pleaseth a proud man's mind, when you seem to be convinced by him, and to change your mind upon his arguments, or to be much informed and edified by him: but when you deny this honour to his understanding, and contradict him, and stiffly maintain your opinion against him, you displease and lose him; and indeed a wise man should gladly learn of any that can teach him more; and should most easily of any man let go an error, and be most thankful to any that will increase his knowledge: and not only in errors to change our minds, but in small and indifferent things to submit by silence, beseemeth a modest, peaceable man.

Direct. xvi. 'Yet build not peace on the foundation of impiety, injustice, cruelty or faction; for that will prove but the way to destroy it in the end.' Traitors, and rebels. and tyrants, and persecutors, and ambitious, covetous clergymen, do all pretend peace for their iniquity: but what peace with Jezebel's whoredoms! Satan's kingdom is supported by a peace in sin; which Christ came to break that he might destroy it: while this strong man armed keepeth his house, his goods are in peace, till a stronger doth bind him, overcome him and cast him out. Deceitful, sinful means of peace, have been the grand engine of satan and the Papalclergy, by which they have banished and kept out peace so many ages from most of the Christian world. 'Impiis mediis ecclesiæ paci consulere,' was one of the three means which Luther foretold would cast out the Gospel. Where perjury, or false doctrine, or any sin, or any unjust, or inconsistent terms, are made the condition of peace, men build upon stubble and briars, which God will set fire to, and soon consume, and all that peace will come to nought.

Directions for church-peace I have laid down before; to which I must refer you.

CHAPTER XVIII.

Directions against all Theft and Fraud, or injurious getting and keeping that which is another's, or desiring it.

HE that would know what thest is, must know what propriety is; and it is that plenary title to a thing, by which it vol. vi.

is called our own; it is that right to any thing as mine, by which I may justly have it, possess it, use it, and dispose of it. This dominion or propriety is either absolute, (and that belongeth to none but God) or subordinate, respective and limited (which is the only propriety that any creature can have). Which is such a right which will hold good against the claim of any fellow-creature, though not against God's. And among men there are proprieters or owners which are principal, and some who are but dependant, subordinate and limited. The simple propriety may remain in a landlord or father, who may convey to his tenant or his child, a limited, dependant propriety under him. Injuriously to deprive a man of this propriety, or of the thing in which he hath propriety, is the sin which I speak of in this chapter; which hath no one name, and therefore I express it here by many. Whether it be theft, robbery, cozenage, extortion, or any other way of depriving another injuriously of his own. These general Directions are needful to avoid it.

Direct. 1. "Love not the world, nor the things that are in the world." Cure covetousness, and you will kill the root of fraud and theft.' As a drunkard would easily be cured of his drunkenness, if you could cure him of his thirst and love to drink; so an extortioner, thief or deceiver would easily be cured of their outward sin, if their hearts were cured of the disease of worldliness. The love of money is the root of all this evil. Value these things no more than they deserve.

Direct. 11. 'To this end, acquaint your hearts with the greater riches of the life to come;' And then you will meet with true satisfaction. The true hopes of heaven will cure your greedy desires of earth. You durst not then ferfeit your part in that perpetual blessedness, for the temporal supply of some bodily want: you durst not with Adam part with Paradise for a forbidden bit; nor as Esau profanely sell your birthright for a morsel. It is the unbelief and contempt of heaven, which maketh men venture it for the poor commodities of this world,

Direct. III. 'Be contented to stand to God's disposal; and suffer not any carking, discontented thoughts to feed

* 1 John ii. 15.

upon your hearts.' When you suffer your minds to run all. day long upon your necessities and straits, the devil next tempteth you to think of unlawful courses to supply them. He will shew you your neighbour's money, or goods, or estates, and tell you how well it would be with you if this were yours: he shewed Achan the golden wedge: he told Gehazi how unreasonable it was that Naaman's money and raiment should be refused: he told Balaam of the hopes of . preferment which he might have with Balak; he told Judas how to get his thirty pieces; he persuaded Ananias and Sapphira, that it was but reasonable to retain part of that which was their own. Nav. commonly it is discontents and cares which prepare poor wretches for those appearances of the devil, which draweth them to witchcraft for the supplying of their wants. If you took God for your God, you would take him for the sufficient disposer of the world, and one that is fitter to measure out your part of earthly things than you yourselves; and then you would rest in his wisdom, will and fatherly providence; and not shift for yourselves by sinful means. Discontentedness of mind, and distrust of God, are the cause of all such frauds and injuries. Trust God, and you will have no need of these.

Direct. IV. 'Remember what promises God hath made for the competent supply of all your wants.' Godliness hath the promise of this life and of that to come: all other things shall be added to you, if you seek first God's kingdom and the righteougness thereof's. They that fear the Lord shall want nothing that is good's. "All things shall work together for good to them that love God'." "Let your conversation be without covetousness, and be content with such things as ye have; for he hath said, I will never leave thee nor forsake thee." Live by faith on these sufficient promises, and you need not steal.

Direct. v. 'Overvalue not the accommodation and pleasure of the flesh, and live not in the sins of gluttony, drunkenness, pride, gaming or riotous courses, which may bring you into want, and so to seek unlawful maintenance.' He that is a servant to his flesh cannot endure to displease it, nor can bear the want of any thing which it needeth. But he that hath

Matt. vi. SS.

e Psal, xxxvii.

d Rom. viii. 28.

mastered and mortified his flesh, can endure its labour and hunger, yea, and death too if God will have it so. Large revenues will be too little for a fleshlyminded person; but a little will serve him that hath brought it under the power of reason. 'Magna pars libertatis est bene moratus venter,' saith Seneca: 'a well-nurtured, fair-conditioned belly is a great part of a man's liberty,' because an ill-taught and · ill-conditioned belly is one of the basest slaveries in the As a philosopher said to Diogenes, 'If thou couldst flatter Dionysius, thou needst not eat herbs;' but saith Diogenes, 'If thou couldst eat herbs, thou needst not flatter Dionysius:' he took this for the harder task: so the thief and deceiver will say to the poor, 'If you could do as we do, you need not fare so hardly: ' but a contented poor man may better answer him and say, 'If you could fare hardly as I do, you need not deceive or steal as you do.' A proud person, that cannot endure to dwell in a cottage, or to be seen in poor or patched apparel, will be easily tempted to any unlawful way of getting, to keep him from disgrace, and serve his pride. A glutton whose heaven is in his throat, must needs fare well, however he come by it: a tippler must needs have provision for his guggle, by right or by wrong. But a humble man, and a temperate man can spare all this, and when he looketh on all the proud man's furniture, he can bless himself as Socrates did in a fair. with, 'Quam multa sunt quibus ipse non egeo?' 'How many things be there which I have no need of?' And he can pity the sensual desires which others must needs fulfil; even as a sound man pitieth another that bath the itch, or the thirst of a sick man in a fever, that crieth out for drink. As Seneca saith, "It is vice and not nature which needeth much:" nature, and necessity, and duty are contented with a little. But he that must have the pleasure of his sin. must have provision to maintain that pleasure. Quench the fire of pride, sensuality and lust, and you may spare the cost of fuel f.

Direct. vi. 'Live not in idleness or sloth; but be laborious in your callings, that you may escape that need or poverty which is the temptation to this sin of theft.' Idleness is a crime which is not to be tolerated in Christian so-

f Rom, xiii. 13, 14, vili. 13,

cieties. "Now we command you, brethren, in the name of our Lord Jesus Christ, that ye withdraw yourselves from every brother that walketh disorderly, and not after the tradition which he received of us: for ye know how ye ought to follow us; for we behaved not ourselves disorderly among you, neither did we eat any man's bread for nought; but worked with labour and travail night and day, that we might not be chargeable to any of you; not because we have not power, but to make ourselves an ensample to you to follow us; for when we were with you, this we commanded you, that if any would not work, neither should he eat: for we hear that there are some among you that walk disorderly, working not at all, but are busy-bodies; now them that are such, we command and exhort by our Lord Jesus Christ, that with quietness they work and eat their own bread ." "Let him that stole, steal no more, but rather let him labour, working with his hands the thing that is good, that he may have to give to him that needeth "." He that stealeth to maintain his idleness, sinneth that he may sin; and by one sin getteth provision for another: you see here that you are bound not only to work to maintain yourselves, but to have to give to others in their need.

Direct. v11. 'Keep a tender conscience, which will do its office, and not suffer you to sin without remorse.' A seared, senseless conscience will permit you to lie, and steal, and deceive, and will make no great matter of it, till God awaken it by his grace or vengeance. Hence it is that servants can deceive their masters, or take that which is not allowed them, and buyers and sellers overreach one another, because they have not tender consciences to reprove them.

Direct. viii. 'Remember always that God is present, and none of your secrets can be hid from him.' What the better are you to deceive your neighbour or your master, and to hide it from their knowledge, as long as your Maker and Judge seeth all? When it is he that you must wrong, and with him that you have most to do, and he that will be the most terrible avenger! What blinded atheists are you, who dare do that in the presence of the most righteous God, which you durst not do if men beheld you!

Direct. 1x. 'Forget not how dear all that must cost you,

5 2 Thess ii. 6, 8. 10. 12.

h Eph. iv. 28.

which you gain unlawfully.' The reckoning time is yet to come. Either you will truly repent or not; if you do, it must cost you remorse and sorrow, and shameful confession, and restitution of all that you have got amiss; and is it not better forbear to swallow that morsel, which must come up again with heart-breaking grief and shame? But if you repent not unfeignedly, it will be your damnation; it will be opened in judgment to your perpetual confusion, and you must pay dear for all your gain in hell. Never look upon the gain therefore, without the shame and damnation that must follow. If Achan had foreseen the stones, and Gehazi the leprosy, and Ahab the mortal arrow, and Jezebel the licking of her blood by dogs, and Judas the hanging or precipitation, and Ananias and Sapphira the sudden death, or any of them the after misery, it might have kept them from their pernicious gain. Usually even in this life, a curse attendeth that which is ill-gotten, and bringeth fire among all the rest.

Direct. x. 'If you are poor, consider well of the mercy which that condition may bring you, and let it be your study how to get it sanctified to your good.' If men understood and believed that God doth dispose of all for the best, and make them poor to do them good, and considered what that good is which poverty may do them, and made it their chief care to turn it thus to their gain, they would not find it so intolerable a thing, as to seek to cure it by fraud or thievery. Think what a mercy it is, that you are saved from those temptations to overlove the world, which the rich are undone by! And that you are not under those temptations to intemperance, and excess, and pride as they are. And that you have such powerful helps for the mortification of the flesh, and victory over the deceiving world! Improve your poverty, and you will escape these sins.

Direct. x1. 'If you are but willing to escape this sin, you may easily do it by a free confession to those whom you have wronged, or are tempted to wrong.' He that is not willing to forbear his sin, is guilty before God, though he do forbear it. But if you are truly willing, it is easy to abstain. Do not say, that you are willing till necessity pincheth you, or you see the bait: for if you are so, you may easily prevent it, at that time when you are willing. If

ever you are willing indeed, take that opportunity, and if you have wronged any man, go and confess it to him, (in the manner I shall afterwards direct). And this will easily prevent it: for shame will engage you, and self-preservation will engage him to take more heed of you. Or, if you have not yet wronged any, but are strongly tempted to it, if you have no other sufficient remedy, go tell him, or some other fit person, that you are tempted to steal and to deceive in such or such a manner, and desire them not to trust you. If you think the shame of such a confession too dear a price to save you from the sin, pretend no more that you are truly willing to forbear it, or that ever you did unfeignedly repent of it.

Tit. 2. Certain Cases of Conscience about Theft and Infury.

Quest. 1. 'Is it a sin for a man to steal in absolute necessity, when it is merely to save his life?'

Asso. The case is very hard. I shall, I. Tell you so much as is past controversy, and then speak to the controverted part. I. If all unquestionable means be not first used, it is undoubtedly a sin. If either labouring or begging will save our lives, it is unlawful to steal. Yea, or if any others may be used to intercede for us. Otherwise it is not stealing to save a man's life, but stealing to save his labour, or to gratify his pride and save his honour. 2. It is undoubtedly a sin if the saving of our lives by it, do bring a greater hurt to the commonwealth or other men, than our lives are worth. 3. And it is a sin if it deprive the owner of his life, he being a person more worthy and useful to the common good. These cases are no matter of controversy.

4. And it is agreed of, that no man may steal beforehand out of a distrustful fear of want. 5. Or if he take more than is of necessity to save his life. These cases also are put as out of controversy.

But whether in an innocent, absolute necessity it be lawful to steal so much as is merely sufficient to save one's life, is a thing that casuists are not agreed on. They that think it lawful, say that the preservation of life is a natural duty, and preservation of propriety is but a subservient thing which must give place to it. So Amesius de Conscient lib. v. cap.

50. maketh it one case of lawful taking that which is another's, 'Si irrationabiliter censeatur dominus invitus: ut in eis quæ accipit aliquis ex alieno ad extremam et præsentem suam necessitatem sublevandam, cui alia ratione succurrere non potest. Hoc enim videtur esse ex jure naturali, divisione rerum antiquiore et superiore; quod jure humano quo facta est divisio rerum non potuit abrogari: Quo sensu non male dicitur, omnia fieri communia in extrema necessitate.'

On the other side, those that deny it say, that the same God that hath bid us preserve our lives, hath appointed propriety, and forbidden us to steal, without excepting a case of necessity, and therefore hath made it simply evil, which we may not do for the procurement of any good: and the saving of a man's life will not prove so great a good, as the breaking of God's law will be an evil.

For the true determining of this case, we must distinguish of persons, places, and occasions. 1. Between those whose lives are needful to the public good and safety, and those that are not of any such concernment. 2. Between those that are in an enemy's or a strange country, and those that are in their own. 3. Between those that are in a commonwealth, and those that are either in a community, or among people not embodied or conjoined. 4. Between those that take but that which the refuser was bound to give them, and those that take that which he was not bound to give them. And so I answer,

1. Whensoever the preservation of the life of the taker, is not in open probability, like to be more serviceable to the common good, than the violation of the right of propriety will be hurtful, the taking of another man's goods is sinful, though it be only to save the taker's life. For the common good is to be preferred before the good of any individual.

2. In ordinary cases, the saving of a man's life will not do so much good, as his stealing will do hurt. Because the lives of ordinary persons are of no great concernment to the common good: and the violation of the laws may encourage the poor to turn thieves, to the loss of the estates and lives of others, and the overthrow of peace and order. Therefore ordinarily it is a duty, rather to die, than take another man's goods against his will, or without his consent.

3. But in case that the common good doth apparently

more require the preservation of the person's life, than the preservation of propriety and the keeping of the law in that instance, it is then no sin, (as I conceive): which may fall out in many instances.

As, (1.) In case the king and his army should march through a neighbour prince's country, in a necessary war against their enemies; if food be denied them in their march, they may take it rather than perish. (2.) In case the king's army in his own dominions have no pay, and must either disband or die, if they have not provision, they may rather take free quarter, in case that their obedience to the king, and the preservation of the country forbiddeth them to disband. (3.) When it is a person of so great honour, dignity, and desert, as that his worth and serviceableness will do more than recompense the hurt: as if Alexander or Aristotle were on ship-board with a covetous ship-master. who would let them die rather than relieve them. (4.) When a child taketh meat from a cruel parent that would famish him, or a wife from such a cruel husband! Or any man taketh his own by stealth from another who unjustly detaineth it, when it is to save his life. For here is a fundamental right 'ad rem,' and the heinousness of his crime that would famish another, rather than give him his own, or his due, doth take off the scandal and evil consequents, of the manner of taking it. (5.) But the greatest difficulty is, in case that only the common law of humanity and charity bind another to give to one that else must die, and he that needeth may take it so secretly that it shall in likelihood never be known, and so never be scandalous, nor encourage any other to steal! May not the needy then steal to save his life? This case is so hard, that I shall not venture to determine it; but only say that he that doth so in such a case, must resolve when he hath done, to repay the owner if ever he be able, (though it be but a piece of bread;) or to repay him by his labour and service, if he have no other way, and be thus able; or if not so, to confess it to him that he took it from, and acknowledge himself his debtor, (unless it be to one whose cruelty would abuse his confession).

Quest. 11. 'If another be bound to relieve me and do not, may I not take it, though it be not for the immediate saving of my life?'

Answ. If he be bound only by God's law to relieve you, you must complain to God, and stay till he do you right, and not break his law and order, by righting yourself, in case you are not in the necessity aforesaid. If he be bound also by the laws of man to relieve you, you may complain to the rulers, and seek your right by their assistance; but not by stealth.

Quest. 111. 'If another borrow or possess my goods or money, and refuse to pay me, and I cannot have law and justice against him, or am not rich enough to sue him, may I not take them if I have an opportunity?'

Answ. If he turn your enemy in a time of war, or live under another prince, with whom you are at war, or where your prince alloweth you to take it, there it seemeth undoubtedly lawful to take your own by that law of arms, which then is uppermost. But when the law that you are under forbiddeth you, the case is harder. But it is certain that propriety is in communities, and is in order of nature antecedent to human government in republics; and the preservation of it is one of the chief ends of government. Therefore I conceive that in case you could take your own so secretly, or in such a manner as might no way hinder the ends of government as to others, by encouraging thievery or unjust violence, it is not unlawful before God, the end of the law being the chief part of the law: but when you cannot take your own without either encouraging theft or violence in others, or weakening the power of the laws and go-Vernment by your disobedience, (which is the ordinary case,) it is unlawful: because the preservation of order and of the honour of the government and laws, and the suppression of theft and violence, is much more necessary than the righting of yourself, and recovering your own.

Quest. IV. 'If another take by theft or force from me, may I not take my own again from him, by force or secretly, when I have no other way?'

Answ. Not when you do more hurt to the commonwealth by breaking law and order, than your own benefit can recompense: for you must rather suffer, than the commonwealth should suffer: but you may when no such evils follow it.

Quest. v. 'If I be in no necessity myself, may I not take

from rich men to give to the poor who are in extreme necessity?'

Answ. The answer to the first case may suffice for this: in such cases wherein a poor man may not take it for himself, you may not take it for him. But in such cases he may take it for himself, and no one else is fit to do it, he himself being unable, you may do it, (when no accidental consequents forbid you).

Quest. vi. 'If he have so much as that he will not miss it, and I be in great want, though not like to die of famine; may I not take a little to supply my want?'

Answ. No; because God hath appointed the means of just propriety; and what is not gotten by those means, is none of your's by his approbation. He is the giver of riches; and he intendeth not to give to all alike: if he give more to others, he will require more of them: and if he give less to you, it is the measure which he seeth to be meetest for you, and the condition in which your obedience and patience must be tried: and he will not take it well, if you will alter your measure by forbidden means, and be carvers for yourselves, or level others.

Quest. vii. 'There are certain measures which humanity obligeth a man to grant to those in want, and therefore men take without asking: as to pluck an apple from a tree, or as Christ's disciples, to rub the ears of corn to eat: if a Nabal deny me such a thing, may I not take it?'

Answ. If the laws of the land allow it you, you may: because men's propriety is subjected to the law for the common good. But if the law forbid it you, you may not: except when it is necessary to save your life, upon the terms expressed under the first question.

Quest. viii. 'May not a wife, or child, or servant take more than a cruel husband, or parent, or master doth allow? Suppose it to be better meat or drink?'

Answ. How far the wife hath a true propriety herself, and therefore may take it, dependeth on the contract and the laws of the land; which I shall not now meddle with. But for children and servants, they may take no more than the most cruel and unrighteous parents or masters do allow them; except to save their lives upon the conditions in the first place: but the servant may seek relief of the magis-

trate; and he may leave such an unrighteous master: and the child must bear it patiently as the cross by which it pleaseth God to try him; unless that the government of the parent be so bad, as to tend to his undoing; and then I think he may leave his parents for a better condition: (except it be when their own necessity obligeth him to stay and suffer for their help and benefit). For it is true that a child oweth as much to his parents as he can perform, by way of gratitude, for their good: but it is true also, that a parent hath no full and absolute propriety in his child, as men have in their cattle, but is made by nature their guardian for their benefit: and therefore when parents would undo their children's souls or bodies, the children may forsake them, as being forsaken by them; further than as they are obliged in gratitude to help them, as is aforesaid.

Quest. 1x. 'If a man do deserve to lose somewhat which he hath by way of punishment, may I not take it from him?'

Answ. Not unless the law either make you a magistrate or officer to do it, or allow and permit it at the least; because it is not to you that the forfeiture is made: or if it be, you must execute the law according to the law, and not against it. For else you will offend in punishing offences.

Quest. x. 'But what if I fully resolve, when I take a thing in my necessity, to repay the owner, or make him satisfaction if ever I be able?'

Answ. That is some extenuation of the sin, but no justification of the fact; which is otherwise unjustifiable, because it is still without his consent.

Quest. x1. 'What if I know not whether the owner would consent, or not?'

Answ. In a case where common custom and humanity alloweth you to take it for granted that he would not deny it you (as to pluck an ear of corn, or gather an herb for medicine in his field) you need not scruple it; unless you conjecture that he is a Nabal and would deny you. But otherwise if you doubt of his consent, you must ask it, and not presume of it without just cause.

Quest. x11. 'What if I take a thing from a friend but in a way of jest, intending to restore it?'

Answ. If you have just grounds to think that your friend

would consent if he knew it, you will not be blamable; but if otherwise, either you take it for your own benefit and use, or you take it only to make sport by: the former is theft, for all your jest; the latter is but an unlawful way of jesting.

Quest. XIII. 'What if I take it from him, but to save him from hurting his body with it: as if I steal poison from one that intended to kill himself by it: or take a sword from a drunken man, that would hurt himself: or a knife from a melancholy man: or what if it be to save another; as to take a madman's sword from him, who would kill such as are in his way, or any angry man's that will kill another?'

Answ. This is your duty according to the sixth commandment, which bindeth you to preserve your neighbour's life: so be it these conditions be observed. 1. That you keep not his sword for your benefit and advantage, nor claim a property in it; but give it his friends, or deliver it to the magistrate. 2. That you do nothing without the magistrate, in which you may safely stay for his authority and help: but if two be fighting, or thieves be robbing or murdering a man, or another's life be in present danger, you must help them without staying for the magistrate's authority. 3. That you make not this a pretence for the usurping of authority, or for resisting or deposing your lawful prince, or magistrate, or parent, or master, or of exercising your own will and passions against your superiors: pretending that you take away their swords to save themselves or others from their rage, when it is indeed but to hinder iustice.

Quest. XIV. 'May I not then much more take away that by which he would destroy his own or other men's souls: as to take away cards or dice from gamesters; or heretical or seditious books, or play-books and romances; or to pull down idols which the idolaters do adore, or are instruments of idolatry?'

Answ. There is much difference in the cases, though the soul be more precious than the body: for, 1. Here there is supposed to be so much leisure and space as that you may have time to tell the magistrate of it, whose duty primarily it is; whereas in the other case it is supposed that so much delay would be a man's death. Therefore your duty is to

acquaint the magistrate with the sin and danger, and not to anticipate him, and play the magistrate yourself. Or in the case of cards, and dice, and hurtful books, you may acquaint the persons with the sin, and persuade them to cast them away themselves. 2. Your taking away these instruments is not like to save them; for the love of the sin, and the will to do it remain still: and the sinner will be but hardened by his indignation against your irregular course of charity. 3. Men are bound to save men's bodies whether they will or not; because it may be so done; but no man can save another's soul against his will! And it is God's will that their salvation or damnation shall be more the fruit of their own wills, than of any other's. Therefore though it is possible to devise an instance, in which it is lawful to ateal a poisonous book or idol from another (when it is done so secretly as will encourage no disobedience or disorder; nor is like to harden the sinner, but indeed to do him good, &co.) yet ordinarily all this is unlawful, for private men, that have no government of others, or extraordinary interest in them i.

Quest. xv. 'May not a magistrate take the subjects' goods, when it is necessary for their own preservation?'

Anne. I answered this question once heretofore in my "Political Apharisms:" and because I repent of meddling with such subjects, and of writing that book, I will leave anoh cases hereafter for fitter persons to resolve.

Quest. xvi. 'But may I not take from another for a holy use: as to give to the church or maintain the bishops. If David took the hallowed bread in his necessity, may not hallowed persons take common bread?'

Anno. If holy persons be in present danger of death, their lives may be saved as other men's on the terms mentioned in the first case. Otherwise God hath no need of theft or violence; nor must you rob the laity to clothe the clergy; but to do such evil on pretence of piety and good, is an aggravation of the ain,

¹ A wife or near friend that is under no suspicion of alienating the thing to their own commodity, nor of ill designs, may go somewhat further in such cases, than an inferior or a stranger.