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people was a non-moral act. If wrong, it was at most an error in judgment. Orientals to this day cannot understand, and strenuously resent, the taking of a census. When the plague broke out it was in true Semitic manner connected with the detested numbering. Much more serious is his slaughter of the descendants of Saul (2 S 21). Saul realizing that David had a good chance of becoming king, and knowing the most common policy of a usurper, made David take an oath not to slay his children should he become king. In spite of his solemn oath he executed almost all of the descendants of Saul. It is true it is to stop the famine, and is at the instigation of an oracle, supposed to be Jehovah's, but one has an uneasy suspicion that David was pleased to have it so.

In this estimate no account has been taken of the story of the death of David. If his deathbed was as described there, it is one of the saddest deathbeds in history, and at once closes the question of his claim to be regarded as having been at any time of his life a good man. But while David was certainly not an ideal man, we can scarcely believe him to have been so treacherously ungrateful and vindictive as he is here represented to have been. This account was most likely composed in the time of Solomon to justify the policy of that king, who soon after his accession executed all whom he considered might be dangerous. The historian, finding the story among the other 'annals of the kings,' naturally regarded it as historical.

While reluctantly we are forced by a study of the Bible narrative to deny to David that exceptional sanctity with which tradition has clothed him, we must at the same time acknowledge the many estimable traits in his character, and see that as king he was a man after God's own heart. David was raised up of God to weld the people together, to give them confidence in themselves, their power, and their future,—a confidence they have never lost,—and to set the nation upon its way as a suitable channel for God's revelation of Himself. The work of David was most important, and was absolutely necessary in the preparation of Israel for the part it was to play in the development of the world. David was not himself a spiritual leader, but his work prepared the way for the prophets, and was performed at a crucial period in the history of Israel.

It is sometimes asked, Had David sufficient spiritual insight to write any truly devotional To this question some unhesitatingly answer. 'He had not. His cruelty and licentiousness prove that.' The environment in which he lived, with its moral standards, and also the peculiar constitution of the human mind, must, however, be taken into consideration. That David was a deeply religious man, and truly grateful to God is seen in his enthusiasm for the Ark. While religion was, as a rule, non-moral, and the standards of life low, yet may not David have written hymns which were true for the conditions then, and also true now when given an interpretation in accordance with Christian standards? Both Babylonian and Egyptian hymnology give examples of this to some extent. Again, although not a man of high ideals, may he not have had his moments of longing after better things? Burns certainly fell far short of the standards of an ordinary decent life in his day, and yet some of his poems strike a deeply spiritual note. Why may not the same be true of David? That some of the Psalms ascribed to the poet-king could neither have been penned by him, nor proceed from his time, is certain; yet there seems no good reason for denying to David the power to write true religious poetry.

At the Literary Cable.

THE LITERATURE OF THEISM.

SELECTIONS FROM THE LITERATURE OF THEISM. Edited, with Introductory and Explanatory Notes, by Alfred Caldecott, M.A., D.D., and H. R. Mackintosh, M.A., D. Phil. (T. & T. Clark. 8vo, 7s. 6d. net.)

Who would ever have expected so beautiful and delightful a book with such an unpretending com-

monplace title? Who would have thought that Theism could have been made such a pleasant thing to think about, under any title? The Literature of Theism!—we are not theists, we say, we are Christians; and then, just when we are about to toss the book aside, there catch the eye Cousin's wonderful words about Beauty, and at once we are with Christ. Why did Cousin write so lovingly

of God as 'the principle of perfect Beauty'? Because he had heard Jesus say, 'Consider the lilies; Solomon in all his glory was not arrayed like one of these.'

Or our eye may catch Dr. Caldecott's forefinger, as it were, pointing to some turning in the march of thought which we in our hurry or general reading should certainly have missed. We are arrested and read: 'The last five paragraphs must be carefully studied. They contain the proof from the idea to the Cause of the idea; and it will be found that Descartes is struggling to express a new and profound thought lying under an old and more superficial one. Superficially, the argument proceeds by using the principle of Causality in an external way, to construct a bridge from one thing (his idea) to another (a Perfect and Infinite Being as the Cause of that idea). It is his doctrine of representative perception that some ideas must have Causes. He then shows that the idea of perfection is one of these; then by the method of exclusion, which he frequently employs, he concludes that the Cause must be a Perfect and Infinite Being. But underneath this he sees a relation between the "idea" and the "Object" which is of a more intimate kind, viz. that one is involved in the other by immanent and inherent necessity, the finite in the infinite, and the infinite in the finite. In this deeper view he is coming into the vein of thought in which later Idealism was to do its work.'

Or again, we may be held by one of Dr. Mackintosh's swift emotional sentences, which suggest so much more than they say. But the thing that surprises us, after we take to the book and study it, is the mastery both editors have of their subject. Those are the passages which make Descartes, Spinoza, Martineau, Janet live; and those passages, interpreted as they are interpreted here, make the study of the doctrine of God, even on its philosophical side, alive and practical for all men.

Dr. Caldecott is responsible for Anselm, Aquinas, Descartes, Spinoza, the Cambridge Platonists, Berkeley, Cousin, Comte, and Janet. Dr. Mackintosh deals with Kant, Schleiermacher, Mansel, Lotze, Martineau, and Ritschl. The Index (as manifest a fruit of scholarship as any chapter in the book) gives one at once complete control of the subject, and a ready reliable means of tracing the progress of all the great theistic topics down through the history of thought. Take an example—

FAITH, precedes Reason, and follows it, Anselm, 5.

,, in relation to Reason, Aquinas, § 1.

- ,, in revelation beyond natural light, Descartes, 44.
- ,, no separate Faith, Spinoza and Martineau., equivalent to Intuitive Reason, John Smith.
- ,, disallowed, Comte.
- ,, gives objectivity of knowledge, Lotze, 368.
- ,, the only religious organ, Mansel, 361.
- ,, the form of religious knowledge, Ritschl, passim.

THE PATHWAY TO REALITY.

THE PATHWAY TO REALITY. The Gifford Lectures [in St. Andrews] for 1903-1904. By the Right Hon. R. B. Haldane, M.P., LL.D., K.C. (Murray. 8vo, 10s. 6d. net.)

In a new preface to this volume—a preface as frank as the book itself-Mr. Haldane touches on a criticism of his former volume (which contained the first series of his Gifford Lectures), and says, 'One critic has stated that the book was a mere reproduction in modern form of what had before been taught by Aristotle and Hegel.' criticism is most unjust, because it is so true. It is so unjust that Mr. Haldane might have resented it keenly. He does not resent it; he simply admits the truth of it. The critic has expressed Mr. Haldane's purpose, has admitted in the very criticism that Mr. Haldane accomplished his purpose, and yet has made that the point and sting of his criticism. It is as if he had told Dr. Driver that in his new commentary he had merely expounded Genesis.

And yet this critic, so falsely right, is altogether wrong. Mr. Haldane has not merely reproduced what Aristotle and Hegel taught. He is Aristotle and Hegel and himself. He is the Greek, the German, and the Englishman. He is the heir of the last five and twenty years, of T. H. Green and F. H. Bradley, as well as of all the ages since Aristotle. That 'merely' is intended to carry the sting of the criticism. Mr. Haldane accepts it. But it is wholly false. It is the more unjust that Mr. Haldane saw how easy it would be to be glaringly original, and rejected the temptation.

The course of lectures is in two parts. The first six lectures deal with the nature of what is Divine, the last four with the nature of what is human. At the close of the first part Mr. Haldane reaches the doctrine of the Trinity. He sets it in the phraseology of Hegelianism, and shows its truth to Science as well as to Religion.

There are little touches which cannot be accepted. 'The doctrine of the Trinity is by no means a specially Christian doctrine. You find it in other religions.' That is not true. You find triads in other religions, and you may call them trinities, but they are radically distinct from the Christian doctrine of the Trinity. It is one of the great services which the Science of Comparative Religion will yet render us, the science which has suggested the identity, to show that the similarity is not identity. The doctrine of the Trinity is the gift of Iesus Christ.

And so, again, Mr. Haldane is wrong when he claims the Logos doctrine of St. John for the School of Alexandria, and says, 'it may well be that this sentence (In 11) is an interpretive sentence, which was inserted into the Gospel of John by somebody of a more metaphysical mind than its original writer.' The word used (Logos) is no peculiar possession of metaphysics; and that first sentence in St. John is sufficiently accounted for by the combination, Moses and Christ. Haldane says that 'the translation of this first sentence in John's Gospel is very difficult.' It is. But the difficulty is not solved by translating it in terms of Greek philosophy. Mr. Haldane's rendering is, 'In the beginning was the concrete actuality of Spirit, and this concrete actuality of Spirit stood in relation to God, and one aspect of God was the Spirit which was so related.' St. John was not so metaphysical as that. He was more Jewish and more Christian. The Logos took flesh, St. John's mind is set on that. 'He was one of us, and we beheld His glory.' His Logos is the Mercy-seat and the Manger.

THE TEACHING OF JESUS.—By the Rev. D. M. Ross, D.D. (T. & T. Clark. Crown 8vo, pp. 202. 2s.).—It is surprising that this subject has not already been taken up in the 'Handbooks' series. It is so popular. It is so easy. At least it seems so easy till we try it; and it is popular. It lends itself admirably to Bible-class treatment. One can take or reject, one can be imitative or original, one can write much, for there is no end to what might be written about the teaching of our Lord, or one can write little and make it very good. Dr. Ross has been working at it for a long long time, and he has been able to put much thought very clearly into short paragraphs. It is

an elaborate full book. The wonder is that it did not run to a great bulky volume. The greater wonder is that it did not get stifled for want of air. This is likely to be the subject now, and this the text-book, for the greater number of our Bible Classes in the coming winter.

THE CHRIST WITHIN. By T. Rhondda Williams (Clarke & Co. 1s. 6d.).—Mr. Inge has given us to understand the true heresy of the Abbé Loisy. It is the separation of the historical Jesus from the dogmatic Christ. Mr. Williams escapes the heresy by simply accepting the historical Jesus and making Him Lord of the life. Christ—the Christ John saw and heard and handled—in you, that is glory.

The Heavenly Feast is the title of a small—very small and dainty—'Companion to the Altar,' written by the Rev. Evan Daniel, M.A., vicar of Horsham, and published by Messrs. Wells Gardner, Darton, & Co. (9d. net).

Mr. Kelly has now published the first volume of that series of lectures which are being delivered in Manchester, and have been noticed more than once in The Expository Times. The volume is entitled, *Is Christianity True?* (6d.). The authors included are—Mr. J. Lewis Paton, Dr. J. Hope Moulton, Archdeacon Wilson, Professor Peake, Canon Hicks, Dr. R. Waddy Moss, and Principal Adeney.

THE BEAUTY OF GOODNESS. By G. Beesley Austin (Kelly. Crown 8vo, pp. 208. 2s. 6d.).—Each little essay is introduced by a prose and a poetical quotation, a prayer, and a passage of Scripture. These are all so well chosen that the little essay has the charm of a fine (and very short) sermon, introduced by exquisite music and simple devotion.

THE EDUCATION OF THE HEART. By the Rev. W. L. Watkinson (Kelly. Crown 8vo, pp. 256. 3s. 6d.).—Is it possible to educate the heart? That it is needful we do not doubt. A narrow heart, it is so common. 'Meadows never spoke of his mother; paid her a small allowance with the regularity and affectionate grace of clockwork.' Mr. Watkinson believes it is possible. His school-books are Fellowship with God and

Service for man. Then he believes we might all, or almost all, possess hearts like Solomon's: 'And God gave Solomon . . . largeness of heart, even as the sand that is on the seashore.' The whole volume is illuminating, every sermon a lesson in life and godliness.

THE GOSPEL FOR TO-DAY. By A. E. Garvie, M.A., D.D. (Inglis Ker. 2s. net).—The gospel-yes, Professor Garvie knows and teaches it. The gospel for to-day—yes, he has understood how the modern mind may be reached, he has spared no pains to understand and reach it. 'We shall miss him,' they said, when he left the provincial town for London, 'we shall miss him, no one will come and speak to all our life as he did.' This is the strength of the pulpit, this is the most hopeful outlook for the gospel, that men who know life believe in the gospel as its transfiguration. It is no new or partial gospel; it is not the 'teaching of Jesus,' it is not the 'blessed human example'; it is, 'I, if I be lifted up.' Theology? Dr. Garvie's gospel is saturated with dogmatics; there is no gospel that does not carry with it the doctrine of Justification by Faith.

THE MIND OF ST. PETER, AND OTHER SERMONS. By Mandell Creighton, D.D., D.C.L., LL.D. (Longmans. 3s. 6d. net).—Are duty and faith apart? Are they far apart? If they are, what did our Lord mean when He said of the centurion, 'I have not found so great faith, no, not in Israel'? The centurion had spoken of duty; he had done his duty; he expected others to do theirs; he knew of nothing beyond duty: 'I say to one, Go, and he goeth; I also am a man under authority.' And Jesus said, 'I have not found so great faith, no, not in Israel.'

Dr. Creighton's last sermon in this thoughtful volume takes the centurion for its text. And there is nothing unseen sought for in the centurion's story. He did his duty; he expected others to do theirs; he expected Jesus to do His; he believed that Jesus was able in the way of duty to heal his servant, and that was greater faith than Jesus had yet found in Israel. We call the works of Jesus miracles; the centurion called Jesus the miracle, His works were the doing of His duty. That was his faith.

THE CHRISTIAN DOCTRINE OF

PRAYER. By the Right Rev. A. C. Hall, D.D. (Longmans. Crown 8vo, 3s. 6d.).—The Bishop of Vermont was appointed Bohlen Lecturer for 1004, and chose the Doctrine of Prayer, For he had learned to understand as well as practise prayer from 'Doctor Liddon and Father Benson and Mr. Jellett.' There are four lectures. The first is on the Christian Idea of Prayer, the second on Prayer according to God's Will, the third on Union in Prayer, and the fourth on Prayer in the Name of Christ. These are rather 'strategic points' in the doctrine of prayer than attempts at a treatise. And it is Dr. Hall's deliberate intention to meet the keenest difficulties felt in prayer, not to work out a dogmatic exposition of it. The directness and firmness of touch of every lecture are of more convincing value than the closest argument.

VISITATION CHARGES. By William Stubbs, D.D. Edited by E. E. Holmes (Longmans. 8vo, 7s. 6d. net).—Dr. Stubbs, both when he was Bishop of Chester (there is one Chester Charge here) and when he was Bishop of Oxford, forgot when he went on Visitation that he was a great historian. He dealt exclusively with the things of the moment. Accordingly this volume of Visitation Charges is as useful to the student of ecclesiastical life as a bundle of State papers would be to the student of political life. What were the things that occupied the minds of bishops and clergy in the end of the century? They were Socialism, Higher Criticism, Mixed Chalice, Ablutions, Eastward Position, Lights, the Sign of the Cross, and Disestablishment. Dr. Stubbs had a great mind, and on all these things he pronounced a weighty judgment. Were they not worth it? We do not seem able in this life to reserve our judgments for things that are worthy. It may seem incongruous to hear Dr. Stubbs say that he 'turns to the congregation and holds the patten in his left hand, whilst he breaks the bread with his right hand, and then shows the cup in his hand to the people before he lays his hand upon it.' But Dr. Stubbs is not the author of the incongruity.

THE NEW TESTAMENT IN THE CHRISTIAN CHURCH. By E. Caldwell Moore (*Macmillan*. 6s. 6d. net).—'With what authority doest Thou these things, and who gave

Thee this authority?' So the Pharisees asked the Lord. To-day we put the question to the New Testament. The authority of the New Testament is assailed as hotly as ever Christ's was. It must vindicate itself. With what authority does it rule our religious life, and who gave it this authority?

That is the question which Professor Caldwell Moore answers. It is, of course, a question to be answered from history, and history is often hard to interpret. It is nowhere harder than here, and there is the added difficulty of keen feeling and vital interest. Professor Moore has a good grasp of his subject and of himself. We believe that there is no other book in English which will so readily and so fairly answer just the question, Who gave the New Testament its authority?

METHODS AND AIMS IN ARCHÆ-OLOGY. By W. M. Flinders Petrie, Hon.D.C.L., LL.D., Lit.D. (Macmillan. Crown 8vo, 6s. net).— This is a vade-mecum for all those who go down to Egypt in our day. They go to dig. This is the book that tells them how to dig and find. It is a great art. Who could have fancied that it required so much of the wisdom of the serpent? Did we not all think it was the harmless dove that went down into Egypt to dig? No, no; you must be very wise and wideawake. If you have not your camera and do not know how to use it, stay at home, for the camera has much to do in archæology. But still more needful are the keen eye and the deft hand. It is a charming, clever book Professor Flinders Petrie has written, and it is most cleverly and artistically illustrated. He pays for his discoveries-pays in brains and will and heart.

THE RELIGION OF AN EDUCATED MAN. By F. G. Peabody (Macmillan. Crown 8vo, 4s. 6d. net.).—It is a sound principle that the rich should be sent to evangelize the rich, the poor as missionaries to the poor. Professor Peabody goes as an educated man to win the men of education for Christ. He is excellently well equipped. He can speak the language, he has insight, he is both tolerant and firm. And it does seem as if this were the day upon which the reproach that not many wise had been called should be rolled away. Our educated men have discovered that there are things in heaven and earth which education cannot give them. We even think that Professor Peabody

could demand more than he demands, perhaps than he thinks it worth demanding. For our part we should like to send a missionary after him to carry his work up to the fulness of the grace and truth. But to get educated men to 'look unto Jesus' as He was, though not as He is—even that is great gain.

SERVICE AND INSPIRATION. By Alexander Smellie, M.A. (Melrose. 2s. net.).—What is the reason for the order of words in the title? There is a reason. Mr. Smellie attends to all the details. It is a volume of sermons, as strong in thought and self-expression as it is delicate in expression. The texts have to be studied; the sermons leave us studying them. For the sermons are suggestions, hints at Scripture meaning, thoughts for life, impulses toward self-sacrifice, they are never expository and dogmatic commentaries on the texts.

THE ESCHATOLOGY OF JESUS. By Lewis A. Muirhead, B.D. (Melrose. 6s.).—It must not be said that Mr. Muirhead's theme is a difficult one as if that were an excuse for failure. Mr. Muirhead's book needs no apology. It is no failure. Difficult as the subject is, Mr. Muirhead has handled it with great modesty, yet with perfect lucidity and occasional manifest mastery. His discussion of some matters of considerable moment, such as Christ's use of the title, 'Son of man,' is so learned and discreet that it will command the attention of the best scholarship. By this volume the Bruce Lectureship has at once taken its place beside the great Bamptons, Cunninghams, and the rest.

Mr. Melrose has published a new *In Memoriam*, The daring is great. But there is no question of the intention. Not that the author or Mr. Melrose mean to challenge comparison; the comparison is too frank and open for that. The new *In Memoriam* is altogether itself just because in form and sentiment it is so closely shaped upon the old. An imitator would easily have concealed the imitation. Its title is *Amor Immortalis* (2s. 6d. net.).

For once to all men comes the gift Of prophecy; their sight is clear; And if their preaching be sincere, They need not try to gauge its drift.

So the gift of song has come to this man, once

at least, and he does not care to gauge its drift. He has no creed. And so he is always theological, creedal. The aspect which life presents first is always the broad creative and redemptive aspect—

We sat outside the convent wall And mused upon the life within, So far from trouble, far from sin And sorrow, and so far from all

That makes life, as it seems to me, Worth living, since the primal ban Was laid upon poor fallen man Which only left him sympathy.

There is one matter in which as art it advances beyond the first *In Memoriam*. There is a sense of 'something coming.' It is never so thrust upon us as to make us skip or hurry, it is there to make us quiet—

We caught the spirit of the year,
And laughed and revelled in the sense
Of our young blood's omnipotence,
And knew not what was meant by fear.

We never paused that we might see The cryptic writing on the wall, The rich fruit ripening to its fall, The river leaping to the sea;

We only knew that life was good;
We only knew that life was ours;
It was not till the sunset hours
We paused to think—and understood.

FIRST STEPS IN HEBREW GRAMMAR. By Michael Adler, B.A. (*Nutt.* 2s.).—Whether for private study or for class work we are free to recommend Adler's *First Steps*. His method is the motto of Demosthenes: Practise, practise, practise.

The Religious Tract Society has fallen into the prevailing habit, and published a sixpenny edition of Present-Day Papers by the late Principal Cairns, under the title of *Christ and the Christian Faith*.

ROADS TO CHRIST. Edited by the Rev. C. S. Isaacson, M.A. (R.T.S. Crown 8vo, pp. xii, 282. 3s. 6d.).—Mr. Isaacson wrote Roads to Rome; this is better; this is more congenial. This is written by the Bishop of Durham, Prebendary Webb Peploe, and others, as well as Mr. Isaacson himself. Each man tells his own story, tells by what road he came to Christ. Or else Mr. Isaacson tells it for him, for half the book is brief

biography. It is all intensely earnest, intensely evangelical. There is no other Name, and the time is short.

THE SLAVE IN HISTORY. By William Stevens (R.T.S. Crown 8vo, pp. 379. 6s.).— It is very becoming for the R.T.S. to publish a popular history of the slave trade. We do not now divorce religion from morality. This is the very best 'evidence for the gospel.' Indeed, the history of the slave trade reveals the secret things which Christianity holds better than any other history or any other fact. Who could have supposed, when Christianity began, that the time would come when it would be felt intolerable to buy and sell and make merchandise of men? What is the next great moral revolution which the spirit of Christ will work? Mr. Stevens proceeds mostly by biography. He is popular and picturesque always.

SCENES AND SAYINGS IN THE LIFE OF CHRIST. By James H. Snowden, D.D. (Revell. 8vo, pp. 371. 5s net).—The writers of notes on the Sunday School lessons do not always take their work seriously enough. They underrate the education of the average teacher and the intelligence of the average boy. Their Notes are the wearisome commonplaces of old-fashioned commentaries. What we like Dr. Snowden's Notes for is that he reads the life of Christ for himself, and reads it carefully enough to find a continual surprise in it. He moves, and we move with him, through a land that is always The freshness, the surprises, are in the life itself, not in Dr. Snowden's way of describing it. He is no American showman to Christ.

There are many aids to the study of the Bible, but they are mostly outside. Mrs. Horace Porter takes us inside. A Lamp unto My Feet reveals the state of heart and will necessary (Stock; 1s. net).

THE BIBLE AND THE PRAYER-BOOK (Stock. 1s. net).—This is a searching and yet sympathetic comparison of the Prayer-Book with the Bible. It is published anonymously. The manner of it will be seen in the following. After quoting all the passages from Scripture usually quoted on behalf of the doctrine of Apostolical

Succession, 'there is surely,' says the writer, 'no basis in any of these Scriptures upon which to build up the tremendous doctrine of Apostolical Succession; indeed, we can find no foundation for it in the New Testament. In his Christian Ecclesia (p. 216) Dr. Hort tells us that "Jewish usage, in the case of rabbis and their disciples, renders it highly probable that laying on of hands was largely practised in the ecclesia of the apostolic age as a rite introductory to ecclesiastical office; but as the New Testament tells us no more than has been already mentioned, it can hardly be likely that any essential principle was held to be involved in it." In The Conception of Priesthood (p. 57), Dr. Sanday of Oxford says: "The act did not denote the transmission of a power or energy from one who had it to one who had it not." That is true both to Scripture and to common sense; but it is not in harmony with the doctrine of Apostolical Succession, nor of that of the priesthood as taught by the Prayer-Book.'

We may catch the point of Mr. Patterson Du Bois' *The Point of Contact in Teaching* (Sunday School Union; 2s. 6d.) most readily if we quote what he begins to say about 'Missing the Point.' He says—

'I remember once hearing an address to children based upon the text, "The little foxes that spoil

the vines." These little foxes were our small vices Why did the speaker choose such or weaknesses. a point of departure? I suppose "the little foxes" had a simple, childlike sound about it to him, and seemed as though it would be easily a point of interest to little children. Perhaps it was, in so far as it roused their curiosity. Whatever the children got out of the address, they got in spite of, rather than because of, the point of departure, which was not a point of contact with common experience. To very few children does a fox exist in more than name, if that; and the propensity of foxes for spoiling vines is one which they could not appreciate unless they had lived in a country where they had actually seen this kind of destruction wrought, or heard it talked about until it became a familiar fact.

'In the same way, writers for children often seem to suppose that they are placing themselves on the child's plane by the use of certain kinds of youthful expressions, and by a kind of forced intimacy of manner, while the situation, the motives, and raw material out of which the story or article is made are foreign to the child's perception, thought, or feeling.'

Messrs. Watts have issued Renan's *Life of Jesus* in their unbound sixpenny series—misspelling his name every time it occurs.

Contributions and Comments.

(Precedent Cases and 'Sazanias' in Bible History.

THERE is a form of early literature which perhaps has not yet been sufficiently considered in interpreting certain features of the O.T. and N.T. This is the study of precedent cases in early law codes and elsewhere. I have met with them chiefly in early Spanish law codes, where they are termed hazanias or fazanias.¹ They are found, I

¹ The word, written in various ways hazaña, façaña, fazania, would mean in general literature, 'heroic actions,' 'great deeds'; it is derived from the Latin facere, and in this sense is like gestes, gesta, from gerere in Mediæval French. For its legal sense compare our legal term, 'deed,' 'deeds,' 'act,' etc.

presume, in many other ancient and mediæval codes, but I confine myself to those which I have at hand.

The peculiarity of this literature is the great difference of the form, and of the immense practical importance of the matter contained under the form. The *fazanias* were, in some cases at least, composed and intended for the use of provincial and local judges, to be learned by heart by those who could neither read nor write. In them were laid down the main principles of law, the rules by which the judge should be guided in his decisions. It was therefore of the utmost consequence for the welfare of the people that the matter should be right, that the legal maxims laid down in them should be just and correct. But as to the form in which these legal maxims were embodied we find