

warning, to bid you take heed for the time to come. If you are thus brought to repentance, or to the more careful life, by occasion of men's censures, they will prove so great a benefit to you, that you may bear them the more easily.

CHAPTER XXV.

Cases and Directions about Trusts and Secrets.

Tit. 1. Cases of Conscience about Trusts and Secrets.

Quest. 1. 'How are we forbidden to put our trust in man? And how may it be done?'

Ans. 1. You must not trust man for more than his proportion, and what belongs to man to do: you must not expect that from him which God alone can do. 2. You must not trust a bad, unfaithful man to do that which is proper to a good and faithful man to do. 3. You must not trust the best man, being imperfect and fallible, as fully as if you supposed him perfect and infallible: but having to do with a corrupted world, we must live in it with some measure of distrust to all men; (for all that Cicero thought this contrary to the laws of friendship). But especially ignorant, dishonest, and fraudulent men must be most distrusted. As Bucholtzer said to his friend that was going to be a courtier, 'Commendo tibi fidem diabolorum, crede et contremisce:' he that converseth with diabolical men, must believe them no further than is due to the children of the father of lies. But we must trust men as men, according to the principles of veracity that are left in corrupted nature: and we must trust men so far as reason sheweth us cause, from their skill, fidelity, honesty, or interest: so a surgeon, a physician, a pilot may be trusted with our lives: and the more skilful and faithful any man is, the more he is to be trusted.

Quest. 11. 'Whom should a man choose for a matter of trust?'

Ans. As the matter is: one that hath wisdom, skill,

and fidelity, through conscience, honesty, friendship, or his own apparent interest.

Quest. III. 'In what cases may I commit a secret to another?'

Answ. When there is a necessity of his knowing it, or a greater probability of good than hurt by it, in the evidence which a prudent man may see.

Quest. IV. 'What if another commit a thing to me with charge of secrecy, and I say nothing to him, and so promise it not: am I bound to secrecy in that case?'

Answ. If you have cause to believe that he took your silence for consent, and would not else have committed it to you, you are obliged in point of fidelity, as well as friendship: except it be with robbers or such as we are not bound to deal openly with, and on terms of equality.

Quest. V. 'What if it be a secret, but I am under no command or promise at all about it?'

Answ. You must then proceed according to the laws of charity and friendship: and not reveal that which is to the injury of another, without a greater cause.

Quest. VI. 'What if it be against the king, or state, or common good?'

Answ. You are bound to reveal it, so far as the safety of the king, or state, or common good requireth it: yea, though you swear the contrary.

Quest. VII. 'What if it be only against the good of some third ordinary person?'

Answ. You must endeavour to prevent his wrong, either by revealing the thing, or dissuading from it, or by such means as prudence shall tell you are the meetest, by exercising your love to one, without doing wrong to the other.

Quest. VIII. 'What if a man secretly intrust his estate to me, for himself or children, when he is in debt, to defraud his creditors?'

Answ. You ought not to take such a trust: and if you have done it, you ought not to hold it, but resign it to him that did intrust you. Yea, and to disclose the fraud, for the righting of the creditors, except it be in such a case as that the creditor is some such vicious or oppressing person, as you are not obliged to exercise that act of charity for; or when the consequents of revealing it, will be a greater hurt,

than the righting of him will compensate; especially when it is against the public good.

Quest. ix. 'What if a delinquent intrust me with his estate or person to secure it from penalty?'

Answ. If it be one that is prosecuted by a due course of justice, 'cujus pœna debetur reipublicæ,' whose punishment the common good requireth, the case must be decided as the former: you must not take, nor keep such a trust. But if it be one whose repentance giveth you reason to believe, that his impunity will be more to the common good than his punishment, and that if the magistrate knew it, he ought to spare or pardon him, in this case you may conceal his person or estate; so be it you do it not by a lie, or any other sinful means, or such as will do more hurt than good.

Quest. x. 'What if a friend intrust me with his estate to secure it from some great taxes or tributes to the king? May I keep such a trust or not?'

Answ. No; if they be just and legal taxes, for the maintenance of the magistrate or preservation of the commonwealth: but if it be done by an usurper that hath no authority, (or done without or beyond authority, the oppressing of the subject, you may conceal his estate or your own) by lawful means.

Quest. xi. 'What if a man that suffereth for religion, commit his person or estate to my trust?'

Answ. You must be faithful to your trust, 1. If it be true religion and a good cause for which he suffereth. 2. Or if he be falsely accused of abuses in religion. 3. Or if he be faulty; but the penalty intended, from which you secure him, is incomparably beyond his fault and unjust. Supposing still that you save him only by lawful means, and that it be not like to tend to do more hurt than good, to the cause of religion or the commonwealth.

Quest. xii. 'What if a Papist or other erroneous person intrust me (being of the same mind) to educate his children in that way, when he is dead, and afterward I come to see the error, must I perform that trust or not?'

Answ. No: 1. Because no trust can oblige you to do hurt. 2. Because it is contrary to the primary intent of your friend; which was his children's good. And you may

well suppose that had he seen his error, he would have intrusted you to do accordingly: you are bound therefore to answer his primary intention, and truly to endeavour his children's good.

Quest. XIII. 'But what if a man to whom another hath intrusted his children, turn Papist or heretic, and so thinketh error to be truth? what must he do?'

Answ. He is bound to turn back again to the truth, and do accordingly.

Object. 'But one saith this is the truth and another that; and he thinketh he is right.'

Answ. There is but one of the contraries true. Men's thinking themselves to be in the right doth not make it so: and God will not change his laws, because they misunderstand or break them. Therefore still that which God bindeth them to is to return unto the truth. And if they think that to be truth which is not, they are bound to think otherwise. If you say, They cannot; it is either not true, or it is long of themselves that they cannot: and they that cannot immediately, yet mediately can do it, in the due use of means.

Quest. XIV. 'What if I foresee that the taking of a trust may hazard my estate, or otherwise hurt me, and yet my dying (or living) friend desireth it?'

Answ. How far the law of Christianity or friendship oblige you to hurt yourself for his good, must be discerned by a prudent considering what your obligations are to the person, and whether the good of your granting his desires, or the hurt to yourself is like to be the greater, and of more public consequence; and whether you injure not your own children or others by gratifying him: and upon such comparison prudence must determine the case.

Quest. XV. 'But what if afterward the trust prove more to my hurt than I foresaw?'

Answ. If it was your own fault that you foresaw it not, you must suffer proportionably for that fault. But otherwise you must compare your own hurt with the orphans in case you do not perform the trust; and consider whether they may not be relieved another way; and whether you have reason to think that if the parent were alive and knew your danger, he would expect you should perform your

trust, or would discharge you of it. If it be some great and unexpected dangers, which you think upon good grounds the parent would acquit you from if he were living, you fulfil your trust if you avoid them, and do that which would have been his will if he had known it. Otherwise you must perform your promise though it be to your loss and suffering?

Quest. xvi. 'But what if it was only a trust imposed by his desire and will, without my acceptance or promise to perform it?'

Ans. You must do as you would be done by, and as the common good, and the laws of love and friendship do require. Therefore the quality of the person, and your obligations to him, and especially the comparing of the consequent good and evil together must decide the case.

Quest. xvii. 'What if the surviving kindred of the orphan be nearer to him than I am, and they censure me and calumniate me as injurious to the orphan, may I not ease myself of the trust, and cast it upon them?'

Ans. In this case also, the measure of your suffering must first be compared with the measure of the orphan's good; and then your conscience must tell you whether you verily think the parent who intrusted you, would discharge you if he were alive and knew the case. If he would, though you promised, it is to be supposed that it was not the meaning of his desire or your promise, to incur such suffering: and if you believe that he would not discharge you if he were alive, then if you promised you must perform; but if you promised not, you must go no farther than the law of love requireth.

Quest. xviii. 'What is a minister of Christ to do, if a penitent person confess secretly some heinous or capital crime to him, (as adultery, theft, robbery, murder:) must it be concealed or not?'

Ans. 1. If a purpose of sinning be antecedently confessed, it is unlawful to farther the crime, or give opportunity to it by a concealment: but it must be so far opened as is necessary for the prevention of another's sin; especially if it be treason against the king or kingdom, or any thing against the common good.

2. When the punishment of the offender is apparently

necessary to the good of others, especially to right the king or country, and to preserve them from danger by the offender or any other, it is a duty to open a past fault that is confessed, and to bring the offender to punishment, rather than injure the innocent by their impunity.

3. When restitution is necessary to a person injured, you may not by concealment hinder such restitution; but must procure it to your power where it may be had.

4. It is unlawful to promise universal secrecy absolutely to any penitent. But you must tell him before he confesseth, 'If your crime be such, as that opening it is necessary to the preservation or righting of king, or country, or your neighbour, or to my own safety, I shall not conceal it.' That so men may know how far to trust you.

5. Yet in some rare cases, (as the preservation of our parents, king, or country,) it may be a duty to promise and perform concealment, when there is no hurt like to follow but the loss or hazard of our own lives, or liberties, or estates; and consequently if no hurt be like to follow but some private loss of another, which I cannot prevent without a greater hurt.

6. If a man ignorant of the law, and of his own danger, have rashly made a promise of secrecy, and yet be in doubt, he should open the case 'in hypothesi' only, to some honest, able lawyer, inquiring if such a case should be, what the law requireth of the pastor, or what danger he is in if he conceal it; that he may be able farther to judge of the case.

7. He that made no promise of secrecy, virtual or actual, may 'cæteris paribus' bring the offender to shame or punishment rather than to fall into the like himself for the concealment.

8. He that rashly promised universal secrecy, must compare the penitent's danger and his own, and consider whose suffering is like to be more to the public detriment, all things considered, and that must be first avoided.

9. He that findeth it his duty to reveal the crime to save himself, must yet let the penitent have notice of it, that he may fly and escape; unless as aforesaid, when the interest of the king, or country, or others, doth more require his punishment.

10. But when there is no such necessity of the offender's

punishment, for the prevention of the hurt or wrong of others, nor any great danger by concealment to the minister himself, I think that the crime, though it were capital, should be concealed. My reasons are,

(1.) Because though every man be bound to do his best to prevent sin, yet every man is not bound to bring offenders to punishment: he that is no magistrate, nor hath a special call so to do, may be in many cases not obliged to it.

(2.) It is commonly concluded that (in most cases) a capital offender is not bound to bring himself to punishment: and that which you could not know but by his free confession, is confessed to you only on your promise of concealment, seemeth to me to put you under no other obligation to bring him to punishment than he is under himself.

(3.) Christ's words and practice, in dismissing the woman taken in adultery, sheweth that it is not always a duty for one that is no magistrate to prosecute a capital offender, but that sometimes his repentance and life may be preferred.

(4.) And magistrates' pardons shew the same.

(5.) Otherwise no sinner would have the benefit of a counsellor to open his troubled conscience to: for if it be a duty to detect a great crime in order to a great punishment, why not a less also in order to a less punishment. And who would confess when it is to bring themselves to punishment?

11. In those countries where the law allows pastors to conceal all crimes that penitents freely confess, it is left to the pastor's judgment to conceal all that he discerneth may be concealed without the greater injury of others, or of the king or commonwealth.

12. There is a knowledge of the faults of others, by common fame, especially many years after the committing, which doth not oblige the hearers to prosecute the offender. And yet a crime publicly known is more to be punished (lest impunity embolden others to the like) than an unknown crime, revealed in confession.

Tit. 2. Directions about Trusts and Secrets.

Direct. 1. 'Be not rash in receiving secrets or any other trusts: but first consider what you are thereby obliged to,

and what difficulties may arise in the performance; and foresee all the consequents as far as is possible, before you undertake the trust; that you cast not yourselves into snares by mere inconsiderateness, and prepare not for perplexities and repentance.

Direct. 11. 'Be very careful what persons you commit either trusts or secrets to:' and be sure they be trusty by their wisdom, ability, and fidelity.

Direct. 111. 'Be not too forward in revealing your own secrets to another's trust:' for, 1. You cannot be certain of any one's secrecy, where you are most confident. 2. You oblige yourself too much to please that person, who by revealing your secrets may do you hurt; and are in fear lest carelessness, or unfaithfulness, or any accident should disclose it. 3. You burden your friend with the charge and care of secrecy*.

Direct. 1v. Be faithful to your friend that doth intrust you; remembering that perfidiousness or falsehood to a friend, is a crime against humanity, and all society, as well as against Christianity; and stigmatizeth the guilty in the eyes of all men, with the brand of an odious, unsociable person.

Direct. v. 'Be not intimate with too many, nor confident in too many:' for he that hath too many intimates, will be opening the secrets of one to another.

Direct. vi. 'Abhor covetousness and ambition:' or else a bribe or the promise of preferment, will tempt you to perfidiousness. There is no trusting a selfish, worldly man.

Direct. vii. 'Remember that God is the avenger of perfidiousness, who will do it severely:' and that even they that are pleased and served by it, do yet secretly disdain and detest the person that doth it; because they would not be so used themselves.

Direct. viii. 'Yet take not friendship or fidelity to be an obligation to perfidiousness to God, or the king, or commonwealth, or to another, or to any sin whatsoever.'

* Quod tacitum esse velis nemini dixeris. Si tibi non imperasti, quomodo ab alio silentium speras? Martin. Dumiens. de morib.