Poetry.

The Heart—The Heart.

BY ELIZA COOK.

The heart—the heart! oh! let it be,
A true and bounteous thing;
As kindly warm, as nobly free,
As eagle's nestling wing.
Oh! keep it not, like miser's gold,
Shut in from all beside;
But let its precious stores unfold,
In mercy, far and wide.
The heart—the heart that 's truly blest,
Is never all its own;
No ray of glory lights the breast
That beats for self alone.

The heart—the heart! oh! let it spare
A sign for other's pain;
The breath that soothes a brother's care,
Is never spent in vain.
And though it throbs at gentlest touch,
Or sorrow's faintest call,
'T were better it should ache too much,
Than never ache at all.
The heart—the heart, that 's truly blest,
Is never all its own;
No ray of glory lights the breast,
That beats for self alone.

Literary Notices.

THE METHODIST; or, Incidents and Characters from Life in the Baltimore Conference. By *Miriam Fletcher*, with an introduction by *W. P. Strickland, D. D.* In 2 vols. Pp. 324, 360. New York: *Derby & Jackson.* Pittsburgh: *John S. Davison.* 1859.

The early founders of Methodism in this country were no common men; and their history is one of great interest to the popular mind. In labors they were abundant, and their trials were many. These volumes are intended to reproduce in an attractive form, some of their toils, sufferings, and successes, and to set before us the diversified characters of the people among whom they labored. The "Pioneer Preachers," as they here appear under the thin veil of fiction, will be gazed upon with wonder by many who will be glad to be thus brought into companionship with them. The authoress, who seems to be well acquainted with the theme she has selected, has laid the scenes mostly in Virginia, with an occasional change to Baltimore, the ancient home of Methodism.

A NEW HISTORY OF THE CONQUEST OF MEXICO, in which Las Casas' denunciations of the popular historians of that war are fully vindicated. By *Robert Anderson Wilson*, counselor at law, author of "Mexico and its Religion," etc. Pp. 559. Philadelphia: *James Challen & Son.* Pittsburgh: *Wm. S. Rentoul.* 1859.

Our readers will remember that we gave some account of the objects aimed at by the author of this work, in advance of its publication. The mechanical execution is all that could be desired, and the work itself gives evidence of great painstaking, and of a habit of thorough investigation on the part of the author. And we feel that we can best perform our duty to our readers, by stating briefly, but distinctly, the general views of the author respecting ancient Mexican civilization, the conquest by Cortez, the character of the Spanish historians of that period, and the ancient picture writings copied into the volumes of Lord Kingsborough; and in support of which he brings forward a vast amount of evidence, and great power in sifting testimony. He takes the ground that the Aztecs were directly of Californian origin, that is, descended from the Indians on the Pacific side of America; that their architecture was Phœnician in its character, so far as it had any character at all; that their dress, as described by the Spanish historians, was Moorish, instead of the real Indian dress; that the descriptions of their religion and worship, by the same authors, are altogether unreliable; that the conflicts of Cortez with the natives were not great battles, but simply Indian skirmishes; that the lakes so graphically described by Mr. Prescott, had no existence, as is shown by Humboldt and the United States army survey; that the *picture writings* of which so much has been said, had no certain existence; and in short, that the Aztec civilization of the Spanish historians was not *Pagan Aztec*, but *Roman-Aztec*; and that a personal inspection of the country, and a full acquaintance with Indian character, would have saved Mr. Prescott from many of the errors into which he has fallen. This inquiry into the history of ancient Mexico, will be carefully read by all interested in the subject of historical investigation; and we can promise the readers abundant exercise for all their thinking powers, while the clear paper and distinct type will please their eyes.

THE AMERICAN THEOLOGICAL REVIEW. Edited by *Rev. H. B. Smith, D. D.*, Professor in the Union Theological Seminary, in New York, and *Rev. Joseph Tracy*, of Boston. Vol. 1, No. 1. January, 1859.

This is the first issue of the *Review*, long expected under the title of *Puritan Review*, but which, under the present name, has had its scope and sphere enlarged, by a union between Boston and New York, and is henceforth to be published at the house of Mr. Scribner, of the latter place. It is printed from good type, on substantial paper, and presents an attractive and solid appearance. The late hour at which it has been received, has allowed us only to glance at the contents, which consist of ten articles, with the usual book notices and literary intelligence. They are—I. Introduction; II. The writings of Dickens; III. Importance of Gospel truth; IV. The condition of the Jewish mind relative to the Scriptures of the Old and New Testament; V. Spurious Revivals; VI. Ministerial Fidelity; VII. Theology, Its Idea, Sources, Uses; VIII. The Doctrine of Endless Punishment; IX. The Atonement; X. The United States a Commissioned Missionary Nation.

THE LONDON QUARTERLY REVIEW. No. CCIX. American edition. Vol. LI, No. I. New York: *Leonard Scott & Co.* Pittsburgh: *W. A. Gildenfenney*, Fifth Street. January, 1859.

The present number of this able quarterly, issued in such becoming style by the American publishers, has the following articles: I. Lord Cornwallis; II. The Works of William Shakespeare; III. Consular Service; IV. Pius VIII. and Gregory XVI.; V. Patents; VI. Lodging, Food, and Dress of Soldiers; VII. Life and Writings of Johnson; VIII. Bread; IX. Reform.

THE LIFE OF JOHN MILTON: Narrated in connexion with the Political, Ecclesiastical, and Literary History of his Time. By *David Masson, M.A.*, Professor of English Literature in University College, London, with Portraits and Specimens of his hand writing at different periods. Vol. I., 1608—1639. 8vo., pp. 658. Boston: *Gould & Lincoln.* New York: *Sheldon & Co.* 1859

This is by far the most valuable contribution to the literature of our age since the appearance of Howson & Conybeare's great work on the Apostle Paul. The latter was profoundly Classical, as well as Scriptural in its character; surprising the reader as much by the minuteness of the information, the wondrous range of reading, the facility in using the stores of Greek and Roman lore which the authors displayed, as by the glowing style and deeply emotional feeling which enchained the student and carried him onward in the study of that magnificent biography. This book is eminently an English one, and to every lover of History, Biography, Antiquities, Poetry, and Literature generally, it will present irresistable attractions. The subject is a great one; but, lofty though the theme may be, the performance would be worthless unless the hand of a master were visible in the work.

In this first volume, the author has shown that due diligence has been devoted to the collection of materials. The records of parishes of the Herald's College, of the Colleges of Oxford and Cambridge, and the Universities, have been laid under contribution. The State Paper Office, the writings of contemporaries, former biographies and editions of his works, and above all, that depository of universal literature and storehouse of knowledge, the British Museum, have been rigorously searched for any fact or hint that could be worked up into the materials which are now incorporated into this delightful Historical Portraiture. The work is not a mere re-hash, by a ready *litterateur*, of the contents of former lives. It is a thoroughly digested and admirably elaborated treatise, which, while it records the life of Milton, depicts him as surrounded by the lights of his age, both at home and abroad; and the skill of the artist is delightfully displayed in preserving the subject of his narrative as the centre around which the other figures are made to revolve, yet they are also so faithfully portrayed that the work, in one sense, is a biography of them all. Let our readers, then, reflect on the period when Milton lived, and wrote, and sung; let them think of the great subjects which engaged the attention of the strong thinkers and actors in the days of Charles I., the Commonwealth, and Charles II.; let them meditate on the questions connected with tyranny and civil liberty that then arose for solution, and that, after debate in Parliaments and Convocations, were often handed over to the strong-handed on the tented field; let them think of the Seldens, the Hampdens, the Lauds, and the Straffords, the masters of Assemblies who carried men after them by the supremacy of their learning, the power of their oratory, and the force of their wills; let them meditate on the questions which agitated the Church in England, in Scotland, and Ireland, which led to an overthrow of existing establishments, and changed the condition of society in the land; and when we tell him that the men of mind and of mark who were thus engaged in Milton's day, all have a place in this Valhalla, where fitting honor is ascribed to them, they will have some conception of the greatness of the work which Professor Masson has undertaken, and which he is evidently qualified to carry forward to an honorable completion. But Milton's name and fame were Continental, as well as English, and accordingly the reader is introduced to the lights of the seventeenth century who in Germany, in France, and in Italy, were then shining so resplendently. The imperialism of Austria, the policy of Richelieu in France, and the rising influence of England in Continental affairs, demand and receive due treatment.

THE PLANETARY AND STELLAR WORLDS. A Popular Exposition of Modern Astronomy, in a Series of ten Lectures. By *O. M. Mitchell, A.M.*, Director of the Cincinnati Observatory. Pp. 336. New York: *Charles Scribner*, 124 Grand Street. Pittsburgh: *John S. Davison*, 98 Wood Street.

This is a new edition of the popular lectures of Prof. Mitchell, delivered some years ago, and which will be read with renewed interest now, since public attention has been so generally awakened to the claims of Astronomical Science, by the lectures of the author of this work, during the past Winter, in New York and Philadelphia. Prof. Mitchell has the rare quality of being an original investigator, and, at the same time, able to disentangle the science of all its technicalities, so as to present its results in a language understood by all. These lectures give a history of astronomical discovery, a statement of the laws of the heavenly bodies, of the planets discovered from time to time, of the motions and revolutions of the fixed stars, and of the unexplored field that lies beyond. The author is an enthusiastic in his vocation, employs most eloquent language, and subordinates all his acquisitions and all the results of science to the high authority of God, whose personality, providence, and power, he sees everywhere.

GEORGE WHITEFIELD: A Biography with special reference to his labors in America. Compiled by *Joseph Belcher, D.D.*, author of the "Life of Dr. Carey, Missionary to India," &c., &c. Pp. 513, Published by the *American Tract Society*, 150 Nassau Street, New York. Pittsburgh: *Wm. S. Rentoul.*

The American Tract Society has done a good work in bringing out this biography at the present time. Everything concerning the great evangelist is read with the greatest interest by the man of taste, the scholar, and the Christian. And this biography is especially interesting to the American reader, because of the prominence given to the labors and influence of Whitefield in this country. Let it be widely distributed, and carefully and prayerfully read. Whitefield being dead, yet speaketh.

THE LOSING AND TAKING OF MANSOUL; or, Lectures on the Holy War. By *Alfred S. Patton, A. M.* Pp.— New York: *Sheldon & Co.* Pittsburgh: *John S. Davison.* 1859.

If Milton had not written "Paradise Lost," his "Paradise Regained" would have made him the greatest of all modern poets. And if John Bunyan had not written the "Pilgrim's Progress," his "Dialogues of Devils" would have proved him the greatest of all uninspired allegorizers. And there are some who contend, with no small show of reason, that the latter exhibits a deeper spiritual insight, and a more thoroughly disciplined Christian experience than the former. These lectures are intended to bring out the Scriptural truths and spiritual allusions of this work, so that its true character and real object may be better known, and more deeply felt. The style is lively; the thoughts are weighty; and the work is a valuable aid toward understanding the great dreamer.

The Bible.

For the Presbyterian Banner and Advocate.

The Laws of Moses.

I have spoken in former numbers of certain provisions in the judicial or civil laws of the Jews, which were not new enactments of Moses, but amendments, so to speak, of laws which had previously been in force, not only among the Hebrews, but all the surrounding nations. And I have endeavored to make it appear that, even in their modified or amended form, the law of blood-avengement, the lex talionis, the law relating to divorce, and that respecting polygamy, were introduced into the judicial code, not because they were approved by the lawgiver, but because of the hardness of that people's hearts. They were so obstinately attached to their ancient usages, so bent on copying the laws and customs of their neighbors, that laws utterly prohibiting the evils referred to would not have been executed, and could, therefore, have answered no other purpose than to harden them in trampling upon all law, and rejecting those institutions and laws, which, though equally at variance with the laws of surrounding nations, were indispensably necessary to preserve them from idolatry. To the above list we may add the *levirate law*.

This law may be found in Deut. xxv: 5—10. It seems to require of a man, in certain specified circumstances, to marry his sister-in-law. The question is, did it require this marriage—did it imply the Divine approbation of such marriage—or did it only enjoin upon the Jewish magistrate to recognize it as lawful, and avail himself of it to prevent the alienation of estates from the family and tribe to which they belonged?

The marriage in question is expressly prohibited in Lev. xviii: 16. And that this last belongs to the moral code, is capable, it is believed, of clear proof. But for the present, at least, it shall be taken for granted. If, then, the law under consideration made it right and obligatory on the Jew in the circumstances supposed, to marry his sister-in-law, it was of the nature of a dispensation. That is to say, the judicial law set aside or dispensed with the claims of the moral law, in this particular case, and that to prevent estates from being alienated. As to the extinction of families, it could prevent that only by a fiction of law. The eldest son of this marriage was not, in fact, the son of the deceased, and could not preserve his family from extinction. It was already extinct, and it was the inheritance of the estate alone which the levirate law could affect. And now is there not a strong antecedent presumption, that *to accomplish such a purpose*, the claims of the moral law would not be set aside? Especially when we consider that, without a very extraordinary providence, it could only very partially answer the purpose. For what would come of the estates of those who died without having been married? And if, as Turretine maintains, the law did not authorize a married man to take his brother's widow, what would come of the estate of a married man who died childless, and who had no unmarried brother, or other near kinsman who was willing to marry his widow? These considerations lead me to the conclusion, that there was some other reason for the incorporation of the levirate law into the judicial code, and that the prevention of estates from alienation was merely incidental.

But, it may be said, the language of this law is imperative: "The wife of the dead *shall not* marry without unto a stranger; her husband's brother *shall* go in unto her." It would undoubtedly be fair to conclude that this law made the marriage in question obligatory, *if the levirate law were* "of Moses," if it had originated with him. But it was not so. There was a usage, having the force of law, which required the marriage of a deceased brother's widow, long before Moses. And if we look into the origin of this usage, we shall see reason to hesitate before interpreting this apparently imperative language, as though it bound upon the conscience of the Jew whose married brother had died childless, what it did require the magistrate to permit. If the reader will turn to the history of Judah's family, recorded Gen. xxxviii; he will see reason to conclude that the usage in question originated among the Canaanites, with whom Judah had associated himself, and under whose influence he had fallen. It appears to have been a law or custom, firmly established among them. And the conscience of Judah was so perverted by his intercourse with them, that he verily thought he was doing God service by complying with this Canaanitish law. Hence he condemns his delay in marrying his youngest and only surviving son to Tamer. "She hath been more righteous than I, because that I gave her not to Shiloh, my son." As most, if not all, the other sons of Jacob, Joseph only excepted, married women of Canaan, there is every reason to believe that they, no less than Judah, adopted the views, sentiments, and customs of the Canaanites, on this and many other subjects, and that they and their posterity, during their sojourn in Egypt, observed these customs, and were governed by them as a kind of common law. This was no doubt the state of things when the judicial law was to be given. Custom, than which there is no greater tyrant, required, in certain circumstances, that a man should marry his sister-in-law. Some disposition *must* be made of this law in the judicial code; it could not be passed in silence; and hence its introduction in a modified form into that code.

This view of the subject will be confirmed by a careful examination of the penalty annexed to the law in question. The reader is requested to turn to the penalty (Deut. xxv: 7—10,) and ask himself, can this be intended as the penalty for wilful neglect of *duty*—for a deliberate refusal to comply with the will of God? Henry remarks in relation to it: "If he like her not, he is at liberty to refuse her, which some think was not permitted in this case, before this law of Moses." Does not the passage above referred to, appear much more like a provision to enable a conscientious man to escape from the tyranny of a perverted public sentiment and usage, than an expression of Divine disapprobation for wilful neglect of duty? If the words, "her husband's brother shall go in unto her," expressed the Divine approbation of this usage, and made it obligatory on the conscience of every Jew, in the circumstances supposed in the law, to marry his brother's widow, is it not marvellous that such a penalty should be prescribed for an obstinate refusal to obey the Divine will?

These considerations, it seems to me, warrant the conclusion, that the levirate law, as it is found in the judicial code, was intended simply to instruct the magistrate not to interfere violently with the prejudices of the people in favor of this Canaanitish law or usage; but, so far as he was concerned, to tolerate it, and leave those who complied with it to the judgment of God When the judicial law says of a man who has put away his wife, he *may* marry another woman, and of the woman so put away, she *may* become the wife of another man, it is not to be understood as though God did not "hate putting away," and would not call those who were guilty of it, to account to him for it, but only that they were not to be called to account for it in the court of the magistrate. So it is here; no attempt was to be made by the magistrate to abolish this ancient usage. He was, on the other hand, to employ it in preventing estates from passing out of the family and tribe to which they belonged. But when an individual was placed in the circumstances supposed, he was bound to submit his conscience to that law which was addressed to himself: "*Thou* shalt not approach unto the wife of thy brother." The rule of government and judicature, did not supersede or dispense with the rule of conscience.

To all that has been said about the impossibility of suppressing by civil laws those evils of which I have spoken, it may be objected, that all things are possible with God; that however unable human legislators may be to secure the execution of laws such as they approve or prefer, the Most High could have put it into the hearts of those who were entrusted with the administration and execution of his laws, to be faithful. And he could have armed them with the power to execute laws tolerating no evil, however inveterate the prejudices of the people, and however obstinate their attachment to their ancient usages, and the usages of their neighbors. All this is doubtless true. And it is equally true that he could have prevented that revolution by which the republic that he had established, was changed for a monarchy. But when all the elders of Israel said to Samuel, "Make us a king to judge us *like all the nations*," the prophet was told to "hearken unto the voice of the people in all that they say unto thee: for they have not rejected thee, *but they have rejected me*, that I should not reign over them." The change was displeasing to him; it was sought from a desire to be like the other nations, and was a sinful rejection of him as their king. And yet it was not only foreseen, and laws revealed by Moses to regulate and control it, but it was employed in bringing about the purposes and promises of God to that people, just as the levirate law was employed in preventing estates from being alienated. If I am asked why he chose to tolerate these evils, rather than suppress them, my answer is precisely the same that it would be, if I am asked, why does he, in his providential government of the world, permit sin? *I do not know.* It would be more difficult to account for the toleration of sin, in the political government of the Jews, than in the providential government of the world.

To sum up and conclude this discussion, the principle has, I think, been established, that the circumstances in which the judicial law was given, and the purposes which it was intended to answer, were such, that the toleration of old usages, in that law, and the placing them under legal restraints and regulations, does not necessarily prove that God approved those usages, or that they were not condemned by that law under which he had placed the whole race of man. To settle the question whether any act or cause of action is right or wrong, we must have resource to other data than the civil laws of the Jews. I had intended to point out the bearing of this principle on certain questions of morals, or, at least, on the mode of argument sometimes employed in determining certain questions of morals that are agitated in the present day. But lest I should weary the patience of the editors and readers of the *Banner*, I forbear, and leave the application to those who may feel sufficient interest in the subject to consider its bearings.

I may, perhaps, ask room for one more article on the question, To which code, moral or judicial, does the eighteenth chapter of Leviticus belong? M.

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