

CHAPTER XIX.

General Directions and particular Cases of Conscience, about Contracts in general, and about Buying and Selling, Borrowing and Lending, Usury, &c. in particular.

Tit. 1. General Directions against injurious Bargaining and Contracts.

BESIDES the last Directions Chap. xviii. take these as more pertinent to this case.

Direct. I. ' See that your hearts have the two great principles of justice deeply and habitually innaturalized or radiated in them, viz. The true love of your neighbour, and the denial of yourself; which in one precept are called, The loving of your neighbour as yourself.' For then you will be freed from the inclination to injuries and fraud, and from the power of those temptations, which carry men to these sins. They will be contrary to your habitual will or inclination; and you will be more studious to help your neighbour, than to get from him.

Direct. II. ' Yet do not content yourself with these habits, but be sure to call them up to act, whenever you have any bargaining with others; and let a faithful conscience be to you as a cryer to proclaim God's law, and say to you, ' Now remember love and self-denial, and do as you would be done by.' ' If Alexander Severus so highly valued this saying, ' Quod tibi fieri non vis, alteri ne feceris,' as to make it his motto, and write and engrave it on his doors and buildings, (having learned it of some Christians or Jews saith Lampridius;) what a crime and shame is it for Christ's own professed disciples neither to learn or love it. Put home the question when you have any bargaining with others, ' How would I be dealt with myself, if my case were the same with his?'

Direct. III. ' When the tempter draweth you to think only of your own commodity and gain, remember how much more you will lose by sin, than your gain can any way amount to.' If Achan, Gehazi, Ahab, Judas, &c. had foreseen the end, and the greatness of their loss, it would have

curbed their covetous desires. Believe God's Word from the bottom of your heart, that you shall lose things eternal if you sinfully get things temporal, and then you will not make haste to such a bargain, to win the world and lose your souls.

Direct. iv. 'Understand your neighbour's case aright, and meditate on his wants and interest.' You think what you want yourself; but you think not whether his wants with whom you deal, may not be as great as yours: consider what his commodity costeth him: or what the toil of the workman's labour is: what house rent he hath to pay, and what a family to maintain: and whether all this can be well done upon the rates that you desire to trade with him. And do not believe every common report of his riches, or of the price of his commodity; for fame in such cases is frequently false.

Direct. v. 'Regard the public good above your own commodity.' It is not lawful to take up or keep up any oppressing monopoly or trade; which tendeth to enrich you by the loss of the commonwealth or of many.

Direct. vi. 'Therefore have a special regard to the laws of the country where you live; both as to your trade itself, and as to the price of what you sell or buy.' For the law is made for the public benefit, which is to be preferred before any private man's. And when the law doth directly or indirectly set rates upon labours or commodities, ordinarily they must be observed; or else you will commit two sins at once, injury and disobedience.

Direct. vii. 'Also have special respect to the common estimate, and to the market-price.' Though it be not always to be our rule, yet ordinarily it must be a considerable part of it; and of great regard.

Direct. viii. 'Let not imprudent thinking make you seem more covetous than you are.' Some imprudent persons cannot tell how to make their markets without so many words, even about a penny or a trifle, that it maketh others think them covetous, when it is rather want of wit. The appearance of evil must be avoided. I have known some that are ready to give a pound to a charitable use at a word, who will yet use so many words for a penny in their bargaining as maketh them deeply censured and misunder-

stood. If you see cause to break for a penny or a small matter, do it more handsomely in fewer words, and be gone : and do not tempt the seller to multiply words, because you do so.

Direct. ix. ' Have no more to do in bargaining with others, especially with censorious persons, than you needs must : ' For in much dealing usually there will be much misunderstanding, offence, censure, and complaint.

Direct. x. ' In doubtful cases, when you are uncertain what is lawful, choose that side which is safest to the peace of your consciences hereafter ; though it be against your commodity, and may prove the losing of your right.'

Tit. 2. Cases of Conscience about Justice in Contracts.

Quest. 1. ' Must I always do as I would be done by ? Or hath this rule any exceptions ?'

Ans. The rule intendeth no more but that your just self-denial and love to others, be duly exercised in your dealings with all. And 1. It supposeth that your own will or desires be honest and just, and that God's law be their rule. For a sinful will may not be made the rule of your own actions or of other men's. He that would have another make him drunk, may not therefore make another drunk : and he that would abuse another man's wife, may not therefore desire that another man would lust after or abuse his wife. He that would not be instructed, reprov'd, or reformed, may not therefore forbear the instructing or reproving others. And he that would kill himself, may not therefore kill another. But he that would have no hurt done to himself injuriously, should do none to others : and he that would have others do him good, should be as willing to do good to them.

2. It supposeth that the matter be to be varied according to your various conditions. A parent that justly desireth his child to obey him, is not bound therefore to obey his child ; nor the prince to obey his subjects ; nor the master to do all the work of his servants, which he would have his servants do for him. But you must deal by another, as you would (regularly) have them do by you, if you were

in their case, and they in yours. And on these terms it is a rule of righteousness.

Quest. II. 'Is a son bound by the contract which his parents or guardians made for him in his infancy?'

Ans. To some things he is bound, and to some things not. The infant is capable of being obliged by another upon four accounts. 1. As he is the parent's own; (or a master's to whom he is in absolute servitude). 2. As he is to be ruled by the parents. 3. As he is a debtor to his parents for benefits received. 4. As he is an expectant or capable of future benefits to be enjoyed upon conditions to be performed by him. 1. No parents or lord have an absolute property in any rational creature; but they have a property 'secundum quid, et ad hoc:' and a parent's property doth in part expire or abate, as the son groweth up to the full use of reason, and so hath a greater property in himself. Therefore he may oblige his son only so far as his property extendeth, and to such acts, and to no other: for in those his will is reputatively his son's will. As if a parent sell his son to servitude, he is bound to such service as beseemeth one man to put another to. 2. As he is rector to his child, he may by contract with a third person promise that his child shall do such acts, as he hath power to command and cause him to do: as to read, to hear God's Word, to labour as he is able; but this no longer than while he is under his parent's government: and so long obedience requireth him to perform their contracts, in performing their commands. 3. The child having received his being and maintenance from them, remains obliged to them as his benefactors in the debt of gratitude as long as he liveth: and that so deeply that some have questioned whether ever he can requite them: (which 'quoad valorem beneficii' he can do only by furthering their salvation; as many a child hath been the cause of the parent's conversion). And so far as the son is thus a debtor to his parents, he is obliged to do that which the parents by contract with a third person shall impose upon him. As if the parents could not be delivered out of captivity, but by obliging the son to pay a great sum of money, or to live in servitude for their release: though they never gave him any money, yet is he bound to pay the sum, if he can

get it, or to perform the servitude ; because he hath received more from them, even his being. 4. As the parents are both owners, (' secundum quid ') and rulers, and benefactors to their child, in all three respects conjunct, they may oblige him to a third person who is willing to be his benefactor, by a conditional obligation to perform such conditions that he may possess such or such benefits : and thus a guardian or any friend who is fit to interpose for him, may oblige him. As to take a lease in his name, in which he shall be bound to pay such a rent, or do such a service, that he may receive such a commodity which is greater. Thus parents oblige their children under civil governments to the laws of the society or kingdom, that they may have the protection and benefits of subjects. In these cases the child can complain of no injury ; for it is for his benefit that he is obliged : and the parent (in this respect) cannot oblige him to his hurt : for if he will quit the benefit, he may be freed when he will from his obligation, and may refuse to stand to the covenant if he dislike it. If he will give up his lease, he may be disobliged from the rent and service.

In all this you may see that no man can oblige another against God or his salvation : and therefore a parent cannot oblige a child to sin, nor to forbear hearing or reading the Word of God, or praying, or any thing necessary to his salvation : nor can he oblige him to hear an heretical pastor ; or to marry an infidel or wicked wife, &c.

And here also you may perceive on what grounds it is that God hath appointed parents to oblige their children in the covenant of baptism, to be the servants of God and to live in holiness all their days.

And hence it is apparent, that no parents can oblige their children to be miserable, or to any such condition which is worse than to have no being.

Also that when parents do (as commonly they do) profess to oblige their children as benefactors for their good, the obligation is then to be interpreted accordingly : and the child is then obliged to nothing which is really his hurt.

Yea, all the propriety and government of parents, cannot authorize them to oblige the child to his hurt, but in

order to some greater good, either to the parents themselves, or to the commonwealth, or others : at least that which the parents apprehend to be a greater good ; but if they err through ignorance or partiality, and bind the child to a greater hurt for their lesser good, (as to pay two hundred pounds to save them from paying one hundred pounds,) whether their injury and sin do excuse the child from being obliged to any more than the proportion of the benefit required, I leave undetermined.

Quest. III. ' But what if the parents disagree, and one of them will oblige the child, and the other will not ?'

Ans. 1. If it be an act of the parents as mere proprietors for their own good, either of them may oblige him in a just degree ; because they have severally a propriety. 2. If it be an act of government (as if they oblige him to do this or that act of service at their command in his minority), the father may oblige him against the mother's consent, because he is the chief ruler ; but not the mother against the father's will, though she may without it.

Quest. IV. ' Is a man obliged by a contract which he made in ignorance or mistake of the matter ?'

Ans. I have answered this before in the case of marriage, Part iii. Chap. 1. ; I add here.

1. We must distinguish between culpable and inculpable error. 2. Between an error about the principal matter, and about some smaller accidents or circumstances. 3. Between a case where the law of the land, or the common good interposeth, and where it doth not.

1. If it be your own fault that you are mistaken you are not wholly freed from the obligation ; but if it was your gross fault, by negligence or vice, you are not at all freed ; but if it were but such a frailty as almost all men are liable to, so that none but a person of extraordinary virtue or diligence could have avoided the mistake, then equity will proportionably make you an abatement or free you from the obligation. So far as you were obliged to understand the matter, so far you are obliged by the contract ; especially when another is a loser by your error.

2. An inculpable error about the circumstances, or smaller parts, will not free you from an obligation in the

principal matter; but an inculpable error in the essentials will.

3. Except when the law of the land or the common good, doth otherwise overrule the case: for then you may be obliged by that accident. In divers cases the rulers may judge it necessary, that the effect of the contract shall depend upon the bare words, or writing, or actions; lest false pretences of misunderstanding should exempt deceitful persons from their obligations, and nothing should be a security to contractors. And then men's private commodity must give place to the law and to the public good.

4. Natural infirmities must be numbered with faults, though they be not moral vices, as to the contracting of an obligation, if they be in a person capable of contracting. As if you have some special defect of memory, or ignorance of the matter which you are about. Another who is no way faulty by overreaching you, must not be a loser by your weakness. For he that cometh to the market, or contracteth with another that knoweth not his infirmity, is to be supposed to understand what he doth, unless the contrary be manifest: you should not meddle with matters which you understand not: or if you do, you must be content to be a loser by your weakness.

5. Yet in such cases, another that hath gained by the bargain, may be obliged by the laws of equity and charity, to remit the gain, and not to take advantage of your weakness; but he may so far hold you to it, as to secure himself from loss; except in cases where you become the object of his charity, and not of commutative justice only.

Quest. v. 'Is a drunken man, or a man in a transporting passion, or a melancholy person, obliged by a contract made in such a case?'

Ans. Remember still, that we are speaking only of contracts about matters of profits or worldly interest; and not of marriage or any of another nature. And the question as it concerneth a man in drunkenness or passion, is answered as the former about culpable error; and as it concerneth a melancholy man, it is to be answered as the former question, in the case of natural infirmity. But if the melancholy be so great as to make him incapable of bargaining, he is to be

esteemed in the same condition as an idiot, or one in delirium or distraction.

Quest. VI. 'But may another hold a man to it, who in drunkenness or passion maketh an ill bargain, or giveth or playeth away his money; and repenteth when he is sober?'

Ans. He may (ordinarily) take the money from the loser, or him that casteth it thus away; but he may not keep it for himself: but if the loser be poor, he should give it to his wife or children whom he robbeth by his sin: if not, he should either give it to the magistrate or overseer for the poor, or give it to the poor himself. The reason of this determination is, because the loser hath parted with his property, and can lay no further claim to the thing; but the gainer can have no right from another's crime: if it were from an injury, he might, so far as is necessary to reparations: but from a crime he cannot: for his loss is to be estimated as a mulct or penalty, and to be disposed of as such mulcts as are laid on swearers and drunkards are. Only the person by his voluntary bargain, hath made the other party instead of the magistrate, and authorized him (in ordinary cases) to dispose of the gain, for the poor or public good.

Quest. VII. 'Am I obliged by the words or writings which usually express a covenant, without any covenanting or self-obliging intention in me, when I speak or write them?'

Ans. Either you utter or write those words, with a purpose to make another believe that you intend a covenant; or at least by culpable negligence, in such a manner as he is bound so to understand you, or justified for so understanding you: or else you so use the words, as in the manner sufficiently to signify that you intend no covenant or self-obligation. In the former case you bind yourself (as above said); because another man is not to be a loser, nor you a gainer or a saver by your own fraud or gross negligence. But in the latter case you are not bound, because an intent of self obliging is the internal efficient of the obligation; and a signification of such an intent, is the external efficient, without which it cannot be. If you read over the words of a bond, or repeat them only in a narrative, or

ludicrously ; or if a scrivener write a form of obligation of himself, to a boy for a copy, or to a scholar for a precedent, these do not induce any obligation in conscience, nor make you a debtor to another. Thus also the case of the intent of the baptizer, or baptized (or parent) is to be determined.

Quest. VIII. ' May a true man promise money to a robber, for the saving of his life or of a greater sum, or more precious commodity ?'

Ans. Yes, in case of necessity, when his life or estate cannot better be preserved : and so taxes may be paid to an enemy in arms, or to a plundering soldier, (supposing that it do no other hurt, which is greater than the good). Any man may part with a lesser good to preserve a greater : and it is no more voluntary or imputable to our wills, than the casting of our goods into the sea to save the vessel and our lives.

Quest. IX. ' May I give money to a judge, or justice, or court officer, to hire him to do me justice, or to keep him from doing me wrong ; or to avoid persecution ?'

Ans. You may not, in case your cause be bad, give any thing to procure injustice against another ; nor speak a word for it nor desire it : this I take as presupposed. You may not give money to procure justice, when the law of the land forbiddeth it, and when it will do more hurt accidentally to others than good to you ; when it will harden men in the sin of bribery, and cause them to expect the like from others. But except it be when some such accidental greater hurt doth make it evil, it is as lawful as to hire a thief not to kill me ; when you cannot have your right by other means, you may part with a smaller matter for a greater.

Quest. X. ' But if I make such a contract, may the other lawfully take it of me ?'

Ans. No ; for it is now supposed that it is unlawful on his part.

Quest. XI. ' But if under necessity of force I promise money to a robber, or a judge, or officer, am I bound to perform it when my necessity is over ?'

Ans. You have lost your own property by your covenant, and therefore must not retain it ; but he can acquire no right by his sin ; and therefore some say that in point of

justice you are not bound to give it him; but to give it to the magistrate for the poor; but yet prudence may tell you of other reasons 'a fine' to give it the man himself, though justice bind you not to it; as in case that else he may be revenged and do you some greater hurt; or some greater hurt is any other way like to be the consequent; which it is lawful by money to prevent. But many think that you are bound to deliver the money to the thief or officer himself; because it is a lawful thing to do it, though he have no just title to it; and because it was your meaning, or the signification of your words in your covenant with him; and if it were not lawful to do it, it could not be lawful to promise to do it, otherwise your promise is a lie. To this, those of the other opinion say, that as a man who is discharged of his promise by him that it was made to, is not to be accounted false if he perform it not; so is it as to the thief or officer in question; because he having no right, is to you as the other that hath quit his right. And this answer indeed will prove, that it is not strict injustice not to pay the money promised; but it will not prove that it is not a lie to make such a promise with an intent of not performing it, or that it is not a lie to make it with an intent of performing it, and not to do it when you may. Though here a Jesuit will tell you that you may say the words of a promise, with an equivocation or mental reservation, to a thief or persecuting magistrate; (of which see more in the Chapters of Lying, Vows, and Perjury). I am therefore of opinion that your promise must be sincerely made, and according to the true intent of it, you must offer the money to the thief or officer; except in case the magistrate forbid you, or some greater reason lie against it, which you foresaw not when you made the promise. But the offender is undoubtedly obliged not to take the money.

The same determination holdeth as to all contracts and promises made to such persons, who by injurious force constrained us to make them. There is on us an obligation to veracity, though none to them in point of justice, because they have no proper right; nor may they lawfully take our payment or service promised them. And in case that the public good unexpectedly cross our performance, we must not perform it: such like is the case of conquerors, and

those that upon conquest become their vassals or subjects upon unrighteous terms. But still remember, that if it be not only a covenant with man, but a vow to God, which maketh him a party, the case is altered, and we remain obliged.

Quest. XII. 'But may I promise the thief or bribe-taker to conceal his fault? And am I obliged to the performance of such a promise?'

Ans. This is a promise of omitting that which else would be a duty. It is ordinarily a duty to reveal a thief and bribe-taker that he may be punished. But affirmatives bind not 'ad semper;' no act (especially external) is a duty at all times, therefore not this, of revealing an offender's fault. And if it be not always a duty, then it must be none when it is inconsistent with some greater benefit or duty; for when two goods come together, the greater must be preferred; therefore in case that you see in just probability, that the concealment of the sinner will do more hurt to the commonwealth or the souls of men, than the saving of your life is like to do good; you may not promise to conceal him; or if you sinfully promise it, you may not perform it. But in case that your life is like to be a greater good than the not promising to conceal him, then such a promise is no fault, because the disclosing him is no duty. But to judge rightly of this is a matter of great difficulty. If it be less than life which you save by such a promise, it oft falls out that it is a lesser good, than the detecting of the offence.

But it will here be said, 'If I promise not to conceal a robber, I must conceal him nevertheless; for when he hath killed me, I cannot reveal him; and I must conceal the bribe-taker; for till I have promised secrecy, I cannot prove him guilty. And he that promiseth to forbear a particular good action whilst he liveth, doth yet reserve his life for all other good works: whereas if he die, he will neither do that or any other.' But this case is not so easily determined: if Daniel die, he can neither pray nor do any other good on earth. And if he live he may do much other good, though he never pray; and yet he might not promise to give over praying to save his life. I conceive that we must distinguish of duties essential to the outward part of

Christianity, or of constant, indispensable necessity; and duties which are alterable, and belong only to some persons, times and places; also between the various consequents of omissions. And I conceive that ordinarily a man may promise for the saving of his life, that he will forbear a particular, alterable duty or relation; as to read such a commentary, to speak with such a minister, to be a magistrate or a minister, &c., in case we have not before bound ourselves never to give over our calling till death. And in case that the good which will follow our forbearance, is likely (to a judicious person) to be greater than the evil. But no man may promise to omit such a duty as God hath made necessary during life; as not to love God, or fear, or trust him: not to worship him, and call upon him, and praise him: nor to do good to men's souls or bodies in the general: or, not to preach or pray while I am a minister of Christ: or not at all to govern while you are a governor: for all these contradict some former or greater promises or duties. Nor may you omit the smallest duty to save your life, at such a time when your death is like to do more good, than your life would do without that one duty. Apply this to the present case.

Quest. XIII. 'If another man deceive me into a promise or covenant against my good, am I bound to perform it when I have discovered the deceit?'

Ans. Yes, 1. In case that the law of the land, or other reasons for the public good require it. 2. Or in case that you were faulty by negligence, heedlessness, or otherwise guilty of your own deceit, in any considerable or avoidable degree. Otherwise, in that measure that he deceived you, and in those respects you are not obliged.

Quest. XIV. 'If the contracting parties do neither of them understand the other, is it a covenant? Or if it be, whose sense must carry it?'

Ans. If they understand not each other in the essentials of the contract, it is no contract in point of conscience; except where the laws for the public safety do annex the obligation to bare external act. But if they understand not one another in some circumstances, and be equally culpable or innocent, they must come to a new agreement in those particulars: but if one party only be guilty of the

misunderstanding, he must bear the loss, if the other insist on it.

Quest. xv. 'Am I bound to stand to the bargains which my friend, or trustee, or servant maketh for me, when it proveth much to my injury and loss?'

Ans. Yes; 1. If they exceed not the bounds of that commission or trust which they received from you. 2. Or if they do, yet if by your former trusting and using them, or by any other sign you have given the other party sufficient cause to suppose them intrusted by you to do what they do, so that he is deceived by your fault, you are bound at least to see that he be no loser by you; though you are not bound to make him a gainer, unless you truly signified that you authorized them to make the contract. For if it be merely your friend's or servant's error, without your fault, it doth not bind you to a third person. But how far you may be bound to pardon that error to your friend or servant, is another question; and how far you are bound to save them harmless. And that must be determined by laying together all other obligations between them and you.

Quest. xvi. 'If I say I will give such or such a one this or that, am I bound thereby to do it?'

Ans. It is one thing to express your present mind and resolution, without giving away the liberty of changing it; and it is another thing to intend the obliging of yourself to do the thing mentioned. And that obligation is either intended to man, or to God only; and that is either in point of rendition and use, or in point of veracity, or the performance of that moral duty of speaking truth. If you meant no more in saying, 'I will do it,' or 'I will give it,' but that this is your present will, and purpose, and resolution, yea, though it add the confident persuasion that your will shall not change; yet this no further obligeth you than you are obliged to continue in that will; and as a man's confident resolutions may be lawfully changed upon sufficient cause. But if you intended to alienate the title to another, or to give him present right, or to oblige yourself for the future to him by that promise; or to oblige yourself to God to do it by way of peremptory assertion, as one that will be guilty of a lie if you perform it not; or if you dedicate the thing

to God by those words as a vow, then you are obliged to do accordingly (supposing nothing else to prohibit it).

Quest. xvii. 'Doth an inward promise of the mind not expressed, oblige?'

Answ. In a vow to God it doth: and if you intend it as an assertion obliging you in point of veracity, it doth so oblige you that you must lie. But it is no contract, nor giveth any man a title to what you tacitly thought of.

Quest. xviii. 'May I promise an unlawful thing (simply so) without an intention of performing it, to save my life from a thief or persecutor?'

Answ. No: because it is a lie, when the tongue agreeth not with the heart. Indeed those that think a lie is no sin when it hurteth not another, may justify this, if that would hold good; but I have before confuted it, Part i., in the chapter against Lying.

Quest. xix. 'May any thing otherwise unlawful become a duty upon a promise to do it?'

Answ. This is answered before Part i., chapter of Perjuries and Vows: a thing unlawful will be so still, notwithstanding a vow or promise; and some so of that also which is unlawful antecedently but by accident; as e. g. It is not simply unlawful to cast away a cup of wine or a piece of silver; (for it is lawful upon a sufficient cause). But it is unlawful to do it without any sufficient cause. Now suppose I should contract with another that I will do it; am I bound by such a contract? Many say no, because the matter is unlawful though but by accident; and the contract cannot make it lawful. I rather think that I am bound in such a case; but yet that my obligation doth not exclude me wholly from sin; it was a sin before I promised (or vowed it) to cast away a farthing causelessly. And if I causelessly promised it, I sinned in that promise: but yet there may be cause for the performance: and if I have entangled myself in a necessity of sinning whether I do it or not, I must choose the lesser sin; for that is then my duty. (Though I should have chosen neither as long as I could avoid it.) In a great and hurtful sin I may be obliged rather to break my covenant than to commit it, yet it is hard to say so of every accidental evil: my reasons are, 1. Because the promise or covenant is now an accident to be put

into the balance; and may weigh down a lighter accident on the other side: (but I know that the great difficulty is to discern which is indeed the preponderating accident).

2. I think if a magistrate command me to do any thing which by a small accident is evil (as to spend an hour in vain, to give a penny in vain, to speak a word, which antecedently, was vain) that I must do it; and that then it is not vain because it manifesteth my obedience: (otherwise obedience would be greatly straitened). Therefore my own contract may make it my duty; because I am able to oblige myself as well as a magistrate is. 3. Because covenant-breaking (and perjury) is really a greater sin than speaking a vain word; and my error doth not make it no sin, but only entangles me in a necessity of sinning which way soever I take.

Quest. xx. 'If a man make a contract to promote the sin of another for a reward (as a corrupt judge or lawyer, officer or clerk to promote injustice; or a resetter to help a thief; or a bawd or whore, for the price of fornication), may he take the reward, when the sin is committed, (suppose it repented of)?'

Ans. The offender that promised the reward, hath forfeited his title to the money; therefore you may receive it of him (and ought, except he will rightly dispose of it himself); but withal to confess the sin and persuade him also to repent: but you may not take any of that money as your own; (for no man can purchase true propriety by iniquity). But either give it to the party injured (to whom you are bound to make satisfaction), or to the magistrate or the poor, according as the case particularly requireth.

Quest. xxi. 'If I contract, or bargain, or promise to another, between us two, without any legal form or witness, doth it bind me to the performance?'

Ans. Yes, 'in foro conscientiæ,' supposing the thing lawful; but if the thing be unlawful 'in foro Dei,' and such as the law of the land only would lay hold of you about, or force you to, if it had been witnessed, then the law of the land may well be avoided, by the want of legal forms and witnesses.

Quest. xxii. 'May I buy an office for money in a court of justice?'

Ans. Some offices you may buy, (where the law alloweth it, and it tendeth not to injustice;) but other offices you may not; the difference the lawyers may tell you better than I, and it would be tedious to pursue instances.

Quest. XXIII. 'May one buy a place of magistracy or judicature for money?'

Ans. Not when your own honour or commodity is your end; because the common good is the end of government; and to a faithful governor, it is a place of great labour and suffering, and requireth much self-denial and patience. Therefore they that purchase it as a place of honour, gain or pleasure, either know not what they undertake, or have carnal ends; else they would rather purchase their liberty and avoid it. But if a king or a judge, or other magistrate, see that a bad man (more unfit to govern) is like to be put in, if he be put by, it is lawful for him to purchase the people's deliverance at a very dear rate; (even by a lawful war which is more than money, when the sovereign's power is in such danger :) but the heart must be watched, that it pretend not the common good, and intend your own commodity and honour; and the probable consequents must be weighed; and the laws of the land must be consulted also; for if they absolutely prohibit the buying of a place of judicature, they must be obeyed^a. And ill effects may make it sinful.

Quest. XXIV. 'May one sell a church-benefice, or rectory, or orders?'

Ans. If the benefice be originally of your own gift, it is at first in your power to give part or all; to take some deductions out of it or not: but if it be really given to the church, and you have but the patronage or choice of the incumbent, it is sacrilege to sell it for any commodity of your own: but whether you may take somewhat out of a great benefice, to give to another church which is poorer, dependeth partly on the law of the land, and partly upon the probable consequents. If the law absolutely forbid it (supposing that unlawful contracts cannot be avoided unless some lawful ones be restrained), it must be obeyed for the common good: and if the consequent of a lawful contract be

^a Whether the consequent be good or hurt is like to be greater, must be well considered.

like to be the more hurtful encouragement of unlawful ones, such examples must be forborne, though the law were not against them. But to sell orders is undoubted simony; (that is, the office of the ministry, or the act of ordination;) though scribes may be paid for writing instruments.

Quest. xxv. 'May a man give money for orders or benefices, when they cannot otherwise be had?'

Ans. This is answered in *Quest. xxii.* 1. If the law absolutely forbid it, for the common safety, you may not. 2. If your end be chiefly your own commodity, ease or honour, you may not. But in case you were clear from all such evils, and the case were only this, whether you might not give money to get in yourself, to keep out a heretic, a wolf or insufficient man, who might destroy the people's souls, I see not but it might well be done.

Quest. xxvi. 'May I give money to officers, servants or assistants for their furtherance?'

Ans. For writings or other servile acts about the circumstantialials you may; but not (directly or indirectly) to promote the simoniacal contract. What you may not give to the principal agent, you may not give his instruments or others for the same end.

Quest. xxvii. 'May I give or do any thing afterward by way of gratitude, to the patron, bishop, or any others, their relations or retainers?'

Ans. Not when the expectation of that gratitude was a (secret or open) condition of the presentation or orders; and you believe that you should not else have received them; therefore promised gratitude is but a kind of contracting. Nor may you shew gratitude by any scandalous way, which seemeth simony. Otherwise, no doubt, but you may be prudently grateful for that or any other kindness.

Quest. xxviii. 'May not a bishop or pastor take money for sermons, sacraments, or other offices?'

Ans. Not for the things themselves; he must not sell God's Word and sacraments, or any other holy thing. But they that serve at the altar, may live on the altar, and the elders that rule well are worthy of double honour; and the mouth of the ox that treadeth out the corn should not be muzzled. They may receive due maintenance while they

perform God's service; that they may be vacant to attend their proper work.

Quest. xxix. 'May one person disoblige another of a promise made to him?'

Ans. Yes, if it be no more than a promise to that person; because a man may give away his right; but if it be moreover a vow to God, or you intend to oblige yourself in point of veracity under the guilt of a lie if you do otherwise, these alter the case, and no person can herein disoblige you.

Quest. xxx. 'But what if the contract be bound by an oath, may another then release me?'

Ans. Yes, if that oath did only tie you to perform your promise; and were no vow to God which made him a party by dedicating any thing to him; for then the oath being but subservient to the promise, he that dischargeth you from the promise, dischargeth you also from the oath which bound you honestly to keep it.

Quest. xxxi. 'Am I bound by a promise when the cause or reason of it proveth a mistake?'

Ans. If by the cause you mean only the extrinsical reasons which moved you to it, you may be obliged nevertheless for finding your mistake; only so far as the other was the culpable cause (as is aforesaid) he is bound to satisfy you; but if by the cause you mean the formal reason, which constituteth the contract, then the mistake may in some cases nullify it; (of which enough before).

Quest. xxxii. 'What if a following accident make it more to my hurt than could be foreseen?'

Ans. In some contracts it is supposed or expressed, that men do undertake to run the hazard; and then they must stand obliged. But in some contracts, it is rationally supposed that the parties intend to be free, if so great an alteration should fall out. But to give instances of both these cases would be too long a work.

Quest. xxxiii. 'What if something unexpectedly fall out, which maketh it injurious to a third person; I cannot sure be obliged to injure another?'

Ans. If the case be the latter mentioned in the foregoing answer, you may be thus free; but if it be the former (you being supposed to run the hazard, and secure the

other party against all others) then either you were indeed authorized to make this bargain or not; if not, the third person may secure his right against the other; but if you were, then you must make satisfaction as you can to the third person. 'Yea, if you made a covenant without authority, you are obliged to save the other harmless, unless he knew your power to be doubtful, and did resolve to run the hazard.'

Quest. xxxiv. 'What if something fall out which maketh the performance to be a sin?'

Ans. You must not do it; but you must make the other satisfaction for all the loss which you were the cause of, unless he undertook to stand to the hazard of this also, (explicitly or implicitly.)

Quest. xxxv. 'Am I obliged if the other break covenant with me?'

Ans. There are covenants which make relations (as between husband and wife, pastor and flock, rulers and subjects); and covenants which convey titles to commodities, of which only I am here to speak. And in these there are some conditions which are essential to the covenant; if the other first break these conditions, you are disobliged. But there are other conditions which are not essential, but only necessary to some following benefit; whose non-performance will only forfeit that particular benefit; and there are conditions which are only undertaken, subsequent duties, trusted on the honesty of the performer; and in these a failing doth not disoblige you. These latter are but improperly called conditions.

Quest. xxxvi. 'May I contract to perform a thing which I foresee is like to become impossible or sinful, before the time of performance come, though it be not so at present?'

Ans. With all persons you must deal truly; and with just contractors openly; but with thieves, and murderers, and persecutors, you are not always bound to deal openly. This being premised, either your covenant is absolutely, 'This I will do, be it lawful or not, possible or impossible:' and such a covenant is sin and folly: or it is conditional, 'This I will do, if it continue lawful or possible: this condition (or rather exception) is still implied

where it is not expressed, unless the contrary be expressed ; therefore such a covenant is lawful with a robber with whom you are not bound to deal openly : because it is but the concealing from him the event you foresee. As e. g. you have intelligence that a ship is lost at sea, or is like to be taken by pirates, which the robber expecteth shortly to come safe into the harbour ; you may promise him to deliver up yourself his prisoner, when that ship cometh home. Or you know a person to be mortally sick, and will die before the next week ; you may oblige yourself to marry or serve that person two months hence ; for it is implied, if he or she be then alive. But with equal contractors, this is unlawful, with whom you are obliged, not only to verity but to justice ; as in the following cases will be further manifested.

Tit. 3. Special Cases about Justice in Buying and Selling.

Quest. 1. ' Am I bound to endeavour that he whom I deal with may be a gainer by the bargain as well as I ? '

Ans. Yes, if you be equally in want, or in the like condition ; but if he be very poor, and you be rich, charity must be so mixed with justice, that you must endeavour that it be more to his commodity than yours (if he be indeed one that you owe charity to). And if you be poor and he be rich, you may be willing to be the only gainer yourself, so be it you covet not another's nor desire that he be wronged ; for when he hath power to deal charitably, you may be willing of his charity or kindness.

Quest. 11. ' May I desire or take more than my labour or goods are worth, if I can get it ? '

Ans. 1. Not by deceit, persuading another that they are worth more than they are. 2. Not by extortion working upon men's ignorance, error or necessity (of which more anon). 3. Not of any one that is poorer than yourself, or of any one that intendeth but an equal bargain. 4. But if you deal with the rich, who in generosity stick not at a small matter, and are willing another should be a gainer by them, and understand what they do, it is lawful to take as much as they will give you.

Quest. 114. ' May I ask in the market more than my goods are truly worth ?'

Answ. In the case last mentioned you may ; when you are selling to the rich who are willing to shew their generosity, and to make you gainers : but then the honest way is to say, it is worth but so much ; but if you give so much more because I need it, I will take it thankfully. Some think also where the common custom is to ask more than the worth, and people will not buy unless you come down from your first demand, that then you may lawfully ask more, because else there is no trading with such people. My judgment in this case is this, 1. That ordinarily it is better to ask no more at all but a just gain : and that the inconveniences of doing otherwise are greater than any on the other side : for he that heareth you ask unjustly may well think that you would take unjustly if you could get it, and consequently that you are unjust. 2. But this just gain lieth not always just in an indivisible quantity, or determinate price. A man that hath a family to maintain by his trade, may lawfully take a proportionable, moderate gain : though if he take less he may get something too. To be always just at a word is not convenient ; for he that may lawfully get two or three shillings or more in the pound of the rich, may see cause to let a poorer person have it for less : but never ask above what it is reasonable to take. 3. And if you once peremptorily said, ' I will take no less,' then it is not fit to go from your word. 4. And if you do meet with such fools or proud gallants, who will not deal with you unless you ask dear, it is just that when they have given you more than it is worth, you tell them so, and offer them the overplus again. And for them that expect that you abate much of your asking, it is an inconvenience to be borne, which will be ever to your advantage when you are once better known.

Quest. 115. ' How shall the worth of a commodity be judged of ?'

Answ. 1. When the law setteth a rate upon any thing (as on bread and drink with us) it must be observed. 2. If you go to the market, the market price is much to be observed. 3. If it be an equal contract, with one that is not in want, you may estimate your goods as they cost you, or

are worth to you, though it be above the common price; seeing the buyer is free to take or leave them. 4. But if that which you have to sell be extraordinarily desirable, or worth to some one person more than to you or another man, you must not make too great an advantage of his convenience or desire; but be glad that you can pleasure him, upon equal, fair, and honest terms. 5. If there be a secret worth in your commodity which the market will take no notice of, (as it is usual in a horse,) it is lawful for you to take according to that true worth if you can get it. But it is a false rule of them that think their commodity is worth as much as any one will give.

Quest. v. 'Is it lawful to make a thing seem better than it is, by trimming, adorning, or setting the best side outward or in sight; or to conceal the faults of what I am to sell?'

Answ. It is lawful to dress, polish, adorn, or set out your commodity, to make it seem as it is indeed, but not to make it seem better than it is; except in some very few unusual cases: as if you deal with some fantastical fool, who will not buy it, nor give you the true worth, except it be so set out, and made in some respects to seem better than it is. It is lawful so far to serve their curiosity or humour, as to get the worth of your commodity. But if you do it to get more than the worth by deceiving, it is a sin. And such glossing hath so notable an appearance of deceit, that for that scandal it should be avoided.

2. And as for concealing the fault, the case is the same: you ought not to deceive your neighbour, but to do as you would be done by: and therefore must not conceal any fault which he desireth, or is concerned to know. Except it be when you deal with one who maketh a far greater matter of that fault than there is cause, and would wrong you in the price if it were known: yea, and that exception will not hold neither, except in a case when you must needs sell, and they must buy it: because 1. You may not have another man's money against his will, though it be no more than the thing is worth. 2. Because it will be scandalous when the fault is known by him that buyeth it.

Quest. vi. 'What if the fault was concealed from me when I bought it, or if I were deceived or overreached by

him that sold it me, and gave more than the worth, may I not repair my loss by doing as I was done by?"

Answ. No: no more than you may cut another's purse, because yours was cut: you must do as you would be done by, and not as you are done by. What you may do with the man that deceived you, is a harder question: but doubtless you may not wrong an honest man, because you were wronged by a knave.

Object. 'But it is taken for granted in the market, that every man will get as much as he can have, and that 'caveat emptor' is the only security; and therefore every man trusteth to his own wit, and not to the seller's honesty, and so resolveth to run the hazard.'

Answ. It is not so among Christians, nor infidels who profess either truth or common honesty. If you come among a company of cut-purses, where the match is made thus, 'Look thou to thy purse, and I will look to mine, and he that can get most let him take it!' then indeed you have no reason to trust another. But there are no tradesmen or buyers who will profess that they look not to be trusted, or say, 'I will lie or deceive you if I can. Among thieves and pirates such total distrust may be allowed: but among sober persons in civil societies and converse, we must in reason and charity expect some truth and honesty, and not presume them to be all liars and deceivers, that we may seem to have allowance to be such ourselves. Indeed we trust them, not absolutely as saints, but with a mixture of distrust, as fallible and faulty men: and so as to trust our own circumspection above their words, when we know not the persons to be very just. But we have no cause to make a market a place of mere deceit, where every one saith, 'Trust not me, and I will not trust thee; but let us all take one another for cheats and liars, and get what we can!' Such censures savour not of charity, or of just intentions.

Quest. VII. 'What if I foresee a plenty and cheapness in a time of dearth, which the buyer foreseeeth not, (as if I know that there are ships coming in with store of that commodity which will make it cheap,) am I bound to tell the buyer of it, and hinder my own gain?"

Answ. There may be some instances in trading with enemies, or with rich men, that regard not such matters, or

with men that are supposed to know it as well as you, in which you are not bound to tell them. But in your ordinary equal trading, when you have reason to think that the buyer knoweth it not, and would not give so dear if he knew it, you are bound to tell him: because you must love your neighbour as yourself, and do as you would be done by, and not take advantage of his ignorance.

Quest. viii. 'If I foresee a dearth, may I keep my commodity till then?'

Ans. Yes; unless it be to the hurt of the commonwealth, as if your keeping it in, be the cause of the dearth; and your bringing it forth would help to prevent it.

Quest. ix. 'May one use many words in buying and selling?'

Ans. You must use no more than are true, and just, and useful: but there are more words needful with some persons who are talkative and unsatisfied than with others.

Quest. x. 'May I buy as cheap as I can get it, or give less than the thing is worth?'

Ans. If it be worth more to you than the market price, (through your necessity,) you are not bound to give above the market price. If it be worth less to you than the market price, you are not bound to give more than it is worth to you, as suited to your use. But you must not desire nor seek to get another's goods or labour for less than it is worth in both these respects, (in common estimate, and to you.)

Quest. xi. 'May I take advantage of another's necessity to buy for less than the worth, or sell for more: as e. g. a poor man must needs have money suddenly for his goods though he sell them but for half the worth; and I have no need of them: am I bound to give him the worth when I have no need? and when it is a great kindness to him to give him any thing in that strait? So also when I have no desire to sell my horse, and another's necessity maketh him willing to give more than he is worth, may I not take it?'

Ans. To the first case: you must distinguish between an act of justice and of charity; and between your need of the thing, and the worth of it to you. Though you have no need of the poor man's goods, yet if you buy them, both justice and charity require that you give him as much as they are worth to you, though not so much as they are

worth in the market: yea, and that you buy them of him in his necessity; for if you give him but what they are worth to you, you are no loser by it: and you should do another good, when it is not to your own hurt or loss. By 'what they are worth to you,' I mean so much as that you be no loser. As, if it be meat or drink, though you have no present need, perhaps you will shortly have need, and if you buy not that, you must buy as much of somewhat else. In strict justice you may be a saver, but not a gainer, by buying of the poor in their necessity. 2. But if you buy a durable commodity for less than it is worth, you should take it but as a pledge, and allow the seller liberty to redeem it if he can, that he may get more after of another. 3. And to the poor in such necessity, charity must be exercised as well as justice. Therefore if you are able to lend them money to save them the loss of underselling, you should do it: (I account that man only able who hath money which no greater service of God requireth). And if you are not able yourself, you should endeavour to get some others to relieve him, if you can without a greater inconvenience.

And for the second case, it is answered before: you may not take more than it is worth, ever the more for another's necessity: nor in any other case than you might have done it in, if there had been no such necessity of his.

Quest. xii. 'May I not make advantage of another's ignorance or error in the bargaining?'

Ans. Not to get more than your commodity is worth, nor to get his goods for less than the worth: no, nor to get the true worth against his will, or with scandal: but if it be only to get a true worth of your commodity when he is willing, but would be offended if his ignorance in some point were cured, you may so far make use of his ignorance to a lawful end, as is said before in the case of concealing faults.

Quest. xiii. 'May I strive to get before another, to get a good bargain which he desireth?'

Ans. Yes, if you do it not out of a greedy mind, nor to the injury of one that is poorer than yourself: you should rather further the supply of your neighbour's greater needs: otherwise speed and industry in your calling is no fault, nor yet the crossing of a covetous man's desires: you are not bound to let every man have what he would have.

Quest. xiv. ' May I buy a thing out of another's hand, or hire a servant, which another is about or is treating with? Or may I call a chapman from another to buy of me?'

Ans. There are some cases in which you may not do it, and some in which you may. You may not do it out of greedy covetousness; nor to the injury of the poor; nor when the other hath gone so far in the bargain that it cannot be honestly broken; for then you injure the third person, and tempt the other to a sin: nor may you do it so as to disturb that due and civil order, which should be among moderate men in trading. And it is a great matter how the thing is accounted of by the custom of the country or market where you bargain: for where it is of ill report, and accounted as unjust, the scandal should make you avoid such a course. But yet in some cases it is lawful, and in some a needful duty. It is lawful when none of the aforesaid reasons (or any such other) are against it. It is a duty when charity to the poor or oppressed doth require it: as, e. g. a poor man must needs sell his land, his horse, his corn or goods; a covetous oppressor offereth him less than they are worth; the poor man must take his offer if he can get no more; the oppressor saith that it is injustice for any one to take his bargain out of his hand, or offer money till he have done: in this case it may be a duty, to offer the poor man the worth of his commodity, and save him from the oppressor. A covetous man offereth a servant or labourer less than their service or labour is worth, and will accuse you, if you interrupt his bargain, and would offer his servant more: in this case it may be your duty to help the servant to a better master. A chapman is ready to be cheated by an unconscionable tradesman, to give much more for a commodity than it is worth; charity may oblige you in such a case to offer it him cheaper. In a word, if you do it for your own gain, in a greedy manner, it is a sin: but if you do it when it is not scandalous or injurious, or do it in charity for another's good, it is lawful, and sometimes a duty.

Quest. xv. ' May I dispraise another's commodity to draw the buyer to my own?'

Ans. This case is sufficiently answered in the former: 1. You may not use any false dispraise. 2. Nor a true one out of covetousness, nor in a scandalous manner. 3. But

you may help to save another from a cheater, by opening the deceit in charity to him.

Quest. XVI. 'What should I do in doubtful cases, where I am uncertain whether the thing be just or not?'

Ans. Causeless, perplexing, melancholy scruples, which would stop a man in the course of his duty, are not to be indulged: but in rational doubts, first use your utmost diligence (as much as the nature of the cause requireth) to be resolved; and if yet you doubt, be sure to go the safer way, and to avoid sin rather than loss, and to keep your consciences in peace.

Quest. XVII. 'If the buyer lose the commodity between the bargain and the payment, (as if he buy your horse, and he die before payment, or presently after,) what should the seller do to his relief?'

Ans. If it were by the seller's fault, or by any fault in the horse which he concealed, he is to make the buyer full satisfaction. If it were casually only, rigorous justice will allow him nothing: and therefore if it be either to a man that is rich enough to bear it without any great sense of the loss, or in a case where in common custom the buyer always standeth to the loss, mere justice will make him no amends. But if it be where custom makes some abatement judged a duty, or where the person is so poor as to be pinched by the loss, that common humanity, which all good men use in bargaining, which tempereth justice with charity, will teach men to bear their part of the loss; because they must do as they would be done by.

Quest. XVIII. 'If the thing bought and sold prove afterward of much more worth than was by either party understood, (as in buying of ambergris and jewels, it oft falleth out,) is the buyer bound to give the seller more than was bargained for?'

Ans. Yes, if it were the seller's mere ignorance and insufficiency in that business which caused him so to undersell it; (as if an ignorant countryman sell a jewel or ambergris, who knoweth not what it is, a moderate satisfaction should be made him). But if it were the seller's trade, in which he is to be supposed to be sufficient, and if it be taken for granted beforehand, that both buyer and seller will stand to the bargain whatever it prove, and that the seller would

have abated nothing if it had proved less worth than the price, then the buyer may enjoy his gain; much more if he run any notable hazard for it, as merchants use to do.

Quest. XIX. 'What if the title of the thing sold prove bad, which was before unknown?'

Ans. If the seller either knew it was bad, or through his notable negligence was ignorant of it, and did not acquaint the buyer with so much of the uncertainty and danger as he knew; or if it was any way his fault that the buyer was deceived, and not the buyer's fault, he is bound to make him proportionable satisfaction. As also in case that by law or bargain he be bound to warrant the title to the buyer. But not in case that it be their explicit or implicit agreement that the buyer stand to the hazard, and the seller hath done his duty to make him know what is doubtful.

Quest. XX. 'What if a change of powers or laws do overthrow the title, almost as soon as it is sold (as it oft falls out about offices and lands;) who must bear the loss?'

Ans. The case is near the same with that in *Quest. XVII.* It is supposed that the seller should have lost it himself if he had kept it but a little longer; and that neither of them foresaw the change: and therefore that the seller hath all his money, rather for his good hap, than for his lands or office, (which the buyer hath not). Therefore except it be to a rich man that feelth not the loss, or one that expressly undertook to stand to all hazards, foreseeing a possibility of them, charity and humanity will teach the seller to divide the loss.

The same is the case of London now consumed by fire: where thousands of suits are like to rise between the landlords and the tenants. Where the providence of God (permitting the burning zeal of some Papists,) hath deprived men of the houses which they had hired or taken leases of, humanity and charity requireth the rich to bear most of the loss, and not to exact their rents, or rebuilding from the poor, whatever the law saith, which could not be supposed to foresee such accidents. Love your neighbours as yourselves; do as you would be done by; and oppress not your poor brethren; and then by these three rules you will yourselves decide a multitude of such doubts and difficulties, which the uncharitable only cannot understand.

Tit. 4. Cases of Conscience about Lending and Borrowing.

Quest. 1. 'May a poor man borrow money, who knoweth that he is unable to repay it, and hath no rational proof that he is very likely to be able hereafter?'

Answ. No, unless it be when he telleth the lender truly of his case, and he is willing to run the hazard: else it is mere thievery covered with the cheat of borrowing: for the borrower desireth that of another, which he would not lend him, if he expected it not again: and to take a man's money or goods against his will is robbery.

Object. 'But I am in great necessity.'

Answ. Begging in necessity is lawful; but stealing or cheating is not, though you call it borrowing.

Object. 'But it is a shame to beg.'

Answ. The sin of thievish borrowing is worse than shame.

Object. 'But none will give me if I beg.'

Answ. If they will give but to save your life at the present, you must take it, though they give you not what you would have: the poorest beggar's life is better than the thief's.

Object. 'But I hope God may enable me to pay hereafter.'

Answ. If you have no rational way to manifest the soundness of that hope to another, it is but to pretend faith and hope for thievery and deceit.

Object. 'God hath promised, that those that fear him shall want no good thing. And therefore I hope I may be able to repay it.'

Answ. If you want not, why do you borrow? If you have enough to keep you alive by begging, God maketh good all his promises to you: yea, or if you die by famine. For he only promiseth you that which is best; which for aught you know may be beggary or death. God breaketh not promise with his servants who die in common famine, no more than with them that die in plagues or wars. Make not God the patron of sin: yea, and your faith a pretence for your distrust. If you trust God, use no sinful means; if you trust him not, this pleading of his promise is hypocrisy.

Quest. II. ' May a tradesman drive a trade with borrowed money, when his success, and so his repayment, is utterly an uncertain thing ?'

Answ. There are some trades where the gain is so exceeding probable, next to certain, as may warrant the borrowing of money to manage them, when there is no rational probability of failing in the payment. And there are some tradesmen, who have estates of their own, sufficient to repay all the money which they borrow ; but otherwise, when the money is rationally hazardous, the borrower is bound in conscience to acquaint the lender fully with the hazard, that he may not have it against his will. Otherwise he liveth in constant deceit or thievery. And if he do happen to repay it, it excuseth not his sin.

Quest. III. ' If a borrower be utterly unable to pay, and so break while he hath something, may he not retain somewhat for his food or raiment ?'

Answ. No, unless it be in order to set up again in hope to repay his debts : for all that he hath being other men's, he may not take so much as bread to his mouth, out of that which is theirs, without their consent.

Quest. IV. ' But if a man have bound himself to his wife's friends upon marriage to settle so much upon her or her children, and this obligation was antecedent to his debts, may he not secure that to his wife and children, without any injury to his creditors ?'

Answ. The law of the land must much decide this controversy. If the propriety be actually before transferred to wife or children, it is theirs, and cannot be taken from them ; but if it were done after by a deed of gift to defraud the creditors, then that deed of gift is invalid, till debts be paid. If it be but an obligation and no collation of propriety, the law must determine who is to be first paid : and whether the wife be supposed to run the hazard of gaining or losing with the husband : and though the laws of several countries herein differ, and some give the wife more propriety than others do, yet must they in each place be conscientiously observed, as being the rule of such propriety. But we must see that there be no fraudulent intent in the transaction.

Quest. V. ' May not a tradesman retain somewhat to set

up again, if his creditors be willing to compound for a certain part of the debt ?

Answ. If he truly acquaint them with his whole estate, and they voluntarily allow him part to himself, either in charity, or in hope hereafter to be satisfied, this is no unlawful course ; but if he hide part from them, and make them believe that the rest is all, this is but a thievish procurement of their composition or consent.

Quest. VI. ‘ May a borrower lawfully break his day of promised payment, in case of necessity ? ’

Answ. True necessity hath no law : that is, a man is not bound to do things naturally impossible ; but if he might have foreseen that necessity, or the doubtfulness of his payment at the day, it was his sin to promise it, unless he put in some limitation, ‘ If I be able,’ and acquainted the lender with the uncertainty. However it be, when the time is come, he ought to go to his creditor, and tell him of his necessity, and desire further time, and endeavour to pay it as soon as he is able : and if he be not able, to make him what satisfaction he can, by his labour, or any other lawful way.

Quest. VII. ‘ May I borrow of one to pay another, to keep my day with the first ? ’

Answ. Yes, If you deal not fraudulently with the second, but are able to pay him, or acquaint him truly with your case.

Quest. VIII. ‘ Suppose that I have no probability of paying the last creditor, may I borrow of one to pay another, and so live upon borrowing ; or must I rather continue in one man’s debt ? ’

Answ. If you truly acquaint your creditors with your state, you may do as is most to your convenience. If the first creditor be able and willing rather to trust you longer, than that you should borrow of another to pay him, you may continue his debtor, till you can pay him without borrowing, but if he be either poor or unwilling to bear with you, and another that is able be willing to venture, you may better borrow of another to pay him. But if they be all equally unwilling to stand to any hazard by you, then you must rather continue in the first man’s debt, because if you wrong another you will commit another sin : nay, you cannot borrow in such a case, because it is supposed that the other

will not lend, when he knoweth your case. And you must not at all conceal it from him.

Object. ' But it may be my ruin to open my full state to another.'

Ans. You must not live upon cheating and thievery to prevent your ruin : and what can it be less to get another man's money against his will, if you hide your case, which if he knew he would not lend it you.

Object. ' But what if I tell him plainly, that I will pay him certainly by borrowing of another, though I cannot pay him for mine own, and though I be not like to pay the last?'

Ans. If you truly thus open your case to every one that you borrow of, you may take it, if they will lend it ; for then you have their consent : and it is supposed, that every one is willing to run the hazard of being the last creditor.

Quest. ix. ' May I lend upon pledges, pawns, or mortgages for my security?'

Ans. Yes, so you take not that from a poor man for a pledge, which is necessary to his livelihood and maintenance : as the bed which he should lie on, the clothes which he should wear, or the tools which he should work with ; and be not cruel on pretence of mercy.

Quest. x. ' May I take the forfeiture and keep a pledge or mortgage upon covenants?'

Ans. If it be among merchants and rich men, an act of merchandize, and not of mere security for money lent, then it is another case : as if they make a bargain thus, ' Take this jewel or this land for your money ; and it shall be yours if I pay you not at such a day : I am willing to stand to the hazard of uncertainty ; if I pay you not, suppose it is for my own commodity, and not through disability.' In this case it is lawful to take the forfeiture, or detain the thing. But if it be properly but a pledge to secure the money, then the final intent is but that your money may be repaid : and you may not take the advantage of breaking a day, to take that from another which is none of your own. Justice will allow you only to take so much as your money came to, and to give the overplus (if there be any) to the debtor. And mercy will require you rather to forgive the debt, than to keep a pledge which he cannot spare, but to

his ruin and misery (as his food, his raiment, his tools, his house, &c.) unless you be in as great necessity as he.

Quest. XI. ' May I take the bond or promise of a third person as security for my money ?'

Ans. Yes, in case that other be able and willing to be responsible ; for you have his own consent ; but great caution should be used, that you take no man that is insufficient, from whom mercy forbiddeth you to take it, in case the principal debtor fail ; unless you take his suretiship but ' in terrorem,' resolving not to take it of him : and also that you faithfully tell the sureties that you must require it of them in case of non-payment, and therefore try whether indeed they are truly willing to pay it : for if they be such as truly presume that you will not take it of them, or will take it ill to be sued for it, you should not take their suretiship, unless you purpose not to seek it (except in necessity).

Quest. XII. ' Is it lawful to lend upon usury, interest, or increase ?'

Ans. This controversy hath so many full treatises written on it, that I cannot expect that so few words as I must lay out upon it, should satisfy the studious reader. All the disputes about the name of usury I pass by ; it being, ' The receiving any additional gain as due for money lent,' which is commonly meant by the word, and which we mean in the question. For the questions, ' Whether we may bargain for it, or tie the debtor to pay it ?' ' Whether we may take it after his gain as partaking in it, or before ?' ' Whether we must partake also in the loss, if the debtor be a loser ?' with other such like, are but subsequent to the main question, ' Whether any gain (called use) may be taken by the lender as his due for the money lent ?' My judgment is as followeth.

I. There is some such gain or usury lawful and commendable. II. There is some such gain or usury unlawful and a heinous sin. I shall first give my reasons of the first proposition.

I. If all usury be forbidden it is either by the law of nature, or by some positive law of supernatural revelation : if the latter, it is either by some law of Moses, or by some law of Christ : if the former, it is either as against the rule of piety to God, or against justice or charity to men. That

which is neither a violation of the natural laws of piety, justice, or charity; nor against the supernaturally revealed laws of Moses or of Christ, is not unlawful. But there is some usury which is against none of these; therefore there is some usury which is not unlawful.

I will first lay you down the instances of such usury, and then prove it. There is a parcel of land to be sold for a thousand pounds, which is worth forty pounds per annum, and hath wood on it worth a thousand pounds: (some such things we have known :) John N. is willing to purchase it; but he hath a poor neighbour, T. S. that hath no money, but a great desire of the bargain. J. N. loving his neighbour as himself, and desiring his wealth, lendeth him the thousand pounds upon usury for one year. T. S. buyeth the land, and selleth the wood for the same money, and repayeth it in a year, and so hath all the land for almost nothing, as if J. N. had purchased the land and freely given it him, after a year or two; the gift had been the same.

Object. 'Here you suppose the seller wronged by selling his land almost for nothing.'

Ans. 1. That is nothing at all to the present case, but a different case by itself. 2. I can put many cases in which such a sale may be made without any wrong to the seller: as when it is done by some prince, or state, or noble and liberal person, purposely designing the enriching of the subjects, or after a war, as lately in Ireland. So that the question is, whether J. N. may not give T. S. a thousand or eight hundred pounds worth of land, taking a year's rent first out of the land, or a year's use for the money, which cometh to the same sum.

Another, a rich merchant trading into the East Indies, having five thousand pounds to lay out upon his commodities in traffic, when he hath laid out four thousand five hundred pounds, lendeth in charity the other five hundred pounds to one of his servants to lay out upon a commodity, which when it cometh home will be worth two thousand pounds; and offereth him to secure the carriage with his own; requiring only the use of his money at six per cent. Here the taking of thirty pounds use, is but the giving him one thousand four hundred and seventy pounds, and is all one with deducting so much of the gift.

Another instance; certain orphans having nothing left them but so much money as will by the allowed use of it, find them bread and poor clothing: the guardian cannot lay it out in lands for them; and if he maintain them upon the stock, it will be quickly spent, and he must answer for it: a rich man that is their neighbour tradeth in iron works; (furnaces or forges,) or lead works, or other such commodities, in which he constantly getteth the double of the stock which he employeth, or at least twenty pounds or forty pounds in the hundred; the guardian dare not lend the money to any poor man, lest he break and never be able to pay it; therefore he lendeth it this rich man. And if he have it without usury, the poor orphans give the rich man freely twenty pounds or forty pounds a year, supposing their stock to be an hundred; if he take usury, the rich man doth but give the poor orphans some part of his constant gain.

Another instance; in a city or corporation where there is a rich trade of clothing or making silks, there is a stock of money given by legacy for the poor, and intrusted into the hands of the richest of the city, to trade with and give the poor the use of it: and there is another stock left to set up young beginners, who have not a stock to set up themselves; on condition that they give the third part of their gain to the poor, and at seven years' end resign the stock: the question is, 'Whether the poor should be without this use of their money, and let the rich go away with it? or whether they may take it?'

Now I prove that such usury is not forbidden by God.

1. It is not forbidden us by the law of Moses: (1.) Because Moses's law never did forbid it: for, 1. It is expressly forbidden as an act of unmercifulness; and therefore forbidden only to the poor and to brethren, Exod. xxii. 25. Levit. xxv. 36, 37. Yea, when the poor are not named, it is the poor that are meant; because in that country they did not keep up stocks for merchandize or trading, but lent usually to the needy only: at least the circumstances of the several texts shew, that it is only lending to the needy, and not lending to drive on any enriching trades, which is meant where usury is forbidden^b. 2. And it is expressly allowed

^b Exod. xx. 21. "Thou shalt neither vex a stranger, nor oppress him." Exod.

to be used to strangers, Deut. xxiii. 19, 20., to whom nothing unjust or uncharitable might be done; only such a measure of charity was not required towards them, as unto brethren. And there were more merchants of strangers that traded with them in foreign commodities, than of Jews that fetched them home: so that the prohibition of usury is in the law itself restrained only to their lending to the poor; but in the prophets who do but reprove the sin, it is expressed without that limitation, partly because it supposeth the meaning of the law to be known, which the prophets did but apply: and partly because there was little or no lending used among the Jews, but to the needy as an act of charity.

(2.) And if it had been forbidden in Moses's law only, it would not extend to Christians now; because the law of Moses as such, is not in force: the matter of it is much of the law of nature indeed; but as Mosaical, it was proper to the Jews and proselytes, or at least extended not to the Christian Gentiles; as is plain in 2 Cor. iii. 7. Gal. iii. 19. 24. v. 3. Ephes. ii. 15. 1 Tim. i. 7. Heb. vii. 12. 16. 19. Moses's law as such never bound any other nations, but the proselytes that joined themselves to the Jews (nor was all the world obliged so to be proselyted as to take up their laws): much less do they bind us that are the servants of Christ, so long after the dissolution of their commonwealth. So much of them as are part of the law of nature, or of any positive law of Christ, or of the civil law of any state, are binding as they are such natural, Christian, or civil laws. But not one of them as Mosaical: though the Mosaical law is of great use to help us to understand the law of nature in many particular instances, in which it is somewhat difficult to us.

2. There is no positive law of Christ forbidding all usury: as for Luke vi. 32. 35. it is plainly nothing to the case; for he saith not, 'Lend, looking for no gain or increase,' but 'looking for nothing again.' And the context sheweth that the meaning must be one of these two: either q. d. 'Lend not only to them that will lend to you again when you are in want; but even to the poor, that you can never

xxiii. 9. "Thou shalt not oppress a stranger, &c." So that usury to a stranger was no oppression.

hope to borrow of:’ or else ‘Lend not only to them that are able to pay you, and where your stock is secured, but to the needy where your money is hazarded; and though they will pay you if they are able, yet you have little or no hope that ever they should be able to repay: lend so, as to be willing to make a gift of it in case the borrower never repay it.’ And there is no other text that can be pretended against it, in the New Testament.

3. And that the law of nature doth not forbid all usury, will appear by examining the several parts of it. The law of nature forbiddeth but three sorts of sin: 1. Those that are against piety to God. 2. Those that are against our own welfare. 3. Those that are against our neighbour’s good: and that is, 1. Against justice. 2. Against charity. There is none that falleth not under some of these heads.

1. And that usury is not naturally evil as against piety to God; 2. Or as against ourselves, and our own welfare, I need not prove, because no reason nor reasonable person doth lay any such accusation against it. Though they that think it absolutely unlawful, say that it is consequently against God, as every violation of his law is. But that is nothing to the case.

3. Therefore there is no doubt but the whole controversy is resolved into this last question, ‘Whether all usury be against justice or charity to our neighbour.’ Justice obligeth me to give him his own; charity obligeth me to give him more than his own, in certain cases; as one that love him as myself. That which is not against justice, may be against charity: but that which is against charity, is not always against justice strictly taken. And that which is an act of true charity, is never against justice; because he that giveth his neighbour more than his own, doth give him his own and more. There is an usury which is against justice and charity. There is an usury which is against charity, but not against mere justice: and there is an usury which is against neither justice nor charity. If I prove it charitable it is superfluous to say more.

All the instances before given are notoriously charitable. That which is for the preservation of the lives and comforts of the poor, and of orphans, or for the enriching of my neighbour is an act of charity; but such is some usury, past

all doubt, as is before declared. Where the contrary is an act of cruelty, the usury is not against charity, but for it. For the rich to deny to the poor and orphans a part of that gain, which they make by the improvement of their own money, is oppression and cruelty: if it be cruel to let a beggar die or starve, when we should feed and clothe him of our own; much more to let the poor and orphans starve and perish rather than give them the increase of their own, or part of it at least. As for them that say, 'It may be as well improved otherwise, they are inexperienced men:' it is a known falsehood as to the most; though some few may meet with such opportunities. At least it is nothing to them that cannot have other ways of improving it; who are very many.

Moreover, when it is not an act of charity, yet it may be not against charity in these cases: 1. When the lender is poor and the borrower rich: yea, it may be a sin to lend it freely. "He that oppresseth the poor to increase his riches, and he that gives to the rich, shall surely come to want." It is a giving to the rich to lend freely that money which they improve to the increase of their riches. 2. When the lender is not obliged to that act of charity, though the borrower be poorer than himself. Which falleth out in a hundred cases; and may be comprised under this one general; When the lender is obliged to expend that same money in some other greater, better work: as at the same time while a man that is worth but twenty pounds a year, is in debt to a man that hath a thousand pounds a year, there may be an hundred or a thousand poor people worth nothing, ready to perish, whom the rich is rather bound to succour, than him that hath but twenty pounds a year. And there may be works of piety (as to set up a school, or promote the preaching of the Gospel), which may be as great as either. And the richest that is, cannot do all the good that is to be done, nor relieve all the persons that are in want; therefore when he must leave much undone, if he would give all his substance, it is ('*cæteris paribus*') a sin, to give that to a man that can make shift without it, and pass by an hundred in much deeper necessity and distress; so that he who either exerciseth charity in his

usury, or doth nothing against charity and justice, certainly sinneth not by that usury. For all the Scriptures which speak against usury, speak against it as a cruel or uncharitable thing.

Object. 'But it is sometimes necessary for a law to forbid that which otherwise would be good, when it cannot be done, without encouraging others to a greater evil; such as ordinary usury is; and then that law must be observed.'

Answ. This is true 'in thesi,' that such cases there are; but it is unproved and untrue in this case; for, 1. There is no such law. 2. There is no such reason or necessity of such a law. For God can as well make laws against unrighteous or uncharitable increase or usury, without forbidding that which is charitable and just, as he can make laws against unrighteous or uncharitable buying or selling without condemning that which was good and just: or as he can forbid gluttony, drunkenness, idleness, pride, without forbidding eating, drinking, apparel or riches. He can easily tell men of whom and in what case to take use, and when not.

He that would see all other objections answered, and the case fully handled, hath many treatises on both sides extant to inform him.

II. That there is a sort of usury which is evil I know of no man that doubteth, and therefore need not stand to prove.

Quest. 'When is usury sinful?'

Answ. As is before said, When it is against either justice or charity; 1. When it is like cheating bargaining, which under pretence of consent and a form of justice doth deceive or oppress, and get from another that which is not truly ours but his. 2. When you lend for increase where charity obligeth you to lend freely; even as it is a sin to lend expecting your own again, when charity obligeth you to give it. 3. When you uncharitably exact that which your brother is disabled utterly to pay, and use cruelty to procure it, (be it the use or the principal.) 4. When you allow him not such a proportion of the gain as his labour, hazard or poverty doth require; but because the money is yours, will live at ease upon his labours. 5. When in case of his losses you rigorously exact your due without that

abatment, or forgiving debts (whether use or principal), which humanity and charity require. In a word, when you are selfish and do not as, according to true judgment, you may desire to be done by, if you were in his case.

Quest. 'But when am I bound to exercise this charity in not taking use?'

Ans. As I said before, 1. Whenever you have no more urgent, and necessary, and excellent work, to lay out that money on, which you are so to receive. 2. Yea, though another work may be in itself better, (as to relieve many poorer, better men with that money,) yet when you cannot take it, without the utter undoing of the debtor, and bringing him into as bad a case, as any single person whom you would relieve, it is the safer side to leave the other unrelied, (unless it be a person on whom the public good much dependeth) rather than to extort your own from such a one to give another. Because that which you cannot get without a scandalous appearance of cruelty, is 'quoad jus in re' not yours to give, till you can better get possession of it; and therefore God will not expect that you should give it to another.

In all this I imply that as you must prefer the lives of others in giving alms, before your own conveniences and comforts, and must not say, 'I cannot spare it,' when your necessity may spare it, though not your pleasure; so also in taking use, of those that you are bound to shew charity to, the same rule and proportions must be observed in your charity.

Note also, that in all this it appeareth, that the case is but gradually different, between taking the use and taking the principal. For when the reason for remitting is the same, you are as well bound to remit the principal as the use.

But this difference there is, that many a man of low estate may afford to lend freely to a poorer man for a little time, who cannot afford to give it. And prudence may direct us to choose one man to lend freely to for a time, because of his sudden necessity, when yet another is fitter to give it to.

Quest. XIII. 'Is lending a duty? If so, must I lend to all that ask me, or to whom?'

Ans. Lending is a duty, when we have it, and our brother's necessity requireth it, and true prudence telleth us, that we have no better way to lay it out, which is inconsistent with that. And therefore rich men ordinarily should both lend and give as prudence shall direct. But there is an imprudent and so a sinful lending; as 1. When you will lend that which is another's, and you have no power to lend. 2. When you lend that which you must needs require again, while you might easily foresee that the borrower is not like to pay. Lend nothing but what you have either great probability will be repaid, or else which you are willing to give in case the debtor cannot or will not pay; or at least when suing for it, will not have scandalous and worse effects than not lending. For it is very ordinary when you come to demand it and sue for it, to stir up the hatred of the debtor against you, and to make him your enemy, and to break his charity by your imprudent charity; in such a case, if you are obliged to relieve him, give him so much as you can spare, rather than lend him that which you cannot spare, but must sue for. In such cases, if charity go not without prudence, nor prudence without charity, you may well enough see when to lend, and how much.

Quest. xiv. 'Is it lawful to take upon usury in necessity, when the creditor doth unjustly or unmercifully require it?'

Ans. Not in case that the consequents (by encouraging sin or otherwise) be like to do more hurt, than the money will do you good. Else, it is lawful when it is for your benefit; as it is lawful to take part of your wages for your work, or part of the worth of your commodity, when you cannot have the whole; and as it is lawful to purchase your rights of an enemy, or your life of a thief as is aforesaid. A man may buy his own benefit of an unrighteous man.

Quest. xv. 'Doth not contracting for a certain sum of gain, make usury in that case unlawful, which might lawfully be taken of one that is free?'

Ans. Yes, in case that contracting determine an uncertain case without sufficient cause: as if you agree, that whether the borrower gain or lose, and be poor or rich, I will have so much gain; that is, whether it prove merci-

fal or unmerciful, I will have it. But then in that case, if it so prove unmerciful, it may not be taken without contracting, if freely offered. No contract may tie the debtor to that which is against justice or charity; and no contract may absolutely require that which may prove uncharitable; unless there be a tacit condition, or exception of such a case implied. Otherwise I see no Scripture or reason, why a contract altereth the case, and may not be used to secure that increase which is neither unrighteous or unmerciful; it may be the bond of equity, but not of iniquity. As in case of a certain gain by the borrower, a certain use may be contracted for; and in case of uncertain gain to the borrower, a conditional contract may be made. Yea, in case of merchandize, where men's poverty forbiddeth not such bargains, I see not but it is lawful to sell a greater uncertain gain, for a smaller certain gain; and so to make the contracts absolute (as Amesius Cas. Consc. on this question sheweth). As all oppression and unmercifulness must be avoided, and all men must do as they would (judiciously) be done by; so it is a bad thing to corrupt religion, and fill the world with causeless scruples, by making that a sin which is no sin. Divines that live in great cities and among merchandize, are usually fitter judges in this case, than those that live more obscurely (without experience) in the country.

Tit. 5. Cases of Conscience about Lasory Contracts.

Quest. 1. 'Is it lawful to lay wagers upon the credit or confidence of one another's opinions or assertions in discourse? As e. g. I will lay you so much that I am in the right?'

Answ. Yes, if these three things concur: 1. That the true end of the wager is, to be a penalty to him that shall be guilty of a rash and false assertion, and not to gratify the covetousness of the other. 2. That it be no greater a sum than can be demanded and paid, without breach of charity, or too much hurt to the loser (as above the proportion of his error). 3. That it be no other but what both parties are truly willing to stand to the loss of, if either of them lose,

and that beforehand they truly seem so willing to each other.

Quest. II. 'Is it lawful to lay wagers upon horse-races, dogs, hawks, bear-baitings or such games as depend upon the activity of beast or man?'

Answ. Yes, upon the two last expressed conditions; and 3. That it be not an exercise which is itself unlawful, by cruelty to beasts, or hazard to the lives of men (as in fencing, running, wrestling, &c. it may fall out if it be not cautiously done), or by the expence of an undue proportion of time in them, which is the common malignity of such recreations.

Quest. III. 'May I lawfully give money to see such sports, as bear-baitings, stage-plays, masks, shows, puppet-plays, activities of man or beast? &c.'

Answ. There are many shows that are desirable and laudable, (as of strange creatures, monsters, rare engines, activities, &c.) the sight of which it is lawful to purchase, at a proportionable price; as a prospect through one of Galileo's tubes or such another, is worth much money to a studious person. But when the exercise is unlawful (as all stage-plays are that ever I saw, or had just information of; yea, odiously evil; however it is very possible that a comedy or tragedy might with abundance of cautions be lawfully acted), it is then (usually) unlawful to be a spectator either for money or on free cost. I say, (usually) because it is possible that some one that is necessitated to be there, or that goeth to find out their evil to suppress them, or that is once only induced to know the truth of them, may do it innocently; but so do not they, who are present voluntarily and approvingly. 3. And if the recreation be lawful in itself, yet when vain persons go thither to feed a carnal fancy and vicious humour, which delighteth more in vanity, than they delight in piety, and when it wasteth their time and corrupteth their minds, and alienateth them from good, or hindereth duty, it is to them unlawful.

Quest. IV. 'Is it lawful to play at cards or dice for money, or at any lottery?'

Answ. The greatest doubt is, whether the games be lawful, many learned divines being for the negative, and many

^d Of Recreations, see before.

for the affirmative; and those that are for the affirmative lay down so many necessities or conditions to prove them lawful, as I scarce ever yet saw meet together; but if they be proved at all lawful, the case of wagers is resolved as the next.

Quest. v. 'May I play at bowls, run, shoot, &c., or use such personal activities for money?'

Answ. Yes, 1. If you make not the game itself bad, by any accident. 2. If your wager be laid for sport, and not for covetousness (striving who shall get another's money, and give them nothing for it). 3. And if no more be laid than is suitable to the sport, and the loser doth well and willingly pay.

Quest. vi. 'If the loser who said he was willing, prove angry and unwilling when it cometh to the paying, may I take it, or get it by law against his will?'

Answ. No, not in ordinary cases; because you may not turn a sport to covetousness, or breach of charity; but in case that it be a sport that hath cost you any thing, you may in justice take your charges, when prudence forbids it not.

Tit. 6. Cases of Conscience about Losing and Finding.

Quest. 1. 'If I find money or any thing lost, am I bound to seek out the owner, if he seek not after me? and how far am I bound to seek him?'

Answ. You are bound to use such reasonable means, as the nature of the case requireth, that the true owner may have his own again. He that dare keep another man's money, because he findeth it, it is like would steal, if he could do it as secretly. Finding gives you no property, if the owner can be found: do as you would be done by, and you may satisfy your conscience. If nearer inquiry will not serve, you are bound to get it cried in the market, or proclaimed in the church, or mentioned in the Currants that carry weekly news, or any probable way, which putteth you not upon unreasonable cost or labour.

Quest. II. 'May I take any thing for the finding of it, as my due?'

Answ. You may demand so much as shall pay for any

labour or cost which you have been at about it, or finding out the owner. But no more as your due; though a moderate gratuity may be accepted, if he freely give it.

Quest. III. 'May I desire to find money or any thing else in my way; or may I be glad when I have found it?'

Ans. You should first be unwilling that your neighbour should lose it, and be sorry that he hath lost it; but supposing that it be lost, you may moderately desire that you may find it rather than another; not with a covetous desire of the gain; but that you may faithfully gratify the owner in restoring it, or if he cannot be found may dispose of it as you ought. And you should be more sorry that it is lost, than glad that you find it, except for the owner.

Quest. IV. 'If no owner can be found, may I not take it and use it as mine own?'

Ans. The laws of the land do usually regulate claims of property in such matters; where the law giveth it to the lord of the manor, it is his, and you must give it him. Where it giveth it to no other, it is his that findeth it; and occupancy will give him property. But so as it behoveth him to judge, if he be poor, that God's providence ordered it for his own supply; but if he be rich, that God sent it him but as to his steward, to give it to the poor.

Quest. v. 'If many be present when I find it, may I not wholly retain it to myself; or may I not conceal it from them if I can?'

Ans. If the law overrule the case, it must be obeyed; but if it do not, you may, if you can, conceal it, and thereby become the only finder, and take it as your own, if the owner be not found: but if you cannot conceal it at the time of finding, they that see it with you, are partly the finders as well as you; though perhaps the largest share be due to the occupant.

Quest. VI. 'If I trust my neighbour or servant with money or goods, or if another trust me, who must stand to the loss if they be lost?'

Ans. Here also the law of the land as regulating properties must be very much regarded; and especially the true meaning of the parties must be understood: if it was antecedently the expressed or implied meaning that one party in such or such a case should bear the loss, it must in

strict justice be according to the true meaning of the parties. Therefore if a carrier that undertaketh to secure it, loseth it; he loseth it to himself. Or if one that it is lent to on that condition (explicit or implicit) lose it, it is to himself. But if a friend to whom you are beholden for the carriage, lose it, who undertook no more than to bestow his labour, the loss must be yours; yea, though it was his negligence or drunkenness that was the fault; for you took him and trusted him as he is. But if a servant or one obliged to do it by hire, do without any other agreement, only undertake to serve you in it, and loseth it, the law or custom of the country is instead of a contract; for if the law or custom lay the loss on him, it is supposed that he consented to it in consenting to be your servant; if it lay it on you, it is supposed that you took your servant on such terms of hazard. But if it be left undecided by law and custom, you may make your servant pay only so much as is a proportionable penalty for his fault, but no more, as any satisfaction for your loss; except you agreed with him to repay such losses as were by his default. And when it is considered what strict justice doth require, it must also be considered what charity and mercy do require, that the poor be not oppressed.

Tit. 7. Directions to Merchants, Factors, Chaplains, Travellers, that live among Infidels.

Quest. 1. 'Is it lawful to put one's self, or servants, especially young unestablished apprentices, into temptations of an infidel country (or a Popish), for the getting of riches, as merchants do *?'

Ans. This cannot be truly answered without distinguishing, 1. Of the countries they go from. 2. Of the places they go to. 3. Of the quality of the persons that go. 4. Of the causes of their going.

I. Some countries that they go from may be as bad as those that they go to, or in a state of war, when it is better be absent, or in a time of persecution, or at least of greater

* *Leg. Steph. Vinan. Pigh. in Hercule prodigo, pp. 130—132. Cui peregrinatio dulcis est, non amat patriam: si dulcis est patria, amara est peregrinatio. Augustine.*

temptation than they are like to have abroad. And some are contrarily as a paradise in comparison of those they go to, for holiness and helps to heaven, and for peace and opportunities of serviceableness to God and the public good.

II. Some countries which they may go to, may have as good helps for their souls as at home, if not by those of the religion of the nation, yet by Christians that live among them, or by the company which goeth with them; or at least there may be no great temptations to change their religion, or debauch them, either through the civility or moderation of those they live among, or through their sottish ignorance or viciousness, which will rather turn men's hearts against them. But some countries have so strong temptations to corrupt men's understandings through the subtilty of seducers, and some have such allurements to debauch men, and some such cruelties to tempt them to deny the truth, that it is hard among them to retain one's innocency.

III. Some that go abroad are understanding, settled Christians, able to make good use of other men's errors, and sins, and ill examples or suggestions, and perhaps to do much good on others; but some are young, and raw, and inexperienced, whose heads are unfurnished of those evidences and reasons by which they should hold fast their own profession, against the cunning reasonings of an adversary, and their hearts are unfurnished of that love to truth, and that serious resolution which is necessary to their safety, and therefore are like to be corrupted.

IV. Some are sent by their princes as agents or ambassadors on employments necessary to the public good: and some are sent by societies on business necessary to the ends of society: and some go in case of extreme poverty and necessity, having no other way of maintenance at home: and some go in obedience to their parents and masters that command it them: and some go to avoid the miseries of a war, or the danger of a sharp persecution at home, or the greater temptations of a debauched or seducing age, or some great temptations in their families. But some go for fancy, and some for mere covetousness, without need.

By these distinctions the case may be answered by men that are judicious and impartial. As,

1. *Affirm.* 1. It is lawful for ambassadors to go among infidels, that are sent by princes and states; because the public good must be secured.

2. It is lawful for the agents of lawful societies or trading companies to go ('cæteris paribus,' the persons being capable); because trade must be promoted, which tendeth to the common good of all countries.

3. It is not only lawful, but one of the best works in the world, for fit persons to go on a design to convert the poor infidels and heathens where they go. Therefore the preachers of the Gospel should not be backward to take any opportunity, as chaplains to ambassadors, or to factories, &c., to put themselves in such a way.

4. It is lawful for a son or servant (whose bonds extend to such a service) to go in obedience to a superior's command; and God's special protection may be trusted in a way of obedience.

5. It is lawful for one in debt to go, that hath probable hopes that way and no other to pay his debts. Because he is a defrauder if he detain other men's money, while a lawful way of repaying it may be taken.

6. It is lawful for a duly qualified person to go in case of extreme poverty, to be able to live in the world; and that poverty may be called extreme to one that was nobly born and educated, which would be no poverty to one that was bred in beggary.

7. It is lawful for a well qualified person, who desireth riches to serve God, and to do good with, to go in a way of trading, though he be in no poverty or necessity himself. Because God's blessing on a lawful trade may be desired and endeavoured, and he that should do all the good he can, may use what lawful means he can to be enabled to do it. And other men's wants should be to us as our own, and therefore we may endeavour to be able to relieve them.

8. In a time of such civil war, when a man knoweth not which side to take, it may be better for some men to live abroad; yea, among infidels.

9. There is little to dissuade a man whose trade leadeth him into a country that is better than his own, or so sottish

as to have small temptation, and that hath the company of faithful Christians, with which he may openly worship God, and privately converse to his spiritual edification.

10. In urgent cases one may go for a time, where he can have no use of public church-worship, so be it he have private means and opportunities of holy living.

11. It is lawful on less occasions to leave one's own country in a time of debauchery, when temptations at home are greater than those abroad, or in time of such persecution as may lawfully be avoided, than at another time.

12. A settled Christian may go more safely, and therefore lawfully on smaller urgencies, than a young, raw, lustful, fanciful, unsettled novice may.

II. *Neg.* 1. It is not lawful for any one to seek riches or trade abroad or at home, principally for the love of riches, to raise himself and family to fulness, prosperity or dignity: though all this may be desired when it is a means to God's service and honour, and the public good, and is desired principally as such a means.

2. It is not lawful to go abroad, especially into infidel or Popish countries, without such a justifiable business, whose commodity will suffice to weigh down all the losses and dangers of the remove.

3. The dangers and losses of the soul are to be valued much above those of the body and estate, and cannot be weighed down by any mere corporal commodity.

4. It is more dangerous usually to go among Turks and heathens (whose religion hath no tempting power to seduce men) than among Socinians or Papiasts, whose errors and sins are cunningly and learnedly promoted and defended.

5. It is not lawful for merchants or others for trade and love of wealth or money, to send poor raw, unsettled youths into such countries where their souls are like to be notably endangered, either by being deprived of such teaching and church-helps which they need, or by being exposed to the dangerous temptations of the place; because their souls are of more worth than money.

6. It is not lawful therefore for master or servant to venture his own soul in such a case as this last mentioned; that is, so far as he is free, and without necessity doth it only for commodity sake.

7. We may not go where we cannot publicly worship God, without necessity, or some inducement from a greater good.

8. The more of these hindrances occur the greater is the sin: it is therefore a mere wilful casting away of their own souls, when unfurnished, unsettled youths (or others like them) shall for mere humour, fancy, or covetousness leave such a land as this, where they have both public and private helps for their salvation, and to go among Papists, infidels or heathens, where talk or ill example is like to endanger them, and no great good can be expected to countervail such a hazard, nor is there any true necessity to drive them, and where they cannot publicly worship God, no, nor openly own the truth, and where they have not so much as any private company to converse with, that is fit to further their preservation and salvation, and all this of their own accord, &c.

Quest. 11. 'May a merchant or ambassador leave his wife, to live abroad?'

Answ. 1. We must distinguish between what is necessitated, and what is voluntary. 2. Between what is done by the wife's consent, and what is done without. 3. Between a wife that can bear such absence, and one that cannot. 4. Between a short stay, and a long or continued stay.

1. The command of the king, or public necessities, may make it lawful, except in a case so rare as is not to be supposed (which therefore I shall not stand to describe). For though it be a very tender business to determine a difference between the public authority or interest, and family relations and interest, when they are contradictory and irreconcilable, yet here it seemeth to me, that the prince and public interest may dispose of a man contrary to the will and interest of his wife; yea, though it would occasion the loss, 1. Of her chastity. 2. Or her understanding. 3. Or her life: and though the conjugal bond do make man and wife to be as one flesh. For, 1. The king and public interest may oblige a man to hazard his own life, and therefore his wife's. In case of war, he may be sent to sea; or beyond sea, and so both leave his wife (as Uriah did) and venture himself. Who ever thought that no married man might go to foreign wars without his wife's consent? 2.

Because as the whole is more noble than the part, so he that marrieth obligeth himself to his wife, but on supposition that he is a member of the commonwealth, to which he is still more obliged than to her.

2. A man may for the benefit of his family leave his wife for travel or merchandize, for a time, when they mutually consent upon good reason that it is like to be for their good.

3. He may not leave her either without or with her own consent, when a greater hurt is like to come by it, than the gain will countervail. I shall say no more of this, because the rest may be gathered from what is said in the cases about duties to wives, where many other such are handled.

Quest. III. 'Is it lawful for young gentlemen to travel in other kingdoms, as part of their education?'

Ans. The many distinctions which were laid down for answer of the first question, must be here supposed, and the answer will be mostly the same as to that, and therefore need not be repeated.

1. It is lawful for them to travel that are necessarily driven out of their own country, by persecution, poverty, or any other necessitating cause.

2. It is lawful to them that are commanded by their parents (unless in former excepted cases, which I will not stay to name).

3. It is the more lawful when they travel into countries as good or better than their own, where they are like to get more good than they could have done at home.

4. It is more lawful to one that is prudent and firmly settled both in religion, and in sobriety and temperance, against all temptations which he is like to meet with, than to one that is unfurnished for a due resistance of the temptations of the place to which he goeth.

5. It is more lawful to one that goeth in sober, wise and godly company, or is sent with a wise and faithful tutor and overseer, than to leave young, unsettled persons to themselves.

6. In a word, it is lawful when there is a rational probability, that they will not only get more good than hurt (for that will not make it lawful), but also more good than they could probably have other ways attained.

¹ *Lege Eurycic. Patcani Orat. 9.*

II. But the too ordinary course of young gentlemen's travels out of England now practised, I take to be but a most dangerous hazarding, if not a plain betraying them to utter undoing, and to make them afterwards the plagues of their country, and the instruments of the common calamity. For, 1. They are ordinarily sent into countries far worse and more dangerous than their own, where the temptations are stronger than they are fit to deal with; into some countries where they are tempted to sensuality, and into some where they are tempted to popery or infidelity. In some countries they learn to drink wine instead of beer; and arising from the smaller sort to the stronger, if they turn not drunkards, they contract that appetite to wine and strong drink, which shall prove (as Clemens Alexandrinus calleth gluttony and tipping,) a throat-madness, and a belly-devil, and keep them in the sin of gulosity all their days. And in some countries they shall learn the art of gluttony, to pamper their guts in curious, costly, uncouth fashions, and to dress themselves in novel, fantastical garbs, and to make a business of adorning themselves, and setting themselves forth with proud and procacious fancies and affections, to be looked upon as comely persons to the eyes of others. In some countries they shall learn to waste their precious hours in stage-plays, and vain spectacles, and ceremonies, attendances and visits, and to equalize their life with death, and to live to less use and benefit to the world than the horse that carrieth them. In most countries they shall learn either to prate against godliness, as the humour of a few melancholy fools, and be wiser than to believe God, or obey him, or be saved; or at least to grow indifferent and cold in holy affections and practices: for when they shall see Papists and Protestants, Lutherans and Calvinists of contrary minds, and hear them reproaching and condemning one another, this cooleth their zeal to all religion, as seeming but a matter of uncertainty and contention. And when they also see how the wise and holy are made a scorn in one country, as bigots and Hugonots, and how the Protestants are drunkards and worldlings in another country, and how few in the world have any true sense and savour of sound and practical religion, and of a truly holy and heavenly life, (as those few they are seldom so happy as to converse with,) this

first accustometh them to a neglect of holiness, and then draweth their minds to a more low, indifferent opinion of it, and to think it unnecessary to salvation. For they will not believe that so few shall be saved as they find holy in the world: and then they grow to think it but a fancy and troubler of the world.

And it addeth to their temptation, that they are obliged by the carnal ends which drew them out, to be in the worst and most dangerous company and places, that is, at princes' courts, and among the splendid gallantry of the world: for it is the fashions of the great ones which they must see, and of which when they come home they must be able to discourse: so that they must travel to the pest-houses of pomp and lust, of idleness, gluttony, drunkenness, and pride, of atheism, irreligiousness, and impiety, that they may be able to glory what acquaintance they have got of the grandeur and gallantry of the suburbs of hell, that they may represent the way to damnation delectable and honourable to others, as well as to themselves*.

But the greatest danger is of corrupting their intellectuals, by converse with deceivers where they come; either infidels, or juggling Jesuits and friars: for when those are purposely trained up to deceive, how easy is it for them to silence raw and unfurnished novices, (yea, even where all their five senses must be captivated, in the doctrine of transubstantiation). And when they are silenced they must yield: or at least they have deluding stories enough of the antiquity, universality, infallibility, unity of their church, with a multitude of lies of Luther, Calvin, Zuinglius, and other reformers, to turn their hearts and make them yield. But yet that they may be capable of doing them the more service, they are instructed for a time to dissemble their perversion, and to serve the Roman pride and faction in a Protestant garb and name.

Especially when they come to Rome, and see its glory, and the monuments of antiquity, and are allured with their splendour and civilities, and made to believe that all the reports of their inquisitions and cruelties are false, this furthereth the fascination of inexperienced youths.

2. And usually all this while the most of them lay by

* Read Bishop Hall's "Quo Vadis" on this subject.

all serious studies, and all constant employment, and make idleness and converse with the idle and with tempters, to be their daily work. And what a mind is like to come to, which is but one half year or twelve months accustomed to idleness, and to vain spectacles, and to a pleasing converse with idle and luxurious persons, it is easy for a man of any acquaintance with the world, or with human nature to conjecture.

3. And they go forth in notable peril of their health or lives. Some fall into fevers, and die by change of air and drinks: some fall into quarrels in taverns, or about their whores, and are murdered. Some few prove so stedfast against all the temptations of the Papists, that it is thought conduicable to the holy cause that they should be killed in pretence of some quarrel, or be poisoned. Some by drinking wine, do contract such a sickness, as makes their lives uncomfortable to the last. And the brains of many are so heated by it, that they fall mad.

4. And all this danger is principally founded in the quality of the persons sent to travel; which are ordinarily empty lads, between eighteen and twenty-four years of age, which is the time of the devil's chief advantage; when naturally they are prone to those vices which prove the ruin of the most, though you take the greatest care of them that you can^b. 1. Their lust is then in the highest and most untamed rage. 2. Their appetites to pleasing meats and drinks are then strongest. 3. Their frolicsome inclinations to sports and recreations are then greatest. 4. And ignorant and procacious pride beginneth then to stir. 5. All things that are most vile and vain, are then apt to seem excellent to them, by reason of the novelty of the matter as to them, who never saw such things before, and by reason of the false esteem of those carnal persons, to whose pomp, and consequently to whose judgment, they would be conformed. 6. And they are at that age exceedingly inclined to think all their own apprehensions to be right, and to be very confident of their own conceptions, and wise in their own eyes: because their juvenile intellect being then in the most affecting activity, it seemeth still clear and sure to them, be-

^b Peregrinatio levia tædia quædam animorum et veluti nausæas tollit: non tollit morbos qui altius penetrarunt, quam ut externa ulla medicina huc pertingat. Id. ib.

cause it so much affects themselves. 7. But above all, they are yet unfurnished of almost all that solid wisdom, and settled holiness, and large experience, which is most necessary to the improvement of their travels, and to their resistance of all these temptations. Alas! how few of them are able to deal with a Jesuit, or hold fast their religion against these deceivers! If the very vices, the ambition, the carnal policies and pomps, the filthiness and worldliness of the Roman clergy did not become a powerful preservative to men's minds against the temptations which would draw them to their way, and if the atheism, infidelity, whoredoms, and profaneness of Papists did not become antidotes, how few were like to return uninfected! And because the Jesuits know that they can never take this stumblingblock out of the way, therefore too many of them have thought best to debauch those first whom they would proselyte, and reconcile them first to plays, and drunkenness, and whoredoms, that so the dislike of these may not hinder their reconciliation with the kingdom of Rome; yea, that a seeming necessity of a priest's pardon, may make it seem necessary to become their subjects.

And as unfurnished are these young travellers usually to resist the temptations to this sensuality, lust and pomp, as those of popery: so that they are perfidiously sent into a pest-house, when they are in the greatest disposition to be infected. And if they come not home drunkards, gluttons, gamesters, idle, prodigal, proud, infidels, irreligious, or Papists, it is little thanks to those perfidious parents, who thus perform their promise for them in baptism, by sending them to satan's schools and university to be educated.

Whereas if they were kept to their due studies, and under a holy government at home, till they were furnished with sound religious knowledge, and till they were rooted in holiness, and in a love to a pious, sober life, and till they had got a settled hatred of intemperance and all sin, and till they had a map of the places, persons, and affairs of the world well imprinted on their minds by study and due information, then necessary travel would be more safe: and then they would be in a capacity to learn wisdom from other men's folly, and virtue from other men's vice, and piety from other men's impiety; which novices are rather apt to imitate.

5. And in the mean time the loss of all the helps which they should have at home, doth greatly tend to their destruction. For they oft travel into countries, where they shall have no public worship of God which is lawful, or which they understand: or if they have, it is usually cold preaching and dull praying, when they have need of the best, and all too little. And they have seldom such pious society to edify and quicken them by private converse, as they have, or might have, here at home; and seldom come into such well-ordered, religious families. And if human nature be prone to infection by temptations, and so averse to holiness, that all means is too little, and even in the best families folly and sensuality, and a distaste of godliness, often thrive; (as unsown weeds overspread the garden, where with great cost and labour only better things were sowed;) what then but sin and misery can be expected from those that by their own parents are banished from their native country, (not so well as into a wilderness, but) into the pestilent, infected countries of the world?

I would ask those parents that plead for this crime and cruelty as a kindness; are you no wiser or better yourselves than the company into which you send your children? Can you teach them and educate them no better, nor give them better examples than they are like to have abroad? Can you set them on no better work, for the improvement of their time? If not, why do you not repent of this your shame and misery, and reform yourselves? If you can, why will you then betray your children? Or if you cannot, are there no schools, no learned and pious men, no religious families and company at home, in your own land, where you might place them to better advantage, than thus to expose them to the tempter? Undoubtedly there are; and such as may be had at cheaper rates¹.

6. And it is not the smallest part of the guilt and danger, that they are sent abroad without due oversight and conduct. They that do but get them some sober or honest servant to attend them, or some sober companion, think they have done well: when as they had need of some divine or tutor of great learning, piety, prudence, and experience, whom they will reverence and obey, that may take the over-

¹ *Congressus sapientum confert prudentiam: non mores, non maria.* Erasm.

sight of them, and be ready to answer any sophist that would seduce them. But the charge of this is thought too great, for the safety of their own children, whom they themselves expose to a necessity of it.

I know that carnal minds will distaste all this, and have objections enough against it, and reasons of their own, to make it seem a duty to betray and undo their children's souls, and to break their promise made for them in baptism; "All this is but our preciseness: they must have experience and know the world, or else they will be contemptible 'tenebriones' or owls! Whenever they go it will be a temptation, and such they must have at home; there is no other part of their age so fit, or that can be spared, and we must trust God with them wherever they are, and they that will be bad, will be bad in one place as well as another; and many are as bad that stay at home." And thus 'quos perdere vult Jupiter hos dementat:' yea, the poor children and commonwealth must suffer for such parent's sottish folly. And well saith Solomon, "The rich man is wise in his own conceit^k." And because it is not reason indeed but pride, and the rich disease and carnality which is here to be confuted, I shall not honour them with a distinct, particular answer; but only tell them, If all companies be alike, send them to Bedlam or to a whore-house. If all means be alike, let them be Janizaries, and bred up where Christ is scorned: if you think they need but little helps, and little watching, it seems you never gave them more. And it is a pity you should have children, before you know what a man is, and how much nature is corrupted, and how much is needful to its recovery. And it is a pity that you dedicated them to God in baptism, before you believed Christ, and knew what you did, and engaged them to renounce the world, the flesh and the devil, under a crucified Christ, while you purposed like hypocrites to train them in the school and service of the world, the flesh, and the devil, and in the contempt of the cross of Christ, or of a holy, mortified life. And if all ages be alike, and novices be equal to experienced persons, let the scholars rule their master, and let boys be parliament men and judges, and let them be your guides at home? And if acquaintance with courtship and the customs of the world,

^k Prov. xviii. 11.

and the reputation of such acquaintance, be worth the hazarding of their souls, renounce God, and give up your names to mammon, and be not such paltry hypocrites, as to profess that you believe the Scriptures, and stand to your baptismal vows, and place your hopes in a crucified Christ, and your happiness in God's favour and the life to come. And if the preaching of the Gospel, and all such religious helps be unnecessary to your unsettled children, dissemble not by going to church, as if you took them to be necessary to yourselves. In a word, I say as Elias to the Israelites, "Why halt ye between two opinions? If God be God, follow him." If the world be God, and pride and sensuality and the world's applause be your felicity, follow it, and let it be your children's portion. Do you not see more wise, and learned, and holy, and serviceable persons among us, proportionably in church and state, that were never sent for an education among the Papists and profane, than of such as were?

But I will proceed to the Directions which are necessary to those that must or will needs go abroad, either as merchants, factors, or as travellers.

Direct. I. 'Be sure that you go not without a clear warrant from God; which must be (all things laid together) a great probability, in the judgment of impartial, experienced, wise men, that you may get or do more good than you were like to have done at home.' For if you go sinfully without a call or warrant, you put yourself out of God's protection, as much as in you is; that is, you forfeit it: and whatever plague befalls you, it will arm your accusing consciences to make it double.

Direct. II. 'Send with your children that travel, some such pious, prudent tutor or overseer as is afore described: and get them or your apprentices into as good company as possibly you can.'

Direct. III. 'Send them as the last part of all their education, when they are settled in knowledge, sound doctrine, and godliness, and have first got such acquaintance with the state of the world, as reading, maps, and conversation and discourse can help them to: and not while they are young, and raw, and incapable of self-defence, or of due improving what they see.' And those that are thus prepared, will

have no great lust or fancy to wander, and lose their time, without necessity ; for they will know, that there is nothing better (considerably) to be seen abroad, than is at home ; that in all countries, houses are houses, and cities are cities, and trees are trees, and beasts are beasts, and men are men, and fools are fools, and wise men are wise, and learned men are learned, and sin is sin, and virtue is virtue. And these things are but the same abroad as at home : and that a grave is every where a grave, and you are travelling towards it, which way ever you go. And happy is he that spendeth his little time so, as may do God best service, and best prepare him for the state of immortality.

Direct. iv. ‘ If experience of their youthful lust and pride, and vicious folly, or unsettled dangerous state, doth tell you plainly, that your child or apprentice is unfit for travel, venture them not upon it, either for the carnal ornaments of education, or for your worldly gain.’ For souls that cost the blood of Christ, are more precious than to be sold at so low a rate : and especially by those parents and masters that are doubly obliged to love them, and to guide them in the way to heaven, and must be answerable for them.

Direct. v. ‘ Choose those countries for your children to travel in, which are soundest in doctrine and of best example, and where they may get more good than hurt ; and venture them not needlessly into the places and company of greatest danger ; especially among the Jesuits and friars, or subtle heretics, or enemies of Christ.

Direct. vi. ‘ Study before you go, what particular temptations you are like to meet with, and study well for particular preservatives against them all : as you will not go into a place infected with the plague, without an antidote.’ It is no small task, to get a mind prepared for travel.

Direct. vii. ‘ Carry with you such books as are fittest for your use, both for preservation and edification :’ As to preserve you from Popery, Drelincourt’s and Mr. Pool’s small Manual : for which use my “ Key for Catholics,” and “ Safe Religion,” and “ Sheet against Popery ” may not be useless. And Dr. Challoner’s “ Credo Ecclesiam Catholicam ” is short and very strong. To preserve you against infidelity, “ Vander Meulin,” in Latin, and Grotius ; and in

English my "Reasons of the Christian Religion," may not be unfit. For your practice, the Bible and the "Practice of Piety," and Mr. Scudder's "Daily Walk," and Mr. Reyner's "Directions," and Dr. Ames's "Cases of Conscience."

Direct. viii. 'Get acquaintance with the most able reformed divines, in the places where you travel and make use of their frequent converse, for your edification and defence.' For it is the wisest and best men in all countries where you come, that must be profitable to you, if any.

Direct. ix. 'Set yourselves in a way of regular study if you are travellers, as if you were at home, and on a course of regular employment if you are tradesmen, and make not mere wandering and gazing upon novelties, your trade and business; but redeem your time as laboriously as you would do in the most settled life.' For time is precious, wherever you be; and it must be diligence every where that must cause your proficiency; for place and company will not do it without your labour. It is not an university that will make a sluggish person wise, nor a foreign land that will furnish a sensual sot with wisdom: 'Cœlum non animum mutant qui trans mare currunt.' There is more ado necessary to make you wise, or bring you to heaven, than to go long journies, or see many people.

Direct. x. 'Avoid temptations: if you acquaint yourselves with the humours, and sinful opinions, and fashions of the time and places where you are, let it be but as the Lacedemonians called out their children to see a drunkard, to hate the sin; therefore see them, but taste them not, as you would do by poison or loathsome things.' Once or twice seeing a folly and sin is enough. If you do it frequently, custom will abate your detestation, and do much to reconcile you to it.

Direct. xi. 'Set yourselves to do all the good you can to the miserable people in the places where you come.' Furnish yourselves with the aforesaid books and arguments, not only to preserve yourselves, but also to convince poor infidels and Papists. And pity their souls, as those that believe, that there is indeed a life to come; where happiness and misery, will shew the difference between the godly and the wicked. Especially merchants and factors, who live

constantly among the poor ignorant Christians, Armenians, Greeks, Papists, who will hear them ; and among heathens (in Indostan and elsewhere) and Mahometans (especially the Persians, who allow a liberty of discourse). But above all, the chaplains of the several embassies and factories. O what an opportunity have they to sow the seeds of Christianity, among the heathen nations ! and to make known Christ to the infidel people where they come ! And how heavy a guilt will lie on them that shall neglect it ! And how will the great industry of the Jesuits rise up in judgment against them and condemn them !

Direct. xii. ' The more you are deprived of the benefit of God's public worship, the more industrious must you be, in reading Scripture and good books, and in secret prayer, and meditation, and in the improvement of any one godly friend that doth accompany you to make up your loss, and to be instead of public means.' It will be a great comfort among infidels, or Papists, or ignorant Greeks, or profane people, to read sound, and holy, and spiritual books, and to confer with some one godly friend, and to meditate on the sweet and glorious subjects, which from earth and heaven are set before us ; and to solace ourselves in the praises of God, and to pour out our suits before him.

Direct. xiii. ' And that your work may be well done, be sure that you have right ends ; and that it be not to please a ranging fancy, nor a proud, vain mind, nor a covetous desire of being rich or high, that you go abroad ; but that you do it purposely and principally to serve God abroad, and to be able to serve him the better when you come home, with your wit, and experience, and estates.' If sincerely you go for this end, and not for the love of money, you may expect the greater comfort¹.

Direct. xiv. ' Stay abroad no longer than your lawful ends and work do require : and when you come, let it be seen that you have seen sin, that you might hate it ; and that by the observation of the errors and evils of the world, you love sound doctrine, spiritual worship, and holy, sober, and righteous living, better than you did before ; and that

¹ Peregrinatio omnis obscura et sordida est iis quorum industria in patria potest esse illustris. Cic.

you are the better resolved and furnished for a godly, exemplary, fruitful life.

One thing more I will warn some parents of ; who send their sons to travel to keep them from untimely marrying, lest they have part of their estate too soon : that there are other means better than this, which prudence may find out : if they would keep them low, from fulness and idleness, and bad company, (which a wise, self-denying, diligent man may do, but another cannot,) and engage them to as much study and business (conjunct) as they can well perform, and when they must needs marry, let it be done with prudent, careful choice ; and learn themselves to live somewhat lower, that they may spare that which their son must have, this course would be better than that hazardous one in question.

CHAPTER XX.

Tit. 1. Motives and Directions against Oppression.

OPPRESSION is the injuring of inferiors, who are unable to resist, or to right themselves ; when men use power to bear down right. Yet all is not oppression which is so called by the poor, or by inferiors that suffer : for they are apt to be partial in their own cause as well as others. There may be injustice in the expectations of the poor, as well as the actions of the rich. Some think they are oppressed, if they be justly punished for their crimes ; and some say they are oppressed, if they have not their wills, and unjust desires, and may not be suffered to injure their superiors : and many of the poor do call all that oppression, which they suffer from any that are above them, as if it were enough to prove it an injury, because a rich man doth it ; but yet oppression is a very common and a heinous sin ^a.

There are as many ways of oppressing others, as there are advantages to men of power against them. But the principal are these following.

1. The most common and heinous sort is the malignant

^a In omniscertamine qui opulentior est, etiamsi accipit injuriam, tamen quia plus potest, facere videtur. Salust. in Jugurth.