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speaking by commission from God, and so to confirm their teaching or message, the argument from miracles is in place, and of force; for it does prove that. And such is the use which Christ and his apostles actually make of the miracles which they perform, as shown in the passages cited above. They constantly appeal to them as evidence of their own divine commission: "Though ye believe not me, believe the works."<sup>1</sup> "Go and tell John what things ye have seen," said Christ.<sup>2</sup> To the same effect is the language of Paul to the Hebrews: "God also *bearing them witness* both with signs and wonders, and with diverse miracles."<sup>3</sup>

To the question, then: What does a miracle prove? we answer, it proves the divine commission of him who performs it, and so the divine authority of his doctrine. It proves Christianity to be a system of divine origin, a religion sent from God. It is the broad seal of Heaven stamped upon the system, as its credentials. This was the intention; this the accomplished fact.

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## ARTICLE V.

### HUMANENESS OF THE MOSAIC CODE.

BY REV. J. B. SEWALL, LYNN, MASS.

WE have frequently heard the Mosaic laws alluded to as barbarous and bloody, and belonging to an age of like character; adapted, perhaps, to the degree of civilization, or rather uncivilization, which then prevailed, but altogether unfit for the present advanced stage of enlightenment and progress. An instance of this kind within our knowledge led us recently to examine the books of Exodus, Leviticus, Numbers, and Deuteronomy, with this point in view. We took note as we went along, both of the features which give

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<sup>1</sup> John x. 38.

<sup>2</sup> Luke vii. 28.

<sup>3</sup> Heb. ii. 4.

rise to the charge, and the opposite, the laws which must be marked as lenient and humane. We have embodied in the following remarks our results, at which we confess, on our own part, no little surprise.

We note it as wonderful, at the outset, that a code of laws, if barbarous and bloody, should have made a people so highly civilized as the Hebrews certainly became, whatever we may say of the age. A barbarous and bloody code should belong to a barbarous and bloody people, and make them only the more so. We should expect such a people to be rude, warlike, cruel, idolatrous, and perhaps cannibal. We should think of them together with the old Assyrians, the later Scythians, and the still later fierce tribes which overbore the power of the Roman Empire, and later still, with the inhabitants of New Zealand and the South Sea Islands. We should think of them certainly as little advanced in the arts and customs of civilization. We cannot think thus, however, of the Hebrews. They were far from being a people of this character. From the day of their exodus from Egypt, a nation of emancipated slaves, they occupied the level of an unparalleled civilization. They were widely distinguished at once from the barbarous nations around them. The degraded and barbarous practices of Egypt, Edom, Assyria, Syria, and the tribes of Canaan, they were wonderfully exempt from. Observe the difference, e. g. between them and the Egyptians, a close similarity to whom, on the contrary, we should have expected. It was remarkable. The Egyptians had a civilization which, it is true, was very high in certain respects. It had arts and learning, for Moses had profited by them, being learned in all the wisdom of the Egyptians. The monuments likewise which stand to this day on the banks of the Nile witness the same. It had the science of astronomy, and had carried it as far as was possible, perhaps, without the aid of modern instruments; also the science of chemistry in certainly greater degree than modern civilization had attained before the time of Lord Bacon. It had geometry too, and a grand massive architecture, as the Pyramids and temples

like those at Karnac, to this day, again, testify. But this civilization was idolatrous, monarchical, sensual, and depraved. Their best worship was that of Osiris and Isis, while their common and general religion descended to the worship of animals, vegetables, and the basest of reptiles.<sup>1</sup> Men are as they worship. We have therefore a state of society in Ancient Egypt never exceeded, and probably not reached, by Greece or Rome in their days of lowest vice and depravity. The reading of what modern discovery has revealed in the inscriptions of the ancient ruins, carries us back to a civilization which, however surprisingly advanced in certain respects, was yet a civilization of ambition, lust of power and domain, blood-thirst, superstition, and sensuality.

The Hebrew civilization, on the other hand, born suddenly and brought to a great degree of maturity in the wilderness of Sinai, if wanting in the science and art of Egypt, was yet possessed remarkably of other elements, and those which enter more into the constitution of true civilization, — are more the essence of civilization. It was a civilization of high principles and practices in the customs and relations of life. Justice, generosity, and mercy were eminent traits. Its religion was spiritual; its worship that of the true and living God. Men are as they worship, again. It was also a free, republican civilization of the purest form. If we estimate therefore a civilization by the refinement of a people's manners and feelings, and their remoteness from savage grossness, which we maintain is a truer standard of estimation than improvement in arts and learning, we must rank the Hebrew civilization in the first order, and far before the Egyptian. We would say that a moral civilization, if we can so distinguish, is higher than an intellectual. Christian civilization is higher than any infidel or pagan civilization the world ever saw. England would not wish to change her civilization for that of Greece or Rome in their most exalted days. And this was just the difference between

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<sup>1</sup> Posterity might repeat the saying which had formerly been applied to the sacred animals of the same country: That in Egypt it was less difficult to find a god than a man. — Gibbon, *Decl. and Fall of Rom. Emp.*, Vol. III. p. 524.

Hebrew and Egyptian civilization. How could such a civilization have arisen under, or together with, a barbarous and bloody code of laws?

This code, too, was evidently designed to subserve the ends of good government, the protection of life, liberty, and property, and the maintenance of the public peace and welfare. We may instance the judicial arrangements.<sup>1</sup> Judges were to be appointed in all the gates who should judge the people with just judgment. They were neither to wrest judgment, respect persons, nor take gifts. Also the laws regarding murder, theft, and personal injuries. A code of laws designed, — and we must say efficiently, and therefore, to a degree at least, wisely designed, — to preserve equity, quiet, prosperity, and good habits, can hardly be called a barbarous one.

This code, again, is the immediate source and groundwork of the laws and institutions of our own country. And could we say that our laws and institutions sprang from a barbarous source? They were modelled immediately upon the Mosaic. Sometimes it was more than this. One of our colonies adopted as an article of its organization, that it would be ordered in its civil affairs, as well as in its ecclesiastical, by those rules which the scripture holds forth, referring principally to the Mosaic laws. In another, "in the absence of special laws, the rules of the word of God were to be followed."<sup>2</sup> We feel that there is not a freer, more enlightened, and efficient government in the world than our own, and that civil, political, religious, and educational blessings are nowhere enjoyed as in this land. And just that which gives us this superiority over all other lands we owe to that framework of law created in the wilderness of Sinai nearly fifteen hundred years before Christ.

One remarkable difference between the Mosaic and every other civil code, is the fact that it provides that the commission of wrong shall be remembered not merely as offence against law, but as sin against God. No other code of laws

<sup>1</sup> Deut. xvi. 18 - 20.

<sup>2</sup> Palfrey, *Hist. New Eng.*, Vol. I. pp. 529, 536,

does this. It is sufficient with other codes that offence be convicted as against law. They end with conveying the knowledge of themselves and their penalties. They have no other respect to command than for themselves. They reach and care for men in no other relations than in those among themselves, and to the domain of nature over which they have authority. What shall we say, then, of a code of laws bearing in its own structure a remembrance of the Source of all law and authority, and providing that men, in obeying its statutes, shall think of the Supreme King and Lawgiver, and of themselves, in breaking them, as committing offence first of all against Him? Who can call that a barbarous code which in this way powerfully tends to promote the purest and highest culture and discipline of men?

It is another thing worthy of notice, that, notwithstanding the early period, and the fact that while the only modes of government then known and prevalent were despotic, save the patriarchal, that of Moses was republican. His code was a republican code. His own account of the constitution of the government in republican form — how he arranged the offices and ordered the elections — is to be found in the first chapter of Deuteronomy. And by the way, from the thirteenth verse of this chapter a sermon was preached, we are told, at the organization of the government of the Connecticut Colony, deducing these three very republican doctrines: 1. The choice of public magistrates belongs unto the people by God's own allowance. 2. The privilege of election which belongs to the people must not be exercised according to their humors, but according to the blessed will of God. 3. They who have power to appoint officers and magistrates, it is in their power also to set the bounds and limitations of the power and place unto which they call them.<sup>1</sup>

To us, who are familiar with, and accustomed to, republican institutions, this seems the best and simplest method in which to proceed, — the first which would occur to the mind

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<sup>1</sup> Palfrey, Vol. I. pp. 536, 537.

of a wise and honest legislator. But in that day, when such institutions were unheard of, when all existing governments had arisen by pure force, and were maintained by virtue of force, it was a different thing. It bore the character of a new invention, an untried theory. There were no examples from which to copy; none to tell how it would succeed, nor to point out what were the dangers to be avoided, and what the parts to be strengthened. But remarking the simple fact that it was republican, it cannot be called a barbarous code. Republicanism is a political form belonging only to the highest degree of enlightenment and individual culture. The political form of barbarism is monarchical despotism. Whenever despotism is saddled upon an enlightened society, we feel that it is out of place. We sympathize with the revolutionary efforts as right, which are made to throw it off.

Beforehand, then, we have reason to believe that the Mosaic code is far from being of the low order and character some would have us think.

The particular ground upon which the charge that "the Mosaic code is barbarous and bloody" is made to rest, is the stringency of its laws and the severity of its penalties.

Of the stringency of its laws, it is only worth while to remark, that it is not a mark of barbarism, but of the opposite. Barbarism is lax. It allows great license in every direction of crime. It is rigorous only in certain forms and on certain occasions. A man may murder, only not within a certain limit of persons, and he may be severely punished, provided those interested in seeing him punished have sufficient power to do it. He may lie, cheat, and steal, and it is a virtue, provided he is not found out. He may gratify his lust to any extent, and it is no crime, provided he has ability to face a father's, brother's, or husband's vengeance. Stringency is a mark of high moral tone,—high sense and high aim in morals and discipline. As a general and pervading trait, it can belong only to a state of civilization and enlightenment.

As for its penalties, they were not so much more severe

than the modern, if at all, and far less so than the penalties of the most enlightened and civilized parts of the world have been within two centuries of the present. And if modern penalties are less severe, it remains to be proved whether they have not crossed the true line which divides severity from laxity, and whether the Mosaic penalties lie upon that line; or if the Mosaic were severer than now be required, whether, under those peculiar circumstances, that severity was not what true humanity and high civilization required.

The penalties of the Mosaic code were these: first, never more than forty stripes; rendering like for like, eye for eye, etc.; restitution with compensation; and death, first, by the sword; second, by stoning. Here, the degree of severity can rest only against the death-penalty, the others are eminently moderate. The death-penalty was inflicted in five classes of crimes: <sup>1</sup> 1. Murder. 2. Parricide. 3. Man-stealing. 4. Gross sensuality. 5. Parental and filial disobedience. Under the head of treason are included witchcraft, sorcery, false prophesying, idolatry, and idolatry to idolatry. Such was their character, as readily seen when it is remembered that the Hebrew Republic was also a Theocracy; and it was the reason, chiefly, of their being followed by the death-penalty. Gross sensuality, likewise, includes several different forms of crime, the chief of which is the crime of adultery. The whole number of instances in which the death-penalty was attached, under these five classes, was fourteen.<sup>2</sup> It is stated<sup>3</sup> that less than two hundred years since, the number of crimes to which the death-penalty was attached in England was one hundred and eight. Under the State law of Massachusetts, the death-penalty is laid only upon the crime of murder. Under the United States laws, it is laid upon murder, treason,

<sup>1</sup> Professor Wines, *Commentaries on the Laws of the Ancient Hebrews*, but four classes, omitting man-stealing. See page 263.

<sup>2</sup> Professor Wines says, page 263, seventeen. After examination and comparison, we can only make fourteen.

<sup>3</sup> Wines, p. 263.

arson, and felony, — five classes to the five of the Mosaic laws, or if instances, five instances to the fourteen of the Mosaic. It is, however, to be remembered that, in many cases, what our laws made, not long since, capital offences, are now punishable with imprisonment for life, a penalty substituted for death, and meant to be the same, so far as society is concerned.

One of the methods of the death-penalty, stoning, the most common, was certainly severer than the modern hanging, shooting, and beheading. Slaying by the sword, however, the penalty of murder, and taking the place of our hanging in great degree, is less severe. Stoning was the penalty of all the other crimes, for which we have substituted hanging, fines, and imprisonment with hard labor. We think that, in the two cases, Lev. xx. 14 and xxi. 9, where apparently punishment by burning alive was commanded, Bush shows good reason for believing that it means rather the burning of the bodies after the criminals had been put to death by stoning. If there was more severity than we should use now, and if, especially in some cases, there was a severity which we do not deem necessary now, there are two things to be remembered. First, there were special reasons for severity. These reasons are to be found in the peculiar relations in which the Hebrews stood, as a nation, to God, and the purpose which God had in view in those relations. Their republican government, as we have already seen, was also a monarchy in which God was the king. It was so by a formal covenant on the part of the people at Mt. Sinai. Certain crimes, therefore, — among them idolatry, witchcraft, and false prophesying, — were treason. Certain things became state crimes, from the nature of the case, which are now only immoralities, and which we can see very well might then necessarily be severely punished. While now they may be left to themselves, so far as legislation is concerned.

The purpose in view was a restoration, or to use lord Bacon's word, an instauration, of a knowledge of the character and will of God in the world; the instauration of true

religion in place of debasing and soul-destroying idolatry, and a revelation of will and truth for all coming time. The true idea of sin and unholiness, and of the nature, authority, and government of God, was to be imparted. To this end, it is easy to see how necessary a strict, justly severe, and unbending code of laws was. Israel could not be made a peculiar people, separate from the nations about them, and marked as a people of the true God, and knowing and obeying his will, unless these strait, strong walls had been erected each side of the way. We should find that more regulations were required, and other and severer penalties, to bring children up from the streets and dens of the city into civilized society, through the House of Refuge and Reform School, than in the already well regulated Christian family. In such a family, the strong, dark lock-up for children would be an unheard of thing; it would be a barbarous thing; but in our Industrial Schools, where the pupils are children snatched from the streets of our cities, from every low den and miserable place, and already educated and well practised in vice and crime, it is both a fact and a necessity. Under different circumstances different means have to be used to the same end.

Second. While the Mosaic code did employ the death penalty more frequently than we do now, yet it never employed or allowed cruelty in punishment; and this is worthy of especial notice. Cruelty in punishment is always to be found among barbarous and uncivilized nations; and it certainly has existed, in fearful degree, in every civilization besides the Hebrew and Christian; e.g. in the Egyptian, Assyrian, Grecian, and Roman; and indeed in that Christian civilization of the fifteenth and sixteenth centuries which had lost everything Christian but the name. The Hebrew law did not know imprisonment, nor exile, nor banishment, nor confiscation of goods, nor rack, wheel, knout, flogging, nor burying alive. It was a stranger to the punishment of solitary confinement in the dark cell, which crazes the brain of the prisoner in a few short hours (infinitely more cruel than death, and allowed to-day in Eng-

land if not in America), and even the shower-bath, made a terrible instrument of torture at Singing (if we may believe recent newspaper accounts), the pillory, and the stocks. Its penalties were only four — those which we have named: scourging (thirty-nine stripes — “forty save one” — given in thirteen blows, with a scourge having three lashes), giving like for like, “eye for eye,” restitution with compensation, and death.

It must be acknowledged, even here, that the Mosaic code does not compare unfavorably with the codes of our modern enlightened civilization.

We turn now to the positive proofs of the opposite character we have noted.

We take, first, the following passage: “When ye reap the harvest of your land, thou shalt not wholly reap the corners of thy field, neither shalt thou gather the gleanings of thy harvests. And thou shalt not glean thy vineyard, neither shalt thou gather every grape of thy vineyard; thou shalt leave them for the poor and stranger. I am the Lord your God.”<sup>1</sup> How beautifully it makes every man thoughtful, while gathering his harvests, of the poor man and stranger who may be his neighbor. He must leave the corners of his field unreaped, and the gleanings must not be gathered, nor every grape be carefully plucked from the vine. “Thou shalt leave them for the poor and stranger.” It brought every man into immediate relation with the poor and stranger. It made him feel individually responsible for them. He could never throw off that responsibility upon any general provision, or any common body. It kept the heart open. It cherished thoughtful and generous sentiments. We can hardly conceive that a man could grow up under it a niggard and miser.

To this add all the provisions for the poor. It was said that the poor were never to cease out of the land.<sup>1</sup> Therefore “Thou shalt open thine hand wide unto thy brother, to thy poor, and to thy needy, in thy land.” Every man was

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<sup>1</sup> Lev. xix. 9, 10.

<sup>2</sup> Dent. xv. 11.

to have a care for his neighbor, and if he saw him "waxing poor and falling into decay,"—getting behindhand, we should say—he was, by law, to relieve him,<sup>1</sup> even though he were a stranger, not a Hebrew. No interest money was to be taken of such an one, nor any increase, i. e. no payment, in any kind, over and above the return of the amount or quantity loaned. How could law any better prevent the grinding and oppression of the poor? By one regulation of the Mosaic code,<sup>2</sup> a poor man was permitted to sell himself, for a time, to his more favored brother Hebrew. But in doing this, he was carefully guarded and enfolded by the protecting power of the law. In the first place, he was not to be made to serve as a bond servant. He was expressly to be regarded as one whose services were hired, and rather as a guest-friend than a servant. He was, then, not to be ruled with rigor. And, in the next place,<sup>3</sup> if he served six years, in the seventh he was to "go out free for nothing," he and all his; i. e. he could not be kept in servitude for any amount of indebtedness above six years, and any indebtedness which he could not solve by six years' labor should be forgiven. And, still further, he was not then to go out empty: "And when thou sendest him out from thee, . . . thou shalt furnish him liberally out of thy flock and out of thy floor, and out of thy wine-press; of that wherewith the Lord thy God hath blessed thee thou shalt give unto him." Unless he came forward of himself, voluntarily, and, from love to his chosen master, declared that he would be his servant always, it was impossible that he should be held beyond the seventh year. Although perhaps our system of provision for the poor through almshouses, benevolent associations, and special appropriations is as good as in our circumstances we can have, and is humanely designed and administered, and it is meant that everything which a generous humanity could dictate shall be done, yet with what superiority, and how

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<sup>1</sup> Lev. xxv. 35–37.

<sup>2</sup> Lev. xxv. 39.

<sup>3</sup> Dent. xv. 12, 13; Ex. xxi. 2.

much more beautifully, the humanity of the Mosaic provisions shines out!

After every forty-ninth year occurred "the jubilee year," which was remarkable in these respects — and here, again, the humanity of the code surprisingly appears: all land which had been disposed of, reverted to its original owner; so that no man could be permanently deprived of a possession in the soil (the feudal system, and that evil which exists to-day in Great Britain to such degree under the system of primogeniture, could never have existed under the Mosaic law); and every creditor gave a release to his debtor; and if the debtor was a poor man, the release was perpetual. How much finer this last than our crude system, in which a general bankrupt law is called for from time to time, or some act of insolvency (*radendum tabularum*) by which poor creditors, as well as rich, are ground under the stone of injustice!

A law of the Commonwealth of Massachusetts allows pawn-brokerage. It sets no limit, and makes no provision with regard to it, except a fine for carrying it on without a license. In Massachusetts, therefore, the poor man who is compelled to pawn his watch, article of clothing, furniture, precious heirloom, or keepsake, is at the mercy of the broker for the best bargain he can make; and it generally turns out that the article is lost for a tithe of its value. Our other system of pledges is by attachments, mortgages, and bonds, under which, in failure of redemption, the law knows no mercy, and is always in favor of the creditor — never of the debtor. It takes houses and lands; and not long since it took household goods, and, if that were not enough, the person too. And as it now is, it is doubtful whether the provision which exempts a certain value of property and certain articles from attachment for debt is more for the honest poor man or the rascally swindler. Set, now, in contrast with this, the Mosaic law. Pledges might be taken; but certain articles, for instance the upper and nether millstones, and the widow's raiment, might not be taken.<sup>2</sup> But

<sup>1</sup> Lev. xxv.

<sup>2</sup> Deut. xxiv. 6, 10.

when pledges were taken of the poor, they were not to be kept over night. When it was raiment, especially, it was to be returned before sundown. It was a law in favor of the poor.

Still further, with reference to the poor, the fatherless, and the stranger, as if the provisions already noticed were not enough, every third year there was to be a tithing of the increase for them,<sup>1</sup> "that they may eat within thy gates and be filled." The stranger, also, was not to be vexed or oppressed,<sup>2</sup> as was the custom among the surrounding and barbarous nations, the remains of which custom are to be found in modern legislation in the form of passports, imposts, prohibitions, and all disabilities laid upon the foreigner and his traffic. For the stranger, fatherless, and widow, also,<sup>3</sup> the forgotten sheaf in the field was not returned for, and the olive-tree was not beaten the second time.

Notice, now, the law with regard to the servant.<sup>4</sup> Any cruel treatment, by which bodily injury was occasioned, by which for instance an eye was destroyed or a tooth broken out, set a servant immediately free. If any servant ran away from his master, the presumption was, that he had reason for running away. At least, he was evidently discontented, and would be unhappy if returned. Accordingly, the law was: "Thou shalt not deliver unto his master the servant which is escaped from his master unto thee: he shall dwell with thee, even among you, in that place which he shall choose in one of thy gates, where it liketh him best. Thou shalt not oppress him."<sup>5</sup> This is the fugitive slave law of the Hebrew code. Which is most like a "barbarous and bloody code," this, or that law, not yet erased from our national statute book, which requires that the wretched fugitive—having run the gauntlet of blood-hounds and hunters, lying still by day and making the best of his long, weary way by night, guided by the north star—be seized and returned to his master, in hopeless bondage?

<sup>1</sup> Deut. xxvi. 12.

<sup>2</sup> Deut. xxiv. 19.

<sup>3</sup> Deut. xxiii. 15, 16.

<sup>4</sup> Ex. xxii. 22.

<sup>5</sup> Ex. xxi. 26, 27.

A characteristic of Hebraism was its many festival seasons. It was eminently a joyous religion. The Mosaic code provided for three principal festival seasons, and two lesser ones, during the year. They were seasons when families were re-united. In one of them especially, the Passover, friends and old acquaintance, from all parts of the land, met together at Jerusalem. They were times of great rejoicing. Notice, now, the beauty of the law: "Thou shalt rejoice in thy feast, thou, and thy son, and thy daughter, and thy man-servant, and thy maid-servant, and the Levite, the stranger, and the fatherless, and the widow that are within thy gates."<sup>1</sup>

Sometimes suffering is occasioned by thoughtlessness regarding the payment of services as soon as rendered, or by consulting one's own convenience instead of the just dues, and perhaps necessities, of the laborer. A poor woman carries home a piece of needle-work; with the pay for it she is expecting to obtain a supper and the next day's supply for a half-dozen starving mouths. The payment is deferred, and the woman returns herself disappointed, and to bear disappointment to her hungry children. This, probably, is often the case in our larger towns and cities. And we have no law reaching it. Our legislators would probably think it impossible to ramify law so finely. In the Hebrew code, however, it was not found impossible. In that wonderfully thoughtful and fine-reaching body of laws is this: "Thou shalt not oppress an hired servant that is poor and needy. . . . . At his day [when it is due] thou shalt give him his hire, neither shall the sun go down upon it; for he is poor, and setteth his heart upon it; lest he cry against thee unto the Lord, and it be sin unto thee."<sup>2</sup> In what statute-book in all the world is to be found that fine touch of humanity?

There is something in the military statutes of the Mosaic code, also, worthy of notice. In our military levies, all male persons between certain ages are liable to be drafted in case of war. The exceptions are, persons of certain occupation,

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<sup>1</sup> Deut. xvi. 11.<sup>2</sup> Deut. xxiv. 14, 15.

as physicians, judges, and clergymen, and those in any way maimed or deformed. This looks, it will be seen, to the well-being of the country, — the necessities of those at home and the efficiency of the army in the field. The Mosaic code looks to this, and more. It has almost a paternal feeling and care for the people. It excepts, as we may readily suppose, the classes corresponding to these, and also every person who might be building a house, or have planted a vineyard, or who had newly married a wife; persons whose interests and feelings were especially engaged at home, and to whom it would be an individual loss or peculiar trial to leave. He who had newly married a wife, in any case, was to remain at home one year, — a law which with us would apply to officers and soldiers of the army, and navy, to seamen, and to that large number in mercantile pursuits who are mostly engaged in travelling, and would effect an important and beneficial change to their families.<sup>1</sup> There was an especial provision in the military laws of the Mosaic code, also, for the protection and kind treatment of women and children of captured cities. Such a law, made nearly fifteen hundred years before Christ, is in remarkable contrast with practices of nations in war not yet extinct. The campaigns of all modern civilized nations tell us terrible tales upon this point.

It is familiarly known that the roofs of oriental houses were flat, and used for the entertainment of company, and for sleeping purposes. The humane and kindly law, therefore, requires that a battlement shall be placed around them: "That thou bring not blood," it says, "upon thine house, if any man fall from thence."<sup>2</sup>

We must notice, finally, the laws relating to animals and birds. They are unexampled: "Thou shalt not muzzle the ox when he treadeth out the corn."<sup>3</sup> "Thou shalt not see thy brother's ox or his sheep go astray, and hide thyself from them; thou shalt in any case bring them again unto thy brother."<sup>4</sup> "Thou shalt not see thy brother's ass or his ox

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<sup>1</sup> Deut. xx. 5-7.

<sup>2</sup> Deut. xxii. 8.

<sup>3</sup> Deut. xxv. 4.

<sup>4</sup> Deut. xxii. 1-3.

fall down by the way, and hide thyself from them; thou shalt surely help him to lift them up again.”<sup>1</sup> What fine touches of humanity are these! None but the Mosaic code exhibits anything like them. “If a bird’s nest chance to be before thee, . . . . and the dam sitting upon the young, . . . . thou shalt not take the dam with the young; thou shalt in anywise let the dam go, and take the young to thee.”<sup>2</sup> If the birds were to be taken at all, and they were sometimes, for sacrifice, by those who were too poor to afford even a dove or a turtle-pigeon, the young were not to be deprived of the mother bird, for they might be starved. It was more merciful to leave the mother, who would still have her mate and be engaged in rearing another brood, and take the young!

And here is a still more beautiful provision. In every seventh year, — a year of peculiar festivity and rejoicing, a year of freedom to bond-servants, release to the debtor, and restoration of families to each other, — the whole land was to lie still and rest; and what it brought forth spontaneously was to be left, that the poor of the people might eat, “and what they leave, the beasts of the field shall eat!”<sup>3</sup> A seventh year jubilee to the wild animals, the birds, and insects in all the land, as well as to its human inhabitants! Set over against this our own laws, which allow us to wage unceasing war upon every poor animal, bird, or insect we imagine to feed upon the fruits of our gardens and fields! It is pleasant to know, however, there is a law in Massachusetts, and we suppose a similar one in each of the States, against killing or destroying any of some eight or nine species of birds at any time.

These are the illustrations of the humaneness of the Mosaic code we have noted. We add to them the fact that it forbids sentiments of hatred and revenge,<sup>4</sup> and enjoins the forgetting of injuries, the cultivation of mutual love, and showing kindness even to enemies; that indeed the com-

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<sup>1</sup> Deut. xxii. 4.

<sup>2</sup> Deut. xxii. 6.

<sup>3</sup> Ex. xxiii. 10, 11.

<sup>4</sup> Lev. xix. 17, 18.

mand, "Thou shalt love thy neighbor as thyself," which we associate generally with the beneficent teachings of our Saviour, is but a quotation from the Mosaic law,<sup>1</sup> and we think the case is established. The Mosaic, so far from being a "barbarous and bloody code," surpasses beyond comparison every other code of the world ever known, for delicate, thoughtful, and beneficent humaneness.

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## ARTICLE VI.

### THE SACRAMENT OF THE LORD'S SUPPER.

BY REV. DR. WILLIAM NAST, CINCINNATI, OHIO.

As there were two sacraments divinely ordained under the Old Testament dispensation, so Christ instituted also two for his church. The sacraments of the New Testament, *Christian Baptism* and the *Lord's Supper*, perfectly correspond to those of the Old Testament, *Circumcision* and *the Passover*. Though differing in form, they were designed to express the same fundamental ideas. To prove the relation between the rite of 'circumcision and Christian baptism is not the object of the present investigation. We take it for granted, and start with the proposition, that the Lord's supper, instituted at the celebration of the passover, sustains the same relation to the passover, that the sacrament of Christian baptism does to the Old Testament sacrament of circumcision.

To obtain a right apprehension of the significance and design of the Lord's supper, we must, therefore, first enter into an investigation of the significance and design of the passover. While the previously ordained rite of circumcision had given to the Israelites a general title to the blessings of the covenant, the passover, afterwards instituted in

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<sup>1</sup> Lev. xix. 18.