

matters be so contrived, as that the real murderer should be invisible, while the arm and the hand that inclosed the weapon, and the movements of the ostensible one, should alone be patent to the eye of the senses — then he, and not the other, would be held by the by-stander as chargeable with the guilt. But so soon as the real nature of the transaction came to be understood, this imputation would be wholly and instantly transferred. The distinction would at once be recognised between the willing agent in this deed of horror, and the unwilling instrument. There would no more of moral blame be attached to the latter, than to the weapon which inflicted the mortal blow; and on the former exclusively the whole burden of the crime and its condemnation would be laid. And the simple difference which gives rise to the whole of this moral distinction in the estimate between them, is, that with the one the act was with the will; with the other it was against it.

4. The will may be spoken of either as a faculty of the mind, or it may denote one separate and individual act of willing. He willed to take a walk with me. It was his will so to do. But there is another term which is more properly expressive of the act, and is not at all expressive of the faculty. Those terms which discriminate, and which restrict language to a special meaning, are very convenient both in science and in common life. The will then may express both the faculty and the act of willing.