The debellacion.

That could be founden them before, have their persons disclosed unto the party.

Lo good reader, this thing that he saith I deny not, because that in this passage I neither gave nor nay; for I gave not that it might serve in England but I though it might serve in England, yet might it not serve in Almaine, which wordes I might have saied, though I had in the next line before, expressly saied that it might not serve in England, that thing doe I (as you may) saith with in the next last well and plainly deserve. And yet you see that he lapeth here againe in this boke, that I deny it not. This good man saith not very hampert, but if this logique lead him to think that this were a good argument. In these wordes he denied it not: ergo he denied it not. Which argument is as good as this. He denied it not in one place, ergo he denied it not in no place. Now where he saith that I denied his sentence to be coeintendo, yet I will not asse that a law be made: it shall be; surely as much of his decease as I speak of it is a conclusion; I shall be, so much thereof will I not be against a law be made if it shall be; surely as much of his decease as I speak of it is a conclusion; I shall be, so much thereof will I not be against a law be made. For where this good man thinketh it convenient for the realme, that he which is detected or accused of herefore, should be bound and finde suerties, that he shall not hurt any other accuser nor witness: I will not asse that a law be made that it shall be. But yet though that law were made (for for all that law there would remaine a fear behinde in the menes harts, for whose sake much such suerties should be founden, and perill and daungeour to suffice to make the dyas backe from making themselfe in here open accusers, and in some case from bearing witness alio, but if they thought their names should spoyne person against whom they should witness, be fuly kept close and unknown) I would not attaint for my parte to put away the false law that he speake of in his seuenthe chapter of his delusion, for channes that might hereafter happen. And much leefe would I graunt to put away the suite against heretikes ex officio into this countrie of only open accusers, for the harme that would not unrighteously daily grow, by the increas of heretikes a hinderance of the catholic faith, no more then though I blame not the law, by which he is aterbe of killing hall have his adversary bounden to peace. I would yet when the tother is so bound by recognizance, haue that imme

F

B

E

D

C

B

A
become accusers.

But now though there were found positions good and true, so true out of each accusers heart after bodily hurt: yet are there many that dare secretly detect, and by whom the ordinary that know who can tell more, and will also if they be called and sworn, and will not be called and disused, yet sole at all, and they themselves also will neither accuse nor bear witness either, nor so much as have it known that

were they spoke before therin. And that not for any fear of them, for which they good man found there is no fear, but for love of their living, for which he findeth none, nor never ones thought thereon. And yet is the living to some folke, as life almost as the life.

And their living they say better to lose (that they gete peradventure by the which yet of charity or for their amends and not if they were ones perceived anything to meddle in that matter.

And yet as I spake before every wise man will todtethe there are many other affections beside all such feate, that let men to become accusers in heresie, and perlette the not to do other wise truly and carfully their duty, both in secret betraying of them, and also in open bearing witness against them, when they are called forth and commanded by the court to depose, that will never as I spake of their own use make themselves a party, so openly become their accuser.

I spake what if there were but two witnesse of the matter, such as were well able plainly to prove the thing, if neither of both may be heard if the tone should become the accuser: when one were made party, that were the worse lot. But we had not made much warrant you to care for this case. For of them both, you shall have neither other with.

I spake yet hath this good man at last founden a good way for that, for so say thus he saith.

And for if the witnesse will not allow it, but another will give credence to him also and yet: it is somewhat reasonable that they will give credence there to and will report it, be taken as accusers, taking those witneses: for there warrant if they be denied.

I thine it likely that none of the will become accusers that were present and here it theret: this is yet lest likely that he will become the accuser, that be-

reth it but at a second hand. And this is why this accuser that this device is not much better, than the device that a good fellow devised ones for his neighbour, that had a great hillcock in his close, which for pointing of the ground hee connived at his good, and away. Mary by his neighbour I must say that it is farre, that it were like to me to give away the loso and al. Mary by her brother, I shall surely find it always for this. For I shall devise a provision that it shall be had away: yet never carried hence. For even there as it lyeth, I digge me a great pit, and care it never further, but bury it even in that. Whereupon I say: shall I than lay that hope of my name with me that comes out of the pitte? And you, the sister studie a little. But when he had well beheld the same: Mary by you, even digge another great pit under, and bury me that heape there.

So this man will in any wise losse, have away the hillcock, this lieth exfo. he saith both here much hurte. Youtte shall we have it away we without yet once more hurte? Good remedy: what this good man shortly that I devise. But accusers in the self of the self, they shall too much better.

Who shall be that accusers lay we: Mary (sayeth she) that they here them. They shall not lay we accusers in no manner case. So well they say he, then be ther but false believes. What remedy then lay we to supply the samed suit: A ready way they say he, take some other that beareth the matter that heard the heretike speake.

He will much lesse become accuser lay we, then they that heard it themselves.

What hath this good man further to lay them, hynde he take then another self. And ever we follow til, and lay we shall never finde him, and worth he be blind not, but away bideth he goe one. And now if the seconde man were content, of the sithence after: yet hath this man married all this matter with one thing. For you were well that if I amptketh that faith he was present and here hung his owne cares will relate to become the accuser himself: this good man will that chyddarnere that take him so, malicious of false. Howe that if we are great with longe labour some other may to accuse: yet them that hear it is would not be accuser himself, Sith the bishop must take him alway for malicious or false in the matter, he may never accept by therin for a twitnesse.

My. For
The debellacion

For if we take him for fraudulent ma-

crimes to the perper, this manner's cre-

dence is tenne times sette in all reason,

than his is that afterwars deposeth to

his harme, when he was first forwarde

while he woulde speke have done hym

good, and that man would not this god

man believe after in no wise.

And thus both for the one cause and

the other, so lache of an accurer and

credence of the witnesse, ye see plainly

good readers that by this manes devise,

if wee digge up and burye this hillocke

ex officio, we hall when we have al done

say be what he lieth, make and leade that

neuer will then be vndone, as great an

hillocke of heretikes in the stead.

And thus you see good readers of this

good man, that he by no leter but that

for any thing that he faeth here, of the

suites ex officio were changed as he would

have it, and in depe therof stuf all un-
to accusers, of which for any thing that

he deuys we were likely to find few

and as I feare me barely rather none or

all: it were well likely to come to pase

as I fape, the frrates should swarme

full of heretikes, even ever they were co-
cument and respett by his way: of

which laungery of mone as much meruaile

as he faeth he hath yet the wester no-
things (as you fee) wherefore he shoulde

meruaile of it, not to the things that I

poure it with, he no more annuuereth,

than though he neuer hearde them.

Whose dealing of his you maue

clearly perceue, even by the very same

leafe, wherin I wrote those wordes of

which he meruaileth so much and hath

to lyeble cause, for there to my wordes

be there.

For surely if the conuention of

heretikes ex officio, were leffe and chau-

ged into another order, by which no ma

soyled be called, he neuer so faze sus-

pected, no: by neuer so many mene de-
tected, if it were man make hymselfe

party against him as his accusuer: the

frrates were likely to swarme full of

heretiques, before that righte fewe

were accusuer, so præduntur any one

either.

These were loe my wordes in myne

apologies against which you haue heard

what he faeth. Ther because he shuld

not neede to meruaile at the mater, I

wrote and by what maketh melo to say: for ther it folowed thys.

For whatser eu the cause be, it is

not unknowne I am sure, y many wyl

give to a judge secrett information, of

such thynge as though the be true, yet

gladly he will not o. præduntur dare

not, be openly known that the matter

came out by hym.

Consider here good readers that as

to become open accusers. I spake here

of two letters. One that men will not,

another that some men dare not. And

yet they dare not, I put as my more rare

most selome. Now cometh this god

dunweter, and for the more selome, he

is to witte where they dare not, he be-

seth a remeys, which selome yet 02 ne-

uer, sufficiently doth ferue the matter.

And the other cause that I call moote

commune as in very deede it is: hecause

he neither denieth 02 any one worder

speacheth of it, but softly lefiteth before

it, as though he had never read it: what

manere of aunlteringe god readeres call

you these?

Dose oner leafe he might deny me

I fape true therein: I laid ther for the

proofe 0. plainly came experience, which

this god man himselfe I am very sure

(but if he be a reuel and have bene all

his life) knoweth well to be true, and in

depe he faeth not nay.

Then goe I there farther yet, and I

declare what profeither cometh to the

comen weale, to give such folke hering.

such folke I sape as this good ma

have reected take, and taken for false

or malicous, because they come secret-

ly and will not themself openly become

accusers. Therin to these are my wordes.

And yet that he sometime giue the

names of divers other, which being cal-

led by the judge, a scapmmed as witnes-

ses against them: wills both knowe 0

will also depose the grotund, and he that

first gane ensmacis also and yet will

never one of them willingly make hym

selfe an open accuser of the parte, no:

dare præduntur for his cares.

This thing good readeres every man

every where findeth true that any order

of jusitice in his hand. And in these wordes you so well I told him there ones againe, not only that some dare not, but

though men dare they will not (except

the thing do privetly touch themself)

for the caues of the common weale be-

come open accusers. And as I againe

told he him: to heere againe to geth it.

Then goe I yet so: the alytle far-

erch, and these are there my wordes.

And
And this tende we not only in heresy, but in many temporal matters among our selues, whereof I have had experience many a time and oft, both in the toiling of seielincs, and sometyme of much other oppression vised by some one man or twaine in a foyse, where by all the neighbours soye smarcted, and yet not one burt openly complayne.

Lo thus I there declared god readers by coms experience, that if men should doe as this man here doeth, selecte Henry man so maliciously and craftily, he will give secret information, but if he be content to become an accuser openly, there should much harme grow ther of, not in heresies only, but elsewhere that in much other mischiefe to. To all this beare ye good readers that this god man played as though he were in a mummy, for any one who be faith, which should not be so flan keppe sohe ye may be very sure, but that he law fully that he could never assuence the. For though he would have denied all that I spoke of mine owne experience, yet in the like thinges to so many man of wo. This daily doe prove the thing true that I tell it, for that he could nothing winne in his cause by all that he meant. And yet did I not myne owne selfe my business in such wise, but that I can if heere require to playn it playn, thorough. But of this beare as I sayd he denieth nothing, nor aumnaire nothing neither therunto. And sure may you be that he had cause, he would not have failed to have done the tome.

And therefore good readers my wo, be strend still to sure, that this god may hath not yet no; never wall while he is leath, be able to boilde with them with all the craft he can, but that if men were to so ferre usene in this manner to follow his device, to put away this old lawe the suit ex officio, and true that all would be well holpen by means of open accusers: it would at length cease to passe the thing that I have sayd, that it strees were well like to swarme full of heretikes, for ever that right fowe should be therof accrued, osa peradventure any one heretike the other. And now good chilth readers lift you see to cleerly, by such chauing of that law, the catholique faith shoulde beare: I care not now greatly what he sayd, for his second parte, but he hath so foully an over throw in the first, upon which first parte at the matter bage, for though he could in his second parte make you now good to prove, not only that there might, but also that there bid and had done, great harme grow by that suit, which he that most prone you while he live, but at sundrye times and that of late whereit hath been surmised, it hath alwayes bee proved the contrary, yet you shoulde know that by this chauing that bee denieth, while we would help these heresies that he speake of, that is to wit that no man should be counted of heresye cauleous. We should by providing for his harme be the cause of farre more hurt and harme in the Nede, that is to wit, that when his suit were so chauanged, the catholique faith should keabe, heretikes shoulde encrease, that by such interesser as they have here before made, not in other countries one, but in this reaime of Englane have also attempted it same, put it upon the peril and alay to robbe, spoile, kill also much innocent people openly, and turne folk from the saute by force, a worse other maner of making many no, such as mine harte abhorret to much as to reherese us name. With every man may I say, that such harme were in parcell to fall by this chauing, of his: there will I weene no wise mine follow his fonde devine in puting this law away, although he put well in his second part, that there were harme in the keeping, while he cannot defende the contrary, but there were incomparably much more harme in the leaving. But by what may be proved there is great hurt in the keeping, that thall we now consider. After which well examined, I shall again returne good readers eftsoone into the first, this suits ex officio taken ones away, the strees were the help to swarme full of heretikes. And as clere as you se that point already, that this may hath therin another aumnaire no; nor touched such things as you feel se that I sayd therin before; yet thall I make it you anon, with the farther sely of his devile doubtinge (ere we departe) so clere. Concerning the second parte, thus to this mee begunneth. But to put the party is complained on, to aumnaire, and to condemn him, if he say contrary to the witnesses have said, not knowing who see the witnesses who be his accusers: it seemeth not reasonable to be accepted a lawe. For as I have sayd in the faped treatise, if he that is accrued knew there names that accrued bye.
The debellacion

He might percase allege and prove so great and so vehement cause of râcour and malice in them that accuse hym, as bear witnesse against hym, that they layenge by no law ought to stand against hym: as if there were two men that had twome the death of an other; because they cannot bring it aboute, they imagine how the may bring to all the fame and beracon that they can, and therupon they apeache him of birece: if he in this case knew their names, he might prove their rancour and malice. And because he knoweth them not, he can prove it not. And also the witnesse may be luche, as Hall have bys landsse after bys death. And if it be laped, that these cases fall so selome, it ought little to be poved so may it be laped likewise, that it falleth but selome, that the witnesse in here lance in any beracon of them, that they accuse. And then to make a general lawe to probypte all men, that they should not have knowledge of whiche in no case, it is no reasonable.

How good readers one thing opened into you which is trouthe, which this man of witnesse hyde from you, and would make you wene the trouthe were contrary: bende after that known, at this time mists the and unreaonblenesse that he calleth by her in re partes, and with the bate knowledge of that one trouthe, nintencene and a halfe of all bys falses garnished mistcheses are gone.

The trouthe is good chapter, readers, that excepte ony one case, whereof he spekeith in his seventh chapter of bys deuision, where to let the partie have the witnesse were perill, to whiche I have aunfuered him beth in mine apophyse stiche, and since even in this same chapter before cese in all other cases, his witnesse, those deposicions that betaken and lated against to prove him an heretike, and upon which deposicions sentence of codemempting him so an heretike shalle be gruen against hym, see this be theim and all theh deposicions to. So that if there bee any such great causes, as this good man here imagineth that may happen, of emphite, of hope of lucene, of any much lesteth, the judge both may well consider them before the sentence.

But why shal not know the forthe, with, when he is nyst cometere? For it were not well done be should, no more then the hyges coumapple that many tymses call malefactors before them, and upon secrete informacion firste, be alway ther by and by to dysclove who sold them the mater and what, which if they should and by and by bring hym forth, then though the secrete would keep happily some thinge thereby the soner, yet shold it be but that thinge whiche he thought the rather knew. Where as whybyle the cke knoweth not who hath givyn the informacion, and yet thynke bys examinacion that amonge bys many felowe though they be thees all, yet sometale thewes there be, he mytle gesseth amonoge and wendeth it were one, where in bade it was another, so in ke of ony felo, to lyght there commeth twayne.

But at a nothe time and in an other place, before he Hall have any judgemet therup, he that conmyly see the twayne and here them speake to.

And here I say conmyly, because that sometime percase in point of judgemete, he Hall not have them thought forth: eswass in bys presense, no peradventure never hear them speak in bys matter. For ther may hapen to be some, that deposeded and died to before hymself were taken, and some happely that were bys felowe conteyned bys felowe at the galowes, when they were on the lader. And some peradventure became appleners when they were cace, and calleth for a coroner, and the lade keping no folke of hym but hanging hym by Marsh, with yet bys informacion and all the other to, which may happen to cese somany together so likely to bethere, that bys spic may goe therefore, and be well worthy to, and yet neither himselfe nor thengued ther never any one ypte nesse eszwass, neither the first nor the second, neither at the enbugning not at bys areareyning neither.

How may it be forturne in likewise, sometime to doth it, that felke some good and honest depos in cause of here fore against some one man that is detected therof. And happen there deposes also some other of bys owne affinitie, and in deposping against that one ma detecte by their deposicions, a another man of yps felose company that is then walked farre of, no man can tel where, that appeareth plainly upon all their other peradventure the bery chife heretike of all. If the happen long after when their ypte nesse be dead, to come agayne into the countrey and teache hereties a frethe; one
of Salem and Bizance.

Now if his annelore of his were good and true, that it happened as he bobes that the witnesses stand in any fear of them as they accuse them.

And therefore his last cause very not very hamentast, where he maketh as though law were made general, to holyds all men that they should not have knowledge of the witnesses in no case.

And as for in this point of his to apply on al his whole matter bagereth, to shew you that he brought plagure untrue, and groundeth all this geare of alwaye keeping witnesses close, upon a plainie only: I will for this time take none other witnesses against he bym but his own plaine open words: For in his seventh chapter of his deuision, to thus good readers he ladeeth.

And in the chapter there, that be commenly sanctum sanctaum, it is decreed, that if the bishop of other enqueurs of heresy, so that any great danger might come to the accusours or witnesses of heresy by the great power of them that he accused: that they may command, that the names of the accusours or witnesses shall not be known but to the bishop or enqueours, or such other learned men as be called to them, and that shall refuse, though they be not known to the party. And for the more inamorinat of the laped accusours witnesses it is there decreed, that the bishop of enqueours may enjoin such as they have the names of such witnesses unto, to keep them close upon paine of eccomuni
cation, for disclosing that secreete without thei liscence. And surely this is a great cause, that a man shall be condem
ned, and not know the names of them that be causers thereof.

How good chresten readers here you plainly by his owne words, that his cause of that law is special and secretness but whereas there is fear that the witnesses might stand in danger, by reason that the person detected was a man of great might and power, which happened very well and almost never spill it be well more past remedy. And therefore now if by these words of his owne,
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Know, that those other woodyes of his are to shamefull, where he notore faith, where the lawe is general, and forsaketh al menne that they should not have knowledge of the witness in no case. Upon my faith except this good man see better house to save this life than I see: I would not have written suche another pointe in my books, more than all the paper coate and the painting to.

But now as I say, fith you see that all these greues of his be done saue in this one only case of so great probable scare, while he groundeth all the remanent upon a great open untrue:th: it is you le well a very seldom gere that is left.

For I never saue, no, to my remembraunce rede, no truth in God neuer shall see the neede, that ever any great man whom folkes neede to seare, was contempuned in this realme for heresye, saue onely by Hugh olde castle ones in the time of king Henep the 6. that was than lebe Cobham, noyet he neither, till that though his heresye he fell to rele-son et, and would have been the captain of heretikes in a sodaine traiterous insurrection.

And therefore as for thy harme thy good man felleth by here, that repenteth by the suite of office in heresy, thy point is as you see both reasonable if it happened, and in lawe sufficiently proposed for, and yet besides that to solde happeheth in this realme, that it was folly for him to speake therof, and yet no more toucheth in the suit of office, than if the suit were begun and pursed by some great man, that would be and feared not to professe himselfe for anser. And thus is this case bitterest nothing to purpose, and all the remanent is (as you see also by his owne woodyes gued) grounded upon great untrue:th.

And therefore all thy's that he hath saaved sette aside for noother: lette be nowe see what other harme the good man findeth farther. Let good readers therein thus be apprised:

Also by Thomas Morgan desaketh not, but that by reason of the lawes, ex de hereticis, 1 Ad. 2 Eliz. which is receiv'd in the viii chapter of the lawe treatises that a man may be due: to a purgacion without any offence in him, or be acused, as if he be notably suspected, yet not guilty, as it may well be: and yet he will not confess, and that law should be changed, but saved in justpring thereof, that he freely he thinketh, that he see which cannot be proved guilty in heresy and yet be in some manner of wates, that all his honest neighbours were he was one, and therefore in their conscience dare not swere that he is any other, is well worthy to do some penance. Truly this is a mercuriall persuation, that a man should be put to his purgacion, because his neighbours dare not swere that he is no heretike.

How good readers because thy good man beginneth here to justisfy his word with that that I did not in my saided first chapter of myne apologye benye, that a man may be due to a purgacion without any offence in him; or be accused, as if he be notably suspected, and yet not guilty: I will first bring you to the mine alone woodyes writen in the said chapter, and afterward than shall you see whether he can take such great hold upon my woodyes, as he would it should seeme. Let good readers these are my woodyes. folio. 22.

It may be settynge (albiet very feld) it happeheth that in heresye upon other by henten suspicions without true wittnes, a man may be put to his purgacion, and to penance also if he faile ofth, of the thinge why to many should nowe thinke to hart with a lawe as this pacifier faith there doe, I can not see, no; those wise men neither that made the lawes. And yet were they many wise men, and not only as wise, but persanture many more also in nombre, than those that this pacifier calleth many nowe, that as he faith now do saive the faute. I say though it be alledged in the entr of deretikes and pacifieris, that lawe that made in a general countynge. And verely me thinketh that he which cannot be punished guilty in heresy, yet be in other manner of wates, that all his honest neighbours were he were one in be, and therefore dare not swere that in their conscience thinketh them any other: is well worthy to do the penance for that manner of behaviour, whereby he giueneth all other men occass to take him for so bloody. 

How good readers where thy may take me that I lay a man may be dis- cened to his purgacion without offence: you see well I lay not so, but I say that be both a great offence, and therefore were to be giuen to his purgacion and to doe penance to, if he be not able to purge himselfe, but have bled himselfe to lyke an heretique in all good fathers oppiniis.
appineth, that he can find no god folk dare in their conscience were that they think otherwise. Elys say I a great offence and worthy to dissolve him to this point. And this good man faeth that I deny not, but that he may by the law be dissuaded to him without offence.

And whereas he said not he may be therefore thereto without if he were not I pray you for the suspicions being proved by witnesses, to be notable and vehement, will they not be cause sufficient to dissolve him to purge himself of that infamy, or to be forewarned for bringing himself thereto, but if there be witnesses of this done the heretical world?

So sayeth this good man, and it may well be I must think this any reason. But why should he be so mulat at his matter, or why should I be ashamed to think so, therof seeth by this good man no tale at all, but only faith.

Truly this is a heretical perversion, that a man should be put to his purgation because his neighbours dare not swear that he is none heretique.

Perversely Godde where was this man mynde when he wrote these words; doe I say that he shall be put to his purgation, because his neighbours will not swear with him? Nay I say that where there be by witnesses sworn before his face, suspicions of heretique proved upon him; then may the service put him to such purgation, to prove whether they will swear with him or no. For when they will not but refuse it, what mad man would fae that he should be put to his purgation than when he had failed thereof, and it already passe. Elys man speakeith here as one that perceived no piece of the matter.

For whereas I declare that he is in great offence that he beeth himself, that none of his honest neighbours dare swear, that in there conscience he is any other than an heretique; this man taketh it as though they should swear with him in his purgation, should positively swear that he were none heretike, whereas the other shall not be what he is in deed, but what themselfe think of his other, they shall not swear that he is none heretike, but that they believe that he hath sworn true, in benveng that articles layed into his charge. Like as in the wagueour of a laufe, they shall not swear that the defendante were eth not a mony, but that they believe that he was thereof truth.

I meruaile in good faith that this good man calleth this matter in this maner, and without any telling why, meruaileth so much that I would think that I saw reason.

But surely though he could make me a proper reason for his part, and my self another for his name also, yet would I think my selfe right unreasonable, if I should lay upon his reason and my reason and countrie this realme in a matter concerning the conseruation of the faith, to alter and change that law that was made by great aduates, by an whole general counsorte of all christendome, wherein there were. But I do not men that as good seale to keep in innocents out of trouble, as any of vs swain, and much more reason also that we both have to. But that point that I shewed him in my apologie, that I same prosession that is made in the law ad absens, was also made in a general cous but call me by, as though he were it not.

But than he commeth forth with a word of two of a farrther saue in the law, which rather the man understandeth not what it meaneth, or elles is not harre for any man to think he meareth well. These are his words is.

And hereby the law is that their oath in that case should not be accepted: for he failed chapter ad absens, is that if it be notably suspected of heretyke, that he shall purge himself after the will of the inquisition be accused, and to his purgation of his neighbour will not be true. Let every man therefore consider, whether the lawe laufe be indifferent, or not. And if it be not, let them put to their selfe to have it broken. And I think thereby they shall deserve great shanke of god, if they concerne it to a more indipendent way, then it is at now. For under this maner the innocent man that is, map of maiple he be reported to be suspected of heretyke and be not so in deed, and so be spoken to his purgation be accused: and then there is another laufe, that if he in that case of an indurate mynde stande so accused a veyr, he shal be punished as an heretique and that is by the lawe, Exs., de hereticis, cap. Excommun

This prosession good readers that he speakeith, which is in the law ad absens, readeth in L. books of ye decreale
The debellacion

...res in the title debereth that such as were
suspecte shoulde purge themselfe at the
arbitrement and discretion of the ordi-
nary, was as I before havee sayd after-
ward, loosed upon an allowed in the ge-
nerall counsele called consilium laterans,
as every man may some perceyue that
wyl well consider the paragraph excom-
municiam afterwaerd in the same tyme.
For whereas that lawe thare faileth,
...it shall be good cause why sometime and in
some place, that theodinare shoulde not
put some man to that kind of purgation
on which if hee did, were hee neuer so
noysh, he shoulde be sure of compara-
gators, pecuniaire more than pty-
ough.
For it hath bene seen in many coun-
tries eris this and sometime in Englynde
to, that some eppil preachere preaching
plaine open heresyes, should yet (if hee
might have ben put to such purgation)
have lacked none handes to laye on
the book with hym, that hee neuer spake such
wordes.

Howerbeit where the wordes are op:
plaine heresyes, the law hath psued
an other way for the remedy good
enough.

But than haueth bene some preach-
eres such ere tyme, that teaching plain
heresyes to their familiers secretlately,
woulde preach in such waye, that
their wordes should have two Senec
and one bothe teere for either legge like
of a thimpes hole, and sholde be tem-
pered as the people shou'de have occasi
alway to take them to the boke: if him-
selye if he were examinied would say be-
fore theodinare and swere to, that hee
never ment but the self.

Now what it should by good wit-
nesses appere, that bys manere was such
the people tolke much heresyes thereby, I
alway tolke bys wordes so that they
thought hee to ment them, that he pur-
pose by them to gette fayth and aduance
those thinges that were seare heresyes
in dede if theodinare shou'de than ap-
pointh him with other compurgators
to purge this suspecit, were these fusi-
pions never so behemeth, he shoulde
lache no compurgators to purge him-
selye every wyke, and that done as hee
did before. And many good simple folk
taking him even as he went, should fall
into his hereyes the while, and were
tyme while he preached to spyle, that to believe
that they were no perkill.

And therefore those wyse men shawe
by lawe, left the thing in theoddinaries di-
cretion to alleigne hym that is powned
suspecte of hereyes, such kindes of purga-
tion as the circumsaitez of the peril
and the people and the time Hall moffa
require.

And therefore will theodinare to the
man to suspecte, sometime alleigne hym
(to
of Salem and Byzance.

A to purge his suspicion that with his good maner of preeching he is fallen into the great bate of his brethren that he shall openly confess that those heresies that the people took him to meane, bee verse false heresies in deed, and openly shall deteste them and swear that he doe believeth them to bee, and I wiere that he neither meant to teach them, nor never was made that ane manne should take him to, nor never would afterward teach no; holde heresies, but abuse them as ever.

And yet so; the further purgation of such suspicion, his ordinary might also entoyne him some certaine things to do, such as may declarre more clerelie, that he is not of lych minde, as open preeching against the highest heresies, and the doing of some such things as those heresies did damage against.

And now by this purgation this good glass do bre; that if he would after preech the same things againe though he be against such a brother wilfull fashion; yet would he and audience the think this (as many as had any minde to be goo) whether the same men now by his woorde to teach that point that himselfe hath abjured, and then let us no more then the things of him that he woulde in no wyse we woorde, as ells he meant to teach it as still for all his abiration.

And then whereof should bee so mad to belieue a false woorde; would he believe now, that thing were true, which himselfe hath openly confess and sworn to be false.

But then will happily this good man say, that this abiration is very loose for jeopardy of the relapse.

The perill of death by relapse is not upon every abiration. But of troubles he that is abjured upon such things, is, as maketh him not sightly but very blemeshed suspected, if he fall after into heresy, putth himself in peril to fall into the fire. And very good reason it is that it be so. And a man may some time be so suspect of false minde of false presumption, that though no man saw hym be it; no himselfe never confess it, but lap and were to that he never had it; yet may be founde guilty of it, and therupon hanged for; so have no wrong at all.

And thus this provision for purgation at the discretion of the ordinary, is not I tru to unreasonable, nor they so to unreasonable that made it; nor the so unreasonable that ratified it, not at the


unreasonalbe that ratified it, not at the so unreasonable that this two hundred were have accepted and allowed it, but that it may note stande by this good mannes leasne at this day as well as it hath standen all this while before. But yet is ther one thing that he taketh for a flynyng very soe.

Thus this provision was made as 1 told you in the space generally counsell, and where he brought it forth as thought were a very soe thing and a cruel; it is in deed very favourable. For sayynge 1 will not do as he both, 1 finde fautes in their doynge that were to many, to much better, and had so much more but then Pelles could I lay a little better cause to pounce that provision over saundable, then ever this good man that find while he lieth, to pounce that provision to soe.

And fairely that being as pronounced and refuseth in such reasonable manner to purge himselfe thereof, as this ordinary shall by this discription alligne hym, which must both by lawe and al reade be hym judge and not himself, whether him self, little to soe or care, though tolke were he were an heretike: which thing soe aggregeth the suspicion that he be reply is one in deete. And then when his towill rather become accurred, then of such suspicion yet to purge and cleare him self; he yet entreteth that suspicion to soe. But faulyly when rather the to purge that suspicion, he continued to communicat all the whole yere, and never will be purged in the whole, but if he may haue it accepted in such a false fashion as himselfe lesse to offer the suspicion of his heresies from the church, beasse, caused by such dealing into plains open and violent, so that he can never be done other rehended but a plaine heretike in dode, whom to tolerate to leg both sometime little good. And the thyn the lawes is, that suche as the favour of the church hall preserve from the temporal handes, shoulde by the lawe be done other, which upon their detection, tourne
The defbellacion

Thus have I good readers as you fee clery confuted thys good mannes and were in both the pynctual points, of which the tone was wherein he mynded to shew that in here thys suit of office myght be left, and that by the leasing thereshould none harne follow to thys catholike faith, because heretikes myght as well come to correction by thys way of open accusers as by that maner rule.

But in this point you have seene clery, that his beule would never so tire the matter, but that it were very lyikelie so to ministe. In thys realm the catholike faith with extreme of heretikes, by the indignation of god were soe to bee feared thereby to follow theron: and the realm to fall in trouble and bulnesse, with unsecured of the fame rebellious heretikes, that by the change of law had to bene suffered to grove as other cotries have bene since, thys realm was ere thys aere thys to have bene, by the subduing of the lyke peril to fall afterwarde, it provided by parliament of great policy, for the better repelling of heretikes, to fortify that lawe yowly y ordinarices yet greater power to maintaine it, and with temporall all suffriss to make it more stronge,

His second point was to show y of the keeping of that law, there should growe great harme, because the lawe is to unreasonable his lavereth, that innocented may come to trouble thereby without offence.

This parte holwe properly this good manne hath proved, that have yow bene also, and that he therein is so full and whole confuted that when he readeth it again, I suppose he will not now grette ly like it.

Howse these twayne thus handeled he come to the third point, which though he granted him all to gether, yet were he never yere. For that pointe is such as if I win it, than it makes my parte more plaine: but on the other side if I lost it and he winne it, yet were mine plaine enough. And stronge plought were my parte with the first point alon.

For by the leuing of the suit of office should follow the increase of heretikes, as every man thinketh that witte bath, may well fee there would, the though there would some other harme happen sometime thereof, yet must yowther harne in reason, rather be bozne than that.

But
A But now to come good readers into the third point, which if he wanne all together could very little ferre him, ye shall leyn yet by gooddes grace, joinne him neuer a piece.

The third pointe good readers in mine apologie you fe well your tellestendeth nothing els, but by example of the same lawes of thyse realm, to shew that the same spiritual law, which this man would prove unreasonable, is not in deede proved unreasonable, by this thing that he here putte forth, for the cause, that is to say, because that by that lawe some time it might happe that a man might fall in perill of a crime which he committed not. For if he were now, y in all the cases that I rehearsed of the comen law, there could never no man that had not done the deed, take any harme so much as a philipp, ye though I had mystred in those examples, the thinge might yet bee true. For there might bee for all that, other ensemblays, both in other good lawes and in the same, that a lawe were not unreasonable, not to be put away, though there might have sometime some man take some harme that never did the deed, that were late to thys charge. And of truth thyse conclusions is so cleare that it reeded no proof at all. And therefore though he wanne at that point, yet had he lost the matter. But lets nowe a little fe whether he winne thys point or no.

And because the effect of all thys answ wereth byeth alway in this, that he saith alway that the sample of the com law that I lap, is not like the thinge that I resembel it unto in the spiritual law: I shall first rehearse you many wordes in mine apologie, and then shall I rehearse you thys wordes here, when you have hearde both twaine, whether the bee like or unlike ye may the more surely judge. These were to good reders my wordes.

And verely me thinketh that he which cannot be proved guilty in hierself, and yet beeth such manner of baies that all thys honesh neihbours were be one, and therefore dare not swear that in their conscience they thinke him any othe, is well worthy me thinketh to do some pengine for that manner of behawour, whereby he gueuth all other folk occasion to take hym for so noughty.

And by the com lawe of thyse realm, many times upon suspicione the judges a warde write to exquirose of what fame and behawour the man is in his country, and bymselle eth sometimes spill in prison spill the retours, and if he be returned good, that is to wyse if he has in a maner purged, then is he delivered, and yet he payeth thys fees ere he goe.

And if he be returned nought, the thye judges to binde him for thys good abyrting, and sometimes fuerities with hym to, such as their discretion will allowe. And then to lye Kille till he finde himselfe is sometime as much peneance to the tone, as the spirituall judges wonteth to the tother. For the tone commeth to the barre as openly as the tother to the constable, and sometime his letters way a good piece of a fagotte, besides they have longer on the tone mannes legges, then the fagotte on the thoters holdere.

And yet is there no remembre but both these must be done, both in thone court and in the tother, yezls in stede of one barre (which to him that deterreth it not happiest feldone, and as feldone I am sure in hereis as in thette, a much more feldone to ye thall have ten times more harme happen daily to folk as in nocent as thys, and of innocentes many made nolettes, to the distruction of the selfe and other to, both in goodes, body, and soule.)

To thyse piece to good readers this is this good mannes aunswere.

Then he goth further for main tenance of the laved suit by ex office, and resembeth it to arrester for suspicione of felowe, and to the suerte of good abyrting, and to immigrations: whereupon man may be put in puruere at the camen law. And how farre these resembances vary from the suit by ex office he in some place openeth it hymselfe. But yet for a more plaine declaration therin, I shall lap a little further in that matter. First as to the arrester for suspicione of felowe, it is in beede an olde Lawe of thyse realm, that for suspicione of felowe, a man may be arrested, to that bee that deth arrest hym by a reasonable caufe, deth suspicere hym: but it is a generall rule, that he shall neuer be put to aunswere upon that arrest, but proclama tion shalbe made that if any man will lap any thinge against hym, that is so suspiceted, that it shalbe her: if it none such come he shalbe deliuered without fine or any other punishment, with a good rehorzation of the judges, that he shall take good heed howe he ordereth hym.
The rebellion

himself in time to come. And if it were possible to have
such a man that had been in prison upon suspicion of felony, to be delivered by proclamation, to the hearing of a fagot and heresy. For he saith, that the one of them shall come as openly to the barre
as the other to the conclave. And that sometime his letters shall be kept a piece of the fagot, besides that they lie longer in the one man's leggs, than the fagot on the other man's shoulder: but he relieth not how they live many times longer in prison for heresy, then they doe either for suspicion of felony or for good abying. And yet that I dare say, that these are but few, but that they have well avert the same to have be charitable acquired by proclamation, and peradventure offer, then enem beare a fagot for heresy.

How goeth now good readeth thyself anywise of this good man unto purpose, to prove the trouble of hym that is arrested upon suspicion of felony, to be
betimes. But the trouble of him that is sued too far from

Whereas this man saith, that he which is delivered by proclamation, hath alway given him by the justices a good lesson at his departing: if the bishop gave not the other a good lesson at his departing to, that is he somewhat to blame in deed, but in good faith I here say that he doth so to. And therefore where is this difference yet? I look for that. For as for the name of open bringing forth, is both one as I said, saith that the lesson hath come of much more people present to give by

And where this man saith, that they lay longer in prison for heresy, than they doe either for suspicion of felony or for good abying, if he speake of those which are in conclusion bounden in more penalities herefor, than those are that are delivered by proclamation be bounden at the session concerning felony, I bare to be bold to tell hym now. And I am hee sure for the truth he will prove to do. But note if he speake of those that appeare upon the one in such facts by the lawe they be bounden to abus, than is it good reason that they lie longer in deed.
of Salem and Byzance.

And so it were as reason is sometime some fowles, felonies, repriev'd upon canals from one cellion to another, and sometime kept you see wear at the whole peace and more. And that sometime so like as in conclusion new indigant neyther, but after all that deliver'd by proclamadoes, yet good canes in my mean whole why they were kept so. And therefore why this man faileth, that they be in ward cell that bears a faggote, very truth it is sowthout and is to reason they be. For they be not faulcie but convicted of the fante. And our disspition is of innocents that happen by law, the tone law in the tother, to take harne without they be. Fur ye he would compare the fante worth the fante, the noise he compare the tone bearing the faggote worth the tother at the hurch spake fone borne by worth the rope.

And therefore I say in that place, not only there that be that is unseen, bat by arreing for felony happen to issue as much barren, as he that is innocent and arred for hereby, but that he may happen to have someyme also as much harm, as he that for the fante is founden fanye in hereby, and plainly convinent thereof. And suripie was the farther perel upon his farther fante, so may it happen in deoe, and yet as I sayde in my defoguine the law must needs be kepte, but if you put by the change have five themes, for one. And thus as for this phee of arreging forinspition of felonie, the case hath not possed unlike, touching the purpose that I put to it, but for my part very strong. And so bath thys good man in thys first piece of the third point a very great fail.

Then commeth next unto another case that I spake of also, that is to bytre arreypg of good abear. And when as in my apology that patee I cyled, that patee in his anpte were the second, and I se why well enough. For wth the hymslfe teed that he answereth it so tenderly, he was appe the it in s middes, because it shoulde be the lese mached and woulde ende why another patee wherein hymselfe wethat he saith somewhat better.

Now as for this good abearing, to the end that ye may see the better how gally this good man answereth it. I shall speke rebewe you the wode of myne apology that he make this answer to.

After that I have beloved there, that the induges of the spiritual coure be not to foolish, but that they had leaner not to medle with any man, take only upon some suche open inquisition as are indigantement of felony for, avoiding of obloquy, sauing that necessite compellet them to take this way, to feare that worth suflferance of herefes to go forth and grow, al might at length the gods displease be makes good to nought, I sayeth that hereth thus fol. 285.

Prescrive sometime canes also both the speical judges the kings consipe, to put some folke to byuments of dishonourly sometime, without either sufringe of the accuser to the pris of the matter in the parties presence. For if the judge know by sure esformation, that some one man is of suche envy, he remonstrant among his neighbours that they may not here it, and yet that the man be helpful to violent to tendulous, that none of them dare be aknowled to speake of strinig ther no judges upon man by secret complaints made into them, without making the party persons who told hym that tale, to be such that shall trouble them to good abearynge; I appose yes, and have scene it so to, and whence would it be sometime with good peaceable Folke in the countrey, but it were to done amand. And myself when I was chancellour, upon suche secrets esformation hae put some out of com mission and office of justice of the peace, which els so much mony I would not have done; and yet if I were in the time of this or that time in s fother ageyne, but if they be commanded (where I sey the law nor yet bear any displyod), I would put them out again, and never tell them who tolde me the tales that made me so to doe:—

To good readers here you see, that in this peece I am so good man speaketh a sauf that the spiritual judge should medle in any man to the without ar open accuser complaining to hym, or an open presentment in the beginning, I sheweth that necessite is the cause, and souly with afterward I sheweth, why the thys good man was here and inwerto here the order for the nonce. And I sheweth that necessite by suchinge muche more harme should grow on weanetch the speical judges the kings hau: Able chunspe to, to put som man to byunten by the time and so to dismene by both, without either indigantment or such akeur, or sufferung him to make anwer either, and thus be.
The debellacion

Although sin be done, but if it be done, then make great harm to grove. Now we make you where you have substantialty these good man answereth these. These are by wise words do.

And the as to the arresting for good being this, truth it is, that a man by commandment of the suffrages may be arrested, but he shall never be put to a letter to that arrest, but only bound, a sureties with him of this good being. And if he can no such surety make, he have power longer in pith, the the judges by their discretion may send a witness to esquire of his fame, of his behavior, which is called a witness of the suffrages, whereof the E. H. H. H. make his mecit in his apologe: if it be found for him upon this witness, he is of good fame and behavior, the he shall be delivered. Whereby if made true, he is in a manner purged, and that saying the sentence by his meaning, it is that delivery should be remitted to his purgation upon the sifting of here, as is said before. But how far he be known, it appears thus: when a man is delivered upon the says witness of the suffrages, he is delivered as a man proved to be of good honesty, to be cleared of his neighborhoods of that he was suspected of. And when he is purged upon the suit of office, &c. for a surety of here, he is put to penance by the ordinary as a man suspected, where he is not cleared, so shall he be taken among his neighborhoods, as a man worthy to be penance for his offenses, wherefore it appeareth evidently, that he be nothing like it.

In this answer, good ever one be answereth with an untrue, another be the length of the answer, to another if he make none answer at all.

For when as he faileth, that he is put of himself in the suit of office, so is put but to penance by the ordinary as a man suspected, where he is not cleared: this he said but not also what he meant. For the spiritual judge not only (as I have said) though he were sore suspected in the beginning when he took him, yet he finds in the examinacion those insufrcences cleared: he putthem to no farther bunies at all, but also of it be not fully cleared, but that there remain some tokens of suspicion, of which he think it good to purge him by the sib of himself, some other confugators with him, he put them after the purgation into no penance neither. But now if it be, that there be well proved such suspicions as are so vehement, that though they prove not preceptly a dede, yet make every man that heareth them, that he can none otherwise think: there wyl the ordinary cause him to abjure, & the rather to purge him of the suspicion that he wer telling: so afterward it would be ought, the that he was such before. And the seeing himself in such wise before, though he do penance he hath but right. But in all these other cases of suspicion purged, he faith but not so they do not penance at all. How concerning this good abasing aided by the insufrcences: he answereth it is true, but it is faith unlike unto this matter, because the insufrcences (faith he) why he hath long lien in pith of may by their discretion (if he can find no sureties) award a witness of the suffrages.

This is but halfe an answer, no; scat so much neither. For first him self layeth that this witness may send out after that the man hath long lien in pith of, for that the the man yet now presenteth a open accoult hath had that long eng in prison in the mean while for his evil beinure at home among his neighbors, whereof he was not openly make coudain. And this both as you see this good man denyth why the is so: the purpose is none. But then faith he farrther for me, in that he faith they may award this witness, when he implicate that if they will not, they may upon good discretion let him pitty and let the witness alone. And so back he therfore put in one point farther for me.

But yet hath this good man one oppor galape for me, if to shone alway that that sample is not lyke, that it is that where as in the suit of office, men be put to another upon this arrest and imprisonment upon good hearing, the ma shal never be put to another. For answer of this occasion I will after this good man say, he which is in pith upon good hearing that never be put to answer, whether is it his profit or his lose: this lose, then his not putting to answer made by matter of my remembling, much the more strong to me. And if this good man dare answer me that it is his profit: the wyl I no more but pray him to put the fello in choice, then if he himself choos it for the better, let him he pitty for me.

This you se good readers thy man faith not nay, but that upon good abasing by discretion of the suffrages, if a I wit de gopt et forma, a man may lie long in pith, the same persenture ever, howbeit of truth I crow it happeneth not so.
... and yet can neither this good man say, nor I suppose no man else, but that it may sometimes hap by possibility, that all that information be wrong. But that is a thing not likely to happen so often, if by good and by true men put away that order, which order very necessarily brought by that would much mischiefe grow, and many great harms would there then happen in deede.

Now as touching that I said that the kinges countaiues did also sometime by very secret information to put some folk to bulines and to some dishonests to, I leered not to have some sample in myne owne deede while I was chancellor of my selfe, by putting some out of comission in their countries, which dishonestly came for such secret information, I wold not so; an hundred guiltie have done them, a hundred yet upon such secret information very well auow the dying, and dout not but if I should declare cause openly, both good men and wise men would allow my deeds; to this all point to this good, made faith nothing at all, but let it go by his cares as though he never her it. And thus as I told you, concerning this piece of good abearing; this good answerer hath borne himselfe so well, that some part he answered with truth, some part he answered a great deal less the half, som part he answereth not at all, if mee be content to take this fashion; for answering let an an' make the against me as many books as he will, put in what matter he list, I shall never need to study much for an answer, but make answers to all the subtle, short enough, and answer a log boke in space of one paper leafe. But now let us see how he vadeleth his third piece of endightments at first ones. For that piece he lettereth in the same word, to say therwith at the field. But now you may be what streight he hath in his word; I had fire bying you for the ward against which it lighteth. In mine apology, so, 222, there are my words to.

And because this pacieter taketh it for to loose a thing in the spiritual law, a man shall be called for here, where he shall not know his accuser; if he should change the spiritual law for that cause, then had we neede to change the temporal law, in some such pointes as change it by what we will, ye shall change it in the same words of the law, if it be better to have no thences the fewer.

For now if a be enlightened as a fiction, some evidence given openly at the barre, as many be, as many may well.

For they are such as have evidence given them a part, of some heard of the matter ere they came thither, of whom be not bounden to tell, but be rather bounden to keep it close, for they be seldom to keep the byneses countaiues; they owne, that the party who is sighted be put into no businesse about his acquittal, and who shall tell them the names of his accuser, to entangle him to his way of conspiracie? This pacieter will not adventure, because that he, the same twelve men, of that his eighteen are his accusers, therefore he may know them. But what helpeth that he be not informed of action if he were faultless? For amends to late geteth hym none against all of them, no; if were not well done, should, but what he is after by other, of all acquit, get geth hym home; be mercy that he hath had to face a day, as a man geteth hym to the stage beareth hym to that hour, after a howr of spam. And now as it often happeneth, that a man cometh into a hour by his own oversight, when somtyme of chance of adventure, so surely though somtyme it happeneth, that a man be accused of endightments of malice, or of some helpe, which happeneth to have of chance not his fault therein, yet happeneth it in partion, and certes, but that the partie by some demeanour of himselfe greatly occasion that folk have hym to suspect.

In this puce my purpose is good readers as you see, to shew that yke wise as a man that in the last 3/. Office for here, doe not know his accuser, to map it also hath happeneth many times, that no more be shall neither, when he is at the common law, endightments of felony. And I shewe also news of the as you see, that though it may sometime happen either of malice or chance, yet it becometh the partie for all that, the party to fall into trouble, without some defeate of himselfe, but the common great law may not for such seldom special happenes he for born. So this piece to this good man answereth methus.

And the matter. Post faith yet further, that upon inquitmentes etc., the inquietmente be not to the name of the that gave them information. And he faith further, that they may not know their names. For they may not byfro the kings countaiue or their owne. But as I take it that prohibicion of opening of the countaiue in this case is nepe to be understood of their own countaiue among W.
The debellacion

At this self, after that the be sworn, but for opening of the names of them that gave them information before they were sworn, I know no prohibition. And if they will not give their names, they be not bound to do it, so they be not bound to help the party to his writ of espary, but as they list to do in conscience.

How good readers at this pretended defece, is nothing else in effect, but a fair confession, that it is in deed true thing that I say my tells, that he which is dignified of solency, may be as for an advantage that he can take thereby, as ignorant sometime who be his accusers, as he shall in the suit for offense. And yet when happen sometime, that he which is factless shall not be at fault hastines, & where he hath had his barame, shall be remediless. And yet for, at that the lawe be unreasonable, not as any yielding of much more harme maye be so forsoone. And therefore as for my purpose seen at that point myght I have left, and neede to go no farther. & then as you see this good man had ben quyte answerlesse.

But yet were I farther when me needed not and this good man faith that I dyd of necessity, whereof for this matter I had of truth no note. And yet would I now not but I so had done in deed. For I have therby better bought to lychet, what lacketh thus good man hath of ane sufficient answer. For these are there to good readers therein any farther words. & how if this pacifier saie, that yet here is at lyest wife in a temporal judge an open cause apering, whereupon men may see that the judge callet hym not, & upon a matter broughet vnto him, where the spiritual judge maye call a man uppon his owne pleasure if he beare the party displeasure: thus is verie well laphse as for the temporal judge. But what faith he nowe for the temporal, ri men: for ye were wolde they maye doe the same if they were so disposed: & then had I as leue the judge did do it as they. For in good faith I neither saw the bape yet, but that I dyrk as wel trueth of one judge as of two suyres. But if judges be so wise me, that so the anonyng of obloquy, the will not be in ytruk.

And I dare lase the ordinaries be not so dolphy neither, but that they were as fayner voice to it the they might, saying that the very necessity laste at shoulde fall to nought, coyledeth the to take this way. But you are that I meant in this bode, that though the pacifier woulde tel me that the temporal judge hath by such enligment at the lease wife, an open cause apering wherupon a man may se that judge callet him not of his owne mynde, but upon a matter broughet vnto hym, in: I would then graunt hym that this is in deed a good case to the temporal judge, to kepe hym out of obloquy. And the spiritual judges be not so unlyse, but that they would be glad of such another pulse fauting that they be bounde to take the tither way, and lether them selfe any peoples obloquy, for anonyng of the barame that els would follow, by the decay of Christes catholique faith. Where thiy I ther prone well to, as you that after see. This as I woulde I have graunted alwaye this good man. But then I woulde alwaye therewithall haue tolde hym to, that yet all that tale of his had nothing touched the point, but that alwaye at this tale, the man that was enlignted, if the matter were in bebe in tru, was never the never the knowledge who were his accusers, to get any ames thereby, no more then he that is calle of office for, hereby before a spiritual judge. And heere none what he faith to this, and whether we be by hym answer for the point that was ment by me, any one ychec the ther nuer, go good rederes this is hys proper answer.

And then because he can none other wylle do, but consente a great diercett be twirct the that be put to answer in office, & them that be put to answer before this judges intices upoon entigmethes at the common lawe; for the judges have sufficientes apparant matter to put the to an answer uppon, in the theret there is none, but that the spiritual judge upon a displeasure maye do it in office, if he wil. Therfore he goth yet farther & faithe, that the riu men maye ye too the same, & make a man to be called that is not giyte, if they were so disposed. And truth it is, theret now night am a, that is absent, that is also not giyte, & he be true. If they will, but yet in suche case the riu men be known that do it, & be also coelled to be uppon the inquiety; for they may be not be uppon it, but they be the more assignd; also the party upon the; burdens that shall neuer be put to an snorce before the, as it is upon the suites office, but before the kings judges, before the enligment is no attinder to the party; but that he may be founde not giyte, nor withstanding that enditeme. And though maister saye, that he never saw the dapp yet, but that he dyrk as weill
As we trust the truth of one judge as of two iuries: I think the judges will carry him but little thanks for; y praise; for surely iuries must needs be believed or trusted. And therefor it is not the manner of the judges to lay untruth upon a surpise, yet to commend them that do it, but it be proved aforesayn of record after the order of the lawe.

Here you are good readers y touching the pointe that we speak of, all this tale helpful nothing, but goth al about another matter, to prove another difference between the fuit of office and indigheite, as though I had said ther were no difference between them at all. But I was never yet to mad to be of that mynde. For then I say they were both one. And then were every indigheite a fuite of office, every sult of office an indigheite, if there were no diversitees between them at all. And therefore if any diversitie shall serve ought for y purpose the justice made it appeare that the fuite of office because of that difference, y because it is not like indigheites in that point, is therefore in heryselfe either very clearlye nought, or else that at the last fuite it were somewhat better, that they shuld never put any man to answer in heryself, but other upon oys accustacation or presentme had before. For else if it were to winne this point of me with shewing foorth a difference: if his difference prove me no such thing as I tell you, he maye for the matter as well being sooth any word be difference at adventur, that he learned at grammar schoole.

Now when he hath sayed all his diversitiees on hopen, he would then upon conclude, than because of these diversitiees the fuite of office were nought and unreasonable: I say that followeth nothing: For it pouncy yet no farther at y farther, but that the order of the common lawe were better, and not that the other were nought. For it might well befoe all that, the common lawe might be good enough, though they that secretly or openly come nowes or enjoin the quey, came either secretly or openely, and ipsewyply enjoin the court.

And now law I well, that to this point was ther none answer for this good may agayne, but to tell me that in suche thinges as they now trust the queytes, it were perill in dreef of iuries so muchoe to trust the court, because the judges might the faynre matter against men, and say they were secretly enjoinned. To this fophee I
The debellacion

Unto be true, I could believe it no better, though all the town told it with him. Lo what a great untruth I have here to the turies. And this I saye for my selfe. And now will I wish this good man were, say yet a little farther, and I were not so alone. I suppose berely that there be very few, but so that it might make a final ende in their matter, except happenly some such as trust more in the favour of the courtier then in the truth of thee; cause they would rather be content to put it whole into the judging hands, the trouble the courtier with calling up of the turies, whose truth yet many times decepeth them, that in a suit becaus have very great truth unto them.

And yet in all this false that the common order is continued law of this realm, to try the matters of turies, and in felonie or treason never to proceed but upon endightments, is not good, not so the contrary way were better. Marry two things I say, that in treason and felonie this ordinary law of endightments is many times false to be holpen forth by a master meaner, much like in many things to the suite ex officio, and that is by diligent policing the examinacies be side, both by the kinges honesblt allies, and the judges, justices of peace, every man for them part in every parte of the realm, else would there many such mistakes passe by, by endightment never would be founden. And some great clerkly proved felonies before judges, right worshipful of the kinges court, have I will ere this, that never could be gotten to be founden by endightment in these courtiers, for al that. Now better such examinacies hath caued yet many mischeneus people to be brought to the punishment, have put also many such other with this in fears, made them escape license and law them false to theft, else notwithstanding there are yet theeuers though, there would be without dont many ino.

The other thing is that I will saye this, that all these differences prevails that this good man puteth here, betweene endightments the suite ex officio, poureth nothing that the suite ex officio is not good, but onely at the verye better, most that the order not to proceed without an open pretence were better. For as I saye before, though this law by endightments be better in felonie now yet were not the other way noughted, yet the law were so that the judges might pro-

cede or put felonies to answer without endightments, as in treason is used in this realm by the law martial upon warre rered, as we abowe by experience in captaines Quintyn, captain Genyn, Coceber & Belt. And yet is that law not expiye, though that our own common lawe be better, that though we try the turies never to be loy, yet might we truste the judges as well. And this may I saye I thinketh without any dyspaie or fault synedging in the turies at all. For let them allege me two turies of very well knowne good men, then if the wyle abide me what fault finde you in? In these men I will an ilver hym, parte be no suite at all. If take them al for good me a true, I thinketh they wyle not lye but truth, no I never was no thought otherwyle. But that wold I allege hym by name one of our judges agaynse, such nowe spie? For the truth of your two turies well, what fault is that you find in this judges truth, that makest you to checke me, because I wyle trueth him no wule the I wyle trueth them, for that is what well at that hoer I sayed, that I would trust the judge as well, nor that I would trust him better. And yet if I had said I wold of the both truth the judge better: I had not by that too; neither despised the truth of turies. For he that spake he will better believe true, then xvi. dyspaisteth not the truth of the petit turies, but believeth the wel also, save such as be founde false. And thus I have shewed you that I can speak to the wordes that I spake, with out any finding of any fault in any turies. And it appeareth alsoe meely well, that himselfe can not well spake the extrava with some maner of distresse in their truth. And yet for their worshiphe be so well known that this good man that a reflexe can not appeare: they wyle I dare say go to gyue hym. How he feth the judges would as this man sayth, as I dare also say they would be soe discontented with me, if I distrusted the truth of the turies: the turies may move no lette do aagain of currely, then to his owne opinion of the judgues truth somewhat be angry with hym.

Poz herewith I none other spake for this good man, but for the maintenance of his matter to say, that in the common law, the lawe would be good inouge in felonie, though the truth were put in the judges, so put traitours felones to answer without endightment, but in here-

pse it could be not be good before an ordinary,
of Salem and Byzance.

A harp, and would lay for; hys cause a du-
ersticke betweene the tone judge and the
torcher, and say that our judges be good
men and worshipful, and ever have ben
and ever hall, and that the ordinaries be,
and ever have bene, and all he, in valke
and nought. Other lyke hath this
man none that I see then ever to lay thus.
And berly bys booke of distillation, laue
that it layneth nothing to the partes of
topical judges that I now remember: yet
to the dispraise of the spiritual, for those
alogates that be now, faith even in effect
as much; yea and rather yet worse to,
save that the colour of some tane feath
lym from sayinge it himselfe.

But now if he beleve himselfe wyth
that fashion againe: what the tristes wil
bear that can I not tel, for the parelles be
not yet called. But as for our judges, I
know theye findes theye too, theye good
such, that I am very sure in his to fale
and his to lyng upon the spiritual jud
ges, theye should me think of all. And
berly that the spiritual ordinari
des be not of these daies likelie to be sute
the topical all judges beinge to good as
they be: ther is amonge many other
lyke holiehood thus: that he hath chos
the tone that hath chosen the tocher, y
kings gracious graven bys himselfe, which ha
ving on both lydes very good to choos
of, and hath bare feyn ben as circumvent
in chosing of his ordinaries, as of the jud
ges. And yet let in their absence the off
cers of theye owne choyce might haue to
misdeo; the matters: his grace kepyth
two byshops of al the realme out of
thee dioceses, not to saye the tronthe not
so much as one. For he whole attenda
de hys grace diety and is bys: y
most part of the yere in his owne diocese every da
And therefor as I said before, al these
derie differences, and al these diocuities,
whiche bys good man layeth betweene h
lute in office in here: and, the not proces
dyng without endgements by tre
se of felony, proveth at the very farthe
not that the lute ex officio is nought, but y
not to proceye but upon a plesaument
were the better atewe. And then I saye
that it is a poore tale and a colde, if a ma
would come forth with labour to brake
every old law long bred in thise realime,
whiche he could not powne but it ever
good enough, but yet would never have
it changed, because that it were now
to make, hym selfe could he say ther make it better.

But now why? I come a little nearest to
this good man, with the tother popyl,
that I touched before, that is to wit that
it is not in thise matter enough; thys
good man, to powne be that not to proce
without open accustome or plesaument
is the better way, both upon treason and
felony, but if he powne be farther, that y
same way were also better in here.

But the haue I shewed before in a mine
apologie, y in heretie that way will not
here. And that have I there proved by
the plainest proofe that in suche maner
things any man can make, that is to
by commone open experience, where
by the this good man of polycype would
poyne any care, but in these ayntewere he
had left it quyte out.

And therein he farthe lyke a geste, y
makest bys plesaumente himselfe without
hoslode, which is the more after ays
I thate after to retaine, as I had no more
there one pope me into this good man, as
plesaument, which I perceine well himselfe
would be comone to get. So this impute I
fardher good reueres touching this point
in that selfe same chapter of myne apol
logye fol. 246.

But yet peradventure this paci
citer say, that somepyme in some serpe
special case, he could be content that the
spiritual judge should upon bys dispens
ction cal one for suspension of here ex offici
so, but he would not have men comonly
called, but either by accusatice or plesa
ment in these fenes or endgements at
the comon lawe. I had as lyke for any
thing that I se, that this paciter would
lap thus: So the way that they be
called I would not have them called, but I
would have them called after he the
other as they might be. In the land eyther
evier called. For as for accute
fols openly for heretie, ever man hath
erperience enough, y pe that falds syne
any man that will, but if the judge shoul
let an officer of y court thereto bysbroth
any peril of endgements, and then were
this way and that way all of one effect. And
as for plesauments and endgements
what effect would come of them concer
ning hereby, ye se the passe I tro to mere
by well all repute.

For this is a thing well knowne into
every man, that in every lyke, every let
here in all
ison of peace, everly reflection of gods selfe; follow is
the very. every leasthough the realme, the fale thynge
frye thing that the turce have gonne the
was that in
charge is hereby. And for all thys the god
row the whole realme how many plesa
ments be ther made in the whole perse
The debellation

If I were in some fevour there, And suppose no man douter, but that in which I mean, some there be, I woul not be curious about the searching our of the cause, why it is either better or so worse felde presented, nor true in this fene. But this I say that the some wif nor, some can not, and none door, if he should put away the process ex officio, the thing shoul be left undone, and then should done after with heretics increased and multiplied, the faith be undone, and after that through a stroke of God reuenging their malice and our negligence, would be executed, and trouble, and death, and death, in this realm. Many me both good and bad be undone. And therefore for conclusion of this peace, my poor advise to countable wise men, that for hereby in this time, men shall suffer the process ex officio, and, for as many other times also as he only reformed by the spiritual law, except there be any such preachers of them as ye think were good to live. 

What hath this god ma good reders said unto this peace: What say we good readers say now to this good man: that in this good is answer of him, which would were taken for so strong, but this peace upon which great part of the matter hangeth, saith not so much as must, but leteth it slippe even by, as though he were one that had as for this pope bone bone beac and therapy humbe, 

And now concerning this point, I was yet set a little farther, that in places me then one, good evidence have been given into queller of plaine hand open here, which yet would not finde it, that would apone muche letters evidence, have shortly presented felony.

And one of these matters with this peace that preached it when I was chau ne lour, was broughte into me by ryghte worshipful folk, that before me abonded it in his face. And yet coule nor all they cause the quest to prese, but some solce began to fall to favoure hym, he had not been taken by good women, supple men, many would have stooded after hym, and have followed hym aboute for pleasure of his new fashio preyching. And yet for at that flocking, though they had made it, at the fashio preyching preyching together, and following on a plume, they should have sended in solles soverare to the more peace, and at length the paradynture if they went on and we could not letted they might grove to it in debe.

That peace I delivered unto his own, ordinary, and that with good and playne proofe of his hereby, which was in debe and soone after that abjured. But for: this I tell you, that the turp would not sinyde it for, the good folk that gave them some evidence. And that this is not in one case, noe a thing that happeneth faile, as I sayd in myn apology, playne experience prooth. Whereby you may see, that in hereby if the judge should not ex officio proceds, it the matter were presented by the judges, yet the might be bold to proce on a pace and so they would I was taunt you, and multiply full faile.

And thus you see good readers, by concerning this peace, this good man hath in every place a great overthrow. And therefore in the last clause of this, i.e. chapter of his, is cleere weakes awip. For as though he had al prooved, where all is disproved he is yuppe of his chaplers thus.

And thus it appeareth, that matter he can neither prove the suit ex officio to be like to the strecting of men for suspicion of felonie, so good abearing, so putting of men to answer upon enghtment, yet to them that may be accus ed by, likewise, a know not of it, and that for the causes before remembered. Which soye it seemeth, that though it were clearly put away, y sects should not show ful of heretics never a whyte. 

This good man faiths here I can not prove any of all these things lye. But every man may well see, that lift to looks back and reade it, that there is not any one piece of all these that he speake of, but I have very playne proved it very lye for the purpose and intent that I remembre it for. And this shall evey man clearly see, that will aduyce peace by peace.

And therefore while upon differences and diversities that he puteth between them, such as let them not to be lye in the thing that I lye then the so: he batheth in conclusio that I can not prove them lye: I saith then what thyng nows this boast of his lye is lye.

If it had come in this good man's head, to build a law and write a book there foze, to he by all the bands dogges threw out at the realm wherein his time as bylows life as it were bestowed, but not