

SERMON CCI.

(III.) **T**HERE is a Righteousness to be followed, in the Farming of Houses and Lands. That such a Contract as this is Lawful, is abundantly proveable from the Word of God; and the Necessity of it for the Good of Mankind, is a potent Confirmation of it: For, tho' every Man ought to Employ himself in some Calling, yet that is not the only way in which he may Rightfully advance his Estate. Some Men are able to Labour, but they have nothing to bestow their Labour upon; others have an Estate of Possession which either their Calling allows them not to Occupy by themselves, or they have more than they can so Occupy: Some Men have an Estate in Housing, which they have no occasion for their own Use to Improve; others have None, and want one for the Convenience of their Occupation; so that by such a Contract, Both the Parties may be Accommodated and Benefited, and



and humane Society comfortably maintained. But here also *Justice* is to be observed, and *Charity* to be maintained; and there are Duties here on either hand that ought to be observed.

AND here in *General* observe, that there is a great Difference between *This*, and that of *Loan*; for in *This* the *Principal* remains in the hand of the *Proprietor*, and he runs the Risque of all Casualties, as of *Fire*, *Inundations*, &c. whereas in the *Other*, the *Principal* becomes his who *Borrows* it, and he is Responsible for it to his *Creditor*. And right Reason tells us, that on this account, a greater Profit ought to redound to the Owner by *Farming*, than by *Interest* for Time, in ordinary Cases. But the *Moral Law* hath here also set Limits, which every one that would follow Righteousness ought to confine himself unto.

(1.) IN respect of him who *Lets out his Estate to Farm*, there are these Rules to be attended;

1. HE ought to consider his Neighbour's probable Benefit as well as his Own, in the Rate which he sets upon his Houses and Lands. It is a general Rule in all Contracts, that we are to seek our Neighbour's Good, as well as our Own in it. Hence there can be no stated Value set in this Case; there may be the same Cost laid out by the *Proprietor*, on one and another Tenement or Farm; but there may be a great difference in the Commodiousness of the one and the other: We ought therefore to Consult, whether he that Occupies or Improves it, may be a *Gainer*, and not a necessary *Losser* by the Improvement, if it be not his own Fault; so that the Owner may in this regard Righteously enhance the Rent: But any thing that exceeds this, comes under the Sin of *Oppression*; nor ought the Necessity of the Person that Hires, be improved to Exact of him, beyond this general Rule: For this doth not vary the thing it self, nor is it to follow the Golden Rule, to do to another, as we would rationally have him to do by Us.

2. THAT he ought to be Merciful to his Tenant, when meer Casualty cuts off from him the Fruits of his Labour. If the Man by *Idleness*, or foolish *Negligence* loseth his Benefit, it is his Fault, and a like Pity is not Commanded to be used when it is so; but if an *unforeseen Fire* takes away all the Man's Substance, and Impoverisheth him to an Inability to defray his Arrears; or *Drought*, *Rain*, *Caterpillars* sweep away the Fruit of his Labours, and he Loseth all his honest Industry, the utmost Rigour of the Contract ought not to be Prosecuted, but some fair proportionable Abatement ought to be made; especially if the Person be *Poor*, and brought into Distress by it: And this belongs to the *Charity*, which the Word of God calls *Righteousness*; and equally is required in this Command, as will afterwards be Considered.

(2.) IN respect of him who *Takes such an Estate to Farm*: And here also two Rules are principally to be regarded;

1. HE ought to take Care of his Landlord's

Estate, that it suffers not, as much as if it were his own. And this belongs to the Rule of *Honesty*; for as the *Landlord* ought not to Oppress his *Tenant*, so is the *other* obliged to see that the *Landlord* be not Diminished by his Default: For the design of such Contracts, is that *Each* may be Benefited hereby; and without such Care, he may *Loose* more by such Waste, than his *Gains* are by the Rents, which is contrary to *Justice* or *Equity*. A Man may better Give the Hire of his House to one, than make a considerable Rent for it of another, who makes the Reparation which he hath occasioned, but more Chargable than the Rent is worth. A Man may by Strip and Waste, and Neglect, so spoil a Living, as the Owner had better to have let it by still *Unimproved*; But this is not according to a good Conscience.

2. HE ought to be Faithful in discharging his honest Obligation to his Landlord. And herein he is to be True to the Quantity, Quality and Time agreed upon; in every whereof his Righteousness is concerned. It must be done without all *Fraud* or *Deceit*, or putting his Landlord upon the necessity of *Loss*, or being at Charges for the Recovery of his Own: And doubtless all *Law-suits* commenced on this account, are occasioned by the Unrighteousness of One of the Parties at least. Not but that if God's Providence puts the Man *Behind-hand* unavoidably, he may honestly *Ask*, and his *Creditor* ought in Charity to Use Patience till he may be able; but to use Pretences on this account which are *Fallacious*, as too many do, will not excuse them from Sin; as if a Man pretends that he cannot Pay his Rent, when he falls behind by his *Idleness*, *Prodigality*, *Drinking*, *fine Apparel*, &c.

(IV.) THERE is a Righteousness to be observed in the Contracts of Buying & Selling, or in Merchandize. *Merchandize*, in the comprehensive Notion of it, includes all manner of Contracts between Man and Man, in which one thing is given in Exchange for another; whereby the Right and Possession passeth from the former Possessor, to the Purchaser; and so it includes in it the Purchasing of Lands & Houses, and all the Sales that are made between Man and Man: Of the *Lawfulness* and *Necessity* of which, there needs no distinct Discourse. All which is considerable under it, will fall in with what is to be said in that which follows; only one CASE may be briefly considered, viz.

Quest. WHETHER it be Lawful for a Person to sell an Inheritance which befalls him by Right of Heirship?

THE ground of this Enquiry is that *Mosaic* Law, which forbade the doing it Out-right; and provided that all such Inheritances, as had fallen into the Possession of others, should revert to the Person, or his Heirs, in the Year of *Jubilee*.

Ans. THIS Law was not *Moral*, but *Judicial*, and accommodated to the Constitution of the *Israelitish* Polity; & doubtless, had something *Typical* in it, & referred to the *Spiritual Kingdom of Christ*; and was of the same order with the Preservation

of Genealogies, and the keeping Inheritances to the Tribe; and probably had a respect to the more clear Proving of the Descent of CHRIST Himself, according to the Predictions of Him: As also to intimate that the Heavenly Inheritance is reserved safe for every true *Israe'ite*, notwithstanding his Follies and Frailties in this Lite. And we find that a Living in a walled City, might be sold for ever, and not go forth in the Jubilee, *Lev. 25. 29, 31.* It is true, a Man hath a Privilege to dispose of his free Estate by Testament, and that is among Men accounted Sacred & Inviolable: And by this sometimes Men do Envail Inheritances upon Posterity, whereby they deprive their Heirs of a Liberty of Alienating the Property; which, tho' it seems to be a great hardship, yet ties their hands, and cuts them off from a Power of Disposing them. But when Men are Possessors of such Inheritances, either by a Purchase made by themselves, or by a Free Alienation of it to them by Progenitors, without any such Embarrassment; they are at as much Liberty of Conscience to Alienate these, as any other part of their Estate: And we are assured, the Jews themselves were allowed to do so by any Lands, without the Confines of Canaan, *Acts 1. 36, 37.* And it is certain, that the Distinction between Real and Personal, is merely Civil, and hath no Foundation in Divinity, so as in it self to oblige the Conscience.

BUT I proceed to the Consideration of that which is more restrictively called *Merchandize*; which is, when Persons do Sell and Exchange one thing for another, with a design to get Gain by it, and make an Estate in the World out of it; and accordingly do make it a Trade or Calling, in which they do Employ themselves. And here I distinguish not between such as Sell things by Whole Sale, or such as Retail any Goods to others; for in Divinity they come under a like Consideration, as to the general Rules given about it in the Word of God.

AND here before I proceed to a particular Discourse of the Righteousness required in it, there is a general CASE calls for some Consideration, *viz.*

Quest. *WHETHER such a Calling as this be Lawful? Not, Whether Men may Buy & Sell for Necessity calls for that; But, Whether Men may make it a Calling to Buy & Sell for Gain, and advancing a Living in the World by it?*

Ans. SOME of the Ancients have altogether Denied the Lawfulness of This, except the Person hath been at the Cost of Time and Charge of obtaining the Property of the thing; as altering Iron into Pots, or other Uses, by Working of it; or turning Cloth into Garment, &c. But the main Argument for this, is Christs Whipping of the Buyers and Exchangers out of the Temple; the weakness of which is very obvious: For tho' it might be Profuseness to do it there, yet it might be Lawful elsewhere. The Scriptures no where Condemn it, and the Convenience of Mankind re-

quires it; and the Apostle seems tacitly to approve it, *Jam. 4. 13, 14.* And not only doth one Neighbour depend on another, but one Country is beholden to another for things needful and convenient; and Man's Commodity requires, that there be such of whom they may Purchase the things which they have occasion for: There must therefore be such who make it their Business; which is the proper Notion of *Merchandize*. And we have already observed, that every Calling is to get an Honest Living by; and for that some Gain is necessary; nor ought Men to lose their Time, and Travail, and Hazards for nought, but may justly expect to have a moderate Profit by it. If then it be Lawful to Buy and Sell, it must be so to make a convenient Profit by it.

BUT the great Difficulty here is; for such to know how to Regulate themselves in this, according to the mind of God, and so as to exercise exact Righteousness in it: which is therefore now to be considered. And there are some general Heads, to which the Consideration of this may be reduced;

(1.) THERE is a Righteousness to be used in the setting a due Value upon Commodities to be Sold and Bought. And this seems to be the most intricate Case in the whole mystery of *Merchandize*; and in which there are great Lucre before Men of Trade and Dealing. There is indeed a general Rule which if Conscientiously followed, would be a good Director in this Affair, *viz. That we should seek our Own Gain, so as not to consult our Neighbours Benefit.* That there may be a Dishonest Gain, we are well assured by the Word of God; and that as well in the High Prices of things, as any other way; and Men may do themselves Wrong by it; for we are told, *1 Tim. 6. 10. The love of money is the root of all evil: which while some have coveted after, they have erred from the faith, and pierced themselves through with many sorrows.*

BUT the Enquiry is,

Quest. *WHETHER there be any fixed Rule for this, by attending whereto Men may keep a good Conscience in their Dealings?*

Ans. TO which I reply, there doubtless is; else the Scripture would in vain find fault with, and threaten Men for their Exortion, *Ezek. 22. 11. Thou hast greedily gained of thy neighbours by extortion.* *1 Cor. 5. 1. Or an extortioner, with such an one, so not to eat.* But it is easier to tell what is Not the Rule, than what it is; but yet by this Negative, we may be helped in our right understanding of the Affirmative. Here then we may for our help in this Affair take a few general Rules, which will carry sure Direction in these:

1. THAT it is no Rule of Righteousness, to Buy as Cheap, and Sell as Dear as we can. This indeed is that which Men do too generally follow, and stand to justify; but contrary to Scripture and right Reason. If it were so, the Word of God in vain condemns Oppression, it being a thing Impracticable; and

and to talk of *Dishonest Gain* in the Prizes of things, would be *non-sense*, and a meer *Banter*. Nor would there be any room for the using of *Conscience* in this Affair; for where there is no other Rule but this, Conscience must needs be unbounded; and the common Good of Mankind altogether disregarded: And this is manifestly condemned, *Jer. 22. 17.* And it would be ridiculous for Men to say, It is so much Worth; when their meaning is, it is worth as much as they can *Get* for it: Doubtless there was another Intention in that, *Gen. 23. 15.* *My Lord, bearken unto me, the Land is worth four hundred shekels of silver.*

2. *IT is not the meer* Intrinſical Value of the thing which is here to determine the Case. Many talk of this, but there is a great *Fallacy* in it, for indeed there is no such thing as a *Positive* fixed *Intrinſick* Worth in Trading; for tho' it is certain, there is a real *different* Worth in things Comparatively; as some things are more *Necessary* for Man's Livelihood; and these things are really *Better* than such as are merely *Superfluities*: And things of the same kind may differ in *Quality*, one being *good* and *sound*, the other *bad* and *decayed*, and not so *serviceable*; (but that will be considered afterwards,) but every thing hath its *Changes*; it is Worth so much at such a Time, or in such a Place; at another Time, and in another Place, it is Worth *More* or *Less*: And there are Circumstances in Providence that vary this, as will be observed: Hence that, *Gen. 23. 16.* *And Abraham bearken unto Ephron, and Abraham weighed to Ephron the silver which he had named in the audience of the sons of Hebr, four hundred shekels of silver, current money with the merchant.*

3. *THO'* the common Market-price be a general *Governing Rule*, yet it is not without its *Exceptions*. In things necessary for the Life of Man, it is *Customary* among well-govern'd People, for the Magistrates to State the Prizes, according to their best Discretion, and in a due Proportion; and Men ought not to exceed this: But it is too often a Practice between Men of the same Employment, to meet together and by Agreement set what Price they please upon their Wares; which oftentimes becomes *Oppressive*, and tends to the Publick Damage; when they do this merely to make an *Excessive Gain* by things, which they have no Reason for, but their own *Covetousness*; and this is a *Self seeking Spirit*, without any regard to the Good of our *Neighbour*, which is contrary to *Love*.

4. *THERE* are just & warrantable Grounds on which the Prizes of things may vary. That which is worth but so much at one Time, may be of greater Value at another, and that for good and just Reasons. The *Scarcity* of things necessary, brought by the over-ruling Providence of God, doth and will enhance the Worth; as when God sends *War*, *Blainings*, *Murrain*, and the like, which make *Necessaries* hard to procure; whereas when there is *Plenty*, it makes them *Cheap*; and there is Reason for it,

because these things do stand the Owner in more *Cost* to procure, in a Time of *Scarcity*: Only here also there is danger of *Injustice*, viz. when particular Persons do by Agreement make a *Scarcity*, by *Hording* up their Goods, and not exposing them to Sale, on purpose for private Gain: Hence that, *Prov. 11. 26.* *He that withholdeth corn, the people shall curse him; but blessing shall be upon the head of him that selleth it.*

5. *IT is Lawful* to take a moderate Advance upon *Forbearance*. There is a rational Difference between *ready Exchange*, and *Credit*: And there is not only *Time*, which we formerly observed, may be considered, but also *hazard*; and the *Creditor* is so long out of his Stock, which he might else have probably turned to his Advantage; and the *Debtor* hath his Advantage also by it; and otherwise Men are like to lose their lawful Gains, for which there is no Reason to be given: Only this is not *Unlimited*, but must keep within the bounds of *Moderation*, and Rules of *Equity*.

6. *THAT* there ought to be the same Price in the same Circumstances. My meaning is, that Persons ought not to ask *More* of one than another, from any Advantages which are before them. Not but that if they have a mind to pleasure a Friend, they may lawfully make *Abatement's*, because they may *Give* it, if they see meet, and it will be no Wrong to others if they so do: But they ought not to ask more of an *Ignorant* Person, than a *Skilful* one; or Advance upon any, beyond what they ordinarily Sell for, by reason of *Necessity*, or their *Ignorance* of the Market; and to Sell according as they find *Fools*, as some boast; for this is contrary to the Rule, bidding us *beſeyes to the Blind*, and to *consider the Poor* in their Straits.

7. *THE* greater Risk that Men run in procuring their Wares, the greater Gain they may lawfully seek. There is indeed some Risk which all run, of *unforeſeen* Casualties; which is one Reason why they may lawfully *Gain* by their Trading: But some run a greater than others, viz. the *Hazards* of the Sea, the danger of *Pirates*, the uncertainty of the Market; and more peculiarly in Times of War, where also the Charges are encreased: Not as if Men were for this Reason to resolve to make up their Losses which they sustain by *Shipwreck*, &c. out of their *Returns*; but that such things allow a greater Gain, than is to be sought by such as only *Buy & Sell* without such Hazards and Charge: Tho' still the common Market Price will over-rule in this Affair, unless the Wares are such as are not else-where to be Purchas'd.

8. *THERE* is a Difference between things of real Use, and things that are merely of *Fancy*. There are some things that Men cannot be without, such as are for *Food* and *Raiment*; and for these things to Screw Men up to the height, is real *Oppression*; because they must have them, whatever it Cost them, else they must be great Sufferers: Whereas other things are only to please Men's *Humour*; & they will shew themselves *Fools*, if to gratify their *Pride* and

and *Curiosity* they will be at Unreasonable Expence for them. And tho' Men may be *Unconscionable*, in setting such things at excessive Rates; yet the *Buyer* also is guilty, if he will Purchase the gratification of his *Humour* to his own Damage.

9. THAT in such Contracts Men are to consider their Neighbours, as well as themselves. The Word of God indeed hath not fixed the stated Value of things, because these things are to vary according to Circumstances: But this general Rule hath sufficient Direction to tender Consciences; and if Men do keep within these Bounds, they will maintain *Righteousness* on this account.

(2.) THERE is a *Righteousness* to be observed in Men's using of plain Dealing one with another, with respect to the things Bought and Sold. And this also is necessary for the right Regulating of the Value which they set upon the *Commodities*, which they offer to Sale to their Neighbours; or else they cannot keep close to the Rules of Righteousness.

NOW this *Honesty* is to be used,

1. IN regard of Agreement for the Price of things to be bought and Sold.

[1.] THE Seller should be Modest & Conscientious in his Demands. There is indeed a Latitude, and a Person may without Sin, ask so much for a Commodity, as he may take for it, within the compass of lawful Gain, tho' he had rather Abuse something of it, than forego his Customer; because if he give him so much, there is no Extortion in the thing: But to Demand that which is Extravagant, supposeth that he would take so much, if the Buyer will give it him: Or he surely lays himself open to Temptation, in case he makes no scruple, but thinks it is the Worth, when it is not.

[2.] THE Buyer should be Moderate in his Beating down the Seller in his Commodity. It is every Man's Duty to be willing that his Neighbour should Live by his Calling, and have those reasonable Gains, which all Men allow; and therefore to beat him down, and when he asks that which is Honest between Man and Man, not to be satisfied with that, but Hackle in it, is Dishonesty: And this more especially, when one Commodity is offered in Exchange for another, and the Man hath Need, and no other Exchange to offer; to beat him down to his manifest Loss, not only in the thing it self, but in the Value it commonly passeth at, is far from Fair Dealing; whilst He still holds up His Wares at the full Price without Abatement.

2. THERE is *Honesty* also to be practised with regard to the Things themselves which are Sold.

1. THE Seller ought not to over-commend his Ware; to set it forth with Fallacious Encumiums put upon it, and thereby seek to impose upon him, and draw the Person in. And there are several Impostures here to be avoided, if Men would deal fairly on this account. To Commend a thing for the Best, when he either knows not that it is so, or knows that it is not so, but that there is far Better to be procured,

and at the same Rate; to say, it stood me in so much at the First Cost; and pretend that he makes but such a moderate Gain by it, when it is not so; to assure him, that he will not get better Cheap any where else, when he knows that he speaks False; and all this to draw in a Customer; is not only a Breach of the Ninth Command, but also of the Eighth, in that it is to impose upon his Ignorance and Credulity.

2. THE Buyer ought not to Depreciate and unduly Undervalue the Commodity which he offers to Buy. To detect notorious and apparent Defects in the thing, is not only Lawful, but Prudent; and belongs to humane Discretion; for it is fitting that every Man should know and satisfy himself in the thing that he Purchaseth, so far as he can discern: But to Depreciate, find Fault without Reasons; to beat the thing down, when in his Conscience he knows that it is not so; is not fair Dealing, but the contrary; and is that which the Wise Man observes to be a common Fraud among Men, Prov. 20. 14. It is naught, it is naught, saith the buyer: but when he is gone his way, then he boasteth.

3. A Man ought not to Sell one thing, for another, i.e. under the Title of another. There are many Counterfeit Wares in the World, which pass under another Name, and are of a far lower Value; which are therefore made and vend for a Cheat; and a Customer may ask for one thing, but because he knows it not, he may be imposed on by another: But this will no Honest Man do, unless he also have been Deceived, and remains Ignorant; for if he know it, he ought not to Deceive, because he hath been Deceived; but must suffer the Loss himself, unless he can Right himself of the Person that Injured him.

4. A Man ought not to Sell a known Bad thing, for a Good thing: And he doth so, when he asks the same Price for it, which he would if it were Good and Merchantable. It was one thing Censured by the Prophet, Amos 8. 6. The selling the Refuse of the Wheat. When there is a Difference in the known Goods of a thing, there ought to be a proportionable Difference in the Price; for in this regard, there is an Intrinsic Value, as we before observed.

AND here that CASE comes in, viz.

Quest. WHETHER it be not Lawful for a Person to Conceal the known Defects of his Wares?

Ans. TO which it may be replied, that if the Defect be such, as doth really Depreciate the thing, and render it Unserviceable to the Use and End of it; and the Person Buying it, will certainly suffer Injury thereby; and the Defect be such, as he cannot well discover, either by reason that it is not obvious to common View, or it be such as he hath no Skill in; *Honesty* requires that he be told of it, and if he will count it None, he is dealt fairly withal. And there are many such Cases: A Commodity may look fair, and seem as Good as any; and yet be rotten and unserviceable, and I know it to be so; there may be a Counterfeit Coin, which is of a baser Metal;

Metal; and tho' others know it, the Person doth not; but I *took* it, and therefore will *pass* it; at least it may look fair, but have that *imperfection* that makes it unserviceable, and the like.: In this Case I am to *Discover* it; and tho' I must be a *Losser* in so doing, yet it is fit that I do not by Fraud and Deceit *impose* on an Innocent Person, to save my self.

AND if we follow these Rules in this Affair, it is the way to keep a good Conscience, which is better than Gain by Deceit.

[J U N E 26. 1705.]

S E R M O N CCII.