the afflicted under such a bereavement; and if it can be of any service to others, or advance, in the least, the cause of Christianity, they will most gratefully say that it has not failed of its inestimable promise.

They now proceed with other brief collegiate and academic Essays, which are arranged more in conformity with the relative nature of the subjects than the order in which they were written.

THESES AND FORENSICS CONTINUED, — WRITTEN AT HARVARD UNIVERSITY.

THESIS — ARTICLE VI.

"'THE INSEPARABLE ENEMIES OF GREATNESS.'

"Man has three lives, the moral, intellectual, and animal; the latter in common with brutes, while the two former place him at the head of the visible Creation. There has been, accordingly, implanted in his breast, an ambition to soar above Earth, and to tread in paths unknown below; aye, and he is not satisfied until he comes to God himself. In short, it is a desire to become all that is implied in the word 'Great.'

"As man is thus endowed, and as he can cultivate the one faculty without the other, the word 'Greatness' has come to

have two significations, according as it implies the training of the one or the other to a high degree of improvement. To understand their inseparable enemies, it is necessary to bear in mind the nature and tendencies of each faculty.

"When the aspirant after fame has attained his object, and his name is wafted on every breeze, he finds himself surrounded by enemies that [illegible] dreamed not of; that the bliss which he had anticipated [illegible] at most, but an agreeable illusion, to become embitt[illegible]y envy, scorn, and jealousy. But, a greater than th[illegible]ks within his own bosom. There festers pride, and fills [illegible]rt with corruption.

"Of all th[illegible]ene[illegible]es which beset the man of fame, the last mentioned may [illegible]sidered the most foolish, and most calculated to bring [illegible]n contempt, which, in its turn, engenders unkind feelings and separates man from his brother man. It is foolish, because it originates with himself, and seeks the good of self. It shows that, whatever a man has mastered, he is not master of himself.

"Of what, indeed, should a man be proud, whatever be his attainments, whatever his walk in life? Why should he be proud that he has succeeded, while so many who have started from the same point, and rushed toward the same goal, have failed in their undertaking? Let him remember that he is brother to the most abject of his race, and let him think of Him Who hath made them to differ, and his pride will be humbled to the dust.

"Let us now, for a moment, consider the cause and effect of *jealousy*. It may be said that this is not inseparable from greatness. But we think otherwise. Why does one look with an anxious eye, or with ill-will, upon the least advancement in reputation and honor among his rivals? Why does he not rather commend and encourage them? This is common enough; and the answer must be sought in the corruption of his nature, —and what else than jealousy? I need not dwell upon the effects of this vice; so injurious to peace of mind, and so great a disturber of harmony among men.

"Now for *envy*.

"'Wrath is cruel and anger is outrageous; but who is able to stand before envy?' This is the strangest of all. Why do some fret at the prosperity of another? Why do some grieve because another is making advancement in those pursuits which improve the mind? Why do they thwart his plans and undermine his reputation? Why not rather admire and applaud? The Poet shall answer.

"'Fools gaze and envy ——.'

"But we must take the world as it is, and not as it should be. The fact, then, is that the great man, in our acceptation of the term, instead of receiving from all the reward of merit, is perpetually annoyed by envy. Are knowledge, virtue, truth, the objects of its desire? Why, then, is it directed against our species alone? Why not carried to Heaven? Why do none

envy those blessed Spirits, the Angels? Is not their greatness more desirable? We do not form our ideas of an Angel as an orator, a statesman, a hero, but as a being of high moral perfection, as the most spotless of creation, and therefore privileged to dwell in the immediate presence and in the full enjoyment of the Infinite Himself. Hence it is evident, that Virtue alone is the true and living greatness. The cultivation of the moral faculties, only, can render man the friend and companion of God. It is this that best becomes immortal man, and the pursuit of it will enlighten the envious as to the difference between the objects of his desires on Earth and in Heaven.

"The answer to our question, therefore, from the latitude which it affords, must be sought in the wide difference between true and what the world calls greatness; for while the latter tends to give rise to pride, to envy, jealousy, and contempt, which, in their turn, serve to rob the mind of its tranquillity and break up the bonds of society, the former is calculated to unite all hearts and call forth the warmest admiration and praise, even from the most vicious and ignorant, unmingled with any unkind feeling. At the same time, it imparts to its possessor that happiness which none but he can obtain.

"'From purity of thought all pleasure springs.'

"Robert Troup Paine."

"Harvard University, September 13, 1848.

FORENSIC — ARTICLE VII.

"'IS THERE LESS DANGER IN BELIEVING TOO MUCH OR TOO LITTLE?'

"I purpose, first, to examine this subject in its moral bearings; then in its influence upon the general happiness and prosperity of man; and afterwards to see how far our remarks upon the last head are borne out by history.

"In treating of the morality of belief, we should first have a clear understanding of the nature of belief; which must not be confounded with 'spiritual faith.' Can any one will to believe so and so? A little reflection must satisfy us that we cannot. How often has every one said, 'Well, I really *wish* I *could* believe that!' Can I, by willing, believe in ghosts and hobgoblins? Evidently not. And, on the other hand, can any one refrain from such and such belief merely by willing to do so? This is merely the other question reversed, and a moment's thought must tell us that we cannot. Can I, for example, have a doubt as to the existence of an Almighty Being, of my own existence, or of the revolution of the earth around the sun? Can the dearest friends of Dr. Webster have a disbelief of his guilt by merely willing to do so? Belief, then, so far as founded

in the nature of things, must necessarily be involuntary and irresistible.

"Now, whatever is involuntary can have no morality, for the very essence of morality is free will. 'Then,' some will say, 'you think it makes no difference whether any one believes in atheism, polytheism, or Christian Deism; whether the Christian Deist believes that One God consists of Three Persons or One Person; and, in short, no difference, in a moral point of view, what any one believes?' I answer that he is morally responsible only for the manner in which he has availed himself of the means within his reach of convincing himself upon any point, but not for the conviction to which he has been led after a thorough and honest examination of the grounds. This I believe to be the broad and liberal view of the question, such as is set forth by that great expounder of Christianity, St. Paul; and, if it could generally prevail, it would serve to raise the standard of Religion in our Churches, by doing away with the interminable hostility, and I may perhaps say hatred, which exists among the different Sects, and its place would be supplied by a spirit partaking more of the Christian love and charity which characterized the meek and lowly Jesus. As we cannot, then, attach the idea of morality to belief, we of course cannot say that, in a moral point of view there is any danger in believing much or little.

"But, because belief does not partake of the nature of morality, and consequently, in our critical sense, can have no

influence upon our happiness hereafter, we must not imagine that it does not upon happiness and prosperity in this world. When we reflect, how many things, wholly unconnected with morality, have great influence in determining our present happiness, such as education, early rising, cleanliness, bodily exercise, property, friends, &c., is it at all surprising that belief should be one of the great elements in our happiness or misery, although it have nothing to do with morality? It may, indeed, be thought very hard that our happiness should be so affected by that which is not under our control; but it is nevertheless a fact, which we learn from observation of others and ourselves.

"Granting, then, that belief has great influence upon the happiness and prosperity of man, we come to the question, which is attended with less danger,—believing too much or too little. But few will deny that the greater happiness and prosperity must consist in believing all the truth, and nothing but the truth; though it may be asked now, as of old, 'What is truth?' In the majority of subjects which are matters of belief, this is beyond our power to ascertain. Now, as 'too much' implies more than the truth, and 'too little' less than the truth, it is obvious that, if we cannot define what is truth, we shall be unable to define the meaning of 'too much' and 'too little,' in its connection with truth. We therefore purpose, for convenience, in place of these expressions, in considering the question with regard to our happiness and prosperity, to use *much* and *little*.

"Is there, then, less danger to the happiness and prosperity of man, in believing much or little?

"This question is more easily and effectually answered by reference to facts than by speculation. Look at the world around us, and whom do we consider the happier; those who assent to every thing, who are continually the dupes of the cunning, or those who, by reflection and correct judgment, believe only the things which their reason must acknowledge, or which are authenticated by what their judgment assures them to be perfectly reliable testimony? Take Religion: what more deplorable object is there than one whose mind is filled by the rankest superstition, who sees demons in the air, hobgoblins, and the spirits of the departed, and to whom the midnight hour brings only horrid dreams and ghostly visions, instead of that quiet and repose, which even the skeptic can enjoy?

"But credulity is by no means confined to subjects of a religious nature. How many have lost their property, their all, by some base impostor, whose words were as honey, but 'under whose tongue,' alas, too late they found there lurked 'the poison of the asp'! How many are constantly ushered into the unseen World through blind credulity in some nostrum or panacea! They literally die 'as the fool dieth.' What multitudes are perpetually distracted and drawn away from the duties of life by belief in the grossest absurdities, such as the visions of Swedenborg, Millerism, Mormonism, animal magnetism, phrenology, and what are called the 'mysterious knockings'!

"It is no doubt true that *much* belief is *sometimes* the source of the greatest happiness, from being of that particular cast which enables one to live continually in a world of fancy and delight. But we have to do here, not with individual cases, but with general facts. Now, it is beyond all question that to one case of this description there are thousands in which *much* belief leads to a melancholic state of mind. Of this kind is the creed of those who believe there is but one road to Heaven; that unless all think and act in just so precise a manner they will be eternally damned. This was not the teaching of the Saviour of men, and as that teaching accords with the moral sense.

"It is said that credulity serves to beget confidence in others, or rather in the word and testimony of others; but we should be silent here, so long as the business of the greater part of men is to cheat and impose upon their neighbors. A perfectly honest man is, indeed, a *rara avis;* but even he is liable to be *mistaken* in his testimony.

"These remarks, I think, are most fully borne out by history, as well as by every day's experience. Compare the wretchedness which marked the middle ages, the reign of superstition and Roman Catholic absurdities, with the better state of things brought about by the Lutheran reformation."

The remaining portion of the manuscript is lost. It was rendered, as ascertained from his Classmate, Mr. Goodwin, May 23d, 1850.

THESIS — ARTICLE VIII.

"'WHICH HAS THE GREATEST INFLUENCE IN THE FORMATION OF A MAN'S CHARACTER, CIRCUMSTANCES, ORGANIZATION, OR FREE-WILL?'

"In treating this subject, the same difficulty presents itself as in all others of a metaphysical nature, namely, the liability of running too much on a favorite hobby, and thus taking a one-sided view. We are apt to regard man as entirely under the control of either circumstances, organization, or free-will; thus forgetting that *all three*, at every period of his life, exert a powerful influence. Still, however, one of them has some ascendency over the others.

"As it may not be readily understood from the sequel which side we have espoused, we state here that, in our opinion, organization is entitled to the pre-eminence. But our view of organization differs from its common acceptation. We do not mean by it so much the brain, and those subdivisions of the organ which have been made by Phrenologists, as the spiritual part. We believe there is 'a spiritual body,' as well as 'a natural body,' and that the brain co-operates with the former in all its acts, and that it does so as a whole and at once. We believe, too, that the mind is the principal agent, and that it

has a separate and more independent existence than the body, and, like the latter, that it has its own peculiar though spiritual organization. We shall therefore employ the word in its relation to the soul, though we would prefer the word constitution, since the former is applied to the body. We think, also, that the mind varies in different classes of individuals, and more or less in each individual of the same class; somewhat as 'all flesh is not the same flesh, but there is one kind of flesh of men, another flesh of beasts, another of fishes, and another of birds.' In like manner, mind is not exactly the same mind in all; but there is one kind of mind of poets, another of philosophers, one of saints, and another of devils. And, although as the flesh of all men is one in its broad characteristics, yet as the flesh of every man is somewhat different from that of every other man, so, although the minds of all men are one in their general cast, yet the mind of every individual is different in many particulars from that of all others. The greatest peculiarities, and the greatest approximation, are seen among particular classes of men, and according to their classes; such as poets, philosophers, mathematicians. But the general principle holds throughout. Thus, therefore, as God has given to every one 'a body as it hath pleased Him,' so to every one he hath given a mind 'as it pleaseth Him.' Indeed this truth lies at the foundation of the parable of the ten talents, and the declaration 'unto whom much is given of him shall be much required.' This truth, also, must be admitted before we can understand the beautiful com-

parison implied in the following verse:—'Hath not the potter power over the clay of the same lump to make one vessel unto honor, and another unto dishonor?' Now, this peculiar 'organization' or constitution of every mind, both in respect to intellectual and moral capacities, is what, in our opinion, may be called the groundwork of that diversity of character which exists in our species.

"Let us see if this be supported by facts. For convenience, I shall consider character first, in an intellectual point of view; secondly, in a moral. Will the advocates of 'free-will,' or of 'circumstances,' say that Shakspeare could have been a Newton had he willed it to the day of his death, or if he had been placed in circumstances similar to Newton; or, *vice versâ?* But, to come nearer home: will either of those classes of philosophers tell us why one poor son of a Salisbury farmer should have become the most able and eloquent Statesman of his country? Was it because he willed it? Have not hundreds of others willed the same? Have not you and I willed it? Indeed we have; but it was like the will of Jeroboam, who could not 'pull his hand in again' when he had 'put it forth from the altar.' Was it owing to 'circumstances'? Have not hundreds, nay thousands, been placed in the same circumstances? But, to come to more ordinary cases. Enter the common school or the college; take any number of the pupils, or the students in nearly the same circumstances, how various their endowments! How various their capabilities for different branches of learning!

Here is one, who, although under mechanical discipline, cannot be made to comprehend the simple rule of compound division. Here is another, whose sole delight is in mathematics. He comprehends every thing connected with them with the greatest ease. Here, again, is another, fond of poetry and depicting imaginative scenes, and who, perhaps, 'lisped in rhyme.' We thus witness, at these early times, the germ of the astronomer, the moral philosopher, poet, lawyer, or divine. In all these cases, therefore, the 'organization' or constitution of mind is different; thus making the groundwork of that pleasing variety of intellectual character which we everywhere behold.

"That character is more influenced by organization or constitution of mind than by free-will or circumstances, is evident from the fact that, generally, a person takes after his parents; sometimes the father, sometimes the mother, sometimes after both. The offspring is apt to be superior in those intellectual qualities in which his parents excel, and to possess the same tastes as they. This is perfectly analogous to other mysteries of generation. We shall not dwell upon the self-evident facts which have been now mentioned. It is only necessary to state them to render the proof complete.

"As to man's moral character, this, also, as we have said, is more determined by constitution of mind than by circumstances or free-will. The proof may be of the same nature as that which we have alleged of his intellectual; for when we consider how much one's morals are modified by his tastes, passions, and

strength of mind in resisting temptation, and that these are apt to be inherited, we see plainly that circumstances and free-will, although they, of course, act as modifiers, do not give the general cast to the moral character. Do we not find, very generally, that children bear a strong resemblance to their parents in their tastes and passions? Are the parents of a lively turn of mind, so are they. Are they contemplative, so are they. Are they irascible, so are they; amiable, so are they.

"But it may be said that this is the effect of parental education. That such, however, is only partially true, may be shown by the fact that children bear the same mental resemblance to their parents when born after the death of their father, or when from their mother 'untimely ript.'"

The residue of the manuscript is lost. The date is ascertained to have been January 3, 1850.

FORENSIC—ARTICLE IX.*

"'I ASSOCIATE WITH NO ONE, I EMPLOY NO ONE, WHO IS NOT OF MY PARTY IN POLITICS AND RELIGION.'

"Such is the law of sociality in our nature, that we conceive a particular brotherly feeling for those who possess principles and characteristics similar to our own. This feeling is stronger in proportion as those are more particular, or the circle contracted. As there are certain features common to all men, so we find ourselves united by certain ties to the whole human family. This forms one great circle. Again, the tie becomes stronger among those who speak a common language and observe the same customs; stronger still among those who have the same government, the same laws; firmer yet is the bond as we descend to the more circumscribed, who have the same employment, the same sentiments, the same principles, the same feelings.

"Thus we have circle within circle, and the connection among individuals becoming stronger and stronger as we go from the circumference to the centre, until finally the feelings become deeply engaged and a warm friendship is the result.

* Written two months and a half before his death.

"We have now spoken of man's *social* being. But let us ask, are there not laws which regulate *its* welfare as well as that of his *animal*, *intellectual*, and *moral* being? Has *it* not diseases and deformities as well as *they?* May not the vigor and energies of manhood, which were designed for the service of the world, for making it better and happier, be wasted in licentiousness, or fall a victim to grim dyspepsia, brought on by gluttony or inactivity? And are not the vigor and energies of man's social being, which were intended for his own and the happiness of others, thus perverted from their gracious purpose, and rendered the cause of wretchedness, unutterable misery?

"Now, in no form are such evils worse than those which arise from *exclusion*. What more universal, and at the same time detestable, than this spirit! It is proper, as we have said, that a peculiar tie should subsist between those who hold the same sentiments; but to make those sentiments the standard in cases where they have no concern, is manifest folly. Take an instance in politics, for illustration. I am a whig. I believe the best interests of the country will be promoted by carrying out whig principles and whig measures. Suppose, then, that I am to vote for the President of the United States, for a Senator, or a member of the House. Very well. Then as these are they in whose hands is the making and carrying out of public measures, this is palpably a case in which my *political* principles are concerned, and it is proper, it is natural, and, perhaps, it is my duty to vote according to them.

"But suppose I am a trustee of a college, and an election for a President or a Professor of the College is to take place.* Here the question is not whether the candidate be a *whig*. It is plainly, — is he one who will do honor to the College, a man of learning, of reputation, of ability, one who will discharge the duties of the office satisfactorily? To cast my vote, then, upon political principles, would be acting from narrow-mindedness, from seeing only *one principle* applicable to *every thing*.

"The rule of exclusion carried thus far is absurd, hateful. But what shall be said of its operation as we see it every day around us? What has politics to do with my employing or associating with another? The question in choosing a companion, a friend, is not whether he be a whig; but is he a man of worth, of good sense, of sociability, in short, is he an agreeable man? In hiring a servant, or a hand in a factory, the same principle applies. Is he industrious, honest, qualified for the place? To act in those cases according to political principles would be virtually denying the grand sentiment — difference of opinion is honorable. It would be a virtual censure upon all those who differ from me on one subject, and denouncing them as unworthy of my regard.

* This was evidently suggested by the pendency of an election of a Professor of History, and in which the Students of the University took a lively interest at the time when this Forensic was written. The election devolved especially upon the higher branches of the Legislature of Massachusetts; and Mr. Bowen, the candidate, who had performed the functions of the chair for some time, was supposed to have been set aside from political feeling.

"But it may be asked—'supposing there are two persons equal in all these respects, should you not choose the one who is of the same politics with yourself?' We answer that, in ninety-nine cases of a hundred, it will be found, on stricter examination, one is better qualified than the other. In the hundredth case it were better to adopt the boyish expedient of deciding the choice by lot, than resort to the more absurd and dangerous standard of politics, which certainly can have no natural bearing upon the case in hand.

"But the principle of exclusion is not confined to individuals, or individual acts. If it ceased here, its operation would be no more than we might expect; for surely it is not at all surprising that we find individuals who are narrow-minded, bigoted, conceited. But to find it actuating the ruling party of a great nation is truly disgusting. When we see the officers of government, because they have been elected according to a political standard, removing from office postmasters, custom-house clerks, judges, and physicians, who have no more to do with politics than every other citizen; when we see them turning them out merely because they do not belong to their party, and substituting others of their political faith, and that, too, without any reference to their qualifications, we begin to despair of the Republic, and to foresee a monarchy rising upon its ruins.

"But what are the obvious effects of the kind of exclusion we have been considering? Are they not evil in whatever

light we view them? Does it not estrange the affections, the feelings of one part of the community from those of the other! Does it not kindle a spirit but little different in its nature and violence from that of civil war! Does it not serve to harrow up the very worst passions of the human breast! Let any rational man look candidly at this, and he must be convinced that our expressions are borne out by sad reality.

"We come now to speak of exclusion in Religion.

"Here we have it extending not only to different religions, but molesting different sects of the same religion, even that of the Holy Scriptures.

"We shall consider this division of our subject under two heads: exclusion *in* belief, exclusion *on account of* belief. By the former we mean the principle by which a person of one belief condemns or denounces as heretics all who differ from him; by the latter, the principle by which any one is led to withhold his favor, his services, or his friendship, from all who are not of his party in religion.

"Suppose me an Episcopalian. Suppose me, as I am, to be a sincere believer in the peculiar tenets of the Church. Suppose, also, that I have arrived at this belief from reflection, from careful examination of Scripture. Am I, therefore, because I believe the doctrines of that Church to be the true ones, — am I for that reason to denounce another who has, by the same reflection and equally diligent searching the Scriptures, come to an equally sincere belief that the doctrines of another sect ap-

proach more nearly to the true doctrines? Am I, on this account, to exclude him from the number of the faithful and the good? Has he not a soul as well as I? May not I be mistaken as well as he?

"But, although one must be mistaken, may not both be equally good, equally religious, or may not the one who is correct in his belief be much less devotional and religious; in short, may he not be much more sinful? To deny this is to assert that belief has a moral character. Belief is involuntary. No one can believe a thing by wishing or willing to do it. He believes according to the manner in which he views the facts or the evidence before him. The mind is carried unconsciously along by the arguments and proof presented to it; and, as there are two sides to every argument, it will be overcome by the one which appears to have the greater force. For instance, such a combination of facts might be presented to me as to *convince* me that some near relative had committed murder, which certainly would be the last thing which I should *wish* to believe.

"The same is the nature of belief in matters of Religion. Man is, indeed, responsible for the use he makes of means within his reach for *ascertaining* what is the *true* belief, and for the correspondence of his conduct to his own belief. But this is far different from condemning a man, who has laid his mind open to argument on both sides, for the manner in which his mind is affected by them. To do this is to condemn him for what is not under his control.

"But, time will not permit me to carry the subject farther. How illiberal, how narrow-minded, how conceited, how unchristian, to denounce the Religion, the goodness of another, when he differs sincerely from you, and according to his means of information! How delightful, on the other hand, to see in those of other sects, nay, even in the *sincere* Pagan, fellow-travellers to the Land of Bliss!* And, what we have now said seems to be not only the dictate of reason, of what we know of the Beneficence of the Creator, of the intrinsic nature of the Atonement, but what is inculcated by the Saviour of men, and so eloquently expounded and illustrated in the teachings and conduct of St. Paul.

"We will now consider the second part of this division of our subject—exclusion *on account of* belief.

* The eminent Dr. Blair says, in his Discourse upon the General Judgment, that,—"Powerful is the Atonement of our blessed Redeemer to procure pardon for the greatest sinner, who has been penitent. We have all reason to believe, that amidst the numberless infirmities which attend humanity, what the Great Judge will chiefly regard is the habitual, prevailing turn of our heart and life; how far we have been actuated by a sincere desire to do our duty. This we know for certain, that all the measures of this judgment shall be conducted with the most perfect equity. '*God is not extreme to mark iniquity; for He knows our frame and remembers we are dust.*' He will not exact from any one what he hath never given him. He will judge him according to the degree of light that was afforded him, according to the means of knowledge and improvement that were put into his hands. Hence, many a virtuous Heathen shall be preferred before many mere professors of Christian faith. '*They shall come from the east and the west, the north and the south, and sit down in the kingdom of God, when the children of the kingdom are cast out.*'"—[The Parents.]

"It must be evident that many remarks made in connection with politics are applicable here, and therefore need not be repeated. We turn, therefore, more particularly to Religion.

"Now, however unphilosophical, however absurd it may be to connect Religion with questions to which it is not at all related in nature, yet what more prevalent than the spirit of exclusion on account of religious belief! Sectarianism is made to obtrude itself into every sphere. In some countries it is upheld by law, governs the appointment of every public officer, and forces itself into public measures. This is seen in Christian governments. But, in Turkey and China it has, until recently, amounted to even denying toleration to every other belief than the established faith. These, it is true, are uncivilized lands, and perhaps it is not surprising that they should be ruled by principles appropriate to them. Still it may be asked, even upon this question, whether they have fulfilled 'the law written in their hearts,' whether 'their thoughts, meanwhile, accuse or excuse them.' We shall say nothing of Roman Catholic Europe, nothing of the besom which deluged the Protestant Churches; but that refined and enlightened England should remain intolerant is sickening to the heart of philanthropy. When we find her requiring of all officers, her sovereign, her generals, her admirals, her judges, her surgeons, and even the graduates of her colleges, a signature of the thirty-nine articles, we cannot but think there is still much room for improvement.

"In our country, thank Heaven, a great march has been

made. But, although sectarianism does not receive the public cognizance, this intolerant spirit is at work privately. Each sect is striving to gain an ascendency. We see it carried, in an alarming manner, into our very Colleges. It infuses itself into the election of Presidents and Professors, and peculiarities in Religious belief are made to compensate for acknowledged inferiority. Students, even, would forego the advantages of education rather than resort to a College whose officers are of a different religious creed from themselves. But what has a College to do with sectarianism? No more than a gymnasium has with a College. Their proper duty is to inculcate the great principles of Christianity in the one case, and habitual exercise in the other. The details belong to the Church, or to the gymnasium. The former is the school of man's religious powers, the latter his physical, and the College his intellectual. We go to one, or the closet, to pray, to another to exercise, to another to learn.

"But the feeling of which we are speaking infects, also, the domestic circle; separates chief friends, makes bitter foes, oftentimes deluges the Earth with blood, kindles a fire at the Altar, and all this for what is supposed to be—Religion. No wonder, then, that infidels scoff, when they find the Church which is called by the Name of Him Whom it gives forth to have been all gentleness and meekness—when they find this same Church so perverted as to have been the cause of half (we think we do not exaggerate) the wars, feuds, and quarrels which have afflicted mankind. Upon this disposition of man was founded the

fearful declaration that He 'came not to send peace but the sword.'

"ROBERT TROUP PAINE.

"Harvard University, December 19, 1850."

THESIS — ARTICLE X.

"'THE INFLUENCE OVER OTHERS OF AUSTERE, FORBIDDING VIRTUE, AND THE MILD ALLURING VIRTUES IN PUBLIC TEACHERS OF RELIGION.'

"In considering this subject, we should bear in mind that, however untrue it may be at the present day and at some former periods, there have been times when virtue in public Teachers could accomplish nothing unless it had been austere and forbidding.

"The comparative influence, for good or for evil, of mild and of austere virtues, has depended upon the state of society. During the dark ages the Romish Church, by assuming the appearance of stern morality, held an unlimited sway over the minds of the human race, as far as Christianity had reached. By appearing to suppress the passions natural to man, and abstaining from enjoyments, the priests and monks were looked upon by the ignorant and superstitious as exalted above the mass of mankind, and approaching the character of that Being

Who was regarded only with dread, and as an embodiment of all that is cold and cheerless.

"This was, of course, well understood by the artful priests, who, although in private they indulged in lewdness and the most sensual enjoyments, openly pretended that the least gratification of natural propensities, or any participation in the pleasures of the world, was incompatible with the holiness of their office. In the mean time, it was a part of the system to debar the people from all means of instruction, especially religious (except that corrupted religion taught by themselves), lest they should see the folly of those pretended and unnatural restraints, and how unnecessary to the purest virtue.

"Somewhat similar was the case with the ancient Jews. Their priests either were or pretended to be of the strictest and most austere virtues. This was absolutely necessary to preserve even the slightest reverence for Religion. Knowledge, it is true, was not now restrained. But it was in its infancy; and this condition of the Jews required not only a severity of morals in the priesthood, but often the interposition of Heaven. The ignorant, too, have generally gloomy conceptions of the Divine Being; and, serving Him more from fear than love, they naturally judge of Religion by the standard of every thing which is austere and forbidding.

"There is much of this to be seen in Romanism even now. Nay, is not the light of knowledge a terror to the Romish Church? Are not its followers held in ignorance for the pre-

servation of its power; and does not this condition render the old austerity of affected manners still necessary to its stern and exclusive Religion? Their views both of God and of this life are so dreary, they judge, or affect to judge a man to be virtuous only so far as he is austere and forbidding. And this will seem natural enough when we consider how different it is with those whose 'God is Love,' and whose minds have been expanded by the genial rays of the sun of education; for, wherever they turn their eyes, to the rolling spheres, the trembling leaf, or the humble flower, they behold some beneficent Design, something calculated to promote the comfort and happiness of mankind while here on Earth. They see that He, Who planted the corn to be food for man, planted the grape, also, to make glad his heart.

"Another reason for the necessity of an appearance of austerity and restraint in public teachers of Religion among ignorant people, or those of inferior minds, is, that they are unable to distinguish between use and abuse, and are prone to run from the one to the other. If priests were to appear to indulge at all in wine, it would be made an excuse for debauchery and drunkenness by the ignorant, who judge moderation and excess by the same standard. Or, if they do not, they think they have a right to imitate, at least, the moderation of their spiritual advisers, and, in so doing, they soon leap over the golden mean and give themselves up to rioting. This is only an example of the many pleasures of life; and wherever, therefore, the

people are ignorant, or of inferior education, the public teachers of Religion are obliged to be austere and forbidding to maintain a proper influence. It is then necessary to 'take heed lest by any means this liberty become a stumbling-block to them that are weak. For if any man see them which have knowledge sit at meat in the idol's temple, shall not the conscience of him which is weak be emboldened to eat those things which are offered to idols?' Hence we see the truth of the principle with which we started, that the comparative influence of mild and of austere virtues depends upon the state of society; and according to its condition so must they be regulated among those who lead the multitude.

"What has now been said of the enjoyments of life, and of their indulgences and restraints, is manifestly of wide application, though it may be very difficult to adapt their limits to existing circumstances. But, in the midst of these difficulties there is a Light in the Precepts and Examples of the Saviour of man, which is suited to every condition of society, and which will safely guide the whole human race over the rugged paths of life, and conduct them to a better Inheritance.

"Robert Troup Paine.

"Harvard University, October 25, 1849."

THESIS — ARTICLE XI.

"'A MEETING BETWEEN LUTHER AND CALVIN.'

"As our subject obliges us to bring these individuals together, we shall not stop to inquire whether we are violating chronology in making them cotemporaries, but proceed at once with our discussion, which we shall divide into two parts.

"PART FIRST.

"*Scene at Jerusalem — Luther and Fenelon meet by chance at the Holy Sepulchre.*

"Fenelon, having for a while gazed upon the Sepulchre in silent meditation, at last addresses Luther.

"FENELON.

"'Friend, how holy is this place! Behold where our Lord hath lain! How awful, yet how comforting the thought that He, Who was once here bound by the fetters of death, now reigns on High, and is worshipped by the Church militant as the first born from the dead.'

" LUTHER.

" 'Indeed, upon such a subject we are lost in thought!'

" FENELON.

" 'How devoted, then, should we be to the Religion which He has established! How attached to the Church which He has founded! For that Church we should be willing to lay down our lives; for through her alone can we hope to enter Paradise. But, alas! there has arisen a heretic by the name of *Luther* who has drawn away many after him. He denies the authority not only of her reverend priests, but also of her infallible head, the vicegerent of Him Whom this place recalls to our minds. He indulges in the vain hope of uprooting the Holy Church, and thereby has incurred her severest anathemas, together with the displeasure of the immaculate Virgin and the holy Angels. He will find it '*hard to kick against the pricks.*'

" LUTHER.

" 'Friend, softly; let's have no more of those high sounding expressions.'

" FENELON.

" 'Art thou one of Luther's disciples?'

" LUTHER.

" 'Aye, not only one of his disciples, but Luther *ipsissimus*.'

" FENELON.

" 'Luther *ipsissimus!*'

" LUTHER.

" 'It is I, indeed. Be not afraid!'

" FENELON.

" (*Aside.*) 'Oh Heaven! protect thy servant; defend thy Church! (*To Luther.*) Although we can never unite in opinion so long as thou art an enemy to the Church of God, we can unite as brethren. I feel it my duty, as a priest of the Holy Church, to exhort you to renounce your evil ways, to become again one of her children, so that after you shall have ended this life, her prayers and intercessions, united with those of the saints and the holy Virgin, may be a safe transport to the regions of everlasting bliss.'

" LUTHER.

" 'A priest, say you! I should have known it from your language and apparel. But pray, your name?'

" Fenelon.

" 'My name is Fenelon.'

" Luther.

" 'A great name that! But, Sir, God forbid that I should rely on any thing save a lively faith in Jesus Christ. So, away with all useless ceremonies, all popes and virgins and priests, interposing barriers between my soul and its Saviour. That soul is noblest which knows no superior but its God, and calls the Angels brethren. From this hollow Sepulchre a gentle voice whispers in my ear — 'He that hath the Son hath life.'

" Fenelon.

" 'I am to understand, then, that you refuse to acknowledge not only the authority of the infallible Pope, and the other high officers of the Church, but also of the Virgin, and the holy saints and Angels?'

" Luther.

" 'Aye, Sir. I don't believe that sins should first be confessed to the Pope, and that the Pope should then confess them to the saints, the saints to the Virgin, and the Virgin to her Son. This is second-hand work. I believe that all are equal in the sight of God; that all have an equal access to His throne;

that all will be rewarded according to their merits; that in the World to come the humble cottager will outshine many a so-called infallible Pope.'

" FENELON.

" 'Haughty pride!'

" LUTHER.

" 'Noble pride!'

" FENELON.

" 'You discard, also, all the sacred ceremonies of the Church!'

" LUTHER.

" 'All! excepting those which have received the sanction of our Blessed Lord, baptism and the Lord's Supper. But even then I don't believe in holy cannibalism.'

" FENELON.

" 'Holy cannibalism! Sir, I don't understand you.'

" LUTHER.

" 'I mean transubstantiation.'

" FENELON.

" 'Don't believe in transubstantiation!! Heavens, how

reprobate! Is it not expressly said, *this is my body*, and of the wine, *this is my blood?*'

"LUTHER.

"'True; but common sense shows that these passages cannot be taken literally. Of course you do not think that the Body of our Lord could injure any one. So, the next time you make your wafers, put in the red sulphuret of arsenic, and you can thus find out whether the substance undergoes any change. That the passages of which you speak are purely figurative is evident from what our Saviour says in immediate connection with them: "But I say unto you, *I will not drink henceforth of the fruit of the vine until that day when I drink it new with you in my Father's kingdom.*" Now, if you receive one part in a literal sense, must you not also the other?' (See page 42.)

"FENELON.

"'But, Sir, whatever other doctrines and ceremonies you may discard, you surely believe in masses for the dead, and the sale of indulgences?'

"LUTHER.

"'I believe them both to be artful contrivances to procure for the Pope and other officers of the Church greater awe and reverence from the laity, and to make the dupes feel greater

dependence upon those who profess to be their superiors in holiness; and I believe the sale of indulgences to have been invented especially for the purpose of replenishing the treasury. At any rate, it is well known that the present Pope applies it to that use, as the revenues of the Church were exhausted by his predecessors, Alexander Sixth and Julius Second, since in no other way is he able to defray the expense in which his love of splendor, and his passion for pleasure, are continually involving him. He imposes upon the multitude by telling them that the good works of the saints, over and above those which were necessary for their justification, together with the infinite merits of Jesus Christ, are locked up in one common treasury; that the keys were delivered to St. Peter, and have descended to his successors the Popes, who can open it at pleasure; and, by transferring a portion of that superabundance, upon the payment of a certain sum of money, can convey to the purchaser the pardon of his own sins and of any one in whose behalf he is interested. There are various agents appointed for retailing these benefits. I knew one in Saxony by the name of Tetzel, whose seeming benevolence has procured for him among many the familiar name of Tetty. How ludicrous it is to hear some ignorant dupe (who has repaired to his office at the crowing of the cock, that he may be the first on hand), how ludicrous, I say, to hear him exclaim,—'Well, Tetty, what prices does salivation bring in the market this morning?'—'Salvation, you mean,' replies Tetzel.—'Oh! yes, I'll remember next time.

may have, it cannot bear this, as the whole tenor of Scripture goes to show that, as death leaves us Judgment finds us; that after death *a great gulf is fixed* between the good and the bad, which none can pass.'

" FENELON.

" 'Strange doctrines indeed; heretical innovations! But I pray God that He may cause you to see the error of your opinions, which only tend to the subversion of all order in the Church, and serve to bring down upon you its severest censure.'

" LUTHER.

" 'Were I not convinced that I am sustained by truth and Religion, I should immediately recant all that I have said, and become as strong an advocate of the papal Church as I have been an opposer; but, being so, God forbid that I should yield a hair. "*No man having put his hand to the plough, and looking back, is fit for the kingdom of God.*"'

" FENELON.

" 'It would be a gratification to me to prolong this conversation, and to reason with you more at length concerning the doctrines upon which we have touched, and to become acquainted with your views upon many others; but time fails me. The sun is already near the zenith and I must away, as my company

depart to-day. How, long, Sir, shall you remain in these quarters?'

"LUTHER.

"'I expect four or five days; so that I shall have an opportunity to visit this Holy place on the Lord's Day. Hail thou morn which saw the Saviour rise, and rise then, my soul, to meet Him in the sky!'

"FENELON.

"'Well may a visit to this tomb awake hallowed thoughts! I was here last Sabbath, and never did I exclaim with half the zest, "*Oh Grave! where is thy victory!*" (Making a final gaze upon the Sepulchre, and then taking Luther by the hand) 'Well, Sir, it is time for my departure; but I hope that this meeting may be renewed at some future day, when I may hear more of your opinions. Till then adieu.'

"LUTHER.

"'Adieu! Adieu!'

"We had intended to have added another Part, but we have arrived at our limits.

"ROBERT TROUP PAINE.

"Harvard University, May 26, 1849."

THESIS — ARTICLE XII.

"'SELF-INFLICTED BODILY TORMENTS, AS MORAL PREVENTIVES OR REMEDIES.'

"We wish it to be clearly understood, that, by the following observations we merely express our sentiments upon the question, without any desire to censure any religious sect; at least so far as there may be reason to confide in their sincerity. We certainly think that nothing is more unkind, more unworthy a man and a Christian, than the censoriousness which is often betrayed on account of differences in religious opinions.

"Coming to our subject; as we understand by a moral remedy something which tends to produce sincere repentance, our inquiry will be, whether self-inflicted bodily torments are calculated to prevent future immorality, or to produce sincere repentance for that which is past. We shall, however, consider these two effects as similar, or rather, that the one follows upon the other; for we think that sincere repentance of any sin is generally followed by an abandonment of that sin.

"Among barbarous nations a sense of wrong is often observed to be accompanied by some outward demonstration of sorrow. This looks like the working of a 'law written in their hearts.' These signs of contrition consist frequently in cutting and lace-

rating the flesh, pulling out the hair, and various other bodily torments. They are commonly prompted by a superstitious belief that such inflictions serve to drive away an evil spirit that has haunted and instigated them to commit the wrong for which they suppose themselves atoning, as well, also, to appease the good spirit which they have offended. Indeed, this mode of atonement is carried even to a voluntary death among gross idolaters, as well known of the Hindoos in throwing themselves under the car of Jugernaut.

"The question now arises, — do these self-inflicted punishments have any tendency towards repentance and improvement?

"The universal principle of conviction must operate more or less here as in other cases. The savage believes that his god can be appeased by self-inflicted tortures, and by these only, and this belief must certainly have a tendency to improve him. But it is the belief, the faith, not the torture, which does the salutary work.

"But such practices are not confined to savages and idolaters. They have been common among Christians ever since the establishment of their Religion, although modified in their severity; especially since the dark ages. Their greatest rigor, perhaps, is to be seen in the barefooted monks, and those who girdle and beat themselves with ropes. But they consist principally at this day in fasting and such like privations. Here, then, we discern some of the great blessings of knowledge and

Christianity. In proportion as man becomes free from superstition, and convinced of the Spirituality of the Being Whom he adores, he divests his worship of those useless, untoward ceremonies with which it was before encumbered. The God of the Christian is a God Who searcheth the inmost recesses of the heart; and as He is a Spirit He requires that He should be worshipped 'in spirit and in truth.' It was early said, and again repeated by our Saviour, that God 'desired mercy and not sacrifice, and the knowledge of God more than burnt-offerings.' He has even given us a model of Prayer, which is most remarkable for its brevity and indefiniteness. And Why? Because 'He knoweth what things we have need of before we ask Him.'

"Although in the Christian self-inflicted privations are often accompanied by sincere repentance, we regard them as perfectly distinct; for, although the latter give rise to the former, it is the latter alone which is acceptable, and would be as perfect without the former. The one is spiritual, the other is connected with the body. This appears to be the essence of Christianity. It is infused into all its precepts, is exactly what enlightened reason approves, and what the true Christian knows.

"Go, sinner; offer unto God thanksgiving and the sacrifice of contrition, 'rend your heart and not your garments,' and with a light heart enjoy His temporal as well as His spiritual bounties. In no way do we look upon self-inflicted torments as a moral remedy, for they form no part of repentance, nor have they any tendency towards it. When they are apparently con-

ducive to improvement, the benefit is owing to fear or to belief. They have no effect upon that inward, spiritual improvement which is 'the fruit of perfect love which casteth out fear.'

"*Postscript.*— We have said that 'we shall consider these two effects as similar; or rather, that the one follows upon the other.' That is to say; improvement and repentance go together. But, upon farther consideration we see that, although the latter is always accompanied by the former, yet the former may often take place without the latter."

"ROBERT TROUP PAINE.

"Harvard University, May 5, 1849."

THESIS — ARTICLE XIII.

"'AN EARLY EMIGRANT TO NEW ENGLAND ANTICIPATING THE FUTURE RELATIONS OF THIS COUNTRY TO OTHERS.'

"As the opinions, hopes, and anticipations of an individual can be best learned from his conversation, we will fancy ourselves listening to the discourse of a family of early emigrants as they sit around the fire on a cold winter's eve. Let the family consist of a husband, wife, and two sons, Thomas and William; the one arrived at the age of manhood, and the other at twelve years.

"WILLIAM.

"'Oh Pa! how dreary! Just hear the wind howl! How gloomy these oak forests, filled with bears and wolves! I tremble whenever night comes on. How I wish I was in England, where I had a good warm house; but here there is nothing but a miserable cabin!

"THE FATHER.

"'My child, do not complain in this manner. It is natural, indeed, that one of your age should consider merely the outward comforts of life; but it is different with your Father. He left England because the hand of persecution pressed hard upon him. It should be your happiness that this change has conduced to mine. Remember that He, Who guided the descendants of Jacob for forty years in the wilderness, can also protect us.'

"THOMAS.

"'While you and William have been conversing I have been considering the present condition of this vast wilderness, and looking into futurity. I have been thinking of the world as it was after the Deluge, and how much we seem to be like that, and how probable it is that the same changes will happen here that so rapidly overspread the other hemisphere. May we not suppose that they will make far greater progress; for this would seem to follow from our greater amount of know-

ledge. Our growth must be slow and discouraging, at first; but certainly less so than the ruder states of mankind. But, when we shall have got a certain amount of population by our own natural increase, the history of the past will tell us what we shall be in four or five centuries hence. For my part, in looking forward to such a period, I fancy the wilderness overcome, cities and palaces in the place of trees, the ploughshare and pruning-knife every where at work, and the Ocean covered by our fleets. I see a mighty nation, many hundred millions in the few centuries I have named, taking the place of these wandering savages, and carrying knowledge and Christianity to all parts of the Globe. Think of what was done during the four hundred years following the Flood, and how Christianity triumphed in the same time over the greatest imaginable obstacles, and that, too, by its own peaceable means.'

" The Mother.

" 'How ridiculous, Thomas! Your education should keep you from being fanciful. You should rather think each night how we shall keep our souls and bodies together for another day.'

" The Father.

" 'No, my dear; these thoughts naturally occur to the mind at all times, but especially at such a crisis as this, when a coun-

try that has been trodden for ages by none but the savage is visited for the first time by civilized man.'

" THOMAS.

" 'Well, Father; I should like to know what you think this country is destined to become, and what rank it will hold in respect to others?'

" WILLIAM.

" 'Yes, Pa; I should like to hear too.'

" THE FATHER.

" 'Thomas is right. It is from the past alone that we can form any conjectures as to the future.'

" THOMAS.

" 'I was sure that I was right.'

" THE FATHER.

" 'Yes, Thomas; we must have recourse to history, and consider the rise and progress of other nations. Your examples are plain and satisfactory. But let us come down to later times, where we may consult profane as well as Sacred records. We have all of us read of the mighty Empires of Greece and Rome, which, at different times, made the world tremble at their

power. Go back, and see the germ of all this might. There we find Cecrops, Cadmus, and Lelex, with a handful of men founding those States which have commanded the respect of ages, as the seat of learning and the arts, and which were for ages the terror of distant nations. They, also, were obliged to create the knowledge which is delivered into our hands.'

" THOMAS.

" 'There, Mother; you see there was nothing fanciful in my conjectures. You remember, too, how gradual the change was from the beginning of letters till their wonderful influence upon society. And yet the writings of Homer show us that the time was not long. When those leaders, of whom Father spoke, first brought colonies into Greece, the inhabitants, as in our wilderness, were few, savage in their manners, wandering in their mode of life. We see the Colonies beginning improvements, getting society into a more organized state, cultivating the ground, and navigating the sea. Their manners, too, were more or less adopted by the savage people around them; but the Colonies always took care to keep them in subjection. And so I conclude it will be with us and our savage neighbors. After a while, we find them giving their attention to war, leaving the plough for the sword, from believing this to be a surer road to wealth. In these, and similar ways, having overcome the primary inhabitants, they looked upon themselves as the rightful lords of the land. This is the work, for the most part,

of enlightened mind, and it seems destined to carry every thing before it till the whole earth shall be as densely inhabited as the Grecian and Roman nations.'

"THE FATHER.

"'Exactly so. The progress of events at Rome, although indeed not the same, was nevertheless similar. And such I think we should find to be the case with every nation, if we were as well acquainted with their rise as we are with the zenith of their glory and their decline.'

"THOMAS.

"'Yes, Father; I think we are safe in saying this.'

"THE MOTHER.

"'Bring some wood, William, and strike the flint. The fire has gone out while I have been listening to this conversation.'

"THE FATHER.

"'Now, Thomas, since this has hitherto been so universally the course of things, I cannot help agreeing with you that it is more than probable that the future will bear an analogy to the past; and I think that your Mother, from her silence, is coming to the same conclusion. I think we cannot avoid the inference that the white man, having once gained access to this land of

novelty, and with all the appliances of civilization and Christianity, will soon overspread its surface, and sweeping all before him, will rush forward to wealth and power.'

"THE MOTHER.

"'What do you think will be the fate of the red man?'

"THE FATHER.

"'He will be swept from the earth by the breath of the cannon.'

"THOMAS.

"'Never! Never! Father. Is it possible that this enlightened age can be guilty of those vile excesses which are characteristic of barbarous times? Has not man, who has been so long under the Gospel dispensation, learned to recognize the brother-man even in the savage? Shall not brutality now give place to kinder feelings?'

"THE FATHER.

"'Would to God it might be so! But let us here, also, remember and reason from the past, and keep the eye of faith upon Prophecy. As to the past, we may not find in Greece and Rome a sufficient analogy, in your moral sense, for my conclusion. But, how was it between the Israelites and the idola-

trous nations into whose land they were conducted? Who shall scrutinize the Providence of God, whose ways are unsearchable and past finding out? But this we know, that, although His sun riseth alike upon the just and the unjust, He executes vengeance upon the wicked and idolatrous, and renders man, whether civilized or savage, an instrument of his severest judgments. Nor, Thomas, does it seem reasonable, in the nature of things, that this vast continent, vast, as we have reason to think it is, should be forever the inheritance of ignorance and superstition, the abode of wanderers who are as useless to each other, perhaps as savage, and having almost as little intellectual pleasure, as the bears and wolves that seem to be as numerous, and which are actually less fearful to us.'

"THOMAS.

"'What do you think will be the government of the country?'

"THE FATHER.

"'I suppose you mean that part of it which will be settled by colonies from Great Britain, as it is with such we are more nearly connected?'

"THOMAS.

"'Certainly; though we may expect adventurers from other countries when our prosperity becomes known.'

"THE FATHER.

"'Here we again found our conjectures upon history. We see, in the first place, that the parent country always claims the right of rule over the colonies sent out by her; and perhaps that is no more than just. But we also find that it is generally impossible for one country to maintain its sway over another situated at so great a distance; especially if the latter be of great extent. It may, indeed, sometimes prolong its dominion by means of standing armies; but at length these are of no avail. For the present, therefore, we must make up our minds that the despotism from which we have fled will overtake and rule us in this wilderness. But the same history upon which this conjecture is founded teaches also the probability that, at some day or other, these supposed Colonies, with several thousand miles of Ocean rolling between them and their Parent-land, will bid defiance to the British Lion and hoist a flag of their own.'

"THE MOTHER.

"'May we live to see that day!'

"THOMAS.

"'What form of government do you think will then be adopted?'

" The Father.

" 'I think it impossible to make any calculations as to what will be the first form; but I have no doubt that it will eventually be the monarchical, as this seems to be the one which has finally prevailed in all countries. It would seem likely, however, as Colonies are ruled even with greater despotism than the mother country, that when the first crisis comes the people will run to the other extreme and set up something like the Roman Republic.'

" Thomas.

" 'I should hardly think, from the greater enlightenment of our times, and from what we can see of the progress of knowledge and Christianity, that they will imitate a popular system which will scarcely fail, as in former times, to run into anarchy or military despotism.'

" The Father.

" 'You are quite right, Thomas. While we adhere to the analogies of history, we should consider, also, the modifying effects of increasing knowledge and experience. I have no idea that the revolted colonies will begin without some well-organized system of government; and, although it should be of a popular form, care will doubtless be taken to confine the choice of Legislators and Magistrates to those who have an interest in

the well-being of society. That will answer well while the population is small, and the inhabited territory is not extensive.'

" THOMAS.

" 'What will be likely to happen to that growth of the Country which we have anticipated?'

" THE FATHER.

" 'Monarchy. That, I think we may say, is the plain voice of history. Besides, I do not see how even a hundred millions, inhabiting a territory of vast extent, can ever govern themselves by popular elections. But, before monarchy comes, something worse will precede it; and here we must turn for our conjectures to what we know of human nature. It seems likely, then, as the multitude increases, and the government works well, that that part of the mass who have no qualifications for voting will become clamorous for equal political rights. This will be likely to grow out of their numerical strength, and this very strength will be likely to overawe the government and bring the other portion of the people to their demands. Various other influences may easily be supposed to operate; such as intrigues for power, bribery, and so forth. At any rate, all this is human nature, and we know very well what are the effects of a continual dropping of water.'

" THOMAS.

" 'Well, then, suppose the whole community, fifty or a hundred millions, have the same political rights, what will be likely to happen?'

" THE FATHER.

" 'I hardly dare to imagine what may take place before the monarchy follows. But there will be such vast numbers who will be easily misled, or may have no interest in a stable government, or be careless or unable to calculate its importance, and so many who will be ambitious of power, that it would seem to be impossible that such a government should not fall a victim to its own popular movements.'

" THOMAS.

" 'What do you think will be the rank which this Nation will hold?'

" THE FATHER.

" 'The fact that the noble blocd of the Briton will circulate in their veins is enough to assure us, that, to whatever they may turn their attention, be it commerce, the plough, the loom, or the sword, in that they will be great, equalled by few, surpassed by none.'

" THOMAS.

" 'Do you think they will follow those pursuits?'

" THE FATHER.

" 'It is most natural that Colonies should partake of the nature of the Nation from whom they come. The child generally has the traits of the parents.'

" THOMAS.

" 'As the British are given mostly to Commerce and war, we have, then, a right to conclude that this country will be especially distinguished in these. Indeed, we have, for the encouragement of the last, what appears to be a fine sea-coast, which alone would almost confirm our opinion. As to agriculture, that will be a matter of course. But what will the Nation be with regard to genius?'

" THE FATHER.

" 'Most brilliant, as long as it can boast of being descended from the noble Britons, whom Heaven has endowed with an unusual portion of its ethereal fire.'

" THE MOTHER.

" 'Come, my dear, it is late and we are all sleepy. Let us

leave the fate of this Country to One Who alone can comprehend the mysteries of the future.'

" Robert Troup Paine.

" Harvard University, November 25, 1848."

THESIS — ARTICLE XIII.

" 'AN AMERICAN NOVEL WRITTEN NOW UPON A SUPPOSED STATE OF THINGS IN THE YEAR 1900.'

" In the moral and political world, as in the physical, certain causes, doubtless, always give rise to certain effects. As in the latter, also, by familiar acquaintance with its laws we are able to prognosticate certain results from certain causes, so in the former we should be able to do the same with as much precision if we had the same facilities for becoming acquainted with the connection between causes and effects, between one event and another. But we have not the same advantages in the one case as in the other. The phenomena of the physical world take place in a uniform manner. They are the same to-day as yesterday. There are the same causes in operation, and, therefore, the same effects follow. These we may calculate, because they are not liable to variation in their nature. But not so in the political and moral world. We find not there at any two periods the causes the same. A variety of influences are con-

stantly springing up to affect the nature of causes, and hence the effects will be of a corresponding variety. Among the most evident of these are fluctuations in the state of society, which is never exactly the same at one time as at another. It is evident, therefore, that analogy is here our principal guide, and that it must be more uncertain than in the established order of Nature. Hence we say of moral and political events that they will probably happen in a certain manner because the condition of things now in operation is analogous to those that existed at some antecedent time. Our conclusions, therefore, in such cases, must be more or less conjectural; for even where the causes are most apparent there are some concealed from observation, and these very ones may give a different turn to events than had been expected. But when the causes are not the same as at preceding times, we can only, at the most, approach to correctness, and may often form very vague speculations.

"Looking, now, at the present state of things in our own Country, taking into consideration the nature of its institutions, the spirit and enterprise of its people, and its domestic and foreign relations, what may we venture to predict as to its probable condition fifty years hence?

"What, in the first place, will be its form of government? Here, at the outset, analogy greatly fails us, for our own condition is unlike that of any other nation. We are therefore compelled to reason mostly from ourselves alone, and from what we know of the nature of man. If, then, we may form an opinion

from the continued stability of our Republic for more than seventy years, from its increasing strength, and from the attachment to this form of government which daily grows stronger in the breasts of our people, we can see no ground for supposing that this Union is destined within fifty years to fall into the condition either of an oligarchy or a monarchy. On the contrary, there is much probability that it will become more strongly established on its present basis, and that the blessings of liberty will be still dearer and more highly appreciated. But what may be the state of things over so vast a territory at a more distant time, and considering also what may be the tendencies of universal suffrage when the numbers become vast whose special interest will consist in what has been called the *largest liberty*, we will scarcely venture to surmise. This, however, is to be mostly feared from foreign adventurers. The Republic may be, in this way, sowing the seeds of its own ruin. The foreigner can never become an American patriot. He may fight our battles while he is paid for it; but he will not do it from any love of country. He has no feelings in common with the heirs of the soil, and he will be always guided by his private interests.

"But what are the prospects of the Country within the period assigned? Is it possible that this great extent of territory shall hang together under one government for the next following half century? Is it possible that the different portions of our Country, so different in their physical aspects, in the cus-

toms, sentiments, and dispositions of its people, should continue together harmoniously for fifty years to come?

"This question can be answered only by considering the causes which may bring about disunion. By looking at these, we can see a possibility that the Northern and the Southern States may separate into two great and independent Republics. But the probability of such an event immediately vanishes when we consider that the very object which would mostly prompt a separation would be defeated as soon as it should take place. If the South should ever secede from the North, it will be for the preservation of slavery; but in doing so they will do away with it for ever. The three millions of slaves which they now hold in peaceful subjection would instantly rise in open rebellion, and depopulating their country with fire and sword, fly afterwards to the arms of a people who would give them protection, if not their sympathies.

"But fears may be entertained by some lest the great Country of the West, on account of the peculiarities of its physical condition, and the character and habits of the people (much of it, too, having been obtained by conquest), may be led to raise itself into an independent Republic. In considering, however, the causes of rebellion, we see that, however various they may have been, there are two which have always formed the groundwork; a love of liberty and a hope of improvement. But what gain, in these respects, can accrue to the West from revolution? What blessing would they obtain which they do not now enjoy?

What greater liberty could they achieve, what greater desire? They, too, must always have a preponderance in our national councils, and as the North will be cemented to the whole by its commercial and manufacturing character, these two great sections will unite in maintaining harmonious relations with the South.

"Our conquests and other acquisitions of territory differ from those of all other nations. The conquered countries are incorporated into the Union, and all are placed upon a common footing. There are, throughout, the same privileges, the same participation in government, the same laws. This will keep down all feeling of inferiority, and prevent any well-founded sense of oppression. There must, of course, be more or less strife, either of a political nature, or such as may be prompted by sectional interests; but the great balance-wheel will be always at work in its office of pacification.

"But there are certain other advantages which are peculiarly adapted to cement and perpetuate our Union. The railroad and the magnetic telegraph are improvements, as we conceive, which more than any thing else perhaps, are calculated to unite all in one interest, to make all feel a mutual dependence upon one another, and the great advantages which arise from union of heart and hand. In considering the rapid progress of these improvements during the few years since their introduction, and the enterprise of our people, we find an earnest of their future extension, and are warranted in the prediction that

before the lapse of many years, certainly in less than fifty, the extremes of our vast territory will be brought together by the annihilators of space; that we can then go from Maine to California in a few days, and two friends in the respective places will be able to converse about as easily and freely as if under the same roof.

"ROBERT TROUP PAINE.

"Harvard University, November 14, 1850."

FORENSIC — ARTICLE XIV.

"'WHETHER THE CONDUCT OF THE PATRIOTS WHO DESTROYED THE TEA IN BOSTON HARBOR, IN 1773, IS TO BE CONDEMNED.

"It needs but little acquaintance with human nature to see the necessity of government; nay, to see that the principle is implanted in the very nature of the mind. In short, wherever we find an assemblage of men, however small, there we find a disposition to connect themselves together by government of some kind. When there is a difference of opinion or wishes upon any point of mutual interest, it is evidently more proper that one should give way to two than that two should yield to one.

"As government, therefore, is necessary to the well-being of man, and as we are so constituted that few think alike on the

same subjects, it is manifest that governments will exist, and that the majority have a right to rule the minority. This right extends to laws that are free from oppression, and so far it is the duty of the minority to obey them. We see, then, that there are certain conditions and limitations by which the majority should be restricted. In the first place, the minority should always have a perfectly free voice. Secondly; the majority have no right to enact a *particular* law, or law intended for a few and not for all to whom its conditions may apply. A law, for instance, to compel a particular merchant to pay duty could have no shadow of right, although the majority were 98 per cent; while one requiring all engaged in the *same* trade to pay the duty, would be, as far as the present consideration goes, perfectly proper. Thirdly; the majority have no right to enforce a law against an action performed before the passage of the law.

"With these limitations and conditions, we lay down the principle that the majority have a right to rule over the minority.

"Let us now take a view of the different kinds of government; see which one comes up most perfectly to our idea of a majority ruling over a minority, and how far others depart from this conception.

"A perfect democracy, like that of Athens, stands forth as a complete embodiment of our principle. Under this form, as every Citizen has a right to vote on all public measures, if any

one be dissatisfied with a proposition he objects to it, and it is counted for him in the general reckoning. The result is an expression, literally, of the will of the people. This is the most natural form of legislation. It is true independence; at least as much so as possible, in its relation to government.

"But mankind, at least a portion of them, in undergoing refinement, left the natural, simple form of government, as they had already their simple and plain mode of life, and gradually created an artificial form; a Republic being the result. Now, although this be generally considered the very essence of freedom, is it not more imaginary than real? It is true, the legislators are chosen from the people and by the people. Each Citizen can vote for whom he pleases. But, then, each Legislator can vote, and does vote, according to his own pleasure, and not unfrequently in opposition to the opinions and wishes of those whom he nominally represents. And, although it be not uncommon that unpopular, and sometimes oppressive measures arise from this system, the tactics, machinery, and corruption of party leaders often beguile the people into a pursuit of objects against their own wishes and interests; till, at last, misgovernment may become so manifest as to be no longer tolerated, and a change of rulers takes place.

"Next comes the limited, but hereditary monarchy. This is, of course, still more removed from our simple principle of liberty and independence. In this, to be sure, as in the Republic, there are nominal representatives of the people; but the

people do not have the same general voice in their election, and every thing is more arbitrary. But, connected with the monarchy there are frequently tracts of land called Provinces, the inhabitants of which are ruled by officers appointed by the general government, and by laws in the making of which they have neither voice nor representation.

"There is still another form which we shall only mention, as it is not a regular system of government. It is the despotic. This is the most arbitrary, illiberal of all, and farthest removed from the realization of the fundamental principle of civil liberty. In short, it is simply might prevailing over right.

"We have now before us the general principle, that, under the conditions and limitations we have mentioned, the majority have a right to rule over the minority. Suppose, then, a law to be passed under a perfect democracy, and in conformity with the mutual concessions; but yet the law shall be highly displeasing to the minority. Have they, on this account, a right to rebel? Unquestionably not. This would be to deny government altogether; to rebel against Nature, to rebel against an institution founded upon a principle of the human mind. Hence it follows that, in a perfect democracy, the minority have no right to resist the majority, as rulers.

"But let us suppose the case to be different; that the majority have not observed all the conditions and limitations by which they are rightfully bound. The aspect of the whole case is now entirely altered. The majority have now parted with

right and justice, which they might have retained, but which has now gone over to the minority. And now come into operation other natural principles which are implanted in the mind along with the principle of government. These are a sense of certain natural rights, and an impulse to retributive justice whenever these rights are infringed; and if we derive from an innate desire of government the necessity of submission to the majority, we equally infer from our perceptions of justice the duty of the majority in respecting the rights of the minority, and, when this is not done, the propriety of resistance or rebellion, if necessary. There are, therefore, principles in operation between the two parties which have a constant tendency to maintain the rights of both; and were it not for the natural right of resistance when the social compact is violated, there would be no limit to which an overbearing majority might not carry their abuse of power.

"Let us now bring into contrast the extremes of government; the perfect democracy and despotism. The hive of freedom — chains and slavery! One man trampling upon the most indelible principle of humanity! Shall such usurpation exist, even though to dispense equal and exact justice to all? Shall one man dictate the temporal interests of all? God forbid! for that is His prerogative alone. To arms! To arms! and lift fallen humanity from the dust! Give it freedom, the second precious of all rights!

"With regard to the Republic, and limited Monarchy (that

is, the immediate government), suffice it to say, that, although the people have no direct voice in making laws, they have delegated this power, by common consent, to nominal representatives. The same rules, therefore, hold good in these instances as in that of a perfect Democracy; so that, here as there, the majority must rule with the same equity; or, in failure of which, the minority may resist the encroachment upon their rights, and, if necessary, in open rebellion.

"We come, lastly, to the Provinces of a limited Monarchy, about which our former remarks are especially concerned, and which are necessary to a right understanding of the question before us. Here the matter stands very differently from what it does with the *immediate* government. In the latter case the rights of the people are more similar to what they are in a perfect Democracy, or at least a Republic, while in the former there is the resemblance of a Despotism. Indeed, we may say that the government of Provinces has all the essential characteristics of despotic sway. The people, in both conditions, are ruled by officers whom they have no voice in electing, and by laws in the making of which they have neither voice nor representation. In both, every thing is arbitrary. In both, it is might prevailing against right. The only difference is, that, in the one case it is usurpation and tyranny on the part of a number, in the other, of an individual. But this is merely a difference in form, merely an external difference, and of no importance to those who suffer by it. There is equal injustice in both

cases. If, then, this be so, the same rules must apply to the inhabitants of Provinces as to those who live under the despotism of a single man.

"With regard to the taxation of the American Colonies by Great Britain, and the duty imposed upon tea, it is needless to repeat history, as that is too well known. Suffice it to say that it was an arbitrary act, as was the whole of the provincial government by the mother country. It was a matter in which the Colonies had neither voice nor representation. We would observe, also, that they did not, at first, proceed to open rebellion, but remonstrated, and remonstrated, and not till after finding all peaceable measures in vain did they resort to violence. They were monarchists themselves, and would have been contented to have remained so under a more liberal system. As in all other cases where revolutions have sprung up, the Colonists forbore till oppression awakened the true spirit of liberty. Such is all history, and we may therefore conclude that such will be the progress of events till universal freedom and brotherhood prevail. Under these circumstances, then, we say that the conduct of those who threw the tea overboard should be commended by every true friend of human liberty and the dignity of man.

"Robert Troup Paine.

"Harvard University, December 26, 1850."

FORENSIC — ARTICLE XV.

"'WHETHER REPUBLICAN INSTITUTIONS ARE FAVORABLE TO THE CULTIVATION OF THE FINE ARTS?'

"Painting, sculpture, and music, like every other art which finds its sphere of operations in a civilized community alone, must arrive at their greatest perfection under those institutions which tend most to the highest state of cultivation and refinement. Such is the effect of those institutions which most promote general education, nay, to whose existence a high degree of general education is *necessary*, and which hold out encouragement to each individual, and secure to him the fruit and reputation of his own labor. This, pre-eminently, is the nature and tendency of Republicanism.

"Starting from the sternest despotism, we find it conducive only to the grossest and most universal ignorance; that this alone is its only safeguard; for, as we ascend in the scale of liberty, we find that government which is in the least degree above despotism to be attended with the first germs of any general mental improvement. So at each ascending step we meet with a corresponding advancement between the government and the moral and intellectual condition of the people; until we reach the most liberal Republic, where the sun of

education shines not alone upon a favored few, but dispenses through the whole land the bright light of noonday. Again, in other governments it is the powerful, the rich, who, alone, enjoy consideration or even respect. It is the hereditary lord, the duke, the pampered of fortune, such as are 'clothed in purple and fine twined linen,' and 'sit in high places.' In the Republic, only, is every man, in Spanish phrase, 'the son of his own works.' 'An equal chance to all,' is the motto of its institutions. What a glorious rule this for every diversity of talent, and not more for others than for the painter, the sculptor, and the musician! Our Nation is young, and working for subsistence; but poor as it may be, what say the subscriptions to our Art-Unions, what mean those crowded halls, throughout our land, to listen to every kind of melody as warbled by the 'Swedish Nightingale,' to the lofty strains of David, and Mozart, and Handel? What greater incentive to ambition than to know that every thing depends upon yourself; that, although of the poorest and meanest parentage, you may yet become the morning-star of your country! These are only glances at a fruitful subject; but they seem to us to depend upon principles as high as Heaven.

"It is often, said, however, that, in a Monarchy greater encouragement is given to the fine arts by reason of greater pecuniary inducements; that there we find those princely fortunes which are decidedly contrary to the spirit of republican institutions. It is true, that, according to the genius of monarchy, the mass of wealth is thrown into the hands of a few; that

a Prince, or a Lord, may, from his own income, often maintain a hundred artists in handsome independence. It is also true that this cannot be said of a republic. But does this prove the insufficiency of pecuniary inducements to artists in a republic? Wealth may not have the same exuberant growth as among individuals under a monarchy; but it is better distributed, sufficiently ample, and in the hands of those who have as much taste, knowledge, and munificence of spirit as the more wealthy aristocrat. They may not as yet, in our country, be able to compass the choicest works of art; but whatever is below is within the reach of far greater numbers. This, however, is an evil of only to-day. Look at our multiplying wealth, population, and power! What does it arise from but our republican principles? And shall not the same principles continue to operate, and shower down their blessings upon the fine arts as well as upon the useful, those arts which have grown out of the noblest impulses of man, and must, therefore, meet with a reciprocal sympathy wherever knowledge lights up the spark of ethereal fire? In the mean time, we say again, observe the demonstrations all over our land, — the Associations, the Lotteries, the Art-Unions, the crowds that seem enchanted by song and instrument, and hail with éclat the last written stanzas and the last composition in music. Nor this only. The government itself, when in the hands of taste and refinement, is often a bountiful patron. Witness the most elegant productions of Greece, both in painting and statuary, and still the admiration

of the world, executed at the public expense. Witness, too, in our own Country, young as it is, a manifestation of the same thing by a local government, in the statue of Calhoun, and in the order from the National Legislature, as I have understood, for a group emblematic of our political condition.

"We do not mean, however, to deny, that, so far as experience has gone, greater pecuniary inducements exist under the monarchical form of government, but we contend that those in a republican are sufficient; that, although there be some defect here in this respect, the greater opportunities to the Artist in other respects more than compensate. The fact that under a republic every one is at first on an equality, but by his own exertions may attain all the acknowledgment of excellence to which his merits entitle him, that every effort he makes is encouraged by public approbation, proves an incentive to ambition which the distinctions of monarchy serve only to crush. If, then, the monarchy be more a patron of the eminent and established Artist (which may be doubted), the republic is certainly the school and college in which his faculties are most matured.

"What we have thus arrived at, mostly by inductive reasoning from principles, we find to be borne out by history. As little as science and the useful arts had advanced in the time of Greece, she is acknowledged by all to have remained the Mistress of the world in Literature and the arts of taste, and, as we have seen, some of her most splendid productions were executed at the public call. We find, moreover, that the amount of

encouragement bestowed upon the fine arts has been proportionate, in a general sense, to the republican character of governments.

" Robert Troup Paine.

" Harvard University, November 21, 1850."

THESIS — ARTICLE XVI.

" 'He could not bear an equal.'

" What beautiful symmetry throughout Nature! What surprising adaptation of every thing to that one great end, the happiness of Man! In his physical frame, whether we look at the wonderful power of the gastric juice, at the philosophy of respiration, or the make of the hand which fits it so admirably to be the servant of reason, how amazingly do all things work together for man's animal welfare! But, turn our attention to the immaterial, immortal part, and new and greater wonders are opened to our view. There we behold that same harmony, that same coöperation of causes for the well being of man. There sit enthroned the spirit of emulation, the desire of knowledge, the desire of power, and the desire of gain. There, too, are anger, jealousy, revenge, with their kindred spirits; all of them under Reason as their sovereign, and each of them playing its part in the economy of man's well being.

"Of all these active powers the spirit of emulation is, perhaps, the most essential. Without it the world were comparatively stagnant, and man but little exalted above the brute. But we cannot sufficiently admire the Wisdom which has counteracted this inferiority, which has provided for the due exercise of all the intellectual faculties, and made the world what it is, by merely associating in the mind of man the spirit to outstrip his brother. If, however, there were no limitations, it is obvious that all would be a scene of discontent and disappointed ambition. But this is wisely provided against by making the spirit of emulation, in any pursuit, proportioned in every one to his abilities. In other words, emulation exists only among those who are equal, or nearly so, in their abilities for obtaining a common object.

"The spirit thus restricted prevails in every class and order of men. The laborer, who strives with his pickaxe to overtake his fellow, is actuated by the same emulation which existed between Euripides and Sophocles, which would have existed between Alexander and Napoleon had they been contemporaries, and which is so often displayed between Webster and Clay.

"Nor is this spirit confined to any age, for beginning with the dawn of reason, it is our faithful attendant to the grave. It was this that actuated young Napoleon in the defence of his snow-castle, and in manhood in his greatest military exploits. It enters as an ingredient into the pleasure we derive from

almost every thing we do. And yet, while it enhances pleasure, it gives us no rest as long as there is one whom we look upon as our equal. This may, indeed, appear paradoxical; the source of our best enjoyment, and, at the same time, of our greatest uneasiness. It is somewhat analogous to the grief and pleasure experienced on witnessing a tragedy, the explanation of which can be found only in the constitution of the human mind.

"It is this spirit which infuses pleasure into games. We all know to what height emulation raged at the Olympic Games, and all of similar kind. The same is also true of those of a different nature. In Chess, for example, that this is the operating principle is evident from the little pleasure we derive from playing with one who is much our superior or inferior, compared with that which flows from a nearer equality in skill. It is the secret charm of the gambling-table, at least where mind is brought into operation. It is this spirit which then gives a greater value to the stake than when the same amount is gained by labor, or as an ordinary gift.

"It is in the sense which we have now considered it, that we are not able to bear an equal; though some may suppose that the question implies an indulgence of envy and ill-will. These passions may grow out of the principle, but are in no respect necessary to it, or a part of it. We constantly see the strongest rivals bound together by the warmest cordiality. Were it otherwise, indeed, the spirit of emulation would be a poisoner of our bliss.

"But, that emulation may dispense its blessings, it must, like all our other principles and desires, be subjected to the controlling power of reason. It is ungoverned emulation that gives birth to a rankling envy of those who may have outstripped us in the race, and contempt for others whom we have left behind; and

'———————— envy darts a sting
That makes a swain as wretched as a king.'

"Let us, therefore, in view of the advantages and pleasures of emulation, and since it enters into every pursuit, cultivate it according to its worth, and chiefly in those occupations which are high and noble, nor rest so long as one remains whom we may surpass. But, at the same time, let it be so controlled that if our rivals should surpass ourselves, we may suffer no disturbance of that peace which is the balm of life; or, on the other hand, should excellence attend our walks, we may not be elated with haughty pride. (See page 142.)

"Robert Troup Paine.

"Harvard University, March 14, 1850."

FORENSIC — ARTICLE XVII.

"'WAS THE ACT OF BRUTUS IN KILLING CÆSAR JUSTIFIABLE?'

"It is fundamental in morals that the motive of an act is the essence of the virtue or vice of which the act is the manifestation. Otherwise, why is a certain act applauded in one person and the same thing censured in another? It is for this reason that various degrees of punishment are allotted to crimes which differ only in their motives, and which, accordingly, are designated by names that are indicative of their degrees of atrocity. Killing another is always the same act; but it may be murder, manslaughter, or justifiable homicide. In one case the punishment is extreme, in another the same act is commendable.

"If, then, we judge of the act by the motive, by what standard shall we judge of the motive? In answering this important question, we shall avoid all speculation respecting the origin and nature of motives considered as such, and confine ourselves to an interpretation of their morality, or the ideas of right or wrong which we attach to them. Nor will it be necessary to consider any but such as relate to homicide. So far, therefore, it is our purpose to inquire into the general principle by which we are guided in our justification or condemnation of

an act committed under the influence of any particular motive. Among those which may be supposed to operate are jealousy, envy, the desire of gain, instinctive or deliberate resentment, and defence of rights. The first three, and all others of the same kind, are adjudged by the whole civilized world to be of the basest nature, and homicide committed under their influence as the highest crime. In the case of instinctive resentment, the degree of right or wrong attached to the motive depends upon the magnitude of the offence which is the object of resentment. But here an allowance should be always made for the rashness of an act committed on the spur of the moment, and before reason has had time to exercise its free control. When the defence of personal rights results in homicide, the justification of the motive obviously depends upon the necessity of immediate and extreme action. In all nations, civilized and barbarous, every one is justified in defending himself, his friends, and property, against the highway robber and the burglar. Then anger should whet the blade of justice, for then not to do is perhaps to die.

"We are aware that there are some who will question the morality of what we have just said; but he that does not approve the homicide where immediate and extreme action is necessary for protection, must impute to his Creator a defect in the constitution of man, in having made self-defence not only a universal, but the first law of nature; and, without it He would long ago have been the Lord of a desert world.

"In comparing the grounds on which we justify or condemn the different motives for homicide, we think that two general standards may be deduced, by which we are guided in our decisions. The first is the deserts of the individual who is the subject of the homicide considered in relation to the motive. Thus, the promptings of envy, avarice, and the like, are without extenuation, as they have no connection with the deserts of him against whom they are directed, but originate entirely in the baseness of the assailant; while, on the other hand, where provocation exists, the justification or palliation of the motive for homicide depends upon the magnitude of that provocation.

"The second standard is the necessity of immediate and extreme measures for protection.

"Having now obtained the general criteria by which we may estimate the motives for homicide, we may proceed, in the first place, to ascertain the motive of Brutus in killing Cæsar, and then to decide upon its merits.

"We cannot doubt that Shakspeare has rightly indicated the motive, where Brutus is very aptly made to confess it in his solemn meditations, before the assassination took place. He soliloquizes thus:—

> "'It must be by his death; and for my part,
> I know no personal cause to spurn at him,
> But for the general. He would be crowned;—
> How that might change his nature, there's the question.
> It is the bright day that brings forth the adder;

> And that craves wary walking. Crown him?—That;—
> And then, I grant, we put a sting in him,
> That at his will he may do danger with.
> The abuse of greatness is, when it disjoins
> Remorse from power. And to speak truth of Cæsar,
> I have not known when his affections swayed
> More than his reason. But 't is a common proof
> That lowliness is young ambition's ladder,
> Whereto the climber-upward turns his face;
> But when he once attains the utmost round,
> He then unto the ladder turns his back,
> Looks in the clouds, scorning the base degrees
> By which he did ascend. So Cæsar may;
> Then, lest he may, prevent ——.'
> ——— 'Think him as a serpent's egg,
> Which, hatched, would, as his kind, grow mischievous,
> And kill him in the shell.'

"If we follow this, the motive of Brutus was not founded on the deserts of Cæsar. So, therefore, had Cæsar even deserved his fate, that can be no palliation for Brutus. He was, also, the ostensible friend of Cæsar; and, as the latter had not even the opportunity of abusing power, there was not the least plea of necessity for immediate and extreme measures for protection. Cæsar threatened not the state. He would be crowned, to be sure; and who is there that would not? But he would not crown himself. Who doubts that there are many in France, aye, in the United States, that would be king? But shall they on this account be put to death? Or, were any one proclaimed king of either country, should it not rather be considered as an

act of folly on the part of the people, than of tyranny and usurpation in him who is merely the recipient? Cæsar might, according to Brutus, abuse his power, and ruin his country; but this, at best, was mere conjecture. Let us illustrate the principle by something analogous; for, although to us it seems to be plain, Brutus has been often justified by sound moralists. Suppose, then, myself to have slain another whom I had offended, and whom I knew to be revengeful; will the fear of my own life justify me in such an act of prevention? But, if that man should attack me, or I should have unmistakable evidence that he had a design upon my life, and there were no time for the intervention of civil power, the state of the case would be completely altered, and homicide rendered justifiable. The blood upon my hands, though physically red, would be morally white. Again, here is a case more parallel still. Suppose that I were to meet, accidentally, in some sequestered place, a man of notorious avarice, perhaps already known as a thief or a burglar, and this man should see me in possession of a large amount of money; would any fear arising from this knowledge justify me in the extreme act of prevention, or in any violence towards him? Certainly not. I must quietly wait for any apprehended assault.

"Had Cæsar been engaged in a conspiracy against his country, or had he been marching an army against it, or, like Sylla, had issued proscriptions, and the safety of its institutions, or of its citizens, had demanded his destruction, we should have said, Well done, Brutus!

"But it is commonly thought that Brutus acted from a disinterested and patriotic motive. We believe it, and are happy to do so; for it takes from the deed that appalling aspect which it must have borne had he been prompted by envy, and reduces it to a far less criminal defect in the moral sense. This, too, is the opinion of Shakspeare, as variously implied; especially when he makes the courageous Brutus a conscientious foe to felonious homicide.

'*Cassius.*—If we do lose this battle, then is this
The very last time we shall speak together.
What are you then determined to do?

'*Brutus.*—Even by the rule of that philosophy
By which I did blame Cato for the death
Which he did give himself.—I know not how,
But I do find it cowardly and vile,
For fear of what might fall, so to prevent
The time of life;—arming myself with patience,
To stay the providence of some high powers,
That govern us below.'

"The sum of the whole is this. Brutus was not actuated by malevolence, nor was Cæsar engaged in any movements injurious to his country, but was slain by his friend because of vague suspicions that he might be guilty at some future time. The consequences of this act, therefore, are of far greater moment than the act itself.

"Robert Troup Paine.

"Harvard University, March 21, 1850."

THESIS — ARTICLE XVIII.

"'THE CIVIL WAR WAS NEAR, AND BOTH CÆSAR AND POMPEY PAID GREAT COURT TO CICERO, EACH RECKONING UPON HIM AS A DETERMINED FRIEND.'

"'THE DIFFICULTIES OF A STATESMAN WHO WISHES TO STAND WELL WITH ALL.'

"In all civilized countries, and at all ages, it has been the custom of men, of every rank and profession, to court the favor of the Statesman. In cases, therefore, where the different party principles are of a conflicting nature, where their interests are widely different, and the parties obstinate, the Statesman, who is appealed to alike by all for support, and who feels his own best interests to depend upon the manner in which he can give the greatest satisfaction to all, seems at first thought to be surrounded by the greatest difficulties imaginable. And so is it, indeed, if he act the hypocrite, or take not for his guide the pure standard of morality. Here is his only safety. There can be no compromise between right and wrong; least of all may he become, as we too often see, a political Iago. Otherwise, he must foster the prejudices of each party, his sentiments must harmonize with both, and he must be alternately the friend and the foe of each. This, to be sure, may be easily done; for it

only requires that destitution of principle which is readily obtained in the school of politics. But, how to succeed in this deception, how to gain its objects,—*hic labor*, *hoc opus*. Failure must evidently be the end with most, as few only are sufficiently endowed to practise the necessary art and dissimulation. It has been wisely ordained, that the benevolent and noble principles of our nature should be carried on with ease, like the working of a well-made piece of machinery, or the rapid flowing of a stream from its fountain as long as it continues unobstructed; while the exercise of the baser passions is thwarted by their own tendencies. They are like the sins which have been so often made the destruction of nations. They are a deformity of that pure Godlike nature, which, in man, constitutes the image of his Maker. Hence the difficulties attending every course of action which swerves from that of rectitude.

"Ruined fortunes, as we have said, are likely to be the end of the hypocritical Statesman; but what is the condition of his mind while he is in pursuit of them? What tormenting fears must harass his soul in all his public speeches! How difficult, how impossible to shape them so as to gratify each party and conceal their art and dissimulation! What well-balanced flattery must be practised; how skilfully the lying must be done! How guarded, too, must be all his private conversation, lest some remark escape which may betray his insincerity!

"But this is a subject which requires an experience that we do not possess. The difficulties attending such a road to univer-

sal favor can be properly appreciated only by those who have travelled upon it, or have observed how often it has conducted others to disappointment or ruin. It is more agreeable to us, also, to regard the Statesman in another light, and under happier auspices; to see him winning favor from all, and maintaining his peace of mind and self-respect, by pursuing the simple course of integrity. Whatever may be the violence of party spirit, however conflicting the opinions and desires of the different sections, there are many points, and probably the most important, upon which all agree. Now, we conceive that these are the ones for the Statesman, and if, at the same time, he discourage prejudice, and stand forth, not as the champion of a party, but the man of the nation, he will ride triumphantly over every obstacle, and find a shrine in every heart. The result in this case is as natural as in the other, for here operates the worthy and noble part of our nature. It is true, great decision and firmness will be necessary to resist temptation, and the demands or the violence of party; but the Statesman will rarely go wrong, or have much difficulty with the right, while he follows the moral dictates of his own constitution. The highest order of courage may be sometimes demanded; but then it gains a corresponding recompense. One follows the other with as much certainty as do the tides the sun and moon.

"Thus we find, the world over, that honesty and straightforwardness are generally the only means of obtaining prosperity and honor. It was this spirit that actuated the 'Pater

Patriæ,' and that other great man, lately deceased, and when party spirit was raging with terrible violence, conducted him in triumph to the presidency. He was indeed the President, not of a party, but of the people.

" Robert Troup Paine.

" Harvard University, September 19, 1850."

FORENSIC — ARTICLE XIX.

" ' IN SELECTING STUDIES FOR THE JUNIOR AND SENIOR YEARS, IS IT WISE TO DROP LATIN AND GREEK IN ORDER TO ATTEND TO THE MODERN LANGUAGES?' *

" This question is of peculiar interest at the period of College life to which we have now arrived. Ignorant of our future destinies, it now becomes our duty to select, as well as we may, certain studies that will be most likely to be useful to us hereafter. The choice, as limited by the question before us, requires considerable reflection, and a careful examination and comparison of the supposed advantages both of the ancient and modern languages. We shall, therefore, examine the subject in a general sense, and not with a reference to individual interests, or preferences.

* During those years the Students have the privilege of choosing certain studies, which are accordingly known as " elective studies." The choice is made in the last term of the Sophomore year.

"Let us see, in the first place, if Latin and Greek are entitled to the degree of attention which they often receive, and whether the advantages be as great as many imagine. For this purpose we will view them in their connection with our own language; then in their bearing upon the different professions and pursuits of life, particularly the scientific; and finally as distinct languages.

"The advocates of Latin and Greek say that, inasmuch as they are the great foundation of our own language, a knowledge of them is necessary to a correct understanding of the mother tongue. Now, although it be true that many of our words are derived from the Latin, and many, too, from the Greek, there re a vast number which come from the German, French, and Spanish languages. But it will be said that these German, French, and Spanish words, from which similar words of ours are derived, are themselves obtained from Latin and Greek words. Grant that. But then we shall say, with equal truth, that those very Latin and Greek words, to which we owe many of ours, are borrowed, in their turn, from some more ancient languages. Thus many English words are just as much derived from the modern tongues as others are from the Latin and Greek. We can say with as much truth that the German *garten* is the original of *garden*, as we can that *phosphorus* is derived from the Greek φως and φερειν.

"We see, therefore, that the modern languages of Continental Europe are probably as much the foundation of the English

as the Latin and Greek are, and that he who turns his attention to the former may have as good an opportunity, possibly better, to become acquainted with our etymology, as he who devotes himself to the latter.

"Again, many of our words have a different signification from what we should infer from their ancient originals. The word *transgression*, for example, signifies according to its etymology to *go over* or *across*. But if I were to say I *transgressed* the Boston ferry, I think that the Latin Professor would laugh the loudest. The civil law is transgressed, but not by going over it, but by going against it, or coming short of it. The laws of humanity require us to save the life of a drowning man, except at very great peril of our own. But should a plunge for his rescue be made by one unacquainted with swimming, he would, in the literal signification of the word, transgress the laws of humanity, for he would be doing more than they require. But we should rather say that he transgressed, if, being an expert swimmer, he should refuse this necessary aid. Still, in this case, he falls short of the laws instead of going over them. The word *virtue* may, also, serve as an example. To use the word according to its derivative signification, we should call the slaughter of a thousand men 'with the jaw-bone of an ass' an act of *virtue*, because valor and courage are required. This, however, is ridiculous. But we would call the deed of the good Samaritan an act of *virtue*, of so great virtue, indeed, that all the world is told to 'go and do likewise.' From this

discrepancy between the derivative and the actual signification of many words, we learn at once that our understanding the import of words may be quite independent of a knowledge of their etymology.

"We do not intend to discourage the study of the Latin and Greek languages. We know too well their importance in an intellectual sense, which is far greater than their etymological. We desire only a fair comparison, upon the latter ground, with the principal existing languages. Let us, then, consider still farther the fact that, where words have descended from ancient languages, we know their meaning before learning their derivation; unless in the nomenclatures of science, or in ascertaining the accuracy of such important translations as the Holy Scriptures. A multitude of examples might be shown to this effect, and where derivative words are perfectly understood without any knowledge of their origin. We think, too, that in this respect the ancient and modern languages are upon common ground; and while we do not deny the importance of the former to the scholar and literary man, we claim, if not an equal, a high degree of respect for the latter. They will all be greatly tributary to the accomplishments of mind, however they may not be greatly necessary to a correct understanding of the English language. And here, too, the distinction should be observed between what is properly meant by *language* and its purest diction.

"The next branch of our subject concerns the different pro-

fessions and other pursuits which may be supposed to be more or less interested in a knowledge of the Latin and Greek languages. Here we find a still greater degree of importance attributed to them. But has it been with sufficient regard to the real merits of the subject? Has there not been too great a deference to habit and prejudice, too much to our respect for the past, and too little dependence upon ourselves, too little reference to the progress of knowledge and improvements, and too little to a change of circumstances? In answering these questions, we should keep steadily in view that they relate to the languages as such, and do not extend to their bearing upon intellectual culture, which is quite another subject.

"How is it, in the first place, with the Lawyer? Does he go back to the Latin and Greek authorities for his guide, or even assistance? Certainly not. He must proceed according to the principles of law of our day, and not according to those which existed in the days of Cicero. What says his library? There is nothing there but English law and literature; or if there be more, it is not the Greek and Latin authors, but those of modern France, and perhaps of Germany. So far as books are concerned, these are the ones by which he tries all his causes; and the rest, which is often more important, he makes up by his own mind and general erudition. Here, however, we are coming upon what may be imparted by a large education, and if we were to go into its merits we should probably find that a knowledge of French, German, Spanish, and Italian,

especially the first two, would take a high rank in their comparison with Greek and Latin. Time was, when the latter yielded all the great classics; but, in the march of society many and important additions have been made, both on the continent of Europe and in English literature.

"Perhaps something should be allowed for certain phrases borrowed by modern codes of law from the ancient; and so long as they stand in their original garb, as they probably will on account of their brief and expressive nature, their meaning must be understood; but this may be as easily acquired without a knowledge of Latin and Greek as the signification or import of English or any other words and phrases.

"As to the Physician, his pursuits are far less artificial. He is abroad in the field of Nature, and Nature is his great authority. But, it is said that Hippocrates, and Galen, and Celsus, are the fathers of the science, and have laid down important rules of practice, and that, therefore, their works must be read. This, doubtless, may be well enough; perhaps should be done so far as they are accessible through an English translation. But is it necessary? Is it not probable that what they have taught may be found in the works of modern writers? It is true, the fathers of medicine have been always celebrated for their accurate observation of Nature. But her book is equally open to all; and if there be many who are not as able to read it, there should be help enough around them in the Masters of our own times. We suppose, however, that Medicine must require

a high order of mind to understand its principles and details, and to comprehend the many branches of science which are connected with it. We may be sure that it is here that learning is most necessary, and that there cannot be too much of it. Suppose, then, that a knowledge of Greek and Latin be important for the sake of the ancient writers; may it not be said with as much truth that the modern languages share equally in that importance? Have France and Germany done nothing for Medicine? Have they not schools of distinguished reputation? And how are they to be approached but through the languages in which their instruction is delivered?

"We shall say nothing now as to the supposed importance of Greek and Latin to a knowledge of the derivative terms employed in Medicine, and the writing of prescriptions. That we have partly disposed of when speaking of Law, and it will be considered farther in what we have yet to say of the Sciences in a general sense.

"We come, therefore, next to the Clerical profession. The beautiful simplicity of all the doctrines in Religion and Morals would seem to preclude the necessity of any other language than that in which the Scriptures and modern commentaries may be most readily studied. Indeed, Christianity was carried over the whole known world, and may be said to have been virtually established by a few unlettered men, before the destruction of Jerusalem; and that, too, was done in the midst of the grossest ignorance and idolatry, and against the worst forms

of persecution. And did it derive any aid from Greece or Rome? The former was reposing upon its laurels from Homer downward; the latter was at its zenith, with the names of Virgil, Horace, Cicero, Cæsar, fresh before them. This assures us of the duties of the great mass of the Clerical profession; and subsequent experience inclines us to think that Latin and Greek have done more for polemical divinity than for the good of mankind. Not, however, of necessity. We grant it should have been otherwise. But what are the facts? Here, too, are no scientific terms. There is nothing derivative but what is readily understood by the whole human family. You say, indeed, very justly, that we should look well to our translations of the Holy Scriptures, and that this cannot be done without a knowledge of languages even more ancient than Latin and Greek. But this should be the work of the gifted and laborious scholar. Great time and research are necessary for this. It may be said to be almost a profession in itself, and should be set apart for a few. The multitude should receive it upon trust as far surpassing any critical ability of their own, and employ themselves after the manner of Christ and his Disciples. There would be but little done for the great objects of the Church, and for the good of society, if all were to become Biblical critics. Still, we do not deny the advantages of scholarship here as every where else; but we think it less essential than in the other professions, and that it has too often gone in pursuit of the letter rather than the spirit of the Word. The business

of this profession is to strive to attain, as far as possible, a resemblance to their great Pattern.

" With regard to the Sciences, it is said that a knowledge of Latin and Greek enables us to understand the names and terms employed in them. This must be taken, also, in its connection with the professions; though it is mostly confined to Medicine. There can be no doubt that there is considerable force in this. But, is it not, after all, a certain degree of facility afforded by this knowledge, rather than its necessity? Do we not learn the derivative names and terms rather by usage, and by their application to things according to their own nature and meaning? Or, in the same way as we learn the import of any new English word or term that is not derivative? Do Latin or Greek teach us what is meant, in astronomy, by azimuth, altitude, parallax, gibbous; or, in botany, the meaning of such terms as arachnoid and areolate, and a multitude of others; or, in chemistry, should we know any better the meaning of chloride of sodium, or proto-chloride of mercury, or that the former is common salt and the latter calomel? These examples may be taken as of universal application. To understand them, in any great extent, requires a study of the different sciences to which they belong. They must be studied in connection with the objects to which they are applied, mechanically, as it were, and we then learn their meaning just as we do the name of a horse or of any thing else. They then become to us equivalent to English names and terms. The same may be said of the modern languages.

"As it regards the relative value of Latin and Greek, and the modern languages, in the study of the sciences, the latter are more important to those who wish for accuracy, and to penetrate into the depths of science; especially where precision is necessary, as in astronomy and chemistry. Here, doubtless, authors should be often read in the original language.

"We proceed now to consider the study of Latin and Greek for their own sake. That these are noble languages, and in many respects very perfect, and that they abound with fine specimens of literature, we shall not for a moment dispute. This literature, its strength and refinement, are also best learnt from the originals. But we may also equally affirm that there are some modern tongues that can boast of stars of genius, whose literature is both highly instructive and amusing, and more so in the original tongue than in any translation.

"There is one other ground which we have omitted, and which those on the opposite side (or perhaps we should rather say the zealots) are for ever bringing up; the utility of Latin and Greek as an exercise for the mind. But is there not some prejudice as well as reason here? Is there not too much a spirit of exclusion? Is there no exercise of mind in the pursuit of the modern languages? We think that the whole German class will attest the truth of our assertion, that we have already had some exercises that have tried our minds. There are, however, some other respects, intellectually considered, in which the Latin and Greek languages have an ascendency. Their elegance and

precision qualify us better to speak and to write our own language with accuracy; but these are advantages which we will rather leave for our opponents to disclose. We are most concerned about a fair estimate of the value of the principal modern languages; and when we come to add to what has been already said in their behalf the very important consideration, that, during the three to five years that we pursued Latin and Greek before our connection with College, and the subsequent two years, we have obtained a sufficient knowledge of these languages to enable us to understand the etymology of most words which are derived from them, both in our language and the sciences, and that it is sufficient, also, to enable us to peruse the literature of the ancients for any purposes we may desire in after life; and when, also, we add the other advantages of the modern languages, their being spoken at the present day, and their assistance in this respect in bringing us more into intercourse with the world, and increasing our interest in the affairs and welfare of other nations, and last, though by no means least, the degree in which they increase the pleasure and improvement to be derived from foreign travel; when we come to add these considerations to the former, we can scarcely hesitate in selecting the modern languages for our Junior and Senior Years, and leaving the Latin and Greek roots to thrive in the soil of our successors.

"Robert Troup Paine.

"Harvard University, November 1, 1849."

FORENSIC — ARTICLE XX.

"'WERE THE HOMERIC POEMS THE PRODUCTION OF A SINGLE MIND?'

"In this question the burthen of proof must, of course, be on the negative side; while it is only necessary for those on the positive to rebut the evidence of their adversaries. It is probably evident enough that a poem, or any other production which goes under the name of one man, and has been received as his alone for centuries, must be regarded as the work of that man, unless proof can be shown that this opinion is false. The case is analogous to that of a criminal brought before a court of justice. All that he has to do is to rebut the evidence brought against him. His innocence is a matter of course if his guilt be not established.

"What, then, are the arguments which learned individuals of the nineteenth century bring against a point which was never doubted by the critical Greeks, the countrymen of Homer, and which has remained undisturbed ever since, embracing a period of more than two thousand years? This naturally raises another preliminary question; whether it be not more than probable, if there had been any substantial reasons against the point in question, they would have been brought forward by the ancients, who lived comparatively near to the time of Homer? But, as

no such reasons were alleged until the beginning of the present century, we should strongly suspect that the late objections are not well founded. Let us see, however, whether they will bear examination.

"The first and principal reason turns upon the point when the art of writing was known among the Greeks; and it is contended that it was not understood at the time when Homer is supposed to have flourished. Now, what is the proof of this? Is it not the merest conjecture? Who shall say, or by what authority, that writing was not known to the Greeks as early as the tenth century before Christ? Who can at all define the time when writing was invented by any people of high antiquity; since, especially, it seems to be almost as necessary and natural to man as speech itself? But let us hear the objectors, who reason after the following manner:

"'When,' say they, 'it is considered that throughout the Homeric Poems, though they appear to embrace the whole circle of knowledge then possessed by the Greeks, and enter into many details on the arts of life, only one ambiguous allusion occurs to any kind of writing, it is scarcely possible to avoid the conclusion, that the art, though known, was still in its infancy and was very rarely practised.'

"If we reduce this reasoning to the form of a syllogism it will read thus:—

"All the arts much noticed by Homer must have had considerable practice at the time of Homer; the art of writing is

not much noticed by Homer; therefore the art could not have been much practised at his time. This mode of reasoning is wholly repugnant to Aristotle's *dictum*, and he the fault to which Logicians give the name of *illicit major*.

"But, as Homer supplies us with ample proof of considerable perfection in many arts, which, generally, are introduced, or at least brought to that degree of perfection long after the art of writing, and always show a state of advancement which supposes even a common practice of that art, the probabilities are certainly in favor of the supposition that the art was known for a considerable period before the time of Homer, and that at his time it had arrived to quite a degree of perfection.

"If we now turn to Homer himself, we shall find a very forcible internal proof of the justice of our conclusion. For this purpose we will be content with the statement already quoted from our opponents, and from which they derive an exactly opposite inference to our own. We see, in that quotation, that Homer 'enters into many details on the arts of life, but makes only one ambiguous allusion to any kind of writing.' Now, since it was one of his objects to describe the useful arts, is not the conclusion unavoidable that, if writing were then in its infancy, with all the stupendous force of such a novelty, he would have dwelt upon it in greater detail than any other art? But, again, the Poems were written at some age or other, and it should be plain enough that such Poems, surpassing all subsequent times, could not have been written without great facili-

ties for such a purpose. The main argument of our opponents, therefore, can have no possible bearing upon the *time when.*

"The foregoing probabilities will be greatly strengthened if we can show that the art of writing existed among other people as early as the fifteenth century before Christ, and can show, moreover, how the knowledge could have been imparted to the Greeks from that people, and can bring up tradition that it was so imparted. Now, we find it often affirmed in the Pentateuch, that Moses wrote these Books. Take, as examples in proof of this, Exodus 39, v. 30; Deuteronomy 10, v. 4; 27, v. 3; 28, v. 58; 29, v. 20; 30, v. 10; 31, v. 9, 19, 22, 24, 26; Joshua 1, v. 8; 8, v. 31, 32. And that this was so is also sufficiently confirmed by our Saviour, when he says, '*If they hear not Moses and the Prophets, neither will they be persuaded though one rose from the dead.*' And again, '*Had ye believed Moses, ye would have believed me, for* HE WROTE OF ME. *But if ye believe not his writings, how shall ye believe my words?*' '*Moses wrote this precept;*' &c.

"But, perhaps there may be some who will not be 'persuaded,' who will not 'believe.' This obliges us to return to our former argument as to the impossibility of assigning a period for the origin of writing among any people of remote antiquity, and the probability of its early invention among other useful arts. We shall pursue this inquiry, however, a little farther, as well for the sake of Moses as of Homer.

"We must suppose that Moses, who was skilled in all the

learning of the Egyptians, derived his knowledge of writing from that people, or that he received it at the Hand of Inspiration. But, as the latter supposition would be a begging of the question, we will adhere to the former; otherwise, we might see no good reason for rejecting the ide that Moses received the knowledge of writing immediately om Heaven. It was from that quarter he is said to have received the whole law, and to have been commanded 'to write it in a book.' It is but reasonable, therefore, to suppose that Moses was provided with the necessary means; and that they were Divinely imparted seems not improbable from the statement that the Ten Commandments were 'written by the finger of God.' The demotic alphabet may have been at first employed; but another would be very likely to have grown out of it, on account of what must have been the great disinclination of the Israelites to preserve any memorial of the past. Or who shall say that the Hebrew was not then a written language? In about 400 years after the Exodus flourished David and Solomon, and it will not be doubted that the art of writing had grown old by their time. The only question, therefore, that may remain respects the time of the departure of Moses from Egypt; but this, we think, is fully settled by the correspondence between the monumental authorities of Egypt and the calculations laid down in Scripture.

"Having sufficiently established these points, we may safely conclude that writing was well known before 1451 B. C., which

the best received chronology fixes as the time of Moses' death. But, at any rate, Solomon's age would be sufficient for our purposes in regard to Homer; and there can be no doubt that long before Solomon's time writing was well known at Tyre, which was a powerful commercial City in Phœnicia 1200 years before Christ. Suppose, however, that such a commerce and a corresponding advancement in other arts could have existed without a knowledge of writing, we may be quite sure that Solomon carried on a large commerce with that City, and hence deduce the certainty that he must have introduced letters among the Phœnicians. But this may be said to be rather a presumption than a fact; so that we will now show by Scripture record, to which we think we are fully entitled, that writing was known at Tyre before Solomon's intercourse with that place. Thus, in 2d Chronicles it is expressly stated, that 'Hiram, king of Tyre, answered in *writing*.'

"Now, in following out this chain of evidence, we know that Cadmus, the founder of Thebes, was a Phœnician, and, moreover, there is a tradition that he introduced Letters into Greece; the very quarter from which we should expect such an introduction, if writing were not already known to the Greeks. We know, also, that Cadmus lived some time before the very farthest period which is fixed for the existence of Homer.

"But, it may be said that traditions are of no weight. Well, then, suppose we lay aside the tradition till we may show that it is of some value. It is, then, a matter of history that

Cadmus founded one of the principal cities of Greece, some 1500 years B. C., that he was a Phœnician, and that the art of writing was known to that nation. Can we, then, entertain the opinion, that, while the Greeks were making rapid advancement in more difficult, although less important arts, they could have remained ignorant of the simple, but all important one of writing; especially as they had intercourse with, and partly derived their origin from, a nation among whom that art was well understood? But, we do no such thing as to lay tradition aside; for, although by itself it is of little worth, yet when brought in as a corroboration of an induction from a long process of reasoning, it acquires a wonderful strength.

"So far, then, as the art of writing is concerned, we can see no reason to suppose that what are called the Homeric Poems are not all the production of one man, even granting him to have lived as long ago as 900 years before Christ. But, while we have run extensively into this question, we have been, in the mean time, employed in considering others of greater importance, which involve, along with our immediate subject, the authenticity of the Pentateuch, and the causes to which we may look for the origin of writing among any people.

"Another argument brought up by our opponents is the want of unity in the Poems, and some incongruities which the critic has detected. But where is the work in which a want of unity, real or pretended, does not exist? The complaining

atheist sits in judgment even upon the grand and beauteous Whole of Creation! One of the incongruities in Homer, which is often cited, is the case of Palæmenes, who is killed off in the fourth or fifth book, and brought again to the scene of action in the tenth book. It is an incongruity, indeed; but even were they numerous, they are not the kind of objections to be alleged against the supposed authorship of any work, especially so long a Poem as the Iliad. It was never doubted that the celebrated Don Quixote was written by one man; and yet it contains defects of the same nature. Cervantes, for example, calls Sancho's wife, at one time, Mary Gutierrez, and only a few lines below Tereza Panza. In another instance, among the adventurers in the Brown Mountain, at the top of the page he relates the ingenious abduction of Sancho's ass from under him, during the night, and at the bottom of the same page he represents Sancho setting off with his master, and riding upon the same ass. Other incongruities more glaring than these occur in this work of Cervantes, but which it is needless to mention. They are common in all departments of literature; so common, indeed, that contradictions may be detected on almost every page by a common observer.

"It has been also said that, if such a man as Homer had ever lived, we should certainly have had some account of his life; whereas, we have no record of his birth, or even of his existence. But, then, there was a man, or men, who wrote the Poems; so it becomes a question merely whether his name was

Homer. The objection, however, will vanish when it is considered that Shakspeare, who, although a man,

'So near the gods that many cannot nearer go,'

and although he lived nearly a century after the invention of printing, is still almost wholly unknown to us, except in his productions. And is it not, indeed, possible that what little is known of his history will be buried in oblivion long before Macbeth and Othello shall cease to be the admiration of the world? If any thing shall be known of his life five centuries hence, it will be owing entirely to the art of printing.

"We will conclude by examining the conjectures which are entertained concerning the Authors of the Homeric Poems. They are supposed by some to have consisted originally of separate parts, composed and sung by as many wandering bards, and, at last, were compiled by Pisistratus, or, perhaps by some one prior to him, and thus have been handed down to us. Others suppose that the Iliad and Odyssy, after the main event in each had formed the subject of a separate poem, grew under the hands of successive poets.

"This brings us to the evidence afforded by the Poems themselves. Do they not in all their parts, all parts of the one, and all of the other, breathe the same great genius? A genius which rarely honors mortal frames! A genius of which no nation can boast more than two examples! And are we to suppose that the Greeks abounded with this rare essence, that

they were blessed with a troop of men possessed of this heavenly treasure? For such, indeed, must be admitted if it be supposed that the Homeric Poems had a multiplicity of authors.

"ROBERT TROUP PAINE.

"Harvard University, April 25, 1850."

THESIS — ARTICLE XXI.

"'THE NILE.'

After having stated the opinions of the ancients as to this river, and described its overflowing, &c., he proceeds:

"Such are some of the wonderful effects of the inundation of the Nile. How delightful to the curious traveller, after having laboriously gained the top of one of the proudest monuments of art, to look out upon one of the most beautiful scenes in nature. There lies stretched before him, at one time, an extensive sea, with numberless villages and groves of fruit-trees peeping above the surface; or, at another time, he looks down upon vast fields and meadows, some of them overspread with a carpet of emerald color, and richly embroidered with flowers of every hue, others nodding their yellow grain to the breeze, while others still are shaded by the foliage of the orange and lemon trees, whose blossoms load every zephyr with fragrance.

Again, numerous herds of cattle, and gatherings of merry husbandmen, seek these spots as a cool retreat from the noonday sun, and impart animation to the scene.

"Nor does the story of the Nile end here; for it connects itself with the religion, the warfare, the commerce, and the learning of the Egyptians. All this is immediate with them, but perhaps more or less remotely with all subsequent nations; for, if every individual live for good or for evil, is it not highly probable that the achievements of such a mighty and learned people must have exercised an influence upon the human race which will be felt to the end of time, even though there shall have been lost all power of tracing it? As in a river, which, starting with a small stream, gradually enlarges with the acquisition of the waters of other rivulets until it finally swells to a torrent, the effects, or I should rather say the influence, of the remotest contribution is felt at its mouth, although we may be able to trace the separate current for only a short distance? So of all time, which rolls onward and onward, mingling with the different currents of events that daily flow into it, the influence of the remotest current, though not distinguishable from that of thousands of others, must yet be felt until the main stream is swallowed up in the ocean of eternity.

"We naturally look for learning in those places where the inhabitants are not obliged to toil incessantly for their means of living; and as the soil of no country yields its increase with greater facility, or more abundantly, than Egypt, we accordingly

find that it was once the seat of a very powerful and learned nation, the proofs of which, as they now exist in the monuments that have come down to us, are sufficient to convince those who lay aside the many contained in Holy Writ.

"It may be asked, why has Egypt ceased to be the foster-land of learning? Looking at the history of the instrumentality of Providence in regard to the Jews, especially in its connection with the Egyptians, we might say that it is because the wrath of God rests upon the land in consequence of the ill treatment of His chosen people, for, 'surely at the Commandment of the Lord came this upon' Egypt as well as 'upon Judah.' But it seems to us, that the rise, progress, and decline of learning among the Egyptians, and what we see in other nations, is all of a piece, and that there is no particular need of attributing this case to any special intervention of Supernatural Power. Learning is like the being who acquires it. It first hath its embryo, then its 'seven ages,' the last of which

'Is second childishness and mere oblivion.'

"But, if we place the decline of learning in Egypt upon the common ground of other nations, we may learn from the analogy supplied by the Sacred Record of events which must have been among the principal causes, that an Overruling Providence is equally concerned in other cases, however the whole may seem to have been the result only of natural laws. God is every where, and it is as unphilosophical as it is against Revela-

tion to suppose that He ever leaves His second causes to their own independent operation.

"ROBERT TROUP PAINE.

"Harvard University, April 14, 1849."

FORENSIC — ARTICLE XX.

"'WHETHER THE INTERESTS OF TRUTH AND VIRTUE WOULD BE PROMOTED BY SO FAR RESTRICTING THE FREEDOM OF THE PRESS AS TO PREVENT ANONYMOUS PUBLICATIONS?'

"In discussing this question there are two ways in which we may look at it. We may regard it absolutely, or relatively; or, perhaps, I should rather say theoretically and practically.

"In considering it theoretically, we have only to estimate the amount of benefit and injury resulting directly to the cause of truth and virtue from anonymous publications, and make up our mind according to which preponderates.

"We may reckon, in the first place, detraction, vilification, as one of the worst evils. How frequent, that the character of the innocent and virtuous is assailed, and even wounded, by this disgraceful weapon! Our newspapers are daily more or less devoted to writings of this kind, where some one is made a victim either from private pique or political hostility. Now, with this fact alone before us, it can scarcely need an argument

to show that the tendency of disowning a publication, (by which we include all printed articles), must be highly detrimental to truth and virtue. Why does an unexceptionable writer thus disown his opinions? It may be sometimes from fear of controversy or assault, or from diffidence or modesty. Why then encourage this dangerous practice by writing at all? But why are the personal and political articles to which we refer sent into the world without a responsible name? Plainly, from the respect which the writer has for his own character. But why should a man fear for himself who has truth and virtue on his own side? Certainly no one does. It is the consciousness, then, that these are not in his ranks which forms the very groundwork of the fear which prompts his concealment.

"Another objection, with many, to anonymous publications, is the opportunity which they afford of diffusing vulgarity and licentiousness. That this is a fact is beyond question; and from what we have already said, it may be supposed that we should be a strong objector for this reason. But we think it a difficult matter to decide precisely what their ultimate effect may be upon the cause of virtue. On the one hand, it appears to us that few mistakes are greater than the rigorous course which some would pursue from a stern and forbidding sense of modesty; as exemplified in expurgating (as it is called) some of the text-books used in schools and colleges, or in parents withholding from their children some plays of Shakspeare, or certain portions of Milton, and in the wish entertained by many of

expurgating even the Bible. Their intention, we grant, is laudable, though in respect to the Holy Scriptures there may be a mingling of sectarian interest. Nothing can be more Divine than to purify the thoughts, and to thus suppress the licentious and injurious habits which are too common among the young of both sexes. But may it not be asked, whether the critics are not defeating their object by the very course they adopt? Whether the very omission of the exceptionable passages, the very restraint practised towards the young, does not serve to turn their attention into the very channel from which it is sought to divert it? Many a passage in Horace which is omitted in the common text-books would have been read, as we think, without producing any impression except, perhaps, of disgust, but which has, by the attention being thus drawn to it, been hunted up, and gloated over in the studio. The imagination has thus become fired, and the final result has been an obtuseness of moral feeling and the establishment of those habits which waste the powers of manhood. The case is liable to be even more dangerous in respect to the Bible; for here, just in proportion as the reader may turn aside to seek for what is expunged or modified, he will be apt to lose his regard for Religion; and here curiosity would be greatest. Such omissions or changes would look, also, like distrust of the Word itself; and the same principle at work in this as in the former case would thus acquire an additional effect, and infuse its poison more deeply. May it not, indeed, be a subject of fair doubt

whether sin would have entered the world had it not been forbidden? Was it not originally a simple impulse of curiosity?

"Such, on the one hand. On the other, may it not be asked whether the evil here referred to may not most effectually cure itself? whether writings that are truly licentious have not, in reality, an opposite effect to what many suppose, by creating *disgust* and a *longing* after those of purity and elevation of thought? Consult the diary of the physician, and see whether the lamentable cases of disease arising from licentious habits be not much more frequent among those who have been educated under the supposed restrictions, than among those who have not. But, while we contend that anonymous publications of licentious and vulgar writings are not as injurious to the cause of virtue as many suppose, we would by no means intimate that they are necessary to its advancement; for there is enough which is not anonymous which is sure to create a disgust in the mind of youth, *providing* no pains be taken to keep it from them. But a difference will arise between the anonymous and the acknowledged work, according as the latter may come recommended by the name of its author.

"We have thus looked at the world as it is, without considering its plain duty and interest that it should be otherwise. We have touched upon one of the highest questions in morals, and have written as our mind considers the subject in its youth.

"On the other side of our main question it is argued, that

in prohibiting anonymous publications we should silence many writers who come out against false and erroneous doctrines, or to correct misrepresentations and false constructions. It is true that many, who thus lend their pen to the cause of truth, prefer to remain unknown, and our chief objection is the encouragement which is thus afforded to anonymous writers of less worthy motives. But do they make it *a necessary condition* that they will withhold their productions unless they be permitted to publish them without signature? Is it not merely a *preference* they give to that mode which induces them to appear anonymously? We think it is only a preference; for surely no one who is the real champion of truth can be ashamed of his cause. But, it is replied, although such is not his reason, he may be distrustful of his ability to defend it. To this we answer that we want bold champions, those that will present themselves night and morning, and defy the armies of their adversaries. In the moral warfare, as well as in civil, we want *picked* men. Let the chicken-hearted and faint-hearted retire to their homes.

"It sometimes happens, that, in order to give the effect intended to the argument, it is necessary that the publication should be anonymous. This is the case with many ironical writings, where the appearance of the author's name would completely destroy the ironical character. An instance may be seen in a pamphlet containing historic doubts concerning the existence of Napoleon, 'published,' as the author says in another

work, 'anonymously merely for the preservation of its ironical character.' In such cases, the prohibition of anonymous publications would, indeed, lefeat the object of the writer, and, what should be more regretted, it would deprive us of such contributions to the cause of truth. But, it should be borne in mind that such instances are comparatively rare, and that even where such a style is employed, the cause of truth might have been equally well defended in some other way which does not require a concealment of the author's name. Besides, it may be a subject for consideration whether we should not gain more than we should lose by the method we suggest, as the ironical style is as often employed as the channel of error and sophistry as of truth.

"So far as we have now gone, the balance, with one exception, seems not to incline much to either side of our question. That exception is the liability of an innocent and virtuous person to be attacked and wounded by defamation (the cowardly weapon of anonymous writers), and we cannot, therefore, but wish, theoretically speaking, that publications of an anonymous nature should be prohibited.

"Looking at the subject practically, we have not merely to consider the amount of benefit or injury resulting *directly* to the cause of truth and virtue, but also *indirectly*. We have many collateral circumstances and effects to bear in mind. It is, however, within the limits of our time to examine only a few of the principal.

"Suppose the publication of anonymous writings were prohibited by law, what is to prevent any one from writing under an assumed name? How is it to be ascertained that the name is not the real one of the author? But, it being essentially the same thing whether an author writes under an assumed name, or anonymously, the laws are, of course, evaded. Now, whenever laws are passed which are easily violated, we think that by thus bringing the majesty of the law into contempt or ridicule, a severe shock is given to the progress of truth and virtue; not that we agree with our standard authority, Mr. Whewell, in thinking the law gives a *moral signification* to actions, but that it serves to restrain many from the commission of offences who would not be deterred by the rules of morality. What we contend for is, that, as the general force of the law is lessened in proportion as it is violated with impunity, and in proportion to that failure of the law to maintain respect for itself, our land will become the seat of vice and crime, and, therefore, any particular prohibition that tends, by its own impracticable nature, to lessen the general regard for law is so far prejudicial to the interests of truth and virtue.

"But again; the prohibition of anonymous publications must not be regarded alone as *such*. It must be considered also as a *precedent;* one, too, of a most dangerous nature, a precedent of infringing the liberty of the press. Our opponents, however, may say, We do not ask for any *farther* restriction. But, will the force of our principle admit even of this? We

should remember how prone mankind are, when a thing is once commenced, to push it continually, little by little; so that many things, which in themselves are desirable, are to be shrunk from with fear or dismay when viewed as precedents. Suppose, for example, the liberty of the press should be so far restricted as to prohibit anonymous publications; no sooner would this law be passed than another party might spring up and demand some farther restriction, and, in process of time, upon the strength of the precedent, and the effect of habit, carry their measure. Thus it is clear that, by degrees, the last spark of liberty might be extinguished. The effect of this upon truth and virtue we shall leave to be imagined. We may say, indeed, that this ought not to be so; but we must take the world as it *is*. With this danger, then, staring us in the face, and the great evils which must flow from every restraint which has a tendency to bring the law into ridicule or contempt, we say, God save the liberty of the press *uninfringed!*

" Robert Troup Paine.

" Harvard University, October 25, 1850."

FORENSIC — ARTICLE XXIII.

"'SHOULD THE FREE STATES, IN DELIVERING UP FUGITIVE SLAVES, SECURE TO THEM THE RIGHT OF THE WRIT OF HABEAS CORPUS, AND TRIAL BY JURY?'

"In conceding it to be the duty of the Free States to deliver up fugitive slaves, as enjoined by the national constitution, let us see —

"*First*, what rights the Free States can avail themselves of in discharging this duty, consistently with the general compact; and

"*Secondly*, let us consider the policy of exercising those rights.

"As the several States, individually, enjoy the right of legislation in all respects that are not interdicted by the Constitution of the Union, we must look to this instrument for the compact or law by which we are bound to surrender fugitive slaves to their owners. The Constitution says, that, 'no person held to service or labor in one State, under the laws thereof, escaping into another, shall, in consequence of any law or regulation therein, be discharged from such service or labor, but shall be delivered up on claim of the party to whom such service or labor may be due.' — Words so plain that 'he who runs

may read,' and not only so, but understand. They direct that fugitive slaves 'shall be delivered up,' in spite 'of any law or regulation' of the State to which they may flee. It is equally manifest, also, that Congress may enforce this provision by any laws not incompatible with other provisions; for where it may exercise the right of action in one case, it is no less bound by the restraints imposed in all other cases. It is another principle, also, that what is not prohibited to the individual States by the Constitution may be freely exercised by them.

"Now, in the provision before us there is nothing which directs the *manner* in which the fugitives shall be delivered up; though it is certainly competent for Congress to enact any law for the purpose which may not conflict with the compact itself. In other words, there can be no legislation by Congress which interferes with the rights reserved by the Constitution, either directly or indirectly, to the States, or to individuals.

"It appears, then, that it is unconstitutional only for a State to refuse to deliver up fugitive slaves; and, so far as the clause which we have quoted goes, it is not unconstitutional for a State to require or not to require a writ of *habeas corpus*, or trial by jury, before such delivery. But, according to another clause it would seem that it is unconstitutional to deliver up any person without allowing the writ. The clause is this. 'The privilege of the writ of *habeas corpus* shall not be suspended, unless when in cases of rebellion or invasion the public safety may require it.' There is no obscurity here; and we can see no reason why

the injunction is not even more applicable to the case of fugitive slaves than to criminal cases, nor why it should not be more rigidly adopted in the former than the latter case. Injustice, from false pretences, is certainly much more likely to occur in relation to slaves, for the temptation is much greater. It is no exaggerated estimate to state the proportion as one to a hundred. But, however this may be, it cannot be doubted that the privilege of the *habeas corpus* is far more useful, far more essential in the case of fugitive slaves than of fugitive criminals. Our last citation, also, can leave no doubt, that it is not only constitutional for a State to exercise the right in surrendering slaves, but that it is unconstitutional not to do so. But should a State disregard the clause last quoted, there is nothing whatever in the Constitution which *prohibits* the exercise of the privilege in the case before us.

"Again, every State has not only a right to make any law or regulation which is not contrary to the Constitution, but it enjoys the right wherever the Constitution is silent upon the subject. 'The powers,' says that instrument, 'not delegated to the United States by the Constitution, *nor prohibited* by it to the States, are reserved to the *States respectively*, or to the *people*.'

"As it regards the trial by jury, we cannot say that there is any clause in the Constitution which *enjoins* it in delivering up either a criminal or a slave; but there is certainly none prohibiting it. Having settled this point, before proceeding farther

with it, we must be careful not to fall into the mistake of supposing that the individual States have a right to defeat the Constitution, or any consistent law of Congress founded upon it, by neglecting the privilege which is reserved to them by the Constitution; for, in such a case, the United States, through their Executive, could proceed to seize upon the fugitive in a summary manner.

"Now, the words of the Constitution are, that the supposed fugitive 'shall be delivered up on claim of the party,' &c.; that is to say, according to the preceding part of the clause, shall be delivered up *by the State* into which the fugitive may have escaped. Here, then, it is clearly enjoined upon the States to act in the premises, and it is no part of the duty of Congress to interfere, nor has it a right to interfere till a State neglects the injunction of the Constitution. And, since the State must take some action in the case, it is absurd to suppose that a law must exist upon its statute-books requiring a surrender of every individual against whom an offence may be charged, without all the inquiry that may be necessary to the full protection of innocence. Indeed, a State which should neglect this obvious precaution would be an offender not only against the privilege of the *habeas corpus*, at least, but certainly, also, against the common laws of humanity. The important point should be also kept steadily in view, that the Constitution does not invest Congress with the power of interfering, but, that it not only expressly delegates it as a right to the individual States to legis-

late upon the subject, but enjoins its exercise upon them as a duty.

"We have thus endeavored to bring this mooted question to its simple merits. We see that a Law of the United States, or an act of the Executive, may be perfectly constitutional for one State, and as unconstitutional for another State. Whatever be the object, it is, according to the Constitution, only a law, or an act, of coercion towards a delinquent State; and so far it is just. But, on the other hand, it is unconstitutional and oppressive towards a State which has provided for the clause requiring the States to deliver up fugitives from service.

"This brings us to a farther consideration of the question as to what are the rights of the States in fulfilling the duty imposed upon them by the Constitution. These rights, as we have seen, are either defined or tacitly yielded; and, according to our premises a State may or may not require an examination before a Justice. This is the simplest view of the case; and, if the law of the land require such an examination, it will not be objected that a State may, at least, do the same when it assumes the duty enjoined upon it by the Constitution.

"Now, therefore, if a State possess that indisputable right, why not, also, the right of directing its examinations by jury? The former is no more *enjoined* by the Constitution than the latter, and the latter no more *prohibited* than the former. Why may we not assume like premises, in the case of trial by jury before delivering fugitive slaves, and from these premises, by

parity of reason, arrive at like conclusions? Then, having shown that a State may make any regulation or appoint any process of law not incompatible with the Constitution of the United States; and there being nothing in this Constitution which is opposed to a trial by jury before delivering up fugitive slaves, the conclusion is, that every State has the right to require a previous trial by jury. The premises are certainly undeniable, and it appears to us that our conclusion is unavoidable.

"But, supposing the United States should authorize a trial by jury; it would still be a violation of the rights of the individual States. This, however, would probably give satisfaction; and, theoretically considered, we think it would be the better system. But, the objection that it would not be in conformity with the Constitution is conclusive against it.

"Having now shown that the free States have a right to require a trial by jury in the case of delivering up fugitive slaves, and that they not only have a right to require the writ of *habeas corpus*, but are forbidden by the Constitution to dispense with it, we proceed to the consideration of the second point, — the policy of exercising this right.

"We shall cease all discussion relative to the writ of *habeas corpus*, as we believe it to be an *obligation*, and shall confine ourselves to trial by jury, which is *optional* with every State.

"As the writ of *habeas corpus* is calculated to prevent, in some measure, acts of injustice, by compelling the party claim-

ing a criminal or a slave to appear before a magistrate and present his claim, so trial by jury affords a more effectual preventive, by securing a due consideration of those claims, and providing against those cases where the magistrate is liable to mistake from complexity or obscurity of proof, or open to bribery, or may be overbearing, or influenced by prejudice. The principle, so far as State or individual rights are concerned, is exactly the same in both the cases; though, so far as justice is interested, it gives a great preponderance to the right of trial by jury.

"Here, however, we are met by the objection that a trial by jury in the State to which the fugitive escapes, would be useless, inasmuch as that is provided for him by the State to which he is to be returned, and that we must suppose that justice will obtain in all the cases.

"But our opponents are here leaping over the threshold of the question. This is equivalent to denying the right of trial in the State to which the fugitive escapes, and which we have established as a matter even of duty. We are willing to admit, however, that justice *may* be done in the courts of the State from which the fugitive escaped; but what security is there, with the balance of probabilities so greatly against the rights of a degraded freeman charged with the crime of having lost his liberty, that the reputed master, or a slave State, will perform their obligations to so helpless and abject a being? Who is there, we say, in a slave State to bring his case into court and

assist him to prove his freedom? Certainly not the master; and whatever be the humanity of the less interested, it is too swayed by interest, prejudice, habits, and by the very nature of the '*peculiar institution*,' to be active enough for the exigencies of such a case. There will be 'none so poor as do' the forlorn negro so plain an act of justice. His case is hopeless, from the nature of things, when he loses the safeguard provided by the Constitution. Let those who are not inclined to reason from our premises, look at South Carolina, and see her imprisoning free colored people who may be transiently visiting her soil from other quarters, nay, seizing them from the vessels while they float in her harbor, and in direct opposition to the Constitution, which provides that 'the citizens of each State shall be entitled to all the privileges and immunities of citizens in the several States.' Or, if this be not a sufficient index to our principle, consider, then, the treatment bestowed upon a respectable delegate from Massachusetts, Mr. Hoar, who was duly authorized by law to seek redress in the Courts of South Carolina for the wrongs done to the colored citizens of Massachusetts. Was there any willingness manifested to indulge him in the object of his mission? Mr. Hoar, on the contrary, was obliged to flee the State from fear of assassination, so great and general was the outcry against him. There the matter ended, and South Carolina triumphed. We shall draw no farther inferences, unless it be to point to the ascendency which the spirit of slavery has obtained even over the free States.

"We might now go on to suppose that the contrary of all this may happen; that the fugitive may be permitted to have his case examined. But here we should meet with new difficulties, and not less fatal. Though a free man, snatched away from his family hearth, or at best surrendered under the cold formalities and doubtful integrity of an United States' official examination, he is still the forlorn and helpless negro. He is soon far removed from kindred and home, in the midst of strangers, who, if they throw open their doors of justice to him, give him neither sympathy nor help. Where will be his witnesses to his freedom, and where his money to procure their attendance or to fee his lawyer? What security will he have against perjured witnesses, such even as may swear at the command of a master? Who that knows any thing of Courts in the freest States does not know how easily and how often witnesses are found for any occasion? Or, should some rare justice or accident gain the supposed fugitive his liberty, where are his means for returning to his distant home, or what security has he that he will not be kidnapped again before he is a dozen miles on his way? Or, should he remain, and in possession of his freedom, upon the soil of slavery, how would it benefit him where he would exist upon a level with the slave, and where there are but few who would 'give him leave to work?'

"But think not of the individuals themselves only. Think of the lacerated hearts of bereaved wives and helpless children, who depended for their support upon the daily earnings of a

colored, but affectionate husband and father! Scenes at which humanity shudders! Scenes which must bring down the wrath of Him with whom is no distinction of persons! Scenes which make a mockery of freedom and equality, of which we profess our country is the blissful abode!

"The remedy for the evils of injustice exists in the Constitution of the United States. But here we are met with an excuse for its violation like the plea which we have just offered in behalf of the supposed fugitive. It is said that, as the burden of proof would lie upon the pretended master, many slaveholders would be deterred from making application for their fugitives, or, if they do not, will be often unsuccessful in proving their identity, from the expense and difficulties of obtaining such witnesses as will satisfy a jury. But this can form no objection whatever, if we put the Constitution out of the question; for the fundamental principle of all just law is, that the accused shall be considered innocent of the thing charged until it is proved upon him. This is only a difficulty to which all are liable in their common transactions, and must be borne for the proper ends of justice.

"But we now come to what is more like an objection, and of more serious aspect. It is, that, on account of the prevailing views of the people of the free States in opposition to slavery, every supposed fugitive would be tried before a prejudiced jury, and their verdict would be rendered more in accordance with their principles than with the evidence in the case. We grant

that this would sometimes be the case. We believe it to be impossible that it should be otherwise, for it would be contrary to human nature. But is it not clear, from what we have shown, that far greater injustice would be done if the supposed fugitive were consigned to the captor, and with little certainty of a trial by jury, or, at best, in a State whose chief interest lies in the institution of slavery? Let us also ask ourselves, let us ask humanity, whether opportunity should be given for such offences, such heart-rending scenes as we have imagined, and not without great probability, or whether it be not better that a slave-holder should now and then fail of his rights? Nay, whether it be not better that ten slaves should go free than one freeman be made a slave? Then, too, we should take into consideration that it is from the cruel, tyrannical master that the slave is more apt to flee; for his condition is so degraded that he prefers to serve the humane and merciful master, rejecting even his offered freedom in words of childish dependence.

"What should be done by the people when Congress may enact laws in opposition to the Constitution of the United States may ultimately become a question of very grave importance. The obvious means of redress, in the first instance, lies in the Supreme Court of the land. There may be wanting the means of bringing the subject before that tribunal; but we may suppose that any State who feels its rights and dignity violated, will be readily disposed to seek restitution, or that there will be many sufficiently alive to humanity to carry out such a work

of justice and benevolence. But here, again, the question is of such vast importance in the estimation of the free and slave States, and they are so entirely at issue, that the highest Court may deem it their duty to give the same construction to the Constitution as had been already done by the three branches of Congress, rather than incur the risk of convulsing the Union by setting aside a national decree that looks, on the one hand, to a just preservation of the great institution of the Southern States, and, on the other, to a fulfilment, though by a mistaken process, of an important provision of the Constitution. We would not, for a moment, question the integrity of this enlightened and independent Bench; but we may suppose that their patriotism may incline them to act in concert with Congress where the aim has been the settlement of a great national trouble. The question before them will involve the Constitution and justice on one side, and the peace of the country on the other. It will be whether the first shall be violated, or the latter endangered. In the mean time, and what is more important, the people will still have the subject in their own hands. This is the great advantage of a Republic like ours. The question may come before the people at any successive election. In this way they may soon erase any unconstitutional law. The probabilities will be strongly against its continuance long, especially if it should be found to produce the evils which we have imagined. There will be likely to be always a preponderance of votes in behalf of freedom and of the Constitution; and should any persecu-

tion of the Blacks grow out of the law, we need not doubt that it will awaken the humanity of the free portion of the nation.

" Robert Troup Paine.

" Harvard University, June 27, 1850."

THESIS — ARTICLE XXIV.

" 'men of the world, who have their portion in this life.' 'the psalmist's idea of a man of the world and ours.'

" The words of our subject occur in the 14th verse of the 17th Psalm. 'From men of the world, which have their portion in this life, and whose belly Thou fillest with Thy hid treasure; they are full of children, and leave the rest of their substance to their babes.'

" David, and his son Solomon, were two of the most remarkable men of whom we have any knowledge. No characters are more consistently drawn, both by themselves and others. We see in each the forbearance of God according to the circumstances with which He surrounds mankind, that He judges our habitual motives, and has compassion upon the infirmities of our nature. All this is wonderfully exemplified in these two individuals; and we may carry out the principle which is involved

in our several premises. Although mightily endowed with genius and wisdom, and having direct communication with God, they lived at a rude age and among a licentious people. They appear, moreover, to have been unusually sensual in their nature; so much so as to have led both of them to adultery, and one of them to murder, and the other to idolatry. This was owing, in part, also, to the times; and these two were principal elements in the Psalmist's estimate of a man of the world. He seemed to have reasoned as well from his own consciousness as from what he saw around him, and the revelations which he received went, also, to make up his views of the worldly man. This would appear, too, from his general comments upon the wickedness of his times. His man of the world, therefore, was a man of sin, and the enmity of others towards himself formed no small part of the sinfulness which he attributed to them. It was human nature in many of its worst conditions. But what is remarkable is the apparent fact that David should have made himself so much the standard, when he often intimates that he is free from the guilt which he charges upon others. He was a man, however, of great sensibility, and the enmity of his foes, which he laments so much, being a judgment upon him, was sorely felt; and this, along with his actual consciousness of heavy sins, gives a strong coloring to his man of the world.

"But, language, and all forms of expression, share the common fate of all things else, — change, and with this change, a change of ideas. What the Romans understood by *pietas* and

virtus, is not implied in our piety and virtue. So, also, many words and combinations of words have entirely different significations at the present day from what they had in the days of Chaucer and Spenser. It is not surprising, then, that we should find a great discrepancy between David's ideas of a man of the world and our ideas of the same. Our man of the world is a far nobler being; not, however, necessarily a man of piety, though he has some sense of Religion and more so of moral obligations. But he is no hypocrite. In another sense of the word, he is a man of business, not only in name, but in reality. No idle hours hang about him. He has none for the gambling-room and the house of revelling, and he makes no 'long prayers.' No, he is all energy, all activity. He 'forms schemes of wealth and power, and pushes them night and day,' and when he is gone, 'the world is wiser and better for his having lived in it.'

"In another acceptation, 'man of the world' signifies one who has seen the world; one whose ideas are not confined to what he sees in the place of his nativity. His idea of river extends beyond the small stream which rumbles by his father's mansion, for his feet have trod the banks of the Amazon, the Mississippi, and the Rhine. His idea of mountain is not bounded by the sunny hill that forms the pasture for his father's sheep; for he has visited the Alps, the Andes, and the Himalayas. His views of happiness are not confined to the mode of life pursued by those around him; for he has made acquaintance

with the lazy African, the industrious American, the wealthy Englishman, and the poor Laplander; and it is his happiness to see that they all alike bespeak the Beneficence of the Creator in adapting the whole to the circumstances which surround them. His Religion is free from bigotry, generally inclines to no sect, and is charitable towards all people. He supposes that all Religions are based upon one grand foundation, however great may be the errors of ignorance and superstition. He considers it essentially the same motive which prompts the Christian to fast and pray, and the Indian to bathe himself in the Ganges, or sit himself under the car of Juggernaut; the same belief and hope in future life; the same reverence of the Great Unseen, Whom he looks upon, not as the God of Christians alone, but the God of all mankind, accepting not alone the services of any particular people or sect, offered in any particular place or under any particular form, but taking delight in all the sincere adorations which rise as grateful incense from Earth's great altar; a compound perfume, to which every people and sect contribute some ingredient. He is a sincere Christian himself, and is therefore charitable towards all, believing that all will be rewarded according to their sincerity and means of information, and punished as those opportunities may be neglected or perverted. Such is properly a man of the world at our day, a Christian and accomplished gentleman; and, being 'the highest style of man,' he is only rarely seen among a multitude who may be equally pure and worthy. With far greater

devotion to the cause of Religion, the best example, perhaps, may be seen in the chief Apostle of our Saviour.

" Robert Troup Paine.

" Harvard University." [*Without date.*]

THESIS — ARTICLE XXV.

" 'THE DISCOVERY OF A GOLD-MINE.'

" By this subject we understand that we are to consider the advantages and disadvantages arising from such a discovery, regarded both in a moral and political sense, and the general effects of wealth upon Society.

" Riches possess a charm for all. However much the moralist may decry the love of gain, he still finds that he is in possession of that passion which he so much censures in others; that he, in common with them, forms his schemes for the acquisition of wealth. It is this which drives onward the tide of life, and forms the business of society. What is so universal among individuals belongs, of course, to nations.

" Nothing, perhaps, tends more to a realization of this grand object than the discovery of an inexhaustible mine of gold. By this a State is made to lean upon its own resources, for it has the fountain of wealth within itself; and this brings us to consider the effect of such a discovery in our own country. It is,

of course, useless to speculate on this point. Let us go at once to history, and see what has been the case with nations who have gone before us; allowing, as well as we may, for those influences which arise from the progress of knowledge. It is from the past that we have mostly a right to judge of the future; especially upon questions that concern the nature of man. That seems to have been without change, morally and physically; otherwise, we should be unable, on the one hand, to appreciate the beauties of David and Homer, and the vices of the ancients; nor, on the other, should we find the same effects from the same physical causes, from their earliest record. This consideration, which may be indefinitely carried out in the past, gives us the right to conclude that the same things will continue to have essentially the same effect upon the moral and political state of society at the present day as they had in the days of Rome and Carthage.

"Let us, then, look at the question politically, in respect to those two nations. As long as they continued in a state which did not exceed the necessary means of independence, in which each one had only the fruit of his own labor, they were happy and harmonious compared with their condition when that flood of wealth poured in upon them after their conquests. It is this upon which we must look as the cause of those awful dissensions which took place between the common people and the aristocracy, and which often shook the empires to their very centres, and, at last, proved their destruction. Such were then the

effects of wealth in introducing corruption, and in making it the standard of respectability and rank; and the modern history of Spain will show us that its effects, at least when wealth is suddenly and easily acquired, are the same now, in their political aspect, as in ancient times.

"What, next, was the effect of wealth upon the morals of those nations? In the early stage of their existence they manifested a great respect for religion, such as they had. We find them regular and frequent in their sacrifices and feasts in honor of the gods, and these, too, performed with zeal. This religious sentiment, however astray from the truth, deterred them from the commission of crimes and gross excesses; and so it continued until the torrent of wealth poured in upon them. Then how changed the scene! 'The ancient piety and reverence for the gods gradually disappeared, and the sacrifices and festivals, which had formerly been celebrated in honor of the gods, with rustic simplicity, now served more as amusements and shows for the multitude, which became the more pompous as the people became more and more accustomed to splendor and magnificence. The higher and educated class began to show symptoms of skepticism and a disbelief in the efficacy of the religious rites; and from this time we not unfrequently meet with instances of an open disregard of the ordinances of religion.' And now it was, we may add, that the people not only turned their attention from the good attributes of their gods, but worshipped and magnified their licentious ones. What shall we say, also, of the

system of extortion which was daily carried on by the governors of the provinces, and the constant bribery which was practised at home? What depravity arose among females! What disgusting gluttony among the people in general! Among the various details of history, it is stated that 'a slave, who was a good cook, now fetched a higher price in market than any other slave.' Such was the state of things at Rome, and certainly they were as bad at Carthage. We might now inquire, again, as to Spain; but here the consequences are fresh before the world.

"May we not, therefore, justly fear that sudden wealth would entail the most serious evils upon our own dear Country? Forbid it, gracious Heaven! Give me neither poverty nor riches.

"Robert Troup Paine.

"Harvard University, November 4, 1848."

THESIS — ARTICLE XXVI.

"'IS THE DESIRE OF PROPERTY AN INSTINCTIVE PRINCIPLE?'

"In considering this question we intend to inquire whether the desire of property be wholly an instinctive or rational principle; and, if not, how far it is entitled to the one, and how far to the other appellation.

"In order to be an instinctive principle it must first have universality, or very great generality; and, secondly, it must be greatly conducive to man's welfare, as an animal, intellectual, and moral being. Some will say, that it should be common to man and the lower animals. But this is not at all necessary; for, as the latter possess only the animal being, their instincts are necessarily limited to this. Man, on the contrary, having also the intellectual and moral being, must be provided with instincts adapted to these as well as to his animal nature. That such is true, may be readily seen in his curiosity, conscience, and sense of dependence upon a Superior Being. Still, however, if we find that animals also possess the desire of property, it would be a strong proof that this desire in man is instinctive, although, for the reasons which we have stated, it would be no proof against our ground should we find it to be otherwise.

"The desire of property appears to be necessary to man's animal life. When he was created, he was endowed with hunger, in common with the lower animals, to warn him of the necessity of nourishment. Now, if he were intended to inhabit those regions only where all nature buds and blossoms as the rose, and there were no necessity for toil in supplying his daily want of food, hunger alone would answer the purpose. But man was destined to penetrate every region and cover the whole Earth; as well where winter reigns as eternal spring. Hunger, in this case, is wholly inadequate to the preservation of his being. Had the Almighty left him, therefore, without

an instinct to *provide beforehand* for his future necessity, the Sacred Historian could not have said, 'And God saw every thing that He had made, and behold it was very good.' But, in His unerring Wisdom, He provided for man in this respect, also, and made the desire of property, at least as far as his physical wants are concerned, a part of his nature.

"Some will say, that, so far as this desire prompts man to supply himself with nourishment for future use, it is merely a modification of hunger. But, it is the peculiarity of hunger, as soon as its cravings are satisfied, to cause us to be disgusted with what before we earnestly sought after. 'The full soul loatheth the honey-comb.' Hunger, therefore, being very temporary in its nature, its end soon answered, and creating even an aversion to food as soon as satisfied, it must be very different from the desire of property in its relation to our provision of food, which is constant.

"Now this desire of property belongs mostly to the intellectual part of man, although we find that animals possess something very much like it. But, in man it extends to a great variety of things, and which refer as much to other objects as to food, while in animals it is limited to food alone. When the squirrel has taken his hearty meal of butternuts, he will carry to his nest, one by one, such as may remain, until, in this manner, there may be more than a bushel which this little animal has industriously collected. But some may say that the squirrel manifests this disposition only at a certain season of the year,

while man does it at all times. This is true of the animal in his wild state, because the food upon which he lives can be found only at a certain season. The case, however, is very different where he can get at food at other seasons. This I have often observed in a squirrel kept by myself. When offered nuts, after satisfying his hunger, he would deposit such as might remain under the rug, or in the corner of the room. But the principle went farther than this; for, whenever admitted again into the room he would immediately examine the places where he had bestowed the nuts. If he found them safe, then all was peacable; but if they were removed, he would show violent signs of discontent.

"We might now follow the subject into those details which show how far the desire of property is intellectual in man, and how it it differs from the hoarding propensity of lower animals. This would lead us to consider it in its other connections with the manners, comforts, and luxuries of life, and to examine its various modifications in relation to other desires, as manifested in the love of dress and equipage, in laying up property for children, and in avarice; but we have probably said enough to answer the intention of our subject.

"Robert Troup Paine.

"Harvard University, October 4, 1849."

THESIS — ARTICLE XXVII.

"'A CIVILIZED NATION WITHOUT FREE ACCESS TO BOOKS — PROBABLE METHOD OF SUPPLYING THEM.'

"However difficult it may be for us to imagine a nation in a state of civilization, and at the same time deprived of what we suppose to be the source of that condition, and however impossible such a coincidence may be in the future, history assures us that such has been the case. No one, for example, can regard the Egyptians but as a civilized nation. What mean those mighty piles, the wonder and admiration of all ages? Their surpassing skill in embalming the dead? The needle-work of 'blue, and purple, and scarlet, and fine twined linen' employed by the Israelites in constructing the tabernacle? For, there is no reason to doubt that they obtained their learning from the Egyptians, as, indeed, we are assured they did. What do these facts argue, and others like them, but a high state of refinement; surpassing in some of the arts and branches of learning even our own times, with its myriads of books?

"That the Greeks and Romans were highly civilized nations no one will for a moment doubt. It may be said that they had books. It is true, there was here and there a manuscript locked

up in the cabinets of the rich; but the people, as a mass, were excluded from these advantages.

"The question, then, naturally arises, what were their substitutes for books, with which we should think it impossible to dispense? How came they by all this learning? One great means, no doubt, was their traditions. These were connected with every thing; with their religion, their state, and their being. In fact, the great mass of their literature is founded upon traditions.

"Next, are the festal games, which were among their greatest advantages. It was these, indeed, that called forth the brightest displays of genius. On these occasions there was assembled a mighty concourse of people from all parts of the country; and, as authors took these occasions to bring forward their productions, there must have been an opportunity to acquire an immense amount of information, and that, too, of the best kind, as few but those of superior talents contended for the prizes. There were, also, orations by the best statesmen and orators, which offered facilities to a great body of people. And when, besides this, we take into consideration the numerous schools taught by some of the greatest philosophers that have lived, we can see that the deficiency of books was tolerably well supplied. There was, indeed, this grand difference; literary knowledge was then obtained by the ear, as it is now principally by the eye. Then the philosopher taught. In short, he was the book. Now, his office is, generally, to see

that his pupils apply themselves to their studies. Thus, in one case, a great amount of knowledge was imparted, in the other none at all.

"But, besides all the knowledge gained and diffused by such means, there was much which we should be at a loss to account for, except by supposing it to have originated with them. Is the human mind to be compared to a barn which can contain nothing but what is gathered into it? Is it not rather like a beautiful vale, where bloom, in uninterrupted succession, most beautiful and fragrant flowers, which are, as it were, the children of the soil? Indeed, if it had no power to originate, it could not be formed in the image of that Mind Which is the Origin of all things.

"We cannot help deploring the mistaken principle which too many, in our day, act upon; that all learning is to be obtained from books. Oh! that every one would consider well the immensity of that treasure which is within him; that every one would appreciate the ancient precept,

Γνῶθι σεαυτόν.

"Robert Troup Paine.

"Harvard University, March 3, 1849."

THESIS — ARTICLE XXVIII.

"'HE WHO DECIDES FOR HIMSELF IN REJECTING WHAT ALMOST ALL OTHERS RECEIVE.'

"How curious is the contemplation of the nobler part of man! How amazing the different dispositions of the mind! How entirely the reverse may one man be of another! While one will 'sit like his grandsire cut in alabaster,' another will 'with mirth and laughter let old wrinkles come;' one will regard his parents with respect, another will stain his chariot-wheels with a father's blood; one ploughs the main, another the land; one delights in the clash of arms, another in the quiet of a villa; you can persuade one that the moon is a green cheese, and turn to the next man, you will find him doubting his own existence, or resolving it into nothing but ideas; one will interpret an important passage of the Bible one way, another will interpret it the reverse.

"There are certain things, however, which every one allows. In many cases, if any one should reject that which is received by the multitude, he would be justly subjected to the imputation of skepticism, and, perhaps, of folly; while in other cases he alone may be right.

"What, then, is the boundary line? *Hic labor, hoc opus.*

In the first place, there are many things which are self-evident, things which every one is bound to admit; such as two sides of a triangle are longer than the remaining one, or that one straight line can cut another in only one point. So, also, of the several obvious qualities which a substance may present to the senses, as extension in length and breadth, color, odor, &c. To say that these effects are produced by nothing, would be a palpable absurdity; and yet even these have been ingeniously denied by some philosophers.

"There are other things, also, in which, although they are not self-evident, every one is expected to go with the multitude. Examples of this nature abound in biography, history, geography.

"On the other hand, if hobgoblins, witches, and other creatures of superstition, were now, as formerly, objects of common belief, he would certainly be praiseworthy who should array himself in opposition. If the world should relapse into that darkness which once overhung it, the man who should first raise the torch of truth would write his name on the scroll of fame.

"The question now naturally arises; why does one, who differs from the multitude, expose himself to censure, or to the imputation of skepticism or eccentricity, and even to ridicule, while another, equally at variance, is not only justified, but applauded? Whence this apparent injustice? We think the explanation may be found in the following considerations:

"When any one refuses his assent to the common views on a certain subject, he is censured or praised (as the case may be), not from the mere fact that he differs from the multitude, but according as his opinions may be founded in reason and truth. The multitude is sometimes wrong, and sometimes right; and, accordingly, he that differs from it must either rise or fall.

"Let every man be upon his guard. Let him take reason as the rudder, and his vessel must glide triumphantly over the angry sea. While he avoids singularity in trifles, let no one believe because another believes, or deny because another denies, for that were to be a slave. But, let every one proudly maintain what is dictated by reason, though his name be Solus, and, in the end, he will find that 'Wisdom is justified of all her children.'

"Robert Troup Paine.

"Harvard University."

THESIS — ARTICLE XXIX.

"'ALTHOUGH HE WAS ALMOST ALWAYS LOWEST IN ALL HIS CLASSES, HIS COMPANIONS AND HIS MASTERS LOOKED UPON HIM, BY COMMON CONSENT, AS FIRST.'

"This is one of the many instances in which merit and success, in schools and colleges, do not go together. It is one of the greatest mistakes to judge of the talent of any individual by

his standing in his class. High rank is often attained by the most ordinary minds, while others with splendid endowments are often compelled to take a lower seat. This is evident when we come to compare the requisites for excellence, in schools and colleges, with the many ways in which talent manifests itself.

"In the course of education how various are the studies! Look only at the multiplicity pursued in this College. Now, the standing of every individual is determined not only by his success in *all* these studies, but, also, not a little by his observance of certain rules which have no relation to his academic pursuits.

"As far as studies are concerned, success requires a well-balanced mind, and a good memory. It must be as much at home in one branch as it is in another. Talent, however, has generally a particular turn. The mathematician, for example, comprehends, at once, the great laws upon which the Universe is founded, and penetrates into those great truths of Nature which are hidden from the mental vision of the great bulk of mankind. But he can bear the palm only in those studies which belong to the mathematical department. His aptitude is generally limited here, and his memory is commonly deficient, though good among the stars. Here, therefore, may be great genius with only a moderate college rank. Sir Isaac Newton, the author of natural philosophy, and of whom it has been justly said,

'So near the gods, man cannot nearer go,'

entered at Cambridge University when eighteen years of age, and, till he graduated, appears to have been only known as a student of mathematics, and this mostly to the Professor. Or, who will believe that our own prodigy in mathematics, Truman Henry Safford, now thirteen years of age, will, if he live, sustain the highest rank in his class, according to the ordinary test of College merit?

"Again, genius manifests itself at other times, in remarkable powers of the imagination. Here we should look for excellence in theme-writing, and in those studies which require memory. But this would be no surety for success in oratory, while there would be a deficiency in those pursuits which require deep reasoning, the mathematics, intellectual and moral philosophy, forensics. These individuals, therefore, would be low in their class, although they might possess the genius of a Milton, or Pope, or Shakspeare. And so it commonly is throughout the history of mind. In whatever way talent manifests an unusual ability for any particular branch of learning, or occupation, the individuals are generally less qualified for success in other branches, especially those of an opposite nature. Hence an ordinary but well-balanced mind will often procure for its possessor a higher grade in his class than one of superior order.

"By neglecting, moreover, to observe strictly the rules which have no relation to study, the greatest intellectual merit and the highest attainments, along with the strictest course of morality, are made to yield to the same standard which meas-

ures the degrees of absolute knowledge and industry, and thus may fall below the rank of a very ordinary mind.

"If we now take up the catalogue of graduates, year by year, we shall find our conclusions verified in the frequent obliviousness of those who had received the first honors of College, while others of the lowest rank have caused the world to stare with admiration.

"ROBERT TROUP PAINE.

"Harvard University, November 22, 1849."

THESIS — ARTICLE XXX.

"'WAS MARY ACCESSORY TO THE DEATH OF DARNLEY?'

"'Guilty,' or 'not guilty,' is a point which never can be determined at this day, when all we have is a general statement of facts without those minutiæ which are so necessary in every case where guilt or innocence is not at once evident.

"Being ourselves rather inclined to think that Mary is innocent (although we must say that there are strong arguments for a different opinion), we purpose a brief statement of the reasons upon which our mind is turned towards this belief.

"What tends most to her conviction is the confession of Paris, a French servant of her household, who testified concerning a conference of Mary and Bothwell before the murder, in

which that event was plainly alluded to. Here, to be sure, they had an important witness; the only human being who could testify to a fact which they were so anxious to establish. But, it should be remembered that this confession was wrung from him by torture, and by those who were most deeply interested in proving Mary's guilt; and the circumstances are so suspicious throughout that little or no reliance should be placed upon them.

"There is no other direct evidence, excepting the well known 'silver box.' This was said to have been found in possession of the Earl of Morton, and to have contained letters, contracts, and sonnets supposed to have been addressed by Mary to Bothwell. Now, although it is a curious fact that Morton, at his death, confessed that he promised to join the conspiracy against Darnley, if Bothwell could procure a sign of the Queen's consent, but which he was unable to do, he said not a word about the box. Dalgleish, also (in whose possession the box was found, while he was bringing it from the castle, where it is said Bothwell had left it for safe keeping, and had sent his servant Dalgleish to fetch it there), died asserting the innocence of the Queen.

"When, therefore, we come to consider that Morton was a most bitter enemy of the Queen, and that he could have had no possible object in confessing what was so much against his character, and so much in favor of his determined adversary, and that the confession of Dalgleish was made in his dying

hour, and when we add the improbability that Bothwell would preserve these papers which were of no use to him after his marriage with the Queen, and which contain perfect evidence of the guilt of both; that when his affairs were in the most threatening position he would have left these papers in a castle where he dared not take refuge himself, and that he would have sent a servant to bring them through the midst of his foes, and that Balfour, the governor of the castle, who had already turned against Bothwell, would have given up the box without hesitation; when we come to form these considerations, we say that we are authorized in the belief that these letters and signature were counterfeit; and we are the more confirmed in this belief when we bear in mind that forgery was no uncommon thing in those days. Randolph, the agent of Elizabeth, is well known to have forged letters to advance her ally, the Earl of Morton. Kirkaldy was imposed upon by a forged letter in the hands of Morton. And, as Maitland acknowledged to the English Commissioners at York, that he had often forged the handwriting of Mary, it is not unreasonable to suppose that he did it on this occasion, when his own safety was so deeply concerned.

"If Mary had wished to have got rid of Darnley, she could have done it by other means than causing his death. She could have obtained a divorce, and, indeed, she had been offered one. But she refused it, saying that her husband might reform. She appeared, also, to show great kindness and affection for Darnley,

although he was a desperate wretch; and there is no evidence that she was not sincere.

"These considerations, and the great uncertainty connected with every circumstance alleged against her, should dispose us to think favorably of her; although, as we have said, they by no means prove her innocence.

"ROBERT TROUP PAINE.

"Harvard University, December 6, 1849."

THESIS — ARTICLE XXXI.

"'SHAKSPEARE'S MIRANDA.'

"The *Tempest*, in which Miranda plays so distinguished a part, is, perhaps, one of the most brilliant productions of Shakspeare, not only for the different characters which are there represented, but for the truth with which each one is carried out.

"Miranda may be looked upon as representing the realities of life, under the special circumstances which are supposed to have attended her mind and person. She is designed by the Poet as an example of the human mind developed by the early influences of a right education, the inculcation of moral and religious sentiment, enforced by a correct example in her parent, and unaffected, through early seclusion from the world, by any

influences of an opposite nature. True, there was that wicked Caliban; but the great depravity of his disposition, contrasted with the amiability and virtue of Miranda's father, must only have served the purpose of increasing her detestation of vice.

"We see, too, in Miranda, an illustration of the original dignity of human nature; and if this be apparently contradicted by the character of the fiend, it must be recollected that his early life was moulded by a savage, which serves, like the other instance, as a proof that 'as the twig is bent the tree's inclined.' Again, as this contrast in character corresponds with what we commonly witness from opposite modes of education, it becomes an evidence that the Poet has been true to Nature in the personification of Miranda.

"And now, while contemplating the manner in which virtue and vice are here presented, especially as the former is contrasted with the latter, we find that some moralists are mistaken in their opinion that no instruction can be derived from dramatic writings. What a lesson, indeed, do we read here! What admirable simplicity, what correctness of principles in Miranda! What charming humanity; and, above all, her affection for her parent, which, springing forth in the midst of her other noble qualities, is 'like apples of gold in pictures of silver.'

"There are few things which are a greater ornament to man than a respect for those who gave him birth. Indeed, it is the high command of Heaven, and upon it has been made to depend our success and respectability. It is this which lies at the

foundation of love to our neighbor. How incumbent, then, upon parents to instil early into their children the principles of rectitude, at an age when their minds are tender and flexible. There is a common opinion that the child must come to years of discretion before he can be a fit subject for the influences of Religion. Such was not the idea of Prospero.

"There is in Miranda one trait which appears, at first, to be open to censure. It is the precipitancy which she manifests in her love affair; what some may think to be rashness. But when we consider the peculiar circumstances under which she was placed, it will be seen that, so far from being a blemish in her character, it is necessary to its consistency; that it was natural for her to give away her heart as soon as she found a suitable object, and that, in so doing, she was only acting out the promptings of her innocent disposition. This, however, forms one of the rare instances in which it may not be always safe to represent human nature in its most amiable simplicity; for it will not answer in the practical world, where we must restrain our natural impulses and exercise deliberation.

"We have not taken that limited view of Miranda which most Commentators have done, but the comprehensive one intended by the Creator in real life. We have regarded her as an example of purity, in which that which is considered by most as the essence, forms but an incident.

"Robert Troup Paine.

"Harvard University, October 14, 1848."

THESIS—ARTICLE XXXII.

"'THE ORIGIN OF OUR FRIENDSHIPS.'

"When man was created, he was endowed with certain instincts and propensities, both for the preservation of the individual and the perpetuation of his species. Such are hunger, thirst, the fear of death, parental and filial affection. This is all that would be necessary to man as an animal being, unless we include, also, the desire of property, or some instinctive propensity analogous to it. If the Creator had ceased here, He would have left the best part unprovided for, and there would have been but little difference between a man and a dog. But, the Creator intended man for a higher sphere, endowed him with intellectual powers, and gave him appropriate propensities for the exercise of those powers. Among these is the principle of curiosity, the desire of property, the desire of power, and others analogous. Had the Creator gone no farther than this, man would be able to elevate his mind above sublunary things, and, moving among the stars, to have become acquainted with the beautiful symmetry of the Universe. But, had He stopped here, how faint an idea should we have had of the passage, 'God created man in His own image?' If Phidias, in his

statue of Olympian Jupiter, had omitted the head and shoulders, his work would have been about as complete as the image of God would be, if man had only intellectual endowments. But the Creator is a better Designer than to have committed such an error as this; for, to man's intellectual faculties He added one still higher, the moral faculty, and associated with it peculiar and appropriate propensities, such as gratitude, compassion, patriotism, universal benevolence, jealousy. Still there is another thing needful to complete His work, without which the moral faculty would be in a very imperfect state, and man could claim very little resemblance to that God, Who, Scripture says, 'is Love.' But it has pleased that God, in the formation of man, to give him, also, the spirit of *love* and *friendship*.

"Thus, we think that the true origin of our friendships must be referred to an ultimate fact in our nature. Still, however, like other endowments, it may be called forth and modified by circumstances. Owing to those influences, and the peculiar nature of friendship, it can exist in its full extent and purity among comparatively few. But this should be no argument against its being an inherent principle of our nature. It is not necessary to this conclusion that it should be generally manifested, but generally possessed. We might equally say that parental affection is not an instinctive principle, because parents do not always exercise it, as to deny the constitutional nature of the other for a like reason. Indeed, however latent it may be, it is common to all, or there could be no reclamation of

the hardened sinner. It must therefore exist in the breast of a Nero as well as of a John.

"As to the circumstances which have most influence upon friendship, we may say, in the first place, that, as this feeling, in its proper acceptation, can be exercised towards only a few, it will naturally be most frequent and intense among those who are most intimate, particularly such as are associated in their daily pursuits. Hence it is, that ties of the warmest friendship are found among classmates at College, particularly chums; so much so that he (as President Sparks said in his address) must be wanting in the finest feelings of our nature who would not grasp the hand of a Classmate with unusual zest, wherever he might find him.

"Secondly, friendship, as known to all who have enjoyed it, is strengthened by similarity of tastes and habits. This, too, is very generally exemplified among classmates, and among Christian brethren. There is often something here like what may be called a moral electricity. But, while they are bands of friends, respectively, the one may have only a formal respect for the other.

"Thirdly, the bond is more firmly united by our dependence upon each other. With what feelings do we regard him who smooths our brow in sickness, or comforts us with kind words when downhearted!

"How beautiful the summary by Pope, in the following lines: —

'Wants, frailties, passions, closer still ally
The common interest, and endear the tie.
To these we owe true friendship, love sincere,
Each home-felt joy that life inherits here.'

"ROBERT TROUP PAINE.

"Harvard University, September 27, 1849."

THESIS — ARTICLE XXXIII.

"'CICERO, IN A LETTER TO TREBATIUS, THEN WITH THE ARMY IN GAUL, LAUGHS AT HIM FOR HIS CHILDISH HANKERING AFTER THE CITY.'

"'There are, who, distant from their native soil,
Still for their own and country's glory toil;
While some, fast anchored to their parent spot,
In life are useless, and in death forgot.'

"The whole of this letter is nothing more than a paraphrase of 'the wise saying of an Eastern sage,'—'*Whatsoever thy hand findeth to do, do it with thy might.*' Yes, industry and perseverance are peculiarly the characteristics of him whom you can truly call a man. They alone are the guides to honor, to worth and true respectability. By them alone can man attain the highest end of his being. He may sometimes seek recreation from the busy scenes of life in those of fashion and elegance. He may do it, too, with profit and amusement. But, to be the

creatures of fashion, to live to-day regardless of to-morrow, is the act of the butterfly, which, sporting thoughtlessly upon the summer breeze, suddenly finds the variegated dust of its gorgeous wings scattered to the winds. But the creature of fashion and the butterfly differ in this respect. The latter is acting out the purposes of his being, while the former not only cuts short the brief span allotted to his kind, but spends it in a strange perversion of Nature's plans.

'In life he's useless, and in death forgot.'

"Another propensity, which is inconsistent with the true spirit of a man, is an excessive attachment, a childish respect for one's native spot. This is to be overcome only by the spirit of industry and perseverance, a firm determination to fight bravely the battle, wherever the scene of action may be. We do not mean to say that one should choke all warm feelings for the place of his birth; for we believe them to be consistent with the highest and noblest spirits, nay, perhaps one of their universal characteristics. How delightful is it when in a foreign land, engaged in the arduous duties of life, to now and then transport yourself on the wings of memory to the place where you have passed childhood's golden hours! What a balm does it diffuse over your manly toils!

"But, while we admire and sympathize with such a spirit, how differently, on the other hand, do we regard that slavish-

ness to one's natal spot, which disqualifies man to act in the drama of life. The former belongs to minds of greatness and energy; but the latter is always significant of weakness, and feebleness of purpose. The cases are much analogous to one's affection for his mother; for, while there can be no greater ornament to a man than a heartfelt care, and love, and reverence of her who gave him birth, still, upon whom do we bestow greater contempt than upon him who is 'tied to his mother's apron-string?' (See page 153.)

"ROBERT TROUP PAINE.

"Harvard University, June 20, 1850."

The following Thesis, written a little more than five months before his death, was found among his private papers, forwarded to his Parents from Cambridge. It appears to have been read before one of the literary Societies with which he was connected; and the Parents have printed it to show the nature of his contributions to those Societies, his expanded views, his aspirations after knowledge, his universal philanthropy, and as giving, also, a right construction to his Letters relative to the Cholera. (See page 153.) Coming from a Youth, it may go with the rest, too, in promoting sympathetic views in other youthful minds. The manuscript will be bound with the folio volume mentioned hereafter; as will be, also, those of *Articles* II. and III., and of the *Prayer* of his early Childhood.

The beginning is torn away. The subject is the ADVANTAGES OF TRAVELLING.

THESIS—ARTICLE XXXIV.

* * * *—"The world is filled with scenes to which spirits of every cast must respond with delight. Almost every step the traveller makes lays open to him a new theatre of pleasure, drawn either from the place itself or the associations with which he surrounds it." (Here again nearly a page of the manuscript is torn away.)

"To the Divine the land of Palestine, once the scene of the labors and adventures of the great and the good, must be a source of enjoyment which he can find in no other country." (Torn again.)

"Even the book-worm, should he ever be tempted to leave his closet, can find in other lands libraries where he is able to satisfy an appetite which the scanty means he enjoyed at home served only to increase.

"While to the universal traveller, to the man whose attention is fixed upon every thing, there is no place that has not a charm, the sublimities and the beauties of Nature, and the magnificence of Art, combine to form the spell which is strengthened by the variety they afford, and he, of all men, feels peculiarly the truth of the saying, 'variety is the spice of life.'

"But the pleasure of which travelling is the source is not

confined to the time actually spent in it; for the various scenes and adventures fill the mind with pleasing recollections which spread a smile over the countenance of the aged man, and gladden those days of which he might otherwise say 'I have no pleasure in them.' Travel, then, is to man a source of the most exquisite and rational enjoyment; one, too, most lasting in its nature. If this were all that could be alleged in its favor, how incalculable would be its benefits.

"We now come to consider our subject in a higher point of view; the value of travel as a means of the acquisition of knowledge.

"As a certain degree of book-learning greatly enhances the enjoyment of travel, so that, in its turn, must vastly increase the stock of information which has been obtained from books. This benefit is extended to men in all the departments of science and literature. It is in this way, alone, that the naturalist can be successful in his labors. Nature to be described must be observed. Before her secrets can be published to the world they must be discovered. It was thus that Pliny, Buffon, Audubon, Wilson, and all other great naturalists, have become so intimately acquainted with Nature, or certain departments of Nature, and have gained that fame which so justly attaches to their names. The chemist, too, and the natural philosopher, now in the laboratory or the studio, examine more or less into the laws of Nature; the one, those which concern the particles of matter, the other, those which regulate huge masses. But

when they come from their retirement, and go forth into the world, the great Laboratory of Nature, they then observe the operation of those laws, and are able to see a demonstration of their reasonings.

"But, although the chemist can now conduct most examinations successfully in the laboratory, it was not so in the beginning; for the first examinations had to be made upon Nature herself, or, rather, by the experiments which she performed; as the laboratory is only a humble imitation of Nature. When the chemist, by means of re-agents, decomposes a certain compound into its elements, or unites them again to form a new compound, he merely imitates what goes on in the world around us on an extensive scale; or, when by the heat of his furnace he breaks the union between the particles of matter, it is but an imitation of what is carried on by the great internal fires of the earth. Had it not been for the travels of such men as Black, Berzelius, Davy, and Humboldt, where must have been the sciences of chemistry and natural philosophy; especially chemistry, which, although now one of the most advanced, must otherwise have been still in its swaddling clothes.

"To the botanist travel is of peculiar advantage. It needs no argument to show that the first knowledge of the beautiful order which exists in the vegetable kingdom must have been derived from the observation of living plants; and, although one may now obtain much information from an examination of herbariums, yet who shall say that labors spent upon fresh and

verdant Nature are not crowned with much greater success than those bestowed upon the dried-up and mummified specimens of which botanical collections are composed!

"To the geologist travel is indispensable. He has to do, not with any particular stratum in any particular place, but with the general conformation of the earth. He has to observe many different strata in regions remote from one another; and, by comparing those that he finds in one with those that he finds in another, he makes deductions, and arrives at general conclusions with regard to the whole.

"I cannot dismiss this part of my subject without speaking of the physician, a character in whom many of us may hereafter be particularly interested. If he be a man of observation and correct judgment, travel must be to him a great source of improvement. It is thus he can become acquainted with all diseases and all stages of the same disease. Thus he enters into the philosophy of morbid nature, and what to many of his profession who have been less favored with opportunities appears to be wrapped in mystery, is to him perfectly plain and simple. It was thus with Hippocrates and Galen, and most others whose names stand forth in bold relief in the great Temple of Medicine; and thus it must be with most of those who hereafter shall wish to follow in their paths.

"It must not be imagined, however, that the benefits of travel, in this respect, are confined to the individuals themselves. The world at large has a share in them; for the

researches thus made, and the information thus gained by the naturalist, the chemist, the philosopher, and the geologist, are not allowed to be imprisoned in their brains, for each vies with another in the respective sciences in publishing to the world new truths; thus affording an opportunity to multitudes of others, less favored with the advantages of travel, of gaining a general knowledge, though by no means so extensive as when the study of their works is accompanied by actual observation of Nature. What is it, too, more than the knowledge first acquired by opportunities of travel, aided by the art of printing, that has served to dissipate the thick shades of ignorance and superstition, so characteristic of the middle ages, and diffuse that general information by which we are so happily distinguished from all who have gone before us?

"But, it is not in the knowledge itself that these benefits end; for it is the application of this knowledge which constitutes many of the useful arts to which we owe so many of the outward comforts and blessings of life. Here, again, it behooves me to recur, above all others, to the physician, whose personal knowledge forms so small a consideration when compared with the smiling looks, the ruddy cheeks, the happy firesides, which hail him as the greatest benefactor of his race — as truly 'the man of God.'

"In treating of the second part of our subject, then, we have considered the direct benefits of travel to the individual himself, either as an opportunity of discovering new truths, or

as a means of facilitating their study from books; also, of the advantages accruing to the world at large from the diffusion of this knowledge, its application to the useful arts, and, above all, its influence on the practice of medicine.

"But let us go one step higher, and view our subject in a still nobler aspect; the effects of travelling upon the mind. Here, then, what a mighty difference between the man who shoulders his carpet-bag and the man who trots the baby! How expanded the mind of the former! How broad his ideas! How liberal his views! How changed the whole inner man from the time he first crawled forth from the narrow limits of his domicil! He not only must have the superiority, but must feel it. The traveller must regard the man whose world has been his house very much in the same light that the Senior looks upon the Freshman; with feelings, however, of pity, never of contempt — for the man who has never travelled may be truly styled the Freshman of the world. But let us pursue the matter a little more in detail.

"First, then, travel serves to free the mind from the shackles of bigotry, a spirit one of the most universal yet the most conceited, most selfish, that the human breast can harbor. The man, whose ideas have been enlarged by travel, can have no fellowship with the narrow-minded who condemn all others who happen to differ from them in belief or opinion, even upon the most trifling subjects, and this, too, in the most unimportant ceremonies of Religion. The traveller learns to look through

the outward form to the spirit of which it is the manifestation; and, while he himself adopts a certain creed, and engages in certain acts of devotion, he extends that charity to others, who differ from him in either, that he would have others extend to him; bearing in mind that it was not ordained that all should think alike, and that the same spirit of devotion may be expressed by totally different acts.

"But his views extend, in this respect, still farther than the different sects of his own Religion. They extend to different Religions. He has seen the Hindoo sacrifice himself beneath the car of Juggernaut, the Chinaman prostrate himself before his God Josh, and the fire-worshipper do homage before the hallowed flame. He has reflected upon the various pictures before him; he has pitied these creatures of superstition, and wished them a thousand times the advantages which he has enjoyed. But he penetrates beneath the outward acts, and finds them prompted by the same zealous spirit which actuated the breast of the most pious saint, and he certainly cannot doubt of its acceptance.* He finds, moreover, not only the spirit of all Religions to be the same, but also their object, namely, the homage of a Being superior to man, and upon Whom man every where feels himself dependent. Thus he unites under

* Our Saviour appears to have gone much farther than this in his compassion of ignorance:—"*Father, forgive them, for they know not what they do.*" It is a godly example for us, not only of forgiveness, but that we should "*Judge not according to the appearance, but judge righteous judgment.*" Also, *Romans*, chapters 2, 5, 14.—[The Parents.]

the same bond of brotherhood not only all sects of the Christian Religion, but all religions. Not now, as perhaps once he did, does he look upon his own sect as the privileged few, but sees even in the sincere pagan a fellow traveller to the Land of Bliss. Not now does he look upon the Object of his worship as taking pleasure only in the incense offered in the temples where his own creed is preached, but as a Being

> " 'Whose Temple is all space,
> Whose Altar, Earth, Sea, Skies;'

taking delight in all the incense that rises from this great Altar; a compound perfume, in which that offered by each creed, sect, kindred, or tongue, forms one ingredient.

" But, not only are the views of the traveller himself thus enlarged, but it is through him that the same spirit of liberality must be diffused in the world, that hostility between different bodies of Christians, arising from the spirit of sectarianism, must be finally quelled, and all sects be brought to feel that, although they are apparently different, they are essentially the same, and have one common object. It is through the traveller, moreover, that the tirades against the world and its innocent pleasures must be suppressed; for certainly no one but he who has never seen the world can give vent to such language as is too common, but which, to say the most, is a poor compliment to the Creator.

" Not only, then, does the traveller become freed from big-

otry, but his ideas upon all subjects become extended, and, among others, upon that of happiness. All of you must have met with multitudes of those who think that none can be happy who are addicted to different habits from them; who follow a different occupation, or are placed in different circumstances; who live under a different government, or inhabit a different clime; in fine, that they and a few others, who live in the same manner and are situated the same as they, are the only happy of the Earth.

"There is another class, too, with which all must be more or less conversant, who are continually thinking, 'Oh! if we only had this,' or 'we only had that, how happy should we be!' Perhaps it may be wealth, power, knowledge, or a particular combination of outward circumstances, in which they conceive this treasure, happiness, to dwell. But the traveller sees the delusion of such spirits. He finds that happiness has no particular home; for the tenant of the frigid zone proclaims it as his own,—

> "'Extols the treasures of his stormy seas,
> And his long nights of revelry and ease.
> The naked negro, panting at the line,
> Boasts of his golden sands and palmy wine,
> Basks in the glare, or stems the tepid wave,
> And thanks his gods for all the good they gave.'

"The traveller finds that happiness may be possessed alike by all, the learned and the ignorant, the high, the low, the rich

and the poor; that neither education, nor outward circumstances, can bestow this precious gift, that alone

> "'——— content can spread a charm,
> Redress the clime, and all its rage disarm.
> Though poor the peasant's hut, his feasts though small,
> He sees his little lot the lot of all;
> Sees no contiguous palace rear its head
> To shame the meanness of his humble shed;
> No costly lord the sumptuous banquet deal,
> To make him loathe his vegetable meal;
> But calm, and bred in ignorance and toil,
> Each wish contracting, fits him to the soil.'

"Thus the traveller finds the great means of happiness provided in our nature; so that, wherever he goes, among men of whatever mode or condition of life, he still meets with the merry heart and the cheerful look. The whole world, in fine, seems to him a Winnipisseaukee.*

"But, it is not only with a part of our nature with which the traveller becomes acquainted. The whole of it lies before him. He sees the original, in the correct copy of which rests the fame of the great Shakspeare. What more interesting! What more elevating than the study of human nature! To see the working of the passions, nay, of all the inward springs

* Probably the true Indian name of the Winnipisseogee Lake, and expressive of the beauty of its scenery, "which is considered superior to any thing else of the kind in the United States." The Lake is twenty-five miles long, and ten broad, abounds with fish, and contains 365 islands.—[The Parents.]

of action; to watch the actions of others, and from them to go to the motives of which they are only the manifestation; to follow on the one hand hypocrisy, knavery, and intrigue, through all their forms, and then to turn to all that is great and noble; and, in viewing others, as in a mirror, to see yourself—thus being able, literally, to fulfil the the precept of the philosopher, *Γνωθι σεαυτον.*

"It remains now to consider the benefits of travel to Society. As the good of mankind is of paramount importance to that of an individual, and as every individual forms a part of society, we rank the advantages which may come under this division of our subject as first in importance. Travel serves, then, to bring all orders of men together. It is thus the educated and the ignorant, the monarch and the dumpling-woman, meet in social intercourse. It is needless to say how much this brings all classes into their natural relations, and to realize more forcibly the tie of common brotherhood; while this serves to create general good feeling, and would be particularly the case if what formerly was known by the 'ties of hospitality' could now be carried out. But the enormous increase of travel has rendered this utterly impossible in many places; so that, instead of becoming a private guest, the traveller takes shelter in the public house. Still, there is many a wild sequestered spot to which the traveller, seeking for novelty, winds his way, and greets the peasant's hut with his cheerful presence, partakes of the frugal board, and relates a merry tale to which the rustic,

ever and anon, proclaims his satisfaction by exclamations of wonder. It is this, moreover, that serves to unite all nations and kindreds, all ranks and conditions, in one common interest, and makes each feel his dependence upon the other, that in union is true prosperity. It is this feeling that has done so much, of late, to improve the condition of society throughout the world. It is this which, when it has consummated its work, must finally unite, firmly and everlastingly, all the families of the Earth under the bands of Peace.

"But, as you are now saying in your hearts, 'Quousque tandem abutere nostra patientia,' I must halt in my career, bearing in mind 'the wise saying of the Eastern Sage,' *Μεγα κακον μεγα βιβλιον.*

"Robert Troup Paine.

"September 20, 1850."