in eyre in the reign of Henry 3d, in a work entitled *De Legibus et Consuetudinibus Anglie*, written about 1266,* and which, it is said, "contains nothing but what had been admitted by legal authorities into our jurisprudence," expressly declares, that "apostates from the christian religion were to be burnt to death."† So Britton, about 1280, declares that sorcerers, sodomites and heretics, were burnt, by the common-law.‡ It is also said by Fleta, about 1285, that apostates, sorcerers, and the like, are to be burnt.§ To the same effect, the *Mirror*, about 1300, says, that heresy was to be punished by excommunication, degradation, disinheriting and burning.||

The same author defines *heresy* to be a false and evil belief, arising out of error of the christian faith. It includes witchcraft and divination.¶

The order by which such persons were consigned to the flames, was entitled the writ *de heretico comburendo*, and was a common-law process.** In the time of Prisot, the definition of heresy was still more comprehensive, and included *all disbelief of the Catholic faith, neglect to attend her worship, and disobedience of her decrees.*††

These authorities must remove all doubts concerning the question whether offenses against religion were punishable at common-law, before the time of Finch, who, Mr. J. says, mistook the meaning of Ch. J. Prisot.

4. Christianity was considered as part of the common-law, long before the time of Prisot. Horne, in the *Mirror of Justice*,

* Reeve's Hist. Com. Law, lib. lxxvi. Crabb's Hist. Com. Law, pp. 161-5.

† Tract. 2. c. 9. fol. 123. Lond. 1569. Crabb, p. 164. 4 Black. Com. p. 43.

‡ Britton, 8vo. Lond. 1762. c. 9. p. 60. and c. 17. Fitzherbert's *Natura Brevium*, p. 601. 8vo. Dublin 1723.

§ Fleta seu Commentarius Juris Anglicani, lib. i. c. 37. 4to. Lond. 1685. Crabb's Hist. E. Com. Law, c. 14. Hale's Hist. Com. Law, vol. i. p. 270. Holt's Law of Libel, p. 33. 8vo. 1815.

|| *Mirror des Justices*, c. 4. sec. 14. p. 194. 8vo. Lond. 1763. * C. 1. sec. 4.

** Hawkins' Pleas of the Crown, b. i. c. 2. Fitz. Nat. Brev. p. 601. Reeves' Hist. Com. Law, vol. iii. p. 235. 4 vols. 8vo. Lond. 1787. Co. 3. Inst. p. 44. Crabb's Hist. E. Com. Law, pp. 314, 318. 4 Black. Com. p. 42-46. Wood's Institute, Eng. Law, b. iii. c. 3. p. 422. fol. Savoy. 1775.

†† 4 Black. Com. p. 45. Lyndewoode of heretics. Stat. 2. Hen. 4. c. 15.

A. D. 1300, says, his "predecessors had divided the law into two volumes; into the canon-law, which consists in amendment of spiritual offenses, and the written [common] law, which consists in the punishment of temporal offenses." This written law he defines to be "*the written law of the antient usages warranted by the holy scripture.*"*

This statement of the *Mirror*, one hundred and fifty years before the decision by Prisot, is sufficient evidence that such was the opinion of the ancient sages of the law; and it is supported by the history of those times. Immediately after the Romans left Britain, there were *thirty-three* independent provinces, or republics, each having a bishop, who regulated the ecclesiastical affairs, and had some power in civil matters.† The bishops among the Saxons had also jurisdiction of many civil cases.‡ The religious establishment of England and the payment of tithes, seems to have been coeval with the conversion of the Anglo-Saxons to christianity;§ and we are told by the *Mirror*, that at first, (that is, immediately after the conversion of the Saxons,) "*they made the king swear to maintain the CHRISTIAN FAITH, with all his power.*"|| The dome-book, which contained the diversity of customs prevailing in the days of Alfred, recognizes many principles of the christian religion among those customs.¶

Mr. Selden, in his notes on Fortescue, says, the common-law of England is grounded on six points; the second of which, he says, is "*the Law of God;*" and the *Mirror* declares, that whatever is contrary to holy scripture, is not law.** The same principle was decided in the court of king's bench, in 1827.†† These authorities prove conclusively, that the essential principles of religion were recognized by the common-law, before the time of Prisot.

We shall now show,—

5. That the authorities cited by Mr. J. do not warrant the conclusion he has drawn.

The original of Prisot, from which Mr. J. says the principle in question was drawn, is, "*A tiel leis qu'ils de saint eglise out en ancien scripture, covient a nous a donner credence; car ceo common ley sur quels tous manners leis fondes. Et anxy, Sir, nous sumus obliges de conustre leur ley de saint eglise, et semblablement ils sont obliges de connustre nostre ley.*"

* C. 1. sec. 1.

† Turner's Hist. Angl. Sax. b. ii. c. 8. pp. 192, 193.

‡ Wilkins' Leg. Angl. Sax. l. l. Edg. c. 5. Ll. G. on c. 17. Bede, lib. iii. c. 25. Crabb's Hist. E. Com. Law. pp. 20, 22.

§ Selden on Tithes, c. 10. Crabb, p. 22.

|| C. 1. sec. 2.

¶ Holt's Law of Libel, pp. 31, 32. Selden, on Law and Government. 1 Black. Com. p. 61-5. Hale's Hist. Com. Law. p. 55. Mirror, c. 4. sec. 18. p. 207.

** De Laud. Leg. Ang. c. 15. p. 22. Mirror, c. 5. sec. 1. p. 221. c. 1. sec. 3. p. 6.

†† Smith vs. Sparrow. 4. Bing. 93, 13. Com. Law. 351. See also Fennel vs. Ridler. 5. Bore vs. Cris, 405. 11. Com. Law Rep. 261.

A literal translation of this passage is, "as to those laws, which holy church have in *ancien scripture*, it behoves us to give credence, for this is common-law, upon which all manner of laws are founded; and thus, Sir, we are obliged to take notice of their law of holy church; and it seems they are obliged to take notice of our law."^{*}

Finch,[†] says Mr. J., and after him Wingate[‡] and Sheppard,[§] translate *ancien scripture*, by holy scripture; Wingate quoting Finch, and Sheppard both Finch and Wingate. Finch gives the original of Prisot in the margin; and therefore both Wingate and Sheppard had it before them when they said, "That to such laws of the church as have warrant in holy scripture our law giveth credence." It will be remarked, that this passage is not a translation of Prisot, but the statement of a principle, with reference to the Year Books, as authorizing the statement.

The language of the Year Books, is marvelously like that we have already quoted from the *Mirror of Justice*. Prisot says in effect, that the common-law, upon which all other laws are founded, is the law contained in *ancien scripture*; and the *Mirror*, that the common-law consists of the ancient customs, warranted by *holy scripture*. That both refer to the same thing, seems too evident to admit of a doubt.

It is no small argument in favor of the principle laid down by Finch, that it has been copied by several authors, all having the original before them, and that its falsehood had never been detected, until pointed out by Mr. J.

But it is not Finch alone, who is chargeable with blinking the truth; for it will be recollected, that Mr. J. defies the "best-read lawyer, to produce another scrip of authority for this judiciary forgery." Now Finch not only cites the Year Books, but also Hobart, 148, and Plowd. 265, both of which are omitted by Mr. J.

In the case of Colt and Glover *vs.* the Bishop of Coventry and Litchfield, reported by Hobart, it was decided, "that the laws of the realm do admit of nothing contrary to the law of God."

The assertion of lord chief justice Hale,^{||} that *christianity was part of the common-law of England*, seems to have been predicated upon the opinion of lord Coke, who had asserted the same long before that time;[¶] but of the assertion of lord Coke, Mr. J. has taken no notice.

But whether the translation or assertion of Finch be true or false, the chain ends with Sheppard, lord Hale not citing it.

* 34. Hen. 6. fol. 38. Trans. from Am. Jurist. vol. ix. p. 346.

† Book of the Law, c. 3.

‡ Wingate, Max. 3.

§ Tit. Religion.

¶ Rex *vs.* Taylor. 1 Vent. 203. S. C. 3 Rel. 607.

|| 2. Inst. 220. Holt on Law of Libel, p. 32.

Again, in the case of the King vs. Woolston, the court would not permit it to be debated, whether to write against christianity was an offense at common-law; giving as a reason, that it had been so decided in Rex vs. Taylor, and Rex vs. Hall;* but Mr. J. has taken no notice of the case of Rex vs. Hall, in which the same principle was asserted, as one well known and established, without reference to authority. So too lord Mansfield, in Evans' case, took it for granted, that this principle was well established, as to be beyond question. The inference, therefore, that lord Hale or lord Mansfield made their decisions upon the authority of the Year Books, Finch, Wingate; or Sheppard, is wholly gratuitous, and unsupported by the facts. So far then, is this whole controversy from proving "a conspiracy between church and state," as alledged by Mr. J., that it is wonderfully like a conspiracy against the former; and as such, we have felt it our duty to expose it.

P. S. Since the foregoing was prepared for the press, the writer has seen in the *American Quarterly Review*, for June, 1835, No 34, an article on the subject of the present inquiry.

The first position of the reviewer, that christianity is not recognized in the constitution of the United States, and of the various states, is in accordance with the assumptions of the foregoing article. The other part of the argument is based on Mr. J's. letter under consideration, and must fall with it; and the article, therefore, requires no further answer. To this it may be added, he inadvertently omitted to state, that it has been said by the Superior Court in Pennsylvania, that christianity has been part of the common-law since the days of Bracton. 11. Serg. and Rawle, p. 400.

ART. III.—MEMOIR OF REV. JOHN H. RICE, D. D.

A Memoir of the Rev. John H. Rice, D. D., first Professor of Christian Theology in Union Theological Seminary, Virginia. BY WILLIAM MAXWELL. Philadelphia, 1835.

A MEMOIR of Dr. Rice, with whatever ability it might be composed, would of course be read with interest. There was much in his character and public services, in the cause of literature and religion, to excite interest. His standing, also, in the Presbyterian church, and the part which he took in founding a new theological seminary in our southern country, must make his history an object of some curiosity, and his memory dear to many. The manner, too, in which the book before us is executed, is such, we think, as not to detract from the interest inherent in its subject. For ourselves we rejoice, that some account of this excellent

* 1. Vant. p. 293. 1. Strange, p. 416.