

Direct. x. 'If any that profess Christianity reproach you for the profession of holiness and diligence, convince them that they hypocritically profess the same, and that holiness is essential to Christianity:' open their baptismal covenant to them, and the Lord's prayer in which they daily pray that God's will may be done on earth even as it is in heaven, which is more strictly than the best of us can reach. The difference between them and you is but this, whether we should be Christians hypocritically in jest, or in good earnest.

CHAPTER V.

Directions about Vows and Particular Covenants with God.

Tit. 1. Directions for the Right Making such Vows and Covenants.

Direct. 1. 'UNDERSTAND the nature of a vow, and the use to which it is appointed.'

A vow is a promise made to God. 1. It is not a bare assertion or negation. 2. It is not a mere pollicitation, or expression of the purpose or resolution of the mind: for he that saith or meaneth no more than, 'I am purposed or resolved to do this,' may upon sufficient reason do the contrary: for he may change his mind and resolution, without any untruth or injury to any. 3. It is not a mere devoting of a thing to God for the present by actual resignation. For the present actual delivery of a thing to sacred uses is no promise for the future: though we usually join them both together, yet 'devovere' may be separated from 'vovere.' 4. It must be therefore a promise, which is, a voluntary obliging one's self to another 'de futuro' for some good. 5. It is therefore implied that it be the act of a rational creature, and of one that in that act hath some competent use of reason, and not of a fool, or idiot, or madman, or a child that hath not reason for such an act, no nor of a brain-sick, or melancholy person, who (though he be 'cætera sanus') is either delirant in that business, or is irresistibly borne down and necessitated by his disease to vow against the sober,

deliberate conclusion of his reason at other times, having at the time of vowing, reason enough to strive against the act, but not self-government enough to restrain a passionate, melancholy vow. 6. Whereas some casuists make deliberation necessary, it must be understood that to the being of a vow so much deliberation is requisite as may make it a rational human act, it must be an act of reason: but for any further deliberation, it is necessary only to the well-being, and not to the being of a vow, and without it it is a rash vow, but not no vow^a. 7. When we say, it must be a voluntary act, the meaning is not that it must be totally and absolutely voluntary, without any fear or threatening to induce us to it; but only that it be really voluntary, that is, an act of choice, by a free agent, that considering all things doth choose so to do. He that hath a sword set to his breast, and doth swear or vow to save his life, doth do it voluntarily, as choosing rather to do it than to die. Man having free-will, may choose rather to die, than vow if he think best: his will may be moved by fear, but cannot be forced by any one, or any means whatsoever. 8. When I say that a vow is a promise, I imply that the matter of it is necessarily some real or supposed good; to be good, or to do good, or not to do evil. Evil may be the matter of an oath, but it is not properly a vow, if the matter be not supposed good. 9. It is a promise made to God, that we are now speaking of; whether the name of a vow belong to a promise made only to man, is a question 'de nomine' which we need not stop at.

A vow is either a simple promise to God, or a promise bound with an oath or imprecation. Some would appropriate the name of a vow to this last sort only, (when men swear they will do this or that,) which indeed is the most formidable sort of vowing; but the true nature of a vow is found also in a simple self-obliging promise.

The true reason and use of vows is but for the more certain and effectual performance of our duties: not to make new laws, and duties, and religions for us, but to drive on

^a *Viris gravibus vehementer displicere animadverti, quod ab indis testimonium jurejurando exigitur, cum constet eos facillime pejerare, utpote qui neque juramenti vim sentiant neque veritatis studio tangerantur, sed testimonium eo modo dicant, quo credant judici gratissimum fore, aut à primo suæ factionis homine edocti sunt. Hos igitur jurare compellere et ipsis exitiosum propter perjuria, &c. Acosta p. 345.*

the backward, lingering soul to do its duty, and to break over difficulties and delays: that by strengthening our bonds, and setting the danger before our eyes, we may be excited to escape it.

It is a great question, whether our own vows can add any new obligation to that which before lay upon us from the command of God. Amesius saith (Cas. Consc. lib. iv. c. 16.) ‘Non additur proprie in istis nova obligatio, neque augetur in se prior: sed magis agnoscitur et recipitur à nobis: passive in istis æque fuimus antea obligati: sed activa recognitione arctiùs nobis applicatur à nobismetipsis.’ Others commonly speak of an additional obligation: and indeed there is a double obligation added by a vow, to that which God before had laid on us, to the matter of that vow. Premising this distinction between ‘Obligatio imponentis,’ a governing obligation, (which is the effect of governing right or authority,) and ‘Obligatio consentientis,’ a self-obliging by voluntary consent, (which is the effect of that dominion which a rational free agent hath over his own actions,) I say, 1. He that voweth doth oblige himself, who before was obliged by God only; and that a man hath a power to oblige himself, is discerned by the light of nature, and is the ground of the law of nations, and of human converse: and though this is no divine obligation, yet is not therefore none at all. 2. But moreover he that voweth doth induce upon himself a new divine obligation, by making himself the subject of it. For example; God hath said, “Honour the Lord with thy substance:” this command obligeth me to obey it whether I vow it or not. The same God hath said, “Pay thy vows to the Most High^b:” and, “When thou vowest a vow to God, defer not to pay it^c.” This layeth no obligation on me till I vow: but when I have vowed it doth: so that now I am under a double divine obligation (one to the matter of the duty, and another to keep my vow), and under a self-obligation of my own vow: whence also a greater penalty will be due if I now offend, than else would have been.

Hence you may see what to think of the common determination of casuists concerning vows materially sinful, when they say, a man is not obliged to keep them. It is

^b Psal. l. 14.

^c Eccles. v. 4.

only thus far true, that God obligeth him not to do that particular thing which he voweth, for God had before forbidden it, and he changeth not his laws, upon man's rash vowings : but yet there is a self-obligation which he laid upon himself to do it : and this self-obligation to a sinful act, was itself a sin, and to be repented of, and not performed : but it bringeth the person under a double obligation to penalty, as a perjured person, even God's obligation who bindeth the perjured to penalty, and the obligation of his own consent to the punishment, if there was any oath or imprecation in the vow. If it were true that such a person had brought himself under no obligation at all, then he could not be properly called perjured, nor punished as perjured : but he that sweareth and voweth to do evil, (as the Jews to kill Paul) though he ought not to do the thing, (because God forbideth it) yet he is a perjured person for breaking his vow, and deserveth the penalty, not only of a rash vower, but of one perjured. Thus error may make a man sinful and miserable, though it cannot warrant him to sin.

Direct. 11. 'Try well the matter of your vows, and venture not on them till you are sure that they are not things forbidden :' things sinful or doubtful are not fit matter for a vow : in asserting, subscribing and witnessing, you should take care, that you know assuredly that the matter be true, and venture not upon that which may prove false : much more should you take care that you venture not doubtfully in vows and oaths. They are matters to be handled with dread and tenderness, and not to be played with, and rashly entered on, as if it were but the speaking of a common word : "Be not rash with thy mouth, and let not thy heart be hasty to utter any thing before God^d." It is a grievous snare that men are oft brought into by ignorant and rash vows^e : as the case of Jephtha, and Herod, and many another tell us for our warning : an error in such cases is much more safely and cheaply discerned before, than afterwards. To have a rash vow, or perjury to repent of, is to set a bone in joint, or pull a thorn out of your very eye, and who would choose

^d Eccles. v. 2.

^e Vid. Sanderson de Juram. Praelect. vii. Sect. 14. Juramentum oblatum reluctantante vel dubitante conscientia non est suscipiendum; 1. Quia quod non est ex fide peccatum est. 2. Quia jurandum est in judicio: quod certè is non facit qui contra conscientiam suam judicium facit, &c. ad finem.

such pain and smart? "Suffer not thy mouth to cause thy flesh to sin; neither say thou before the angel that it was an error: wherefore should God be angry at thy voice, and destroy the work of thy hands^f." "It is a snare to the man who devoureth that which is holy, and after vows to make inquiry^g." Be careful and deliberate to prevent such snares.

Direct. III. 'Vow not in a passion:' stay till the storm be over: whether it be anger or desire, or whatever the passion be, delay and deliberate before you vow: for when passion is up, the judgment is upon great disadvantage. In your passion you are apt to be most peremptory and confident when you are most deceived: if it be your duty to vow, it will be your duty to-morrow when you are calm. If you say, that duty must not be delayed, and that you must do it while the Spirit moveth you: I answer, Was it not as much a duty before your passion was kindled as now? It is no sinful delaying of so great a duty, to stay till you have well proved whether it be of God. If it be the Spirit of Christ that moveth you to it, he will be willing that you deliberate and try it by that Word which the same Spirit hath indited to be your rule. God's Spirit worketh principally upon the judgment and the will, by settled convictions, which will endure a rational trial: it is more likely to be your own spirit which worketh principally on the passion, and will not endure the trial, nor come into the light^h.

Direct. IV. 'Make not a vow of things indifferent and unnecessary:' if they be not good, in a true, comparing, practical judgment, which considereth all accidents and circumstances, they are no fit matter for a vow. Some say, things indifferent are the fittest matter both for vows and human laws; but either they speak improperly or untruly, and therefore dangerously at the best. If an idle word be a sin, then an idle action is not a thing to be vowed, because it is not a thing to be done, being as truly a sin as an idle word: and that which is wholly indifferent is idle; for if it be good for any thing, it is not wholly indifferent: and because it is antecedently useless, it is consequently sinful to be done.

Object. 1. 'But those that say things indifferent may be

^f Eccles. v. 6.

^g Prov. xx. 25.

^h John iii. 18, 19. Isa. viii. 20.

vowed, mean not, things useless or unprofitable to any good end ; but only those things that are good and useful, but not commanded : such as are the matter of God's counsels, and tend to man's perfection, as to vow chastity, poverty, and absolute obedience.'

Ans. There are no such things as are morally good, and not commanded : this is the fiction of men that have a mind to accuse God's laws and government of imperfection, and think sinful man can do better than he is commanded, when none but Christ ever did so well¹.

Quest. 1. What is moral goodness in any creature and subject, but a conformity to his ruler's will expressed in his law ? And if this conformity be its very form and being, it cannot be that any thing should be morally good that is not commanded.

Quest. 11. Doth not the law of God command us to love him with all our heart, and soul, and strength, and accordingly to serve him ? And is it possible to give him more than all ; or can God come after and counsel us to give him more than is possible ?

Quest. 111. Doth not the law of nature oblige us to serve God to the utmost of our power ? He that denieth it, is become unnatural, and must deny God to be God, or deny himself to be his rational creature : for nothing is more clear in nature, than that the creature who is nothing, and hath nothing but from God, and is absolutely his own, doth owe him all that he is able to do.

Quest. 1V. Doth not Christ determine the case to his disciples, Luke xvii. 10. ?

A middle between good and evil in morality is a contradiction : there is no such thing ; for good and evil are the whole of morality : without these species there is no morality.

Object. 11. ' It seems then you hold that there is nothing indifferent, which is a paradox.'

Ans. No such matter : there are thousands and millions of things that are indifferent ; but they are things natural only, and not things moral. They are indifferent as to mo-

¹ See the fourteenth Article of the church of England, against voluntary works, over and above God's commandments, as impious.

ral good and evil, because they are neither: but they are not 'indifferentia moralia:' the indifferency is a negation of any morality in them 'in genere,' as well as of both the species of morality^k. Whatsoever participateth not of virtue or vice, and is not eligible or refusable by a moral agent as such, hath no morality in it. There may be two words so equal as it may be indifferent which you speak; and two eggs so equal, as that it may be indifferent which you eat: but that is no more than to say, the choosing of one before the other, is not 'actus moralis:' there is no matter of morality in the choice.

Object. III. 'But if there may be things natural that are indifferent, why not things moral?'

Answ. As goodness is convertible with entity, there is no natural being but is good: as goodness signifieth commodity, there is nothing but is profitable or hurtful, and that is good to one that is hurtful to another: but if it were not so, yet such goodness or badness is but accidental to natural being; but moral goodness and badness is the whole essence of morality.

Object. IV. 'But doth not the apostle say, "He that marrieth doth well, and he that marrieth not doth better?" Therefore all is not sin, which is not best.'

Answ. The question put to the apostle to decide, was about marrying or not marrying, as it belonged to all Christians in general, and not as it belonged to this or that individual person by some special reason differently from others. And so in respect to the church in general, the apostle determineth that there is no law binding them to marry, or not to marry: for a law that is made for many must be suited to what is common to those many. Now marriage being good for one and not for another, is not made the matter of a common law, nor is it fit to be so, and so far is left indifferent: but because that to most it was rather a hindrance to good in those times of the church, than a help, therefore for the present necessity, the apostle calleth mar-

^k Stoici indifferentia distinguunt: 1. Ea quæ neque ad felicitatem neque ad infelicitatem conferunt, ut sunt divitiæ, sanitas, vires, gloria, &c. Nam etsine his contingit felicem esse; cum earum usus vel rectus felicitatis, vel pravus infelicitatis author sit. 2. Quæ neque appetitum neque occasionem movent, ut pares vel imparēs habere capillos, &c. See Diog. Laert. lib. vii. sect. 104. p. 429.

rying "doing well," because it was not against any universal law, and it was a state that was suitable to some; but he calls not marrying "doing better," because it was then more ordinarily suited to the ends of Christianity. Now God maketh not a distinct law for every individual person in the church; but one universal law for all: and this being a thing variable according to the various cases of individual persons, was unfit to be particularly determined by an universal law. But if the question had been only of any one individual person, then the decision would have been thus: though marrying is a thing not directly commanded or forbidden, yet to some it is helpful as to moral ends, to some it is hurtful, and to some it is so equal or indifferent, that it is neither discernibly helpful nor hurtful; now by the general laws or rules of Scripture to them that 'consideratis considerandis' it is discernibly helpful, it is not indifferent, but a duty; to them that it is discernibly hurtful, it is not indifferent, but a sin; to them that it is neither discernibly helpful or hurtful as to moral ends, it is indifferent, as being neither duty nor sin; for it is not a thing of moral choice or nature at all. But the light of nature telleth us that God hath not left it indifferent to men to hinder themselves or to help themselves as to moral ends; else why pray we, "Lead us not into temptation?" And marriage is so great a help to some, and so great a hurt to others, that no man can say that it is morally indifferent to all men in the world: and therefore that being none of the apostle's meaning, it followeth that his meaning is as aforesaid.

Object. v. 'But there are many things indifferent in themselves, though not as clothed with all their accidents and circumstances: and these actions being good in their accidents, may be the matter of a vow.'

Ans. True, but those actions are commanded duties, and not things indifferent as so circumstantiated. It is very few actions in the world that are made simply duties or sins, in their simple nature without their circumstances and accidents: the commonest matter of all God's laws, is actions or dispositions which are good or evil in their circumstances and accidents. Therefore I conclude, things wholly indifferent are not to be vowed.

Direct. v. 'It is not every duty that is the matter of a

lawful vow.' Else you might have as many vows as duties : every good thought, and word, and deed might have a vow. And then every sin which you commit would be accompanied and aggravated with the guilt of perjury. And no wise man will run his soul into such a snare. *Object.* ' But do we not in baptism vow obedience to God? And doth not obedience contain every particular duty?' *Answer.* We vow sincere obedience, but not perfect obedience. We do not vow that we will never sin, nor neglect a duty (nor ought we to do so). So that as sincere obedience respecteth every known duty as that which we shall practise in the bent of our lives, but not in perfect constancy or degree, so far our vow in baptism hath respect to all known duties, but no further.

Direct. vi. ' To make a vow lawful, besides the goodness of the thing which we vow, there must be a rational, discernible probability that the act of vowing it will do more good than hurt : and this to a wise, foreseeing judgment.' For this vowing is not an ordinary worship to be offered to God (except the baptismal vow renewed in the Lord's supper and at other seasons); but it is left as an extraordinary means, for certain ends which cannot by ordinary means be attained : and therefore we must discern the season, by discerning the necessity or usefulness of it. Swearing is a part of the service of God, but not of his daily worship, nor frequently and rashly to be used, by any that would not be held guilty of taking the name of God in vain : and so it is in the case of vowing. Therefore he that will make a lawful vow, must see beforehand what is the probable benefit of it, and what is the probable hurt or danger : and without this foresight it must be rash, and cannot be lawful. And therefore no one can make a lawful vow, but wise, foreseeing persons, and those that advise with such, and are guided by them, if they be not such themselves : unless in a case where God hath prescribed by his own determining commands (as in the covenant of Christianity). Therefore to one man the same vow may be a sin, that to another may be a duty ; because one may have more reason for it, or necessity of it, and less danger by it than another. One man may foresee that vowing (in case where there is no necessity) may ensnare him either in perplexing doubts,

or terrors, which will make all his life after more irregular or uncomfortable. Another man may discern that he is liable to no such danger¹.

Direct. VII. 'No man should pretend danger or scruple against his renewing the vow of Christianity, or any one essential part of it; viz. To take God the Father, Son, and Holy Ghost for my God, and Saviour, and Sanctifier, my Owner, Governor, and Father; renouncing the devil, the world, and the flesh.' Because there is an absolute necessity 'præcepti et medii,' of performing this, and he that doth it not shall certainly be damned; and therefore no worse matter can stand up against it: he that denieth it, giveth up himself despairingly to damnation. Yet I have heard many say, I dare not promise to turn to God, and live a holy life, lest I break this promise, and be worse than before. But dost thou not know, that it must be both made and kept, if thou wilt be saved? Wilt thou choose to be damned, for fear of worse? There is but one remedy for thy soul, and all the hope of thy salvation-lieth upon that alone. And wilt thou refuse that one, for fear lest thou cast it up and die? when thou shalt certainly die unless thou both take it, and keep it, and digest it.

Direct. VIII. 'About particular sins and duties, deliberate resolutions are the ordinary means of governing our lives; and vows must not be used where these will do the work without them.' For extraordinary means must not be used, when ordinary will serve the turn. Nor must you needlessly draw a double guilt upon yourselves in case of sinning. And in mutable or doubtful cases, a resolution may be changed, when a vow cannot. Try therefore what deliberate resolutions will do, with the help of other ordinary means, before you go any further.

Direct. IX. 'When ordinary resolutions and other helps will not serve the turn, to engage the will to the forbearance

¹ Plutarch. Quest. Roman. 44. Why may not priests swear? Resp. Is it because an oath put to free-born men, is as it were the rack and torture offered them? For certain it is that the soul as well as the body of the priest, ought to continue free, and not be forced by any torture. Or that we must not distrust them in small matters, who are to be believed in great and divine things? Or because the peril of perjury would reach in common to the whole Commonwealth, if a wicked, and ungodly, and forsworn person should have the charge and superintendency of the prayers, vows, and sacrifices made in behalf of the city? Page 866.

of a known sin, or the performance of a known duty, but temptations are so strong as to bear down all, then it is reasonable to bind ourselves by a solemn vow, so it be cautiously and deliberately done, and no greater danger like to follow.' In such a case of necessity, 1. You must deliberate on the benefits and need. 2. You must foresee all the assaults that you are like to have to tempt you to perjury, that they come not unexpected. 3. You must join the use of all other means for the keeping of your vows.

Direct. x. 'Make not a law and religion to yourselves by your voluntary vows, which God never made you by his authority: nor bind yourselves for futurity to all that is a duty at present, where it is possible that the change of things may change your duty.' God is our King and Governor, and not we ourselves: it is not we, but he that must give laws to us. We have work enough to do of his appointing: we need not make more to ourselves, as if he had not given us enough. Vows are not to make us new duties or religions, but to further us in the obedience of that which our Lord hath imposed on us. It is a self-condemning sin of foolish will-worshippers, to be busy in laying more burdens on themselves, when they know, they cannot do so much as God requireth of them. Yea, some of them murmur at God's laws as too strict, and at the observers of them as too precise, (though they come far short of what is their duty); and yet will be cutting out more work for themselves.

And it is not enough that what you vow be your duty at the present, but you must bind yourselves to it by vows no longer than it shall remain your duty. It may be your duty at the present to live a single life; but if you will vow therefore that you will never marry, you may bind yourselves to that which may prove your sin: you know not what alterations may befall you in your body or estate, that may invite you to it. Are you sure that no change shall make it necessary to you? Or will you presume to bind God himself by your vows, that he shall make no such alteration? Or if you were never so confident of your own unchangeableness, you know not what fond and violent affections another may be possessed with, which may make an alteration in your duty. At the present it may be your duty

to live retiredly, and avoid magistracy and public employments ; but you may not therefore vow it for continuance : for you know not but God may make such alterations, as may make it so great and plain a duty, as without flat impiety or cruelty you cannot refuse : perhaps at the present it may be your duty to give half your yearly revenues to charitable and pious uses ; but you must not therefore vow it for continuance (without some special cause to warrant it) : for perhaps the next year it may be your duty to give but a fourth or a tenth part, or none at all, according as the providence of God shall dispose of your estate and you. Perhaps God may impose a clear necessity on you, of using your estate some other way.

Direct. XI. ' If you be under government, you may not lawfully vow without your governor's consent, to do any thing which you may not lawfully do without their consent, in case you had not vowed it.' For that were, 1. Actually to disobey them at the present, by making a vow without the direction and consent of your governors. 2. And thereby to bind yourselves to disobey them for the future, by doing that without them, which you should not do without them. But if it be a thing that you may do, or must do, though your governors forbid you, then you may vow it though they forbid you, (if you have a call from the necessity of the vow).

Direct. XII. ' If oaths be commanded us by usurpers that have no authority to impose them, we must not take them in formal obedience to their commands.' For that were to own their usurpation and encourage them in their sin : if we owe them no obedience in any thing, we must not obey them in so great a thing : or if they have some authority over us in other matters, but none in this (as a constable hath no power to give an oath), we must not obey them in the point where they have no authority. But yet it is possible that there may be other reasons that may make it our duty to do it, though not as an act of formal obedience : as I may take an oath when a thief or murderer requireth it, not to obey him, but to save my life. And if any man command me to do that which God commandeth me, I must do it, because God commandeth it.

Direct. XIII. ' If a lawful magistrate impose an oath or

vow upon you, before you take it you must consult with God, and know that it is not against his will.' God must be first obeyed in all things: but especially in matters of so great moment, as vows and promises.

Quest. 1. 'What if I be in doubt whether the oath or promise imposed be lawful? must I take it, or not? If I take an oath which I judge unlawful or false, I am a perjured or profane despiser of God: and if a man must refuse all oaths or promises, which the magistrate commandeth, if he do but doubt whether they be lawful, then government and justice will be injured, while every man that hath ignorance enough to make him dubious, shall refuse all oaths and promises of allegiance, or for witness to the truth.'

Ans. 1. I shall tell you what others say first in the case of doubting: Dr. Sanderson saith, Prælect. iii. Sect. 10. pp. 74, 75. 'Tertius casus est cum quis juramento pollicetur se facturum aliquid in se fortassis licitum, quod tamen ipse putat esse illicitum. Ut si quis ante hæc tempora admittendus ad beneficium (ut vocant) Ecclesiasticum, promisisset in publicis sacris observare omnes ritus legibus Ecclesiasticis imperatos; vestem scilicet lineam, crucis signum ad sacrum fontem, ingenuationem in percipiendis symbolis in sacra cœna, et id genus alios; quos ipse tamen ex aliquo levi præjudicio putaret esse superstitiosos et Papisticos: quæritur in hoc casu quæ sit obligatio? Pro Resp. dico tria: Dico 1. Non posse tale juramentum durante tali errore sine gravi peccato suscipi. Peccat enim gravitur qui contra conscientiam peccat, etsi erroneam. Judicium enim intellectus cum sit unicuique proxima agendi regula; voluntas, si judicium illud non sequatur, deficiens à regula sua, necesse est ut in obliquum feratur. Tritum est illud, Qui facit contra conscientiam ædificat ad gehennam. Sane qui jurat in id quod putat esse illicitum, nihilominus juraturus esset, si esset revera illicitum; atque ita res illa, ut ut alii licita, est tamen ipsi illicita; sententiam ferente Apostolo, Rom. xiv. 14. &c. Dico 2. Tale juramentum non obligare, &c.—' That is, 'The third case is, when a man promiseth by oath that he will do a thing which in itself perhaps is lawful, but he thinketh to be unlawful: as if one before these times being to be admitted to an Ecclesiastical benefice (as they call it), had promised,

that in public worship he would observe all the rites commanded in the Ecclesiastic laws, to wit, the surplice, the sign of the cross at the sacred font, kneeling in the receiving of the symbols in the holy supper, and others the like; which yet out of some light prejudice, he thought to be superstitious and Papistical. The question is, what obligation there is in this case? For answer I say three things, 1. I say that an oath, while such an error lasteth, cannot be taken without grievous sin: for he grievously sinneth, who sinneth against his conscience, although it be erroneous. For when the judgment of the intellect is to every man the nearest rule of action, it must be that the will is carried into obliquity, if it follow not that judgment, as swerving from its rule. It is a common saying, he that doth against his conscience, buildeth unto hell: verily he that sweareth to that which he thinketh to be unlawful, would nevertheless swear if it were indeed unlawful. And so the thing, though lawful to another, is to him unlawful, the apostle passing the sentence, Rom. xiv. 14. &c. 2. I say, that such an oath bindeth not, &c.—' Of the obligation I shall speak anon; but of the oath or promise, I think the truth lieth here as followeth.

1. The question 'de esse' must first be resolved, before the question of knowing or opinion. Either the thing is really lawful which is doubted of, or denied, or it is not. If it be not, then it is a sin to swear or promise to it; and here there is no case of error. But if it be really lawful, and the vowing of it lawful, then the obligations that lie upon this man are these, and in this order, (1.) To have a humble suspicion of his own understanding. (2.) To search, and learn, and use all means to discern it to be what it is. (3.) In the use of these means to acknowledge the truth. (4.) And then to promise and obey accordingly. Now this being his duty, and the order of his duty, you cannot say that he is not obliged to any one part of it, though he be obliged to do it all in this order, and therefore not to do the last first, without the former: for though you question an hundred times, 'What shall he do as long as he cannot see the truth?' the law of God is still the same; and his error doth not disoblige him: 'Nemini debetur commodum ex sua culpa.' So many of these acts as he omitteth, so much

he sinneth. It is his sin if he obey not the magistrate ; and it is his sin that he misjudgeth of the thing, and his sin that he doth not follow the use of the means till he be informed. So that his erring conscience entangleth him in a necessity of sinning ; but disobligeth him not at all from his obedience. 2. But yet this is certain, that in such a case, he that will swear because man biddeth him, when he taketh it to be false, is a perjured, profane despiser of God ; but he that forbeareth to swear for fear of sinning against God, is guilty only of a pardonable, involuntary weakness.

Direct. xiv. ' Take heed lest the secret prevalency of carnal ends or interest, and of fleshly wisdom do bias your judgment, and make you stretch your consciences to take those vows or promises, which otherwise you would judge unlawful, and refuse.' Never good cometh by following the reasonings and interest of the flesh, even in smaller matters ; much less in cases of such great importance. Men think it fitteth them at the present, and doth the business which they feel most urgent ; but it payeth them home with troubles and perplexities at the last : it is but like a draught of cold water in a fever. You have some present charr to do, or some strait to pass through, in which you think that such an oath, or promise, or profession would much accommodate you ; and therefore you venture on it, perhaps to your perdition. It is a foolish course to cure the parts (yea, the more ignoble parts) with the neglect and detriment of the whole : it is but like those that cure the itch by anointing themselves with quicksilver ; which doth the charr for them, and sendeth them after to their graves, or casteth them into some far worse disease. Remember how deceitful a thing the heart is, and how subtly such poison of carnal ends will insinuate itself. O how many thousands hath this undone ! that before they are aware, have their wills first charmed and inclined to the forbidden thing, and fain would have it to be lawful ; and then have brought themselves to believe it lawful, and so to commit the sin ; and next to defend it, and next to become the champions of satan, to fight his battles, and vilify and abuse them, that by holy wisdom and tenderness have kept themselves from the deceit.

Tit. 2. Directions against Perjury and Perfidiousness: and for keeping Vows and Oaths.

Direct. 1. ' Be sure that you have just apprehensions of the greatness of the sin of perjury.' Were it seen of men in its proper shape, it would more affright them from it than a sight of the devil himself would do. I shall shew it you in part in these particulars.

1. It containeth a lie, and hath all the malignity in it which I before shewed to be in lying, with much more. 2. Perjury is a denial or contempt of God. He that appealeth to his judgment by an oath, and doth this in falsehood^m, doth shew that either he believeth not that there is a Godⁿ, or that he believeth not that he is the righteous governor of the world, who will justly determine all the causes that belong to his tribunal. The perjured person doth as it were bid defiance to God, and setteth him at nought, as one that is not able to be avenged on him. 3. Perjury is a calling for the vengeance of God against yourselves. You invite God to plague you, as if you bid him do his worst: you appeal to him for judgment in your guilt, and you shall find that he will not hold you guiltless. Imprecations against yourselves are implied in your oaths: he that sweareth doth say in effect, ' Let God judge and punish me as a perjured wretch, if I speak not the truth.' And it is a dreadful thing to fall into the hands of the living God, " For vengeance is his and he will recompence:" and when he judgeth the wicked, " he is a consuming fire." 4. Perjury and perfidiousness are sins that leave the conscience no ease of an extenuation or excuse; but it is so heinous a villany, that it is the seed of self-tormenting desperation. Some conscience can make shift awhile to hide, by saying, ' It is a controversy:' and ' Many wise men are of another mind: ' but perjury is a sin which heathens and infidels bear as free a testimony against (in their way) as Christians do. Some

^m See Casaubon's Exercit. 207.

ⁿ Cotta in Cic. de Nat. D. to prove that some hold there is no God, saith, Quid de sacrilegiis, de impiis, de perjuriis dicemus, si carbo, &c. putasset esse Deos, tam perjurus aut impius non fuisset. See lib. i. 63. (T. C.)

• Heb. x. 31. 30. xii. 29.

sins are shifted off by saying, 'They are little ones:' but Christians^p and heathens are agreed that perjury is a sin almost as great as the devil can teach his servants to commit. Saith Plutarch^q, 'He that deceiveth his enemy by an oath, doth confess thereby that he feareth his enemy, and despiseth God.' Saith Cicero, 'The penalty of perjury is destruction from God, and shame from man.' Saith Q. Curtius, 'Perfidiousness is a crime which no merits can mitigate.' Read Cicero de Offic. lib. iii. Saith Aristotle, 'He that will extenuate an oath, must say, that those villanous wretches that think God seeth not, do think also to go away with their perjury unpunished.' In a word, the heathens commonly take the revenge of perjury to belong in so especial a manner to the gods, that they conclude that man, and usually his posterity to be destined to ruin, that is perjured and perfidious: insomuch that it is written^r of Agesilaus and many others, that when their enemies were perjured and broke their covenants, they took it for a sign of victory, and the best prognostic of their success against them. Plutarch recordeth this story of Cleomenes, that having made a truce for seven days with the Argives, he set upon them, and killed and took many of them in the night; and when he was charged with perfidiousness, answered, 'I made not a truce with them for seven nights, but for seven days.' But the women fetched arms out of the temples of the gods, and repulsed him with shame, and he ran mad, and with his sword did mangle his own body, and died in a most hideous manner. When conscience is awakened to see such a sin as perjury, no wonder if such run mad, or hang themselves, as perfidious Achitophel and Judas did. No doubt but everlasting horror and desperation will be the end of such, if true conversion do not prevent it. 5. It is a sin that ruineth families and societies^s, like fire that being

^p One of Canutus' laws (26.) was, that perjured persons, with sorcerers, idolaters, strumpets, breakers of wedlock be banished the realm: cited by Bilson of Subject. p. 202. Hew few would be left in some lands, if this were done.

^q Plut. in Lysand. Cicero de Leg. lib. iii. Curt. lib. vii. Arist. Rhet. c. 17.

^r Ælian. Vari. Hist. lib. xiv.

^s Though as Moder. Polic. saith, Princ. 7. It is a huge advantage that man hath in a credulous world, that can easily say and swear to any thing: and yet so palliate his perjuries as to hide them from the cognizance of the most. Gabionitarum irritum fœdus, calliditate licet extortum, nonnullis intulisse exitum, &c. Gildas in Prolog. p. 2. Josseline's Ed.

kindled in the thatch, never stoppeth till it have consumed all the house. Though "the curse of the Lord is in the house of the wicked, but he blesseth the habitation of the just"; yet among all the wicked, there are few so commonly marked out with their families to shame and ruin, as the perjured. Whatever nation is stigmatized with a 'fides Punica vel Græca,' 'with the brand of perjury,' it is not only their greatest infamy, but like 'Lord have mercy on us' written on your doors, a sign of a destroying plague within'.
Saith Silius,

Non illi domus aut conjux aut vita manebit
Unquam expers luctus, lachrymæque : aget æquore semper
Ac tellure premens ; aget ægrum nocte dieque ;
Despecta ac violata fides.—

Saith Claudian,

In prolem dilatarunt perjuria patris,
Et penam merito filius ore luit.—

So Tibullus,

Ah miser : et si quis primo perjuria celat,
Sera tamen tacitus pœna venit pedibus.

Saith Pausanias, 'The fraud that is committed by perjury, falleth upon posterity.' 6. Perjury and perfidiousness are virtually treason, rebellion, and murder against kings and magistrates, and no more to be favoured in a kingdom, by a king that loveth his life and safety, than the plague in a city, or poison to the body. 'Tristissimum et domesticum regibus omnibus pharmacum liberorum, amicorum et exercitus perfidia,' saith Appian. What security have princes of their crowns or lives, where oaths and covenants seem not obligatory? There is then nothing left but fear of punishment to restrain the violence of any one that would do them mischief: and craft or strength will easily break the bonds of fear. He that would dissolve the bond of oaths, and teach men to make light of perjury, is no more to be

¹ Prov. iii. 33.

² Haad amentum justitiæ est fides, i. e. dictorum conventorumque constantia et veritas. Cicero.

endured in a kingdom, than he that openly inviteth the subjects to kill their king, or rise up in rebellion against him. If he that breaketh the least of God's commands, and teacheth men so to do, shall be called least in the kingdom of God, then surely he that breaketh the great commands by the most odious sin of perjury, and teacheth men so to do, should neither be great, nor any thing, in the kingdoms of men. 7. Perjury is the poison of all societies, and of friendship, and of human converse, and turneth all into a state of enmity or hostility, and teacheth all men to live together like foes. He that is not to be believed when he sweareth, is never to be believed: and when oaths and covenants signify nothing, and no man can believe another, what are they but as so many foes to one another? How can there be any relations of governors and subjects? of husband and wife? of masters and servants? Or how can there be any trading or commerce, when there is no trust? Perjury dissolveth all societies by loosening all the bonds of association. Well might Dionys. Halic. lib. iii. say, 'The perfidious are far worse than open enemies, and worthy of far greater punishment. For a man may more easily avoid the ambushments of foes, and repel their assaults, than escape the perfidiousness of seeming friends.' Saith Val. Max. lib. ix. c. 6. 'Perfidiousness is a hidden and ensnaring mischief; whose effectual force is in lying and deceiving: its fruit consisteth in some horrid villany; which is ripe and sure when it hath compassed cruelty with wicked hands; bringing as great mischief to mankind, as fidelity bringeth good and safety.' He that teacheth the doctrine of perjury and perfidiousness, doth bid every man shift for himself, and trust no more his friend or neighbour, but all take heed of one another as so many serpents or wild beasts. Lions and bears may better be suffered to live loose among men, than those that teach men to make light of oaths. 8. Thus also it destroyeth personal love, and teacheth all men to be haters of each other: for it can be no better, when men become such hateful creatures to each other, as not at all to be credited or sociably conversed with. 9. Perjury and perfidiousness do proclaim men deplorate; and stigmatize them with this character, that they are persons that will stick at the committing of no kind of villany in the world, further

than their fleshly interest hindereth them: no charity bindeth a man to think that he will make conscience of murder, rebellion, deceit, adultery, or any imaginable wickedness, who maketh no conscience of perjury and perfidiousness. Such a person alloweth you to judge that if the temptation serve, he will do any thing that the devil bids him: and that he is virtually a compound of all iniquity, and prepared for every evil work. 10. Lastly, As perjury doth thus dissolve societies, and turn mankind into enmity with each other, so it would make the misery incurable, by making even penitents incredible. Who will believe him, even while he professeth to repent, that hath shewed that when he sweareth he is not to be believed? He that dare forswear himself, dare lie when he pretendeth repentance for his perjury. It must be some deeds that are more credible than words and oaths, that must recover the credit of such a man's professions. If perjury have violated any relations, it leaveth the breach almost incurable, because no professions of repentance or future fidelity can be trusted. Thus I have partly shewed you the malignity of perjury and covenant-breaking.

Direct. 11. 'Be sure that you make no vow or covenant which God hath forbidden you to keep.' It is rash vowing and swearing which is the common cause of perjury. You should, at the making of your vow, have seen into the bottom of it, and foreseen all the evils that might follow it, and the temptations which were like to have drawn you into perjury. He is virtually perjured as soon as he hath sworn, who sweareth to do that which he must not do: the preventive means are here the best.

Direct. 111. 'Be sure you take no oath or vow which you are not sincerely resolved to perform.' They that swear or vow with a secret reserve, that rather than they will be ruin-

* *Lege distinctionem Grotii inter *in quibus* et *iniquitates*, Annot. in Matt. v. 33. Modern Policy, (supposed Dr. Sandcroft's) Princ. 7. 1. We are ready to interpret the words too kindly, especially if they be ambiguous: and it is hard to find terms so positive, but that they may be eluded indeed, or seem to us to be so, if we be disposed. 2. Some are invited to illicit promises, 'qua illicito,' because they know them to be invalid. 3. Some are frightened into these bonds by threats and losses, and temporal concernments, and then they please themselves that they swear by decess, and so are disengaged. 4. Some are oath-proof, &c.*

ed by keeping it, are habitually and reputatively perjured persons, even before they break it: besides that, they shew a base, hypocritical, profligate conscience, that can deliberately commit so great a sin.

Direct. iv. 'See that all fleshly, worldly interest be fully subdued to the interest of your souls, and to the will of God.' He that at the heart sets more by his body than his soul, and loveth his worldly prosperity above God, will lie, or swear, or forswear, or do any thing to save that carnal interest which he most valueth. He that is carnal and worldly at the heart, is false at the heart: the religion of such an hypocrite will give place to his temporal safety or commodity, and will carry him no further than the way is fair. It is no wonder that a proud man, or a worldling will renounce both God and his true felicity for the world, seeing indeed he taketh it for his god and his felicity: even as a believer will renounce the world for God^u.

Direct. v. 'Beware of inordinate fear of man, and of a distrustful withdrawing of your heart from God.' Else you will be carried to comply with the will of man, before the will of God, and to avoid the wrath of man before the wrath of God. Read and fear that heavy curse, Jer. xvii. 5, 6. God is unchangeable, and hath commanded you so far to imitate him, as 'If a man vow a vow unto the Lord, or swear an oath to bind his soul with a bond, he shall not break his word; he shall do according to all that proceedeth out of his mouth^x.' But man is mutable, and so is his interest and his affairs; and therefore if you are the servants of men, you must swear one year, and forswear it, or swear the contrary the next: when their interest requireth it, you must not be thought worthy to live among men, if you will not promise or swear as they command you: and when their interest altereth and requireth the contrary, you must hold all those bonds to be but straws, and break them for their ends.

Direct. vi. 'Be sure that you lose not the fear of God, and the tenderness of your consciences.' When these are lost, your understanding, and sense, and life are lost; and

^u It is one Solon's sayings in Laertius, *Probitatem jure-jurando certiore habere.* What will not an atheistical, impious person say or swear, for advantage?

^x Numb. xxx. 2.

you will not stick at the greatest wickedness; nor know when you have done it, what you did. If faith see not God continually present, and foresee not the great approaching day, perjury or any villany will seem tolerable, for worldly ends; for when you look but to men's present case, you will see that "the righteous and the wise, and their works are in the hand of God: no man knoweth love or hatred by all that is before them. All things come alike to all: there is one event to the righteous, and to the wicked; to the good, and to the clean, and to the unclean; to him that sacrificeth, and to him that sacrificeth not: as is the good, so is the sinner; and he that sweareth, as he that feareth an oath." But in the end, men "shall discern between the righteous and the wicked." Therefore it is the believing foresight of the end, that by preserving the fear of God and tenderness of conscience, must save you from this, and all other heinous sin.

Direct. VII. 'Be not bold and rash about such dreadful things as vows.' Run not as fearlessly upon them as if you were but going to your dinner: the wrath of God is not to be jested with. 'Usque ad aras,' was the bounds even of a heathen's kindness to his friend. Meddle with oaths with the greatest fear, and caution, and circumspection. It is terrible here to find that you were mistaken, through any temerity, or negligence, or secret seduction of a carnal interest.

Direct. VIII. 'Especially be very fearful of owning any public doctrine, or doing any public act, which tendeth to harden others in their perjury, or to encourage multitudes to commit the sin.' To be forsworn yourselves is a dreadful case; but to teach whole nations or churches to forswear themselves, or to plead for it, or justify it as a lawful thing, is much more dreadful. And though you teach not or own not perjury under the name of perjury, yet if first you will make plain perjury to seem no perjury, that so you may justify it, it is still a most inhuman, horrid act. God knoweth I insult not over the Papists, with a delight to make any Christians odious: but with grief I remember how lamentably they have abused our holy profession, while

⁷ Eccles. ix. 1, 2.

⁸ Mal. iii. 18.

⁹ Nunc nunc qui fœdera rumpit, Ditur: Qui servat eget. Claudian.

not only their great doctors, but their approved General Council at the Lateran under Pope Innocent the Third, in the third canon hath decreed that the pope may depose temporal lords from their dominions, and give them unto others, and discharge their vassals from their allegiance and fidelity, if they be heretics, or will not exterminate heretics, (even such as the holy men there condemned were, in the pope's account). To declare to many Christian nations, that it is lawful to break their oaths and promises to their lawful lords and rulers, or their vows to God, and to undertake, by defending or owning this, to justify all those nations that shall be guilty of this perjury and perfidiousness, O what a horrid crime is this! what a shame even unto human nature! and how great a wrong to the Christian name!

Direct. 1x. 'Understand and remember these following rules, to acquaint you how far a vow is obligatory:' which I shall give for the most part out of Dr. Sanderson, because his decisions of these cases are now of best esteem.

Rule 1. 'The general rule laid down Numb. xxx. 2, 3. doth make a vow, as such, to be obligatory, though the party should have a secret equivocation or intent, that though he speak the words to deceive another, yet he will not oblige himself.' Such a reserve not to oblige himself hindereth not the obligation, but proveth him a perfidious hypocrite. Dr. Sanderson, p. 23. 'Juramentum omne ex suâ naturâ est obligatorium: ita ut si quis juret non intendens se obligare, nihilominus tamen suscipiendo juramentum ipso facto obligetur:' that is, If he so far understand what he doth, as that his words may bear the definition of an oath or vow: otherwise if he speak the words of an oath in a strange language, thinking they signify something else, or if he spake in his sleep, or deliration, or distraction, it is no oath, and so not obligatory.

Rule 11. 'Those conditions are to be taken as intended in all oaths, (whether expressed or no,) which the very nature of the thing doth necessarily imply^b;' unless any be so brutish as to express the contrary). And these are all reducible to two heads, 1. A natural, and 2. A moral impossibility. 1. Whoever sweareth to do any thing, or give any

^b See Dr. Sanderson, p. 47 and 197.

thing, is supposed to mean, 'If I live; and if I be not disabled in my body, faculties, estate; if God make it not impossible to be,' &c. For no man can be supposed to mean, 'I will do it whether God will or not, and whether I live or not, and whether I be able or not.' 2. Whoever voweth or sweareth to do any thing, must be understood to mean it 'If no change of providence make it a sin; or if I find not contrary to my present supposition, that God forbiddeth it.' For no man that is a Christian is to be supposed to mean when he voweth, 'I will do this, though God forbid it, or though it prove to be a sin;' especially when men therefore vow it, because they take it to be a duty. Now as that which is sinful is morally impossible, so there are divers ways by which a thing may appear or become sinful to us. (1.) When we find it forbidden directly in the Word of God, which at first we understood not. (2.) When the change of things doth make that a sin, which before was a duty: of which may be given an hundred instances: as when the change of a man's estate, of his opportunities, of his liberty, of his parts and abilities, of objects, of customs, of the laws of civil governors, doth change the very matter of his duty.

Quest. 'But will every change disoblige us? If not, what change must it be? seeing casuists use to put it as a condition in general, 'rebus sic stantibus.' *Ans.* No: it is not every change of things that disoblige us from the bonds of a vow. For then vows were of no considerable signification. But, 1. If the very matter that was vowed, or about which the vow was, do cease, 'cessante materiâ cessat obligatio': as if I promise to teach a pupil, I am disoblige when he is dead. If I promise to pay so much money in gold, and the king should forbid gold and change his coin, I am not obliged to it. 2. 'Cessante termino vel correlato cessat obligatio.' If the party die to whom I am bound, my personal obligation ceaseth. And so the conjugal bond ceaseth at death, and civil bonds by civil death. 3. 'Cessante fine, cessat obligatio.' If the use and end wholly cease, my obligation, which was only to that use and end, ceaseth. As if a physician promise to give physic for no-

* Cicero de Leg. lib. i. proveth that right is founded in the law of nature, more than in man's laws: else, saith he, men may make evil good, and good evil, and make adultery, perjury, &c. just by making a law for them.

thing for the cure of the plague, to all the poor of the city ; when the plague ceaseth, his end, and so his obligation, ceaseth. 4. ' Cessante personâ naturali relatâ cessat obligatio personalis.' When the natural person dieth, the obligation ceaseth. I cannot be obliged to do that when I am dead, which is proper to the living. The subject of the obligation ceasing, the accidents must cease. 5. ' Cessante relatione vel personâ civili, cessat obligatio talis, quâ talis.' The obligation which lay on a person in any relation merely as such, doth cease when that relation ceaseth. A king is not bound to govern or protect his subjects if they traiterously depose him, or if he cast them off, and take another kingdom, (as when Henry III. of France, left the kingdom of Poland :) nor are subjects bound to allegiance and obedience to him that is not indeed their king. A judge, or justice, or constable, or tutor, is no longer bound by his oath to do the offices of these relations, than he continueth in the relation. A divorced wife is not bound by her conjugal vow to her husband as before, nor masters and servants, when their relations cease: nor a soldier to his general by his military sacrament, when the army is disbanded, or he is cashiered or dismissed.

Rule III. ' No vows or promises of our own can dissolve the obligation, laid upon us by the law of God.' For we have no co-ordinate, much less superior authority over ourselves ; our self-obligations are but for the furthering of our obedience.

Rule IV. ' Therefore no vows can disoblige a man from any present duty, nor justify him in the committing of any sin.' Vows are to engage us to God, and not against him : if the matter which we vow be evil, it is a sin to vow it, and a sin to do it upon pretence of a vow. Sin is no acceptable sacrifice to God.

Rule V. ' If I vow that I will do some duty better, I am not thereby disoblighed from doing it at all, when I am disabled from doing it better^d.' Suppose a magistrate, seeing

^d How often perjury hath rained Christian princes and states all history doth testify. The ruin of the Roman empire by the Goths, was by this means. Alaricus having leave to live quietly in France, Stilico comes in perniciem Reipub. Gothos per tentans, dum eos insidiis aggredi cuperet, belli summam Saulo pagano duci commisit : qui ipso sacratissimo die Paschæ, Gothis nil tale suspicantibus, super eos irruit, magnamque eorum partem prostravit. Nam primum perturbati Gothi, ac propter reli-

much amiss in church and commonwealth, doth vow a reformation, and vow against the abuses which he findeth; if now the people's obstinacy and rebellion disable him to perform that vow, it doth not follow that he must lay down his sceptre, and cease to govern them at all, because he cannot do it as he ought, if he were free. So if the pastors of any church do vow the reformation of church abuses, in their places, if they be hindered by their rulers, or by the people, it doth not follow that they must lay down their callings, and not worship God publicly at all, because they cannot do it as they would, and ought if they were free; as long as they may worship him without committing any sin. God's first obligation on me is to worship him, and the second for the manner, to do it as near his order as I can: - now if I cannot avoid the imperfections of worship, though I vowed it, I must not therefore avoid the worship itself, (as long as corruptions destroy not the very nature of it, and I am put myself upon no actual sin). For I was bound to worship God before my vows, and in order of nature before my obligation 'de modo:' and my vow was made with an implied condition, that the thing were possible and lawful: and when that ceaseth to be possible or lawful which I vowed, I must nevertheless do that which still remaineth possible and lawful. To give over God's solemn worship with the church, is no reformation. To prefer no worship before imperfect worship, is a greater deformation and corruption, than to prefer imperfect worship before that which is more perfect. And to prefer a worship imperfect in the manner, before no church worship at all, is a greater reformation than to prefer a more perfect manner of worship before a more imperfect and defective. To worship God decently and in order, supposeth that he must be worshipped; and he that doth not worship at all, doth not worship him decently. If a physician vow that he will administer a certain effectual antidote to all his patients that have the plague, and that he will not administer a certain less effectual preparation, which some apothecaries, through covetousness or carelessness,

gionem cedentes, demum arma corpiunt, victoremque virtute potiori prosternunt exercitum: hinc in rabiem furoris excitantur. Cæptum iter deserentes, Romam contendunt petere, cuncta igne ferroque vastantes: nec mora; venientes urbem capiunt, devastant, incendunt, &c. Paul Diaconus, lib. 3.

had brought into common use, to the injury of the sick; his vow is to be interpreted with these exceptions, 'I will do it if I can, without dishonesty or a greater mischief: I will not administer the sophisticated antidote when I can have better: I vow this for my patients' benefit, and not for their destruction.' Therefore if the sophisticated antidote is much better than none, and may save men's lives, and the patients grow wilful and will take no other, or authority forbid the use of any other, the physician is neither bound to forsake his calling rather than use it, nor to neglect the life of his patients: (if their lives indeed lie upon his care, and they may not be in some good hopes without him, and the good of many require him not to neglect a few). But he must do what he can, when he cannot do what he would, and only shew that he consenteth not to the sophistication.

Rule VI. 'Though he that voweth a lawful thing, must be understood to mean, if it continue possible and lawful; yet if he himself be the culpable cause that afterwards it becometh impossible or unlawful, he violateth his vow.' He that voweth to give so much to the poor, and after prodigally wasteth it, and hath it not to give, doth break his vow; which he doth not if fire and thieves deprive him of it against his will. He that voweth to preach the Gospel, if he cut out his own tongue, or culpably procure another to imprison, silence or hinder him, doth break his vow; which he did not if the hindrance were involuntary and insuperable; consent doth make the impedition his own act.

Rule VII. 'In the taking and keeping of oaths and vows we must deal simply and openly without equivocation and deceit.' "Who shall ascend into the hill of the Lord? or who shall stand in his holy place? He that hath clean hands, and a pure heart; who hath not lifted up his soul unto vanity, nor sworn deceitfully. He shall receive the blessing from the Lord, and righteousness from the God of his salvation."

Rule VIII. 'He that juggleth or stretcheth his conscience by fraudulent shifts and interpretations afterwards, is as bad as he that dissembleth in the taking of the oath.' To break it by deceit, is as bad as to take it in deceit. "Lord who

* Sanders. pp. 30, 31.

† Psal. xxiv. 3-5.

shall abide in thy tabernacle—he that sweareth to his own hurt and changeth not^f.” Saith Dr. Sanderson^g, “Ista mihi aut non cogitare,” &c. “It seemeth to me that the greater part of the men of these times either think not of these things, or at least not seriously: who fear not, at large and in express words, without going about, to swear to all that, whatever it be, which is proposed to them by those that have power to hurt them: yea, and they take themselves for the only wise men, and not without some disdain deride the simplicity and needless fear of those, that lest they hurt their consciences forsooth, do seek a knot in a rush, and oppose the forms prescribed by those that have power to prescribe them. And in the meantime they securely free themselves from all crime and fear of perjury, and think they have looked well to themselves and their consciences, if either when they swear, like Jesuits, they can defend themselves by the help of some tacit equivocation, or mental reservation, or subtle interpretation which is strained and utterly alien from the words; or else after they have sworn can find some chink to slip through, some cunning evasion, as a wise remedy, by which they may so elude their oath, as that keeping the words, the sense may by some sophism be eluded, and all the force of it utterly enervated. The ancient Christians knew not this divinity, nor the sounder heathens this moral philosophy. Far otherwise saith Augustine, ‘They are perjured, who keeping the words, deceive the expectation of those they swear to:’ and otherwise saith Cicero,” &c. He goeth on to confirm it at large by argument.

Rule ix. ‘An oath is to be taken and interpreted strictly.’ Sanderson saith^h, “Juramenti obligatio est stricti juris;” that is, “non ut excludat juris interpretationem æquitate temperatam; sed ut excludat juris interpretationem gratia corruptam:” “not as excluding an equitable interpretation, but as excluding an interpretation corrupted by partiality:” that it be a just interpretation, between the extremes of rigid, and favourable or partial; and in doubtful

^f Paul. xv. 1. 4.

^g Sanders. pp. 32—41.

^h Sanders. pp. 41—44. Ubi de justo sensu ambigitur, longe satius est et naturæ rei accommodatius, strictiore quam benigniore uti interpretatione. *ibid.* p. 44.

cases it is safer to follow the strict, than the benign or favourable sense. It is dangerous stretching and venturing too far in matters of so sacred a nature, and of such great importance as vows and oaths.

Rule x. 'In the exposition of such doubtful oaths and vows, 1. We must specially watch against self-interest or commodity that it corrupt not our understandings. 2. And we must not take our oaths or any part of them in such a sense, as a pious, prudent stander-by that is impartial, and no whit interested in the business, cannot easily find in the words themselves¹.'

Rule xi. 'In doubtful cases the greatest danger must be most carefully avoided, and the safer side preferred: but the danger of the soul by perjury is the greatest, and therefore no bodily danger should so carefully be avoided: and therefore an oath that in the common and obvious sense seemeth unlawful should not be taken, unless there be very full evidence that it hath another sense.' Sand. p. 46. 'Nitur autem,' &c. This reason leaneth on that general and most useful rule, that in doubtful cases we must follow the safer side: but it is safer not to swear, where the words of the oath proposed, do seem according to the common and obvious sense of the words to contain in them something unlawful; than by a loose interpretation so to lenify them for our own ends, that we may the more securely swear them. For it is plain that such an oath may be refused without the peril of perjury; but not that it can be taken without some danger or fear. The same rule must guide us also in keeping vows.

Rule xii. 'It is ordinarily resolved that imposed oaths must be kept according to the sense of the imposer.' See Sanderson, pp. 191, 192. But I conceive that assertion must be more exactly opened and bounded. 1. Where justice requireth that we have respect to the will or right of the imposer, there the oath imposed must be taken in his sense; but whether it must be kept in his sense is further to be considered. 2. When I have done my best to understand the sense of the imposer in taking the oath, and yet mistake it, and so take it (without fraud) in another sense, the question then is somewhat hard, whether I must keep it in the sense I took it in, or in his sense, which then I under-

¹ Sanders, p. 45.

stood not. If I must not keep it in my own sense, which I took it in, then it would follow that I must keep another oath, and not that which I took: for it is the sense that is the oath. And I never obliged myself to any thing, but according to my own sense: and yet on the other side, if every man may take oaths in their private sense, then oaths will not attain their ends, nor be any security to the imposers.

In this case you must carefully distinguish between the formal obligation of the oath or vow as such, and the obligation of justice to my neighbour which is a consequent of my vow. And for the former I conceive (with submission) that an oath or vow cannot bind me, formally as such, in any sense but my own in which 'bonâ fide' I took it. Because formally an oath cannot bind me which I never took: but I never took that which I never meant, or thought of; if you so define an oath as to take in the sense, which is the soul of it.

But then in regard of the consequential obligation in point of justice unto man, the question I think must be thus resolved. 1. We must distinguish between a lawful imposer or contractor, and a violent usurper or robber that injuriously compelleth us to swear. 2. Between the obvious, usual sense of the words, and an unusual, forced sense. 3. Between a sincere, involuntary misunderstanding the imposer, and a voluntary, fraudulent reservation or private sense. 4. Between one, that I owe something to antecedently, and one that I owe nothing to but by the mere self-obligation of my vow. 5. Between an imposer that is himself the culpable cause of my misunderstanding him, and one that is not the cause, but my own weakness or negligence is the cause. 6. Between a case where both senses may be kept, and a case where they cannot, being inconsistent. Upon these distinctions, I thus resolve the question.

Prop. 1. If I fraudulently and wilfully take an oath in a sense of my own, contrary to the sense of the imposer, and the common and just sense of the words themselves, I am guilty of perfidiousness and profaneness in the very taking of it*.

* They were ill times that Abbas Uspergensis describeth Chron. p. 320. Ut omnis homo jam sit perjurus, et prædictis facinoribus implicatus, ut vix excusari pos-

Prop. II. If it be long of my own culpable ignorance or negligence that I misunderstood the imposer, I am not thereby disobliged from the public sense.

Prop. III. When the imposer openly putteth a sense on the words imposed contrary to the usual, obvious sense, I am to understand him according to his own expression, and not to take the oath, as imposed in any other sense.

Prop. IV. If the imposer refuse or neglect to tell me his sense any otherwise than in the imposed words, I am to take and keep them according to the obvious sense of the words, as they are commonly used in the time and place which I live in.

Prop. V. If it be long of the imposer's obscurity, or refusing to explain himself, or other culpable cause that I mistook him, I am not bound to keep my oath in his sense, as different from my own (unless there be some other reason for it).

Prop. VI. If the imposer be a robber or usurper, or one that I owe nothing to in justice, but what I oblige myself to by my oath, I am not then bound at all to keep my oath in his sense, if my own sense was according to the common use of the words.

Prop. VII. Though I may not lie to a robber or tyrant that unjustly imposeth promises or oaths upon me, yet if he put an oath or promise on me which is good and lawful in the proper, usual sense of the words, though bad in his sense, (which is contrary to the plain words,) whether I may take this to save my liberty or life, I leave to the consideration of the judicious: that which may be said against it, is, that oaths must not be used indirectly and dissemblingly: that which may be said for it is, 1. That I have no obligation to fit my words to his personal, private sense. 2. That I deceive him not, but only permit him to deceive himself, as long as it is he and not I that misuseth the words. 3. That I am to have chief respect to the public sense; and it is not his sense, but mine that is the public sense. 4. That the saving of a man's life or liberty is cause enough for the taking a lawful oath.

sit, quin sit in his, sicut populus, sic et sacerdos: O that this calamity had ended with that age! Et p. 321. Principes terrarum et barones, arte diabolica edocti, nec curabant juramenta infringere, nec fidem violare, et jus omne confundere.

Prop. VIII. In case I misunderstood the imposed oath through my own default, I am bound to keep it in both senses (my own and the imposer's) if both be consistent and lawful to be done. For I am bound to it in my own sense, because it was formally my oath or vow which I intended. And I am bound to it in his sense, because I have in justice made the thing his due. As if the king command me to vow that I will serve him in wars against the Turk; and I misunderstand him as if he meant only to serve him with my purse; and so I make a vow with this intent, to expend part of my estate to maintain that war; whereas the true sense was that I should serve him with my person: in this case, I see not but I am bound to both.

Indeed if it were a promise that obliged me only to the king, then I am obliged no further, and no longer than he will: for he can remit his own right: but if by a vow I become obliged directly to God himself as a party, then no man can remit his right, and I must perform my vow as made to him.

Rule XIII. 'If any impose an ambiguous oath, and refuse to explain it, and require you only to swear in these words, and leave you to your own sense, Dr. Sanderson thinketh that an honest man should suspect some fraud in such an oath, and not take it at all till all parties are agreed of the sense, pp. 193, 194.' And I think he should not take it at all, unless there be some other cause that maketh it his duty. But if a lawful magistrate command it, or the interest of the church or state require it, I see not but he may take it, on condition that in the plain and proper sense of the words the oath be lawful, and that he openly profess to take it only in that sense.

Rule XIV. 'If any power should impose an oath, or vow, or promise, which in the proper, usual sense were downright impious, or blasphemous, or sinful, and yet bid me take it in what sense I pleased, though I could take it in such a sense as might make it no real consent to the impiety, yet it would be impious in the sense of the world, and of such heinous consequence as will make it to be unlawful.' As if I must subscribe, or say, or swear these words, 'There is no God;' or, 'Scripture is untrue;' though it is easy to use these or any words in a good sense, if I may put what sense

I will upon them, yet the public sense of them is blasphemous; and I may not publicly blaspheme, on pretence of a private right sense and intention.

Rule xv. 'If the oath imposed be true in the strict and proper sense, yet if that sense be not vulgarly known, nor sufficiently manifest to be the imposer's sense, and if the words are false or blasphemous in the vulgar sense of those that I have to do with, and that must observe and make use of my example, I must not take such an oath, without leave to make my sense as public as my oath.' As if I were commanded to swear, 'That God hath no foreknowledge, no knowledge, no will,' &c.; it were easy to prove that these terms are spoken primarily of man, and that they are attributed to God but analogically or metaphorically, and that God hath no such human acts 'formaliter,' but 'eminenter,' and that 'forma dat nomen,' and so that strictly it is not knowledge and will in the primary, proper notion, that God hath at all, but something infinitely higher, for which man hath no other name. But though thus the words are true and justifiable in the strictest, proper sense, yet are they unlawful, because they are blasphemy in the vulgar sense: and he that speaks to the vulgar, is supposed to speak with the vulgar: unless he as publicly explain them.

Rule xvi. 'If the supreme power should impose an oath or promise which in the ordinary, obvious sense were sinful, and an inferior officer would bid me take it in what sense I pleased, I might not therefore take it: because that such an officer hath no power to interpret it himself; much less to allow me to take it in a private sense.' But if the lawgiver that imposeth it bid me take it in what sense I will, and give me leave to make my sense as public as my oath, I may take it, if the words be but dubious, and not apparently false or sinful: (so there be no reason against it, 'aliunde,' as from ill-consequents, &c.)

Rule xvii. 'If any man will say in such a case, (when he thinketh that the imposer's sense is bad) 'I take not the same oath or engagement which is imposed, but another in the same words, and I suppose not inferior officers authorized to admit any interpretation, but I look at them only as men that can actually execute or not execute the laws upon me; and so I take a vow of my own according to my own

sense, though in their words, as a means of my avoiding their severities:’ as this is a collusion in a very high and tender business, so that person (if the public sense of the oath be sinful) must make his professed sense as public as his oath or promise; it being no small thing to do that which in the public sense is impious, and so to be an example of perfidiousness to many.’

Rule XVIII. ‘Though an oath imposed by an usurper or by violence is not to be taken in formal obedience, nor at all, unless the greatness of the benefit require it, yet being taken it is nevertheless obligatory¹ (supposing nothing else do make it void).’ Man is a free agent and cannot be forced though he may be frightened: if he swear to a thief for the saving of his life, he voluntarily doth choose the inconveniences of the oath, as a means to save his life. Therefore being a voluntary act it is obligatory; else there should be no obligation on us to suffer for Christ, but any thing might be sworn or done to escape suffering: see of this Dr. Sanderson largely Prælect. iv. Sect. 14—16. The imposition and the oath are different things: in the imposition, a thief or tyrant is the party commanding, and I am the party commanded; and his having no authority to command me, doth nullify only his command, and maketh me not obliged to obey him, nor to take it in any obedience to him; but yet if I do take it without any authority obliging me (as private oaths are taken), it is still an oath or vow, in which the parties are God and man; man vowing and making himself a debtor to God; and God hath authority to require me to keep my vows, when men have no authority to require me to make them. All men confess that private vows bind: and the nullity of the imposer’s authority, maketh them but private vows; this case is easy, and commonly agreed on.

Rule XIX. ‘If in a complex vow or promise there be many things which prove materially unlawful, and one or more that are lawful, the conjunction of the things unlawful doth not disoblige me from the vow of doing the lawful part.’ Otherwise a man might make void all his vows to God, and oaths, and covenants with men, by putting in something that is evil with the good: and so God, and the

king, and our neighbours would all have their debts paid by our sin and injury done them on the bye.

Rule xx. 'If some part of that which you vowed become impossible, that doth not disoblige you from so much as remaineth possible.' As if you vow allegiance to the king, and tyrants or disability hinder you from serving him as subjects in some one particular way, you remain still obliged to serve him by those other ways in which you are yet capable to serve him. So if you had taken an oath against Popery, to preach against it, and reject the practice of it, and for ever renounce it; this would not bind you from the common truths and duties of Christianity which Papists hold in common with all other Christians: nor could you preach against Popery, if you were hindered by imprisonment, banishment or restraint; but you have still power to forbear approving, consenting, subscribing, or practising their errors; and this you are still bound to do.

Rule xxI. 'Though you are not bound to do that of your vow which changes have made impossible or unlawful, yet if another change make them possible and lawful again, your obligation doth return afresh (unless you made it with such limitation).' It is not a temporary cessation of the matter, or end, or correlate that will perpetually discharge you from your vow. If your wife be taken captive many years, when she returneth, you are bound to the duties of a husband. If the king be expelled by usurpers, you are bound at present to so much duty as is possible, and to obey him as your actual governor when he returneth. But in the case of servants and soldiers, and other temporary relations, it is otherwise; for a removal may end the relation itself. If you promise to preach the Gospel, to medicate the sick, to relieve the poor, to reform your families, &c. you are not hereby obliged to do it, while any irresistible impediment maketh it impossible; but when the hindrance ceaseth, you are obliged to do it again; the matter and your capacity being restored.

Rule xxII. 'Therefore many a vow and promise may be lawfully unperformed, which may not be renounced or disclaimed.' When you are taken captives you must forbear your duty to your king, your father, your husband or wife, but you may not therefore renounce them, and say, 'I have

no obligation to them:’ no, not to the death, because they are relations for life: and how improbable soever it may seem that you should be returned to them, yet God can do it, and you must wait on him.

Rule xxiii. ‘A former vow or promise is not nullified by a latter that contradicteth it.’ Otherwise a man might disoblige himself at his pleasure. Yet he that maketh contrary vows, obligeth himself to contraries and impossibles; and bringeth a necessity of perjury on himself, for not doing the things impossible which he vowed. And in some cases a later promise to men may null a former, when we made the former with the reserve of such a power or liberty, or are justly supposed to have power to recal a former promise; or when it is the duty of a mutable relation which we vow, (as of a physician, a schoolmaster, &c.) and by a later vow we change the relation itself: (which we may still lawfully change.)

Rule xxiv. ‘The ‘actus jurandi’ must still be distinguished from the ‘materia juramenti:’ and it very often cometh to pass that the act of swearing (or the oath as our act) is unlawfully done, and was a sin from the beginning, and yet it is nevertheless obligatory as long as the ‘res jurata,’ the matter sworn is lawful or necessary^a.’ Dr. Sanderson instanceth in Joshua’s oath to the Gibeonites. The nature of the thing is proof enough; for many a thing is sinfully done, for want of a due call, or manner, or end, that yet is done, and is no nullity. A man may sinfully enter upon the ministry, that yet is bound to do the duty of a minister: and many marriages are sinful that are no nullities.

Rule xxv. ‘The nullity of an oath ‘ad initio’ is ‘quando realiter vel reputative non juravimus:’ ‘when really or reputatively we did not swear.’ The sinfulness of an oath is when we did swear really but unlawfully as to the ground, or end, or matter, or manner, or circumstances. Really that man did not swear, 1. Who spake not (mentally nor orally) the words of an oath. 2. Who thought those words had signified no such thing, and so had no intent to swear

^a Sanders. pp. 55, 56. In quo casu locum habet quod vulgo dicitur, Fieri non debet, factum valet: possumus ergo distinguere, Juramentum dici illicitum duobus modis. Vel respectu rei juratæ, vel respectu actus jurandi: Juramentum illicitum respectu rei juratæ nullatenus obligat: Juramentum illicitum respectu actus jurandi obligat, nisi aliunde impediatur.

either mentally or verbally.' As if an Englishman be taught to use the words of an oath in French, and made believe that they have a contrary sense. 3. Who only narratively recited the words of an oath, as a reporter or historian, without a real or professed intent of swearing. 2. Reputatively he did not swear. (1.) Who spake the words of an oath in his sleep, or in a deliration, distraction, madness, or such prevalent melancholy as mastereth reason: when a man is not 'compos mentis,' his act is not 'actus humanus.' (2.) When a man's hand is forcibly moved by another against his will to subscribe the words of an oath or covenant; for if it be totally involuntary it is not a moral act. But words cannot be forced; for he that sweareth to save his life, doth do it voluntarily to save his life. The will may be moved by fear, but not forced. Yet the person that wrongfully frighteneth another into consent, or to swear, hath no right to any benefit which he thought to get by force or fraud, and so 'in foro civili' such promises, or covenants, or oaths may 'quoad effectum' be reputatively null; and he that by putting his sword to another man's breast doth compel him to swear or subscribe and seal a deed of gift, may be judged to have no right to it, but to be punishable for the force; but though this covenant or promise be null 'in foro humano' because the person cannot acquire a right by violence, yet the oath is not a nullity before God; for when God is made a party, he hath a right which is inviolable; and when he is appealed to or made a witness, his name must not be taken in vain. (3.) It is a nullity reputatively when the person is naturally incapable of self-obligation, as in infancy, when reason is not come to so much maturity as to be naturally capable of such a work: I say naturally incapable for the reasons following.

Rule xxvi. 'We must distinguish between a natural incapacity of vowing or swearing at all, and an incapacity of doing it lawfully: and between a true nullity, and when the oath is only 'quasi nullum,' or as null 'quoad effectum; or such as I must not keep.' There are many real oaths and vows which must not be kept, and so far are 'quasi nulla' as to the effecting of the thing vowed; but they are not simply null; for they have the effect of making the man a

sinner and perjured. They are sinful vows, and therefore vows. A natural incapacity proveth it no vow at all; but if I am naturally capable, and only forbidden (by God or man), this maketh it not no vow, but a sinful vow, of which some must be kept and some must not.

In these following cases a real vow is 'quasi nullum', or must not be kept.

1. In case the thing vowed (all things considered) be a thing which God hath forbidden to be done: that is, in case it be a thing in itself evil; but if the thing in itself be a duty, though there be some inseparable sins which we shall be guilty of in the performance, we must not therefore leave the duty itself undone which we have vowed: as if I vow to praise God, and yet am sure that I cannot praise him without a sinful defect of that love and delight in him which is due, I must not therefore forbear to praise him; else we must cast off all other duty, because we cannot do it without some sin. But yet, though in case of unwilling infirmity, we must thus do the duty though we are sure to sin in it, yet in case of any chosen, voluntary sin, which we have an immediate power to avoid, we must rather forbear the duty itself (vowed or not vowed) than commit such a sin: as if I vow to preach the Gospel, and am forcibly hindered unless I would voluntarily tell one lie, or commit one sin wilfully for this liberty; I ought rather never to preach the Gospel; nor is it then a duty, but become morally impossible to me: as if in France or Spain I may not preach unless I would take Pope Pius's Trent confession or oath. Nay, if those very defects of love, and wandering thoughts, which now inseparably cleave to my best performances, were morally and immediately in my power, and I could avoid them, I ought not electively and by consent to commit them, for any liberty of duty, but rather to forbear the duty itself as no duty to me when it cometh upon such conditions: for then it is supposed that I could serve God better without that duty, because I could love him more, &c.

Yet here is observable a great deal of difference between omissions and commissions. A man may never commit a sin that good may come by it, though he vowed the good; but a man may oftentimes omit that which else would have been his duty, to do some good which he hath vowed; for

negative commands bind 'semper et ad semper;' but the affirmative do not (at least as to outward duty); therefore in case of necessity a man may himself consent to the present omission of some good, for the escaping of greater, unavoidable omissions another time, or for the performing of a vow or greater duty which is to be preferred.

2. A vow is not to be kept, when the matter of it is unjust and injurious to another (unless you have his consent): as if you vow to give away another man's lands or goods, or to do him wrong by word or deed; or if you vow to forbear to pay him his due, or to do that which you owe him: as if a servant vow to forbear his master's work (unless it be so small an injury as he can otherwise repair); or a husband, or wife, or parents, or children, or prince, or subjects should vow to deny their necessary duties to each other. Here man's right together with God's law doth make it unjust to perform such vows.

3. A vow is as null or not to be kept, when the matter is something that is morally or civilly out of our power to do: as if a servant, or child, or subject vow to do a thing, which he cannot do lawfully without the consent of his superior: this vow is not simply null, for it is a sinful vow, (unless it was conditional). Every rational creature is so far 'sui juris,' as that his soul being immediately subject to God, he is capable of obliging himself to God; and so his vow is a real sinful vow, when he is not so far 'sui juris' as to be capable of a lawful vowing, or doing the thing which he voweth. Such an one is bound to endeavour to get his superior's consent, but not without it to perform his vow; no though the thing in itself be lawful. For God having antecedently bound me to obey my superiors in all lawful things, I cannot disoblige myself by my own vows.

Yet here are very great difficulties in this case, which causeth difference among the most learned, pious casuists, 1. If a governor have beforehand made a law for that which I vow against, it is supposed by many that my vow is not to be kept (the thing being not against the law of God); because the first obligation holdeth. 2. Yet some think that magistrates' penal laws binding but 'aut ad obedientiam aut ad pœnam,' 'to obedience or punishment,' I am therefore obliged in indifferent things to bear his penalty, and to

keep my vow°. 3. But if I first make an absolute vow in a thing indifferent, (as to drink no wine, or to wear no silks, &c.) and the magistrate afterwards command it me, some think I am bound to keep my vow; because though I must obey the magistrate in all things lawful, yet my vow hath made this particular thing to be to me unlawful, before the magistrate made it a duty. 4. Though others think that even in this case the general obligation to obey my superiors preventeth my obliging myself to any particular which they may forbid in case I had not vowed it, or against any particular which they may command. 5. Others distinguish of things lawful or indifferent, and say that some of them are such as become accidentally so useful or needful to the common good, the end of government, that it is fit the magistrate make a law for it, and the breaking of that law will be so hurtful, that my vow cannot bind me to it, as being now no indifferent thing; but other indifferent things they say, belong not to the magistrate to determine of (as what I shall eat or drink, whether I shall marry or not, what trade I shall be of, how each artificer, tradesman, or professor of arts and sciences shall do the business of his profession, &c.) And here the magistrate they think cannot bind them against their vows, because their power of themselves in such private cases is greater than his power over them in those cases. All these I leave as so many questions unfit for me to resolve in the midst of the contentions of the learned. The great reasons that move on both sides you may easily discern. 1. Those that think an oath in lawful things, obligeth not contrary to the magistrate's antecedent or subsequent command, are moved by this reason, that else subjects and children might by their vows exempt themselves from obedience, and null God's command of obeying our superiors. 2. Those that think a vow is obligatory against a magistrate's command, are moved by this reason, because else, say they, a magistrate may at his pleasure

° Sanderson p. 72, 73. Dico ordinariæ: quia fortassis possunt dari casus in quibus juramentum quod videtur alicui legi communivitatis aut vocationis adversari, etsi non debuerit suscipi, susceptum tamen potest obligare: ut e. g. in lege penali disjunctiva. See the instances which he addeth. Joseph took an oath of the Israelites to carry his bones out of Egypt, Gen. l. 25. What if Pharaoh forbid them? Are they acquit? The spies swore to Rahab, Josh. ii. 12. 18. Had they been quit if the rulers had acquit them?

dispense with all vows, except in things commanded before by God : for he may come after and cross our vows by his commands, which, against the pope's pretensions, Protestants have denied to be in the power of any mortal man. And God, say they, hath the first right, which none can take away. I must not be forward in determining where rulers are concerned ; only to those that may and must determine it, I add these further materials to be considered of.

1. It is most necessary to the decision of this case, to understand how far the inferior that voweth was 'sui juris,' and had the power of himself when he made the vow, as to the making of it, and how far he is 'sui juris' as to the act which he hath vowed ; and to that end to know, in a case where there is some power over his act, both in his superior and in himself, whether his own power, or his superiors, as to that act, be the greater.

2. It is therefore needful to distinguish much between those acts that are of private use and signification only, and those that (antecedently to the ruler's command) are of public use and nature, or such as the ruler is as much concerned in as the inferior.

3. It is needful to understand the true intent and sense of the command of our superior ; whether it be really his intent to bind inferiors to break their vows, or whether they intend only to bind those that are not so entangled and pre-engaged by a vow, with a tacit exception of those that are ^p. And what is most just must be presumed, unless the contrary be plain.

4. It must be discerned whether the commands of superiors intend any further penalty than that which is affixed in their laws : as in our penal laws about using bows and arrows, and about fishing, hunting, &c. ; whether it be intended that the offender be guilty of damnation, or only that the threatened temporal penalty do satisfy the law ; and whether God bind us to any further penalty than the superior intendeth.

5. The end of the laws of men must be distinguished from the words ; and a great difference must be put between those forbidden acts that do no further harm than barely to cross the letter of the law, or will of a superior, and those

^p Read of this at large, Amesii Cas. Cons. lib. v. c. 25. qu. 4.

that cross the just end of the command or law, and that either more or less, as it is more or less hurtful to others, or against the common good : for then the matter will become sinful in itself.

6. Whether perjury, or the unwilling violation of human laws be the greater sin, and which in a doubtful case should be most feared and avoided, it is easy to discern.

Rule xxvii. 'A vow may be consequently made null or void, 1. By cessation of the matter, or any thing essential to it, (of which before,) or by a dispensation or dissolution of it by God to whom we are obliged.' No doubt it is in God's power to disoblige a man from his vow ; but how he ever doth such a thing is all the doubt : extraordinary revelations being ceased, there is this way yet ordinary, viz. by bringing the matter which I vowed to do, under some prohibition of a general law, by the changes of his providence.

Rule xxviii. 'As to the power of man to dispense with oaths and vows, there is a great and most remarkable difference between those oaths and vows where man is the only party that we are primarily bound to, and God is only appealed to as witness or judge, as to the keeping of my word to man ; and those oaths or vows where God is also made (either only or conjunct with man) the party to whom I primarily oblige myself.' For in the first case man can dispense with my oath or vow, by remitting his own right, and releasing me from my promise ; but in the second case no created power can do it. As e. g. if I promise to pay a man a sum of money, or to do him service, and swear that I will perform it faithfully ; if upon some after bargain or consideration he release me of that promise, God releaseth me also, as the witnesses and judge have nothing against a man, whom the creditor hath discharged. But if I swear or vow that I will amend my life, or reform my family of some great abuse, or that I will give so much to the poor, or that I will give up myself to the work of the Gospel, or that I will never marry, or never drink wine, or never consent to Popery or error, &c. ; no man can dispense with my vow, nor directly disoblige me in any such case ; because no man can give away God's right ; all that man can do in any such case is, to become an occasion of God's disobliging me ; if he can

so change the case, or my condition, as to bring me under some law of God, which commandeth me the contrary to my vow, then God disobligeth me, or maketh it unlawful to keep that vow. And here because a vow is commonly taken for such a promise to God, in which we directly bind ourselves to him, therefore we say, that a vow (thus strictly taken) cannot be dispensed with by man; though in the sense aforesaid, an oath sometimes may.

The Papists deal most perversely in this point of dispensing with oaths and vows: for they give that power to the pope over all the Christian world, who is an usurper, and none of our governor, which they deny to princes and parents that are our undoubted governors: the pope may disoblige vassals from their oaths of allegiance to their princes (as the council of Lateran before cited,) but no king or parent may disoblige a man from his oath to the pope: nay, if a child vow a monastical life, and depart from his parents, they allow not the parents to disoblige him.

Rule XXIX 'In the determining of controversies about the obligation of oaths and vows, it is safest to mark what Scripture saith, and not to presume, upon uncertain pretences of reason, to release ourselves, where we are not sure that God releaseth us.'

Rule xxx. 'That observable chapter, Numb. xxx. about dispensations, hath many things in it that are plain for the decision of divers great and useful doubts; but many things which some do collect and conclude as consequential or implied, are doubtful and controverted among the most judicious expositors and casuists.'

1. It is certain that this chapter speaketh not of a total nullity of vows 'ab initio,' but of a relaxation, or disanulling of them by superiors. For, 1. Bare silence (which is no efficient cause) doth prove them to be in force. 2. It is not said, 'She is bound, or not bound;' but 'Her vow and bond shall stand,' ver. 4. 7. 9. 11.: or 'shall not stand,' ver. 5. 12.: and 'He shall make it of none effect,' ver. 8. The Hebrew, ver. 5. signifieth, 'Quia annihilavit pater ejus illud.' And ver. 8. 'Et si in die audire virum ejus, annihilaverit illud, et infregerit votum ejus'.¹— 3. It is expressly said, that she had 'bound her soul' before the dis-

¹ And si infringendo infregerit ea vir ejus, v. 12. Vir ejus infregerit ea. v. 13.

solution. 4. It is said, 'The Lord shall forgive her,' ver. 5. 8. 12. which signifieth a relaxation of a former bond. Or at the most, the parent's silence is a confirmation, and his disowning it hindereth only the confirmation. So the Chaldee paraphrase, the Samaritan and Arabic 'Non erunt confirmata,' the Syriac 'Rata vel irrita erunt.'

2. It is certain that a father hath the power of relaxation here mentioned as to an unmarried daughter, in her youth living in his house, and a husband over his wife; for it is the express words of the text.

3. It is certain that this power extendeth to vows about all things in which the inferior is not 'sui juris,' but is under the superior's care and oversight, and cannot perform it (in case there had been no vow) without the superior's consent.

4. It is certain that it extendeth not only to matters concerning the governors themselves, but concerning vows to God, as they are good or hurtful to the inferiors.

5. It is certain that there are some vows so necessary and clearly for the inferior's good, that in them he is 'sui juris,' and no superior can suspend his vows: as to have the Lord for his God; and not to commit idolatry, murder, theft, &c. No superior can disoblige us here; for the power of superiors is only for the inferior's indemnity and good.

6. It is certain that the superior's recal must be speedy or in time, before silence can signify consent, and make a confirmation of the vow.

7. It is certain that if the superior have once ratified it by silence or consent, he cannot afterwards disannul it.

8. It is agreed, that if he awhile dissent and disannul it, and afterwards both inferior and superior consent again, that it remaineth ratified.

9. It is agreed that the superior that can discharge the vow of the inferior, cannot release himself from his own vows. If the pope could release all men, who shall release him?

2. But in these points following there is no such certainty or agreement of judgments, because the text seemeth silent about them, and men conjecture variously as they are prepared. 1. It is uncertain whether any but women may be released by virtue of this text: (1.) Because the text ex-

pressly distinguishing between a man and a woman doth first say, 'Si vir—— If a man vow a vow unto the Lord, or swear an oath to bind his soul with a bond; he shall not break his word; he shall do according to all that proceedeth out of his mouth.' And 2. Because women are only instanced in, when Scripture usually speaketh of them in the masculine gender, when it includeth both sexes, or extendeth it to both. 3. And in the recapitulation in the end, it is said by way of recital of the contents, ver. 16. "These are the statutes which the Lord commanded Moses between a man and his wife; between the father and his daughter—— in her youth in her father's house:" as if he would caution us against extending it any further. And though many good expositors think that it extendeth equally to sons as to daughters, in their minority, because there is a parity of reason, yet this is an uncertain conjecture. 1. Because God seemeth by the expression to bound the sense. 2. Because God acquainteth not man with all the reasons of his laws. 3. Because there may be special reasons for an indulgence to the weaker sex in such a weighty case: And though still there is a probability it may extend to sons, it is good keeping to certainties in matters of such dreadful importance as oaths and vows to God.

2. It is uncertain whether this power of disannulling vows do belong also to other superiors^r, to princes, to inferior magistrates, to pastors, masters, to commanders, as to their soldiers, as well as to parents and husbands: some think it doth, because there is, say they, a parity of reason. Others think it is dangerous disannulling oaths and vows upon pretences of parity of reason, when it is uncertain whether we know all God's reasons: and they think there is not a parity, and that it extendeth not to others. 1. Be-

^r Dr. Sanderson Prælect. 4. sect. 5. pp. 104, 105. limiteth it to 'De his rebus in quibus subest:' in those same things in which one is under another's government: adding sect. 6. a double exception: 'Of which one respecteth the person of the swearer, the other the consent of the superior:' the first is that 'As to the person of the swearer, there is scarce any one that hath the use of reason, that is so fully under another's power, but that in some things he is 'sui juris,' at his own power: and there every one may do as pleases himself, without consulting his superior, so as that by his own act, without his superior's licence, he may bind himself. 2. As to the consent of a superior.' A tacit consent, antecedent or consequent, sufficeth. Quasi diceret, ad disensum suum vel uno die disannulet, votum in perpetuum stabilivit.

cause parents and husbands are so emphatically named in the contents in the end, ver. 16. 2. Because it had been as easy to God to name the rest. 3. Because there is no instance in Scripture of the exercise of such a power, when there was much occasion for it. 4. Because else vows signify no more in a kingdom than the king please, and in an army than the general and officers please; and among servants than the master please, which is thought a dangerous doctrine. 5. Because there will be an utter uncertainty when a vow bindeth and when it doth not to almost all the people in the world; for one superior may contradict it, and another or a hundred may be silent: the king and most of the magistrates through distance will be silent, when a master, or a justice, or a captain that is at hand may disannul it: one officer may be for it, and another against it: a master or a pastor may be for it, and the magistrate against it: and so perjury will become the most controverted sin, and a matter of jest. 6. Because public magistrates and commanders, and pastors have not the near and natural interest in their inferiors as parents and husbands have in their children and wives; and therefore parents have not only a restraining power (as husbands here also have); but also a disposing power of the relation of their infant children, and may enter them in baptism into the vow and covenant of Christianity, the will and acts of the parents standing for the child's till he come to age; but if you say that upon a parity of reason, all princes, and rulers, and pastors may do so with all that are their inferiors, it will seem incredible to most Christians. 7. Because public magistrates are justly supposed to be so distant from almost all their individual subjects, as not to be capable of so speedy a disowning their personal vows. Whatever this text doth, it is certain that other texts enough forbid covenants and combinations against the persons, or power, or rights of our governors, and not only against them but without them, in cases where our place and calling alloweth us not to act without them. But it is certain that God who commanded all Israel to be entered successively into the covenant of circumcision with him, would not have held them guiltless for refusing that covenant, if the prince had been against it. And few divines think that a subject, or soldier, or servant

that hath vowed to forbear wine, or feasting, or marriage is discharged, if his prince, or captain, or masters be against it. Jonathan and David were under an oath of friendship; (called the Lord's oath, 2 Sam. xxi. 7.) Saul as a parent could not discharge Jonathan as being a man at full age. Quære whether Saul as a king being against it, did null the oath to David and Jonathan? No, the Scripture sheweth the contrary. 8. Because else that benefit which God extendeth only to a weaker sort, would extend to any, the wisest and most learned persons through the world, whose vows to God even for the afflicting of their own souls, may be nulled by the king or other superiors. Many such reasons are urged in this case.

3. It is uncertain whether this chapter extend to assertory or testimonial oaths, (if not certain that it doth not): it speaketh but of binding their souls in vows to God, which is to offer or do something which by error may prove prejudicial to them. But if a parent or husband (much more a king or general) might nullify all the testimonial oaths of their inferiors that are given in judgment, or discharge all their subjects from the guilt of all the lies or false oaths which they shall take, it would make a great change in the morality of the world.

4. It is not past all controversy how far this law is yet in force: seeing the Mosaical law as such is abrogated; this can be now no further in force than as it is the law of nature, or some way confirmed or revived by Christ. The equity seemeth to be natural.

Rule xxxi. 'It is certain that whoever this power of disannulling vows belongeth to, and to whomsoever it may be given, that it extendeth not to discharge us from the promise or vow of that which is antecedently our necessary duty by the law of God.' Else they should dispense with the law of God, when none but the lawgiver can relax or dispense with his laws, (unless it be one superior to the lawgiver): therefore none can dispense with the laws of God. But I speak this but of a duty necessary also as a means to our salvation, or the good of others, or the honouring of God: for otherwise as to some smaller things, the duty may be such as man cannot dispense with, and yet a vow to do that duty may be unnecessary and sinful: as if I swear to

keep all the law of God, and never to sin, or never to think a sinful thought : to do this is good, but to vow it is bad, because I may foreknow that I shall break it.

Rule xxxii. ' In some cases a vow may oblige you against that which would have been your duty if you had not vowed, and to do that which would else have been your sin : viz. if it be such a thing as is sin or duty but by some lesser accident, which the accident of a vow may preponderate or prevail against.' As if you swear to give a penny to a wandering beggar, or to one that needeth it not, which by all circumstances would have been an unlawful misemploying of that which should have been better used ; yet it seemeth to me your duty to do it when you have moved it. To cast away a cup of drink is a sin, if it be causelessly ; but if you vow to do it, it is hard to say that a man should rather be perjured than cast away a cup of drink, or a penny, or a pin. The Jesuits think it lawful to exercise the obedience of their novices by bidding them sometimes cast a cup of wine into the sink, or do some such action which causelessly done were sin : and shall not a vow require it more strongly ? Suppose it would be your duty to pray or read at such or such an hour of the day (as being fittest to your body and occasions) : yet if you have (foolishly) vowed against it, it seemeth to me to be your duty to put it off till another time. For perjury is too great a thing to be yielded to on every such small occasion. Dr. Sanderson * 'ubi supra' giveth this instance : ' If there be a law that no citizen elected to it shall refuse the office of a prætor ; and he that doth refuse it shall be fined : Caius sweareth that he will not bear the office : his oath is unlawful (and disobedience would have been his sin if he were free) yet it seems he is bound to pay his fine, and disobey the precept of the law, rather than break his vow.'

Rule xxxiii. ' There are so great a number of sins and duties that are such by accidents and circumstantial alterations, and some of these greater and some less, that it is a matter of exceeding great difficulty in morality to discern when they are indeed sins and duties and when not, which must be by discerning the preponderancy of accidents ; and therefore it must be exceeding difficult to discern when a

* Sanderson, p. 73.

vow shall weigh down any of these accidents, and when not.'

Rule xxxiv. 'The exceeding difficulty and frequency of such cases maketh it necessary to those that have such entanglements of vows, to have a very wise and faithful counsellor to help them better to resolve their particular cases, upon the knowledge of every circumstance, than any book or general rules can do, or any that are not so perfectly acquainted with the case.' And O what great ability is necessary in divines that are employed in such works!

Rule xxxv. 'Thus also the case must be resolved whether an oath bind that hindereth a greater good which I might do if I had not taken it.' In some cases it may bind: as if I swear to acquaint none with some excellent medicine which I could not have known myself unless I had so sworn; or in case that the breaking of the oath, will do more hurt to me or others than the good comes to which I omit: or in case all things considered, the doing of that good 'hic et nunc' is not my duty: see Dr. Sanderson of the difficulties here also.

Rule xxxvi. 'No personal hurt or temporal loss is any sufficient cause for the violation of an oath.' He that taketh a false oath, or breaketh a promissory oath for the saving of his life or a thousand men's lives, or for lands or riches, or crowns and kingdoms, hath no considerable excuse for his perfidiousness and perjury, all temporal things being such inconsiderable trifles in comparison of the will and pleasure of God, and life everlasting: that which will not justify a lie, will much less justify perjury^t.

Rule xxxvii. 'If the matter of an oath prove only a temptation to sin, and not sin itself, it must be kept: but with the greater vigilance and resolution! As if a man have married a froward wife that will be a temptation to him all his life, he is not disobliged from her.

Rule xxxviii. 'If the matter of an oath be such as maketh me directly the tempter of myself or others, it is a sin, and not to be kept, unless some greater good preponderate that evil.' For though it be no sin to be tempted, yet it is a sin to tempt: though it be no sin to tempt by a necessary trial, (as a master may lay money before a suspected servant to try whether he be a thief,) nor any sin to tempt

^t Sanders p. 80, 81.

accidentally by the performance of a duty (as a holy life doth accidentally tempt a malignant person to hatred and persecution); yet it is a sin to be directly and needlessly a tempter of ourselves or others unto sin; and therefore he that voweth it must not perform it. As if you had vowed to persuade any to unchastity, intemperance, error, rebellion, &c.

Rule xxxix. 'If the matter of an oath be such as accidentally layeth so strong a temptation before men (especially before a multitude), as that we may foresee it is exceeding likely to draw them into sin, when there is no greater good to preponderate the evil of such a temptation, it is a sin to do that thing, though in performance of a vow.' When actions are good or evil only by accident, then accidents must be put in the balance against each other, and the weightiest must preponderate. As in matter of temporal commodity or discommodity, it is lawful to do that action which accidentally bringeth a smaller hurt to one man, if it bring a greater good to many; or which hurteth a private person to the great good of the commonwealth; but it is not lawful to do that which clearly tendeth (though but by accident) to do more hurt than good. As to sell powder and arms, when we foresee it will be used against the king and kingdom; or to sell ratsbane when you foresee it is like to be used to poison men. Much more should the salvation of many or one be preferred before our temporal commodity; and therefore for a lesser good, we may not tempt men to evil, though but accidentally: as he that liveth where there is but little need of taverns or alehouses, and the common use of them is for drunkenness, it is unlawful for him there to sell ale or wine, unless he can keep men from being drunk with it: (as if they take it home with them, or be unruly he cannot.) For thus to be a foreknowing tempter and occasion, unnecessarily, is to be a moral cause. Two things will warrant a man to do that which by accident tempteth or occasioneth other men to sin: one is a command of God, when it is a duty which we do: the other is a greater good to be attained by the action, which cannot be attained in a less dangerous way. As in a country where there is so great a necessity for alehouses and taverns that the good that is done by them is greater than the hurt is like to be, though some will

be drunk; it is lawful to use these trades though some be hurt by it. It is lawful to sell flesh though some will be gluttonous; it is lawful to use moderate, decent ornaments, though some vain minds will be tempted by the sight to lust. As it is lawful to go to sea though some be drowned: to act a comedy, or play at a lawful game, with all those cautions, which may secure you that the good of it is like to be greater than the hurt, is not unlawful: but to set up a play-house, or gaming-house, where we may foresee that the mischief will be far greater than the good (though the acts were lawful in themselves), this is but to play the devil's part, in laying snares for souls: men are not thus to be ticed to hell and damned in sport, though but accidentally, and though you vowed the act.

Rule XL. 'Thus also must the case of scandal be resolved': as scandal signifieth an action that occasioneth another to sin, or a stumbling-block at which we foresee he is like to fall to the hurt of his soul, (which is the sense that Christ and the apostles usually take it in) so it is the same case with this last handled, and needs no other resolution: but as scandal signifieth (in the late abusive sense) the mere displeasing of another, or occasioning him to censure you for a sinner, so you must not break a vow to escape the censure or displeasure of all the world.' Otherwise pride would be still producing perjury, and so two of the greatest sins would be maintained.

Rule XLI. 'Though in the question about the obligation of an oath that is taken ignorantly, or by deceit, there be great difficulties, yet this much seemeth clear, 1. That he that is culpably ignorant is more obliged by his vow or contract while he useth all the outward form, than he that is inculpably ignorant. 2. That though the deceit (as the force) of him that I swear to, do forfeit his right to what I promise him, yet my oath or vow obligeth me to do or give the thing, having interested God himself in the cause. 3. That all such errors of the essentials of an oath or vow as nullify it (of which I spake before) or make the matter sinful, do infer a nullity in the obligation (or that it must not be kept).' But no smaller error (though caused by deceit) doth disoblige.

^a Sanders. p. 82.

The commonest doubt is, 'Whether an error about the very person that I swear to, and this caused by his own deceit, do disoblige me?' All grant that I am obliged notwithstanding any circumstantial error; (as if I think a woman rich whom I marry, and she prove poor, or wise and godly, and she prove foolish or ungodly: yea, if the error be about any integral part; as if I think she had two eyes or legs, and she have but one:) and all grant that an error about an essential part, that is, which is essential to the relation or thing vowed, (if inculpable at least) disobligeth: as if I took a man in marriage thinking he had been a woman; or if I took a person for a pastor, a physician, a counsellor, a pilot, that hath no tolerable ability or skill in the essentials of any of those professions. But whether I am bound if I swear to Thomas thinking it was John, or if I marry Leah thinking she is Rachel, is the great doubt. And most casuists say I am not: and therefore I dare not be bold to contradict them^u. But I much suspect that they fetched their decision from the lawyers; who truly say, that in 'foro civili' it inferreth no obligation: but whether it do not oblige me ethically and 'in foro conscientie et cœli' I much doubt^r, 1. Because it seemeth the very case of Joshua and the Israelites, who by the guile of the Gibeonites were deceived into an 'error personarum,' taking them to be other persons than they were: and yet that this oath was obligatory, saith Dr. Sanderson is apparent (1.) In the text itself, Josh. ix. 19. (2.) In the miracle wrought for that victory which Joshua obtained in defending the Gibeonites when the sun stood still^r. (3.) In the severe revenge that was taken on the lives of Saul's posterity for offering to violate it^r. 2. And this seemeth to be the very case of Jacob who took not himself disobliged from Leah notwithstanding the mistake of the person through deceit, And though the 'concupitus' was added to the contract, that obliged most as it was the perfecting of the contract, which an oath doth as strongly. 3: And the nature of the thing doth confirm my doubt; because when I see the per-

^u Sanders, p. 122.

^r Sanders, p. 120, 121. This seemeth the case of Isaac in blessing Jacob: the error personarum caused by Jacob's own deceit did not nullify the blessing, because it was fixed on the determinate person that it was spoken to.

^r Josh. x. 8. 13.

^r 2 Sam. xxi. 2.

son before me there is the 'individuum determinatum,' in the 'hæc homo,' and so all that is essential to my vow is included in it: if I mistake the name or the quality, or birth or relations of the person, yet my covenant is with this determinate person that is present, though I be induced to it by a false supposition that she is another. But this I leave to the discussion of the judicious.

Rule XLII. 'The question also is weighty and of frequent use, if a man vow a thing as a duty in obedience to God and conscience, which he would not have done if he had taken it to be no duty, and if he afterwards find that it was no duty, is he obliged to keep this vow? And the true answer is, that the discovery of his error doth only discover the nullity of his obligation to make that vow, and to do the thing antecedently to the vow; but if the thing be lawful, he is bound to it by his vow notwithstanding the mistake which induced him to make it.

Rule XLIII. 'Vows about trifles (not unlawful) must be kept though they are sinfully made^a.' As if you vow to take up a straw, or to forbear such a bit or sort of meat, or garment, &c. But to make such is a great profanation of God's name, and a taking it in vain as common swearers do.

Rule XLIV. 'A general oath though taken upon a particular occasion must be generally or strictly interpreted (unless there be special reasons for a restraint, from the matter, end, or other evidence).' As if you are afraid that your son should marry such a woman, and therefore swear him not to marry without your consent; he is bound thereby neither to marry that woman nor any other. Or if your servant haunt any particular alehouse, and you make him forswear all houses in general, he must avoid all other. So Dr. Sanderson instanceth in the oath of supremacy, p. 195.

Rule XLV. 'He that voweth absolutely or implicitly to obey another in all things, is bound to obey him in all lawful things, where neither God, nor other superior or other person is injured; unless the nature of the relation, or the ends or reasons of the oath, or something else infer a limitation as implied.'

Rule XLVI. 'Still distinguish between the falsehood in the words as disagreeing to the thing sworn, and the false-

^a Sanders. p. 84.

hood of them as disagreeing from the swearer's mind.' The former is sometimes excusable, but the latter never.

There are many other questions about oaths that belong more to the chapter of Contracts and justice between man and man; and thither I refer them.

CHAPTER VI.

Directions to the People concerning their Internal and Private Duty to their Pastors, and the Improvement of their Ministerial Office and Gifts.

THE people's internal and private duty to their pastors (which I may treat of without an appearance of encroachment upon the work of the canons, rubrics, and diocesans) I shall open to you in these Directions following.

Direct. 1. 'Understand first the true ground, and nature, and reasons of the ministerial office, or else you will not understand the grounds, and nature, and reasons of your duty to them.' The nature and works of the ministerial office I have so plainly opened already that I shall refer you to it to avoid repetition^a. Here are two sorts of reasons to be given you: 1. The reasons of the necessity of the ministerial work. 2. Why certain persons must be separated to this work, and it must not be left to all in common.

The necessity of the work itself appeareth in the very nature of it, and enumeration of the parts of it^b. Two sorts of ministers Christ hath made use of for his church: the first sort was for the revelation of some new law or doctrine, to be the rule of faith or life for the church: and these were to prove their authority and credibility by some divine attestation, which was especially by miracles; and so Moses revealed the law to the Jews, and (Christ and) the apostles revealed the Gospel. The second sort of ministers are appointed to guide the church to salvation by opening and applying the rule thus already sealed and delivered: and these as they are to bring no new revelations or doctrines of faith, or rule of life, so they need not bring any miracle to

^a Disput. ii. of Church Government, chap. i. and Universal Concord.

^b Of the difference between fixed and unfixed ministers, see my Disput. ii. iii. of Church Government, and Jos. Acosta lib. v. c. 21, 22. de Missionibus.