not yet ben so spent as it hathe bene in this and then would I ape for the cause, that handboggs do spend bypple, a wood sometime bypple tolke to: y I would then write against his wise books, and the handboggs that he might by that reason kill his books and grehoundes at, for they might eate, and wood sometime bypple childeren to, by enemie yet as they may not yet for all that he be; bozine, both for the pleasure that they doe, and also for that they help to take by some such beasts of bevory as men eate, and hunt and be still the other beasts and vermit, as elles would destroy much bypple, so the handbogges may not be forborne neither, for they both defend his lande mens houses from thieves, and help false home in their beastes to forompe, such as would not also come home into we might be syn good man by this reason that he wile here, write againe and defend his politis device against handbogges, and therein anwser me thus. Ex for that for defense of tolke houses ther that neede no handbogge at al, then may make their servants watch, or make fast at theypp places, and when thieves would brake in, defende theypp houses them selfe. And as for such beasts as would not come home, if they be not ore heavy they may beare them home, and those that be to heape to be bo
er home, take ropes to theypp tales and draw them home. And then myght he lat yet a little farther, and that is this, that he maruelles much I could for shame and fear of myne owne conscience, resemble and liken together gentle houndes or goodly grehoundes, to such as sated matrizes. And then to prove them very farre unlyke put his differents and hys diversities, and say a matrize hath yow beste in a great lope, and a great ouer and a lykeke bypple boddy, which as a grehounde hath a proper head, with a goodly small long nose, & large long tender tides, and the hounds yet muche lette lyke to. And thereupon myght he then conclude (as he now concludeth here) and say thus.

And thus it appeareth my master speed can neither prove the matrizes to be alike to the grehoundes, nor to the other gentle hounds neither, that the causes before narrated. Wherefore it seemeth not to the handbogges matrizes but utterly put away yet men houses should be defendeth well enough, as their beasts brought home well enough, so they should.

Now if a rally triumphed yppis this, and thought he had another he: I could no farther goeth in good faith but let him take: godd to him. And farre by with any wise man: ye reacheth over here in this chapter, both his words and mine, so one after another considereth wherefore: I set the together: he beinge I bare boldly warrant, that with his tester, and his diversities, he winneth like twop in this.

But now to turne against as I promised to the first point, that is to wit his dense of open accusers: consider well this good charter: reader, ywhe as this good man in his book of discipl, where he would have the last ex officio left of: he then referred ye pet both open accusations and attestments, to put terettes to anwser on ypp. But now in this: book chapter of ypp, in this book of Salem and Byzance, for favour towart the catholike faith, he is unweth no more against terettes but open accusers alone, yfaith that open accusers shall sufficiently seue y matter. And unto that here that I at, that every man feel, y no man will in hereby make himself a party by way of open accusing: thereto this good man nothing.

He seth perdy verpe wel, that in many things forbidden by bondy statutes so: the common weale, as against y great excelle of appareil and some like other things: the lap both inupte and lyse every man to thacculsi of the breakers of the same by giving them the tone half of the forfaiture. And yet ye all that as long and as many labors, and as yee as have bene made against such enticing of appareil, as much as some men might have wonne by the lat; yet how few folk have bene founden that have take them actions, therby accused thereof offendes, the kigges courts can declare, and the litte amendement may seue.

Kspotes be open things and enqueryeable, with patines also set upon the con
celurs, yet manye great yspotes goe by
be found to the conceurers never spoken of: a statute was the sayne to be made that it might be purfusde, and punished by the kigges counte upon without pseestim, and that even by latte in manner ex officio to. For though the partiepe made the yspotes, and the party upon whom it was made, were so well agreed against, that neither nother would by thip: wyl
have the matter mended: any more spoken of it: yet may be the kigges counte upon secret information, cause the kings atturning to make a bill of y spote, and
other such things as it may well appear, that if he were not sofusworn in the second, he was sofsworn in the first, and yet that lawe there admitted hym to a witnesse in the same cause and in that matter of heere, it yer appears manyfold tokens that he doth it not of lightnisse of mynde, not of hatedhe, not foB of another corruption, which he saith is therfoe a dangerous lawe, and more lyke to causse untrue and unialefull men to condemne innocentes, then to confinde offenderes.

And ye shall underlynde good readeres, that in his boke of disunion, he not onely did impeigne the lawe that he spake of here, but also a nother chapter in falsis sworum, because that theby such as are accuseres, such as are parties to the same offence, shall bewitnesse in herey. This reason of why good readeres, also it that me then thought and yet ythynche was unreasonable, that I rehened it lyttle word the answerwing, as a reason reproued by the common lawe and by the courts of tins sworne of al realmes chastised, and in other crimes before here plainly reproued, so the contrary well belyst in thys realme here also yet in the r. chapter of mys apoloyge fo. 22. in thy matter why I answered hym.

Hereby.

This piece concerning the testima-

ny of knowne exple peretions to be recei- 

ved and taken in herey, I hawe some-

what touched in the third chapter of the 

third boke of my dialoogue, where I by 

thy may read it that wyl I wyl make 

here no long tale againe thereof. But yet 

be wotteth that hereby, that a Chil-

deyn man becommeth a false rapour to 

God is in all lawes spirituall and tempo-

real both, ascompted as great a crime as 

is the treason committed against the ane 

worldly man, and then why should we 

finde to great a fault, that such wytnesse 

should be receiued in a cause of herey, 

as are receiued notonlye in a cause of 

treason, but of murder also, and of other 

more single felony, not only in fauour 

of the prync, and defacement of suche 

dious crimes, but also for the necessary 

which the nature of the matter woketh 

in the prose. But lyke the evilis be not 

to make good folk of coffel in doing of 

thes evilis brekes, though they be done, shul be punisched, and no lyke be com-

mended a trewe, but if they were receiued 

for reason to the commourning, that 

were of the quantyte and partners to 

the doing. Why by the bynde of folk will not

let to sware true and, before they com-

telle ones pears, yet they, one pear true upon ephem, then they 

told upon a solempne oath, and yet they 

swore not so simply, but that it is 

commonly holpen with som such circum-

stances as make y mater more cleare.

Now as to these things that I wrote in my dialoogue concerning great crimi-

nous wytnesses to be takyn in great criminael causes, he answereth to no word 
at all. Holbeitt to say the truche he had 

being oyned, for so genery he was ther, all that 

saut that he found in the chapter in falsis 

sworum, as a thing wherein hysworne that 

now that he was out of that, yet ther-

fore he let ethys he here pake by, as though 

he had never spoken thereof, and thicke 

onely upon that onely of hym that is 

ones sofsworn.

But now let vs le what he faith here 

concerning thisys fals same case. First he 

faith that the lawes, though they mowe 

deuise suche vaise as exple peretions may 

be punished; yet the makers of such lawes 

must (as much as in the ys) powde that 

innocentes halfe saued harmes. This 

is very tru as much as in theys, the 

other point being poued for to, that 

offenderes may be punished. But then 

say I that it is not in the directt of the 

world, for punishment of hiswreous 

wretches, to devise a law in suche wyse, 

that men may be sure that none innocent 

can take harme thereby. And then ys he 

grained this (which whyther he be graint 

or no, yet very true it is then say I that 

his onely read against the full of office, 

against this law to, that is to write that 

innocentes may take harme thereby, is 

such a reason that if it were followed in 

every law whereby misguidefol are 

punished, ther should no lawe stand for 

their punishment at all, but it might 

mowe happe that some innocente might 

take harme, we shuld let al misgude 

folke alone, and the ye larre many moB 

good innocent men take harme.

But then goth this good man farther 

and faith that the punishment of an of-

ferer must be by a bewe and a reasonable 

order. And that is very true also, there-

fore we shall agree in that. But then 

goth he farther and faith.

If a not be se what bewe or reasonable 

order of erryali it is that he that upon his 

other harte shal clearyd hym selfe, and 

hys neighbourbye of hereys, should after 

different order to hys selfe othere, he 

reccived against as a wytnesse, to confinde 

hym.
The debellacion

Hym that he cleared befor, that in the same court, in the same matter. Though this good man can not see it: other men can se it, they se it, and daily do se it to wel enough. I have seen suche things as this is my selfe proued. I can see how often, that in the ecrule of a thewke some have taken an old, that felon was with him in his owne house, at suche time as the felon should be don in a nother place. And a man wold have wot he had be credeable he said trut. And yet afterward hath him selfe confessed the felon himselfe also were at the robbery both twaine, his bare too; then more true, when before was his solempne oath. And every that hath medled with suche ecrimations, hath a true experience, that this is a common fashion of murderers's thewes and such as are thewes receivues, of who at the first face some leonel men, see to sometyme reputed, come forth for declaration of them that are suspected in trouble, and depose for them, and yet after upon som other occassion in examining of the matter, begin to be suspected the self, after ward confess it to, both of them self and the whom that came to cleare by their perjury before. And I am very sure ther be not a few I have herd such evidence cause in causes of leonel divers times to jur.

But hereupon because I spake in mine apologie of such witnesses in felo, this good man maketh here a doue, what manner witnesses I meane, whither I meane the, not the, the oth, to other wit-neses that are brought into the court to confesse me. And then iske I mean the, the men, then he ann eweth me certaine things, to know that he can not of the law. But very as for me, I shall put him out of that doubt, that I met not them. For I never toke the, the men for witnesses in my life. For why shuld I call them witnesses, whose vertice the judge taketh for a sure sentence concerning the fact, without an examination of the circumstances, where they know, or be led to believe their vertice to be true? And also wherefore should I mean to call them witnesses, whose vertice is in the same matter, as witnesses enforme a judge? I thought therefore had spared his labour in that place well enough. For I never ment the jury, nor never toke them for witnesses.

I saye, they are meanes. And the ill brought furthermore what perfond the represent of those that are visuall in other courses where ther be no turies bled: then can I metely wel tel hym to, if the rale were as necessarie as it wold be long. But the cannot he to the other part and lasthe. And if maister Novell by that term, wyntene, meanes such witnesses, as be sometime brought into the kings courts to give evidence to an enquell, this is that witnesses no such witnesses, as witnesses be in the spiritual court, that be acquit condemned the parties for of those witnesses brought into the kynges courts to give evidence to an enquell at the common law, no mention that be made in the recodes, as the jury be not bound alway to follow the wyntenes. For if the jury be nowe knowledge or otherwise know the truth against the fauncy of such wyntenes, they are bounden to sende according to the truth, and let the wyntenes go. And yet it happened, i wyntene collateral wyntenes first testified upon them orke, the party were not guilty: after they were informed the judges, that they revoked the first saying, and would say that the party were guilty: I can not think that the judges would have any more call them to bear their saying therin. And thought they would, yet as I sayd before, it were farce unlyke to thys case. For they say engager, to but as an evidence, whyche the jury shuld not be bound to believe, but as the truth is. I can not therefore, how maister Novell says by his saying that such wyntenes, that is to say, wyntenes as be seated in the same court, shuld be afterward received as wyntenes in any of the kynges courts.

Now good readers evermore remem ber this, that it is not unthought for hym so as to adopt a resemblance between two things, it is not unthought for hym so to pronounce by what two things those two things are unlyke, for so must ever aeth. Now gud the party not two but one: but he must pronounce that they be unlyke in the same pointe wherin, to the fell same purpose wherefore, they were do resembled together.

And now I say that in that pointe for that purpose for whyche I remembere the, I say that they be lyke. I do not saye why they were lyke in the maner of the examination, and putting of their names and debts upon the recodes, in whyche changes this maner lasthe, and I confesse that they be unlyke, but I saye they were lyke in this pointe that
of Salem and Byzance, 987

That lyke as he that hath bene twozen s clered one as faryst as in hym was of herety may yet be received twoke again and bearde, byhs new contrar new doppoision may hure the same party tobe he byhs clered, before he same spiritual judge, which lastly may yeve credeence ou to hym upon certaine circumstances byhs woildome toil wooped, so may in the lyke he that hath bene twozen, byhs othe cleared a man as muches as in hym was of felonie, ye yet receieved s twozen againe and bearde, and byhs new contrar new doppoision may hure the same party towhom he byhs clered before cler in a temporal court, before the selfsame judges, bys the caufes that the jury may lawfully be lawe him in the second oh, byhs cewer certaine confusions by theys woildomes willy wooped, not wooping standing bys former othe in the same court to the contrary.

And ad be it that here before I thought upon no other then upon such woekes as taken before the kynges conquests, or insides of the peace, men of twohopp in the country, and afterwar those doppoisions with theys contrar othes and all the circumstances therwith givem inuidence to the jury at the barre in y face of the kyngs ordinary court, putting on the determination of the prisoner: yet this bys good man doppoileth that point, a draweth me forth before the judg, I am well content to waite upon hym thynker. And I nothing boute but that even he should, the case woold be to saif, finde it true that I fea hym.

That is not so faith this good man. For if it happened that suche collateral woekless, byhs testiffed bys their oth y party were not gyp, s after it were ennformed the judges that theys repent theys faisyng, and would faise that the party were gyp? I can not chynche that the indeis would any more cal them to bear theys faising therin.

Here yous good readers that professed this point by none other things, the only bys owne thinking. Now ad be it that against his chynching that theys would not, it were enough for me to say that I think theys wold: yet wold I not leave it to bare, but I will shew yous case wherefore in some case theys wold, and I wold alio put you some suche case, which if the case happen I nothing boute but theys woold.

If a pervert is put, the cause wherefore a person is put, is repelled from templice again, is because the law proceeds that he seethe not so much of any other, but that his oth not withstanding bearing with he were likely enough to lye.

How wold this presupposition be the general law, and therefore the reason of his general laws: if the case happen tohs presupposition be more then contrapay led with a contrary presupposition upon the other, ther is the contrary presupposition a reason sufficient, to make it in that case a contrary law, a law that halde for that case an exemption out of that general rule.

Now bys as he that on bys oth clereth himself and his fellow to, either in person or in felony, both after confess and if weare also the contrary: if we wold not believe him in the second oh, because we synne him therby perjuried in y title, then in that we judge him in the first to have twozen false, it implieth that every therby we judg him in y sead to fat true.

If be woil refusse his second othen, a not thinkne byhs wyllth to be believed, because that he swear the contrary before, and therby premise bys a false yse we when he should by the second othe purs himself othes perjuried, and we the could not tell in wyther oth of the two: wone: here I lay the first presupposition is overborne with the second. For it is an other presupposition that no man woil caue away bys soule for noughts. And yet a greater presupposition that no man woil caue away bys soule, to do hurtrether to bys alone body as to bys friends.

Now looke me then bys mas two others, bys first oth and bys second. And though ther be a comd presupposition therin also, wherupon the credeence of all others resteth, that is to wit, that a man reputed good and honest, will not for his tren des body, nor for his owne neyster, caue bys soule away by perturyg he him self after thewh thereby his second other, that he was perjuried in the first, the presupposition of bys truth in bys first other, is taken away by the second.

Now the seed if it be to the accusing of himselfs his friend both, whom bys first oth excused, hath these other. i.e. presupptions to, a bear against bys first presupposition general of his perturyg: the same, that though it be presumed in the law, he wold be false for twozen for bower, not for that part is it presumed that he will not be fortwisen for light noughts. And yet as I sayde it is more fragly presumed he will not be for twent to the hurt of himselfes bys friend. And
The debellacion

And therefore hath his seco the though to peace it against the stike, stikes in the stike ite stade for his friends advantage of his own, for which (the it he now appeareth faites in the tone or of the other he was the likely to be stiwen, and in his second if he were stiwen, it were to the both harms. And therefore is that other presumed to be true, though the man himself be presumed faile. This is I troo to no man any dout, but that though a man had been pynke perycure there ; yet if the words might as it may not be sure in another matter he would for a that stiwe true, the word would receive his othe. Now for as much as of no must any man can be to suare, but that he may be by possibilitie deceiued ; the law goth as far forth as it can, it taketh they other for a prose, which are in that case by preumpson lyke to stiwe true. And so the same he thereupon whom the respect of his friends safegard his own, gave occasion to be stiwen in the steck, in the second stiwe, contrary wife to they both peril & harme. Therefore in that case reason heare the law, that in such heignous crimes his second oth would be receiued.

Here have I showed you a react which seemeth me soe sufficient, that both in hereby felony, the judges should be content not withstanding the first oth, in some case to suffer him stiwe the contrarye.

But now for the temporal courts, let vs put some case for a sample, to see whether the judges would if the case happen so, stiwe the witnesses agayne or not.

I wyll not put the case in treacle, whe in ther word I were no dout, but that after his evidence yeuwen upo his oth in clearing there stiwe, he happed even fondainly he the barre to repete himself, so far that he was hyed to be stiwen, so that he was to stade in dede, he then would tel another tale far contrary to the first, erceuer he went fro the barre; wold his tale not be heard trew upo-yes (the trepe so desfeting as peradventure they would) the judges would stiwe him to suppose, and very good reason wold heare it that they should.

But as I say let reason go, so com but even into felony. If two o the witnes- ses would at the barre erre upon their others, somone man of felony, and afterward when they were stopped fro the bar happe to be heard upon and respect to gether, that the had given good evidence for acquity of theys fellow, with who them fell bad ben at the same robbery; if they were stodainly brought agayne to the judges, the oury not yet departed fro the barre, beyn generally questioned in stodayne abatment, being that God had bin to stire their fallish, began to have remorse came forth with the truth, and agreed in the circular annunes, a tolde at one tale, contesting bothe the prisoner & them felse villy, and would be content to stiwe that this tale were true establied to the oth they stiwe ther before wold not the nudes treu you give the by heare- ring, yes so I doute not, and the oury to.

And thys you see cleyer good redres, that in this pont if this man had wife, fylly wounented, he should have gone it ouer.

And now at last that here I might end this chapter, hainge neede at al to go any further: yet to the farther opening, how little hold there is in the causes that be licated of supcilitude & blinheness, when the witneses brought into a spirityal court, the witnesse brought in to the temporal for information of oury, I marwel much if himselfe know not that lyk as the oury may if the se came why, wap the witnesse at light, a quete the prisoner for at the witnesse words, to make the ordinary do to. For in this estimation the power lyeth, to way se consider the qualities of the witnesse & all such other circamstances as may my newly of increase theye credence.

Yet and unto the other side, the witnesse are not in the temporall contes lasayed and esteemed so light, but that the oury that if the believe them not, be fyrte lyzen to pelte a good rebemping why. For though the woodes of the witnesse be not entred in the reco, yet if the oury be lawfully begruen in evidence against the petit oury, and testi- fye by the court and by the others of them that before heard them depose.

And then yt apere into the grand surye in their confidence, that the petty oury byfily of non corrupt minds re- garded not the witnesse, and therefore in the gpying of theye very paide as against theye own confidence, every man well wrother that they shall be attestayed.

And necessity hath also byfily of kings grace & bys counsanfai for the sure punishment of felonys, to provide that if the oury likewise refer & witnesse so might ly, that the judges think they quyte the feion against their own confidence, they bind the somtime to apere before bys coun-


A counsel. And ther have ther diversuries been poned so to have my self dishe the self therin, they have been punished therfor.

How well I good readers come into ye peace, which (as a thing already founded and of it selfe unworthy to be touched) I would have passed over not without sad to write one word therin, saying that I am him to have taken such labour thereabout, that be leashed to wone that he hath defended it well, whether he have well defended or not, for ells that good readers judge. These were his words in his book of division.

This is a dangerous law, and more lyke to cause vitrius and unlawfull men to condenme innocents, then to condenme offenders. And it helpeth little.

What if ther be toke, that it is not di or hastred no; for corruption of mony that it shuld betake, for thone ertime a man may new himself in the apparel of a lamb. And the judge be partial, in such tokens may be foner accepted the truly loved.

To this place there were my woddes in imp's apology, so 2, 2, 2.

With ells folk be not to make good folke of ther confine in doping of their soul descents, that be not di at take unpunished, and no lyke be committed as ther, but if they were recorde for corrodere to the condemning that were of ther countesses partners to the doing. Which kinda of folke will not let to swear wheate nape, before they confesse ones eye, yet ther one eye mos true upon their bare wod, then they twpe nap upon a loompe my th, yet confese they not so truly, but that it is comely holpen with font such circumstances as make the matter mos cleare.

Now if you weel that as himself theveth, the law provideth well against all light receving of such confusion. And yet this pacifier faith all that beclothe little, because the judge may be partial, and the witnes may be a wolfe, having hymselfe apparelled in the apparel of a lamb. Which apperyng in apparel, 00 men that can not apparell ther speche with apparel of retzish, be command to cal a wolfe in a lambes shynne.

But what other may serve against such obstructions: What place is there in thew word spiritual or epistle of which the judge may not have some say that he is, as ye lest with he faith here) may be partial. And therfore not onely such witneses should be by reason of this reason of his rejected in hereby, treason, murder, 02 of.
The debellacion

Adame to me, to liken togeth a person ones perpiered, and a person that was neuer yet ones twoo, I would in deed be a blamed to liken them together in every point, al though there were no more difference between them, but that they were to long nose and the tother a nose. But I am not much abated to fall that for some purpose, where he speake of the nose, I may speake of the tother, and liken them well enough together. For I may say (as I sayd) that tike wyle as he that hath to sweare hymself, may taine hym selfe to take true, and looke lyke a lambe, yet be a Wolfe in bebedekeyd, I sayd he that never was taken before.

Peas faceth this man, but yet these two be not lyke. For he that was never twoo, there is no cause to my trufe, nor presume that he will playe the Wolfe in a lambe skynne. But he that hath beene to twoo, is of reason to bee mistrusted, and it is to be presumed, that he will play the wouf in a lambe skynne.

Spake yet in the meane wylpe, that if I could make no farther anthor: yet had I Ioanne and he lofte, For hythes lyke twoo: were in hye bookes of diuision, that he that confessed hymself to towe, should in no case be receivd to liwe a gaine the contrary, because that though there sone a good cause to beliue hym in his seconde othe, yet it may be that he both but faine, I said so ma he to saif a lyklye never was swooze before. And then yf the onely power and habilitie to saif, wer a cause sufficent to put an one maie bearyng witenese upon hythes othe: as every man were by reason repell, for every man is able to sayn. This was as you le teype that I then sayd. Which thyng neither this man no, any meilis is able to confute, nor poneth the to dun. Yet man and the man not a witenese book he in the poynt that I likened them, that is to sayn, in power and abilities saif to. And farther the that, went not I. For I had no farther cause in answering him the while he went no farther ther, not sayd none other, but he that was sfooze may saif. And now reade you of the lykes witenese, and looke whyther I take true.

But nowe thus being proved as it is pure plaine, he hath a tal in those wothes wheybe he spake before: let be a little whyther the wites lettour after his matter agayne considered a frende, he have caught any better bode now. And surely me thinketh not one wity.

For wheu his newe reason resteth in this, that he which confessed hymselfe twoo, is by reason mistrusted, as one not onely to be able to tower fall and waply cloke hythes falsenheit under a colour of stroute, but also presumed that he will do in deed to this I say that he faith trueth as long as ther is no greater presumption on the other lyke to stue fo hythes second othe. But when the case happeneth that ther is, as it happeneth in the case of hythes law, then is the presume that he will sfooze fall gone, as I wethed you before. And then that presumption by a greater presumption being pur gended, hythes man to sfooze the man be in the thing that I remembred the fo, sfooze well like again. And that the said presumption is purged: I wethed you before, in it is to nowe a greater presumption for his second othe, that he will not sfooze hymselfe, to the peril of hythes friends and hymselfe to.

Then goth he farther, and enforced his reason with the reason of the law be soe that Peragote Litcet was made. And therin thus he faceth.

In so much that before that Parag. Litcet was made the judge might not otherwise have don of judicce but to have refused to have taken any farther examenacion of him. And if he had, the other had said contrary to he he had said before. His sapting had ben baid in the law. And this thing whyther he thinketh hythes reason made it stronger, maketh his reason a great deale feabler. For while the general rule of refting such boistesse in al cases, was made to longe before; it apereth plainly necessary founds fante and caunv out of the general rule thys case to be made an except, is to the law made by better deliberate. And in such other horible crimes, the same lawe is used in episcopal courts, was also before that law made by the church.

But against all this yet, this man maketh me this reason.

What the makers of the said Pewa.

graph met, to put into the discretion of the judge, if he saw by calment tokens it is not bon of sightnes of mine, nor of hatred, nor for corruption of money, that his feching that said as wel against him selfes against other I can not tell. For I can not be howe ther can be any evident token in any such case, but ther might be in such a perpiered witenese some time inward hatred or corruption that the judge can not know, so that he cannot judge of certeniety that ther is none.
A consider no good readers, that all strength of this real danger in this, that the judge cannot truly have sometimes whether the perjured witness doth it for the truth, or have an hatred in his heart to secret that the judge cannot see it, and therefore he cannot certainly judge that he hath none. Consider here now that he saith not that it is presumed, or must be presumed, but the perjured witness hath so; so if he to say it should say to no purpose. For as I have showed before how that presumption may be overwrapped with greater presumptions to the contrary, but he saith that it may be in both, that the supposed witness hath so.

And then saith I again, if we go to the possibility of the behe, and not unto the presumption and likelihood in that we number: Woe me before, woe have a secret hatred which the judge cannot see, as well as he may that was woe woe before. And thereon I say also yet again, but that the word were charged to give no sentence but such as he knew of certainty sure to be true; could never happen any witnesses in this world give any sentence at all. For no witness were there that he might were false and the judge might were he aware true.

How is this man would say that he meant no farther certaintie, then only a sure thinkeing in the Judges owne conscience and therefore be moved all his other wordes with this words (conscience) saying that the judge could not with conscience judge of certaintie that there were no hatred: this meaning was a very marrying of all that he gott about there to prove. For so though the perjured witness might have, and happily had he in behe a secret hatred in his own self, as another witness might have (happily had in behe) that never was woe woe before yet might the judge being induced by certain tokens and likelihoods have a sure and a certain persuasion and believe in his owne conscience, that neither the tone nor the other had any hatred at the Pyme, but only deposeth the truth. And therefore if he woul'd say he meant thus he marred all his matters.

But it appeareth plain that he meant in the other manner bypon where there must needs followe (if he were not in this saying decreed that every judge in very sentence that he should give upon any witnesses, were they never so honest in appearance, were in a daunger inscribible. And that he meneth in that manner, that the belief of his owne conscience induced reasonably thereto, could not excuse the judge if he were deceived and the thinge otherwise in behe: he declareth farther by the words that next enfeue, where he goeth farther thus.

And therefore I leemeth that the makers of the said paragraph laid over-gre a daunger to the Judges, that they should have libertie to accepte (if they would) the saying of him that so offereth himself against his fief oth, for so much as the Judge cannot be sure to have his conscience therein, but if he clearly refuse to accept any thing that the witnesses would say contrary to his sayeth, or if the Judges had otherwise, and therefore upon the witnesses testified againe the partie, and yet the partie not gylted in behe; I suppose verity, that the Judge were partie to the same offense. And I suppose not the contrary, but am very sure that where the Judges teach such tokens as feme into human manifestes and open tokens, to prove that his fief oth is not offered of any corrupt ascension, but of removale of his perturbe and of a mynd to amend his fault and lay true; he falleth in no daunger of conscience, though the truth be otherwise in behe. For if ther never had lawe been made at all to refuse any witness because he was once perused, the judge had ben cleare at libertie upon reasons and likelihoodes leading his conscience, to have received him againe without any perill of his conscience at all, whereoeuer bynumells had been thought greater likelyhood that he would lay trouthe at the second oth, then he did before at the first. And then lich he was now letted to receiv him, and bys libertie therin refragned but by a lawe made: what peril can be more false in all a second law hath set him at large, then if the sommale law had never made the refragnle.

Also where the lawe there propoundeth, that the Judge shall by onere that witness, which offereth to tell the trouthe bypon a second oth contrary to his sayeth, but if there appeare manifest tokens that he doth not of any corrupt ascension: it meaneth none other, but that if the tokens feme into the judge, that they induce him in bys conscience to beleue a thinge, and not that he shalbe certainte and sure that the thinge is so in behe, by looking into the secret corners of the minds heart, no more then the kynges jud-
The Debellacion

Ages at the conomy law, by what wordes soever they gene thenquest an other, nos by what pseple wordes soever they receive ther verdict, meane not to charge the upon peril of their soules to say none otherwise then the truth of the thonge shall be in dede, but as the thonge shall come to them be, upon such thinges as they that perceiue either by the evidence geuen them at the barre, or otherwise were they came there, so the judges themself in the judging of a matter of lawe, neuer more precisely that the law is so.

For then is other Judges after reveried that judgement, or judge the same case otherwise in another time betweene other men, the same Judges or the other had putte their soules in perill, downe both twappe they beke to judge as well as they could.

But Sith no man can see farther then his eyn will serve hym, no no man can see farther then his own reason can upon the matter so or wise debated perceiue; if either the right men or the judges; neither negligent nor corrupt, judge as they think true, their soules are safely enough, as fast as is the soule of the carpenter, that putteth in his frame no timber but such as is good and sound as farre as men can see, and yet some of it secretly may be such as rere bebe, as soon after that sawe and fell down all the rote. This soule is safe enough, though this putte may happe to sweate, if he bounde himself to provide the timber at his own peril. But so sitheth himsfelfe neither judge nor lawe the witnesses on peril of their owne soules, that the other lawe swear true.

And thus yon se good readers, that the Judge is oute of perill, being diligens and trewe, though the witnesses be false & beare hatred in his heart, where the Judge leseth none but takes & he himself manifest, although he swears not so theone before, and thus is this good man in this matter al gone quite awry.

But yet being soe troubled with the worldly, that may sweare false and some true, nothing mistrusted because he commetteth laped in a lambes sphynx: this god ma goeth farther yet, and thus in thus he sayth.

And where I saye in the same treatasle, as before appeareth, that sometime a wolves may have himselfe in the apparel of a lamb, and that if the judge be partial, such tokens may foner be accepted then treuely hewed. It is evident enough, that by those wordes I intende no judge to be partial, but I say that if the judge be partial, such tokens may foner be accepted then trulie hewed. As who saith, the judge may accepte such a token to be true, though there appeare some suspicion of untrue in y wittnes.

In which acceptance he shall more liberally and without offence of the lawe doe wrong to the partie that is accused, then he could doe by accepting of any other wittnes against the lawe, that he never sowe one before. For if the accept any such wittnes contrary to the rules of the law, it appeareth to all the that know the lawe, that he doth against the law therin: and that will found somewhat to his rebuke, and that will make hym the more toth to doe it. But if the Judge accept such a perjured wittnes where there is no sufficient token to prove he doth it not for lightnes of mind, hatred, corrupcion, no such other: yet he breaketh no law therin. For all is committe to his discretion. And y may happen gene a bolones to some judge to accept such a perjured wittnes, where he ought notto accept him. And though the sade Peragra say that if ther be such tokens before aperey, that then in favour of the sathys his wittnes shall be taken: yet I can not se, if the party accused be guileful in dede, as he may be for all that wittnesse, how it can be taken in favour of the faith, to accept the wittnes. For it cannot be layd in favour of the faith, to condemn an innocent.

All this tale when it is all told, layeth unto no more, but that if the Judge be partial, than he may abuse the lawe, and then that lawes in that case may doe harme in herespe.

Now behold that, the quest hearing the same wittnes symply first, and after contra, may if they be partial, doe like harme in falselie: what lawe was there ever made, wherein the judge could doe none harme if he would be partial. What lawes may there serve, if the witnesses would be fals? This manne is content that to a mannes condemnacion the presumpcion that serve that the wittnesse will sweare but true, such wittnesse at the leaste mayse are not pouzed falsse before, and yet they marre all if they be falsse and partial. And when he presumeth such indifferency in a wittnes: why seareth he to lose partialite in a judge? If he say he mistrust the judges, because of some some sayes: but he must be
A mistrust witnesses, iuryes, and judges, altogether. For such some faves her lacione that can faye well by no man. This reason of his doctory but purte a suspicion in mennes heades against the judges, for every thing that is purte in their discretion. But surelye, as it is beene heard that great, wilye, and right wrythfull man (by John Fineur fam, late chief justice of the kinges bench), who do taketh from a justice the order of his discretion, taketh surely from him more than half his office. If this reason shouldde myrust insinice it most in the lawes than make many such chaunge, as I never lawe neyther; nor trust in never hall. What harme might any justice of the peace doe, if he were disposed to be false and parciale? And ever hall be able to doe, make what lawes men will, but if men would directly put away his office. And in these of oner harme that maye happe, we shall have an hundred happe in very debe.

Consider also, good readers, that by the lawes afore made, there was not only forboden to beare witnesse, he that appeared to be once forsworn, but also many other manner of cruminous persons, for the general presumption that they were unworthy of credence, and yet have by other lawes after made, received to beare witnesse, as if them selve, and their felowes in heredie and in treason both, for the necesiste as I have srayd, and upon suspensions more probable that they wer in that case well likely to swear true.

Now if this good ma for scare of such harme as maye by possibilitie fall upon an innocent, put one of these from wittingh; he must repel them all. For as the latter lawes have since receyved all to the former lawes generallye and sprak shueth them all. For the generall rule is naturally before his particular exceptions.

And than he would in lyeboyle repelle them all. Than for one harme that may be, and happen he never shall, he should have many mischeries people very bold, while they might be sure they muls be needed at unpumished, because they piron mischeries could never well be known, but if they would what they went about it, take honest men with the to bear record off.

And thus you se good readers, heere cleare and plain, that this good manne hath hitothe brought you such no reacon. And I thinke he tawl that himselfe, and therefore he thought he would save better at last, and not uthe it to. For this goeth he farther and sayth.

And furthermore it apperteth also, that the woordes of the sayd tracts extend no farther but to such as he judges, where there is before them such a perciuèd witnesse, and noto to all judges. And in the where these woordes, that a wolfe may be wrythfull in the apparell of a lambe, becreche sone to such a perciuèd witnesse. For there is no other witnesse speake of in said tracts in such place.

This man goeth to his woordes, and sayeth, that is, that though his woordes goe no farther, yet the reason of his woordes (if it were reason as I have proved it none) would becreche soe farther, that it woulde marcle al. And this point have I proved you very cleare and plain.

And therby is meant, that such a perciuèd witnesse may happen be him selve to dempe that he layd before, of a certain heart and of a new knowledge of the truth, and of adverse yeale unto the faith, and yet hee it in deed of courte, faishon, rancour, and malice to the party. And so as the gospell sayd, he may happe outward to appear in the apparell of a shepe, and withinforth be a riving wolfe. And such one may that perciuèd witnesse be, that is spoken of in the said tract. And of such a witnesse in here, as the sayd tracts speaketh sone there and of none other witnesse, as to the readers will appeare. And therefore as at the sement, maker Novaefindeuy defect in this debate, where he had no cause reasonable so to doe.
The Debellacion

A wittnesse will say fals, and the tother true that never was two;ne before, and that the wittnes once to two;ne afores, is in his seconde oth contrary to his first, mostlie to play the wyply wolle in the lambs skinne, than such a playne simple man as was never two;ne before: I will be so bolde for thys once as in some case to tell him boldly nay. For; where he saue a little afores, that he could not se how there could be any such emet but taken in any such case, but that such a perjured wittnes might bowe it a secret hater, and some charitable, and to play s wyply wolle in the simple lambs skinne.

If I can se well enowth, that in some case ther may be an evident token, that some such wittnesse was so swift for two;ne, wer after in his seconde oth weareyng the contrary, like lyke to see and play the wyply wolle in the lambs skinne, thanwere an other that never was in his lyfe before negther for two;ne two;ne.

For; if he that was before upp on his oth examined both of hymselfe and his sonne; of himself and his father to other special known frend, and on his oth clered them all, boe at another time on a newe oth confesse them al giuie, and hymselfe also, and where peraduenture himself must to the seze, because he was abused before, they may turne yet in pyme and be but abused: yet not this an evident token that he doth not of any secret hater, nor played nor the wyply wolle in the lambs skinne. For y Wife to confesse hymselfe giuie in suche case, and putting hymselfe in worsse case than his felowes, wer but a poxe point of a wyply wolle. And as I put thys case; en example:so may ther be manie oter, for thys oter might be playne yernough though the wer lese playn than thus. And therefore to conclude in thys matter, this man hath no reason in thys wold to defende his speke boke with all.

And therefore where he spedes a patch in the ende, about his declaration, that it may be labellfull for hym to spede defauite at lawes made by the churche, so that he spede them upon a sufficient rea;on, because all that point nothing helpe him here in this laeu, against which he seeth no reason reasonable, but a reason as unreasonable as ever reasonable man hearde: I shall Iaye therefore let that piece pace by, and here make an end of his, rvi. Chapter.
thus: And here some fabe, that because there is so great a depre in spiritual men, to have men abritured by to be noted with hereelse: And that some as it were of a polite doe not ye, that the realm is full of heretickes, more then it is in dede, that it is very persious, & spiritual me hold have aututhority to arrest a man for every light suspicioun or complainte of heresie, tell that these are of poyntimentes in spiritual memne be caled and gone but that they shoulde make procella agains them, to bring them in bps payn of cursting; and then if they eare. Ye, says, the kings lawes to bring them in by a writ of noncommunicatoj aepidens, so to be brought seoure out of the kynge's gade to another. And it followeth in the fable entyghe Chapter thus. But surely as it is somewhat toucht before in the bli. Chapter; it feemes that the church is some part have done way they could to byg a bout, that they might punishe heresie of themselves, without calling for any helpe therein of the secular power. And therefor they have made lawes that heresies might be arrested and put in pyzis, and out at first here, as appeareth in Clementinis de heretica Cap. Mulforin quieta. And after at the speciall calling on of the spiritualitie, it was orderd by parliment, that Bishops might arrest men, that preach, hold, teache, or enforrme other in hereelse, there prohibite, or that thereof holde any countenicles or schooles. For some men thinke that the fables Clementine was not of effect in 3 kynges lawes to arrest any man for heresie. But if a man were openly and notably suscted of heresie, and ther were sufficient record and witnesse against hym, and ther were also a doubt, that he would flee and not appearre, where by he might infect other, it was methem convenient that he be arrested by the bode, but not upon every lightcare complaint that full liht may be intrue. And that it will be right expedient that the kynges hysplnes and his countylp loke specially upon this matter, & not to caele till he be brought to more qui sones then it is yet: and to see with great diligence, that pryde, couetise, no wolde love be not judges, no innocentes be punished, never that all offenders go not without due correction.

And when maister Poge in his Apology hath recited the fable wordes of the fable treasutie, then he endeourdeth himself very much, to make it appeare that motions that be made in the fable treasutie in the place before rehearsed be not reasonable, cannot be brought about: of elles that if they were brought aboute they shoulde doe hurt and no god. And to make hyss lapinges the more acceptabe, he layeth sometime default in my lapinges, and fabeth that I threfore desame the Judges spiritual, where I desame them not, but fase only that it is exprepynt that the kynges highnesse of his counsellor lipse, that pyrde, couetise, no wolde love be no Judges. And whether the wordez amount to that effect, that maister Poge fath they doe, that is to fase, that I desame all spiritual Judges it appeareth evidently they doe not. So now god reader, to the entent that you may the more plainly perceiue both the god iynde of this god mannes fiche bode of diuision, and all hyss words booke here in desame of the famese be the labour to reade the bli. Chapter of mine apology. f. 232. And then that you thinke I forsoopen, all his defence is so apt that I stille nebe to repyse. For first where he fath, that I faye that in those wordez, he beyfameth the Judges spiritual: I would he hadde rehersed my wordez with which I fay so. For I am sure notough my wordez be no larger then the tuth. But that is his usuall craft to leave out for the more part, both my wordez and the place, be cause menne wote it wer in some part of my boke though they remember not where.

But nowe because he fath, that it is evident that those wordez of hyss doe not amount unto the disaffaracion of the spirtuall Judges: I have helde and proved in dede in one or two places of mine Apology, that all the great matter of his complaint, upon the crueltie of the spiritual Judges in handling men for heresie, therethare hath beene very fele troubled therefore in any bodez in England or Wales, by the space of these cryers. The cryes of these last palled, except only Lincoln and London. So that therfore the false complant of smichhandling, could haue litte colour any further then those two bodez, a yet to lap the trouth neuer complant brought forth by any such man but in London bodez, not yet not but in London is some piece of Elze alone, the complauntz upon examination haue by the kynges honourable countyale, alway founde casuallles a false. So thyss is I fay to cleare, that no man can faye the contrary, but that this is true. I declare.
The Debellacion

A and thewe in my s[ap] Apology, where with his false some sapes he defamed laboureth to bring in obloquy of the people, all the spiritual judges in the realme: of wrong and cruel handling men for hereby, all the menne that his false some sapes (if they were true) did trouble, were yet in deede seuen, that he myghte in a manner well speak of them by name. And in seuen deede seuen they be. For they be as seuen or seuer, then are 3 judges eipher of the t[e]ne beth or the other.

And therefore when he commeth now southe birt' eythe so[rey] of a thewe deede some laze, and theweth the spiritual men have a great deseyre to purte men to ab[sur]acation, and to have men noted the[rey], that therafore he mighte lea[n] that condition, it wer well done they should have telle authoritie, and that it will be right expediente that the bying and his counthaylde take specyally upon this matter, and to see with great diligence, thatripp[e], contiue, now woodyd be not Judges, now innocentes punished, nor yet that offendeors goe not without due correc[ti]on: is not this a lewde coloured launder and (without any such thyng proved) a shameles disdamacion.

If this god man were in likewyse byp[pe] and putte in p[er]t another boke, and therin speake hy[ll] of justices in generall, as it mighte feme to touche all the [ud]ges of every bale cort, and justices of the peace to, and then by some certai[nt] circumsancies reft up in such wise that every man may see that be meaneuyd onely the bynges Judges at [el]min[ster], and fay, that some fay that special[ly] of late the matters of common pl[ase] described handled by the Judges, that in writtes of errour, and in plase of the crow[n], the Judges mischandl[e] the people lose so woruye wrong, that some fay that they have thys sull depre, and that, and that yt they have left them, it wer well done that they had telle authoritie. And then after such a false speake hyll the some fay, fomely with hyll sayng, in approbation of hyll other sayings, conclude and say thus much further, it will be right expedient therefor, that the bynges highnes and his counthaylde take specyally upon this matter, and to see with great diligence that rip[e], contiue, now woodyd be not judges now this swip falsly handeling no fals so[mm]mation at all.

And noe where he handeleth the spir[itu]l Ordinaries with lyke woordes for heres, and his some sapes false ima[g]ned hylls, though his boke of b[ett]yng laboureth to bewa[n] that false sultication farther, yet hel[le] selfe by experienc[e] that whyle there hath in long ypreh but in two broches very fewe been punished for heres, the bynder that he foundeth, touched some byp[pe] seuen, no lettell though he wrot[e] in their names. Howe can he theferefor for very shame say that it is no disdamacion? Wenceth the reader[s] of his wo[lk]he were all t[e] fede[s]e, that he myghte awypde his playne open deede with his bare bo[lhe] wood, where he sapp[e] it apparent even[tly] nay, where every wise man that rebeth it, feth well himself that it well appeareth evidently yes.

Howe goeth he farther with another piece and lapt[y].

Fo: yet my woordes proove not hyll I wolde have all spiritual judges changed. For the spiritual Judges that he now[e] may be Judges still, and have all the properties before rehearted, as well as other, for any thing that I have fa[id]. And yet mayster Dose take it other[t]wyse, and sapp[e], I would have such judg[es], as have no tye of any of the sapp[e] poyntes. And he sapp[e], that till such judges may be found, herebyse may make meny for a little fear, while men walke about and sectie for such Judges, whych he wro[n]th will not be done in a wokes woode.

Here he lea[n]t out againe the place of myne that he toucheth. For whych is once reade, all his gavel tale is gone.

For: there shall ye see that I confere his woordes, and declare two woaves that his god man might me[n]e, of which twain he taketh here the tone, and the other he lettered slip. And yet in taking his woordes as he would now some: my woordes whych he doth melthe here, tunne by all his tale, and that the man fau full weyl, and therefore wynked at the. But I shall byng in againe here, and repete them for hym. Ioe good readers in the rhi. Chapter. Fo.253. after his woordes rehearted at length, thus I beginne mine owne.

Fo: in this procee[l to god readers, this pacifier declarath, that he woulde have the bynges highnes and his counthaylde so specially take upon this matter, that neither innocentes should be pun[i]shed, no yet willing offendeors go without due correction. Who oughte end and conclude all his matter most fruitfully;
of Salem and Byzance.

*But now the speciall waues whereby he beeisest, that the kings higheenes and his counseyle should bring this thing about be wiipany.*

*I the tone is ye, they promebe that noether men that be pride no courteu, noz have any lone to the world, be suffered to be judged in any cause of hereps.*

*The tother is, that the bishopps shall arrest no man for hereps, till the delpe that spiritual men have to caue menne abuse hereps, and to punishe them for hereps be ceased and gone.*

*And surely I thinke that his two deluises will ferue suufficietly for the tone part, that is to witt, that none innocetes shall be punished. But I faire me very se, that they will not ferue halfe so suufficietly for the tother parte, that is to witt, that willfull offenders go not without our correction.*

*For now to beginne with his first deluise, that none be suffered to be Judges in cause of hereps, that are pounced courteu, or have lone to the world, if he mere of such as have none of these affections with notable committie, the till he proove them that are already woorfe then he shouleth them yet, that is to say, till he proove it otherwys by some of their outarageous dedes in the deallinge and misdeuandinge of men for hereps, that he bere bis fameth them of, then he hath yet provd, and that he proue their cruel wroungful deallinge, otherwys the by some fauer, by his owne sayinge: the kings higheenes and his counsall can ce for all his wholesome counsall, no cause to change those Judges are already, but to leave them idle, and then sereneth that diuines of nought.*

*And on the other side, if he mere that the kings higheenes shall suffer none to be Judges in cause of hereps that hath ange loype at all, either of pyde, or of couertis, or any sole at all in this world: heretikes may yet still be make meru for a little reason, whyle men walke aboute a seke for suche Judges. For it will nor be lesse then one hole wekes worke I wens both to find such and to be sure that they be such.*

*Here you hearde good readers, a reasublc caule why that I should take him he should have the spiritual Judges, such as hold have no spice of pyde, courteous, nor woorfe lone. For eithir he must meane to; or elles (as I sayde) he must meane on the tother maner which Icannot say, which he would now come to men. But then (as I have sayd) if the ment in the first fashion as he wold now feme: all his tal is overtunede. For then hadde he no cause of any such complaint. For he neither had himselfe when he wrote noz any man elles, prised by any of them the contrary. And then needed he not to spende his profound wisdoms, in making such exhortations to the kings highnesse a bys counsall, to see with so great diligence (as though they had fese to long negligent) to the thinge highmesse could not saye, but it was merey well enough alreadie. And thus if you fe good readers that he left out a dissemblde that first parte of my woordes, because he will none what to saythere.*

*And the fesith, except he meant in the first maner: (which he could not dowe with oitne the marring of all bys matter) you see well that himselfe done me to thinke, that he wold have the kings grace and his counsall, be diligently there shoul be no spiritual Judges, but they that had no spire of pyde, courteu, or woorfe lone at all. And then might heretikes as I said, while such Judges were in seking make meru for a little while. And I hope my self meeley wel within my bounds.*

*For where I sayd it woulde be a wokes inske to seke them: I wene it woulde be for night full ere we found them.*

*But then goeth he futher somewhat aboute to shewe, that I have misdeuande his woordes, and with uponing mine own into his, haue made it seeme that he faited much worse by spirituall the he either said or ment. But when you haue heard all his tale and mine too, you shall wel fe god rederes he thall thener while he liethem coney this geare to seekone. For these are fisht his woordes here.*

*Be and he falsely it will be the more bar to find such Judges. For he sayed, that I haue put mys matter out of doubt, that wheres men would haue wend forrest to haue found them, that there I say it woulde mermorlous harte to find any one of them, either pistles, secular pistes, or religious persones. For he sayed, that I say pleynly, I haue theyer to manpe vertues besides, that yet I say, it will be harte to find any one spirituall man, but that he is so infected with despe's affection to have the worldly honoure of pistles erased, that he is throwed such pride faire to such indifferency and equitie, as ought and must be in such Judges, which as he sayd, I aligne to be such, that they must have no spire.
The Debellation

As to thys last rehearsed sentence of maister Hire this is his trouth therein. I say in another place of the said treatis, that maister Hire hath rehearsed here, that is to say, in his book, Chap.ter pentap by, that though many spiritual men may be found, they have many great virtues, and great gifts of God, as charitie, liberitalie, pacience, sobrene, tempeance, cunning, and such other: yet it will be hard to find any one spiritual man that is not infect with by lapd belpys affection, to have the worldly honour of priests exalted and preferred. Therefore I say if any lep man repent and turn from all sinfullnes, though it be open knowledge that it is as he saith, yet they will be more diligent to cause this lep man to cease of this sayings, then to doe that in them is to reforme this that is miscell in the priests that it is spoken of, taking as it were an occassio to doe the lesse in such reformations, because lep men speake to much against them. But surely that will be none excuse to spiritual rulers as Hire saith, when he will affe accompany of his people that are committed unto their heaping.

Howe you se god readers, howe by true it is that this man telleth you. For here you see that this sentence leaveth not where he saith it left as to that purpose: but you see that it goeth farther: and bouth that purpose byll, to shewe that it will be hard to finde any one spiritual man tull and indifferent, bat that the despise and affection to have the worldly honour of priests exalted and preferred hath so far infecte them, that if a lep man repent and any will of a priest, though it be openly known that it is as he saith, yet they will not only rather put the lep man to silence, then any thing amende the priest, but that they will also doe the lesse to the amendment of the priest, because the lep man speake of it. Which affection cannot be but a serge proude damnable scowardnes.

And therefore while this god passeth not there saith, that all the priestes be so far infect with such a proude damnable depsie of their worldly enlacement, that it will be harder to find any one of them an other. And then a little before those words as you may see in his sayd Chap.ter in myne Apologie, folio 235, he faileth of the figure of a great rumour among the people, that spiritual men punisheth there rather to oppose the that speake anything against their worldly honour.
honour riches or: then; for: scale of the
lappeth: these woods: tos of bys being there
such on. fold nowe god reader whether I
might not well saye that this god man
faith it: will be harde to finde any one spirituall
man: but he: is so infected with
the desye of satisfaction to have the world
ly honours of pieties eared: that he is
to. through such pypse farre fro such inde
sence and equitie: as ought and must
be in such judg.: as buntelie allungeth
be such. as they must have no spece of
pride,conetee, or: love toward g would.
I am very sure: that his woodes magnify
myne and more to.

E Yap lappeth he: for: I do not meane
they hold have no spice thereof: for
they may have some spice thereof: yet may
be judges: in hereby well enough. For
they may have that desye in some degree
and some entente and not offend therein.
Specially: deadlie.

But I have against that proved asose
that he must: more: or: elles must have
left his tale untold. For: if he: must to be
content with: olke of: meane conditions
without notable enormities: suche they
were already and then had: his: greater
hoctacion little place.

Also this pride with which his woodes
say that: they be all so fose infected: that
it will: be very hard to finde any on other.
is a very pestilent pypse: and in an hugh degree
and such as he: could not well de
vise a more: deadely dissimmacion of the
whole spirituall: then those woodes be
which if they: true: (as they be false)
plainly proved: i in all the whole clear
gy it will: hard to finde any one god
honest man: or: mete to be a judge either in
hereby or: in any thynge els. And to wilde
be bys burtie of his: take away: as i
had from examination of hereby: at the
spirituall judges: and leave them none
at all.

And yet good readers: to the ende that
you may: tther perceive: what those
woodes of this man amost into: which
be woulde make you were here: that I
bothe: miseriehere: and misdetermine: be
to safe to reade my woodes that I
write upon them in mine Apology. sq.
2.8.
But nowe this god pacifier percep
uing: that it will be hard to heare it: but
that his woodes clearly take awaie fro
the cleariety: of such indifferenc and ins
ifice: as himselfe allungeth to be required of
necessite: in every man that shouldre
be sufferee to be judge in hereby: he fal
let to another seeking to tame the matter
by pypse. And therein thus he faith.

And furthermore: though it: were
as maister Pocete tell: it to be: that my
woodes thould be bounde to that effecte
that the judg: that wer then: were th:
rowe such pypse farre fro such indi
sence and equitie: that I allegge: pet: y: pro
neath not but that they benowe inde
sente and rightheous. For: they mighte
spie the making of the lappede treacle: be
come through grace: indifferent: righ
theous: make: liberall: and loughing to god
and their neighbour: though they were
not so then. And if they be: of the here
tykes shall not make merpes for lacke of
judges: a wike: yet a day. For: some
judges may be: still without changing
to hearre and examine them when neede
shall be. Thus as we fetheth: it appeareth
every way: that the exception that ma
ister Pocete taketh of changing of spir
tuall judges is but of small effect.

Tho reason hath: so: some subtletie:
it hath no substance. For: if they were
all so noughtype to late: as this god man
faith they wer: it will: be but hardely bele
ved: that so many of them: upon so short
a sermon of this poyse preacher: the be to well changed: to some: be: as I said:
therethere were well lyke: yet one were
teger to make merpe before: men might
have so sure experience as to put them to
some trust to be judges thereby: who
this pacifier had perlaued to be so far
unmete for the matter so late. And ther
there appeareth every way: this good
mans inuenition is toward euill of very
great: toward god: of very small effect.

Then goeth: but with the mat
er and thus he faith.

Then lappeth maister Pocete fether: that
is: some lape: be so sufficienet prose:
then is my tale: at lost: And to these
woodes I will: aunentur: thus: I will agree
that my lapying that lape: this: or this;
is no prose: neither to prove: that some
lapese: nor yet to prove: that it is so. For: in
every prose: mus: two witnesse: at the:
least: but if two will prove: it is: then it
is a prose.

And surely: is maister Pocete will en
quire: for: the truth: in this matter: he
shall find: that there be: many of them:
two that lape: so. And bercyse: if: ma
ynge: men lap: so: though the trueth be no:
so: let the tale: is not at lost: to say: that some
men lap so. For: then it shall: put the by
shops rules: spiritual in mind that
they are bounden in conscience: to help them
The Debellacion

A them that say to all that they can, for the danger that they runne in by that saying. And if it be true, then may the spiritual rulers order the matter as they shall see cause, and reforme it in suche charitable maner that none shall say so hereafter: but they will of malice doe it, and renne into the slander of the Pharisees: and that would charitable be examined, whether it be so or not.

This is a piece of discourse, and such as I have seid some time as the like come out of all wise men's mouth. For, though that in judgment men must presume a thing is true, which two good honest persons sawe and examined depos'd testifie, that themselfe have seen the deed, or herd the words spoken by the mouth of the person which so; such deed or saying is doubted: yet latter no man for all that, that there are two men saw it and knowe it too, therefore it is so. For as to the necessity of the consequence of the deed, this argument is very well spake of this man makest. Two men say it is so ergo it is so.

Then upon this argument such as you see, he senteth me to enquire and then I shall: he saith: whence, that there be many men that say two that say so. That may well happen now by occasion of this booke of divulsion. But what if I enquired of the friends that I should have to enquire not onely many men then two hundred, that wold say that the spiritual men for such evil affections as this good pacifier surfeteth, have great dispose to abuse menno; note them of hereesse: yet while al they could among them all ley or se no se at all, but always the truth proved contrary, both by that, that in facs 6 most part of this realm, and take Wales thereto, there have not ben before his booke of divulsion, such menne abused in this manner. And in those that have been, rigour hath not been more then necessary: but there hath bene bene more then necessary labour, and that this hath been already poued over then once, before the kings honourable counsell, I would not esteeme the babbling of two hundred, no not though they wer two thousand, and per many more, the maintenaunc of two straues, for any thing that I would regarde any good man the worse. But I wold for their own partes before ahaemed to heare them, and clearly perceiving that they onlyl spake: I wold be for ashamed to tell the tale again after them. And this I saie, if I should with inquiry thus happen to enquired, as I verely trust I should not if I dydeon enquire.

But nowhys some saie brenging so falle as it is, it is a word yet to see what a sentence he spyneth, that he would not yet by hyss wolle have hit the loss. For he saith, that though the truth be not so, yet the tale is not lost to saie some meene saie so; For he saith that then it shall putte the bishoppe and spiritual rules in mynde, that they are bounde in confinence to helpe them that falle to all that they can, se the danger that they runne in by so saying.

What god I praye you can this falle. For some say do: for what can the spiritual meene doe so? they helpe that to bothe them any other then advise them to learn such lying. And that has been a better parte for thys good pacifier to have playde himself, and to have told them upon whole tale he wrote it: that to the preciphe and rebuke of so many good and worthy men make a booke of divulsion, and therein write every lewd wordes, that any lewd folks, or any false theorists would tell by. Whole cuill congues the spiritualtie can never appeale, but is to please them they should by pleasse God, and without letplane expresse growe and goe furth, shoulde themselves rather make cuill then let lewd folks speake cuill.

And nowe to thentenc good readers, that you may the more clearely see, to bothe little purpose the pacifier hath in this present answered me, ye shall understand that any_wordes in mine Apology which he would seem to answere well here, were these. Folio. 257.

But yet is this pacifier not to favourable towards folks suspected of hereby, as to take away the power of the bishoppe for ever of arresting them, and to raise thosinaries for ever to the accusations against hereesses and processes of excommunication, but will haue the pacifier, the bishoppe power of arresting no longer susptended, then as long as spiritual meene have that great dispose to cause men abisse to have them punished for hereby, as though he hadde well proved that they have so, because he saith that some men say so.

But nowe ys some saie no sufficient praise, than the tale lost. For he heceth not cause why that power of theys should in any case be more susptended now then in any time here before. And on the other side if some saie be a good praise,
of Salem and Byzance.

By profession, the suspending will be as long as a depopulation for ever, since there shall never be any time in which there shall lack one of other some taste to say more than truth.  

Lo god readers, here you see, that by the second part of these woordes of mine, he aunwereth nothing at all. And than have you seen before, that unto the spirit, his aunwrers is so fiable, that it had been better for him to have done otherwise, as he doth with the tother, leave it aunswered to.

But nowe goeth he further and faith.

Then faith, master Pope yet further, that which is a light suspicion and which is a heavy, and which wittnesse be sufficient and which not, must be wipet by the spiritual judges, and oppon they, woying of the matter for light or heavy, to solve the arrest of the partie, as the leaving of the arrest. How beryly in this pointe may thinketh that master Pope made a right good motion, that it is to say, that the matter should be examin'd before the arrest. For it hath been sayd in times past, that in such a case the arrest hath many times gone before the matter in this place already.

Nevertheless, under what manner the examining and the arrest should be made in such case, I will make no breache at this time. For happeyn master Pope would not want a default at it, and therefore I will leave it to them who haue authority, to treat further of it, and to deuide how to avoid the same matter, that master Pope spocheth of in his saysi. Chapter.

Now god readers, this man maketh here, as though I had gaven hym in my woordes, some great advantage to goud some great matter upon. And therefore I shall reheare you, what my woordes were, that yourells may se howe I overcame my selfe therein, and what he meaneth by same that he nameth here. These are in my woordes in myne Apology, p. 257.

Yet is to be content at the last, lest everie man might tyme the peril of his device, to temper his speech in suche wise, that till the spiritualie have lefte they cruel delice of abusinge and punishing folk for hereby, they should not be sufferd to arrest folk for every light suspicion, or every complaint of herself. Howbeit be gruntereth, that where one is openly and notably suspected of herself, and sufficient recorde and witnesse agaynste hym, and besides all that, a doubt that he would see, whereby he might infect other than he gruntereth it convenient that he holde be arrested by the body. And therein he bringeth in the Clementine and the statute, by which the Diniarres have power to arreste folk for, suspicion of hirself, and would as force as I perceive, have the bynges returne them after his cutte. But yet ther is which is a light suspicion, and which is an heavy, and which is a light complaint, and which is an heavy, and which is an open suspicion, and which but a prieue, and which suspicion is formatable, and where it is not notable, and which wittnesse be sufficient, and which be not sufficient, be thynge that must be wipet by the spiritual judges, and oppon they, woying of the matter for light or heavy, to solve the arresting of the partie, and the leaving of the arrest. We be come again as in a maze to the point where we begane, that be the matter grette; small let al the while they be cruel, they shoule not be judged by frite hauepe, and small gret is their arresting, and any at all must be suspendered for them, and send them to the by exeaction, till we see that same mynde of theirs of defying menes aburcation and punishment be truly chamged and cease, that is to say, till there be no man left that will so much as say, that some men say that they have lest that mind yet, and make a lie again of them then, as these some have done that have fo farde already to say: John 

Some here now, and long will it be I warrant you ere ever all such folk have. And therefore, Sith in the meanis feasion by this pacifiers good occupye, here you have gote binarrested, I cannot believe that this waye was followed, it would be any good mean to make that willfull offendors in herefie should be not punishments, as faste as both in the end of this Chapter and the tother hereafter also, be called upon the bigneses bignes, and his couensale, his parliament, to loke upon thiss matter after his good advertisement, and never cease till they bring it to effect.  

Here you see, god readers, because this man with his devices bringeth hymself into a maze, out of which he cannot see howe to gette, he would nowe sette other folk to study the aubout. And would make them very carefull, about any thing little needfull. For if that well appeare, so well ben proued to, that the spiritual judges have yet hitherto in %
The Debellacion

As for hereby, right well examined and considered, first the cause and the necessity, and have been rather therein many times to know, then any time over halfe. And therefore I may and will say here again as I have there, that I little doubt, but that if the kinges highnesse doe as I doubt not but his highnesse will, mayntayne and assure the spiritual estate in executing of the lawes, what there that are already made against heretics, and communda every tempo; all officer under hym to doe the same for his part; though ther were never moe newe lawes made therefore, ye shall both innocents be saufed harmless weel enough, and offendours punished too.

To this cunneth such this good man in this vspe.

I have bere all to those words of master Poeze I dare say thus, that master Poeze ov he had spoken tho words, hadde occasion by reasonable conlectures to have douted more at the matter then he had done, to have thought it very like, that if the same lawes hold stande as doe nowe in every point concerning heretics, that many innocents that be not gottle, might upon suspicion of hereby be detesten to pourge themselves, after the will of the Ordinie, and yet be not gottle. Poe and over that master Poeze might have reasonably doubted, and as I suppose in conscience, he ought to have doubted moreover he had done, that sometime innocents might happen upon the like; as by nowd complaintes by favour of officers, or upon malice or displeasure, be avouched before examination, and yet master Poeze himselfe observeth, that the examination should be before the arrest. And he might have doubted also, some innocents might by such perjured persons, as be above rehearsed in this chapter be sometime confounded. And therfore the said words of master Poeze, whereby he taketh upon him to say, as it were in his own authority to percurme it, that innocents by the same lawes as he already made for himselfe, shall saufed harmless weel enough, might happen to be of small effect to help an innocent man; woman that should happen to be wrongfully troubled in time to come against his worpes before rehered.

Now vely to all these words of this good man, I dare say thus, that when I wrote the words had and yet have very god conlectures to put little doubte therein, for though I might thinke that this harm and this harm might happe; yet ther I have well seen it produed, that the spirituall judges have bred themself in these matters, not only so truly, but also so favourably, that no man can prooue in this realm such harmes to have happed yet, but whereas such tynges have been of late surmised, they hath been well proved contrary before the kinges honourable counseil, I had and have very god cause to thinke, that as they have done well hitherto, so shall they well doe hereafter.

And sith all this good mans grounde is no more, to take away all approued lawes with, but that harme may happe sometime, to some god ma therby, which reason he may make against the best law that all the world can make: I dare be hold to warrante, that that colr reason to ferrethus ferreth in such a weighty matter, is not well worth a ryple.

And if we come would goe aboute to change this one old long prove lawes: I would as my buetie is, say god give the grace to make the changes god, but for that little witchen that I have. I hereby believe and thinke that if any changes be made rather more shake then Creaghther: then shall the changes be made rather fare worse then better. And thus end I god readers this good of mannes. B.VII. Chapter.

C. The. vsi. chapter.

Is. v.iiii. Chapter beginneth. Folo. let. Wherein he beginneth first with the Ca. inquisita. Whereby it appeareth that all lodes rules temporall, are prohibit that they shall not in any maner take knowledge of judge upon heresies. And by this himself addeh unto it in his boke of disput. On, that he is that inquirometer of heresies, taketh knowledge of heresie, and that himselfe seith nor is alone, but summi. B. illis. fait he to. And herupon he concluded, that it should seith, that all the justice of the peace be recommunicate, and all howachers in letes, and al enquistes too, as many as meddle withall. For, whether in letes they make or not, the faith he doubted, but he faith I say they may but he telleth not where I have so, nor as I verely thinke he never found it in any boke of myne. I say in myne Apologie, Folo. i.ii. that in euerie lette they
of Salem and Byzance.

A they doe so, whether they lawfully so may doe or not, thereof spake I nothing, albeit I think they may well enough, both without offence of the kinges law, or peril of curting either.

For I little double, but that ther wer of the clearaye at the making of this statute more men then one, that were of concylle in the making of this statute, that undersode the Chaptre inquisitiones, as well as this god man both if Summa Roffaia wer then made and in maners handes.

And I doubt not also as little, but ther wer at those daves in the clearaye more then one, that were of concylle in the making of this statute, that undersode the Chaptre inquisitiones, as well as this god man both if Summa Roffaia wer then made and in maners handes.

And I doubt not also as little, but ther wer at those daves in the clearaye more then one, that were of concylle in the making of this statute, that undersode the Chaptre inquisitiones, as well as this god man both if Summa Roffaia wer then made and in maners handes.

And to thythis labre mapster Sore auowther not, but palleth it over, as a thing as it seemeth he little regardeth, but onely that he maketh that the labres of the kynge, and of holy kyrche in herelies may well stande together for ought that he saith: And yet it appeareth, that by this law they doe not agree at all together. And therefore I thinke it should not be so lightly palled over as if maister Soree dooth palle it over. For it is a dangerous thing to fall into ye least custody of the kyrche.

There were two causes for which I auowther him not, one general cause, concerning all his matters of lawes of the kyrche where in he sitheth faules, of which I shall speake afterwaerd. Another special cause ther was concerning this eremunificacion. And that was what me thought and yet thinketh, that he speakeith in so muchly I was ahaed on his behalf to meddle with it, to make open his childish handling thereof.

But now I shal fe by how counte fo to great a confest that he put me to fierce therin, what purpose can he dispute for which I shoulde have auowther any thing to that poynt; had I made any poffision to prove every word wrong he sayd in his boke, he knoweth that I sayd not that I would meddle, but with those certain things I there speake of.

But now I suppose that there were in that law such faules as he aladgeth what could mine auowther amend the matter, or his boke of illusion either: I vunders well as he millerkeith it, could my boke or his boke take away curerse, so, but we maye put the parliament in mynde to make a lawe. His boke alone is as hable to put them in remembrance thereof as his myne together. And yet for that point neither needeth myne nor his neither. For the parliament hath made already a lawe for these inquisitiones. Which if ther might lawfully make in such fourme as they hauo (as I am sure they myght) then I am sure that they faile not in eremunificacion for it. Howe if they might not lawfully make it, and ther by sell therin, what could the parliament further add unto it, might deliver them of it. And therefore I can not in god faith he to what purpose he worte of that poynt himselfe.
The Debellacion

But surely the repelling though it be the thing that is spoken of, is not yet the thing that is meant in this matter as it appearth in these words.

And therefore me thinketh it would not be so lightely passe over as maister Pope both passe it over. For it is a dangerous thing to fall into such least course of the church. And if it be sod, that the said lawe is popish, because the churches had no authouritie to make it. And that it is therefore not to be feared. And I will yet apperto, that though it were popish, yet as long as it is not repelled, it were god to eschewe it, and not to fall wilfully into the danger of it: and therefore it were better to re, till it then to lette it stande still, and rather doe hurt then good.

Where you may fee god readeres, that where as othere popists to repelle that law then it is repelled, yet not in our hands is our law ever against it, and other.

As of auct it never so repelling at al, but the law of the realme standeth there. With well enough, he maketh as though all the justices of peace were accurted therby, as often as they gende the tories in charge to enquire of heresies; therefore lest they shoude wilfully fall into the courses of the church, where of as he saith the least is a daunourous thing, ye may plainelee se that these wylde thinkes which abuse his laboure, meane in all this matter nothing elles, but that they would not have herefles examined of. And perhapes not to greatly to care thereof, for any greaer thinges that by such iniquities are in heresies present.

But yet thus declare they they god willeth these wylde thinkes that thus destroy this godly pious soule, and sett hym to enuill a work.

If the fear so much the courses of the church as he maketh, and understand and believe Summa Rosella so surelie as he pretended: it had been better for hym to examine well his booke of diuision, and this his second booke also by the trysts of Summa Rosella, and so well whether hymselfe darpe not from Summa Rosella, and by the sentence of Summa Rosella, fallen in the courses of the church by hymselfe, by some such manner of writing as his said bookes haue.

But none cometh thus god pacifieth surly with a godly piece to declare him self indifferent, to thew also a great ouerfight bode by my part: thus the god man some say faileth.