

PREFACE.

It seems appropriate to begin this volume by stating the circumstances under which it is presented to the public.

On the 8th of October, 1828, the late Elias Horry, Esq., made a donation of ten thousand dollars to the trustees of the College of Charleston, South Carolina. The instrument, by which the donation was conveyed to the Trustees, declares the design of the donor in making it to have been, "to assist the Trustees to establish a professorship in the College, of which the Principal for the time being shall be the Professor." In a letter dated the same day, the founder wrote to me thus ; — "God, in distributing his mercies and his favors, has been eminently bountiful to my family, and lastly to me ; and it is but just, that those, to whom his favors have been bestowed, should acknowledge his goodness by rendering services to others, and more particularly to the community in which they dwell. I confess, that my feelings, on this day, have been uncommon and peculiar. My mind has always been anxious for the prosperity of my country, and particularly for Charleston, my native city ; and, if my donation to the College shall hereafter prove a benefit to our youth, I shall consider my reward as rich indeed."

In accepting this donation, the Trustees say, "The memory of such an act will not pass away with our transitory existence.

Ordinarily the fruits of benevolence perish with their immediate appropriation ; but, in this instance, they will be enjoyed by the living, and be preserved in their original bloom and freshness for future ages. As long as literature and science, and the improvement of the minds and morals of the rising generation, shall be cultivated among us, the name of the distinguished patron and promoter of these inestimable objects will be gratefully associated with them."* On the 25th of October, 1829, the founder, in communicating his "intentions respecting his professorship," to the Trustees, says, among other things, "It is further his intention, that for ever hereafter, the Lectures delivered on Moral and Political Philosophy, by every Principal of the College of Charleston as the Horry Professor, shall be printed and published, from time to time, in such manner as the Trustees and Principal of the said College shall judge expedient, and for its benefit." In a letter to me of 2d of February, 1829, after referring to these "intentions," he says, "I thought it best to trammel the professorship but little, and to leave as much as possible to the judgment, talents, and learning of the Principal of the college, and to the changes both in morals and politics which in the course of time may happen. I am glad to hear, that you have commenced your preparations for delivering your Lectures, and I look forward with great pleasure, to the good which will result from them."

Again, in a letter of the 3d of June, 1829, he says, "I consider Moral Philosophy to be that branch of science, which treats of man in his individual capacity, and of the moral and intellectual qualities of his mind. Political Philosophy, I consider as applicable to men in their public capacities, whereby civil societies are formed, governments are established, and laws are framed or enacted, in the first instance, for the guidance of each society, state, or nation, and afterwards to regulate the inter-

* Resolution, introduced to the Board of Trustees by the Hon. William Drayton, and unanimously approved, on the 13th of October, 1828.

course of states or nations with each other, both in peace and in war, thereby forming laws for the guidance of nations. You have properly expressed what I understand by Political Philosophy, or Political Law, by the terms 'constitutional and international law,' regarding, however, each State in our union or confederacy, as a sovereign State or community. The treatise on Political Law which I studied, was that of Burlamaqui, who was professor of law at Geneva. Since his time, Europe has changed, the human mind has become in a manner reorganized, and in America the greatest of all the republics known to the world has been established. A treatise on Political Law or Philosophy, on the plan of Burlamaqui's, or Vattel's, or of any other distinguished jurist, but to suit our age, our national government, and the governments of our States, would come fully up to my ideas. I will here repeat," continues he, "what I mentioned to you in a former letter, — that I would wish to trammel the professorship but little, and to leave as much as possible, to the judgment, talents, and learning of the professor; who will suit his Lectures to the changes both in morals and politics which time will occasion."

Again, in still another letter, of the 20th of January, 1830, he says, "Although the composition of your Lectures has cost you great literary labor, and the time which would otherwise have been devoted to relaxation from your important duties, yet in the end you will be rewarded by the great public good you will render to the present, and every succeeding generation of youth in our city, and by the pleasure, — by the satisfaction you will ever enjoy, in having, by your learning, made a large contribution to the cause of literature."

It will be seen by the documents, which the founder of this professorship has left behind him,* and which have been quoted above, that he contemplated a series of works to be published on Moral and Political Science, as a consequence of his munifi-

* He died on the 17th of September, 1834.

cence. These documents have made known his wishes and expectations with a fulness and definiteness, which leave nothing to be desired. And the great and frequent complaints, which have been recently made, that the persons, to whose trust benefactions of this kind have been committed, have very extensively failed to apply them in good faith to accomplish the objects designed by the donors, led me to an immediate determination to use my utmost endeavours to meet the expectations and justify the confidence, which the late Mr. Horry reposed in me, and which chiefly influenced him, I have the best reason to believe, to found his professorship in the College of Charleston. I was unwilling that the fault should be ascribed to any want of exertion on my part, if his expectations were not answered.

Guided by these views, and acting under the influence of these sentiments, I formed my original plan for executing his "intentions" as made known by himself. I proposed ultimately to write and publish, 1. An Elementary Treatise of Moral Philosophy. 2. A Constitutional History of the United States. 3. An Elementary Treatise on the Constitutional Law of the United States.* 4. A Treatise on the Law of Nations.

The volume now presented to the public is the first fruit of the founding of this professorship, so far as publication is concerned. The preparation of the second of the contemplated series, — a Constitutional History of the United States, — is far advanced, and it is intended to publish it, as soon as it can be revised and completed. Some small progress, too, has been made in the fourth of the series originally contemplated.

In writing this treatise of Moral Philosophy (which was at first written in the form of lectures), I have carefully kept in view several principles by which I have intended to guide myself.

1. It has been the leading part of my plan, to treat of *practical*

* In consequence of the publication of Mr. Justice Story's "Commentaries on the Constitution of the United States," this part of the author's plan has been relinquished.

morals as distinctly as possible from any other subject. There has been some difficulty in doing this, because the department of practical morals is intimately connected with the theory of morals, with law, and with Christian theology. I have been the more particular in observing this rule, because I have seen an admixture of theology and moral philosophy, which I consider injudicious, in several late treatises of moral philosophy.

2. Again, it has been an essential part of my plan, to write a treatise of *Christian* morals, — to collect, expand, and illustrate the moral principles and precepts of the Bible. To this end, I have endeavoured to keep close to the letter and spirit of the Old and New Testaments, considering myself, when treating of the morals, no less than if I had been discussing the doctrines of Christianity, bound not to “add unto” or “take away from” * this highest source of wisdom and most authoritative standard of practice as well as of faith.

3. My plan has embraced the *elements* of practical morals only, and my aim has therefore been to avoid all abstruse, refined, and especially all speculative discussions of the subject. These are not without their measure of importance; but they are beyond the limits which, at the outset, I prescribed to myself. In drawing this distinction between the elements and the more abstruse parts of the subject, accurate judgment and nice discrimination are requisite, and I may not always have been successful. But the attempt has been honestly made and steadily pursued.

4. I have endeavoured to write an elementary treatise of practical Christian morals, which shall give *no just cause of offence* to any denomination of Christians, or to any religious, literary, or political party in the country. The different denominations of Christians will find their peculiarities very seldom, if ever, referred to, and if referred to at all, always, I trust, respectfully. It is perhaps too much to expect complete success in this particu-

* Revelation xxii. 18, 19.

lar, but I have sincerely *wished* to avoid giving just cause of offence to any individual, or to any body of men whatever.

5. I have endeavoured to treat practical morals *in a manner suited to the wants of the present day*. This remark has respect both to the selection of topics for discussion and illustration, and to the application of principles to the tendencies, events, and general circumstances of the passing times. The principles of practical morals are the imperishable principles of truth, and are not *in themselves* subject to change; but the proper mode, in which they are to be illustrated and applied, varies, in a greater or less degree, according to the form of government, the structure and condition of society, the employments, and the state of education, general intelligence, &c., in a country. It is the duty of each succeeding writer on any science, to reproduce and incorporate into his work, whatever is most valuable in the works of preceding writers on the same science; otherwise knowledge cannot be expected to advance, and might possibly retrograde. But in addition to this, it has been my aim to combine in my work whatever of fresh and novel interest is entitled to attention. To this end, I have availed myself of all the materials which diligence, vigilant search, and enterprise could bring within my reach. I have, during many years, purchased all the books and pamphlets published upon Moral Philosophy or any of its topics, which, I have had reason to believe, were worth purchasing. The science of practical morals is not stationary, much less is it incapable of advancement. Like other sciences, it depends in a certain degree on experience; and successive writers ought to aim to collect, and register in their works, the well matured results of experience. This volume seems to me to contain a considerable number of new results of this kind.

6. In treating the various subjects which make up this volume, I have not thought my duty fulfilled by presenting my own unassisted reflections and conclusions; though to have satisfied myself with such a course would have been a task comparative-

ly free from difficulty. The truth is, practical Christian morals form a branch of science, depending quite as much on authority as any other science whatever. The writer of an elementary treatise on any branch of the law presents his conclusions sustained, limited, modified, and otherwise qualified, by the best authorities with which his learning and research have furnished him. To this end, he consults statutes, the decisions of the most authoritative tribunals, the comments and illustrations of men learned in the science, and uses them all in aid of his own acquirements made by reading, observation, and reflection. In like manner, the science of morals does not consist of the opinions, sentiments, and conclusions of one or of a few men. The Scriptures of the Old and New Testament, the law of the land, the illustrations, amplifications, and deductions of the great masters of reason and argument, who have adorned the annals of mankind, both in ancient and modern times, are to be constantly consulted by the moral philosopher, and their labors are to be used in aid of his own.

7. As this Treatise is designed for the use of our higher institutions of learning, as well as for private reading, it has been my aim to select, from the very wide circle of subjects embraced within this science, those which are fitted to be most useful to the young men who resort to those institutions for education, and to treat them in a manner suited to their situation and wants. In discussing and illustrating the various subjects selected, it has been my aim to convey as much pertinent and valuable matter as possible, in a clear, direct, and condensed style. The most suitable order and arrangement, too, in which to dispose my materials have engaged my attention. I have brought to the composition of the work, a spirit of patient labor and a desire to be useful. I have endeavoured, moreover, to infuse into every part, a healthful moral tone, suited to cherish the candor, modesty, sincerity, ingenuousness, and docility of temper, which are the greatest ornament of youth, and the highest promise of future success and usefulness in life. I have permitted no occa-

sion to pass by unimproved, which I might fairly use, to inculcate an elevated sense of justice, of integrity, of honor, of dignity, and of independence of feeling, sentiment, and action. All these are elements of an enlightened sense of duty, the strengthening and maturing of which, is, of all things, the most essential in the formation of character.

Next to religion, the moral interests of a nation are its highest interests, and practical morals have an intrinsic claim to be universally studied and understood. Studies pertaining to moral duty, that is, to personal conduct, may well claim precedence of every other. It is not important, that every man should be acquainted with Algebra and Geometry, though these sciences are not without their use to any one; but it is important, that every man, whatever may be his vocation, should be acquainted with practical morals. Still, the importance of Moral Philosophy is not so generally acknowledged as it ought to be, and it has been very much neglected, in almost, if not quite all our institutions of education.

Moral Philosophy has important relations to, and connexions with law; and, on these parts of the subject, I have sometimes stood in need of the aid and advice of gentlemen learned in the law. My acknowledgments are due to Mitchell King, C. G. Memminger, and George W. Eggleston, Esquires, of Charleston, for considerable assistance rendered in this way. While residing at Cambridge to superintend the printing, similar assistance has been given me, with much kindness and courtesy, by Simon Greenleaf, Esq., Royall Professor of Law in Harvard University, and by Mr. Justice Story, of the Supreme Court of the United States. Invited "to consult them as often as it suited me," several of my chapters have derived the greatest advantage from the consultations which were thus encouraged. President Quincy, also, with his accustomed liberality, and without waiting to be applied to, opened to me all the facilities of the University.

Cambridge, 4 September, 1837.