

of which appeared in Paris in 1868), although given without any acknowledgment of that work. We might increase these instances, but we forbear. E.

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*BREVIA.*

On Hebrews ix. 16, 17.—I venture to suggest that perhaps a consideration of the legal ideas of the time when the Epistle to the Hebrews was written, may help to explain this difficult passage. The idea of a will was derived by the Jews from the Romans, and they probably associated with it the various ideas which had grown up around the Roman will. Let us see what these were. The origin of the ordinary form of a Roman will, was the old testament *per æs et libram*, by which the father of the family (generally when on his death bed) sold his whole family and estate to some friend in whom he had confidence (called the *heres*), on trust to carry out his wishes (an obligation which apparently was not originally legally enforceable, though afterwards it was recognised by law). This form was still kept up, though probably at the time when the Epistle was written, the *familiæ emptor* was not generally the same person as the *heres*. Still the *familiæ emptor* represented the *heres*, and served to keep the theoretical nature of the transaction before all parties concerned, and the *heres* was looked upon not merely as a distributor of goods, but as the purchaser and master of the family. It is therefore suggested that the argument is somewhat as follows. By the first *διαθήκη* the Hebrews were purchased and became the bondsmen of the Law (an idea already rendered familiar to them by Exod. xv. 16 and Ps. lxxiv. 2) ; but by a new *διαθήκη* our Lord purchased them with His blood (Acts xx. 28), as the *heres* or *familiæ emptor* purchased the inheritance, and having thus purchased the inheritance of the Law, became the new master of the bondsmen of the Law, and the mediator, or executor of a new dispensation. But inasmuch as the right of the *heres* can only come into operation after the death of the testator (the Law), it is evident that, if the new dispensation has begun, the Law is dead and is no longer their master. In fact, the line of argument seems similar to that in Rom. vii. 1-4.

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