

Making Biblical Scholarship Accessible

This document was supplied for free educational purposes. Unless it is in the public domain, it may not be sold for profit or hosted on a webserver without the permission of the copyright holder.

If you find it of help to you and would like to support the ministry of Theology on the Web, please consider using the links below:



https://www.buymeacoffee.com/theology



https://patreon.com/theologyontheweb

PayPal

https://paypal.me/robbradshaw

A table of contents for *Journal of the Transactions of the Victoria Institute* can be found here:

https://biblicalstudies.org.uk/articles jtvi-01.php

JOURNAL OF

THE TRANSACTIONS

OF

The Victoria Institute,

OR

Philosophical Society of Great Britain.

EDITED BY THE HONORARY SECRETARY.

VOL. V.



LONDON:

(Bublished for the Enstitute)

ROBERT HARDWICKE, 192, PICCADILLY.

1871.

ALL RIGHTS RESERVED.

ORDINARY MEETING, 7th March, 1870.

THE REV. DR. ROBINSON THORNTON, VICE-PRESIDENT, AND AFTERWARDS JAMES REDDIE, ESQ., THE SECRETARY, IN THE CHAIR.

I was apnounced that-

Rev. S. J. Whitmer, Samoa, South Pacific, had been elected a member, and the

Rev. H. H. Dugmore, Queen's Town, Cape of Good Hope, a second-class associate.

The following paper was then read by Dr. M'Cann, who said he wished to apologise for the roughness with which he found he had penned his thoughts.

A DEMONSTRATION OF THE EXISTENCE OF GOD. By the Rev. J. M'CANN, D.D., F.R.S.L., M.V.I.

ANY seem to think that the existence of God is a IVI plausible but unproved theory, about which intelligent and educated men may agree to differ. That of two thinkers equally trained, logical, and earnest, one might affirm this mode of explaining the phenomena of the universe, and the other, with equal honesty, deny it. That His existence is a problem unsolved and unsolvable, concerning which we must be content to remain in the region of faith, and abandon all hope of entering that of knowledge. The purpose of the following paper is to prove the fallacy of all such assumptions by showing that we are no more at liberty to deny His being than we are to deny any demonstration of Euclid. He would be thought unworthy of refutation who should assert that any two angles of a triangle are together greater than two right angles. would content ourselves by saying, "The man is mad,"—mathematically at least,—and pass on. If it can be shown that we affirm the existence of Deity for the very same reasons as we affirm the truth of any geometric proposition; if it can be

shown that the former is as capable of demonstration as the latter,—then it necessarily follows that if we are justified in calling the man a fool who denies the latter, we are also justified in calling him a fool who says there is no God, and in

refusing to answer him according to his folly.

2. Before proceeding further it may be as well to notice an objection urged by Dr. M'Cosh, who says, "When ingenious men make the inference demonstrative, it holds out incitements to other ingenious men to detect weaknesses and breaks in the links of the chain." This is doubtless true, but it applies to all forms of argument, and the only way to foil these ingenious opponents is to make the chain so carefully that there shall not be any links either broken or weak. He again writes, "We see how man is responsible for his belief in God. Were the argument altogether apodictic there would be no possibility of doubt, and therefore no room for the consent or dissent of the will. But the argument being moral, and not demonstrative, there is room for the exercise of an evil heart in rejecting it. and therefore of a candid spirit in falling in cheerfully with it." The fact, however, that the argument is capable of demonstration does not cancel man's responsibility regarding it. The evil heart cannot indeed refuse the inference if it has followed honestly the chain of reasoning; in this case, indeed, the will would be powerless; but the will may be very powerful in withdrawing the attention from the argument altogether, or in so manipulating the evidence and deciding which shall be heard and which ignored, that fallacies may creep in and vitiate the Were Euclid a theological or moral text-book, there would doubtless be found many denying its axioms and ridiculing its conclusions, asserting that the general credence it obtained was the result of a false and pernicious education. The clearer the evidence for God's existence, the greater is the guilt of those who deny it; and that it is clear to demonstration must now be shown.

3. By Deity, or God, is meant a Conscious Person, eternal and unproduced, capable of causing all changes that have happened, knowing all that is knowable, perfect in every attribute of His nature, and voluntarily conditioned by His own act in creating. The terms "infinite" and "absolute" are avoided, because they are more celebrated for confusing than for aiding thought. By demonstration is meant induction based on intuition. Mathematical demonstration begins by assuming certain principles, such as "Things which are equal to the same thing are equal to one another;" "if equals be added to equals, the wholes are equal;" "two straight lines cannot enclose a space," &c. These, and all such propositions,

are called axioms, because they are self-evident, and must be assented to the moment they are placed before the attention. No person on earth could persuade a sane man that two straight lines may enclose a space. The axiom in this, its generalized form, is assumed, because it is a necessary judgment, an affirmation we are compelled to make by our mental nature, and which is independent of observation and experience, and so cannot be proved by them. Observation may tell us that no two straight lines we ever saw can enclose a space, but what they may do in other worlds and under different schemes of government cannot thus be told us. Observation and experience cannot generalize that which has never been observed or experienced. Mathematical and indeed all reasoning proceeds on principles which cannot be proved by reasoning, but must be assumed as Back of all lies the great universal axiom that whatever consciousness says is true. Beyond all controversy, whatever consciousness affirms must be assumed as true, otherwise reasoning is a waste of time. Every man, for example, is conscious of his own existence; he would not attempt to deny it, and as little would he think of proving it. If he is at liberty to deny any one of all its utterances, he is at liberty to deny this; if, however, he may not reject this, neither may he reject any other.

4. We have, therefore, certain elementary principles of thought, which, being first principles, are incapable of analysis; are intuitive, not being derived from observation; and are consequently universally self-evident. Any proposition which is self-evident is axiomatic; it is not necessary that it should be The axioms of geometry would not be less axioms could it be proved that they are derivative, nor would the reasoning founded on them be less demonstrative. The difference would be that its truth would be contingent on the truth of the axioms. We maintain, however, not only that we demonstrate our proposition because we base it on axioms; but, further, that it is necessarily true because the axioms are intuitive. The first step, therefore, in any demonstration aiming at truth is to obtain a starting-point which is known truth, that the mind, beginning with truth, may end with truth. It would manifestly be impossible to obtain certain conclusions from uncertain premises, as it would be to erect a firm building upon an unstable foundation. If it be, however, known that the first proposition is necessarily true, and that every succeeding proposition derived from it is also true, then we are assured that the conclusion must be like-This is the course of a complete demonstration. Having obtained the axiomatic foundation, the succeeding process is to reason from it, according to the laws of thought; or. in other words, to string axiom to axiom till we pass from truth which is both self-evident and necessary, to truth which is

necessary, but not self-evident.

5. For example, that any two sides of a triangle are together greater than the third side, is a necessary truth, but not a self-evident one; but it is reached by such self-evident truths as these, "that the whole is greater than its part," "that if equals be added to equals, the wholes are equals," &c. In the same manner the necessary truth that Deity exists is reached by a series of self-evident truths, or axioms. If this process be called demonstration when applied to the relations of space, it must equally be called demonstration when applied to any other series of relations, and must carry with it as much certainty in the constraints in the constraints in the constraints.

tainty in the one case as in the other.

- 6. The first axiom that need be stated in this demonstration is, that every change in an unconscious object must be involuntary and unknown. It is self-evident that to will is impossible without being conscious of willing; therefore where there is no consciousness there can be no willing. It is also unknown by the object; for where consciousness is absent there cannot be knowledge. But changes do take place; they are not known to, nor willed by, the object in which they occur. But no sane man would argue that they happen spontaneously, without purpose or reason; if so, that purpose or reason, not belonging to the object, must be distinct from it. Our next axiom therefore is, that every change is caused. The self-evidence in this case is said to be imaginary and not real. The irresistible conviction presses itself on all men's minds. This axiom is universally allowed to be such, and therefore any conclusions based on it are not in any way vitiated by differences regarding its origin, but its intuitional character is stoutly denied, and so the truth of the conclusions is at stake. Those who take this ground say that it is an observation of the uniformity of nature, or rather that it is the uniformity itself. Mr. Mill's words are. "The uniformity in the succession of events, otherwise called the law of causation." This seems a very distinct confounding of things that differ. If succession be causation, then it follows that observing the first you observe the second; but so far from this being the case, I believe that succession of itself would not even suggest causation, or even if it were suggested, it most assuredly would not give that feeling of certainty which everywhere accompanies the affirmation of a cause. The moment the two words are uttered, we are conscious of a fundamental difference between them, which no reasoning can shake.
- 7. Causation and succession are felt to be radically distinct. We might easily imagine the present regularity of sequence to

be suspended, with the continuance of universal causation; but we cannot even think the suspension of the latter in a single instance. Mr. Mill writes, "The uniformity in the succession of events, otherwise called the law of causation, must be received, not as a law of the universe, but of that portion of it only which is within the range of our means of sure observation, with a reasonable degree of extension to adjacent cases." This is right so far as it relates to uniformity, but is wrong in calling that the law of causation; because we are compelled to affirm this law for the whole universe, it being impossible to construe in thought the happening of events anywhere, without those events being produced somehow, however irregularly the

happenings may occur.

8. Observation also requires to be continued for a series of years, but the youngest child, or least observant character, instinctively believes in some cause producing any change they may notice. If they do not discover the cause, they still believe in its existence. Mr. Mill is again right when he states, "There must have been a time when the universal prevalence of that law throughout nature could not have been affirmed in the same confident and unqualified manner as at present." But was there ever a time when the belief that every event was caused somehow, or by some person, would not have been affirmed as confidently as it is now? In this search for a cause the most unlettered savage, and the most cultivated philosopher, are agreed; for "the scientific mind," writes Dr. Tyndall, "can find no repose in the mere registration of sequences in nature. The further question intrudes itself with resistless might, Whence comes this sequence? What is it that binds the consequent with its antecedent in nature? The truly scientific intellect never can attain rest until it reaches the forces by which the observed succession was produced." The attempt therefore to explain away the self-evidence and necessity of the proposition, that every change is caused, must be accounted a failure, and we are, consequently, freely warranted in asserting that it is axiomatic and intuitive.

9. Our next axiom is, that the cause of all changes must be a conscious agent. A man looking at a machine making a piece of cloth with a beautiful pattern woven in it, would unhesitatingly assert that it had been designed and made by some one for the purpose of weaving, and that the cloth was placed there for the purpose of being woven. No reasoning could convince him that the whole was a fortuitous concourse of atoms, perfectly accidental in its position, arrangements, and results; that the water just happened to be in the cavity that just happened to be of the required boiler form; that the fire just

happened to be in the furnace; that the water just happened to boil after the fire had somehow become lighted; and so on. He would regard, and rightly, the assertion as a mere truism, to doubt which would indicate insanity; that the cause of all the changes he saw there must be one or more minds conscious of what they were doing. I hold it just as impossible for an honest observer to come to any other conclusion when observing the machinery of nature, combining in all its parts to produce the beautiful fabrics of the organic world, with their matchless hues and endless varieties of form.

10. Did the changes in nature all run, as it were, parallel to each other, not crossing nor concentring, perhaps the proposition might not be so self-evident as it is. But instead of that they are all focused or centred to a few points, so that changes at first appearing the most diverse and disconnected, gradually converge and mingle to produce some one result, which could not have been produced without such union; this result, in its turn, commingling with some other result similarly produced, and originating a still higher unity. Changes are taking place in the leaves of far-off trees, as they purify the air; in the bodies of animals and plants around, as they cook the soil into possible human food; are taking place in the distant sun, by which other changes are produced in the space immediately surrounding him. These changes approach each other as I breathe the air and eat the animal, till they blend in the structure of the eye, which opens and drinks in the light; so that these three great lines of change all converge to that glorious point of vision.

11. If the inspection of a machine necessitates or renders self-evident the affirmation of a conscious agent, the inspection of nature, for exactly the same reasons, renders the same affirmation necessary in regard to it. This axiom is often obscured by confounding cause with condition. When the question is asked, "What was the cause of that?" the answer is frequently given in terms of the conditions. Suppose I blow up a rock by gunpowder, if I be asked the cause of the explosion, and reply that it was the contact of a little red-hot wire with the powder, I shall be incorrect: that was only the condition under which the explosion occurred; the cause, in its strict meaning, was my desire to blow up the rock. I, the agent, was the real cause; all else were only conditions in accordance with which I acted. Cause replies to the query, why? Condition replies to the query, If this distinction were kept steadily in view, it would free the discussion on causation from much of the fog by which it has been enveloped, and manifest the impossibility of doubting that the cause of all changes must be a conscious agent.

12. Our next axiom is that the Agent must be able to produce all the changes which happen. It is evident that we must not only have a cause, but a sufficient cause—one equal to the work which He is said to accomplish. On this point nothing more requires to be said, but we may at once affirm His omnipotence. But the Agent must also know all the changes that take place, for if He produce them He must know them. It may be said that He can work by general law; determining, for example, that matter shall gravitate without being cognizant of every motion of every atom. But if it be remembered that law is only a rule of action for Himself, and therefore wholly subjective, it will be seen that the gravitation of every atom must be willed, and so known. God's omniscience is therefore as necessary a truth as is His omnipotence.

13. The last axiom we shall state on this portion of the subject is that, the Cause of all change must be Himself unchanged. In other words, He must be eternal, or uncreated; for if He ever began to be, He underwent an absolute change. He could not be the author of his own existence, and consequently could not be the Universal or First Cause. It is self-evident that the First Cause must be uncaused; the Author of all change be unchanged; the uncreated be eternal. We hold it therefore to be capable of the most rigid demonstration, that there is an Originator and Governor of the universe and its phenomena, who is a Conscious Person, omnipotent, omni-

scient, and unproduced; and this Being we call God.

14. The mind having attained this point rests in perfect satisfaction; its instincts are responded to, its yearnings gratified, and it is content to remain for a time in ignorance of much, knowing much; but while it is recording sequences only, it is conscious of a painful void and an irresistible impulse still to ask, But who arranged them all? That system, therefore, falsely called Positive, yielding, as it professes to do, only negations; and still more falsely called Philosophy, ridiculing, as it does, the love of knowledge, is unscientific, because it arrests investigation at a point beyond which it might rarely proceed; it is unhuman because it ignores the basic principles of all human thought. It may, however, be said that the very existence of such a system is its own justification, because if the propositions laid down were really axioms, the positivist could not deny them. We reply that the positivist does not deny them, he ignores them and refuses to consider them at all. "Positivism," writes Mr. Lewes, "by no means denies the existence of such causes, it simply denies that by invoking them we can gain any insight into the laws of phenomena:" and therefore he declares "the search after first and final causes to be a profitless pursuit." Leaving the positive philosopher to his ignorant negations, we shall resume our profitable pursuit. Having demonstrated the existence of the First Cause with His consequent attributes, by another demonstration we shall prove Him to a be Moral Governor also; perfectly holy, just, and loving.

15. We affirm then, in the first place, that right exists in the belief of men as distinct from wrong. There have been great varieties of beliefs in different ages and in different countries as to what is right and what is wrong, but that something is right, and something wrong, has been universally held in all time. The reason at once unhesitatingly assents to the statement that it cannot by any possibility be right to do wrong, or

wrong to do right.

16. But further, the performance of what we believe to be right is, when possible, a duty. Right is absolute in its requirements. An act is believed to be either right or wrong; if right, then there can be no debate about our duty in the matter; if wrong, there can be as little. This is so clearly self-evident, that it may be passed without further comment. Is it, however, intuitive also? If the conception of duty as distinct from prudence or policy can be originated by society, and its obligations enforced, apart from fear of suffering, then its derivative character may be maintained; but if not, we must say that it is an intuition. We hold, therefore, that duty cannot be originated or imposed by society.

17. As Professor Bain, of Aberdeen, strongly opposes this, it may be permissible to quote a few passages from his work on "Mental and Moral Science," for the purpose of testing the worth of his antagonism. "Human pursuit, as a whole," he writes, "is divided, for important practical reasons, into two great departments. The first embraces the highest and most comprehensive regard to self, and is designated PRUDENCE, selflove, the search after happiness." "The second department of pursuit comprises the regard to others, and is named Duty. It is warred against not only by the forces inimical to prudence, but also occasionally by prudence itself." (Page 393.) On page 394 he defines duty to be "the line chalked out by public authority or law, and indicated by penalty or punishment." He acknowledges that "self-love will do little or nothing for improving the condition of society; to the pure self-seeker posterity weighs as nothing." But herein lies a difficulty. We are told that duty, or regard to others, is often warred against by regard to self; also, that duty is impotent before self-love; duty, consequently, must necessarily be put to one side. Duty may, therefore, be left undone and the man still be right, for manifestly it cannot be wrong to have the highest regard to self. But while men

are thus taught that self-love is a more powerful motive than duty, and that duty may be done or left undone at the dictates of self-love, society is conscious of a certain danger to itself, and chalks out a line, saying, "This must be done, or you must bear the punishment of transgression." But punishment is disagreeable, as a rule; consequently men abstain from the punishable acts: this abstinence, we are told, produces aversion, and "such aversion is conscience in its most general type."

18. Here is a whole string of fallacies. Laws are passed with the sole object of benefiting society; they are consequently solely prudential: they are obeyed because they will yield good to the individual, or through fear of punishment; the obedience is also solely prudential: and duty, therefore, finds no place either in the framing of the law or in the observance of it. The next fallacy is that abstinence from a punishable act, through fear of punishment, generates aversion of the act. That a man, for example, who wishes to steal a certain article, but dare not, is thus caused to hate theft. We had fancied the facts were exactly the reverse. The last fallacy is that such aversion, even could it be thus produced, is conscience. Have we never heard of men unscrupulous in conduct, and who were above the power of civil punishment, yet being tormented by the stings of an accusing conscience? Whence arose the aversion in such a case, when the acts were not avoided? There being no parent, whence came the child? Are we to be told that our "foremost" motives, the reasons why we do not forge, and steal, and murder, are the terrors inspired by the prison or the scaffold? Who would not repel the charge that he was truthful because it would be imprudent to be untruthful; honest, because it would be unsafe to be dishonest; that he would be a rogue if he gained by it, and if he dared?

19. It is true that the Professor speaks of sympathy as an influence in favour of duty, but even here there is a confusion, for society did not originate sympathy; therefore, according to his theory, it can be no part of duty to sympathise with any one; and, moreover, sympathy and duty are very different motives. If we feed one who is hungry because we have a pleasure in alleviating pain, it is wholly distinct from the motive of doing it because it is right. Sympathy, therefore, may be more correctly classed among the aids to happiness than to duty. It is utterly useless attempting to prove that society can either originate duty or enforce it. No man has any right whatever to say to me, speaking from his own level, that I ought to do any single act for the good of any one, myself in-

If I choose to be miserable it is my own business cluded. alone. If I choose to amuse myself by trying to make others miserable, they have a right to prevent me if possible; but they have no right to find fault with me for pursuing happiness in my own way. They may express their feelings of dislike at my experiments as strongly as they choose, which I may laugh at as heartily as I choose, but they may not utter one word of blame. Society can coin and utter such words as "policy," "prudence," "selfishness," "expediency," &c., but it cannot, as society alone, have any concern with such words as "ought," "duty," "obligation," "praise or blame," "virtue or vice," &c.* Morality is beyond its province and its power, but morality exists with its elements of conscience, right, and obligation; and as morality cannot be the product of human law, experience, or observation, it must be an integral part of man's nature, and so be the product of the Author of his nature, or God. Deity is, consequently, a moral creator.

20. But man is conscious of a certain amount of free agency in the origination of his actions. Necessitarians may reason as they will, but the moment they begin to act their reasonings are cast to the winds. They would shrink from asserting that a thief in his theft is as praiseworthy as an honest man in his honesty, which they would be compelled to do, if they believed that the one had no power to be honest, nor the other to be dishonest. The fact of free agency, up to the point so lucidly and ably indicated by the Rev. Dr. Irons, in his admirable paper on "Human Responsibility," is one of the surest utterances of consciousness, next to that of our own existence. and cannot be shaken by any reasoning however plausible, for the reasoning that would attempt to shake it must begin by annihilating itself. It is clear, therefore, that if a man be free to choose either right or wrong, in order to his own good and that of others, he must be guided as to which he ought to elect, and have reasons placed before him why he ought to prefer the right to the wrong.

21. Therefore our next axiom is, that moral consciousness, with moral freedom, requires moral government. It will suffice here to quote the words of Dr. Irons from the paper just named: "There is no alternative, we repeat, but this: disclaim all honour and all shame; resist all the facts of human nature's accountable existence here; or acknowledge a Supreme Power, which knows the whole responsible community, and governs it." It is perfectly clear that a Moral Governor must

^{*} See this subject of Utilitarianism ably treated, from another point of view, by Jas. Reddie, Esq., in the Journal of Transactions, Victoria Institute, ii. 129.

be perfect. Anything short of this destroys the very basis of obedience. It is self-evident that He must be perfect in knowledge, or He could not know the inner life of all His creatures, nor fathom their motives, which are the true moral tests of action. He must be perfect in justice, or we need not owe Him absolute moral obedience. Perfectly good, or we would not owe Him love, the most powerful agency in His government. Perfectly wise, or we would not owe Him confidence, without which we might distrust His legislative enact-Perfectly powerful, or we would not owe Him trust, and believe Him able to perform His promises; or we might disregard His threats, imagining that He had not the power to execute them. The smallest possibility of error on the part of God would cast the whole moral creation loose from its obligation, and would substitute fear for duty. God claims obedience from His own infinite perfections; an obedience which man owes, not because he will be punished, not because he will be rewarded, but because God is the all in all of the moral universe, and that it is right that the finite mortal should give perfect obedience to the infinite Holy Creator.

22. We cannot, therefore, escape from this conclusion: either there is no moral law whatever, or there is a God perfectly just and holy. But there is a moral law, therefore there is a perfectly just and holy God. We maintain consequently that by the foregoing series of propositions, which are universally acknowledged to be as axiomatic as are those of geometry, we have demonstrated the existence of Deity; and having proved these axioms to be intuitive, we have shown our demonstration to be fundamental truth. Therefore, the existence of Deity is not only a necessary form of thought, but it is also a necessary

fact.

23. In conclusion, we believe it to be very important to be able to prove that if the mathematician be justified in asserting that the three angles of a triangle are equal to two right angles, the Christian is equally justified in asserting, not only that he is compelled to believe in God, but that he knows Him. And that he who denies the existence of Deity is as unworthy of serious refutation as is he who denies a mathematical demonstration.

The Chairman.—I suppose I may return to Dr. M'Cann the thanks of the meeting for his paper. I must say that, in my opinion, it is rather short, perhaps too brief; but Mr. Reddie has kindly agreed to supplement it with some arguments in another paper of his own, made in a different strain, but tending to the same point,—namely, a demonstration of the existence of God; and we shall take the discussion on the two papers together.

Mr. Reddie.—I beg leave to explain that the paper I am about to read was not written for such an audience as this. It was delivered in 1852 in the Mechanics' Institute, Southampton Buildings, and it was written on account of a discussion which had taken place there between a Swedenborgian and an atheist, at which I was present, and where I thought the Swedenborgian made but a poor defence indeed of his thesis. When this paper was originally read, I challenged public discussion on the subject, and it was then discussed. I may say that I differ from Dr. M'Cann's concluding words, that "he who denies the existence of Deity is as unworthy of serious refutation as he who denies a mathematical demonstration;" for, to begin with, I have not met many gentlemen who understand a mathematical demonstration who deny the existence of Deity. But if we are to deal with this subject at all, we must deal with those who really do deny the existence of Deity; and the object of my paper was to meet the case of such a person, a Mr. Nicholls, who really appeared to be perfectly sincere. I hope the meeting will remember that, in delivering this paper, I was addressing working men, and speaking with reference to a discussion that had already taken place. I did not cover so large a field as Dr. M'Cann, but where I did travel, I think I went over the ground a little more minutely than he has done. I have not had time now to compress or re-write my paper, so as to make it more suitable for the present audience; I hope you will therefore excuse its simplicity, and consider the class for whom it was intended, the class, perhaps, however, who most require to be addressed upon such a subject.

Mr. Reddie then read his paper as follows:-

ATHEISM CONFUTED BY A NEW ARGUMENT; OR WHY MAN MUST BELIEVE IN GOD. (Being a Lecture ON NATURAL THEISM, originally delivered in the London Mechanics' Institution, Southampton Buildings, Holborn, on Thursday, 3rd June, 1852, with reference to a Discussion which took place between a Swedenborgian and an Atheist on 11th May, 1852.)—By James Reddie, Esq., Hon. Sec., V.I.

[I. In the discussion which took place on the 11th of last month in this hall, on the Being of a God, Mr. N—— (the Atheist), contented himself with merely objecting to the arguments brought forward by Mr. W—— (the Swedenborgian), who affirmed the existence of a Deity; and, indeed, when challenged to disprove God's existence, after at first saying merely that he did not undertake to do so, he fell back upon a technical rule in evidence, which he employed as if it were a universal principle, and quite stretched beyond its legitimate