

The Debellacion of Salem and Byzance made by syr Thomas More. Anno domini. 1533.

After he had gyuen ouer the
office of lord Chal-
cellour of Eng-
lande.
(.)

The declaracion of the tyme.

B **H**e Debellacion of Salem & Byzans sometime two great townes, which being under the great Turke, were betwene Calster & Michelmas last passed, this present yere of our lord. M. v. C. chsry and thre, with a mervauouse metamorphosis, enchanted and turned into twoo englishe men, by the wonderfull iuenture witte and wicke-caste of syr John Some say the Pacifier, and so by him conuerted hither in a Dialogue, to defende hys devision, agaist y Apology of syr Thomas More Knight. But now being thus betwene the layd Michelmas and Halowentynde next ensing in this Debellacion vanquisched: they bee fledde hense and vanished, and are become twoo townes agayne with those olde names chaunged. Salem into Ierusalem, Byzance into Costantynople, the tyme in Grece, the cocher in Syria, where they may see them that wyll, and winne them that can. And if the Pacifier conuerte them hyther againe, and tenne suche other townes with them, embatailed in such dialogues: Sir Thomas More hath undertaken, to put himselfe in chaduture alone agaist them all. But and if he let them tary still there: he wyll not utterly forswere it, but he is not mucche minded as yet, age now so commynge on and wairing all his woldyc, to goe thyther & gye challange, to such well walled townes, withoute some such lustye company as shalbe somewhat lykely to leape vp a little moore lightly.

The prefacc.

Syr Thomas More to the christen readers.

D **I**f any man mervauail (as I weene somme wylle men wyll) & euer I would bouchesafe to bestowe anye tyme aboute making aunswere to y pacifiers dialogue, considering his faint and hys feble resolning: I can not in good fayth well excuse my selfe therin. For as I sodainely went in had therewith, and made it in a breide: so whā I since considered how lyttle nedē it was, I mervauailed mine own self and repēted to, that I had not regarded the booke as it was worthy, and withoute any one worde let it euē alone.

Howbeit good readers what one

thing or swafne specially moued me to make aunswere to it, and howe it hap- ped me to fall in hande therwith, and to spende and lese a litle tyme about it, to make the matter the more plaine vnto you: that thing shal I shew you.

As soone as mine apologie was ones come out abrode, anone herde I worde that some were very wrothe therwith. And yet in my minde had there no man cause, neither preacher nor pacifier, nor none hereslike neyther. For I had but spoken for my selfe, and for good folke, and for the catholike fayth, with- out reproche or reprofe to any mannes person, or willing any man any harme that wers willing to mende. And who so were willing to be nought still, had cause to be wroth w himselfe you wote well and not with me.

But all thys would not serue me, for very wroth wer they with me. Howbeit theyz

A theire causelesse angre did not greatly greue me. For I was not so farre vnreasonable, as to luke for reasonable mindes in vntreasonable men.

But than herde I shortely y thicke and thre folde y pennies went to worke, and aūsweres were a making, diuers, by diuerse very great cunning menne. And of thys traueil of such great mountaine hilles, I herde much speach made almost every weeke: so ferforth that at last it was told me for trouth, that vnto one little piece, one greate cunning man had made a long aūswere, of twelue whole shetes of paper, written nere to gither and with a small hande.

But in good sayth I could but laugh at that. For as for that piece, I was verye surc y the cunningest man y could come thereto, neither in tenne shetes nor in tenne queres neither, wite as nere as he coulde, shold never aūswere it well.

For that peice was the aūswere y in mine apology I make, as you se ther vnto certaine sermons, wherin my dyalogue was touched for writing a gaynst Tindalles false trāsacion. And wherin was also defended against me confutacion, Tindalles wise chapiter, in which agaynste my dialogue he labouret to proue that the woord was before the churche, and in all his chapter never tolweth the pointe, and the sermon that defended him, walketh as wyde as he.

It was tolde me as I saye that aūswere was made to that place, & what whist there was found to the remanaunt that could I not here. But to the firste point I heard say that there was deuyled, that whereas I rehearse that the precher spake of poisoned breade, I reprehersed him wrong. For he spake but of moulden breade. And this piece it was told me that in y new aūswere it was reasoned at leght, & set forth very lustily. But come the booke abroade ones, I shal sone abate that cozage. For first with hee taketh recorde that he sayd but mouldy breade: if I bring wytnesse also that he said poisoned breade, than can his wytnesse stande him in none other stede, but for to proue for hym that hee sayed both.

Secondly shall I prouie that he sayd poisoned bread, by such meanes y men shall see by reason, that though the other were possyble: yet was it farre onlykely.

Fynally shall I farther proue, that though the man had sayd not poysened breade but onely moulden breade: yet shall I proue I saye, that as the case stode, that same not poisoned bread but moulden breade, was yet for all that a very poisoned woord.

Hering therfore that this gay booke was made of the xiij. shetes of paper, & lacked but ouerloking, and that many mos were in hand that shortly shoulde cōe out: like as an husband, whose wife were in her traualle, herkeneth evrye hand while, and faine would here god tydinges: so lith I so much hearde of so soze traualle of so many, so cunning about diuers aūsweres, I lōged of their long labour to se soe god sped, & soe of those faire babes borne y the traualled on. And whē these gret hilles had thus traualled longe, from the weeke after Ester till as moch afore Michelmas: y god house came on as god woulde, that one was brought a bedde, with soze labour at last deliuered of a dead mouse. The mother is yet vnt grene god soule, and hath rede of good keping: women wote what canbell seruer agaynst her after thowles.

Now after that the booke was oute and came into myne hādes, and that I sawe the maner and the fasshion thereof: two thinges onely moued me to wite and meddle wthit. One that I saw therin folowed and pursued, the selfe-same shrewed maliciouse intent y was purposed in his first booke of devision, that is to wlete to make the ordinarie wth leare of slaunder & obloquie, leaue their duties vndone and let heretyques alone, and ouer that with an euil newe chaunge of good olde lawes, labour to put heretykes in courage, and thereby decay the sayth.

This was in dede the very speciall point that made me wite yet agayne. And yet founde I so little reason in his reasoning, that mee thought it shoulde not rede. For this wist I very wel, that whosoeuer had wytte, and woulde conserre and compare togither, the wordes of hys aūswere with the woordes of mine Apologie, shoulde sone perceyue that hys aūsweres were enē very dull and dede.

But then was there another thyng that I considered in it, whych points vnprouided for might soone deceiue the reader. For albeit the pacifist hath in some places put in mine owne wordes where

A where it pleased him: yet hath he soz the
And so doe most part vsed a pretie craft, to misse re-
heretines hearfe my mater and leue my wozdes
most conuenient out. Pea and besides thys, the mā hath
in some places left out soe of his owne,
and misse rehearsed them to make the
reader wene, that in the reproouing the
I had wriuen wzone.

Pow had I supposed to remedy those
things, to make him an awnswere in thre
or four leaues, with only pointing the
reader to the places, with writing in
what leafe he shoulde find h mater. For
the wozdes ones red: the trouth shoulde
shewe it selfe.

But while I was thus minded and
went there aboue: his awnswere in his
dialogue had faunden such away with
walking to and fro, keping no maner
order, and therwith making me seke so
long for some one place that I saw wel
I shoulde soner awnswere him al newe,
then find out for many thinges h place
that I shoulde seke for.

C I made therfore in few dayes, thys
awnswere that you see. And some suche
places yet as I had happed to finde, I
hane remitted the reader vnto in myne
apology, where for his ready finding,
I haue numbered him the leafe. And yet
haue I for some folke done somewhat
more to. For I see well surely many
men are now a dayes so delicate in rea-
ding, and so lothe to laboure, that they
fare in other bookees as women fare w
their primer, which though they be con-
tent to saye sometime the systene psal-
mes, and ouer that the psalmes of the
passion to, if they finde them all faire
sette out in order at length: yet wil they
rather leue the all unsayed, then turne
backe to seke theim out in other parties
of their primer.

D And therfore leasse some readers
migt hap in this booke to doe the same:
some places of the apoligie much neces-
sarie and not longe, that with muche
seking I fortuned to finde out, to ease h
readers labour, and make all open vnto
him, I haue putte in also, into myne
awnswere here. Pea and yet ouer thys
in the thinges of most weight, I haue
put into this boooke hys owne wozdes
to. And so shall you good readers w-
out any paine of seking, haue all h mat-
ter plaine and open afoze your ysen,
that ye shall well se that I loue h light,
no lesse then this pacifier would sayne
walke in the darke. For as the darke is
in thys matter all hys auantage: euē

so is verely the light in like wise myne. **E**
And whereas there are some that com-
mende his awnswere, for the compendi-
ouse breuite therof and shortnesse: Inc-
thing therin enuy the mannes prayse,
For like as no man can make a shorster
course then he that lacketh both his leg-
ges: so can no mā make a shorster booke
than he that lacketh as well wozdes as
matter. And yet when by the places co-
ferred wel togither, the feblenesse of his
awnswere shal appere: then shall he lese
prayse of shortnesse to. For whē it shall
wel be sene, that he sayth nothing to the
purpose: then shall every wise manne
thyng hys booke to longe by all cog-
ther. And that ye may well perceyue h
so it is in dede, lette vs now leue of thys
preface & fall vnto the matter.

The first chapter.

In his syrl chapster he tou-
cheth thre thynges. One h
I have deceiued hys hope,
in that I have not in mine
apology devised some con-
uenient wayes to reforme
and redresse the devision betwene v te-
pozaltes and the spiritualitye, to whitch
point I wyll awnswere after in the tou-
ching of hys seconde chappyter.

The other point is, that sith he never
found any faute in any wozke of mine,
of which for other lettes he never redde
none: he meruaileth much therfore that
I make such obiection against his, and
namely in that wozke which I woulde Apologie.
name an apology, which name signifi-
eth as hee sayeth an awnswere or a de-
fence.

Nowe where thys good manne de-
clareth what thing an Apologie is, and
sayth that it is an awnswere or a defēce
for which cause he the more meruaileth
that I woulde in that booke write agaist
any treatise of his, who never had anye
thing writē agaist any wozke of mine
as though that therfore my wryting a-
gainst hys wozke woulde in no wise
agre with h name of my boooke: I might
awnswere him that the touching of his
boooke, was but an incident as I shewē
in the 100. leafe of my sayd boooke, and
not my principall matter, and therfore
of many nougat thinges I touch therē
but a fewe, and suche as were in no
wise to be dissembled.

But nowe meruaile I muche more,
wherfore he shoulde so meruaile, that I
would

delicate re-
ders.

Awoulde in the wozke which I name an aunswere or a defence, write agaynst his wozke which nothing wrote agaist myne. For if the thyng that I write against his wordes, be an aunswere or a defence in dede: then though it be not a defence for my selfe, yet is the cause of all hys meruayle gone. For in þ booke that is called mine apology, it is not required by the nature of that name, that it be any aunswere or defence for mine owne selfe at all: but it sufficeth that it be of mine owne making an aunswere or defence for some other.

And as these titles *Cabucium Sinecius, Moria Erasmi*, bee names conuenient for those bookes of theires, though þ matters in those booke signified by those names do not only pertaine unto *Sinecius & Erasmus*, or peraduenture to neyther of theym both at all: so may my booke well bear the name of an aunswere or a defence, yf it bee an aunswere or a defence made by mee', though he were all made for other folke, and not one pce thereof made for me.

Co is it nowe that mine apologye is an aunswere and a defence, not onely for my former bookes, wherin the new brethzen began to synd certaine fautes, but ouer that in the self same part wherin I touch the booke of deuision, it is an aunswere and a defence for many good mo:shipful folke, agaynst þ maliciouse flaunder and obloquye so generally set forth, with so many false somme sayes in that sedicioouse booke.

Do the selfe same piece is also an aunswere and a defence, of the very god old and long approued lawes, both of thys realme and of the whole corps of christendome, whiche lawes thys pacifist in his booke of deuision, to thencoragynge of heretikes and peryll of the catholike sayth, with warme woordes and colde reasons oppugneth.

And finallye for as much as many good vertuous folke began vpon that ill booke of deuision to haue a ryght euill oppynion of the maker hymself, whome I for hys playne confession of the true sayth,ooke and take yet for a man good and catholike: therfore I in many places of mine apologye, lay the faute fro the man hymselfe, vnto some wily shrewes that deceiued him. And so was mine apologye an aunswere also and a defence, for the perso of the pacifist himselfe.

And where he goeth aboute nowe

for to confute it: there is not in all the remenaunt of hys aunswere one pce y any thyng appeireth any point of mine Apology. Howebeit of trouth in this poynþ he goeth most nerme. For thys aunswere hath he made in such maner wise, that I shall haue now much more a doe then I than hadde, to make anye wyle manne weene that euer himselfe went well.

And yet wyl I not leane it so, but still will put it from him to some false wily shrewes, though the man do as he doth, **I** say contrary thereto himselfe.

And the more the man denieth that thing himselfe: the moze hee maketh it lykely to be true. For when in the thin- ges y so plaine appere so noughe, he rather takeþ the matter all whole vpon him, then suffereth any part to be layed from hym, but if the man haue an impoztune p̄sde as by Goddes grace hec hath not: els is it a lufe signe and a god tokē, that he is such a good simple soule as soone may be deceyued, while we see that his wyt serueth him no better, but that hee would rather appere malyciouse then vnwise,

But now þ I haue proped hym that þ the name of Apologye, may serue very well for every piece of my booke: now wil I sowhat see how þ matters of hys booke agre well with the name therof, I meane not here his booke of deuision. For of that booke the name and the matter agree togither well, but I meane of hys new booke that we bee nowe in hande wþ, whiche booke as appereth in the first front of the fyfte lease is named *Salem and Vzance*. And therin of an hūdred and sixt leaues (for so many bee in the booke) there are þ scant fully fiftene, that any thing agre with the name.

Now if he wil say that the communacacion betweene Salem and Vzance is but a bye matter beside, and that all the remanaunt betweene theyz talkinges, is the very booke, than is it wōse, for then hath hys booke never a name at all.

Moze ouer if it so were: then shoulde none of the thre last chapiters beare þ names that they dooe, that is to witte þ xij. the. xxij. and þ. xxxij. chapter, but likewise as he calleth the beginning of theirre communacacion before his matter, an introduccion: so shoulde he haue called those thre chapiters after hys matter, an extraduccion.

And

A And yet I wote not wel what I may say therof. For in the beginning of the booke, their first communicacion is called an introduccio, and so is it entituled vpon the leaues. And yet in the very ende of that introduccio before the firste chayptcr the man sayeth hymself in the person of Bizance, that he hath made as yet none introduccio at all. What he meaneth by this can I not tell, but if he meane to make men wene that Sale and Bizance were two Englishe men Bin dede, and speake those wordes theselſe without any wordes of hys.

But now because he sheweth himselfe so cunning in greke wordes, that vpon this wordes apologye, he findeth þ afore said fawte with myne apologye : as though he were ouersene and obſerued not the nature of an Apologye; let vs ſe how well hymſelfe that in the begynning calleth hys booke a dialogue, obſerueth the nature and propertye of a dialogue.

C In the thirde lease when Salem ſetth himſelue deliſtouſe to ſe the pacifyers aunsware: Bizance aunswereth:

I Hal cause it to be written here after in this dialogue wordes for wordes, as it is come to my handes, and then thou shalt wyt good will haue it. And thou ſhalte vnderſtande that hys aunsware begynneth at the nexte chapter hereafter enſyng, and conſinueth to the place where I hal ſhew thee that it endeth.

D Consider good readers that thys introduccio he dothe not bringe in, as a reheatall of a communicacion hadde before, but as a communiction p̄ſet. And then let hym ſhewe me where euer he hath herde in his lyfe any twoo men in theire talking together, denide their present communicacion into chapters. This is a point not onely ſo farre fro þ nature of a dialogue, but also from all reason, that a very childe woulde not I weene haue handeled the thyng ſo chidishelpē.

Also that Bizance telleth Sale that the pacifiers aunsware ſhal be wrytten into their dialogue, þ is to wit to theyr communicacion: who ſaw euer the like Who ſaw euer any thing written into a communiction, and wryting plantēd in a mong wordes ſpoken.

And what reaſon hath it to tell hym where about in their communicacion, the pacifiers wordes ſhall beginne and where they ſhal ende: as though he Sale

talking with Bizance, had not þ wryte þ to perceiue whē Bizance ſpeaketh himſelfe and when he redeth him the pacifyers wordes written.

Also what a ſtraunge monſtrous beast maketh Bizance to Salem the pacifiers aunsware, white he maketh as though Salem coulde neither perceiue the hed nor the caile, but iſ himſelfe poiſed him to them both with a ſtricke.

Mozeouer whereas Bizance ſayeth he wil write it into their dialogue, that is to wryte into their preſent talking as ſoone as it cometh to hys hādes, ſo that at that word he had it not yet, and than hee wryteth it in, even by and by, & nevther goeth any where to fet it, nor maketh any man come thither to hym to bryngē it: is not this properly deuised?

Than ſtanck they bath ſtill there as thei ſyſt meeete, and that is in the ſtrete by lykelyhode (for there folke moſt comenly meeete, that meeete at aduenture as they doe) and there is all þ aunsware perufed, the reading whereof ſtanck them at the leaſt fourre dyſyne howres I crow. Howebeit there I was a lytle ouersene. For they ſtanck not there ſtil aboute the readyng, but there ſtanck they ſtil both twaynes al the whiles that Bizance ſt as you ſe into theyr talking and comunicacion writing it. And that is but iſ Bizance wryte faſt, I warrant the worke of a weke.

Now than at the weekes ende whan all the .xxi. chapters are wrytten: Bizance in the .xxij. chaypter giueþ Sale warning, that there is the aunsware of the pacifier ended. And this was by the pacifier ſole prudently deuised. For elles woulde Salem weene that their owne talking togither in þ eſther three chapters by mouth, had ben ſtyl nothing els þ but onely Bizances writinge, and els woulde alſo Salem haue thought that hys own wordes of exhortacioñ againſt the great Turke, and hys own reherſing of that expoficion of the apocalyps, had ben ful þ pacifiers wordes againſt myne apologye.

And finally in the very ende to ſhew that he could write, not in onely proſe: hee enderth all the whole booke in thys wryte with a gloriouſ trinitie, þ And thus þ gloriouſ trinitie, haue in his keping both theire armes, þ and maketh Bizance the may ſor no moe but for them two, after muſterde maſ the viauer of the good man Gymer, a bers piaſer. muſterde maker in Cambridge, þ was wont to pray ſor hymſelfe and his wife alid

And hys childe, and grace to make god
musterde and no more.

And thus you see good readers that
where this man is so cunning in greke
wordes, that he can shottly find hys faute
Where I sayle in the nature of an apo-
logy: hymselfe in hys owne dialogue so
well conserueth the properte of a dia-
logue, & expresteth it so naturally, that
it could never be done more naturally,
not though he that wrote it were even
a very naturall in dede.

But where he semeth to haue misua-
led whan he redde myne apologye, that
I would make obiections against hys
wozke, while he never wrote any thing
against no booke of mine: in good faith
if he had, I woulde never haue bene the
moze hasty, but somewhat pcraduertre
the lesse, lesse it might haue seind that
some desye of reuengyng myne owne
displeasure, had excited me thereto, wher-
as now no wozldy profite growing
to mee thereby, there is muche lesse
cause for any good man to thinke, that
I would take y labour to write against
a wozke I wyl not whole, but if that it
had at the leste wyle seind to my selfe, y
there were such thinges therein as god
would gyue me thanke, to gyue menne
warning to be well ware of them.

And where he saith he wyl not touch
every thing particularly, but take an o-
ther order al out of order in answering
therunto: I can not let hym in his own
booke to vse what order that besse may
serue his purpose. But me thought and
yet thynke, that I my selfe toke a very
plaine open waye, whan the chapters
of hys, which I woulde awnswere to,
I peruled alway every thinge in order.
Which order while he foloweth not w
me: how you shal finde it, your self shal
good readers ludge vpon the ende. But
yet in the meane while at the fyfth face,
it semeth not that with leaping oute of
order, he meaneth to make you the mat-
ter very playne.

Noz al, he sayth he wyl not awnswere
neyther, for avoyding of tediousenesse.
And of trouth if he haue (as he semeth to
signify) any other businesse: I thynke it
be somewhat tediousse to him to awn-
swere all togither.

Finally where he sayth that he sup-
poseth to make it appere as by hys an-
sweres, and by hys consideracions and
hys declarations, that myne obieccions
are lyttle to be pondered: first soz hys
argumentes made agaynst the lawes,

whereby the faith is preserued, and he: **C**
resyes kept vnder, those argumentes al
hys aunsweres will never bce able to
mainraine. And as to the remenaunt,
in good faith the better y he may make
you hys innocent minde appere, the
gladder a great deale wil I bee thereto,
noz nothing purpose I therin by thys
present booke to doce farther, than to
make you clerely perceiue, that howe
well so eaer himselfe here declare hys
good meaning, my selfe was not cause-
lesse there moued to synde lawte in hys
writting. **A**

The second chapiter.

N the iij. chapyter begynning in the fift lease, hee
bringeth forth the first con-
sideracion, which is that I
in the .xxix. lease of myne apo-
logy confesse that murmur
and discencion against the clergy was
than already farre gone onwarde in
hys vnhappye tyme, and that after-
ward in the .xos. lease of the same booke, **G**
I bring in a very darke sentence, wher-
by it appereþ that I meane that the dis-
pleasure and grudge betweene them is
in dede neither so great as he maketh it,
and yet growen to so great as it is, but
the now of late. But who so lokeþ ther in
that place, shall I suppose finde it no-
thing darke, but if it be suche a man as
list not to understand it.

And where I sayle there, that thys de-
vision such as it is, which is nothinge
such as thys man maketh it, is not gro-
wen to so great as it is, but since that
Lindalles bookes and Fritches, & frere
Barns, began to goe abrode: therein he
would seeme to saye the contrarye, and
byddeth me looke better vpon the mat-
ter, and I shall finde it otherwyse.
And in dede wyth better lookyng there-
on, I finde it somewhat otherwyse. For
I finde the tyme of suche encrease as I
speake of, much shottter than I there as-
signe, and that by a great deale. For it
was growen the greater by the occasio
of the selfe same booke of the deuision,
though the maker as hymself sayth and
as I cruff to, intended it not of purpose.
And therfore where he sayth that sith I
confesse that there was deuision at the
tyme of the making of mine apology, it
appereþ that I haue no mynde to haue
it creased, because that I leke not oure h
ances and devise the remedies; verelye
good

A good readers I never cooke and accōpted my selfe for a man meete and able to make a reformatiōn, of such two great parces as the spirituality and the temporalite of this whole realme be. And verely if I knew some such great causes as thys mā setteth forth for true, which I know for false, and that I than knew the w̄yes to reforme them to: I would vse other wayes toward it, than seditione flāuderouse bookeſ. For as I haue exp̄esly declared in myne apologye, W̄eyther never dyd I, nor never entend to do, put out abyde in p̄ynt vnder colour of reformatiōn, fautes that were hatefull and odious to here, syther of h̄tone parte or of the other, and specially so many at ones, as if thei were al true, wer not al likely to be remedied at ones but the moze parte for the whyle remaſning lyttle remedied, shoulde but make either parte to the other moze odious, & both partes more infamouse, amoungē ſuch other (if any ſuch any where be) as would be glad and rejoice to here much ēuill ſpoueu of them both.

And thys I ſay although that al wer true. And now would I much leſſe vſe that maner in making teheral of thos things, wheroſe many be false and vñtrue, and many other also very trifles, and the verye chiefe thynges that thys pacifier deſyreteth to haue reformed, bee lawes already well made, whiche hee wouulde haue made worse. For where they haue ben by wyſe men wel deuiled for the repreſſing of heretices, ſome by peritament in thys realme, ſome by the general conſayle of chyſſendome: thos deuileſth he ſo to be chaunged now, D as the chaunge whiche he deſyreteth though by goddes grace he diſcreth not that it ſo ſhould, yet out of doubt in dede ſhould turne to chencoraging of heretikes and encreace of heretices, with the minilhemant and decay of the catholike chyſſe faith. Wherupon would not ſayle whiche almighty god kepe from vs, his greuoule indignacion upon vs. And therfore God keepe vs from ſuche reformatiōns.

Now to lay to me therfore as a great faute, that I blame hys booke in thos vñtrue ſome ſayes, that vnder colour of ceasing deuilon, excite and ſet forth deuilon, but if my ſelfe coulde ceale it. Whan ſuche bookeſ make it: is muche like as if he would ſay that there ought no man to blame hym that would burn

vþ a nother mannes house, but he that C would build it againe.

And therfore wþth thys good reason of hys, he putteſt me in remembraunce of an aunſwer, that a manne of myne made ones much after the ſame fabriō. I had ſoetyme one w̄ me caſled Cliffe, a man as wel knownen as maister Henry Patenson. Thys Clyffe had been many yeres map, but age had taken fro hym h̄ rage, for that he was metely wel ware harmelesſe among folke. In to Cliffes head came there ſometime in hys madneſſe ſuch imagynacions againſt ymages, as theſe heretiques haue in theyze ladneſſe. For lyke as ſome of them whiche after fledde and came away, & ſong fell to theſte and were caught, pulled downe of late vpon London b̄idge the image of the blessed marix ſayne Thomas: ſo Cliffe upon the ſame b̄ridge vp, on a time fel in talking vnto an ymage of our blessed lady, and after ſuch blaſphemyes as the deuill put than in hys mouth, & now a daies bloweth out by h̄ mouthes of many heretiques, whiche ſeeme they neuer to ladde, bee yet more madde than he: he ſet hand vpon h̄ child in her arme and there brake of the necke. And afterward whā honest men, dwellers vpon the b̄idge, came h̄e to mine house & there blamed Cliffe before mee, and asked hym wherfore he brake of the childeſ necke in our ladies arme: whan Cliffe had heard them, he began to loke well and earnestly vpon them, and like a man of ſadneſſe and grauſte, he asked them, tell me thys amoungē you there, haue you not yet ſet on hys head again? No quod they we can not. No q̄ Cliffe by h̄ malice it is the moze shame for you. Why ſpeake you to me of it than?

And cuen thus aunſwereth me now D thys good man, whiche where hys ſedicious ſome ſayes ſet forth deuilon, and brake the childeſ necke rekeneth it a shame for mee to fynde any faute wþth him for the breking bor if my ſelf could glue it togither agayne.

And therfore where he ſaveth that I ſhoulde haue proued, that all the cauſes that he layeth as cauſes of deuilon, be no cauſes of deuilon, or els I ſhoulde haue deuiled h̄ remedies: albeit I haue aunſwered him therin already, yet this I ſay therin farther, that I haue proued well and clearely, that the verye chiefe cauſe that he layeth, is layed very vñtruely, that is to wyte the myſtehan- delyng

Gelyng the people to theire distraccioun
vpon suspcion of heresye.

Whiche cause if it were as true as it is
false were so weighty, that it were well
worthy to be layed for a matter of deui-
sion. And while it is not true: yet by such
bookes being blowen aboue in euery
parte of the realme for true, may well
misshappe to make a dyvision, whyle
the dwellers in every quarter about by
crecence gyuen to the booke, may at the
kyll face wene, that though it be not so
there as they dwell themselfe, yet tweene
I say that it were so in all other places.
Wherof though they shall by leysoure
perceyue the contrary with search: yet
they that aske no farther question, Hal-
believe it Kyll. And so a rumour ones
begonne and spreid abzode, is not after
soone remoued.

Now as for hys other causes of thys
deuision: diuerse I haue touched & shew-
ed sufficiencly that they be not suffi-
cyent. But as for me to peruse hys whole
booke of deuision thozow, was no part
of my purpose. For if those thinges that
I did touch had seemed to me tollerable:
I would in god faith haue bene loth to
haue touched them either.

In whiche whyle wyth his consyde-
rations and deciaracions he goeth a-
boute nowe to shewe that he than ment
none harme: I will not therein much
binder him, but be gladde rather to for-
ther hym in the ercuse of his meaning &
so did I as I haue sayd euuen in mine a-
pology to. But though he I be gladde to
ercuse hys own mynde in the meaning:
yet canne I not ercuse hys vnwyse fol-
lowing of false wylpe counsayle in the
doing.

D

The. ff. chapiter.

He thyrd chappiter contay-
ning his second consideraci-
on, rede and consyder it who-
so list, for I can see nothyng
in it to be considered by mee.
For in effecte it conteyneth nothinge
els, but that he would the clergye shoulde
as much as they may auoyde all occa-
sion of murmur and grudge, of the te-
morary toward them, but if it be phar-
isealls grudge yea and though the dede
that they shoulde forbeare were good, in
which point because y one point would
ware a longe woork, I will fall in no
dispicions. But in as farforth as he gy-
ueth any man good counsayle and wis-

sheth all thyngewell: so farforth shall **G**
hee and I not varye, but and hee call
me to hym, I wyll sute and praye for ic
wyth hym.

But yet where he sayeth in the ende
of the chapter, that I endeavour my self
very much, to oppresse al them that wil
shew such thinges of the spesialtayt: in
dede some such as haue made such lyes,
I haue tolde it them. But as for my op-
pession let hym proue one, and let hym
call that one. xx. And if he canne proue
none as I wote well he can not: then
good readers let hym be belyeuued ther-
after.

Moze ouer where he sayeth that I in
my minde proue it an inollerable de-
faute in the people for misiudging the
clergye, whereas I thinke they haue no
caule so to doe, and that therin I leare
them, as though al the whole cause and
principall defaute, were in the tempo-
raly, wherein he saith that my fudgement
is farre deceiuued: in thys pointe
good reader he sayth somewhat to me if
he sayed true. And sure if he thoughte y
he wrote herein true, then wisedome **G**
woulde he shoulde haue written myne
owne wordes in. And if he feared that
it woulde be founden false: then honesty
would that he shoulde haue left hys own
wordes oute. But verely good readers
and he seeke thys seuen yere, he shall in
all mirre apsoloyre synde you no suche
wordes of mine. But he shall synde
farre the contrarye. For I doore there I
wote wel, in such places as I shew that
me were unreasonable that woulde take
thys thyng or that thing (such as I re-
heare of his bringing forth) for any re-
sonable cause of deuision: here I say in
those places that the pacifyer misse fal-
leth the people, and that the people bee
muche moze reasonable than to take it
so. And therfore here hee believeth mee
againe.

And also let hym shew you forth any
one place, in whiche I saye that all the
whole faute or the principall faute ey-
ther, is in the temporality, and than be-
lieue hym the better in a nother matter.
And in the meane whyle till he bryng it
forth, or els that you finde it your self:
ye may wyth reason, at the leastwise in
thys matter belieue me better then him,
and I will never desire you to belyue
me one day lenger. For I haue neyther
layed the principal faute in the one nor
the other. And thus hath hee made you
of me thre lles in one chapiter.

CThe

¶ The sitt.chapiter.

Thus fourthe chapiter begynning in the eighte leafe, he syteth sheweth a dyuerlyte betwene the sample that I put in the, 94. leafe of myne apology, of a pacifier betwene a man and his wif, and the thing that I there resemble it vnto, that is to wytt, hys owne booke, that maketh a like pacification betwene the temporalltye and spiritualltye.

But surely the difference that he putteth semeth to my poore wyt greatly to apayre hys part. For if it be as he sayth it is, that where as the husbande would be lothe to heare any enyl spoken of hys wif, and therefore wil can such a paci-

Gs fier no thanke, that wyl tell hym liche tales of her before his neyghbours : the temporalltye will be glad to heare harme spoken of the spiritualltye: then was it so much the wurtle done, to wryte openly to the temporalltye liche thinges of the spiritualltye, to feede and nourishe anye such enyl delyte: or openly to the spypcualtye, being as he said lyke wise affectionate, the fautes of the temporalltye eyther. Howe be it I can not in good fayth saye, but if I shoulde belye hym, that on that syde wyllinglye he greatlye passed hys boundes, but of overlight unware, he hath in some thinges sciaundered the temporalltye to.

C Then sheweth he farther wherfore he wrote those thinges in englishe, though John Gerson wrote them but in latyn, wherin to sat the truth, he laieth a cause sufficient wherfore that John Gerson wrote them in latine. But whyther he lay cause sufficient wherfore hym selfe shoule not rather haue let them alone, then write them in englishe, against the counsaile of John Gerson hym selfe as I touched in mine apology: that I leave your self good readers to consider. For I wyl not muche striue agynste hys excuse. For I greatly shal not nede I thik sithe al his excuse amounteth to no more, but that he ment that some laye men re-

D dynge the priesles fautes in englyshe, myghte put them in remembraunce to mende them, specially because he sayth even in the same chapiter a lyttle afore, that the temporalltye so muche delytech to haire of them.

Then goeth hee farther in the same chappiter, and where as in hys booke of the diuision, he woulde haue seemed betwene the temporalltye and the spypcualtye to haue spoken indifferentlye, and

to haue tolde them their fautes on both partes egally: here in the seconde syde of the r. leafe, he telleth vs the cause wherfore he did not so, and saith in this wyle.

T I haue spoken of defautes and abusis in the spiritualltye, more then of defautes in the temporalltye, because the spiritualltye ongheto be the guiders and giuers of light by their doctrine & good examples to the temporallty, and if their lighte be darkenes, where shall the temporallty then fetch their lighte & ruelye? I wot not wher. And I dout that then they both shal walk til in darknes. And therfore it is that John Chrysostom saith vp on Mathew v. xi. chapi. That if priest-hod be hole & sound, at the churche florisheth: & if it be corrupt, the faische & vertue of the people fadeth also and vanisheth away. Let this therfore as to this poynte be the final conclusio for this tyme, that who so euer proueth defautes to be in the temporallty, he proueth also defautes to raigne in the spirituallty: & therfor, þ defautes in the temporallty will never be avoided, til the defautes in the spirituallty be first reformed: & therfore haue I first spoke of some defautes that be in the spiritualltye. ¶

Surely good readers I like wel these woordes. For they be very good, and ther proue very wel, and verye trus it is, noz I never saide the contrary, but haue in myne apology plainelye saide the same, þ every faute in a spiritual man (though the thing were of it selfe al one) is yet by **The fault of a** the difference of the person, farre wurtle and moze odious both to God and man, then it is in a temporall man. But yet the wurtle that every private spirituall mans faute is, so muche is it the more harme to diffame the corps of the spirituallty openlye in the face of the temporallty, in such maner as the booke of dyuisio doth, of which I haue proued those that are weighty false, & could (if I wold now lese time about it whyle that that I haue touched is sufficient) shew the substance of al the remanaunt to haue lytle substance to.

And therfore the woordes of laynte Chrysostom which he laieth for his booke were in part the verye caule that made me write against his booke. For surelie **Corrupt prie** as saint Chrysostom saith, if the priesle, hod be corrupt, the faische & vertue of the people fadeth & vanisheth away, which is without any question very truth, for though saint Chrysostome had never said it, our saviour saith as muche himselfe:

D. i. ye be

Matthew.

Matthew.

Aye be (saith he to the clergyn) the salt of the earth, & if the salt ware ones freshe & we-
rily, wherin shal any thing be wel sea-
ned? And you be þ light of þ wozld. And
therfore if the light þ is in the world, be
dark: how dark shal then the darknes be
it self? But now say I lith that the priest
hod beig corrupced, it must nedes folow
that the faith and vertue of the people fa-
deth and vanisheþ away, & þron Chrys-
tianes wordes it must folow that if þ spir-
ituallity be noughe, the temporaliȝ must
nedes then be wortle then theri: thereupon
I conclude bypon the rother syde

Gainst the pacifier's booke, that lith this
realme hath (as God be thanked in dede
it hath) as good & as faithfull temporalty,
& (though there be a lewe false breþen in
a great multitude of a tru catholik mē)
as hath for the quantity any other crury
christened, it must nedes, I say folow þ
the clergy, though it haue sum such false
noughy breþen to, is not in such soze
maner corrupced, as the boke of diuision
goth aboue to make mē wen, but as god
for their part as the temporalty for theirs.

And therfore in like wise I saye, that
þpon the self same wordes of saynt Chri-
stosome and of our sautour Christe: the
sayd booke of the diuision in diffamyn-
Cthe spiritualty, diffameth the temporalty
much more, which is the thing that as I
said semelie me neither honorabile nor p-
fitable, in oþre printed bokes, for any eng-
lisþ mā to do, nor verills I think þ maker
wold not haue don, if he the had thought
so far. But now goth he farther & saith:
E And thoughe maister More can not
deny these fantes (I suppose you haue
heard me deny such as were the chiese, &
þroued them I were vntrue) yet al the
amendemēts that he alegeth in his apo-
logy is onely in punishment of heresies,
as is said before: wher unto he speciallye
moueth þ ordinaryes not to be slack nor
the moze remysse for feare of euil words

Dand sclauder of the people. And if they
be therfore the moze slack in calling, at-
taching and examining, and farther or-
deryng of heretiques: he saith God wyl
not saile to make fal in their neckes the
double sclauder of that, from whence
ther fledde. And in a noþer place he mo-
ueth the temporalty to toyne wþþ the
spiritualty eche wþþ other louyngly
to represse and keepe vnder those vngra-
cious folke, by whome he meaneth here-
tiques. Upon whych mocion I shal some-
what shewe my mynde, as hereafter fo-
lowlē in the next chapter. **X**

Here he complayneth agayne that I **G**
deuise no remedyes, as though þ whole
þrouisshon for al thing laye vpon myne
hand. I do somewhat for my part, when
I pray god to gyue vs al the grace spiri-
tuall and temporal both, to kepe wel and
obserue such þrouisshons as God hath ge-
uen good men the grace to make alredy.
For if we keepe them wel: I wene there
are metely many made. And if we break
the old: so wyl we by lykelyhood breake
these as wel, that he wold haue me now
deuise and stody newe. And somwhat I
do better for my part, whyle I laboure to
haue the good olde þrouisshions kept, þe
this pacifier dothe for hys, whyle he la-
booreth to haue them broken, and name. **A**
ly those lawes that are of the verye best,
and made for the faith against heresies.

But then labooreth he as me thynketh
to make the breþen angrye wþþ me,
and reherseth and inculketh into theyz
eares, that I erhorte both the spiritualty
and the temporalty to, thole to whom
the matter appertayneth, not to be any
thing the moze slack in repessyng of he-
resies, for any feare of infamy.

Surely good readers what so ever I
wrote in that behalfe: I wyl require e-
very man to haue it cuen here, for wþþ-
ten and repeeted againe. For when we
se that the wordes of hys wþþsing, whi-
che I haue in myne Apology rehearsed **G**
you, how wel so ever hement therin (as
I trust he met bat wel) haue yet þ plaine
open apparence in þe, that they were
wel likely to put such as shold se to the
repessing of heresies, in dout and feare
of infamy, and to be had among the peo-
ple as folke suspect of myslhandelyng
good folke and of cruelty: I reken it the
part of every good man, that anye zeale
hath to the conseruacion of the catholik
saythe, to encourage them on the rother
syde, to the doing of their dutye therein,
and not to set the respect of their estima-
cion among men (which yet ther shal al-
so much the better conserue amone all
the people save those few þ are noughe)
before the sauing of their soules, and ke-
ping the fauour of God: namelye sythe
the keepyng of people from heresies and
putting the scabbed heretikes out of the
clene flocke, is one of the special thynghs
that th apostle gane the bishop warning **Titom 3.**
of. Let him finde out any word of mine,
wherewyth I woulde any harme to an
man that would amend, and þe let him
lay it to me. An who so euer entendeth
neuer to be good: I am wel cōtent þ the
pacifier

A pacifist make him not my friend.

C The. b. chapter.

S P the fyfthe chapiter he toucheth punishment of heresies, and diuideth the matter into. iii. sorte of people, wherein soz as muche as he nothing sayth that toucheþ me, I let them passe al fowere.

After those four sorte perused; he speakeþ of the fyfth, which he very ernestly dispayseth, that are thole whiche take & hold contracywates, to the true faith in dede. But then in y parte he much misse liketh in me, both þ I cal the anye euyll name, as the noughey þreþe or heretik þreþe, & also that I cal the good names to, as the blessed þreþen & euangelical þreþen. And soz the first in calling the anſ such euil names: he saith I do not as I wold be don to, as appeareþ he saþt in myne apology. Surelþe I suppose he may therin fynde, that I forȝe not what such as they be cal me. And I can wryte no worsþ word by them, I wot wel, þe they wryte many by me.

C ther haue done so, that yet were no ralours, except saint Paul wer a ralour, when hee called hys careleshe keepers dogges, & when he called the chief priest a whyted wal, whiche was a spyghtfull word among them, & except saint Polycarpus railed, when he calleth the heretike Marcio the diuels eldest sonne, and except our saviour railed, whē he called the scribes and the pharisees hipocrites.

But then that I cal them again good names: this thing lo thyss good man rekeneth a veri mōlitous matter, to make them both good and badde. But thyss is a monſter lo of every mas making. For so call not I theym alone, but the whole people to, in ſuch maner of ſpeaking as euer man beth, whē he calleth one ſelf noughey lad, both a ſhred boy & a good Sonne, the tone in þ proper ſimple ſpech, the other by the fygure of ironye or antiphrasis. And by a lyke maner fygure ſaint Hierome againſt the olde heretike Vigilantius, calleth him ſomtyme Vigilantius, & ſomtyme agayne Doymitanius, and ſo he calleth that heretike two contrarye names, as wel as I do theſe.

And where he canne not tell what I meane by the newe þroched þreþerhed: that am I content to tell hym, I means

that they be a barel of poyſon, þ the dyuel hath late ſet abroche, and laboureþ by them to poyſon other men.

And where he canne not beare it, that they beynge ſuch ſhould be caſtled by the name of euangelicals: I well allow the good mynde of the good mas, that he ther in ſheweth himſelfe ſo to beare to þ faith that it greuerþ hym to heare heretikes caſtled by ſuche a good gracious name. But he muſt conſider that it is nowe, & ſome yeares alredy paſſed hath bene, the name by whiche they haue bene as com- monly caſtled in al the countreyes cathor^þ lyke, as by theyz owne very name of heretike. And the occaſion thereof grewe fyſte of that, that theym ſelue tooke the name euangelical, arrogantly to theſelvē, both by the euangelical lyberty that they pretended, as forke that would lyue un- der the golpel & vnder no mans law beſyde, & because they wold alſo beleue no- thing farther, the the very scripture, al whiche they take now vnder the name of the golpel. For the newe lawe they take ſoz nothing els, but ſoz the declaracion and perfection of the olde.

Now when they had taken this name commonly vpon theſelvē, the catholiks telling them, that they neither liued nor beleued according to the gospell lettered not yet to cal them by the ſame name to, & that not to their praise, but to theyz rebuke and shame. And ſome turned in wryting that name of theters in ſcorne, and in ſtefe of euangelicos, wrote the ſeñdo euangelicos.

Now if this man caſt not beare it, that I cal them as the old folke do: t. ouȝt I would my ſelfe leaue it ſoz hys pleasure that would make ye wot wel but a ſmal chaunge. For other falke wyl call them ſtyl yet by what name they lyȝt, and nei- ther I nor he can let them.

But to thentent he may be ſomewhat the leſſe diſcontent with me, for caſtling heretikes bi a good name: he ſhal vnder- ſtand that vpon ſuch occaſion and ſuche maner, it is no newe begon thyng ſo to do. For a certayne sorte therer wer of the heretikes that wer the Mantcheis, whiche were fyſt among theim ſelue caſtled by the name of Cathari, that is to witte Cathari, pure and cleane, & afterward the catho- lykes caſtled þe by the ſame name. And ſo doth ſaint Austin also cal þe in hys writing. But yet he declareþ both theiſe falſe heretikes, & their ſecret shameſful ly- wing for ſuch, þ though he cal þe by the name of pure and cleane, as we call now D.M. theſe

Athese brethren euangelical, yet he ment
that they wer neither pure nor cleane in
dede, no moze then these folke in lyuyng
or beliefe, folow the very gospel in dede.

But then cometh he for the vpon me
somwhat solemynly with a very solē &
with a solempne lye. For so god reders
these are his woordes I wataunc you
wyse and true.

TAnd now wyl I say somewhat far-
ther cōcerninge this matter, and that is
this. I maruel much how maister Moze
durst for offence of his conscience, & for
dead of the kynges displeasure, & of the

Bwhole realme, bring vp suchē a sculaude-
rous name in this realme, and put it in
prynt, that may lightly touch not onely
many of the comon people, but also of the
greatest of the realme, as wel spirituall
as tempozall: if he and other of his assi-
nitie list to cal any of the one of the bles-
sed brethren, or of the good brethren. And
in this point it semeth that he forzat the
honoure of the realme, whiche he seemed
much to regarde, when he said: he could
not thinke it to the honour of the realme
that other realmes shuld wene, that the
wholc clergy of this realme shoud be so
farre fallen into the grudge and indig-
nation of the whole tempozalype, as he

Cfaith it is spoke to be in the laid treatise,
which he calleth the booke of diuisiōn:
for certainly it is moze dishonour to the
realme, to haue it noyled, that h̄ realme
is ful of heretikes, then that the tempo-
ralite grudgeth against the spirituality,
& so he escheweth and flieth the leſſe scla-
der, though it were al true that he sayth
& teneth headling into the greater.

And now wyl I say somewhat farther
cōcerning this matter, and that is this.
I maruel much how this man durst for
offence of his conscience and displeasure
of God, bring vp suchē a sculauderous
lye vpon me, and wryte it in hys booke,
that I shoulde wryte in myne Apologie,
Dthat the realme is ful of heretikes.

If the case were nowe no better vpon
my parte, nor no warſſe vpon hys, but
that in mine apology ther could no ſuch
ſaying be founden: what rebuke were it
yet vnto him, if he were a man openly
knownen by name: as nowe the shame cle-
areth not on hys cheekeſ, but he ſone sha-
keth it of while hys name is not at hys
booke. But now ſithe that in myne apo-
logie I plainly write the contrary: what
woordes wyl ther ſerue to ſay to thys ma-
the thinges that he were in thys poynte
very wel worthy to heare.

Readē good chrisſen readers the xlviij^o chapter of myne apology, beginning in
the 260. leafe and there ſhal you plain-
ly ſee, that I ſaye playne the contrarie.
For where as this pacifier dide in hys
booke of diuision vnder the name of ſom
other bylye of likelihoođ ſom of the ſpi-
rituall thā, ſurmitting that they as of
polycye noſled that the realme is full of
heretikes, moze then it is in dede, as he
now belyeth me here, ſurmifing that I
do ſaye the ſame: ye ſhall there ſee that I
ſhewe it to be vnykely, that any politik
ſpiritual man would ſo ſay for polycye,
lyth ſo to ſay were for theym for þ cauſe
that I ther ſhew, veri farre againſt god
policy. And there I farther ſhewe, that ſome
heretikes haue falſely made that
noſle, & ther I tel for what cauſe. And af-
terward in fo. 268. I ſhew þ for al they
best bragig thei be yet in dede but a few.

Now good readers when I thus haue
written there in both the places ſo open
and ſo plaine, that the realme is not full
of heretikes, nor hath there in but a few,
though that ſewe be in dede ouer many,
and growen mo also by neglygence in
ſome part, then there hath the bene in ſome
late yeares paſſed: how maye thys man
fynde in hys hart for ſhame, to wryte in
this wyſe: and as it were with ſuch au-
thoritie ſo ſolempnly chekeme falſely,
for wryting that the realme is full, & the
excuse his lyke faut by myne, and yet in
the comparison make myne the greater
to: But now is al the craft of the compa-
riſon diſcouered, & the glorye of that ar-
gument defaced, while you ſee that hys
faut is true, and that myne he ſayneth &
ſindeth not in my booke, but plaine and
erpreſſely the contrari, and that he ſpin-
neth that ſyne lye with fler, fetchinge it
out of his owne body as the spider ſpyn-
neth her cobwebbe. And thus is my faut
faire wiped away, & his lyke ſtyl in his
necke, and another nowe layed unto it.

Nowe as this was no little ſolye for
him to leele his credence with that open
lie, that might be ſo ſone and ſo playnly
controled and reprooued: ſo is hys fyſte
point alſo no leſſe ſoli then that, wherin
he marueleth ſo much that I dare for mi
conscience, and for dyspleaſure of my
prynce, and of the whole realme, bring
vp that ſculauderous name in h̄ realme
to cal theſe heretikes the brethren, conſi-
dering that it may lightly touch not on-
ly any man of the comon people, but al-
ſo of the greatest of the realme, as wel
ſpiritual as tempozal, iſeyther my ſelfe
or any

Go: any of myne affinitie list to cal them, one of the blessed brethen, or of the good brethen. This is soz soz on the moste simple soughte oute folye, that euer I yet sawe set out with highe wordes so solemynely. For first as soz to cal the by the name of the brethen, is nothinge of my bringing by, but a word walking in every mans mouth (which thing I can not belieue but this man well knoweth himselfe, as straunge as he maketh the matter) and begonne by the good blessed brethen them selfs, as wel appeareth vpon their own letters, insough to be shewed at sondry seasons sent betwene them.

BNow touching the great feare & peril that he putteth, least I or some of myne affinitie may sclauder any of y greatest of y realme, if we list to cal any such man one of the good brethen: the good man may take his ref I warrant hym, and shal not nede to break his slepe therfore. For first as soz mine affinitie is not very great. For I have none affinitie, but as I thinke hymselfe hath and eury other man, that is to wyt, eyther by godlyped or bi mariage, except he meane to cal al the true catholikes myne affinity, and all the other hys owne. And than whiche waye so euer he meane, a lewde

Cslanderous wordes were as lykely to happen in one of his assygnie as in one of myne. And as soz my selfe the pacificher hymselfe is (as his sone sayes therwe) somewhat mox set vpon an appetite of sclauderyng then am I, whych beare a litle more reverence to the great men of the realme, spiritual and temporal both and mox honest minde vnto y final all, the wrongfully to dysfame eyther great or smal, by calling either the one or the other, anye of the blessed byches newe broched bretherhead, except onely suche as by theyz owne open writinges, or by their open wordes, be playnelys pronounced heretikes. But yet consider well good readers, what a wise reason this is that he brigeth forth. For what perill is ther of suche sclauder, mox by thys name

Dof the good brethen, then by the other name of heretikes: is not the olde name of heretykes, as scatanderous as thys new name of the blessed breth, &c? What name can thys good man deuise vs hym self to cal the by, in whych name y same perys of sclauder may not fall as well as in thys? Men may by thys wise reason call them bi no name at al, for feare least I or mine affinity might if we list, call not onely any of the people, but also the

greatest lordes both spiritual & temporal, by the same name, & so bring the in sclauder. For the sclauder is al one what so euer the name be, when the thinge is all one that is ment and sygnified thereby.

And this man vseth hymselfe in thys place therfore, verye circumspectly soz this point in this chapter, wher he speakeþ of heretikes after his. iiii. sortes of folke before. For he calleþ them ther by no name at al hymselfe, but sayth of the fourthe sorte.

These be the wort sort of people before al other, except onely an other sorte of people, whiche sir Thomas More in his apology calleþ sometime desperates vsetches, somtyme karke heretikes, and sometime the blessed brethen, & sometime the nouȝtȝ brethen, &c. ¶

So that this good man himselfe here, lyke a true faythfull man, affirmeth the nouȝtȝ, & such and so nouȝtȝ, as ther be none wors. But name (as it semeth soz feare of occasion of sclauder, he durst heare none cal them himselfe, but sayth they be they, who I call thus and thus.

Well I wyl make no bothe thereof as yet, but I wyl peraduencure at a leisour here after oppon better aduisement, vse the same circumspection & polycye that I learne of his example here, and wher I speake of such maner folke, geue them no name at al my self, but soz a tokē that men may wit who I meane, I shall say thosel felowes I meane that saint Paul perdy calleþ heretikes so, and that be al Titum. 3. they that obstinately hold any self minded opinion, contrari to the doctrine that the comon knownen catholik church teacheth & holdeth soz necessari to saluaciō.

After al this in the .xiiii. & the xv. leafe he asketh me with a solemyne vnuē proesse, whiche I wold not think it good & wel done, y al such as have authoritie to punish heretikes, shoulde besoze they punishe them, amend first their own fautes. And I think yes in good faith, y it were very wel done, & I wold that every man wold so do in dede, that either shoulde correct heretik, or any malefactor els.

But the agatne I aske him, y though this wer wel done, if every man wold war as good as another good man wold with him, & as himself wold with another man to be: yet if ther wer some that were not so fodaingly so wel disposed, as to amend their own fautes so sore as the deuty of theyz office wold require of necessitye, y they shoulde do correction vpon y fautes of some other folke: shoulde they not yet

Ado it soz al that in the meane whyle, and other folke to whō it aperteined, be bouden to assist them therein, though theyr owne fautes were not all amended yet.

To this question lo he hath in þ same place answered me yes, as I haue hym to the tother. And thus god reders thys god man & I after our soze cōflict in the tother matter, haue yet in shese. li. poits striken handes again, & be god bethakē metely wel agreed together god hold it.

C The. vi. chapiter.

B  As. vi. chapter beginneth In þ xvi. leafe, wherein he sheweth that I in myne apology myl se take the letter of his sayd treatise, and he telleth which wozdes. But he telleth nether in what place of his booke hys wozds are, nor in what place of my booke you may fynde mine. Those twoo thinges he leaueth out, because he wold as he layd in the begynning, not folowe the order of my chappiters, but take that waye that shoulde be best to the playne openyng of the truth. But soz as muche as me seemeth that to the playne opening of truthe, the redyer way is to rede syzt both the places, and then this his answer after: ye may ther-

C soze good reders fynde both his wozds & myne in myne apology, hys in the leafe 123. and myne, agaynst which he nowe reasoneth in hys answer ye shall fynde fo. 127. And nowe good readers, if you rede and consider those two places first, and then compare well the woordes of myne apology there, with the woordes of his answer here: it shall suffice for thys matter. For ther shal you see wel that I myl se take not the letter of hys wozdes. For I say not nay, but that his wozdes go onely agaynst spiritual men, but his reason runneth out against every kinde of men spiritual and tempozall to. And there I shew also, the reason wherfore &

D why. And therfore I wene it wyl apeare plaine, that I myl se take not the letter of his treatise at al, and that his reason runneth out in dede agaynst every kynde of men. For ther is neither spiritual man nor tempozall, but he maye take harme by habundaunce. But so ia ther as I ther sa, neither spiritual mā nor temporal but he may with habundaunce do good.

But now the declaraciō of his minde in this answer, mendeth all the matter. For here he declareth that by these wozdes of his (in a maner strāgling) he mea-
neth the minishinge of some fernour, as

though a mā wold saf that by almost kīl.  lyng wā club, he met the geuing of a fūlē in the forehead with his little finger.

But sithe that in this. vi. chapyter of hys, his great mortal strāgling is now strageled away, & tourned into vnyall synne: we shall soz thys matter trouble you no lenger, but every man may take holpe water & go home to dynet, for ser-
vice is al done here soz to day.

The counsaile of saint Bernard that he there speaketh of to the Pope Eugenius, is in good faith as me thinketh ver-
y wel brought in. And I woulde aduise every spiritual man to folowe it, and to take good temporal men to hym, and let  them do al his temporal businelle soz him. This thincke I good as soz myne owne mynde, but if there be in any parte anye lawes made al redy to the contrarye, by such folke as it can not become me to cō-
troll. Howe be it; I suppose that muche part of theyr temporal businelle is done by temporal men in dede.

As soz his acte of parliament that he speacheth of I suppose verly that þ clercy would not be againste it. And suche actes are there alreadye made mo then one, good and sufficient, but if he meane to set an addicion thereto, that the kings grace shoud erpesselye be bounden by the act, that if he gaue any licee of mo-
tisying into þ church, it shoud be vayne, except such cases as thys good man lyft to lymp and gyue him leaue. Byth hys highnes is now moued by thys good mā here thereto: hys grace maye agree to it when it pleaseþ him. 

As soz þ great matter that he maketh, of that I never in al the time that I was conuersant in the court, could perceue any of the noble men aboue the nomber of seuen, and yet not nowe so mani, that ever thought it good that any posselliōs of the church, shoud wytch out a lawfull cause be taken awye ther from: I maruaile much what he meaneth, and what subtil conceite he conceiveth in his wile þ east, that he so muttereth, and mum-
bleth upon that word as though such cō-
municaciō either on the one syde or the
tother, wer of such high importaunce, þ
it were either felony or some heighnous
mispriſion, either in telling þ tale again
or els in keping it counsayl so long. For
I wot never in good faith in which of the
twaine this good man findeth the fault,
or whether he finde any or none. But ys
he finde any: in whiche of the twaine so
ever he fynde it, he findeth but his owne
folye.

A foly. For now shal you good readers se, what little insight the man hath in anye thing that readeþ. First he reherseth a part of my wordes wriþten in myne apology fo. 139. wher I say þ I never found in al the symme whyle I was conuersant in the court, of al þ nobilitie of this land aboue the nomber of senen, that euer I perceived to be of the minde, that it wer either right or reasonable, or could be to the realme profitable, withoute lawfull cause to take any possessions awai from the clergy. Now vpon these woordes ye shal see what he gathereth, by whynch ye shal se what wit and what learning the man hath. These are his woordes lo.

Sicke maister Moze saith þ he hathe not knowe aboue seuen (wherof he sayth þre are dead) þ wer of the mind þ it wer reasonable without cause to take posses- sions fro the clergy, in whynch woordes it is concluded, that he knew seuen of that minde, whose opinions it liketh hym to reherse & put in wriþting & in print also.

This man hath a special insight in in clusives & exclusives, when he weneth þ in my woordes it wer included, þ I knew viii. of that mynd, that it wer reasonable to take away possessions fro the churche without cause. My woordes you wot wel

Chat I never knew aboue. viii. that with out lawful cause to take awai possessions fro the church, thought either ryght, or reasonable, or þ it coulde be to þ realme profitable. What include these woordes now? Do they include as he saith that I say that I knew. viii. that thought it reasonable. This man is so cunning in his inclusives & exclusives, that he dyscre- neth nothing betwene copulatives and disjunctives. This man I see wel never learned the rule that almost euerye boþ can, that to the verity of a disjunctive, it suffiseth any one part to be tru. Let him now learne it therfore, & the shal he per- ceue that my woordes include no farther but that I say that I knew seuen, which amēg them al thought some one of those

Dþre things, that is to wyt, either some of them some one, and some of them som other, þor elſ all seuen some one of those þre things, that is to wyt, eyther ryght or reasonable, or profitable, without a ny determinacio whiche of the þre. And neither includeth those woordes of mine that I say al seuen thought it ryght, nor that al seuen thought it reasonable, no nor yet that al seuen thought it profitable. But it hangeth not vpon hys determynacion, but vpon myne owne declaraci-

on, which of these þre things whyche of those same. viii. thought, or which one of the þre they al thoughte, & neuer one of those þre things is determinately inclu- ded to any one of the seuen. For if I wold say that I never knew in al my lyfe any man aboue the nomber of. viii. that had ben either at Alkayze, or at Salem, or at Bizance: do these woordes include that I sai that I haue knowe. viii. that haue ben at Salem? That am I sure they do not. But I may wel stand by those woordes, if I said after, þ I haue knowe. viii. perhōs that haue ben al. viii. at Bizance, but as for Alkaike or Sa  e I never knewe any one that had ben at any one of the both.

And in lyke wyse wil I wel stande by myne other woordes & verisfy them wþ a good excluding of this mas includyng, For I say & very trouthe it is, þ I never found ani noble man aboue the nomber of seuen, that withoute lawfull cause to take awaie possessions fro the clergye, thought it either right or reasonable, or that it coulde be for the realme profitabile. I found not I say aboue seuen, that thoughte anye one of all these þree, is not thys true yf I founde seauen, that thought al þre: yes for soþ true indough though I never found anye one, þ ever thought any. ii. of þ þre. And now ther- fore though I never founde anye noble man so vnyghtuous, or so vreasona- ble, as to thinke it ryghte or reasonable, without lawful caufe to take away any possessions from the clergye: yet haue I founde seuen that haue thought, if righte and reason woulde beare it, they coulde tel how that as for worldly polycy, som of the possessions taken away myght be to the realme profitable. And some one þany men hath thought that it wolde be peraduen- ture profitabile to the realme, that the certeine spiri- lordes had the landes whose auctestours had mortisid them. And peraduenture he that so thought, shoulde not haue loste a grote by it. And some other hath thou- ghte þ it wold be moze profitabile to put it into hospitals of some certeine newe fa- shioned foundation, and therof neyther make priestes the maisters, nor no laye men neyther, but some good sad honeste vertuous wydwowes, that wolde be teða- ble & tender to sickle folke, & that shoulde yearly yeld a compt vnto the ordinary. And some other haue thoughte it better to diuide & cant it among god poore hus- band me, that shoulde til the groud theyz handes, & take the land for their labour, with diuers other diuises mo, every man. D. iiiij. after

Aster his own mynde. And what harme was ther now in any of al their mindes that thys good wyse man wold haue my words leme so heighnous, vpō a sentece that himself includeth in thē, & whyche sentence of his, reason excludeth frō thē, & in which as you plainly se proued, this mā wotredh nere what he meaneth. And to thentent that he shuld wel know that the matter is nothing fearful: therfore wrote I that thē were dead, because he shoud wel wytte that ther were yet the moze part alive. And therfore if the god

Bman think any great heighnous offence in the matter: le: hym come to me hymselfe, & I shal bryng hym to som of them, that shal not make it straunge to saye agayne the same to hymselfe, & thē he mai vse it at hys pleasure as his high wylde he shal think conuenient. Thē saith he farther in the second syde of the. xviii. lease, that he can not tel what cause I woulde thynk a cause resonable, to take ani possessions frō the church. But yet sith it is implied in my wozdes, that some cause lawful & reasonable ther mai be: he thin keth he sayth, that peraduēture if I wer asked the question therein, by thē y haue authoſt to do it, I wold shewe what I ment thereby. There shal in god saythe

Cnedē no greate solempne examinaciō of me by men of authoſt for that matter. For I wyl not lycke to tel it vnto hymſelfe, but haue told it alredye to him and every man els that list to reade it, a god while a go in my boke of the Supplication of soules, & there may thys god mā go leke it if it please him, & thē vſe it as it lyke him. But synallye after hys hart some what easēd, he cometh to hymſelfe agayn, and endeth the chapter beri wel, wylshyng the clergy the grace that the apostles had, & declarynge that he never desyzed the thapostles pouerty, & exhorting the that haue aboundaunce of poſſessions, to be wel ware so to vſe it, as it

Igodlye exerting the that haue aboundaunce of poſſessions, to be wel ware so to vſe it, as it

De not a let of h̄ deuocion that thei shuld haue to god, & the charity that thei shuld shew to their neyghbour. In these three thinges he saith as me chyncketh verye ſpecially wel. And I praye you hartelye good readers every mā the rather at my moze request, what so euer he wrote before, think now that he met thē but thus.

C The. viii. chapter.

Is. viii. chap. beginneth in p. xix leafe, & therin vpō a ſix leaues, he argueth againſt a little doute that I moued vpō the beginning of hys firſt chap. of his diuision, which words

of hys and myne thereupon begynne in mine apoloſt fo. 13. And the ſame point is touched agayn ther. fo. 105. Whē you haue ther read what I ſay: thē may you reade here hys anſwer, wherin he declarereth the matter, & argueth it by caſes of law, much after the maner of a morable caſe, ful wel ſauoredly in god faith, and wylch long labour proueth at laſt, that it muſt be taken in ſuche wyſe as he ſeeth that among other conſtruccions I conſtruēd his minde my ſelf, though I was loth to do ſo, because that waye was the wuſt fo; himſelfe. But now he remedieſt that wylch a lyne or twayne, wherin he declareth that he ment not to preferre euery ſecular priſt before thoſe that are in religion. Wherin I would haue truſſed hym as wel vpon hys word, as vpō the reaſon that he laieth fo; it now, whiche laue fo; the truſt that I haue to hys word, I wold wene he neuer thought on when he wrote the diuision, but rather ended h̄ clause in ſuch wiſe as it happeſ, without any respect peraduēture to the creſceſt & growing of h̄ ſentece in the end.

I was ones halfe in mynde here, to haue kept ſcooles wylch hym yet in thys poyn̄ ones agayne, euē al of pleaſure, and to haue brought it yet again in queſtion, whether the circumſtañces of hys words were able to proue, that he ment other wyſe then he nowe argueth that it muſt nedes be taken. And then if the circumſtañces ſo dyd, whyther comon uſage & acceptaunce of a word ſhould agaynſt the circumſtañces of the matter, haue lyke ſtrength in all other thinges, as it hath in matters of lawe, & whyther the reaſon uſed in the courtes in matters of law, be of lyke ſtrength in euery other thing as thei be whē they be made in maters of law, & of lyke bygour & force in euery place abrod, as they be in the courtes in which they haue ben lōg receiued & accepted fo; ſure and ſtable groundes.

And whyther in thys poyn̄ betwene him & me, beynge no matter of the lawe, noꝝ perteynyng to the iudgement of any court, but to be conſidered by the whole people in every mā reaſon at large, the caſes of the lawe of thys realme that he bryngeth in, which be iudged & ſure, and ſhuld ſerue y tone part in y law, though the matter wer the weight of a thouſađe pound, ſhuld because we be englyſh me, & our matter wyrten in Englaſde & in englyſh wordz, ſt and fo; a ſure & an inſoluble argumēt, though the lawes both ciuil & canon that are called the comon lawes

& lawes of al chyssendome besyde vs, wyr

The comon as per aduenture they be in the self same
lawes of chyssendome, full and whole to the contrarye.
lendome.

And yet would I besyde thys a litle haue
assaid, so to shake hys casys of London
and Michelmasse, that peraduenture to
many a man in London betwene thys &
Michelmas, shoulde they never haue se-
med lyke unto our matter, by that tymis
that I had ones declared the y difference.

These poynys & happily mo to, was I
when I red hys answer half mynded as
I sate to haue brought in, & disputed with
hym vpon this matter. For I was ware
wyth the redyng of his answer very me-
ry, & waren me thought a yonge man a-
gaine, & seemed set at a vacacion mote w-

Bhim in som June of y chaucery, because
of his comon entendement, & his proper
casys of law. But the I conysidered that
as I was in y redyng of his answer me-
ry: so was hymself I saw wel in the wry-
ting very, & other readers that wer no
lawyers, wold in the redyng war almost
as wery. The saw I also, that when him
self had al sayd, he lyked not hys own all
the best, but after al his payne taken in
the answeryng, seyng that hys answere
lyked hym not, he was sayne to fal to a-
nother way, and telleth me y ther nedeth
Cnone answer to y pointe at al, because y
ther is no fryst he sayth in that obieccio.

Now therefore yf thobieccion be frus-
telle, and therfore thanswer needesse, &
verily frustelle to: now to reply thereto
were labour halfe lost & more. And ther-
fore good reders for as much as to y an-
swere made bi the maner, no law putteh
vs farther to reply: the matter is at a de-
marcur in this poynyt, and we at your
judgement, wherin ye may vse your wi-
dome and iudge it euyn as you fynde it.

Wherin the best that he can aske, is but
to be dismyssed, & iudge that he ment not
to preferre the state of chauncry prieses
before the state of relygious personys, but
ment as he nowe declareth hys mynde
(whych very few folke could before as I
suppose haue gessed) that the variaunce
Dbetwene prieses and prieses, that is to
wyth betwene secular prieses & seculare
prieses, is more to be lamented, then be-
twene prieses & relygious, or betwene
religious & relygious, because the vari-
aunce betwene prieses & prieses is more
marked & more notable then any of y to-
ther, because the prieses go more abrod.
Now yf this exposicio of his minde mai
serue to quyte hym nowe: (whiche I am
content it do) it is al I promple you that

it may do. For it wyl never serue hym to
recouer dammages. For he can never
blame no man that perceyued not that
besore, that is skant credible yet.

But yet because he so much inculketh
the lacke of fryste in manye of myne ob-
ieccions, and that they be no matters of
no mothal vertue: I wyl not answeç hym
wyth the lyke, and say that in manye of
hys pretended causes of diuisioun, is no
fryst at al, nor no mothal vertue neither
as in pprocuring the people to beleue un-
truely, that the prelates handle men un-
charitably, and for heresies vere theym
wrongsfullly, and geue occasio that some
perlysh both in body and soule, whych ys
the ordinaryes had handeled them cha-
ritably, had bene in both twayne fauor,
and that it wylbe verye hard to fynds so
much as any one spiritual man such, as
himself deniseth and aduiseth, that none
but such shoulde be suffred to be iudge in
heresy, and laboiring also the god lawes
of thys realme and of all chyssendom to
be chaunged, to the easse of heretiks, that
have bene made for the repelling of he-
resies, wyth such other things like that
are in hys booke of dyuisio mo then I e-
uer wrote woordes of yet, in whych (as I
haue often sayd) for as much as I se that
he professeþ hym selfe to hate & abhorre
these heresies, that these folke hold, who
saint Paule calleth heretiks (I dare not
now for hym, but when I forget my selfe
call them by none other name) I woulde
wyth good wyl that men shoulde thynke
he ment none hurt. But in the words of
the wryting, taken after the comô blage
and acceptaunce of speaking, as he wyl
in this his. vii. chapter haue me take the
ther is neyther mothal vertue nor fryste,
but ful vnfrystful byce.

But as I sayd, I wyl not in defensce
of myne, answeç hym wyth the fauts of
hys. For myne were never the better
though his be noughe to. But I say that
myne obieccios in mine apology be not
frustelle, because they defend the truthe,
& make good folke perceyue bothe what
harne it wer to beleue such euyl lyes, &
what damage it wer to put away suche
god lawes, & how unreasonable it were
in other mës fauts to take smal thinges
for very heighous & great, or for them y
in a felowshyp are fawny, not to beare dis-
pleasure onely to theyz persons, but to
be at diuisioun in general with the whole
company. And thys fryste is there also,
that though y booke say y contrary, strau-
gers such as are here & can rede english,
which

Titum. 3.

Awich are not ye wote wel a fewe, man
yet perceiue by playn proues in myne a-
pology, that not onely there is no such
great generall causes of diuision as the
booke of diuision saith that there is, but
also that ther is no such great generall
diuision thowzowe y realme in dede. These
fruits are ther in many of mine obiecc-
tions against his booke in mine apology.

BNow wher as some of mine obieccions
peraduenture, lay but either lack of ler-
ning in him, or lack of natural wyt, sith
his name is not at his booke, but he spea-
keth him selfe vñknownen: this profyt is
ther in such obieccions, that wythoute
his rebuke or shame, the readers maye
by those fautes perceyue, that the writer
was not of ani such special qualitie, as
the booke wherin so much euil was con-
reined, shold be muche lened vnto, for
creedence & authozity of the man.

CFinally the very selfe obieccio, wher-
of he speaketh in the seventh chapyter of
his in hys new booke, & saith there is no
profyt in that obiection, and that ther-
fore it neded none answer, but he might
graunt me al that euer I sai therin, and
yet none effectual matter were there for
al that: thereto I say that loke who so list
what I say therin, and he shall find that
if this mā graunt all that, he hal graunt
in hym selfe much moze ouersyght, and
much moze lacke of learning to, thē were
requisite in hym & would put out bookes
abrode, and therfore hys wryting & lesse
to be regarded, whyle hys person is vñ-
knownen, wher as if his person wer knownen,
he myght be peraduenture percey-
ued for al that, for such a special man be-
syde, that his approued wylsdome & lear-
ning wel knownen otherwyse, might for
the estimation of hys booke, moze than
counterpass some such ouersyghtes as
at a tymy myght haply to scape a ryghte
wyse man, that would wryte by candel-
lyght whyle he were halfe a sleepe.

DBut the I say farther yet, that in that
obiection was a mater of no little effect.
For takynge that he ment as hym selfe
sayth he dyd: hys wordes semed playne-
ly to shewe, that he reckened the state of
chauntrye priestes, to be a state of moze
perfection thē y state of religiouse folke.
And therfore the obiection contained
matter of greate effecte, and whyche he
muche needed to answer and to declare
that he ment not so, but that he ment as
he now declareth, y diuision is betwene
secular priests, moze lamentable thē be-
twene religious, because y secular prie-

stes be more abrod, & thereby thest bary-
aunce moze knownen. Which expolucion
few men I wene wold have thought bp-
on before. But now that he saith he met
so: I am very wel content therwith, and
would that al folke shold take it so to,
& yet is it ye wote well but very wynter
ware, and a scuse as colde as a kay.

EThe. viii. Chapiter.
Is. viii. chapyter begynneth
in the second syde of his. xrb.
leafe, and pretendeth to an-
swer my wordes wrytten a-
gainst his, in the xix. chapter
of myne apologye, whyche begynneth F
fo. 116. And now he saith that I say ther
that I wot not wel what he meaneth in
that he saith that y spirytualtye call the
worldly honour of the church & of spiry-
tuall persons, the honoure of God. And
therfore he saith here y he wyll, & so doth
declare therin, what he ther met therbi.

But here is now the craft, whete as
I did ther shew what I thought he met
therby, & therfore made answer to those
thyngs that I thought he ther met: now
the matter beyng chaunged here, by hys
new declaraciō: he bringeth in mine an-
swers made there, & confuteth the soz ins-
ufficient now, whē hys new declaraciō
hathe made a chaunge in the matter, as
though I had the ment to answer thys,
that I was not thē ware that he woulde
now say, nor I wene hymselfe ne vther.

But reade fy: st good readers the. xix.
chap. of myne apologi beginning fo. 116
& ther shal you se those wordes of hys suf-
ficietly answered, for the thyng that me
thought he ment. And thē after that don
consyder hys answer here, in whych for
al hys holy peice of a sermon, what doth
he tel leth me y honour is one-
ly dew to vertue, & that no man may co-
uet honour wythoute offence, excepte it to honour depe
be to the honour of God, & that in ozyd-
nate appetite of honour is deadly sinne, &
that is a spiritual mā wold accept honor
by reaso of any spiritual dignitie, & that
God wer therby dishonored, thē that ho-
nor wer not to be called honor, but dys-
honor, & that yet some lay men saye that
spiritual men cal it an honour to God.
All thys whole tale for all this holy ser-
mon is yet to y matter, in maintenaunce
of his former wordes which he wold here
seme to desēd, vitterly told in baine. For
first in al this tale he tellerh vs not well
what he calleth worldli honor, which he
sayth the spirytualtye calleth the honour
of God,

H of God, & which was the thing y I sayde
I wylle neare what honoure he meant.

For where he would seme to declare it:
ther is his declaration both very bare,
and yet agaynst him to. For in the secōd
side of y. xxvi. lefe, he ditzibeth in a woyd
of spiritual dignite, and thus he saythe.
*(Then I meane farther, that if anye
spiritual man would accept a worldly
honour, by reason of any spiritual
dignite, & God were therby dishonored, as it
may be by many circumstances, as yf for
such worldy honour charite be in any
maner broken or denied, justice delayed,
ant of the. vii. sacraments not duly mi-
nistrēd; or the people not diligently and
playnly instructed; that then it is not to*

B e called honour to God, but rather dis-
honour, & that yet some lay men say, they
cal it an honour to God. And surely the
truth is, that many lay men say, that for
the maintenaunce of such worldye ho-
nor, spiritual men both religious & se-
cular, be negligēt sometime in such thin-
ges, as be before rehersed, & that yet they
cal such worldy honoꝝ y honoꝝ of God.

Here he hath told vs that if any spirit-
ual man would accept a worldly honoꝝ
by reason of any spiritual dignite, wher-
by God were dishonoured, that honour

C were not honour. But yet he telleth vs
not what maner of worldly honour it is
that he meaneth to be accepted by reasō
of a spiritual dignite, nor yet what ma-
ner thing such worldye honour is, nor
touching y spiritual dignite, he telleth
not whither he mene a desire in any mā
to attaine any spiritual dignite, for som
kyndes of worldly honour that he thyne-
keth shoulde folowe thereon, or els some
worldy honour by reason of any spiri-
tual dignite, y the man hath alredy.

I let passe his cold and vnsauery tolde
rate of charity denied, & justice delayed, &
some of the seuen sacramentes not duly
ministrēd for maintenaunce of such world-
ly honour, as som spiritual men both se-
culars & religiōus bi reason of spiritual
dignites accept, as some lay men say. A
worse tale & a cold by my faye, to be tolde
for a cause of an heynous universall di-
vision, for this were an endlesse di-
vision, if every such fault of some, shoulde
vpon every some lay be laid for a cause
of diuision against the generall body.

And yet bylyde all this, I say that his
firſte woꝝdes are nothing maintained
wyth al thys matter. For his firſt woꝝ-
des speake of a conſente and agreement,
wherin ſeculare priſtess and religious,

for al the bartauice betwene theiſelueſ
for other thinges, yet agree together a-
bout the maintenaunce of that worldy
honour that they cal the honour of god.
And here he speketh but of another mat-
ter, that is to wyt, that for the maynta-
naunce of woꝝdly honour ſpiritual me-
both religiōus and ſecular be negligent
sometime, and in ſome maner breake or
deny charite, delay rufſice, and do not
dewly minſter ſome of the ſacraments,
nor dylygently and playnely inſtructe
the people.

Al this tale as you ſee to chech y pri-
uate fautes of ſom ſuch, as for the main-
tenaunce of that woꝝdly honour which
they cal Goddes honour, thus myſle vſe
themſelue. But this tale is nothynge ſyb
to hys other tale, that he told and I tou-
ched before. For that ſpake of ſuch agre-
ment all in one, that is to wyt an holding
together whyche ſignifieth a mayntey-
ning ech of other agaynst other men, in
maintenaunce of that worldye honour
that they cal the honour of God, in lyke
wyſe as for matters of theyz owne, they
be one againſt another among theiſelueſ.

And thus you ſee playnely good rea-
ders, that this maner of maintaining of
hys former woꝝdes, is a clene going fro
them, and a leauing of them bmaintained,
& (because he commeth vpon me be-
ſore in another place with caſes of law) G
Wer in the law a veri plain departure, &
ſhuld in any of y kinges courtes if I de-
murred dpo it, bitterli mar al his mater.

And ſo appears that ſome other ſom
haue ſayd thys vnto him ſynce to glosſe
hys fyſt woꝝdes wal. An yet I meruel
that he could think theyz ſayeng worth
the rehersing agayne. For who can be-
leue that any spiritual man would be ſo
mad, as to call worldye honour vſed to
Gods diſhonour, the honour of God. I
can ſcarce beleue y any lay mā would ſo
tel him, at the leſt wile not with that ad-
ieccio, that he now putteh newe thereto. D

But now if it ſo be that on the other
ſyde, al spiritual men woulde wyth one
voynce together, cal the honour of God,
that worldy honour that worldy folke
do to the church and vnto ſpiritual per-
ſons, for the deuocion that god lay men
bare to God and vnto ſpiritual perſons
for Gods ſake, by reasō of theyz holy or-
ders & honoꝝable roumes y thei bare in
Chriffes church, though ſom of them as
this mā ſaith, sometime do not theyz duti-
therin but leauē ſom part of their duties
toward Gods honour vndone therſore;
yet

Ayet for the deuocion of the temporal per-
sones that for Goddes honour do it, thei
may al wel cal it Gods honour in dede.
And therefore is this good man in that
point ful answered, as solempne a mat-
ter as he made thereof.

But now cōcerning hys former wor-
des of the agreement of ali spiritual folk
together, in the mayntenaunce of theyz
worldly honour, for al their p̄suete di-
spleasures and dissensions in other thin-
ges among them selfe, wþþ whyche he
cometh in after here agayne, and reser-

Breth him to the common opinio of much
part of the people both spirituall and te-
poral, whether lay men so saye or not: I
say that though al men so sayd, yet is no
man at diuisiōn with them therfore. For
ther is no cause wherforo any mā shuld.
For it is none vnreasonable thing, that
sith those thinges which thys man spea-
keth of, that is to wit those spiritual dig-
nities to which he saith such worldy ho-
nour apperteineth, are lawfullie theyz
owne, eche of them shoudl in al lawfull
wayes and such as are by no law prohibi-
ted, help and assit other to kepe them,
thoughe there be soꝝ priuate matters of
theyz ownē bariaunce and sute betwene
them. And this may they w̄tch better cō-
science do eche for other then eche of them
for them selfe. For in thys that they doe
for other, is there not the synne of amby-
tion that this mā here speakeſt of. And
this is the part not onely of spiritual me-
relious and secular both, but of every
good temporal man to, and not onely to
do so for them, but every man also for o-
ther. And therfore what reaſon had those
same some that so tolde this man, if ther
were any some ſuch in dede, to take thys
thyng for anye caufe of dyuyſyon: or
why dyd not he ſo rather tel them, than
put theyz fonde tale in hys booke?

DBut than one pretye peice he hathe of
two partes, bi which he weneth that the
spirituallye can in no wyle escape but þ
thei must nedes be beſtrapped in þ tone.
For when he hath ſayde that the people
ſay that spiritual men be ſometyme ne-
gigent in kepyng or grauntynge chari-
tie, or in ſpevy doyng of iuſtice or in du-
ly ministringe ſome of the ſeven ſacra-
mentes, or in plain and diligent inſtruc-
ting of the people: thei to a proper peice of
two parts thus he cōcludeth the matter.
FAnd if it be not ſo as the people ſay:
then are the spiritual rulers bounden to
helpe the people oute of that iudgement,
or els they be not without offence them-

ſelf. And on the tother syde, if it be as the **G**
people ſaye: then are spiritual men bou-
den to ref̄ ſe me it. **X**

As for this two handed ſwozde, ſome
yong lufſy frere would boldlye beate of
wyth a two handed ſtaſſe, and tell thys
man againe, that if the people as he put
teth for the tone part ſaid in ſuch thiſgs
not true: then ſeech he not noꝝ no mā els
neither, what the spiritual rulers could
do to put them out of that iudgement, but
tel them, *nolite iudicare, et non iudicabimini*, and
ſo wyl that ſyde of the ſword do thys mā
little ſeruice. And then on the tother ſyde
if the people in theſe thynges ſay true as
it is wel lykelye they doe: then true it is
that the spiritual men be bounden to re-
fourme it. But then is it as true again,
that the thing being but ſuch as this mā
reherſeth, that is to wyt negligence but
in ſome, in doyng of ſome parte of theyz
duty, and that alſo but ſometyme, is no
cause of diuision to ſet the whole tem-
poralit y agayne theym all, and that ſyde of
the ſword the frere would with this end
of hys ſtaſſe beate hard vnto thys mans
owne heade. **Luke.6.** **F**

Now goeth this man farther fo. 27.
and ſheweth that myne anſweſe to hys
wordes which you reade in the. xix. cha-
pter of myne Apology, be very dark, by
the reaſon that I vſe therin ſo often this
word (Some ſay) which is he ſayth dons **G**
after a raylig fashio. But as you know
wel good reders, I haue take that word
(Some ſay) of his booke, in which I red
it ſo often, that it falleth ſome tyme into
my penne ere I be ware.

And as for the rayling fashio, þ I
durſt be bold to tel ſo ſad a man a merye
tale, I would tel him of the frere, that as
he was preaching in the country, ſpyed
a poore wyfe of the parvſhe whyspering
wyth her peſefellow, and he ſallyng an-
gry thereto, cryed out vnto her aloude,
hold thy bable I byd thee, thou wyfe in
the red hoode. Whych whē the houſwife
heard: ſhe warded as angry agayne, and
ſodainly ſhe ſtare vp and cryed out vnto
the frere agayne, that al the church rāg
theron: mari ſir I beliue his hart that
bableth moſt oſs bothe. For I doe but
whysper a woord wyth my neyghboore
here, and thou haſt babled there al thys
houre. And ſurely good reders ſauē for
ſetting of the word of God in this good
mā ſermon: I durſte well in the lame
worde (Some ſay) beliue hym, and
beliue hym agayne, that moſte haſte
rashed therwith of this good man or me.
F

A For reade my wozds ther when ye wyl, and you shall fynde, that I wylth that wozd do but in a maner play with him. But by saint Mary he, how wel so euer he ment, his woordes wylth hys manye (Some fates) byng good men in sclander and obloquy of the people, & peraduerte in perill to, wylth vntre surmyed tales of myslle handling folke soz heresy, & al coloured vnder som fates to make hys lies semme somwhat likely. Such shewd (som fates) to be no meri spozing, but be sad and earnest rude railinges in deede.

The he coucheth myne answer made in the sayd chapter of mine apologye, & double constreth it, that I say y he hath heard soms lay me sat the contrary. For first he saith he never heard lay man say to him the contrary, but that all the spy- ritual men religious & secular, holde together in the maintenaunce of y wozdly honoꝝ, that thet cal the honour of god and of the riches of spiritual men.

Pow ye wote wel I speake in y sayde xix. chapter, that of the spirituality suche as are fallen frō the sayd vntre heresye, holde not at al with that honour that I thought he ther had ment, that is to wit with building & garnisshig of churches, but he both against that, & tithes, & offe- ringes, & obites, and frentals, & purga- tory, and masse and al. And I had went in good faith that of so greate a thyng, & so much spoken of, it had happed hym to heare som lai me speak, but he saith nat. Wel we ca no farther the, but stand vnto his wozd, & take an othe of his honesti therein, & yet I wene as honest as he is, what so euer he be, his own honest frends wil be lothe to swaere with him therin. But then saith he farther, that though it were so: that would not yet answer hys sayeng. If wold not to say the soth in very dede, taking his wozd as I wene he met it. But taking his wozd to y wort (as he taketh alwaye mine) & yet but euē as he wrote it (but if it be printed false) it is a cōfutaciō to it. For if those spiritual persons both religious and seculars, that

Dare fallē from the faith to heresies holde not with the remanāt: the verdy though they were fewer then they be, it is not al true that he saith, that in y maintenaunce of suche honour they holde together all. And yet as I haue all redy shewd you, it woulde not helpe his part of a penye, though they did everychone secularis & religious, catholikes and heretikes to. And therfore can he not saye but he is in this point answered, enē to the very ful.

Than in the xxviii. and xxix. lease he subtily findeth a faute, that I saye that there are some suches of the spirituality so fallen vnto heresies, that it is pytye that euer they were therof, because he saythe we shoulde not dispayre of them, but theſe may repeſt and amend. And also though they do never amende: yet I shoulde not say so. For men maſt not say by the diuel that it is pytye that euer he was created, because Gods iuſtice is shewd on him. We wyl in this matter keepe no longe Scholes. But this eueryman knoweth, that who so vſe a common word ſpoken amog the people, is reckened ſo to meane therein, as the common people meane that vſe it. And therefore ſiche the people that ſo ſpeaketh, meneth not to ſpeak agaynſte amendment, but agaynſte the preſente wretched ſtate that the manne ſandeth in at the tyme: that wozd maye by Gods grace be borne metelye well vnoughe. And as touchyng the dyuel, though men maye not grudge agaynſte Gods iuſt punishment: yet peraduerte a man might ſat without peril of dampnacion, that it was pytye that he ſo miſſed hymſelfe, as in thē that are ſoꝝ their heighnous offences put vnto paynefull death, though we ſay they wer ſerved as they wol deſerued, yet we let not to ſaye it was pitie that they guided themſelue no better. And saint Chisostome pytyeth alſo the diuel. And our ſauour hymſelfe pitied Hierusalem, and ſoꝝ the pity wept alſo thereon, ſoꝝ the punishment Math. 15: that ſhuld fal theron, and yet was it the iuſt punishment of God.

And though the parties afterwarde may mend and doe good agayne: yet ſoꝝ the lime tyl they mend, yea and after to, we maye pitie that they were in ſuche caſe, as to hurt them whom they haue al redy remedyleſſe deſtroied, by their false doctrine deade in the dampnable heresies that they learned of them, and lyē therfore buried in hel. And therfore y thyng that I may not absolutely pytye: yet in ſome respects I may.

Fynally he ſayeth that I ſhoulde not call anye heretikes desperate wretches. Thys is a ſoꝝ poyn̄te I assure you to call a wretche, ſuche as he sheweth hymſelfe to be, to call hym desperate, whose liuing sheweth no maner hope of amendment. Sainte Cyprian I ſee wel was ſore ouerſene, whych in the ſeventh pycle of hys fyſſe booke, ſoꝝ leſſe thynges thet theſe are, calleth ſom folk desperate. And yet was saint Polycarpus farther ouer-

The debellacion

Aouersene, whiche calleth Marclon h first begotten sonne of the diuell. Thys man hath here as he weneth founde oute proper fansyes, wherin I hadde leuer leaue him in the liking, the leese much time in answering of suche blant subtill trifles.

But to the matter good readers concerning the former wordes of his dyuision, al be it that I haue here more than fully confuted this chapiter of hys, for any defence that he hath for his said former wordes, wher about is al our matter: reade yet the xviii. chapiter of myne **B**Apology, wherein you shall see dyuers other lyke wordes of hys, and apply me myne answer there, to those other wordes of hys whiche he defendeth here, and ye shall see that he hal haue more work then inough, to defend them wel, and to make them serue hym to purpose.

Che. ix. chapter.

Six. ix. chappter begynneth in the xxx. leafe. And hys sommar woordes whiche he therewyth defendeth and myne aunswere also thereto, ye shall see in the xix. chapiter of myne Apologie fol. 119.

Whyche when you haue good readers there ones redde ouer, than soorth, wth whyle it is fresh in remembraunce, **C**retourne again unto this, che. ix. chappter of his dialogue, and the iudge wherether it anye thinge touche the poynte or not. For al thys chapiter is spet in preaching of restitucion, full well and full truely forsoothe, and whiche in my pwe mynde I very well allowe, and woulde haue allowed in lyke wise hys first booke very wel, if ther had ben no wursse wordes in it then such. But now the matter standeth al in this, that thys man maketh there as though the spirituality were verly busye to procure men and to enduce the people, to gyue money to trentalles, to found chauntries, and obites, and to obteine pardons, and to go vpon pilgri-

Dmages, leauing theyr dettes unpaxed, & restituicō bnmade, whiche things shuld be done first, and that this is the maner of the multitude of the spirituality. In this standeth the question. And therfore is now the point, not whether dettes be first to be pased, & satisfacciō of wrōges first to be made, before al these other thinges, wherin this man saith here surelye ful wel, but whether (as he wold haue it sem by his booke of division) the multitude of the spirituality, that is to wyte either al sane a few, or at the least wylle farre the most part, do solcote & laboure

lay people to the contrarype maner, that is to wit to do thoe oþer thinges, rather then to pay their dets or make restitucion of their wrongs. Thi: is I say the point. And of thys point wherein al the matter standeth, this man in this. ix. chap. of hys speaketh not one word. And therfore in this thiȝ stādeth mine answer made in hys said. xx. cha. of mine apology cleare & clere untouched, as euery man may perceiue þ redeth it. And therfore wher in þ second side of his. xxiij. leafe, this man saith thus. **F**And to thentent I would haue thys matter the better loked vp: I wold here aduertise sir Thomas More, not bi way of argumēt, but for clerenes of cosciēce to consider whither is þ moze charitable way, first to make restitucion and pax dets, & releue extreame pouerty, and then to do the other if he haue to doe both, or els to do the first & let þ other passe.

For this his good aduertisement, I very harcely thak hym, & answer him as himself wold wsh I shuld, þ surely me thincketh as he doth, that the moze charitable waþ of the twain wer that þ himself hers mouth. But the loþy and by he geueth me another good lesson, wherewyth he wold I shuld amend mine owne faute, that he wold it shoulde seeme I hadde in myne apology made agaist him. For then loþus goeth he farther forth.

FAnd if he think that this way that I moue be the moze charitable waþ, þ then he helpe it forþward, rather then þ other, & then not to blame anye man þ maketh that mocion, as though he wer agaynst trentals, obites, and such other, for he is not against them directly, but onely entendeth to haue theym chaunged into a moze charitable oþer. For though þral ere be right expedient & healthfull to the soule: yet they serue not in al cases as to discharge dets or restituicō: wher ther is inough to paye them wth, no more then ther can be fouden any one salue, that can heale al maner of sores.

I neither haue don that I wot or, nor wylingly intend to doe, blame him for any part of this charitable mocion, but think hys mocion right good, & that the fruit therof if it be solewed, wil be moze yet the himself saith he mindeth. For he saith as you se, þ he mindeth but to chaunge obites & trentals, and those other thinges into a moze charitable order, that is to wit into païeng of dets and recōpening of wrōges in them that haue not of theyr own beside, and in them that haue then to paye the dettes and reconpence wrōges

Awrongs first, and doe the other after. But me thinketh there wyl come yet a farther profit of this order to. For wher as here we speake but of him that paienth his det, and recompenceth hys wrongs, of which folke many a man is ablie well to do the other, when both those twain be done, ther is to the other sort of men also besyde, to whom those wrongs are done, and those dettes owing, of whiche sorte there be manye, that if their wrongs wer ones recompensed them, & their dettes payed them, were able and woldes do those other thinges also theym selfe, which now for lacke be not able, and so shoulde there of lykelyhoode be the selfe thinges that hym (as his firsse booke **B**faith) rychedesse into the churche, by thys good order encraeted. And therfore not onely haue I no cause to blame this god man for the motion of this good charitable order, but also no moare haue y multitude of the priestes, whiche myghte of lykelyhood wynne as much by this way, as by the other, emore, except the multitude of priestes wold for the redyness to take it wher it is alredy, moue them that haue it to do these other things first and leaue theyr dettes vnpayed, & theyr wrongs vntrecompenced, whyche that y multitude of priestes do, I never herd yet any honest lay man, that woulde for very shame saye. For I thincke it were hard to meete with a priest that were so wretched, but that if he wer asked in that point his advise and counsayle, he wold in so playne a point thoughe it were but for very shame well and playnely counsayle the trouth. And if percase ther were some founden to shamelesse, y they wold gyue counsayle contrary; yet am I very sure they shoulde be farre the fewer part, and not as this good mans syssire booke saith, the more parte and the multitude.

And therfore sith this order that thys good man here moueth, is so good and so charitable: I never blamed hym for the motion. But though this motion in this booke be good: I myght wel and so did, blame hys other booke, not for his motion, but for a nother matter, that is because it labored vnder pretexte of an vntrue report, to bryng the spiritualitye in sciamander and obloquy amonge the temporality, by makyng men wene that of thys charitable order whiche he nowe moueth, the multitude of the spirituality induced men to the contrary.

This is to the thinge that I blamed. And therfore lyke as thys good manne

sayth, that one plastron can not heale all sores: so luredys shys same lasure of thys good charitable mocyon can not serue thys good charitable man, to salve and heale wel, this vncharitable sore.

In this motion, of thys charitable order, thys good man wareth so warme, that of a good zeale he faileth in remembraunce of the soule (whyche our Lord pardon) of the most noble prince of very famous memory kyng Henry the viii. father to the most excellent prynce our soueraine Lord the kyng that nowe is, wherin after mencion made of abites & chauncies, letting the dew examinaciⁿ on requisite for restytucion, sodaynelye thus he saþer.

Howe þer the ryght noble prince of blessed memoþre kyng Henry the viii. father of our souerayne Lord the kyng that nowe is, wylled restitucion to bee made. But howe hys wyl was performed I can not tel. Howe be it what so euer was don therin: I suppose hys good entent suffiseth to hym. **G**

What if thys good man can not tell By lykelyhoode ther is nothing owing to him thereto. For if there were, then were it lykely that he could tell. For he could tel then that al the wyl were noe perfourmed. I haue heard I wote well, that the kyng our souerayne Lord, deliuered great substance into thercutoris handes, to fulfyl the wil withal. Which howe they haue bestowed, this good man may (yf he haue thauhority) cal them to the reckening. And if he neither haue au thorite to cal for the accompt, noz haue nothing owing to him: neither: the master then toucheth not hym so nere, noz so speciallye perteyneth unto hym that he shoulde greatly neve to gien al the wold warþyng thus, that hym selfe is not made of counsayle, howe the kinges wil is perfourmed.

But here wyl this good man saye that I do but mocke hym, wherin I wil not y greatly sycke wyl hym. But surely for my poore wylte, me thinketh it somwhat moare ciuilyte, in some such poin tes as this is, a litle merely to mock hym, then with odious ernest argumentes, seriouslye to preache vpon him. Whyche I would also be very lothe to do, for char ging of myne oþer conscience. And therfore in al thinges that me thincke are of great weyght, though I touch his wodes, I accuse not his oþer minde & intē. For in good faith I haue of y man good trust, y he meneth no wors, but wold al thinge wer

Awere well hymselfe , but ever moze my
mynde giveth me , that some wylly shre,
wes abuse the good mas simplicite.

Chapter. x. chapter.

Is. x. chapyter begynneth in
the. xxxiii. leafe , where in hee
toucheth certayne wordes of
myne , wycten in the. xxvii.
chapter of mine apology , that
beginneth fo. 162. wherin he varieh not
much with me , sauing in that I say that
if the prelates of the church wold wryt-
drawe from their worldy countenaunce ,
as is keping of honest laye men in theyr
seruice , and keeping of a good worship-
ful table , & would bestowe their plate , &
the moste parte of all their monables at
ones vpon poore folke , & verely after the
most of their verely revenues to , of whi-
che minde I said I durst warrant wel y
some prelates be , if that would (as I say
there , amend al these grudges) y I durst
be bold to warrant as well also , that yf
the prelates so didde , the selfe same folke
that now grudge and call them proude
to their countenaunce , would the finde
as great a grudge , & call them ipocrites
for their almes , and would say that they
spende vpon nougenty beggers the good
that was wont to keepe good yome , and
Chat thereby they both enfeable and also
dishonour the realme .

Upon these wordes of mine , this good
ma maketh me soz sooth a ful goodly ser-
mon , in the. xxv. leafe of his boke , wher
he beginneth it with these wordes , I can
not se . And verily if he had ther left and
gon no farther : it had ben wel inough .
Soz as for the thing that he speaketh of ,
it appeareth by hys wordes he can not
see very well in dede .

Because Christ comaundeth in y gos-
pel , y we shal not iudge , & that S. Paule

Luke. 6.
Rom. 14.

1. Corin. 4.

Dfaith also who art thou that iudgest an-
other mas seruaunt , & againe biddeth vs y
we iudge not before the time , all whiche
places are vnder stād of iudging certain
& determinate persons to do euil , in the
things y we se thē do , wher the things be
but indifferent of thē self , & may be done
not euil oneli , but wel also : this god ma
therfore laieth these terteis to touch me ,
for iudging y som folk whō I neither al-
signe bi name , noz as yet know not who
they be , wſl do euil hereafter , by misiud-
ing other mē . I wene verely that saynte
Paule himself , at the time whan he soz
bode vs to iudge before the time , did eue
than iudge , that some wold after y mille
iudge and iudge before the tyme to ,

CAnd albett that our saviour sayth , C
that whoso call hys brother folie is gyl- Math. 5.
tie to the fyre : yet he meant not of hym y
would say , that ther wer some folies a-
brode in the worlde . For if he so meant:
than would ther not tenne fyres be pain-
ynough for hym that wrote these wo-
des in the scripture : There are of folies
an infinite noumber .

And because this god man vslēth some
time thys figure of eraminacion , I
would wittie of maister More thys and
that . I woulde nowe wittie this one
thyng of this god man . Suche faultes
as he syndeth with the spiritualtie wri-
ten in hys boke of diuision : whether did
he than iudge that some of the spiritual-
tie woulde fall in them anye moze after
oy not : If he judged that al theyr fanta-
sies towarde those faultes were alrea-
dye passed before , and that none of them
woulde never doe moze so : than had he
little cause to wryte all that woork vpon
them .

And on the other syde , if he iudged
that some of them woulde afterward doe
some suche thynges agayne , eyther but
if he gaue them warnyng , or els though
he dyode , as I dare say , whatsoeuer him
self say , in some of those thynges he dyd :
than shū that time in whiche he iudged
in hys minde , and made hymselfe ther-
of sure , that some of them woulde dooe
some suche cuyll thynges afterwarde ,
as were at the tymc of the same iudge-
ment of hys minde not comen , hymselfe
tell as you see by hys owne argument ,
in the daunger of that prohibition that
hymselfe vryngeth in , by whiche Saynt
Paule fdrbyddeth and lapeth : nolite ante l. Corin. 4.
tempus iudicare . Judge you not before the
tyme .

Soz if he saye that I tell whome I
meane , thoughe not by name : yet by a
signe and a token , in that I say even the
same will than call them ipocrites soz
theyr almes , that now call them proude
soz theyr worldy countenaunce : he must
consider , that I neither tell noz can tell
who be they , nor though I say the same ,
I saye not yet all thesame . And there-
foze no moze mysse iudge any manne de-
terminately and in certayne , than he
that woulde say thus , as manye menne
saye in dede : Euen they that goe nowe
full freshe , in their garded hosen , and in
theyr gaye golden riuen shyztes , and in
theyr silken sleues , that nougth haue to
beare it ouce but gamyng , will once I
warrante you fall fro gamyng to sea-
lyng ,

A lyng, and farte strayghte out of sythe
into hempe.

Thus sayth and thus iudgeth ye wot
well many a man, and yet meaneith not
that it shall so misse happe them all, but
that some shall amende and doe better,
and that yet hys woorde will be vertifed
in many, and so doeth it prove in dede,
& he that so sayth before, is farre iugh
fro the dannger of all thole textes which
this good man preacheth to me.

But than he sayeth farther, that he
trusteth that those prelates whom I say
I durke warrant to be of suche mind,
will not dysferre theyz good purpose for
no such suspition that happily will ne-
uer come, ne yet soz no suche uncharita-
ble woordes, though they were spoken
in dede. And there vpon he descendeth
to the makynge of actes of parliament.

If those prelates that I meane of, re-
koned themselfe verye sure, that all the
witte & the learning that is in the woorde
or within this realme either, wer eyther
in theyz owne headeis, or in thys good
mannes and myne. Whiche peraduen-
ture soz myne owne mynde could agree
well with thys god man in thys poynt,
and aduyse those prelates that I speake
of, to folowe theyz owne minde therein,
and out of hand even so to do: than haue
I little doubt but that they woulde e-
uen so do in dede. But some of the haue
ofter been as I suppose thā once, where
they haue heard both wise and god folke
too, and peraduenture yet shold haire a-
gayne if it wer as this man would haue
it, spoken of in the playne open parlia-
ment, that woulde not sayle to dissuade
it, and lay no little causes why.

But I will not at this time with this
god man entre in this matter, into seri-
ous earnest arguments. But I shall
shewe hym a god mery cause wherfore,
that though I bē of hys mynde therein,
yet I dare not aduise them thereto. The
cause is, that I see them haue so greate
desyre & ferre concupiscence towarde
it, that I am afarde to counsayle them
folowe it, because of the scripture that
sayth, Post concupiscentias tuas necas. After thy
concupiscenties goe thou not.

I will make no lenger tale vpon this
matter. For if you reade my. xxviij. Cha-
pter, in whiche my woordes are that
we now dyspute vpon: I trust you shal
not thinke them so very farre out of the
way, but that they may be w̄ritē, with-
oute offence of Chrysostes ghosspell well
ynough.

And also concerning thy woordes, C
youdē w̄oldly cōfidence, wherof
we speake here, vouchesafe good reders
to reade my. xxx. chappyter of myne apo-
logy, which beginneth in the leafe, 174.

C The. xi. chapter.

M Is. xi. chapter begynneth in the
xxvij. leafe, wherein sytle he
w̄ritēth that I reherse ryghte,
and consider a myllē thy woordes
of hys. And therefore.

You shal finde my woordes good rea-
ders vpon these whole woordes, that he
reherseth here, in the. xxviii. and. xxix. A
chapiter of myne apology, of which two
tome beginneth fo. 183, and the other be-
gynneth fo. 184.

Here this man declareth that h̄ word
of hys booke, whych here also he w̄old
truely reherseth, do not import that him
selfe saith that thing whiche I by those
woordes, and among other by this woord
(therefore) affirme thereto that he sayth as
of him selfe, but he saith that the words
prove playne, that he saith it, but onelye
of the report of much other folkes thyn-
king, and not as of his owne sayeng.

Surely neither now, nor in any place
of myne apology, I neyther haue doone
nor intend to charge this man, that hys
mynde and purpote was such in his in-
tent, as the great lykelyhed of his wo-
ordes woulde give men occasion to think.
But on h̄ other syde, that the woordes
haue genen me good occasion and suffi-
cient, to say as I there haue sayde: who
so reade the said two chapters of myne
apology, shal by the whole circūstance
of the matter verye well I suppose per-
ceyue. And you shall ouer that, if after
those two chapters readdle, you returne
to his owne declaracion here in hys. xi.
chapter, wel perceiue also that to couer
slyly that oversight of his (for surelye I
thinke it was none other) he leauely one
properlye in one place thys woord (ther-
fore) whereupon a good peice of al the
matter hangeth. For in the ende of the
xxvii. leafe lo, thus he handeleth w̄yllyng
the matter.

And in that he sayth, that I saye
playnelye those woordes my selfe, he say-
eth plainly agaynst the letter of the said
treatise, whych is that they haue puny-
ished many persons, whych much peo-
ple haue iudged them to do vpon w̄ill,
and not that I sayd to my selfe. E

Nowe good reders in thys rehersal
P. i. of hys

A hys owne woorde, he rehearseth hys
own woorde wrōg. For here he leaueth
out as I told you the wōrd that maketh
the matter. Which he rehearseth hymself
in the whole cōtext before. For his wo-
rdes wer not, & that they haue punish-
ed many persones, whiche much people
haue iudged them to dōe vpon will, but
that therfore they haue punished manye
persones, whiche much people haue iud-
ged them to dōe vpon will. &c.

Now when he saith himself that they
haue punished many therfore, that is to
wite, for the same cause, & hath before al-
so shewed a cause of his own diuinacion
two, and hath vsed the same wōrd therfore
in the same fasshion before, & this woorde
(therfore) whiche signifiyeth for the same
cause, hath here in his last clause no ne-
cessarye place to the complement of the
sentence folowing: it appeared that he
saith therin. g. chinges, both y they ther-
fore, that is to say, for the same cause next
before spoken of, the cause that hymselfe
therre ymagineth, haue punished many,
and also that (as he sayth it so) much peo-
ple iudged thesame.

And thys shall you the more clearely
marke, if you tourne these woordes. And
therefore they haue punished manye
whiche much people. &c. into these woor-
des, (wherof the sentence is al one.) And
for that cause they haue punished many
whiche much people. &c.

And therfore, that is to say, for that
cause whiche I before told you, that is to
wite, that you shoulde not perceiue thys
poynt, this man in his last rehearsal as
you haue hearde, bringyng the thyng to
y trial, left his (therfore) out. But reade
my sayd two Chapiters, & than as for y
sentence of his open woordes, I trust you
shall beleue me. As for y secret meaning
of his mind, I pray you beleue him. For
so that you beleue not the shrewd woor-
des of hys booke, I woulde to chuse you
should beleue well of y god in himself.

Now where he saith in the. xxvij. leaf
that he thinketh I change hys matter,
because I woulde be loth to haue it repro-
ted, that much people take it so: verely I
change not his matter. But trouth it is
y I am loth to haue that thyng so repro-
ted aboue. For truely the reporte aboue
is noughe, although it wer not b̄true.

And whereas for the farther maynte-
nance of hys matter, he sayth, that if I
make search therin to know the trouth,
I shall fynd that much people take it so,
that many whiche haue ben punished so-

heresy, the spiritualltie haue done it of no C
lone but of will, for such evill mind as in A is heretike
the booke is ther imagined of thē: he hath doe say.
of likelihod himself made search to find
it so. For as for me though I goe not a-
bout to search that poynt of purpose: yet
I haue talked w̄ many one in this mene
whyle, & yet I thāke god it is not my for-
tune to find out that same much people y
take it so. And if ther were much people
that so did, it wer their own faut, wher-
in I cannot devise what the spiritualltie
myght dōe to chaunge them, but onely
pray god to mend them.

F
And as for me, if ther were much peo-
ple that so take it, as I trust in god vere-
ly ther is not: I would as my duetie wer
be surely very sorry for them, but in thys
cause of trouth, truely I wold not slater
thē. For though that sort of people were
never so much in dede: yet is the trouth
in that poynt so cleare against them y if
their mindes wer such, it wer both gret
shame for them to saye it, and also great
sinne to thinke it.

And surely that their saying is false &
nought in his owne secrete iudgement:
you may see god readers by this that he
laboureth so soze to put it from himself,
and woulde be so loth to haue it taken for
his owne. And therefore while hymselfe
thought ther saying so false, he shoulde
not haue told it after thē. For now shold
he not lead me to search & leke thē, but to
laue his owne honesty, lest men myghte
think he sayned, he shoulde leke out and
bring furth some of those shrewd sayers
himself.

G
Another thyng this man toucheth in
thecame Chapiter, concerning y second
sort of peple whom I say in some places
of mine apologye, that this man calleth
politikes. And here he declareth that he
doth not so, & proueth it by like woordes y
spoken of a god mans mouth by an hy-
pocrite, of whom a man may say: Thys
man bleseth himself as he wer a vertuous
man, & yet calle him not vertuous. And
so myght this man saye that they speake
heresies as of politike, and yet call them
not politike.

But here must he nowe consider, that
whoso speake such woordes in such fasshi-
on by an hypocrit, saith it in his dispraise
and in detraction of such hypocritise, &
therfore he y so sayth, sheweth y by such
woordes he taketh not the hypocrite for
vertuous. And therefore reade god rea-
ders this mannes whole prouesse of hys
three sortes of peple together, which you
shall

A shall synd in the.xvi. Chapter of mine apology. fo. 123. and then if you find his wordes of their speaking such heresies as of policy, in like maner spoke by him in dispayse of heretykes, as he putteth here his sample of those wordes spoken by a god man in dispayse of hypocrites, & not spokē by a way of geuing them by that word(as of policy) a coulorable excuse for defence of shewing their heresy: than am I content, that every man take it, that I misseporze hym shamefully. And els I trust loke in all the places in which I speake thereof, & you shall sone iudge, that vpō his wordes vsed to such purpose as he there useth them: I maye well vse the wordes of hys politikes in such wyse as I vse yet.

And as foz the tinker & the tyler, that he speaketh of in the end of the Chapter, and sayth God fozbid but y they wer dismissed and went home about their busynes, if they can by any reasonable & true allegiance, so ordeyn thyself, that it maye appeare that they ought to be dysmissed of justice: therin holde I well with hym, and god fozbid elles tw, foz elles myght they lese betwene thē, the tone the p̄ce of his trewell, and the cocher of his clouted kettle. But loke god readers in mine apology the.xlviii. Chapter, whiche beginneth fo. 272. And that done, I dout not but you shall find foz the tylar & the tinker, foz heresy there called in of office this god word so spoken here, but a very bayn word of office, & that the tinker would haue tinked out of his pānes botome, a reason that woulde at the leaste wile ring a little better then this.

The. xiiij. chapiter.

D Is. xiiij. Chapiter beginneth in h̄.xxviii. lease, which because it is a god swete sermon and a short, made onto my selfe, to put me in remembrance how I shold beare the like light faultes of other mē, as I sometime fall in my self: I shal take his Chapiter in here even whole. Loe god readers thus it sayth.

G Maitre Moze in the. 217. lease of hys apology, speaking of faultes, that as he thinketh, shold haue been layd foz causes of this division, cōcludeth thus. If there be suche a division, whereby it appeareth that he douteth whether ther be any division or not: foz this coniunction, if purporter alway a doute. And afterin the same apology. fo. 241. he cō-

feſſeth playnely, that there is a diuision **E** and maketh no doute at it, & he calleth it there y late sprōg diuision. And so in one place to make a doute, whether there bee such a diuision or not, & in another place to agree, that there is such a diuision, see meth to be a variaunce and contradiction in it selfe: howbeit surely I doze not intende to laye that variaunce to hym as foz any notable defaut: foz a like thing may sone happen in any man by a light overlyghte. But the cause why I speake of it is this, to put hym in remembrance y he hereafter ought the rather to beare such lyghte faultes of other the moze charitably, sith he himself hath likewise **F** bēn oversene. foz we be all frayle, ignorant, and unstable, though we be experted and taken as angels in our conuerſation. And therfore is it said in the first booke of the folowing of Christ the. xvi. Chapiter, that no man is in thys world without defaulce, no man without burden, no man sufficient to himself, no man wroth enough of himself. Therfore it behoueth eche one of vs to beare the burde of other, to comfort other, to help other, to ensourme other, & to instruct and admonishe other in all charitie. And if we wil note well the sayd wordes, we shal the sooner learne this lesson, to doe in all thinges as we would be done to: and to doe nothing y we would not haue done to vs. And that is as I take it, one of the most souerayne doctrines that is, to instruct a man how he shal in every thing concerning his neighbour, kepe hymself in a cleare conscience, learne it who so maye. **G**

Loe good readers, sy; he b̄yngeth **H** furth myne oversight, in contradiccion used betwene mine own wordes, and after with god wordes and sayze, excuseth my faulce, by suche oversight of frayltie as may sone happen in a man. And then he putteth me after in remembrance, that I must beare such thinges the moze charitably in other men, sith I am ouerſen likewise my self.

He faret in all thys tale, as though we sat together playing at posse. foz first he caſſeth my contradiction as a bye, to witte whether I woulde geue it ouer with a face. And because that wil not be falleth after to create, and would sayne part the ſtake, and diuide ſuch overfights betwene vs. But all thys is in bayn, foz I am as ſure of this game and there lay. xx. li. vpō it, as he that hath. iii. aces in his hande.

The Debellacion

A For loke god readers, in hys owne first Chapiter of thys booke of hys, and there shal you see þing that shall serue me, sufficently shewed euer by hys own wōrdes, that there is no such contradiction in myne. And than loke mine aunswere to the same, and than shall you see it yet moze clearly. Or els if anye man be loþ to turne the leaues, & loke backe: ye shall nedē to take no bulines in tourning backe at all. For he solelyth his argument himselfe agaynst himselfe, even in the making thereof, and all with one wōrd b̄nware.

B For nowe reade it agayne, and you shall see that he sayth himselfe that in the tōne place I say, If there be any such diuision. And so because this coniunction If, he sayth, importeth alwaye a dsubte therfore he sayth þ. fo. 217. I doute whether ther be any suchē diuision or not.

And after he saythe that in the other place I confesse that there is a diuision, and calle it there the late sprogen diuision. Loe nowe he forgeateth thys litle shorte woord, thys monasyllable, Such, whiche he rehearsed st̄t in bryngyng furth my fyſte place, and then by and by, either of forgeatfulnes or elles of wylynes, leaueth out in hys illacion that he maketh vpon thesame wōrdes of mine.

C Now god readers, you see well that to say there is a diuision, and to say ther is no such diuision, be noþyng contrarye at all. For I did in dede not denye but þ some diuision ther was, that is to witte, some little variaunce in some place begane, & by some few naughte folke blouwen furth to farre (for a little way is too farre in such a thyng.) But than meane I a diuision such as it is, not such a diuision as this man by his booke maketh it. I may well without contradiccion saye to him, there is a diuision as he speaketh of. For it is not all one to saye there is a diuision, and to say there is such a diuision.

D Howe if I woulde sticke with hym vpon trybles: I coulde proue him that If, doeth not alway purpozt a doubt, as he sayth that it alwaye doeth, but is sometime bled to confirme a certaynacie. As if a man say, he that dyeth in deadly sinne, shall goe to the deuit, if goddes word be true, douteth not of the trouth of goddes wōrd, but by the trouth therof, meaneth to confirme the damnacion of them that dye in deaddely sinne.

But I say not this as though it shold

be lyke in myne. For I doe not in dede take (if) therere in luch faliion. And therfore I will not doe here by If, as thys man doeth by As, in his Chapiter nexte before, in heresies spoken as of policye, b̄sing the saumple of wōrdes spoken by a god man in reproching of hypocrisye. to be lyke his own wōrdes spoken in the minyshynge of their blame, that vnder such pretext of policie, wolde speake and lowe abouete playne and open heresye. I nedē here no such wayes for my wōrdes. For here haue you seen your self by hys owne wōrdes, that there is in my wōrdes, no contradiccion at all.

¶ The xiij. Chapter.

Is. xiii. Chapiter begynneth in the xxxix. leafe, and by the rehearling of diuers wōrdes of his own in diuers other places of hys booke, here he declareth hys mynde that he intended not in hys booke of diuision, to bryng in among the people any hatered agaynst the spiritualtie.

G Howe in dede I doe my selfe declare exp̄essely, in many places c̄f myne apology, that whatsoever wōrdes I speake thererin, yet I meant ever more intentent of his booke and not of his persone. And although that in some places I saye the pacifyer here doeth this or that, to thys euill purpose or that: yet I meane euer, the dcde hys, the malycie of the purpose some other wyly shrewes, whiche not being fully of so god catholyke mynde as I thinke alwaye this man is hymselfe, (whiche openlye dysprayseth these newe broched heresies, and with detestacyon of them, rehearseth them by name) haue abused his playne simplicite, makynge him wene god soule, that while he didde putte in of hys owne god mynde, these god wōrdes whiche he rehearseth here, and with them here and there in some londry places pretely powder the booke, it could not be takeni that there wer any hurt ment in the whole woork together, how euill wōrdes and howe malicious soever þ litle shrewes made hym stuffe by the woork with besyde. Was not that a sinnesfull wyly way of them, to begyle a god symple soule so? For ywisse it is eth to see, that if the god man wer not of hymselfe very symple and playne, those double wyly shrewes coulde never deceiue hym so, as to make hym wene that these woordes whiche he rehearseth here in hys thyrteenth Chapiter, were anye maner

A maner token that hys booke of diuision, meant not to bving the cleargie in hate-
red among the people.

For who wer ther that so intending
woulde yet for shame vitterlye saye that
there were none god, and not rather to
keepe hys credence in flaunderynge
the body, would cast in some tyme an excep-
cyon of some? In such craft is no great
sleyght. It is but a comon playn poynt,
and as easly to spye as a long nose vpon
a little face, specially whyle as clearely
as he sayth that there be manye god, yet
as you may see, folio. 238. of myne apo-
logy, he sayeth playnely that it is harde
to fynde anye one, wþout that poynt,

What if he saye therein trewe) the verye
best is very naughte, and as badde as a
very beast.

And for þ farther pþoþe of this poynt,
reade myne aunsweare to this. xvii. Cha-
piter in this booke.

And where he speaketh here of the
feare that he woulde euery man shoulde
haue of the least censures of the church,
as though he therin meant much the fa-
voure of spirituall menne: consider the
place even here in hys new booke, where
he speaketh of inquisitions of heresies
in his seuenteenth Chapter, and you shal
well perceiue, that they that made hym
there putte those wordes in, meant lyt-
tle god to the cleargye. For it is there
layde in a matter full chyldishly to their
charge, as though they woulde haue all
the iustices of the peace and altheir iuris
of the realme, accursed for enquiring of
heresy.

Dbat yet is it of all thinges a very spe-
ciall pleasure to see howe he blesch here
for a playn apparant pþoþe of his god
mynde towarde the spiritualltie, that he
wishes well for them, and prayeth god
to sende them haboundauntye zeale of
soules, pittie, god doctrine, and deuout
prayer. And sayth that than a new light
of grace shoulde shortly shyne etc. And
that he sayeth also, that it is greate pyc-
kie, and much to be lamented, that the spi-
ritualltie doe not fast and praye and doe
other god dedees, to cease the diuisyon
withall, but that all that euer they dooe
therin most commonly, is that they take
it that they that find default at theyz ab-
usions and myseorder, loue no priesses,
but doe all of malyce that they doe, to
destroye the churche, and to haue theyz
godes and possesyonys themselfe, and
that therfore the cleargy thinke it a god
dede to see them punyshed, and therfore

(that is to saye for that same cause) haue þ
they punyshed manye persones, whiche
muche people iudge to haue been done
of will etc. And sayth also that they doe
continue still after theyz old courtes, pre-
tending by confederacies, wþoldely po-
licie, and trayte concreccions, to rule the
people, where he blesch these thynges
whiche I haue here rehearsed out of his
thirtieth Chapter of this his new booke
and somewhat made them more playn,
with adding thereto his owne other wordes
written in his diuision, as von may
reade in myne apologye. folio. 158. in
the xxvi. Chapter, and aunsweare thereto
at length, in the same Chapter and dy-
vers other in order there enselwynge, of
which this man hath aunsweare to some
verye little, and to the most parte and the
chiefe parte nothing: nowe is he so sym-
ple, that he blesch the same thynges, for a
pþoþe that he beareth the cleargie verye
god wille, and myndeth not to bþynge
them in obloquie, whiche he woulde we
shoulde take for a thing playnly proued,
because he pitieþ and lamenteth them
therein, and so bitterly prayeth god to þ
make them god and amende them.

Thys god man manye times taketh
record of hys owne conscience that he
meaneth well, in suche thynges as hys
wordes make manye god menne wene,
that he meant verye nouȝt. And ther-
fore will I nowe be holde in this poynt,
to take record of hys owne conscience,
whether hymselfe, if one that knewe his
name, would wþite such a wþorke so tou-
ching him, as his wþorke of diuision tou-
cheth ther the cleargy, and woulde ther-
in vnder so manye somes sayes, say that
Whe were as euyll as he sayeth there that
they be (for worse could lightly no man
say) woulde hymselfe holde him satisfy-
ed, and thinke that that wþyter meant
hym none harme, because he powdered
his shrewd flaundrous some sapes, with
lamenting and pitying that the man is
no better.

And woulde he wene by his trouthe,
that the wþyter meant not to calle hym
graceles, because he prayed God habu-
dauntye to send him grace: nor to call
him wþtelesse, because he prayeth God
send hym wþte? Surely if he can thinke
so: then shall he wel shew himselfe to sim-
ple a soule, as men may wel be that some
wþy shrewes begile him. And on the oþer
syde if he be wþter than to thinke so:
than he well shew himselfe moþe wþtþ
in this same. xlii. Chapter of hys, than
P. iii. to means

A to meane so well in his wōrke of diuisiōn as he wōuld here make men wene.

Nowe where he sayeth these wōrdes:

Also I say not in al the sayd crea-
tōre, that the spiritualitie make confede-
racies agaynst the temporalitie, but I saye
þ they continue still after the old course,
in not dwyng god dedes, but pretending
by confederacie, wōrldely polycye, and
þrayt correccions, to rule the peple. **A**

Who could wryte thus, but either he
that wer a man of veri innocent simple-
nesse, or he that intendeth to mocke of a
þewlde wylly doublenesse? **F**or (sauing
that hys wōrde, pretending, signifypeth
not in dede the thyng that he soz lacke of
language pretendeth here therby) to goe
aboute, not to doe god to the people, but
by confederacie with wylness & þrayt
correccions, to rule þy peple: what thyng
callith he this but confederacie agaynst
the people?

Howbeit, syth thys Chapiter goeth
but to the discharcheing of hys own per-
sonall intent, that he meant not himself
maliciously wharsoeuer his booke spake:
I will not therefore wrytle agaynst it
muche, but woulde he were well belic-
ued in that thyng. But yet if you reade
the places of myne Apologye, and com-
pare them with such partes of his booke
as I there speake of: ye shall well and
Clearly see, that though the man in hys
owne mynde meant it not hymselfe, yet
the thing that I saye was the meanyng
of his booke.

The.xliii. Chapiter.



Is.xliii. Chapiter begynneth
in the.xlii. leafe. In the begin-
ning thereof, he labourceth to
þoue that he dydde not (as I
in myne Apology, say that he
dydde) goe aboute in hys booke of diuisi-
on, to make menne wene that the spiri-
tuall Judges in thys realme handeled

Hmenne for heresye so cruelly, that all the
woरd had cause to wonder and grudge
therat, which thyng that I shoule so say
this god man much merciaileth at.

For I sayde no more (sayeth he)
but that it wer pittie it shoule be so, and
that it shoule bee true that is reported,
that there shoule be such a desyre in spi-
rituall menne to haue menne abiure, or
to haue menne haue extreme punysh-
ment for heresy, as it is sayde that there
is. **A**

Reade, good readers, the.xlv. Chap-

ter of mine Apology beginningg. Folio. **E**

243. And þā þai you find this answer
of hys, a verye bare naked thing. This
man aunswereth here as though he tru-
steth that all the wōrld wer woodcockes
saue hymselfe, and that his sayre sygure
of some saye, were so wylly sound, that
menne hadde not the witte to see therby
what his booke menoch, and what wōrke
it goeth aboute. But this I doubt not
but that is either himselfe, or such another
man, woulde deuyse me such another booke, eyther agaynst the nobilitie
of the realme, or agaynst the Judges of
the same, or agaynst the hyghe courte of
parliament it selfe, whiche were soone
doone if a man in likewyse list to slau-
der and to belye them, nor it could be
þot well what souer he sayde therin,
be lyghtly worse or more false than that
booke of hys diuisyon, concerningg the
populat that we speake of, that is to witte,
this false slauder of the spirituall iud-
ges in mischandeling men for heresye,
as it hath ofter than once before the lo-
des of the kynges most honourable cou-
sail vpon like falsc billes and complain-
tes of particulaire persones by good ex-
aminacon been prooued, and than þe
that woulde make I say of the nobilitie,
the judges, or the parliament, such ano-
ther booke would brynge in all his false
tales agaynst them vnder the selfesaine
sayre sygure of Some saye, and manye
saye, and they saye, and than saye that
hymselfe woulde saye no piece thereof,
but onely that it wer pittie that it shold
be true, that it wer so as many folke re-
þoþte it is so, and than preache and pray
God sende them the grace that they doe
not so: I dare be bolde to say that there
is no wylle man, but he woulde both sone
see and say, that the man with such false
leasinges went about to difame & slan-
der them, and make the peple wene that
it wer so.

Than after thisching so fealysknesed:
he declareth hys wōrdes agayne, which
he spake in hys diuisyon of speaking he-
resyes of lyghtnesse or of a passyon. And
because I aunswered hym in myne apo-
logy, that is suchy thynges shoule be ex-
cused by lyghtnesse and by passions, þa
myght there passe by muche leindenesse
and muche mischiese to, the begynnyng
whereof, groweth of lewde lyghtnesse,
and of euyll passions: herein he sheweth
that there is difference in dedes, and that
some be more and some be lesse. And be-
cause I dydde putte for samples, man-
naugh,

A slaughter & aduoutri, whiche he thought
was to high to be lykened to speakeynge &
talking heresye: he b^ringeth it somewhat
agayn to bace, & putteth other saumples
of one speaking an angry wozd, and yet
wold not kill one, & one that hath a pa-
sion of aduowtry, and yet dwelth not the
bede, & sayth that his creatise meant not
obstinate deadly passions, but passions
of ignorance and of fraptie, and done
for lacke of god aduisement.

As soz his passyon of ignozance, he
may put vp agayne. For whatsoeuer he
say, he shal not find I dare warrant him
while he liueth, but that the thinges that
Bheretikes are punished soz, be such thyn-
ges as be wel & openly knownen for here-
lies, & to haue been before condemned for
heresies by the comon knownen doctrine
of the whole catholike churche.

Now as touching his passiōs for frail-
tie & for lacke of god aduisement: doeth
ther no man kill another euen sodaynly
vpon a passion of anger, for lacke of god
aduisement: doth never none vntymeles
vpon a passion of lechery, sodaynly falle
together in aduowtyme for lacke of good
aduisement?

¶ Pea will this man say, but these folke
do the dede. That is very trouthe in dede.
But yet they doe þ dede, but of a passion
of frayltie, soz lacke of god aduitemet.
In þ aduowtry, the malice is the lacke of
godnes in the wil to þ keping of goddes
commaundementes. ¶ And yet euen in
those passions tw, though þ farther deve
be not doone, no man neither kylded nor
stricken, nor none aduowtrye doone in
dede, though the lawes of the wold soz
lacke of power to looke into þ hearte, can
not punish the bare entent of such thyn-
ges: yet our saviour sayth himselfe very
soze wordes therin, and sayth that hym-

Proze wozes therin, and sayth that hym-
selfe taketh their willes for their dedes.

But now in heresy the wo^rdes be the
wo^rke. For not only y^e speaking, but al-
so the defending therof, is in wo^rdes tw.

But a man (faith he) may speake here-
sy of lighenes, & of a passion of frayleie, &
yet not entend to fall fro h̄ faith. So may
a man speake very lewde & right trayto-
rous wordes by his prince to, of a passi-
on and of a frayleie without an inward
intent & purpose to procure his destrucci-
on. But than wil this mā peraduenture
say, þ than be such wordes yet no treason,
without some maner of ouert & open ac-
tual dede therwith. Whether thei be tre-
son or not, yet in any english boke that I
would put in print, I would as thus ad-

uyed, abusse euery man for feare of treason,
son, beware of all such lewde language, Good couns.
and not bnder coulour to teache the iude sayle,
ges their part, goe tell the peple without
necessitie, y though thei talk traytozous
wordes, yet it is no treason, as this god
man in his booke of diuisiō tellet them,
that to talke heresies is none heresy.

Now as I said before, concerning heresy, which is the treason to god, the outward act thereof, by which menne must judge whether the man fail fro the faith or not. standeth in the wordes. And therfore both wisedom and reason will, that folke well beware vpon the peryll of heresy, that they soe beare all talking of heresye, as maye declare their mynde that they belieue such heresy.

That I wil well agrē will thys god
man say. But than I would they shoud
beware, by mene of charitable warning
geuen to their persones. I would verelij
wene, y in a matter so heighnous and of
slich weight, wherof so much harm may
grow by the suffrauce, the spiritual law
that geneth hym leue to abyore at the
syȝt, & in so gret a crime saneth once his
lyfe, geueneth him a warnynge as charita-
ble & as large, as in a crime so perillous
reason can well beare. And y shoud we
sone sele, if we would geue the like liber-
tie for once warning, to eueri lesse crime
than that, & shall choxlye feele it in here-
lies, if beldes y we geue them lesse feare
& moze libertie in bold talkyng and tea-
ching without other perilchā warning.

For as for the order of warnynge that
this man here prouydeth, in thys. xiiij.
Chapiter of hys new boke, takyng a co-
lour & a p[re]tert of the gospel of Christ, y
speaketh of an order of monicisōs, requi-
ring a traxe of tyme, before any open de-
nunciation: I wil not much sticke vpon.
For I purpose not to make a long pro-
cesse vpon every sond piece of his d[omi]ni-
ses, wherein this god man is content to
leese tyme & spyll paper. But I will saye
this and say trouth, that the ordinarie,
of this order that he speaketh, doe vse in
bede as much as may well be boorne, and
sometime I feare me more so.

Fox thys must thys god man vnder-
stand, that this god soft, slowe, sober or-
der, that he describeth here, may not all,
and alwaye, be kepte, neither in heresye
nor treason, nor some other greate cry-
mes neither, without great hurt & dam-
age to the common weale, & vicer losse
and destruction of many a good symple
soule, that shoulde by thys order alwaye

A hepte, perishe in the meane whyle.

For our sauioz meant not in his wordes, that if I wyl one that wer walking about mischief, that wold goe geue such drinke about as shold poyson them that dronke therof, that than I shold bse all that tract of tyme, rather then cause him be taken vp by tyme at the first sope that I see him geue anye man to syppe vpon. For that tract is not therfore to be vsed with them, that speake and boldly talke heresies about, and therby dose playnly teache them, though they bid not the hearers learne them. For (as saynt Paule speaketh of such heresies) euill communication corrupteth god maners.

Corin. 15
2. Timo. 2.
E

Whiche wordes though the greke Poete Menander meant by the communiation of other fleschly lewdnesse: yet the blessed apostle vsed them and aplied the specially, to the lewde communicacyon of heresies, whiche with such bold naughtyness talking crepeth furth and corrupteth (as saint Paule also saith) like a corrupt caker. And therfore as I say, such a log sober tracte before their calling by the ordinarye course of the lawe, is not alwaye to be vsed of necessitie with euery such maner man, and let them poysen other god symple soules in the mene season, whiche they maye doe percase with such communication, though they neither minded in their own heart, to make any other men heretikes, nor to be heretikes themselves.

DAnd yet woulde ther beside this, some such as wel wyl their mischievous dealing to be suche, and so well hablie to be playnly proued, as the Ordinary could not without Goddes dyspleasure let the after passe vnpunyed, woulde at the first woode spoken by the Ordinary to hym at large, sittie out of that place, and as I haue in mine Apology said, and as we see it often proued, goe kepe like schooles in another.

BBut yet because I haue heard say ene whyle I was wryting this, that y milde sober oder whiche thys god man hathe herc in this chapter devised, is very wel lyked, and hath been well prayzed with some such folk as my self haue had some communication with ere this: I wil therfore not hyde it nor kepe it awaie from you, but geue you god readers here ene his own wordes. Fol. 45. he sayth.

X And nowe will I saye a little farther in this matter, concerning such wordes, that is to say, that if any man nowe in this daungerous tyme, whyle this di-

uision continueth, wyl shew vnto thoz ordinary that he heard any speake wordes y as he thought stode not with the catholike sayth, & the ordinary misliketh the wordes also: I wold than thinke, y if he vpon whom the informacion is made, be such a man, that he that complayneth of him may conveniently speake to hym without daunger, that than thozdinary shal aduise him to kepe the matter secret if it be yet secret, & not openly knownen: & that he shall than charitably aske of him what he ment by these wordes. And tha whent y questiō is asked him, if he make so reasonable an answere, that it souneth to no heresie, than is the matter answered. And if he auow the wordes, and yet they be in dede agaynst the catholike sayth: than it semeth god, that he that accused him, folow the gospell, & take witness with him, & est charitably geue hym monition therof. And if he wil yet stand filopinatively in his opinion, & not accept the god monition of the other, than I thinke it god y he again infourme the Ordinary therof, & than it semeth to be conuenient that the Ordinary sende for hym, not as for a man yet notoriouslie knowē or detected for an heretike, but to know farther, whether it be true as the other hath reported or not: and if he find it true by sufficient p̄fesse, or by his own confession & he will not be reformed, tha it semeth conuenient, y he vpon the witness of the other, bee punished as he hath deserved. And if he wil be by thozdinary secretly reformed: then it semeth god y he depart without any open penance: but what wer conuenient to bethere done in y matter, I will comit it to other.

C Consider now god readers, the commodite of this oder. You se that he speketh of one that speaketh suche wordes, as to the hearers semet heresye. For both he so taketh them that infourmeth thodinary of them, & so doth thodinary tw. Now may you perceve by the progresse of his deuice, y though ther wer nice tha one that heard him, or moe than twain, or x. either, yet would he not that the ordinary shold send for him, but first assay by some such as heard him, what he will say thereto when he is asked the question what ching himselfe meant therby. And then if he haue the wit to say y he meant in his wordes but suche a ching as that mening soudeth to none heresies (whiche wit, heretykes ynough haue) than is all the matter aunswered. For than ye wot wel a wyl heretike by thys wyse oder, may

G may be hold with gloses ready proued to say what he wil & wher he will. For the ordinary may not sende for hym to laye those hereticall wōrdes to his charge, & to consider vpon y cyrcumstance of hys dealing in such talkyng, peradture in diners places bled whether he meant as himself declareth it, or ment to teache y thing y he spake, & to heape hys declaracion in stoe for a scuse. This first point alone of this god mānes order if it wer surely obserued, were ynough to fyll an whole towne shorly full of heresies.

Than goth he farther to a secōd poynt that if he that speake heresies, will when he is asked the question anow them: yet

Whall not he that hearde him resorte unto thordinary, but go fetch witnessses first, before whome, if the felowe be so folishe to coselle them, & so franticke as to anow them, then this god mā genereth the leane to goe tel thordinary the tale and accuse him. But nowe if he haue the wit before the witnessses to lye and saye that he never sayd them, or to say that he will saye so no more: then is al the matter yet safe ynough agayne, it shall never nedē that ever the ordinary heare any more word of him, but lette hym goe furth & use that fashion still, in as many companies as he cometh. For that ye wot wel can doe

Cno hurt. But if every man to whom he speaketh heresye secrectely, and secrectely would make moe heretikes, shold secrectly enfourme thordinarye, & that he shoulde vpon .xx. suchē secrete informacions, afterwarde calle hym for the openlye, and after vpon theyz open deposicyons, openlye make him abiure, and beare a fagotte, or curse him for his obstinacy, & after an whole yeres sufferance finally for hys immedicable malice, as a despe-rate wretche deliuer hym to the secular

Dhandes, where a fagotte shoulde beare hym: thys were a cruelle dealing of thordinary, and a mylē handeling of a god honest man for heresy.

And yet goeth he farther a lyttle, that though he holde it and anowe hys heresies afore the witnessses: the Ordinarye hold not yet for al that procede agaynst hym openly, but speake with him secrectely. And though he anowe them before hym selfe tw̄, yet shold he not by thys god mānes aduyse, procede agaynst hym by Ordinarye meanes openly, but let him depart without open penance, if the felow be so wise as at last (rather thā he would come thereto) say that he wil amend & wil say such thinges no more.

But than after all this, what wer cō. ¶ venient to be ferther done he wil (hs saith) remitte vnto other men. And so were it much nedē in dede. Howbeit, if this oder that he deniseth here, wer wel obserued for so farre furth as he goth: I wene all the wōrld could not well deuyse farther, sufficiently to refourme and remedy the mischiche that his charitable deuyse wōuld doe.

Howbeit the best is therin, that he deuyseth not this oder for a thing to stand for ever, but for this time nowe he sayth whiche is he sayth, a daungerous tyme, ¶ whyle this diuision continueth.

But now so is it, god readers, y whether this time be so daungerous as he speketh of or no, or whether there be in this time such diuision as he maketh or no: sure it is I say, that euē in this same time heresies begin to growe a great deale fatter than they haue been wont in some other times past, and therfore is this tyme so much the wōrste to vse such oder in, than wer another time, wherin ther wer many felwer. For if this pacifysyer will nowe be so peacible, as to devise such an oder that al mischievous factions folke shold be suffred in peace: he shal with his peacible oder (if it wer obserued) bryng the wōrld in that case, y god peacible folke that sayn wold live in peace, shold not for suche inquiete & vnrestfull wretches without some ruffle live in peace long.

Wer it not a wylē oder wene you, if he would in likewise devise for thenes y same softe charitable fashion that he deuyseth here for heretikes: that is to wit, ¶ that men shoulde to him that had stolen an horse, or robde an house, goe geue him a monicion first & then if he say y he dyd it not, or y he would doe so no more, take all the matter for sake, & than say that he would not haue that oder alway kept, but onely in such daungerous tymes as many folke wold fall to theft. For than were it god to spare them, and speake them sayze, and suffer the till they wold ware fewer of themself, & than after that vse agaynst them the lawes and the olde oder agayn. Would not this wylē way trow you doe wel in theste? For sooth it were a waye as farre bwylē, and as farre agaynst reason in heresy, as either in theft or murther or anye other maner cryme.

And surely me semeth, that wher he calleth this a daungerous tyme: he vseth a very daungerous wōrde, and to feare the Ordinaries with all, woulde make

the

Athe world wene, that heretikes wer here so many and so strong, that the Ordinaries might not nowe dwe theyz duerles in subduyng heresies, withoute greate daunger. Wherin ther is as great daunger yet, and shall I doute not in the kinnes graces dayes that nowe is, and long mote be, as there is in the paryng of an apple. Howebeit, I will not denye hym thys in dede, but that if such dangerous woordes of hys division, may make the Ordinaries afeard of their own shadow a whyle; it may growe to some daunger at the last.

But than goeth he farther wth another remedye, that I trusste in God shall never nede. For I trust in God ther never shall in thys realme, any such great personage falle into heresye, as the Ordinarye dare not procede accordyng to the lawe agaynst hym. Howe be it, in case it shold happen, than this god man prouydeth for the remedye (to saye the trouth) verye well, that is to witte, that thordinary shoulde haue recourse vnto the kyng, that his highnesse vpon persyon made vnto hym, and infourmacyon geuen hym, may (as no doubt wer there but he wold) with his roiall assisstance, prouyde a mene suffisent, that þ course of the law might procede.

CThys is well denysed. And herein he playeth the god kow, and geueth vs a good galon of myke. But than shall you see how he playeth the shewde kow agayn, and turneth ouer the payle euen by and by with his hele. For vpon thys god deuyse, he soorthith addeth thys shewde saying to it.

DBut as long as ther is an opnion amonge the people, that the Ordinaries and their officers will geue lyghte credence vpon informacions made to them of heresye, and that they will noysel them that be complayned on as heretikes, before due examinacion in that behalfe: so long will the people grudge, and peraduenture the kyng not geue his assisstance so readilie to haue them attached as he wold dwe, if he heard that the Ordinaries noysel no manne to be an heretike withoute due examinacion, as is before rehearsed.

If this god man had as muche witte as I see wel he lacketh: I woulde ware euill contente with hym, that he shoulde once conceiue anye suche opinion of the kynges gracious highnesse, as that hys grace woulde any chyng be the moze remisse to geue roiall assisstance vnto tho-

dinaries, about the attaching of such as C are suspect of heresye, as lōg as his grace hearde that the Ordinaries noysel that any man were an heretike withoute such due examinacion as thys man afoze rehearsed. For the kynges hygh prudence berye well perceiue, that if he shoulde forbeare tylle that tyme that he shoulde haue no such thing sayd by them: it wer almoste as muche to saye, as he shoulde geue no assisstance against heretikes, till all heretikes wer gone. For never shall there lacke suche a false sedicynous fame against the ordinaries, as long as there are heretikes here and there to sowe it, F and suche sedicynous booke of vnslyson, wth suche vntrue Some sayes to blow it farther abrode.

The vnrouth of such false fame, hath beene before the kynges honorable counsayle of late well and playnly proued already, vpon sondry such false complainentes by the kynges gracieous commaundemente examined. And albeit that this is a chyng notoriously knowē, and that I haue also my selfe in myne Apologye spoken thereof, and that synce that booke gone abrode, it hath been in lykewisse before the lordes well and playnly proued in moe matters a frethe, and albesit that this water washethe awaie all hys G matter: yet goeth ever thys water ouer this gooles backe, and for any thing that anye man can dwe, no man can make ic lynke vnto the skynne that she may once feele it, but euer she shaketh suche playn zones of with her fetheres of Some say and they say the contrary. Is not thys a pety proper waye? And therefore thus you see god readers, that thys mannes denyses in hys orde to bee taken with such as speake heresies, be very viscons, and haue they never so sayre a flering at the first face: yet whan they bee considerid well, they bee founden farre worse than noughe. And yet was I not mynded as you maye se, to haue eramyned them so farre, sauyng that euuen wthile I was in swypting of thys Chapiter, and about to leaue of: wodde was broughte me that this deuyce of his orde for heresye, was wth some folke whom my selfe haue knownen, so specially wel commended. But yet wil this man say, and in effect so he doeth, maister More will not say for all this that euerye chyng that a man speakeþ, whiche is he obstinately wold hold he wer an heretike, is enough to iudge every such man an heretike, as dweth in any maner speake it.

I will

A I will not at this tyme vary with this god man for that, nor dispute with hym vpon the trouth of that tale, there be so many maner wyses of speaking. For a man may speke therof in dispayse thereof. But this wil I say to him. That tale and such other lyke, were they never so trewe, were yet as me semeth, much better out of hys english printed booke than in it.

B For if he thinke it necessary to wryte it, because of any folke whome he thyndeth necessary to learne it: either he meaneth that they nede it, which are the spiritual judges, or elles the common people. Now as for h judges, verely I haue knownen and doe knowe many of them, and yet knew I never none so simple of witte, nor so farre vnierned, but for any witte or learning that I perceue in thys man, the wrost of them will a gret deale better what perteyned vnto theyr parte and their dertie in sache poyntes as these are, than dweth thys good man here.

Than if he say he putteh it in, because that though they knowe it they mille vse it, and doe the contrary, and so doe therby mylde handle the kinges people, and put them to cruell punishment vniustly, than I aske him how he proueth that lye to be true? Thereto ye wot well he will bring foorth the for the playne proufe of his playn trouth in the master his old

C thys woorthyppefull witnesses whiche stande yet all bnsworne: that is to wit, Some say, and They say, and Folk say. And than hath he nowe brought foorth the other two, whome he maketh as mesemeth, both as witnesses and judges too, that is the god selye soule Symkin Salem, and his right honest neighbor bzo-

D ther Byzance. Well, I am contente I, that all hys fyue witnesses be sworne & wel examined, how they know the thinges that they report, and than those spiritual judges of whos they shal so speake and proue, let it be layd unto their charges. And if you synde of such so manye, and their dealing so cruell or vniust, as this man maketh it, or any thing wel to ward it: than am I content y e shal for them beleue all the remenant the worse. And yet is that ywisse, somewhat witch the moste. And than am I contente that you beleue also, that this man hadde for that cause, a necessarye occasyon and a profitable, to putte that tale in hys late making booke.

But in the meane while, I lay against

him for that poynte, and against all hys C
ture woorthyppefull witnessesse too, the dede and the reprotoe of the greatest and the mest honourable tempozall Lordes of the kinges most honorabile counsayl, and other right woorthyppefull temporal menne of chesame with them, whiche by the graciouscounmaunement of the kinges hyghnes, haue examined divers such complayntes, at the suit of the parties themself and their frédes, and haue thereupon sounden chesame complayntes false, and that the Ordinaries haue done them but right, and that with gret fauour to.

And therefore as for thys poynte, the trouth being so substantially proued vpon this syde, by all his fyue sozenamed witnessesse, on the other side set I not v. strawes. And therfore good readers, as for this poynte, his putting of that piece in hys booke of diuision, had neither necessarye nor profit, excepte it wer either necessarye or profitable to sole a euyll sede against god folke, of vnltrue reprovable slander in his own wyting, vnder the colour of some other mennes vnproued wordes.

Than resteth there as farre as I can see, but one cause behynd, that shoulde excuse him. And that is, if it was a thynge profitable for the people, to knowe that though a man of a lightnesse, or of a passion growing of ignoraunce or of craptie, speake and talke heresies at libertie: yet but if he defende it opinatiuelye, he shoulde not be taken for an heretike therby. Verely good readers if this tale wer true: yet would I wene as I sayd, this P
tale vnto the people as god unwritten as written, and a great deale better too.

As for this good man or any man els, I can not lette them to wryte what they list, and saye they thinke it good be it never so badde in dede. But I durst in my conscience no more vse thys falsyng of wyting concerning heresy, than I wold vse it in wyting anye booke, whereof I woulde speake of either treason or anye other felony, except some other necessarie occasion shoulde happenye dyng me thereto, as no good occasion in his booke of diuision droue this good man thereto.

If I wer agayn to reade in Lincolns Inne, and there were in hande wryth a statute that touched treason, and all other felonies: I woulde not let to looke, seke out, and rehearse, whether any heynous wordes spoken against the prince, were for the onely spekyng to be taken for

Three sure
witnesses I
ensure you.

A for treason or not.

For I would not lette in likeloyse to declare, if I founde oute anye cases in whiche a man though he tolke another mannes hōse agaynst the lawe, shold yet not bee iudged for a felonie thereby. And thys woulde I not onely bee bolde there to tel them, but would also be bold in sache frenche as is peculiare to the lawes of this realm, to leane it with the in wryting to. But yet woulde I reken my selfe soze ouerseen, if all sache thynges as I woulde in that schole speake in a reading, I would in englysh into every mans hand put out abrode in prent. For there is no sache necessarie therein as is B in the other. For in the places of courte these companies must nedes be caughte it, out of which companies they must after be taken that shalbe made iudges to jadge it. But as for the comon people to be tolde that tale, shall as farre as I see dooe manye folke little god, but rather verye great harme. For by perciuyng that in some thynges were nothyng the perill that they feared, some may ware therein more negligent, and by lesse fearing the lesse daunger, may soone steyps into the moze. And therfore haue I wist ere this, the iudges of a great wisedome in greate open audience, where they haue hadde occasion to speake of hyghe C misprisyon or of treason, forbeare yet the saying of some such thynges, as they would not haue letted to speake among themselves.

If any man woulde happely thynde that it wer wel done that every man wer caught all, and would alledge therfore that if he know surely what thing wold make his behauour high treason or heresy, than though he woulde aduenture all that ever were vnder that, yet would he bee peraduenture the more ware to kepe hymselfe well from that, as many a man though he believe that he shall abyde great Payne in purgatorye for his venial sinnes, doeth for all that no great diligence in forbearing of them, and yet for the feare of perpetuall payn in hell, taketh very great heede to kepe hymselfe from those sinnes, that he surely knoweth for mortall.

As for such venial sinnes as folke of frayletois commonlye doe fall in, that no man is almoske anye tymt withoute them, though the profite wold be more if menne did wene they wer mortall, so that the drede therof could make menne vterlye forbeare them, yet syth it wyl

not bee, that men wll vterlye forbeare them, the knowledge of the trouth is necessary for the, lest every time that they comynge in dede, wening maye be made that it wer mortall, the doing of the dede mortall, with the conscience of a mortall sinne, might make it mortall in dede.

But of any such kynde of bensall sinnes as be not so muche in custome, and maye be more easelye forborne: I never found any wyse man to my remembraunce that woulde eyther wryte or teache the comon peple so exactly, as to say though you doe thus farre, yet is it no deaddely sinne, but will in sache thynges lich the F venial sinne it self is a drawing toward the deaddely, rather leue the people in double and in dreade of deaddely sinne, and therby cause them to kepe themselue farre of from it, than by telling them it is but a venial sinne, make the the lesse afarde to doe it, and so come somuche the nerer to mortalle synne, and assayle howe nere he can come to it, and not doe it, till he come at last so nere the brynke, that his fote slippeth, and downe he falleth into it. For as the scripture sayeth: Qui amat periculum peribit in illo. He that loueth perill shal peril in it.

Eccle. viii.

Now as for heighious wordes speaking against the prince, or talking of heresy agaynst the knowē catholike faith: these are no thynges lyke these, comen venial sinnes, but be thynges both twain which they that doe them, maye muche more easely forbeare them. And therforo were it more profitte vnto the people, to thinke rather the moze peril therin than the lesse.

The iudges parte is to see that the p^t The parte of nishemente passe not the grauitie of the judges. offence. And therfore shall the comen people take none harme, thoughe themselfe concerning treason or heresy, fall not by sache bookeis to the myncinge of sache matters, and dyspute howe farre they maye goe foraward in them, withoute the extreme daunger and perill of them, but shall the better kepe themselue from the greater, yssor feare of greater, they kepe themselves well fro the lesse.

But surely sache tales tylde vnto the people, and geuen euery man and woman at aduenture in printyd englysh bookeis abrode, as may geue them such boldnes in talking, as this man here in thys riȝt. Chapiter dooeth, and to tell them that there is not therein so much perill, as many man wold wene, may be much harme

A harme bothe unto themselfe and unto other to. To themselves, for with a little leesse feare than they hadde before, they maye soone fall farther than they dyd before, or euer woulde haue done. And than shoulde he in whome it so shoulde happen, fynde that it were (as holy Saynte Hierom saith) better to leaue some thinges vñknowē, than with prill to learne them.

To other menne also may a man doe thereby muche harme. For some man with volde talking heresies, whereby he maketh other men first to take them for light, and little and little after to beleue them to (whyle they heare hym so boldly speake them, and heare him nothyng reproue the) may doe much moze harme by making many other fall from h̄ faith though he were not fallen from it hymselfe, than he shoulde doe if he helde hys song, though secretly in his hert he were a starker heretike in dede.

And therfore surely god reader, what soever the man meant in hys own secret mynd, the fashion of his doctrine is yet in my mynd playnely a thing to the people much more perillous than profitable and in his booke of diuision very euil put in, and here euill repeated agayne.

Now whereas he referreth the remenant of the matter concerning heresy, vnto them that can better skill, of whom he desyreteth me to aske what were to be done, with suche as speake heresies and are none heretikes in their heart: surely if euer any such case shoulde happen, as I shoulde nedē to make searche for that pointe, I woulde with god will lo doe. But I looke for no suche necessitie. For it is synough for me, if I shoulde happe to heare any talke heresies, than to declare it vnto their Ordinaries, to whome the farther charge apperteyneth, to make therupon farther search such as he may, and thereupon as he may farther fynde therof, so farther doe therein.

And as for thy man hymselfe, as he canneth therein for any thyng that I see very little skyll, so woulde I that he had lesse meddeled therwith, than to tell and teache the people first by hys booke of diuision, and afterwarde by this booke agayne, that they maye speake and talke heresies wel ynough, without the danneger or perill to be for such speaking lawfully taken for heretikes. With whiche tale though it were true, he doeth them yet little good. For the using of such speakeynge of heresies, if it fully proouie not a

man an heretike, yet maye it make hym C^o ye wot well of heresy in his heart verye ryght soze suspecte. For as our laviours saþ himself, Ex abundancia cordis os loquitur. Luke.6. The mouth speaketh such thinges as in the heart be plenteous and haboundereth. And therfore I saye, that though he neither defende it obstinately, nor can be precisely prooued an heretyke in hys secrete herte; yet maye his open woordes be suche (though they were spoken of I can not tell you what maner passyon) that for the soze suspition that hys owne woordes hath brought hymselfe into, he may well and with god reason be compelled to abiure. And therein wer there P^{ro}p^{ri}ties no greet honesty nor no very greet profite neither. And yet is it all the profite y^e I see can come of thys god manes doctrine.

And this is the thing so that this god man boasteth in thys Chapter, the seconde syde of hys. cliii. leafe, that I do not denye, as though he had gotten therby a great overhand on me in y^e matter. But yet would I god readers laue forþ length, let hym perceiue this oversighte and ignorance, in a nother maner touchyng the thing that he so boasteth that I denye hym not, and would make hym looke a little better eu'en vpon summa Rosellis, whom he so much alledgedh here hym selfe.

And where as in the same leafe and syde, he maketh a certayn certificate (as though I were a bishopp, and had sent hym a commyssion to enquire) that he knoweth not one heretike in all thys realme in woord noe dede: marye I woulde mernayle muche if he dyd. For p^{ro} it must nedes be very long ere he canne knowe anye, whyle the man is so lytis suspicuous in matters of heresye, that though he shoulde heare them talke heresye by him, yet because though he heare what their mouthes speake, he can not yet perdie lo looke in vnto they^z heartes there, and see what they thinke, noe knoweth not also, whether if they wer asked where they wer wel afeard, they would hold it opinatiuery, or els (rather thā be burned or beare a fagot) say y^e they sayde it all but of a passyon of ignorance or frayltie: he cānot therfore lightly know any one heretike (as he saith he doth not) neither in word noe dede in all this hole realme. And then for hearing by report, therin goeth he farther and sayth.

C^o For howbeit that I haue hearde somtyme reportyd y^e there be many heretykes,

The Debellation

Atykes, yet I never hearde so farre proofof therin, y^e I might with conscience ludge or reporte, that this man or that man is an heretike. And to euery light woorde a man may not gene full credence in that behalf, ne report it lightly, that any man is an heretike by suche light tales. And surely this poynt is much to be noted of all men, but most specially of them that daylye minister the sacramentes of the church, lest happily throught such reportes they minister them sometime in dedly sinne, and yet would not think so thesel.

BIt would haue done very well, y^e this god man had geuen as lyght a credence, to such reportes in misse handling of heretikes as some haue made hym of the spiritualtie (if himselfe therein say true) as he semeth to haue geuen to them that haue reported vnto hym that there are many heretikes. For than, sith after his own preaching here, a man ought to be so well ware howe he lightly reporte agayn, any euill lyght reportes y^e he hath hearde to the slander of anye onc man: himself would not of likelyhood so lightly haue made suche euill report in that poynte, to the slander and obloquie of the prelates of the spiritualtie, therby to bryng them in grudge of the whole temporaltie, vpon such lyght reportes made vnto him, by some light simple persons, wheras by the kinges honourable coul- sayl the trouth hath been so plagnly prooved to be contrarye.

DBut yet whereas he confesseth that he hath heard it sometime reported, that there be many heretikes: I would sayne wittie of him, whether that such reporte haue been made vnto hym by an ye of the temporaltie. If he say naye, but that all that so tolde hym were spirituall men: than maye they belieue him that thinke his answer likely. For I would wene in my minde, that betwene hym and spirituall persones, wer not so much familiare compayne, as to come to tell hym that tale. For he semeth not very metely for spirituall me in that matter to make theyz mone vnto. And than if he heard it either of temporall men besyde, or of temporall men onely and no spirituall men at all: than dydde he not very well when he wroote in hys division, that spirituall men make that noysse for a pollicye.

And yet also woulde I farther wittie, whether he haue heard any speake heresies in ani place where himself was present in company. If he auswer me nay:

than wyl I preache no farther vpon him, **C** but lette every man as I saide before beleue it that thyngketh it lykely. But on the other syde, yf he answere me ye: tha would I sayne further wyt, whither ouer hym selfe wente so farre with them, as to proue whether he shoulde by hys owne rule in this chapiter, haue cause to shewe theyz ordynarye of theym, that he myghte sende for them, or els that he ryng folke so speake heresies by hym, he take al to the besse alway of his owne specyall goodnesse, and leste he myghte with quelyonyng hap to fynd it wroste, folowed ever in that matter, the good counsayle that saynte Paule gaue in a nother matter, *Nolite interrogare, proper conscientiam*, aske no question, leſt you byng a scruple into your conſciēce. If he vſed any diligence in questioning: than were it well lykely that he founde in all thys longe whyle, some where at the leaſte wyle ſome one.

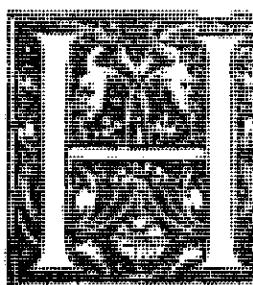
But now yf he herde them speake heresye, and founde no faute therewith, nor no queſtione asked: than is it as I sayde lyttle meruayle, though he never nowhere in all England founde one. And that is even one of the verys thyngeſ, whyle many folke nowe fall to the ſame falſhyon, to heare heresies talked and **G** lette the talkers alone, whiche yet wyl (yf they be brought into the court before the iudge) tell then the trouth, and wyl not be ſo false as to be foſtwoyne: thys is I ſaye one of the verye ſpeacyall thiſeſ, for whiche in cryme of heresye the ſuite *ex officio* (whiche in the nexte chapter folowyng he labozeth ſoze to deſtroy) maye what ſo euer this man ſaye, in no wyſe be foſborne, but yf we wolde haue the ſtretes swarme full of heretiques, whiche verie lykely were to folowe, though he ſaye naye foſty tymeſ. **H** And that haue I agaynſt his boke of *deuſyon* well declared in myne Apolo- gye. And he hath agayne here in this boke here defended, in that poynte his boke of *deuſyon*,

on, as your ſelf ſhall a-
none ſee god wote
wythe muche
worke ful
ſebly.

The

The second parte.

The. xv. Chapter.



Is. xv. Chapter concerning the suite ex officio, begynneth in the xviiiij. lease of hys booke, and holdeth on into the liiiij.

And soz as much god chris-
ten readers as it may well appeare, that this poynte is the speciall thing þ he sayn would bryng about, that is to wit, to lōwe an opinion in mennes headdes, that it were god to chaunge and putte awaye that suit, toward whiche purpose all his booke of di-
vision bedeth, labouring syrl̄ with hys so manye lame sayes, to bryng the spiri-
tuall judges in suspicione and obloquie, and make the peple wene that they mer-
taynously dldde with much wrong and erueltie mischandise men for heresy: ther-
foze I shall in thys poynte here confute hys argumentes so plain & in such wise, that who so liste indyfferently to reade both þ partes, shal find here causes god and sufficiente why, by hys vnreasona-
ble reasons never after to set a syre.

And syrl̄ because þe shal well see that I wyl not wreske in the darke, but brynge the matter into lyghte open and playne at your eyen, I will in this mat-
ter leaue you not out one wōzde of thys hys. xv. Chapiter, but bring forȝ the hys wōzdes with mine. And than while you reade the tone syrl̄, and the other even after hand: there shall neither he nor I, by any sye sleight deceiue you.

But two thinges forȝ this matter will I require you first. One that you reiecte one wyly sleight of hys, with whiche he goeth aboute euēn from the begynnyng to corrupt our iudgement that are tem-
porall men, and in the reading to blinde þs with affection.

For in all this matter he maketh as there wer two parties. The tone he ma-
keth the spiritualtie. And this cause he so maketh theirs, as though the commo-
ditie of that suite to be kept, wer a thyng that perfeined onely vnto them. The to-

ther partie he maketh þs of the temporal. E-
tie, whom he would haue put that same suit awaye. For though that in the par-
liament be spirituall menne also: yet all wer they all vpon one syde sure, he seþ
well they wer to fewe.

But it is necessarye that we consider in this poynte, þ though the iudges be spi-
rituall, yet if þ suit be necessary for þe-
seruacion of the catholike sayth, than is
the profit not the spiritual mennes only
but that profit and aduaantage is our
own tw. And if by the change of þ suit ex
officio, the decay of the catholike faith shal
folow in this realme: than is not þ losse
& damage vnto þ spiritualtie alone, but þ
harm is imposseble vnto þ hole realme.

Therfore haue this point in this mat-
ter euer before your eyen, that the chāge
of that lawe if that law be god, but if he
change it into a better, or at the least as
god, is a comō harme to þ whole realm.
And that harme happeneth in the grea-
test thyng that we coulde possible take
harme in, if we be (as I wot well we be
and euer entend to be) faithful true chris-
ten people.

Looke therfore god readers, both to þ
his reasons and myne, and if you fynde
by his reasons that the putting away of
that lawe, be better forȝ the keping of the
catholike sayth in this lande, yea or bet-
ter otherwise forȝ this lande without the
minishment of the sayth in the same, þā
am I well content that ye coumpte this
god man both forȝ verye wise and forȝ ve-
ry saythfull tw.

But nowe if you fynde by mine au-
swere on the other syde, that al hys rea-
sons in this point are not worth one rish þ
toward the profe of any necessary caule
of change, but his reason and his argu-
mentes alway such therin, that eyther
they be builded vpon a false grounde, or
elles, if he make anye that happen to be
true, if ye fynde it yet but such as by the
selfe same reason if men wuld vnwyse-
ly folowe it, there might no law neithir
long last, nor yet no law be made: if you
fynd I say his reasons against this law
but such, ye wil than I doute not thinke
it but god reason, forȝ all his royall rea-
soning to let the law stand.

But than if ye fynde farther yet, as I
wot well ye shall, that the chaunge that
he would make, vnder a nedele pretēce
of preseruing innocentes oue of daun-
geour and perylle, and can not preue
that thys handreth were anye one was
wronged with it, shold caue heretikes
to be

Ato be holde, take courage, and encrease, and for lacke of this lawe the catholike sayth to dekaye: than wil you not I wot wll let to tell this man, that he lacketh in this matter, how gay soever he make it, either wit, or (whiche worse wer) loue to the chyfken sayth.

The tother thyng that I require, you shall your self see reasonable. For it serueth to the cleare perceiving of vs both, how both he and I beare our self in this matter. And I shall not require therein parcially for my parte, but a request indifferent & egall for vs both, sith ye shall the cleare therby perceiue whereabout we both goe, and where anye of vs both swarue aside fro the matter, and to hide the trouthe oute of syght, slinke into lurking lane.

My request is no more, but y it maye like you to take the labour and payn for perceiving of the trouthe, fro the begynning to peruse the whole matter, as far as perteineth to the change of this law.

Reade first hys owne woordes in hys owne booke of division. And after reade myne aunswere in mine apology, whiche you shal find in the lowertith Chapter, **C**he. 218. lease, and his woordes to therewith. And whan those two thynges be both fresh in your mind, reade than this his. xv. Chapter of this booke, with mine aunsweres every where added therunto, and than haue I whan thys is done littele doubte of your iudgement, ye shal see the matter proue agaynst this god man playne.

In hys. xv. Chapiter, god readers, he woulde make men wene, that he sufficienly proueth thre thinges. The tone is that it wer none hurt to chaunge nowe this old lawe. The second thing is, that it wer great hurt to kepe it. The thynde, that such saumples of the lawes of thys **D**realme as I resembled vnto the sus*ex officio*, I resemble against reason, they bee so farre unlike.

Into these thre poyntes therfore will I deuyde this Chapiter, that the reader may the better see in what part he is.

I shal reherse you first here his whole woordes together, that he bryngeth for the fyfth poynt. Loe god readers, these they be.

Then to the conuentynge of men before spirituall judges *ex officio*, & wherupon maister More sayeth in his apolo-
gie. **F**o. 219. that if it wer leſt, the stretes were likely to swarme full of heretykes. Werely I meruayle right muche at hys

saying therin: & that for this cause: It is **C**ertainly, that no man may after the law be detected of heresy, but y there is some man that knoweth the cause before why he ought so to be. For if it be secrete in his own brest none can be his iudge but God onely, that is the searcher of mans heart. And if anye will aduowe, that he knoweth the cause, and will denounce hym as an heretike therfore: than it is reason, that he be taken as hys accuser. And if he will not aduowe to be hys accuser, it is to think y he doeth it of some malice or craft rather than for the trouthe of the matter. And if he saye he dare not **F**or feare of his life auow it, I haue shewed a meane in the. viij. Chapter of hys treatise how the witnesse may be safed from daunger, as by shewyng the matter to the king and his counsayle, & that then it is not to suppose noz so to thinke, but that they will prouyde sufficientye for the indemnitie of the witnes in that behalfe. And this remedy maister More denyeth not to bee conueniente for thys realme. And yet he will not assent, that a lawe be made that it shall be so. And then if the witnes will not auow it, but an other will geue credence to hym and auow it: then it semeth reasonable, that they that will geue credence thereto, and **G**will reporte it, be taken as accusers: ta-
kyng those witnesse for their warraunc if it be denied. **A**

In these wō:des loe god readers you see, how he proueth his first poynte, that of the chaunge of thys lawe by puttyn away thys suit *ex officio*, wherin without any speciall accuser, offering himself as parti, the suspect may be called in before the iudge *ex officio*, that is to wit by reason of hys office: there coulde none harme growe at all.

And how dwelth he now proue vs this **H**poynt? He proueth it as you see, syryst by certayne reason put and presupposed for a ground, and then after that by certayn ordre that himself shortly denyseth and setteth vp vpon the same.

IHis ground and his foundation is hys. It is certayne he sayeth that no man may after the law be detected of heresie, but that there is some man y knoweth the cause before, why he oughte so to be. **J**

Very trouthe it is, that no man can be detected, excepte a man detect hymselfe, but if some other see some thyng in hym wherfore he shoulde seeme naught, some one thing or other that they whiche per-
ceiue

A ceseue it suspect hym therfore themselfe. And therfore as for this groud this god man and I will not greatly strike.

Then foloweth his order that he deuileth & buildeþ vp therupon thus.

¶ And if any wil aduow that he knoweth the cause, and will denounce hym an heretyke therfore: then is it reason þ he be taken as his accuser.

This is a ryght good reason, and the spiriuall law will not refuse so to take hym and accept him for an accuser if he will, and then will they not in that case vsse the suite ex officio. For in that case it is nedeth not. But now what if he þ knis with it, and secretly detecteth it, peraduenture sover or five and somtyme more, and yet not one of them all, will openly be called an accuser, but will be content to be taken and knownen for a wytynesse, called in by the court and swoze, and to tell the trouth as of an necessity, and not as accusers of their neighbour of their own offre willingly: what shal the ordinary do then?

Against thys peryll this good man giueth vs this remedy.

¶ If they will not be hys accusers, it is to thinke that they dooe it of some malice or craft, rather then for þ trouth of the matter.

I wene good readers that there is no man but when he hereth this aunswere, he would wene there wer yet for the further remedy some other moze mater behynd. For what mad man would think that thys were a sufficient remedye, so fully prouided for thys mater, þ if there were any heretikes they could not falle so fully to be detected by this way of accusation, that there shold nede no suit ex officio, because they that know it may eyther holde therre peare if they list, or els if they will algates detecte any mā, may be taken and accepted for accusers and if they wyll not openly be taken so, then be taken for maliciose and craschte, and therefore belieue them not, but bydde them like false harlottes hense & goe geate them home.

But how shal ws do yet for onething: For though þ their refusing to become open accusers, wer a conjecture to lede vs somewhat to beleue them false or maliciose: yet wer it not so great a conjecture on þ side, nor so sure buty we might be therin deceived & thei both charitable & true, and the man þ thei detected a veray perilouse heretike in very dede. And then for ought þ this man deuileth yet,

we shold nede þ suite ex officio to boulte out this matter better, or els þ man that thei detected shall (if he be suche as they saied he was) teache heresies still, & doe much harme a great while. Also god readers this god mā hath no such cause so soze to misletrust such a denouancer, only because þ he refuseth to be taken of hys owne office for a party and an open accuser, considering that he refuseth not to be brought in by process, and depose in the parties own presence as a witnes & will bee content that his deposicions himself standynge by be published, & red openly before the worlde. And therfore ¶ any wise man wo: ud wene, þ this good man to prove þ we shoulde not nede the suite ex officio, if he would make hys suit by way of accusation, sufficiët to serue in the steds, he had nede to haue devised some ferther thinge þ this. But this god host of ours, prayeth you for thys fest to be merciþ with such as you haue, for here is all your fare, sauing that to make vs lyke this meate the better, and full our belies somewhat the better ther.

¶ he geucth vs thereto one little messe of lace to it, in shewing vs a cause, wherfore it is good reason, that we shoulde gyue them no credence þ detecte a man of heretike, and yet will refuse to become his open accusers. And the cause that he giueth vs is thys.

¶ For if he say (saith this good man) þ he darc not for feare of his life auow it, I haue shewed a mene in þ seventh chap. of the sayd treatise, how þ witnes may be saues from daunger, as by shewing the matter to the king & hys countale, & that þā it is not to suppose noz to think but þ thei wil prouide sufficiënt for þ indepnite of þ witnesse in þ behalf.

Now god readers heard any mā ever any reson made for sufficiënt, by any mā þ any reson had in his hed, & handeled so insufficiëntly. By this wise reson he maketh as though no mā detecting ani mā of heresi, except he surmised þ matter of falsohed & malice, would refuse to be his open accuser for any thing saue for onely feare, nor for no lesse feare neither then only the feare of death. And þ for þ feare he hath as he saiereth devised sufficiënt remedye. Now þ none other thing cā let a man to make himself a party & an open accuser but only feare: I wene there wil no mā graunt him, & that no lesse feare þ only feare of death, & adde feare of al boðely harme thereto, that wyll I wene every wise man lesse graunt hym.

¶.i. But

A But nowe let vs consider whither the fere y himself graunteh to be suffi-
cient, to let a detectour from taking vpon him to be an accuser, be so sufficietly
prouyded for by thys good man, that it must needs be, that by his prouision y
fere shall be quite gone. For if y it may
be, that all hys prouision notwithstanding,
the mans fere may still remain in
hys harte, then may it also be perdy, y
be hys detectiō never so true, yet he may
for that feare, refuse to make himselfe a
partye and become an open accuser.

B Consider now therefore what is the
remedy y he hath deuised in his seventh
chapiter. He rehearseth it here agayne,
that vpon complaint made to the kyng
and hys counsayle it is not to suppose
nor think, but y thet would prouide suffi-
ciently for thindemnity of the wytnes
in y behalfe. I am content to graunt
him for the whyle, that they wyl suffici-
ently prouide for thindemnity of the
witnesse. But first all thys prouision
is in our case here very nedesse. And
his prouision in the seventh chapiter of
hys deuision, is brought in for another

C maner of matter, that is to wit against
a prouision made in the spirituall law,
by which it is there deuised, that in soe
case for dread of peryll that may fal to y
witnesse, the ordinary shall not suffre
the party that is detected, to know who
hath witnessed against him. And nowe
would this god man begile his readers
in thys chapiter, and make them wene
that that speciall prouision in that one
speciall case, which prouision I weene
was yet in England never put in vze,
were a comē orde in every mans case.

D But consider good reader that our case
is now, that the man refuseth not to bee
a witnes, but is content both to be swo-
ten when he is as a witnesse called in, &
to auowe then hys deposicion true, be-
fore the iudge in the parties owne pre-
sence, and if he may so be vsed as a wit-
nesse, will neyther be affrayed nor a sha-
med, nor desyre to put the kinges coun-
sayl to any busynesse abouete the prouisi-
on of hys indemnitie at all. And ther-
fore in our case thys good mannes prou-
ision deuised for witnesse, shall not
nede for our witnesse, if he let the suite
ex officio procede, and receiuē them as on-
ly witnesse. But on the other side,
if thys good man put a way that suyt, &
wil receiuē no man first for a denoucer
secretly, & after y for a witnesse to, that
will refuse at the beginning to make

himself a party and become an open ac- **E**
cuser, but though they were such twen-
ty will take theim all for false shewes
and put them to silence, except some one
of theim will take vpon him the name &
person of an accuser: I say that his prou-
ision doth not suffice, not euē in hys
own case of fere, to make enry true mā
content to accuse an heretike, but that
we must either let that heretike alone &
let him go make mo, or els must we bse
the lute ex officio, still.

That is not so saith this good man. **F**
For if he become an accuser I haue de-
uised a remedy for his indepnity. That
is wel & properly sayed. But we speake
not of hys losse but of hys feare. Why
what shoulde he neede to feare whan hee
can take no losse: hath thys good man
never herd in hys life that some manne
hath ben woxe aferde than hurt: a man
may fere perdy though he fere causeles.
And if he so doe still the wil he not becōe
thacuser, & angre him whom he fereth,
though the man be bounden, and ryght
& dserties with him, that he shal doe
hys acculer no bodey harme at all. **G**

Hys feare is also for al the prouisō
that can be made by sufficient suertye,
not all causeles yet. For he may well
and with good reason fere, that he that
is bounden may by some secret shewes
of hys acquaintance murde him, and
that in such wise as when he doth it, he
may weene and haue hope that it shall
never be knewe for his dede, nor he ther
by lese for failure of hys bounde.

There can no man (ye wote well) al-
so kill another, but wyth the peryll of
hys owne lyfe. And yet is there dayly
many a man, that standeth for all that
in dredē, that a nother man wil for euil
wyll and malice destroye hym. And the
commen lawes of thys realme so farre
forth allow and approue hys dredē, for
all that hys enemy is vpon losse of hys
owne lyfe bounden to the contrarye,
that vpon his owne othe, they compell
the party to be bounden with other su-
ertyes for him in certayne summes of
money, that he shal not. And yet the mā
that fered before, may peraduenture be
full ferde syll, that hys enemy will as
well aduenture the forfayture of hys
frendes money, as he before fered that
he woulde aduenture his owne lyfe.

But yet because it may be that hys
respekte vnto frendeshyppe, will tem-
per his respekte of malice, and make
him loth, for hurting of one whome he
hateth,

Ahateth, to hurte twasne whō he loueth: the man is content sich he can go no further, to take h̄ may bee gotten, and so to sue for such suerty, to lue therby, thonghe not in full suerty, nor cleane out of fere, yet in suerty somewhat the more, & in fere somewhat the lesse.

But now this man y doth detect this heretike, agaynst whom hee feareth to make himself an open aduersarie & accuser, is not in the case before he become hys accuser, but may sitte Kyll you see Well and holde hys peace, and needeth not to make that heretike his aduersarie by hys wilfull accusacion, which if hee shoulde ones doe, he wil never after happily whyle he lyueth, reken hymselfe so luse from bodily harme that hee maye after hap to haue by hym & by his meanes, as he wil reken to be in if he accuse him not, nor by suche open accusation gyue him an open occacion of displeasure, no not soz all the prouision that al the wozld can imagine for hys suertye, excepte onely such suerty as a pore man devised ones for himself, when he came to a king and complayned how soze he sered that such a servant of hys woulde kyll hym. And the king bode him feare not felow, for I promise y if he kill thee he shalbe hanged within a little whyle after. Pay my liege lord q̄ h̄ pore soule I beseech your grace let hym bee hanged for it a great whyle afore. For I shal never live in the lesse feare til I le hym hanged fyfle. Now wil thys good man happily say, y this maner of reasoning shoulde proue not onely y a man for fere would refuse to be an accuser, but also to be a wytnesse, & then were it agaynst my selfe to.

That is not so in every case. For comly no man is in such wyse angry w̄ them that are in a matter witneses against hym, and may seme to wytnesse agaynst their willes, for the necessity of their othes wherto they may be or may seme to be compelled, as with him whō he seeth willingly no mā calling him, cōe forth of his own offre to accuse hi. And therfore the cases be very farre vnylyke. But yet in some cases when the party y is detected is knownen for myghty, & for so malicioouse therewith h̄ he wil oflyke, lithode hate & mischief any man by whōe he taketh any harme, though the other man do it never so much against hys wyl: in such cases the feare may be such in dede, that it may peraduenture cause some that els would tell the truth if hee

Should never know the, for drede of hys displeasure to be soz swozen, rather then abide thaduēture, whatsoever prouisio any man shoulde devise for their suerty.

And for such case if it happened was h̄ law made, which in hys seventh chapter thys man so soze complaineth of, that the party detected shoulde in suche case be kept fro the knowledge of h̄ witnessesse, & as (with the prouisios y are in that law made ferther) very god reason is y he shoulde, & therefoze is euē here y point of hys seventh chapter of his deuision, and all that euer he can ferther devise for the ferther defence therof, ful sunswered here by the way. But now sayeth thys good man thereto, y I denye not in mine apology, that remedy of his devise to be conuenient for this realme, and yet I will not he sayeth assent that a law be made that it shalbe so.

In this tale this god honest mā saith vntrue. The wordes in myne apology wherupon he taketh hold to say, that I deny nat hys devise to be conuenient for thys realme be these.

This devise though peraduēture he woulde serue in soe one land, would yet not serue in some other. And theri that made y law of the church, made it as it myght serue mosse generally throughe christendōe, wheras this devise though it myght serue in Englannde, myght not haue serued in many places of Almaine y are peruerced since, not euē whyle h̄ matter was in a manering before the chaunge was made. But surely y same law & other of oldemade againste hereties, if ther had ben in Almaine duly followed in the beginning, the matter had not there gone out at length to suche an vngracious ending.

These be loc the wordes of mine apology the. xlvi. chap. fo. 232, wherof thys man taketh hold to say, that I deny not in mine apology that his deuise is conuenient for this realme. For in these wordes in dede I do not deny it, but thā you se well I do not graunt it neither.

But afterward in the selfsame chapter y very next leafe after against h̄ sufficiencie of his deuise write These wordes folowing. And on the tother side, the remedy that he deuiseith for the suerty of the witneses, shoulde not peraduenture make h̄ men so bolde, as in a cause of heresy to meddle in h̄ matter against soe maner of mā but y theri rather would for their owne suerty kepe their own tonges still, than with al the suer-

Aty that coulde be founden them besyde,
haue theire persons disclosed vnto the
party.

Lo good readers the thyng that hee
sayth I deny not, because that in þ first
wordes I neither sayed yea nor nay (for
I sayed not that it might serue in Eng-
land but þ though it might serue in Eng-
land, yet myght it not serue in Almain
which wordes I might haue sayd, thou-
ghe I had in þ next line before, expresse-
ly sayed that it might not serue in Eng-
lande, that thynge doe I (as you se) soþ-
with in the next leafe well & plainly de-
nye. And yet you see that he layeth here
agayne in thys booke, that I deny it not.
Thys god man semeth not very shame-
fulto, but if his logyke lead him to think
that thys were a good argument. In
these wordes he denieth it not: ergo hee
denieth it not. Which argument is euen
as good as thys. He denieth it not in
one place, ergo hee denieth it not in no
place. Now where he sayth þ though
I denye not his devise to be conuenient,
yet I wil not assent that a lawe be made þ
it shalbe so: surely as muche of hys de-
vice as I thynk conuenyent for þ relme,

so much therof will I not be agaist þ a
lawe be made þ it shalbe so. For where
thys good man thinketh it conuenient
for thys realme, that he whiche is detec-
ted or accused of heresye, shoulde be boü-
den and finde suerties, that he shall not
hurt neyther accuser nor witnes: I wil
not be agaist it that a lawe be made that
it shalbe so. But yet thoughte that lawe
were made (sith for all that lawe there
woulde remaine a feare behynde in the
mēnes hartes, for whose sauergard such
suerties shoulde be founden, and peryll

Grand daingeour to, sufficient to make the
draw backe from making themselfe in
heretly open accusers, and in some case
from bearing witnesse also, but if they
thought their names shoulde from þ per-
son against whom they shoulde witness,
be surely kepte close and bñknownen) I
would not assent for my parte to put a-
way the saied law that he speaketh of in
hys seuenth chapiter of his devise, for
chaunces that might hereafter happen.
And much lesse would I graunt to put
away the suite against heretikes ex officio
into hys devise of only open accusers,
for the harme that woulde undoubtedly
dayly grow, by þ encrease of heretikes
& hinderaunce of the catholike faith, no
more then though I blame not the law,
þ by which he þ is aferde of killing Hall

haue his aduersary bounden to þ peace, ¶
I woulde yet when the other is so boü-
den by recognisance, haue that lawe
stand in stede of þ other, by which hee
shall if he kyli that man, fall therby fer-
ther into the daunger of hanging.
And yet this hys gay gloriole deuse,
that he devised in his formar booke, and
here now repeateth again: no mā nedeth
to gyue hym any great thanke for. For
who knew not that alway, that whoso-
ever be aferde, may desire & haue surety
for the peace, if he feare hymselfe of hys
lyfe or bodily harme, and may aske it of
course vpon hys othe as lone as he is a-
ferde (and soner perdy this mā deviseth
it not) of the kynges ordinary tyltyces,
wout any other ferther suit, to trouble
þ kinges grace or his couniall withall.

But yet wil al this surety finding as
you se, never so take away the feare of
harme fro mens hartes, but þ they will
rather forbeare to be accusers, than by
the becomming of an opē acculer runne
in the deadly malice of that mā, by who
for all hys bond and al his suerties sou-
den, they feare styl alway that thei hal G
take hurt.

But here will happily thys god mā
tel me now, that I am a mā importune,
& one whom no reasou can satylfe, and
bid me therefore go devise some ferther
thyng myne owne selfe for helpe of ths
matter, & assay also what ferther thyng
any other folke can finde therin. And if
neither mine own wyt nor no mannes
els can finde no ferther remedy, wher-
fore shold I than blame him whan he
desylieth as full a remedy as any mans
reason can finde. For soþ I can wyt
any wittie that I haue, nor I wene no
more can no man els, finde no ferther re-
medy þā he findeth here hymself. But
yet lyth the ferthest that he can finde is
very farre unsufficient, with chaunge
of the lyst ex officio, to kepe heresyes from
great encrease, & preserue the catholyke
faith: I cā therfore find at hand a much
nerer remedy than thys that he fetcheth
so farre, þ is to wit to let hys new deu-
ces passe & let the old law stande stylly.

And thus you see good readers that
thys piece wherein he so boasteth þ pro-
uision that he hath devised so sufficient
to deliuere the accusers fro fere, leaueth
them so in dzeade and feare still, that
though there were no lette but the feare
of bodily harme: yet of many true men
that wyll detecte and beare wytnesse,
þ shold finde but very few that would
become

A become accusers.

But now though there were foundē prouision good and surs, to drīue out of thaccusers harte al fere of bodily hurt: yet are there many that dare secretely detecte, and by whom the ordinary shal know who can tell more, and will also if they be called and swozen, and wyl not bncalled and vnswozen, tel no tale at all, and they themselfe also will neither accuse nor yet beare witnesse neyther, nor so much as haue it knowē that

Weuer they speake wozde therin. And that not for any feare of theyz life, for which thys good man findeth as he faieth a remedy, but for losse of theire living, for which he findeth none, nor never ones thought thereon. And yet is the lyning to some folke, as liefe almost as the lise. And theſe living they feare vterly to lose (that they geate peraduenture by the whō yet of charity for their amēde, ment they detect) if they were ones perceived ani thing to meddle in þ matter.

And yet as I layed before every wise man well woteth there are many other affections beside all such feate, that let men to become accusers in heretyle, and yet letterē the not to do other wise truly and caritably their duty, both in ſecret detecting of them, and also in open bearing witnesse againſt them, whan they be called forth and commaunded by the court to depoſe, that will never as I layed of theſt done oſte make themſelf a party, & openly become their accuser.

Powe what if there were but twoo witnesse of the matter, ſuch as wer wel able playnely to proue the thing, if neyther of both may be herd but if the tone ſhould become thaccuser: whan þ tone were made party, than were the prooſe lost. But we ſhal not nedē much I warraunt you to care for this caſe. For of them both, you shall haue neyther nother that wyl.

Howbeit yet hath this good man at laſt founded a good way for that. For ſy: thus he ſayth.

And than if the witnesſe will not auow it, but an other wyl give credēce to him & auow it: than it ſemeth reasonable that they þ will give credēce thereto and will report it, be taken as accusers, taking thoſe witnesſes for theire warrant if they be denied.

If he thinkē it lykely that none of the will become accusers that were present & herde it theſelvē: thā is it yet leſſe likely that he will become the accuser, that he-

reth it but at a ſecond hand. And theſe ſeize me thinketh that this deuice is not much wiſer, than the deuice that a god ſelow deuiled ones for his neyghbour, that had a great hillocke in hys close, whych for planing of the grounde hee conſayled hym to haue it away. Mary ḡ his neighbour I muſt eary it than foſſe, that it wer leſſe loſſe to me to gue away the close and al. Mary neighbour ḡ the tother, I ſhall ſoone finde awaies for that. For I ſhall deuile a prouiſion that it ſhalbe had awaies yet neuer caried herſe. For even there as is lyeth loz, digge me a great pit, and carpe it neuer further, but buery it euē in that. Wher a proverbe: Shall I then lay that hepe ḡ his neighbour that cometh out of the pitte? At þ you. the tother ſtudied a little. But whan he had well beþought hym: Mary (ḡ he) even digge another great pitte vnder þ, and buery me that heape there.

So this man wil in any wyle lo, haue away thys hillocke, this ſuitte ex officio, þ he ſayeth doth here much hurte. Howe Hall wee haue it awaies ſay we without yet much moze hurte? Good remedye ſayth thys good man hortely ſhal I deuile. Put accusers in the ſtede of þ ſuit, & they ſhall doe much better. Who ſhall be thaccuser ſay we: Mary (ſayeth hee) they that here them. They will not ſay we becōe accusers in no maner caſe. No wyll they ſaith he, then be they but false th̄ewes. What remedy then ſay we to ſupply the ſated ſuit. A ready way ſaith he, take ſome other that heareth the tother that herd the heretyle ſpeakē.

We wil much leſſe become acculer ſay we, then they that herde it theimſelfe. What hath thys good man fercher to ſay then, bydde vs take then another þ wil. And ever we ſolow ſtil, and ſay we Hall neuer finde him, and þ word he deñieth not, but alway biddeþ vs go gete one. And now if the ſeconde man were content, or the fifteenth after: yet hath this man marred all this matter with one chyng. For you wote well that if þ wyttheſſe that ſaith he was preſent and herde it his own eares wil refufe to become thaccuser himſelf: this good man will that thordinarye ſhal take him for maliciouse or false. Powe than if wee geate with longe labour ſome other in to acculer: yet hym that herd it & woulde not be thaccuser himſelf, ſith the biſhop muſt take him alway for maliciouse or false in the matter, he may neuer accept hym therin for a wytneſſe.

A For if we take him for fraudulent & maliciouse to the partye, this mannes credence is tenne times lesse in all reason, than his is that afterwarde deposeth to hys harme, where he was first forswore while he woulde sayne haue done hym good, and that man would not this god man belieue after in no wise.

And thus both for the one cause and the other, for lacke of an accuser and credence of the witnesse, you see plainly good readers that by this mans devise, if wee digge vp and bryery this hillocke **B** ex officio, we shall whan we haue al done say he what he list, make and leauue that never will than be voided, as great an hillocke of heretikes in the stede.

And thus you see good readers y this good man sheweth vs yet no let but that for any thing that he sayth here, yf the suit ex officio were chaunged as he would haue it, and in stede therof trust all unto accusers, of which for any thing that he deuise we were likely to find few, and as I feare me verely rather none at all: it were well likely to come to passe **C** as I sayed, y the strectes shoulde swarne full of heretikes, ere euer they were cōuerted and represst by his way. Of which laieng of mine as much meruail as he sayeth he hath: yet sheweth hee nothing (as you see) wherefore he shoulde meruaile of it, nor to the thinges that I proue it with, he no moze aunswereth, than though he never hearde them.

Whiche dealing of his you maye cleerly perceiue, euē by the very same lease, wherein I wrote those wordes of which he meruaileth so much and hath so lyttle cause. For there lo my wordes be these.

D For surely if the conuenting of heretikes ex officio, were leste and chaunged into another order, by which no man shoulde be called, be he never so soze suspected, nor by never so many menne detected, but if some man make hymselfe party against him as hys accuser: the strectes were lykely to swarne full of heretyques, before that ryghte scwe were accused, or peraduenture any onc eyther. **E**

These were loe my wordes in myne apology against which you haue heard what he sayth. Than because he shoulde not neede to meruaile at the matter, I shewe by and by what maketh me so to say. For there it foloweth thus.

F For whatsover the cause be, it is not unknowen I am sure, y many wyll

gyue to a iudge secrete informacion, of such thynges as though thei be true, yet gladly he wil not oþ peraduenture dare not, be openly knownen that the matter came out by hym. **G**

Consider here good readers that as to become open accusers, I speake here of twoo lettes. One that men will not, another that some men dare not. And yet y they dare not, I put as y moze rare & moze seldom. Now cometh thys god aunswere, and for the moze seldom, y is to wittie where they dare not, he deuise a remedy, whiche seldom yet oþ never, suffisently shall serue the matter. And the other cause that I call moste commune as in very deede it is: y cause he neither denieth nor any one woord speaketh of it, but softly slinketh besyde it, as though he had never red it. What maner of aunswering god readers cal you thys?

Moze ouer leass he might deny me y I sayed true therin: I laied there for the proufe y plaine comē experiance, whiche this god man himselfe I am very sure (but if he be a recluse and haue bene all hys life) knoweth wel to be true, and indeede he sayeth not nay.

Then goe I therre farther yet, and I declare what proufe ther cometh to the comen weale, to giue such folke herring. Such folke I say as this god man would haue rejected backe, and taken for false oþ malicious, because they come secretly and will not themself openly become accusers. Therein lo these are my woordes.

H And yet shal he sometime gine the names of divers other, whiche being calle by the iudge, & examyned as witnesse agaynst theyr willes both knowe & wyll also depose the trouth, and he that first gane enformacion also and yet will never one of them willingly make hym selfe an open accuser of the partye, nor dare peraduenture for his earcs. **I**

This thing god readers every man every wher findeth true that any order of justice in his hand. And in these woordes you se well I told him there ones agayne, not only that some dare not, but y though men dare they will not (except the thing doe priuately touch themself) for the causes of the comen weale become open accusers. And as I agayne there tolde it him: so he here agayne for geth it.

Then goe I yet for the a lyttle farther, and these are therre my wordes.

J And

And thys synde we not onely in heresie, but in many temporall matters among our selfe, whereof I haue had expeyence many a time and oft, both in the disclosing of felonies, and sometime of much other oppression vsed by some one man or twayne in a shye, whereby all theyr neyghbours sore smarted, and yet not one durst openly complayne. **I**

To thus I there declared god readers by comē experience, that if men shold dooe as thys man here deuiseith, relecte Beny man for malicouse and crafty shill give secret informacion, but if hee be content to become an accuser openly: there shold much harme grow ther of, not in heresies onely, but belyde that in much other mischefe so. To all thys geare you se good readers that this god man playeth as though he came in in a munmary, for any one wozde he saith, whiche shoulde not so haue scaped hym ye may be very sure, but that he saw ful surely that hee coulde never aunsweare the. For though he would haue denied all that I speake of mine owne exery-
Cience, yet in the like thinges so many me of worship dayly doe proue the thinge true that I tell it for, that he coulde nothing winne in his cause by all that de- nieng. And yet did I not myne owne selfe my businesse in such wise, but that I can if neede require proue it playne pough. But of thys geare as I sayd he deuiseith nothing, noz aunswereth nothing neither therunto. And sure maye you be that if he had coulde, he woulde not haue failed to haue done the lone.

DAnd therefore good readers my wor- des stande still so sure, that this god ma hath not yet noz never shall while he liueth, be able to voldre them with all the craft he can, but that if men would bee so farre ouerleane as in this matter to folow hys deuise, to put away thys old lawe the suit *ex officio*, and trust that all would be well holpen by meane of open accusers: it would at length eōe to passe the thing that I haue sayed, that þstre- tes were wel likely to swarne ful of heretikes, ere euer that right felowe shold be therof accused, or peraduenture any one heretike either. And now good chrisien readers lith you see so clereley, þ by such chaunging of that law, the catholique faith shoulde decay: I care not now greatly what he say for hys second part, lith he hath so foule an ouer throw in the first, vpon which firste parte al the mater hāgeth. For though he could

in hys second parte make you now god **G** þroufe, not onely that there might, but also that there did and hath done, great harme grow by that suit, whiche he shal never proue you while he liueth, but at sundrye times and that of late where it hath ben so surmised, it hath alway bee proued the contrary: yet lyth you se wel that by this chaunge that hee deuiseith, while we would help these harmes that he speaketh of, that is to wit that no man shold be couente of heresye causeles. We shold by þ prouiding for þ harme be the cause of farre moze hurt & harme **F** in the stede, that is to wit, that when þ suite were so chaunged, the catholique faith shold decay, & heretikes so shold increase, that by such insurreccions as they haue here before made, not in other countries onely, but in this realme of Englannde haue also attempted þ same, put it vpon the peril and assay to robbe, spoile, & kyll also much innocent people openly, and turne folke from the fayth by force, & wozke other maner of maystryes many mo, such as mine harte abhorret so much as to reherse or name. Sith every man may se I say, that such **G** harme were in parcell to fall by thys chaunge, of his: there will I wene no wile ma folow his fonde deuise in putting this law away, althoughe he pved well in his second part, that there were harme in the keping, while hee cannot defende the contrarie, but þ there wers incomparably much moze harme in the leauing. But by what way he prouerth þ there is great hurt in the keping, that shall we now consider. After which well examined, I shall againe retourne god readers este soone vnto the firſt, þ thys suit *ex officio* taken ones awaie, the stres **H** tes were lykely to swarne full of heretikes. And as clere as you se that point already, & that this ma hath therin neyther aunswered noz ones touched suche thinges as your self se that I sayd therin before: yet shall I make it you anon, with the farther foly of his deuise double (ere we departe) so clere. Concerning the seconde partie, thus lo this ma beginneth. **I** But to put the party þ is complained on, to aunsweare, and to condempne him, if he say contrary to þ the witnessha'e said, not knowing who bee the witness, ne who be his accusers: it semeth not reasonable to be accepted for a lawe. For as I haue sayed in the sayed treatysse, if hee that is accused knew their names that accused hym,

Ghe myght percase alledge and proue so great and so vehement cause of rācōur and malice in them that accuse hym, or beare wytnesse against hym, that they sayenges by no law ought to stande agaynt hym: as if there were twoo men that had sworne the death of an other: & because they cannot bryngge it aboue, they imagine how thei may bryng him to all the shame and veracion that they can, and therupon they apeache him of heresye: if he in thys case knew their names, he might proue theyr concour and malice. And because he knoweth theim not, hee can not proue it. And also the witnesse may be such, as shall haue hys landes by estete after hys death. And if it be sayed, that these cases fall so seldome, that it ought little to be pōdred so maye it be sayed likewise, that it fal- leth but seldome, that the witnesse in heresie stande in any feare of them, that thei accuse. And then to make a general lawe to prohibyte all menne, that they shold not haue knowledge of y wyt- nes in no case, it is not reasonable.

Contra you which is trouthe, whych thys man of wyliness hydeth from you, and would make you wene the trouthe were contrary: deuide after that knownen, al thys mischiese and vreasonablenesse that he tellich vs here in. xx. partes, and wþt the bare knowledge of that one trouthe, ninetene and a halfe of all hys false sayned mischieves are gone.

Dologi firste, and since even in this same chapiter before: els in all other cases, y witnesse, whose deposicions shalbe ta- ken and lated against him to proue him an heretike, and vpon which deposicion sentencē of cōdemning him for an heretike shal be gauen against hym, hee shal se theim and shal here their depo- sicions to. So that if there bee any such great causes, as this good mā here ymagineth that might happen, of eny- mite, or hope of lucre, & any much less eyther, the iudge shal may & will con- sider them before the sentence.

But why shal he not know the forth- with, when he is syrl conuente? If or it were not wel done he shoulde, no more then the kynges counsayle that many

tymes call malefactours before theyn **G** upon secrete infomacion firste, vse al- way ther by and by to disclose who told them the mater and what, which if thei shoulde and by and by bring hym forth, then though the suspecte would cōfesse happily some thyng therby the sooner: yet shoulde it be but that thyng whiche he thought the other knew. Wher as whyle the chiese knoweth not who hath gyuen the infomacion, and yet thyng- keth by hys examination that amonge hys manþ felowes though they be the- ues all, yet some false shewes there be, he mysse gesseth amonge and weneth it were one, where in dede it was another, & so in steds of one felony, to lyght others commeth twayne.

But at a nother time and in an other place, before he shal haue any iudgement therupō, he shal comenly see the sworne and here them speake to.

And herc I say comenly, because that sometime percase in point of iudgement, he shal not haue them brought forth **G** sworen in hys presence, nor peraduen- ture never heare them speake in h mat- ter. For thei may happen to be some, that deposid and died to before hymself were taken, and some happily that were hys felowes confessed hys felonies at the galowes, when thei were on the lader. And some peraduenture became approuers when they were caste, and called for a coroner, and the lawe keping no store of hym but hangyng him vp for- with, vsith yet hys infomacion and all these other so, which may happen to cōe so many togyther & so likely to be true, that hys lyfe may goe thereforze, and be well worthy to, and yet neither himself nor thenques never here any one wyt- nesse sworen, neither the first nor the se- conde, neithir at the endfighting nor at hys arreigning neither.

Now may it so fortune in lshewisse & sometime so doth it to, that folke some good and honest depose in cause of her- esye agaynst some one man that is detec- ted therof. And happily therē depose also some other of hys owne affinitie, and in depositing against that one mā detecte by their deposicions, a nother man of h selfesame company that is then walked farre of, no man can tel where, that ap- pereth plainly vpon all their othes per- aduenture the very chiese heretike of al. If he happe long after when these wyt- nesses be dead, to come agayne into the countrey and teache heresyes a freshe, **G** one

Gone or twalfe detect hym, thei shal now be sworen and shall bee brought for the face to face before hym, that he shal obiecte against them what he can before his judgement passe. But yet those olde depositions shall not serue for nought, but are *admiricula probacionis*, thoughte the men be dead. And against all reasoñ wer it that it were otherwysel. Howe be it what they sayed he shal here, and also who they were.

Loe thys is good chyfpen readers y
Wmaner of that suite, whereof thys good man would here make vs wene the contrary, and that men were comenly condemned of heresye by deposicions of those in whom he shoulde never know. And therfore syth the trouth is in dede, that all the wronge which hee speakeþ of, he groundeth vpō a playn vntrouch, though he make not thys lye wittingly hymselfe, but hervynge some folke say so, weneth that it were true: yet is as I sayd before al hys reason spile, and as I tolde you the harme that he layeth in that poist if he shoulde deuide it into twey partes, rix. partes & an half wert now clerely gōne. For there remained but y one case which he would haue here seme comen, and yet in hys seventh chapiter of hys first booke he declareþ hymselfe that the case is but speciall, that is to wyt, where the wytnesse are kept away for feare, els in all the remenaunt thys mans harmes that he lateth here against the law be very clerely gone.

DAnd therfore hys two gaye cases of swering a mans death, and winning a mans lande by eschete, haue place but in the speciall point of that one speciall law. And yet are hys twoo cases such as wel considerid, are of no gret effect. For if we shoulde regard those two cases: the publishing of the witnesse names would seldomre remedy the matter. For it might then as well happe, y such folke myghte hyre other that shoulde beare such false witnesse as doe þ thing themselfe, and of likelihode so woulde they rather doe.

But seing that his cases for the farre fetching and likelphode of so seldomre fortuning, were likely to bee taken for fonde: yet for the fauour of his own deuising he was loth to scrape them oute, but excuseth the deuising of them thus.

And if it be saied that these cases fall so seldomre that it ought little to bee pondered: so may it be sayed lykewysle y it falleth but seldomre that the witnesse

in heresye stande in any feare of theym **E** that they accuse. ¶

Now if thys awntwere of his were good and true, that it happeneth as seldome that the wytnesses stande in any suche feare: then he syleþ his owne reason himselfe. For than hath he no cause to complaine for the law to keepe the witnesse close, made but for to serue in that speciall seldome case, where it happeneth such feare to fal.

And therfore is hys last cause verely not very shamefaſte, where he maketh as though þ law were made general, to þ prophbyte all men that they shoulde not haue knowledge of the wytnesses in no case.

And as for in thys point of hys wheruppon al hys whole matter hageth, to shew you that he sayeth playne vnttrue, and groundeth all thys geare of alwaye keeping witnesse close, vpon a plaine opē lie: I will for this time take none other witnesse againste hym but hys owne plaine open wordes. For in his seventh chapiter of his deuision, so thus god readers he sayeth.

And in the chapiter there, that beginneth *s. i. stat. quodam*, it is decreed, that if the bishopp or other enquerours of heresye that any great daunger might come to the accusours or witnesse of heresye by the great power of theym that be accused: that the they may comand, that the names of the accusors or witnesse shall not be shewed but to þ bishopp or enquerours or such other learned me as be called to them, and that shall suffice, thoughte they bee not shewed to the party. And for the more indemnitie of the sayed accusors & wytnesse it is there decreed, that the bishopp or enquerours **D** may enioyne such as they haue shewed the names of such witnes vnto, to kepe them close vpon paine of ercommynacian, for disclosing that secrete withoute their lycence. And surely this is a soore lawe, that a man shal be condemned, and not know the names of them þ be causers therof. ¶

Now good chyfpen readers here you se plainly by his owne wordes, that þ cause of that law is special and serueth but whereas there is feare that the witnesse myght stande in daunger, by reason that the person detected were a man of great might and power, whiche happeneth very seld and almost neuer tyll it be well nygh past remedy. And therfore now you se by these wordes of hys owne,

Lowne, that those other wordes of hys are to shamefull, where he nowe saith here, that the law is generall, and soz biddeþ al menne that they shoulde not haue knowledge of the witnesse in no case. Upon my fayth expte thys good man see better howe to salue this sore than I see: I woulde not haue written such another pointe in my booke, soz more than all the paper coalte and the printynge to.

Put now as I say, syþ you se that al these greues of hys be gone sauie in thys one only case of so great probable feare, while he groundeth all the remanaunt vpon a great open vntrueth: it is you se well a very selidome grefe that is left. For I never sawe, noz to my remembraunce redde, noz trust in God never shall see the neede, that euer any great man whome folke needed to feare, was condempned in this realme for heresye, sauie onely syþ Hugh olde castle ones in the time of king Henry the b. that was than lord Cobham, noz yet he neither, til that syþough his heresye he fell to treason, and would haue ben the captain of heretikes in a sodaine traiterouse in surrecccion.

DAnd therfore as soz thys harme þ thys good man telleth vs here, that ryseth by the suite ex officio in heresye, thys point is as you see both reasonable if it happeþ, and in lawe suffisently provyded for, and yet beside that so selde happeþ here in this realme, that it was soley for him to speake therof, and yet no moze toucheth in dede the suite ex officio, than if the suite were begon and pursued by some great man, that woulde and feared not to professe hymself for accuser. And thus is this case biterly nothing to purpose, and all the remanaunt is (as you see also by hys owne wordes pned) grounded vpon great vntrueth. And therfore all thys that he hath sayd sette aside soz nouȝt: lete vs now see what other harme the good man findeth ferther. Loe good readers therein thus he sayeth:

GAlso syþ Thomas More desirith not, but that by reason of the lawe, ex de hereticis ad abolendam, which is recypted in the. vii. chapter of the sayd treatise that a man may be dñe to a purgacion without any offence in him, or be accursed, as if he be notably suspected, & yet not gilty, as it may wel be: and yet he wyll not condescende, that that law shoulde be chaunged, but sayeth in soz speng

therof, that verely he thinketh, that hee **G**which cannot be proued gilty in heresye and yet vseth such maner of wates, that al his honest neighbours wene he were one, and therefore in theire conscience dare not swere that he is any other, is wel worthy to do some penaunce. Truly this is a merualouse persuasion, that a man shoulde be put to his purgacion, because his neighbours dare not swere that he is no heretike. **A**

PNow good readers because thys god man beginneth here to sozify his word with that that I did not in my fated. xl. chapyter of myne apologye denye, that a man may bee dñe to a purgacyon withoute any offence in him or bee accursed, as if he be notably suspected, and yet not gilty: I wil first bring you soz mine owne wordes wryten in the sayd chapiter, and afterward than shall we see whither he can take such great hold vpon my wordes, as he woulde it shoulde seeme. Loe good readers these are my wordes, folio. 220.

GIt may be sometime (albeit very seld it happeneth) that in heresye vpon other vehement suspicions without witnessses, a man may be put to hys purgacion, and to penaunce also if he sayle therof, whiche thinge whye so many shoulde nowe thinke so harde a lawe as thys pacifir sayth there doe, I can not see, noz those wise men neyther that made the lawe. And yet were they many wise men, and not only as wyle, but peraduerture many moe also in nombre, than those that thys pacifir calleth many nowe, that as he saith now do finde the lante. For though it be alledged in the extr^e de hereticis: yet was that law made in a general counsayle. And verely me thinketh that he which cannot bee proued gilty in heresye, & yet vseth such maner of wates, that all hys honest neighbours wene he were one in dede, and therfore dare not swere that in their conscience thei think hym any other: is wel worthy to do soe penaunce for that maner of behauour, wherby he giueth al other men occasio to take him soz so nouȝt. **A**

PNow good readers where thys ma taketh me that I say a man may be dñe to his purgacion without offence: you see well I say not so, but I say that he doeth a great offence, and well worthy were to be dñe to hys purgacion and to doe penaunce to, if he be not able to purge himself, but haue vseth himself so lyke an heretique in all good folkes oppiniō

Goppinsō, that he can find no god folke y dare in their conscience swere that thei think otherwyle. Thys say I is a great offence and worthy to dñe hym to this point. And this good man saith that I denie not, but that he may by the law be dñuen to it without offence.

And whereas he saith I deny not y he may be dñuen thereto without witnesse: wherfore not I pray you: For the suspicions being proued by witnesse, to be notable and vehement, wyl they not be cause sufficient to dñe hym to pñge hymselfe of that infamy, or elles to doe penaunce for bringing himselfe therin to, but if there be witnesse of his expresse hereticall wordes?

No sayeth this good man, and meruaileth that I could think this any reason. But why he shoulde so meruaile at y matter, or why I shoulde be ashamed to thinke so, therof telletch vs thys good mā no tale at all, but onely saith.

Truly this is a meruaileous persuasione, that a man shoulde be put to hys purgaciō because hys neyghbours dare not swere that hee is none heretique.

Meruaileouse Godde wherc was this mans mynde whan he wrote these wordes: doe I say that he shall be put to hys purgaciō, because hys neyghbours wyl not swere with him: nay I sai that whā there be by witnesse sworn before hys face, suspicions of heretike proued upon him: than may thordinarye put hym to such purgacion, to proue whither they wyl swere with hym or no. For whan they wyl not but refuse it, what mad man would saye that he shalbe put to y purgacion than whan hee hath failed therof, and it already passe. Thys man speaketh here as one that perceived no piece of the matter.

For wheras I declare that hee is in great offence that so vseth hymself, that none of hys honest neyghbours dare swere, that in theire consciences hee is any other than an heretique: thys man taketh it as though they shoulde swere with him in hys purgacion, shoulde preciseley swere that he were none heretike, wheras their othe shall not be what hee is in dede, but what themselfe thinke of hys othe, they shall not swere that he is none heretike, but that they beleue that he hath sworn true, in denieng charticles layed unto hys charge. Lyke as in the wageour of a lawe, they shall not swere that the defendant oweith not y

mony, but that they beleue that he oweith truthe.

I meruaile in good sayth that thys good mā handeleth thys matter in this maner, and without any telling whye, meruaileth so much that I would think that l awē reasonable. But surely though he could make me a proper reason for his part, and my selfe another for y same syde also: yet would I thinke my selfe right unreasonable, if I shoulde vpon hys reason and myne, aduise and counsayle thys realme in a matter concerning the conseruacion of the faith, to alter and chaunge that law that was made by so great advise, by an whole generall counsaile of al chisen-dome, wherin ther were (I doute it not) men that had as good zeale to kepe innocentes oute of trouble, as anye of vs twain, and much more reason also than we both haue to. But that point that I shewed him in my apology, that y same prouision that is made in the law *ad abo-lendam*, was also made in a generall cou-saile: y tale he lettech goe by, as though he herde it not.

But than he commeth forch with a wordes or twoo of a ferther faute in the law, which eyther the man vnderstan-deth not what it meaneth, or elles is it harde for any man to thinke y he meaneth weil. These are his wordes lo. **A**nd verely the law is that their othe in that case should not be accepted: for y said chapter *ad abolendam*, is that if a man be notably suspected of heresye, that he shall purge hymselfe after the wyl of thordinary or be accursed; and so y pur-gacion of hys neighbour wil not serue. Let every man therefore consider, whither the sayd lawe be indifferent or not. **V** And if it be not, let them put to their hād to haue it broken. And I thinke verely, they shall deserue great thanke of god, if they tourne it to a more indyfferent way, then it is at now. For vnder thys maner the most innocent man that is, may of malycy be reportyd to be suspec-ted of heresye and be not so in dede, and so be dñuen to hys purgacion or be ac-cursed: and then there is another lawe, that if hee in that case of an indurate mynde stande so accursed a yere, he shal be punished as an heretique and that is by the lawe, *Extra. de hereticis, cap. Excommunica-tionis.*

Thys prouision good readers that hee speakest, which is in the law *ad abo-lendam*, recited in y. v. booke of y. decretat-les

Ales in the title *de hereticis* that such as were suspecte shoulde purge themselfe at the arbitrement and discretion of the ordinary, was as I before haue sayed afterward, loked vpon and allowed in the generall counsayle called *consilium latranense*, as every man may soone percevve that wyll well consider the paragrapfe *excommunicamus* afterwarde in the same tytle.

For whereas that lawe there sayeth.

Quibus fuerint sola suspicione notabiles, nisi statim innocentiam suam congrua purgatione monstruerint: these wordes congrua purgatione be referred

Bunto the other lawe *Ad abolendam* thereto made before, as both appereth by suche doctours as wryte vpon the lawes, and also to hym that wyl consider it wel, it well appereth by the selfe text. For in the paragrapfe, *Excommunicamus* bee rehearsed parte of the very woordes of the lawe *ad abolendam*, whereby we may se that the counsayl there looked vpon that lawe. And so was I say that p̄sonis which thys man calleth so unreasonable, not only made by pope Lucius the. iij. but after also made againe by ratification

Cby pope Innocent the. iii. in an whole generall counsayle. And reade the storiess who so wyl, and he shall finde bothe by *Platina* and *Cronica cronicarum* to, that both this pope Lucius & this Pope Innocent were very vertuous men.

And here had it bene reason now therfore, that this good man sich he findeth in thys point so great a faute in h̄ wyttes of both these good popes, & in al th̄ that were mēmbers of that generall counsayle, and in all the wyttes of all christē reagions that haue vsed and allowed ȳ lawe for good ever since reason would

DI saye, that he shoulde at the least haue played some reason here, wherefore the lawe can not please hym, that he which though he be not proued gyltye of the deede, is yet proued suspecte, shoulde purge himselfe after the arbitrement of thordinarie, that is to wryte in such manner wylle as thordinary shoulde thynde conuenient, vpon the qualites of the perso and circumstaunes of the cause considered.

Suppose nowe that there were none other maner of purgacion, but by hys neyghbours swearing with hym, and ȳ those woordes *ad arbitrium episcopi* were not wryten in ȳ lawe: were it yet reasō to accept hys othe in whatsoever maner the man would himselfe devise it: and wryth as few handes as hymselfe list appoint: and with what maner folk so ever him-

selfe would b̄fng:

E Nay syz. For it may so be, that ther shalbe good cause why sometime and in some place, that thordinary shoulde not put some man to that kinde of purgacion which if hee did, were hee never so nougaty, he shoulde be sure of compurgatours, peraduenture moe than ȳ nougaty.

For it hath bene sene in many countries ere this and sometime in Englāde to, that some euyll preacher preaching playne open heresyes, should yet (if hee myght haue ben put to such purgacio) haue lacked none handes to laye on the boke wylch him, that he never spake such woordes.

Howbeit where the woordes are opē and plaine heresye, the law hath presuyued an other way for the remedy good ynough.

But than haue there bene some preachers such ere thys, that teaching plain heresies to their familiaries secretelē, woulde preach in such wise abzode, that their woordes shoulde have twoo sensē, and one boke serue for either legge lyke **G** a shipmans hose, and so shoulde be tempered as the people shoulde haue occasiō alway to take them to the worke, & himselfe if he were examined shoulde say besoze thordinary and swere to, that hee never ment but the best.

How whan it shoulde by good witnessē appere, that hys maner was such the people toke muche harme thereby, & alway tooke hys woordes so that they thought he so meant them, that he purposed by them to sette forth and aduaunce those thinges that were starke heresyes in dede: if thordinary shoulde than appoint him with other compurgatours to purge this suspicion, were these suspissons never so vehement, he shoulde lacke no compurgatours to purge himselfe every weke, and than dooe as hee did before. And many good simple folke taking him euen as he ment, shoulde fall into his heresyes the while, and weene whyle he preached so styl, that to belieue that way were no perill.

And therfore those wylle men ȳ made ȳ law, leſt the thing in thordinaries discretion to alligne hym that is proued suspecte of heresye, such kynde of purgacion as the circumstaunes of the perso, and the people and the time shall most require.

And therfore will thordinary to ſee man so suspecte, sometime alligne him

A (to purge hys suspiccion that wþþ hys lewd maner of prechynge he is fallen into the great hurte of his herers) that hee shall openly confess that those heresies that the people tooke him to meane, bee verþþ false heresies in dede, and openly shall detesse them and swere that hee so belieueth them to bee, and swere that hee neither ment to teache thym, nor never was mynded that anþþ manne shoulde take him so, nor never would afterward teache noþþ holde heresies, but bâsture them soþþ euer.

And yet soþþ the ferther purgacion of such suspiccion, þ ordinary might also enjoyne hym some certayne thinges to do, such as may declare þ more clerie, that he is not of such minde, as open preching against the selfsame heresies, and the doing of some such thinges as those heresies did stande against.

And now by thys purgaciþ this good shal he do, that if he would after preache the same thinges againe though he vsed againe such a noþþ wþþ fashion: yet would hys audience theþ think thus (as

C many as had any minde to be god) eyþer thys mā menneth now by his wþþdes to teache vs that point that himselfe hath absurde, and then let vs not learne the thinge of him that he woulde in noþþ wyle we shoulde, or elles he meaneth to teache it vs stille soþþ all hys abiuracion. And then whersoþe should we be so mad to belieue a false wþþch, þ would make vs belieue now, that þ thing were true, which himselfe hath openly confessid and sworn to be false.

But then wyll happely thys good man say, that thys abiuracion is very loule soþþ leopardy of the relapse.

The peryll of death by relapse is not vpon every abiuracion. But of trouthe he that is abiurid vpon such thinges pñed, as maketh him not sliglyt but verþþ vehemently suspected, if he fall after into heresy, putterþ himselfe in peryll to fall into the fire. And very good reason it is that it be so. And a man may sometime be so suspecte of felonie by reasoþþ soþþ pþesumptions, that though noþþ saw hym doe it, nor himselfe neuer confessid it, but say and swere to that he neuer had it: yet may he be founden guiltye of it, and therupon hanged soþþ it, & haue noþþ wrong at all.

And thus this prouision soþþ purgacion at the discretion of the ordinary, is not I trust soþþ unreasonable, nor they soþþ unreasonable that made it, nor thei soþþ

vnreasonable that ratified it, nor al they G soþþ unreasonable that thys twoo or three hundred þere haue accepted & allowed it, but that it may nowe stande by thys good mannes leaue at thys day as well as it hath standen all this while before. But yet is ther one thing that he taketh soþþ a thyng very sore.

Foz than is there (sayeth hee) a noþþer lawe that if he that is soþþ proued suspect, refuse to purge hymselfe at the discretion of thordinary, and be soþþ his contumacy excommunicate: that in þ case if he of an obdurate harte stande soþþ accursed an whole þere, he shalbe punisched as an heretique. And that is, (as he sayth) by the lawe Extra, de hereticis, cap. Excommunicamus. F

This prouision was made as I told you in the sayed generall counsail. And where he bringeth it forth as though it were a verþþ sore thing and a cruel: it is in dede very fauorable. Foz sauyng þ I wþþl not do as he doþ, goe finde fautes in their doinges that were so many, so much better, and had so much more wit G then I elles coulde I lay a little better cause to proue that prouision ouer fauorable, then euer this good man shal find while hee liueth, to proue that prouisyon to soþþ.

And surely that being be proued suspect and refuseth in such reasonable maner to purge hymself therof, as hys ordinary shal by hys discretion assigne hym, which must both by law and al reasoþþ be hys iudge and not himself, sheweth himself, little to soþþ or care, though folke wene he were an heretike: which thing soþþ aggreveth the suspiccion that he verþþly is one in dede. And then when hee wyll rather bee ones accursed, then of such suspiccion yet to purge and clere himself: he yet encreseth that suspiccion twise soþþ soþþ. But fynally when rather theþ to purge that suspiccion, he continueth excommunicate all the whole þere, and never wyll be purged in the whyle, but if he may haue it accepted in such a faiþ fashion as hymselfe lyþ to offre: the suspiccion of hys heresies from soþþ & behemþ, tourne by such dealing into plaine open and violent, so that he can in reasoþþ be none other reckened but a plaine heretike in dede, whome to tolerate soþþ doþ sometyme lyttle good. And theþ lirh the lawe is, that liche as the fauour of the church shal preserue from the temþazall handes, shoulde by the lawe bee onely those, which vpon theyȝ detectiþ, tourne

Acourne of their owne offre mesely by eby, and shew good tokens of right har-
ty repentaunce: I will let no man from
the inclinacion toward pyty, in preser-
ving the life of any man, whensouer he
seme penitent. But yet surely when the
church receiueth agayne that man, that
by hys obſtinate dealing, with abiding
excommunicate and contempnyng the
great curse al the whole pere, rather thē
he would purge the ſuſpicion of hys he-
reſye, but if he may purge it after his
own ſweete wyl, proueth himſelf at laſt,
Bto haue ben an heretike ſo long, & al that
whyle woulde not retorne but ever
moze draue backe: if thordinary for all
that receiuem him to grace againe, & kepe
him ſtil & preſerue hym from the leuler
handes: I wil not ſay þ he doth wronȝ,
but finding him yet repentaunt, fayne
would I ſee hym ſaued.

But yet without doute as farre as I
can ſee, the ordinarye to ſane the man-
nes lyfe of pytye, ſtretcheth oute with
hys ieth the lawe and reaſon both, ſo
farre that even ſcancely can any of the
both holde.

C And therfore theſe lawes being ſuch
as they be, made and ratified by whole
generall counſall, accepted and ued ſo
long through all chifſendome: when
thys good man cometh nowforth, and
byon hys owne bare reaſon as bare as
ever I herde yet in all my lyfe, because
only that an innocent may ſometime
take harme, which may happē vpō any
law that euer all the wroldē can make,
whereby there ſhall be deuiled any pu-
nishment for the euyll folke, he biddeþ
every man conſyder nowe whither the
law be iuft or not, and if it be not, byd-
deþ every man put to cheire handes to

haue it broken and make a better, and
layeth that he thinketh they ſhall haue
great thanke of God therefore: his re-
quell is now no better, but in effect enē
this, that againſte every wiſe mannes
reaſon well approued hiterto, euerys
man ſhould in thys matter now, eycher
crufſe vnto hys, or elſe at the leaſtewiſe
every man to hys owne, and in ſede of
a better olde lawe, make a newe muſe
worſe. For if hys deuile were folowid:
it appereth plaiñly ſo there ſhould, and
heretikes ſhould grow vp on height, and
the catholique fayth decaye. And then
god ſaueth us from that thanke of Godde
that shortly we ſhouleþ wilch ſache dea-
ling deserue.

Thyſ haue I good readers as you **G**
ſee clearely conſuted thyſ good mannes
auſtwe in both the pryncipall po-
ntes, of which the tone was wherein hee
mynded to ſhew that in heretike ſuite
of office myght be left, and that by the
leauing ther ſhould none harme folow
to þ catholike fayth, because heretikes
myght as well come to correccion by þ
way of open accuſers as by that maner
ſupte.

But in this point you haue ſene clere-
ly, that his deuile would neuer ſo ſerue
the matter, but that it were very lykely
ſo to minishe in thyſ realme the catho-
lyke fayth with encrease of heretikes, þ
the indignacion of god were ſore to bee
feared thereby to folow theron: and the
realme to fall in trouble ond businelle,
with inſurreccio of the fame rebellious
heretikes, that by the chaunge of þ law
had ſo bene ſuffered to grove as other
coutries haue ben of late, & thyſ realme
was ere this ſo nere lyke to haue bene, þ
for thauoyding of the lyke peryll to fall
afterwarde, it prouided by parliament
of great policy, for the botter repreſſing **G**
of heretikes, to forgiſtify that law & gyue þ
ordinaryes yet greater power to main-
teine it, and with tempozall alliſtēce to
make it moze ſtronge,

His ſecond point was to ſhew þ of the
kepyng of that law, there ſhould grove
great harme, because the lawe is ſo bi-
reasonable hee ſaveth, that innocentes
may come to trouble thereby withoute
offence.

This parte howe properly thiſ good
manne hath proued, that haue you ſene
also, and that hee therein is ſo full and
whole conſuted, that when he readeth it
againſt, I ſuppoſe he will not now gret-
ly lyke it.

Nowe theſe twoo thiſ haudeled he
cometh to the thiſt point, which though
I graunted him all to gether, yet were
he neuer þ nere. For that pointe is ſuch
as if I win it, than it maketh my parts
moze playne: but on the other ſide if I
loſt it and he wanne it, yet were mine
playne ynough. And ſtronge ynough
wer my part with the thiſt point alone.
For if by the leuing of the ſuit of office
ſhoulde folow thencreacc of heretikes,
as every man I thinke that witte hath,
may wel ſee þ there would, thā though
there would ſome other harme happen
ſoetyme therof, yet muſt þ other harme
in reaſon, rather be boȝne than that.

But

A But now to come good readers vnto the thirde point, which if he wanne all togidher could very little serue him, ye shal se hym per by goddes grace, winne hym ne never a piec.

The thirde pointe good readers in mine apology you se well your selfe entendeth nothing els, but by ensample of the come lawes of thys realme, to shew that the same spiritual law, which this man would proue vnreasonable, is not in dede proued unreasonable, by this thing that he here putteth, for the profe, that is to say, because that by that lawe some time it might happe that a man might fall in peryll of a crime which he committed not. For if it so were now, y in all the cases that I rehearsed of the comen law, there coulde never no man that hadde not done the dede, take any harme so much as a philippe, yet though I had myssed in those ensamples, the thinge might yet bee true. For there myght bee for all that, other ensamples ymough, both in other god lawes and in the same to, that a law were not vnreasonable, nor to be put away, thoughe there might hap sometime some man take some harme that never did y dede that were lated to hys charge. And of trouth thys conclusio is so clere that it nedeth no proofof at al. And therfore though he wanne at that point, yet had he lost the matter. But let vs nowe a little se whither he winne thys poynt or no.

And because the effect of all hys awnswere lyeth alway in this, that he saith alway that the sample of the comon law that I lay, is not like the thinge that I resemble it vnto in the spiritual law: I shall first rehearse you mine own wordes in mine apologye, and then shall I rehearse you hys wordes here, y when you haue hearde both twaine, whether thei bee lyke or unlike ye may the moze surely iudge. These were to god reders my wordes.

G And verely me thinketh that he which cannot be proued guilty in heresy, and yet beth such maner of wates that al hys honest neighbours wene he were one, and therfore dare not swere that in their conscience they thinke him any other, is well worthy mee thinketh to do some penaunce for that maner of behavour, whereby he gryueth all oþer folke occasion to take hym for so noughty.

And by the comon law of thys realme, many times vpon suspiccion the judges

a swarde w^rste to enquire of what fame **E** and behavour the man is in his country, and hymselfe lyeth sometime syll in prisone till the retourne, and if hee be retourned good, that is to wyt if he bee in a maner purged, then is he deliuered, and yet he payeth hys fees ere he goe. And if he be returned nouȝt, the vse **F** judges to bind him for hys good abeyng, and sometime swerties with hym to, such as their discretion will allowe. And then to lyf till he finde theim, is sometime as much penaunce to the tyme, as the spirituall iudge enfornceth to the tocher. For the tyme commeth to **F** the barre as openly as the tocher to the consistory, and sometyme hys fetters was a good piece of a sagotte, besides þ they lyf lenger on the tyme mannes legges, then the sagotte on the tochers hold^r.

And yet is there no remedye but both these must be done, both in þ tyme court and in the tocher, or els in stede of one harine (which to him that deserueth it not happeneth seldeyne, and as seldeyne I am sure in heresye as in theste, a muche **G** moze seldeyne to) ye shal haue ten times moze harine happen daily to folke as innocent as thcy, and of innocentes many made nocentes, to the distrucciō of the myselfe and other to, both in goodes, body, and soule. **A**

To thys piece to good readers this is this good mannes awnswere.

H Then he goeth ferther for maintenaunce of the layed suite ex officio, and resembleth it to arresting for suspiccion of felonie, and to the swerte of good abeyng, and to inditementes: whereupon men be put to awnswere at the comon law. And how farre these resemblaunces vary from the suit ex officio he in some place openeth it hymselfe. But yet for a moze plaine declaracion therin, I shall say a lyttle ferther in that matter. First as to the arresting for suspiccion of felonie, it is in dede an olde lawe of thys realme, that for suspiccion of felonie, a man may be arrested, so that hee that doth arrest him vpon a reasonable cause, doth suspecte hym: but it is a generall rule, that hee shall never be put to awnswere vpon that arrest, but proclamation shalbe made that if any man wyll lay any thinge agynstte him, that is so suspected, that it shalbe herd: & if none such come he shalbe deliuered withoute fine or any other punishment, with a good exhortacion of the judges, that he shall take good hede howe hee odereth hym.

G himselfe in tyme to come. And thē masseter More lykeneth the penance of such a man that hath ben in prison vpon suspiccion of felonye, & so deliuered by proclamacion, to the bearing of a fagotte for heresye. For he sayth, that the one of them shall come as openly to the barre as the other to the consissoye: And that sometyme hys letters shall way a good piece of the fagot, belides that they lye lenger on the one mannes legges, then the fagot on the other mannes shoulde: but he reherseth not how they lye many tymes lenger in prison for heresye, then they doe eyther for suspiccion of felonye or for good abering. And ouer that I dare say, that ther are but few, but that they had wel leuer abide the paine to be chise acquired by proclamacion, and peraduenture oster, then ones beare a fagot for heresye.

How goeth nowe good reades thys aunsweare of this good man vnto þ purpos, to þour the trouble of hym that is arrested vpon suspiccion of felonye, to be vnlke to the trouble of him that is sued **C ex officio**, for heresye, touchyng the point that I resemble them for.

The point ye wote wel for which I speake of the arresting for suspiccion of felonye, is to shewe, that lyke wyse as it may happen a man for heresye to fall in trouble sometime thongh he were none heretike in dede: so may it happen a man sometime to be troubled vpon suspiccion of felonye, though he be no felon in dede: and yet both the tōne lawe necessarie & the tother to, and neither of both maye be for borne. Hath thys good man puced vs the contrary of thys: that you se wel he hath not. And then hath he not perdyd proved them vnlke.

He wenereth he sayeth somewhat, whā he tellich us that vpon tharresting vpon suspiccion of felonye he shal not be put to aunsweare tyl he be indighted. What is his trouble the less for that? If hee lye in prison tyl the sessyon as he may hap to dooe were it not moze hys ease to bee put to aunsweare before and acquite, if he bee not swytche for of such folke wee speake) than for lacke of puttynge to aunsweare lye syll in prysone the lenger?

As for that, that in conclusion if no man laye noughe to hys charge at the sessions, he shal be deliuered by proclamacion, so shal he that is suspected of heresye to: For if there be nothing foun- den against hym, he shal neyther be dñe-

uen to abjuracion nor purgacion, but be deluyndred quite, howsoever that eyther thys man mysetake or woulde make other men mysetake the matter to the cōscryte.

And as to that, that the tōne shall paye no fyne, no moze shall the tother neyther.

If thys man wyl peraduenture say, syth that the ordinary findeth þ mā not suspect in the ende, why did he take and arrest him for suspect in the beginning. Because that in the beginnig the mā seemed vpon good consideracions sus- pecte, and seemed lykely to flee, and vpon the examinacion the matter ful serched out, the causes of suspiccion so wel auoide, that thordinary deciareth hym for discharged without any other purgaci- on. But yet hath it mishapped hym, to haue some harme the meane whyle, and so hath it him also that was arrested vpon suspiccion of felonye that never was after indighted, but deliuered forth fre- vpon the proclamacion.

Se no great difference betwene these two men in all thys matter yet, save þ the tōne lieth at hys owne finding, the tother at the bishoppes coast.

For wheras this man sayeth, that he which is deluyndred by proclamacyon, hath alway gyuen hym by the justices a good lesson at his departing: if the bis- hop gyue not the tother a good lesson at hys departing to, þā is he somwhat to blame in dede, but in good sayth I here say that he doth so to. And therfore where is thys difference yet? I looke al- ways for that. For as for the shame of open brynging forth, is both one as I saied, sauing that the session hath come- ly much more people present to gaze vpon the tōne, than in the consissoye loketh vpon the tother.

And where this man sayth, that they lye lenger in prison for heresye, than they doe eyther for suspiccion of felonye or for good abering, ys he speake of those whā are in conclusion founden in moze fante concerning heresye, than those are that are deliuered by proclamacion bee founden at the session concerning felonye, I dare be bolde to tell hym nay. And I am very sure the trouthe wyl proue so to. But nowe if he speake of those that appere vpon the ende in suche fawte that by the lawe they be bounden to abiure, than is it good reason that they lye lenger in dede.

And

A And so lye there as reason is sometyme
some for felonye to, rep̄yed upon causes
from one lession to another, and some-
time kept you see wel al the whole yeare
and moze. And that sometyme suche as
are in conclusion never indyghted ney-
ther, but after all that delyuered by pro-
clamaciō, & yet good causes in h meane
whyle why they were kept so. And ther-
fore wher as thys man saythe, that they
be in wyrle case that bears a faggotte,
very truthe it is somewhat and so is it rea-
son they be. For they be not faulter but
conuictid of the fault. And our dispisitō
is of innocents that happen by the law,
the rone law or the other, to take harme
without theyt fault. For if he would co-
pare the faulter wyp the faulter, the myghte
he compare the rone bearing the faggot
wyp the other at the verye lyke tyme
borne vp wyp the rope.

B And therfore I dyd in that place, not
onely shewe that he that is innocent, mai
by arresting for felonye haue as
much harme, as he that is innocent and
arrested for heresy: but that he may hap-
pe to haue somtyme also as much harm,
as he that for the firste tyme is founden
faulter in heresy, and playnely conuictid
therof. And surelylaine for the farther
peryl upon hys farther faute, so maye it
happe in dede, and yet as I layde in my
dyalogue the law must needs be kepte,
but if you wyl by the chaunge haue stue-
thenes for one. And thus as for this peice
of arrestyng for suspicione of felonye, the
case hath he not passed vnlke touching
the purpose that I put it for, but for my
part very strong. And so hath thys good
man in thys first poynt of the third point
a very great fail.

D Then commeth he next vnto another
case that I speake of also, that is to wyte
arrestyng vp̄ god abearing. And wher
as in myne apology that peice is h third,
that peice in hys answere he maketh the
second, and I se why wel inough. For
sythe hymselfe seeth that he answereith it
so slenderly, he w̄appeth it vp in h mid-
des, because it shoulde be the leſſe markid
and woulde ende wyp another peice
wherein hymselfe weneſt that he latth
somewhat better.

Now as for this god abearing, to the
end that ye may see the better how gaily
this good man answereith it, I shal fyſt
reherſe you the woordes of myne apologi
that he maketh this answer to.

After that I hane shewed there, that
the judges of the spiritual courte be not

so foolyshe, but that they had leauer not
medle wyp any man, save onely vpon
some ſuche open inquifition as are in-
dightmentes of felonye for auoydying of
obloquy, ſauing that necessitē compel-
lets them to take this waſ, for feare that
wythufferance of heresies to go forth
and grow, al might at lengthe thowz
Gods displeasure verye farre growe to
nought, I ſayther farther thus fol. 225.
F Necessitē sometyme cauſeth also
both the temporal judges & the kyngs cou-
ſaple, to put ſome folke to busynelle or
dihonesty somtyme, without either iu-
ri or bringing of the acculer to the profeſſe
of the matter in the partyes preſence. ¶
For if the judge know by ſure enfor-
mation, that ſome one man is of ſuche euyl
demeaure among his neighbours that
they maye not beare it, and yet that the
man is belp̄d ſo violent & ſo luberdous,
that none of them dare be acknoȝen to
ſpeak of it: wil ther no judges vpon ma-
ny ſecret complaints made vnto them,
without making the party priuie who
told hym that tale, brynde that busi trou-
bleous maſto good abearing: I ſuppoſe
yes, and haue ſeen it ſo to, and wronge
woulde it be ſomtyme with good poore
peaceable folke in the countrey, but if it
were ſo done among. And my ſelf when
I was chauncellour, vpon ſuches ſecrets
enformation haue put ſome out of com-
mission and office of iuſtice of the peace,
whych els for much mony I would not
haue doſe; and yet if I were in the coke
roume ſtib⁹ thei in h other agayne, but
if they be mended (wherof I neyther the
ſaw nor yet heare any likelihod) I wold
put them ouſt againe, and neuer tel them
who tolde me the tales that made me ſo
to doe. ¶

To good readers here you ſee, that in
this peice I meane nothing elſe, but that
wher as thys good man ſyndeth a faulter
that the ſpiritual judge ſhould medle wyp
any man for heresy without an open ac-
cufour complaingning to hym, or an oþer
preſentment in the begynning, I ſhewe
ther that necessity is the caufe, and forþ
with afterward I prove it, whiche thys
good man diſſeblieth here and inuertereth
here thowz for the nonce. And I ſhewe
that necessity (leſſe muſche more harme
ſhould grow theron) cauſeth the temporal
judges & the kyngs honorabile chunſaple
to, to put ſom man to busynelle ſomtyme
and ſo to dihonesty both, without either
indightment or oþer acculer, or ſuffering
him to make anſwer either, and thus be-
K.1. they

The debellacion

Athey faine to do, but if they shold suffer
manye greate harmes to grove. Powe
marke wel I requyze you how substancialle
ye thys good man answereth thys.
These are hys wyls wordes so.

And the as to the arresting for good
abeating, truthe it is, that a man by com-
maundement of the iustices may so be ar-
rested, but he shal never be put to alwer-
ypo that arrest, but onely bound, & sure-
ties with hym of his god abearing. And
if he can no such surety fynde, & he haue
lyen ther long in prisō, the the judges by-

Btheyz discretion may lende a wryt to en-
quire of his fame, & of his behauour, whi-
che is called a wryt de gestu et fama, whereof
sir L. More maketh mentiō in his apolo-
gy: if it be found for him upon y wryt, y
he is of god fame & behauour, the he shal
be delivere. Wherbi maister More saith,
he is in a maner purged, and bi that
sayng it semeth y his mening is, y that
deliuery shold be resembled to his pur-
gacion upon the suspition of heresye, as
is said before. But how farre thei be vn-
lyke, it apereth thus: when a mā is deli-
vered vpon the sayd wryt de gestu et fama, he
is delivere as a mā proued to be of god
honesty & to be clered bi his neighbours
of that he was suspected of. And whē he

Cis purged vpon the suit ex officio, or for
suspicion of heresye, he is put to penaunce by
chōordinari as a mā suspected, wherof he
is not clered, & so shall he be take among
his neighbours, as a mā worthy to do y
penaunce for his offeices, wherfore it ape-
reth euidently, y thei be nothing like.

In this answer god redē one pece he
alwereth with an vntruthe, another pece
he leueth half unanswered, & to another
pece he maketh none answer at al.

DFor wher as he saith, that he y is pur-
ged of heresye in the suit ex officio, is put vnto
penaunce by the ordinary as a mā sus-
pect, wherof he is not clered: this mā sai-
eth vntru, & woteth not also what he me-
neth. For the spiritual judge not onelye
(as I haue said) though he were soze sus-
pected in the beginnyng when he tooke
him, yet y he fynde in the examynacion
those suspicions cleared: he putteth him
to no farther busines at al, but also y it
be not so fully cleared, but that there re-
maine some tokens of suspicion, of whi-
che he think it good to purge him by the
oth of himself & som other cōpurgatours
with hym, he putteth him after the pur-
gacion vnto no penaunce neither. But
now if it so be, that there be well proued
such suspicions as are so vehement, that

though they proue not precysly y dede, E
yet make every man that heareth them,
that he can none other wise think: there
wyl the ordinary cause him to abyure, &
the rather to purge him of the suspicion
that he wer stil nought & afterward styl
would be nought, the that he was suche
before. And the for vsing himself in such
wise before: though he do penaunce he hath
but right. But in al those other cases of
suspicio purged, he saith vntrue for they
do no penaunce at al. Now concerning y
good abearing awarded by y iustices:
he alwereth y it is true, but it is he saith
vnlike vnto this matter, because y iusti-
ces (saith he) whē he hath long liuen in prisō F
may by their discrecio (if he can find no
sureties) award a wryt de gestu et fama.

This is but halfe an answer, nor scāt
so much neither. For first hymself layth
that this wryt they may lende out after
that the man hath long lyen in prisō, so
that the the mā yet wþout prelentment
or open accusour hath had that long ly-
eng in prisō in the meane while for his
euil demenure at home amōg his neigh-
borz, wherof they durst not openly make
cōplaint. And this doth as you se this god
man denye whyche is for my purpose i-
nough. But then saith he farther for me
in that he saith they may award y wryt
if they wyl. Wherin he implieth that yf
they wil not, they may vpon god discre-
cion let him yet ly styl and let the wryte
alone. And so hach he therfor put in one
poynt farther for me.

But yet hath this good mā one stoppe
gappe for me stil, to proue alwaſ that mi
sample is not lyke, & that is that where
as in the suit ex officio, men be put to an-
swer vpon this arrest and imþisonment
vpon god abearing, the mā shall never
be put to answer. For answer of thys e-
uation I wil aske this good man thys, y
he whiche is in prisō vpon god abearing
shal never be put to answer, whither is
it his profit or his losse: If his losse: then
his not putting to answer maketh y ma-
ter of my resembling, muche the mo-
re strong for me. And if this good mā dare
answer me that it is hys profit: the wyl H
I no more but pray him to put the selow
in choyce, & then if himselfe choose it for
the better, let him ly styl for me.

This you se good reader y thys man
saith not nay, but that vpo god abearing
by discrecio of the iustices, for al y wryt
de gestu et fama, a man may lyen long in prisō
& some peradventure euer, howbeit
of truth I crow it happeneth not so.

And

A And yet can neither this good man say, nor I suppose no man els, but that it may somtime hap by possibility, that all that information wer wrong. But that is a thing not lykely to happe so often, but y if we wuld soz such may haps, put awat that ordre, whiche ordre very necessitee brought vp: ther would much mischiefe grow, and many great harmes woulde ther ther happe in dede.

Now as touching that I said that the kings counsaile vped also somtime vpo greate secrete information to put some folke to busines and to some dishonestie to, & I letted not to laye some sample in myne owne dede whyle I was chauncelour my selfe, by putting some out of commision in their countries, which dishonesty save soz such secret information, I wold not soz an hundred pound haue don them, & dare yet vpon suche secret information very wel auowe the doyng, and dout not but h if I shuld declare h cause openly, both good men & wise men wold allow my dede: to all this point lo thys good man saith nothing at al, but legetteth it go by his eares as though he never herd it. And thus as I told you, concerningge this pece of god abearing: this god answerer hath here borne himself so wel, & some part he answereth with vncouth, som part he answereth a great deal lesse the half, & som part never a deale. If me be content to take this fashion soz answe-

C ring: let ani man make the againt me as manye booke as he wyl, & put in what matter he list, & I shal never nede to frudij much soz an answer, but mai make answers to the al shortely & short inough, & answer a log booke in space of one paper lease. But now let vs se how he hādeleth his third peece of endightmentes at h sessions. For that peece he lettereth in the rere ward, to stay therwith al the field. But now y you may se what strenght he hathe in y ward: I shal first byzng you soz y ward agaist whiche it fighthe. In myne apology, fo. 222, these are my words so.

D And because this pacifier taketh it so loze a thing in the spiritual law, & a man shal be called ex officio soz heresye, where he shall not knowe his accuser: if we shoulde chaunge the spiritual law soz that cause, then had we nede to chaunge the temporal to, in some such pointes as chaunge it whē ye wil, & ye shal chaunge it into the wors soz aught y I cā se, but if it be better to haue mo chenes the fewer.

For now if a man be endighted at a sessions, & none evidence giuen openlye at

the barre(as many be, & many may well be. For thenditours may haue evideuce giuen them a part, or haue hearde of the master ere they came ther, & of whom be they not bounden to tell, but be rather bounden to keepe it close, soz they bee sworen to keepe the kynges counsayle & theyr owne, hal the party that is endighted be put vnto no businelle aboute his acusatiel. And who shal tel him ther the names of his accuser, to entytle hym to his wyte of conspiracy? This pacifier wil peraduenture saye, that the same twelue me, that ar his enightours are his accusers, & therfore he may knowe them. But what helpeth that hys vnde- serued vexacion if he were faulcs? For amedes the lawe geueith hym none against any of them, nor it were not well done he shoulde, but mai when he is after by other, vni. acquite, go get hym home & bernery that he hath had so faire a day, as a man getteth hym to the fyre & shaketh hys hat after a shoure of rain. And now as it often happeth, that a man cometh into a shourt by his own ouersight, though somtime of chaunce & of aduenture: so surely though somtime it happeneth that a man bee accused or endyghted of malice, or of some likelyhod whiche hap- ped him of chaunce & not his faut therin, yet happeneth it in coparison veri seld, but that the partie by some demeanure of himself gyuerb occassion that folke haue hym so suspected. ¶

In thys peece my purpose is good readers as you se, to shew that lyke wise as a man shal in the suit ex officio soz heresye, know hys accuser: so may it also happen manye times, that no more he shall neyther, when he is at the comon law indyghted of felonyc. And I shewe also therin as you se, that though it mai somtime happen eyther of malice or chaunce; yet it seldomly happeneth soz all that, & the party so fallich in trouble without some defaut of hymself, & that the comon gene-ral law may not soz such seldom special happens be sozborn. To this peece lo this good man answereth me thus.

And the maister More saith yet fur- ther, that vpon indightmentes at sessions the indighters vle not to shewe y names of thē that gaue them information. And he saith farther, that they may not dysclose the kynges counsaile nor their owne. But as I take it that prohibicione of opening of the counsaile in this case is onely to be understand of their own counsaile among K. li. them

For heresye a
man & all not
know hys acc-
user,

Athē self, after that thei be sworen, but for opening of the names of them that gaue them infozmacion before they wer swo- ten, I know no prohibicion. And if they wyl not shewe their names, they be not boundē to do it, for they be not bound to helpe the party to his w̄zit of cōspiracy, but as they lyt to do in conscience.

Now good readers al this pretended defēce, is nothing els in effect, but a fār confession, that it is in dede true þing that I sayd my selfe, that he which is endighted of felonie, may be (as for) any ad-

Buantage that he can take therby as ignorāt sometime who be his accusers, as he shal in the suit *ex officio*. And therbi mai happen somtime, that he whiche is faultelle shal net be al saued harmles, & whē he hath had his harme, shall be remedyless. And yet for al that the lawe not vñreasonable, nor for auoyding of muche more harme maye not be so boone. And therfore as for my purpose euen at that point might I haue left, and needed to go no farther. And then as you se this god man had ben quyt answerlesse.

But yet went I farther wher me nedēd not, and that this good mā saith that I dyd of necessity, wherof for thys mat- ter I had of truth no nede. And yet wold

I not now but I so had don in dede. For I haue therby þ better brought to lyght, what lacke thys good man hath of anye sufficient answer. For these are there lo good readers therin my farther wordz.

Fow if this pacifier saye, that yet here is at h̄ least wise in a temporal judge an open cause apering, whereupon men may see ihat the judge calleth hym not, but vpon a matter broughte vnto him, wher as the spiritual judge maye call a man vpon his owne pleasure if he beare the party displeasure; thys is verye well sayde as for the temporall judge. But what sayth he nowe for the temporal.

Dixi men: For ye wot well they maye doe the same if they were so disposed, & then had I as leue the judge might doe it as they. For in good faith I never saw the daye yet, but that I durst as wel trus þ truth of one judge as of two iuries. But þ judges be so wise me, that for the auoydung of obloqui, thei wil not be put in þ trust.

And I dare saye the oþdinaries be not so follysh neither, but that they wolde as sayne suoïce it to if they might, sauyng that verþ necessity leaff al shoulde fal to nought, cōpelleth thei to take this way.

Here you se that I meane in this wor- des, that though the pacifier woulde tel

me that the temporal judge hath by such endightment at the leaste wylle, an open cause apering wherupon a man may se that þ judge calleth hym not of his owne mynē, but vpon a matter broughte vnto h̄, m: I would then graunt hym that this is in dede a good easē to the temporall judge, to kepe hym out of obloquy. And the spirituall judges be not so vñwylle, but that they woulde be glad of such another paupye sauing that they be boundē to take the other way, and suffer theym self enyl peoples obloquy, for auoyding of the harme that els wold folow, by the decay of Christes catholike faith. Whi- che thiȝ I ther prone wel to, as you shal after see. This as I saye woulde I haue graunted alwaye thys good man. But then I woulde alwaye therwithall haue tolde hym to, that yet all that tale of hys had nothinge touched the poynt, but that alway for al this tale, the man that was endighted, if the matter were in dede vñtru, was never the nerer the knowledge who were his accusers, to get any amēdes thereby, no more then he that is cal- led of office for heresy before a spirituall iudge. And heare nowe what he saith to this, and whyther we be by hys answer for the poynt that was ment by me, any one ymche yet the nerer. Lo good reders this is hys proper answer.

G And then because he can none oþher wylle do, but confess a great diuersitie betwixt the that be put to answer *ex officio*, & them that be put to answer before þ kin- ḡs iustices vþo enȝ iȝhemētes at the cō- mon law: for ther the judges haue suffi- cient & apparant matter to put thei to an- swer vpon, & in the other there is none, but that the spirituall judge vpon a dys- pleasure mai do it *ex officio*, if he wil. Therfor he goth yet further & saithe, that the xii. men maye yet do the same, & make a man to be called that is not guilty, if they wer so disposed. And truth it is, thei mai indight a mā, that is absent, & that is also not guilty, & be vñtrue. If they wil: but yet in such case the xii. men be knownen that do it, & be also cōpelled to be vþo the inquiry: for they may not be vþo it, but they be thereto assignd: & also the partie vpon theyz verdite shal not be put to an- swere before thei, as it is vpon the suite *ex officio*, but before the kings judges, before whō the endightment is no attender to the party; but that he may be founde not guilty, notwithstanding that enditemēt. And though master Mose saye, that he never saw the day yet, but that he durst as well

Sas wel trust the truth of one iudge as of two iuries: I thirkē the iudges wyl can him but litle thank for y p̄aise, for surely iuries must nedely be beleued & trusted. And therfore it is not the maner of the iudges to lay b̄istruth upon a iury, ne yet to commend them that do it, but it be proued afore theym of recordē after the orde of the lawe. **S**

Here you se good readers y touching the poynte that we spake of, all this tale helpeth nothing, but goth al about another matter, to proue another difference betwene the suite of office & endightment, as though I had sayd ther wer no dyffERENCE betwene them at al. But I was neuer yet so mad to be of that mynde. For then must I say they wer both one. And

Bthen were every endightment a suite of office, & every suite of office an endightment, if ther were no diversities betwene them at al. And therfore if his diversitie shal serue ought for y purpose: he muste make it appere that the suites of office because of that difference, & because it is not like endightmentes in that point, is therefore in heresy either very clearelye nought, or els that at the leſt wiſe it wer somewhat better, that they shoulde neuer put any man to answer in heresy, but ei ther upon opē accusacion or preleſtment had before. For els if he wene to wynne thys poynt of me with shewing forth a difference: if his difference proue me no ſuch thing as I tell you, he maye for the matter as wel bring vs forth anye verle dyffERENCE at adventure, that he lerned at grammer scoole.

Pow when he hathe layed all hys diversities on an heape, & would therupon conclude, that because of those diuersities the suite of office were nought and vnireasonable: I ſaye that foloweth nothing: For it proueth yet no farther at y farcheſt, but that the orde of the comon law were better, and not that the other were nought. For it might wel befor al that, that the comon law myght be god nough, though they that ſecretly or opē ly come nowe & enforme the queſt, came either ſecretly or openlye, and lykewyle enformed the court.

And now ſaw I wel, that to this point was ther none anſwer for this good mā agayne, but to tel me that in ſuche thin-
ges as ther now truft the queſtis, it wer peril in ſteede of iuries ſo muche to truft the court, because the iudges myght the ſayne matter againſt men, and ſay they were ſecretly enformed. To this ſythe I

ſaw what truft the realme muſte needes **G** put in the iudges handes, ſo farre aboue the weyght of the firſt endightment, that ſeruereth for nothing but for an information & ſeing also what maner of mē theſe be that be chosen to be iudges, ſo y there is nothing of ſo great weyghte but that it wel may be put in theyz handes: I rekened them of ſuch trouth, that ſauſe for euyl folkes obloquy, to them ſelf ward, els to the people there ſhould come none harme, though the truſſe that we put in thenditours, were in ſteede of them put in the iudge hymſelfe. This I ther ſayd lo, and this I thincke in deede. For as I ſayd ther, I never ſaw yet the day, but y I durſt as well truſte the trouth of one iudge, as I durſt truſte the trouth of two iuries. What hath this good mā anſwered me now to this: To al this gere here ſi lo his worſhipful anſwer.

Thincke the iudges wil can him but litle thank for that p̄aise. For surely iuries must nedes be beleued and trusted. And therfore it is not the maner of the iudges, to laſtuntruth to a iury, ne yet to cōmende the that do it. But it be proued afore theym of recordē after the orde of the lawe. **S**

This anſwer of trouth is not worth a ſtraw. For as for that he ſaythe the iudges wyl for y p̄aise can me litle thank: that word wer ſomewhat, if I had ſayd it for their chanke. But I ſayd it in god faith, not for their chanke at all, but because it is veri trouth, y I never ſaw the day yet in deede, noz never I truft in god I ſhal, but that I may wel & ſo wyl I do in deede, truft y trouth of one iudge as wel as the trouth of two iuries. I would here wyt of this good man, what diſpraise is this to any iury: What untruth is there here laied unto them, or to any one man of the, I wil ſe one wozd now this once whiche thys good man vſeth often. For now wyl I ſaye a little farther, and that is this (though this man maye haſſe to thincke the ſaying ſtraunge) I wyl not let to beleue the trouth of ſome one man, of whose trouth I make my ſelte ſure and dout nothing at all, even as well as the trouth of a great many at ones, though they be al ſuch as I beleue every one of them as wel as I beleue hymſelfe. And I also beleue ſome one iudge alone, not in cūnyng but in trouth, as wel as I wyl beleue both himſelf & all his felowes to. For ſome one man may be ſuch, that y he ſhoule tell me a tale as of hys owne parfit knowledge: I would ſo little dout **R. iii.** it to

All to be tru, & I could beleue it no better, though al the towne told it wþt him. Lo what a great vñtruth I laye here to the iuries. And this I saye for my selfe. And now wil I with this good mas leue, say yet a little farther, and I wene I shal not say so alone. I suppose verly that there be very few, but so that it myght make a final ende in their matter, except happenly some such as trust more in the fauour of the countrey then in the truthe of theyz cause: they woulde rather be content to put it whole into the iudges handes, the trouble the countrey with calling vp of the iuries, whose truthe yet manyt times deceyuethe them, that in an euyll cause haue very great trust vnto them.

And yet in al this sat not I that the common order & long continued law of thys realme, to try the matters bi iuries, and in felonis & treason never to procede but vpon endightmentes, is not good, nor þ the contrary way were better. Maray two things I say, that in treason and felony this ordinary lawe of endightmentes is manyt times sayne to be holpen forth by a nother meane, much lyke in manyt thi-
nges to the suite ex officio, and that is by dy-
ligent politike serche & examinacions be-
syde, both by the kinges honorable cou-
ſalle, and the iudges, & iustices of peace,
every man for theyz part in every parte
of the realme, & els wold ther manyt such
mischiefes passe bi, & by indightment ne-
uer would be founden. And som great &
clerely proued felonies before dyuers &
& right worshipful of the kinges couſel,
haue I witt ere this, that never could be
gotten to be founden by endightment in
theyz countres, for al that. Howbeit such
examinacions hath caused yet manyt mis-
cheuous people to be brought to ther
punishment, & haue put also manyt such o-
ther vñthristes in feare, & made them re-
fayne fro theuing and draw them selfe
to thrist, or els notwithstanding þ there
Dare yet theues inough, there woulde bee
wþtout dout manyt mo.

The other thinge that I wyll saye is
this, that al these differences & dyuersi-
ties that this good man putteth here, be-
twene indightmentes & the suite ex officio,
proueth nothing that the suite ex officio is
not good, but onely at the verye beter-
most, that the ordeyn not to procede with-
out an open presentmet were better. For
as I sayd before, though this law by en-
dightments be better in felony now: yet
were not the other way noughe, yf the
law were so that the iudges myght pro-

cede & put felons to answer wþtout en-
dightmentes, as in treason is vþed in this
realme by the law marshal vpon warre
tered, as we sawe by experiance in cap-
taine Quintyn, captein Genyn, Cozbez
& Welke. And yet is that law not euyll,
though that our owne common lawe be
better, & that though we trust the iuries
neuer so wel, yet myght we truste þ iud-
ges as wel. And this mai I say me thin-
keth wþtout any disp̄aise or fault syn-
dyng in the iuries at al. For let hym as-
signe me two iuries of very wel knowē
good men, & then if he wyl aske me what
faute finde you syz in these men: I wil an-
swere hym, Maray syz no faute at all I. I
take them al for good men & true, & thinke
they wyl not say but truth, nor I never
sayde nor thought otherwyse. But than
wold I assigne hym by name one of our
judges agayne, & say nowe syz I truste
the truthe of your two iuries well, what
faute is that that you synd in this iudges
trouth, that maketh you to checke me so,
because I wyl trust him no wulsse the I
wyl trust them. For that is ye wote wel
al that euer I sayd, that I wold trust þ
iudge as wel, & not that I woulde truste
him better. And yet if I had said I wold
of the both trust the iudge better: I had
not by that wo'd neither, disp̄ayled the
truth of iuries. For he that sayth he wil
better belue xxiij. then. xii. dysp̄ayleth
not the truth of the petit iuries, but bele-
ueth þe wel also, saue such as be founde
false. And thus I haue shewed you that
I may wel say the wordes that I sayde,
without any finding of any faute in any
iuries. And it apereth also meetely wel,
that himselfe can not wel say the contra-
ry withoute some maner of distruste in
their truthe. And yet syth their worshyp
be so wel knownen that thys good mans
distruste can not apayre it: they wyll I
dare say for gyue hym. Hawbe it sith the
judges wold (as this man sayth, & as I
dare also say they wold) be soȝe discon-
tent with me, if I distrusted the truthe of
the iuries: the iuries may nowe no lesse
do agayn of curtesy, then for his wulsse
opinion of the iudges truthe somwhat be
angry wþt hym.

For herein see I none other shyft for
this good man, but for the maintenance
of his matter to say, that in the common
law, the law woulde be good inough in
felony, though the trust were put in the
iudges, to put traitours & felons to an-
swer wþtout indightment, but in here-
sye it coulde not be good before an oþdy-
nary,

Anary, and would lay for hys cause a dyuerstie betwene the toun iudge and the tother, and say that our iudges be good men and wozlypful, and euer haue ben and euer shal, and that the ordinarYES be, and euer haue bene, and shalbe, verie false and noughe. Other shyft hath this man none that I se then eue to say thus. And veryly hys booke of division, saue that it sayth nothing to the praze of temporall iudges that I now remember: yet to the dispraise of the spiritual, for those algates that be now, saith euen in effect as muche, yea and rather yet wurtle so, saue that the colour of some sauech hym from saying it hymselfe.

But now if he defende himselfe wryth that fashyon agayn: what the turtes wil say that can I not tel, for the panelles be not yet called. But as for our iudges, I know theyz wysdomes & theyz wo:ships such, that I am very sure in his so satēg and his so lyeng vpon the spiritual iudges, they wold can him no thank at all.

And veryly that the spiritual ordinarIES be not at these daies likeli to be such the tempozall iudges boinge so good as they be: ther is among manye other one lykelyhood this, that he hathe chosen the toun that hath chosen the tother, y kings gracious highnes hymselfe, whiche ha:uyng on both sydes very good to choose of, hath I dare say ben as circumspecte in chosing of thozdinarIES, as of the iudges. And yet lest in their absence the offi:cers of theyz owne choyle myght hap to misse:der the matters: his grace kepereth not two bishops of al the realme oute of theyz diocises, nor to say the trouthe not so much as one. For he whose attendace hys grace blyst molte, is for y mosse part of the vere in his own diocese every dai.

And therfore as I said before, al these verle differēces, and al these diversities, whiche thys good man layeth betwene y suit ex officio in heresy, and the not proce:dyng without endightementes byd treason or felonie, proueth at the very farthest not that the suit ex officio is noughe, but y not to proce:de but vpon a presentment were the better awaie. And then I saye that it is a pooze tale and a colde, if a man would come forth & labour vs to breake every old law long bled in thys realme, whyche he coulde not proue but y it wer good inough, but yet would nedes haue it chaunged, because that if it wer now to make, hym selfe coulde he sayth make it better.

But now wyl I come a litle nerer v-

to this good man, with the tother poynt that I touched before, that is to wit that it is not in thys matter inough for thys good man to proue vs that not to proce:de without open accusacion or presentment is the better waie, both vpon treason and felonie, but if he proue vs farther, that y same way were also better in heresy.

But the haue I shewed before in mine apologye, y in heresy that way will not serue. And that haue I there proued by the plainest ysoode that in suche maner thynges anye man can make, that is to wit by comon open experiance, wherevno thys good man of polycye woulde gyue none care, but in hys aunswere he hath left it quyte out.

And therein he sareth lo lyke a gesse, y maketh hys reckening himselfe without hys hoste, whiche is therfore after sayne to reken againe, as I hal now bring in here one pecur moze into thys good mans reckening, whiche I perceine wel himselfe wold veri faine forget. Lo thus wrote I farther god redres touching this point in that selfe same chapter of myne apologye fol. 226.

F† But yet wil peradventure this pacifier say, that sometyme in some verye special case, he could be content that the spiritual iudge shoulde vpon hys dyscretion cal one for suspition of heresy ex officio, but he would not haue men comonly called, but either by accusacion or presente ment in theyz senes or endightementes at the comon lawe. I had as lyefe for anye thing that I se, that this pacifier should say thus: By thys way that they be cal led I would not haue them called, but I would haue theym called after suche an order as they myghte be sure y the shuld they never be called. For as for accuse folke openly for heresy, every man hath experiance trouugh, y ye shal seldoe fynde any man that wil, but if the iudge shuld set an officer of y court thereto without any peril of expenses, and then wer this way and that way al of one effecte. And as for presentmentes and indightementes what effect would come of them concer nyng heresy, ye se the ysoode I tol w mete ly well all redye.

For this is a thing wel knownen vnto every man, that in every sene, every ses sion of peace, every session of gaole deli sions is the very, every lete throught the realme, the firſt thyng first thyng that the tury haue gyuen the that is charg in charge is heresy. And for all thys tho:led, row the whole realme how many presē mentes be ther made in the whole vere? ¶. iiiii. I wens

AI wene in some seuen yere not one. And I suppose no man douteþ, but that in þ meane tyme some there be. I wyl not be curios about the searching oute of the cause, whiþ it is eyther never or so verye selde presented, nor syue in fiftene. But thys I say that sythe some wyl not, some can not, and none doþ, ys he shoulde put away the processe *ex officio*, the thing shuld be left vndone, and then shoulde sone after with heretikes encreased and multiplied, the faith be vndone, and after that thowgh þ strok of God reuenging their

The plagues **B**malice and our negligence, shoulde bi se-
dition, and trouble, and derth, & deaþe,
that folowþ in thys realme many mē both good and
on heretike. **b**adde be vndone. And therefore soz con-
clusion of this peece, my poouze aduyse &
counsayle shalbe, that soz heretike, & speci-
ally now this tyme, men shal suffer the
processe *ex officio*. Stand, and soz as manie
other sinnes also as ar only reuorable
by the spiritual law, except ther be any
such synnes of them as ye thyncke were
good to growe. ¶

What hath this god mā good reders
sayd vnto thys pece? What shal we god
readers say now to thys good man: that
In thys goodly answer of hys, whiþ he
would were taken soz so stōg, vnto this
Ciece vpon which great part of the mat-
ter hangeth, saith not so much as mum,
but letteþ it slippe eueny by, as though
he were one that had as soz thys poynte
bene boþne deafe and therby dumme,

And nowe concerning this poynte, I
wyl yet say a little farther, that in places
mothen one, good euidence haue ben gi-
uen vnto questes of playne and open he-
retike, which yet woulde not finde it, that
would vpon mucche lesse euidence, haue
shortly presented felonie.

DAnd one of these masters with þ prelere
that preached it when I was chauncel-
loure, was broughte vnto me by ryghte
worshipful folk, that before me adnow-
ed it in hys face. And yet could not all
they cause the quest to preset it, but some
folke began to fal to fauour hym, & had
he not ben taken by good worshypful te-
poral men, many would haue flocked af-
ter hym, and hane folowed hym abouete
soz pleasure of hys new fashiō preaching.
And yet soz al that flockyng, thowgh they
had made. ii. oz. iii. hundred as they shuld
happily wyth in a whyle if a few god men
had not letted it: they had ben yet but an
handful to theyz good catholike neygh-
hours, and yet by suche flockyng toge-
ther, and folowing on a plumpe, they

shoulde haue semed in folkes eyen farre **G**
the moze part, and at lengshe peraduen-
ture if they wenþ on and were not letted
they might growe to it in dede.

That priest I deliuereþ vnto hys oþ-
dinary, and that wþ good and playne
prooþe of hys heretike, whiþch was in dede
soone after that abiured. But soz thys I
tel liþ you, that the iury would not fynde
it soz al the good folke that gaue them o-
pen euidēce. And that thys is not in one
case, noz a thing that happeth selde, as I
sayd in myne apology, playne experieþe
proueth. Wherþy you may see, that in
heretike if the iudge shoulde not *ex officio* pro-
cede, cyl the matter wer presented by the **F**
juries: heretikes myght be bolde to pro-
cede on a pace and so they would I war-
raunt you, and multiply full fast.

And thus you se good readers, that cœ-
cerning this peece, thys good man hath
in every point a great ouerthowle. And therfore now the last clause of thys. xv.
chapter of hys, is clerely wþestled awy.
Soz as though he had al proued, where
all is dysproued he syuylþch hys chap-
ter thus.

FAnd thus it apereth, that maister
Mose can neither proue the suite *ex officio*
to be like to the arresting of men for sus-
picion of felonye, soz good a bearing, to
putting of men to answer vpon endight-
ments, ne yet to them that may be ac-
cused by. xi. mē, & know not of it, and that
soz the causes before remembred. Wher-
soz it semeth, that though it were clere-
ly put away, þ streles shoulde not swar-
ful of heretikes never a whyt. ¶

This good man saithe here I can not
proue any of all these things lyke. But
every man may wel sc, that list to looke
backe and reade it, that there is not any
one peece of all these that he speaketh of,
but I haue very playnely proued it very
lyke soz the purpose and entēt that I re-
semble it soz. And thys shall euerye man
clearly see, that wþll aduyse peece by
peece.

And therforewhile vpon differences
and diversities that he putteþ betwene
them, such as let theym not to be lyke in
the thing that I lyken the soz he bosteth
In conclusiō that I can not proue theim
lyke: I shal shew you what thyng nows
this boast of hys is lyke.

If it had come in this good mās head,
to diuise a law and wþpte a booke there
foze, to kylþ vþ all the bande dogges tho-
row out al the realme (wherein his tyme
as vnþyselpe as it were bestowed, had
not

Anot yet ben so s̄ spent as it hathe bene in this, and then woulde laye for the caſte, that bandogges do ſpend viſayle, & wyl ſomtime byte folke to: yf I woulde then wryte agaynt hys wife booke, and ſaue that he myght by that reaſon kil vp hounds and greyhoundes & al, for they muſt eate to, and wyl ſomtyme byte chyldren to, but ly ewyls yet as they may not yet ſoz al that be forborne, both for the pleauſure that they doe, and also for that they helpe to take hys ſome ſuch beaſtes of bevoxy as men eate, and hunt and kyl also ſuch other beaſtes and vermyt, as elles would deſtroy much viſayle, ſo the bandogges may not be forborne neither, for they both defend hys hande pigns houses fro theves, and helpe folke home w their

Beaſtes to ſomtyme, ſuch as woulde not els come home; no we myghte thys good man by thys reaſon that he vleth here, wryte agayne and defend his politik deuice againſt bandogges, and therin anſwer me thus. If yfſte that for deſence of folkes houses ther hal nede no bandogs at al, for men may make their ſervantes watche, or make faſt al theyr dozes, and when theues woulde breaſe in, deſende theyr houses them ſelſe. And as for ſuch beaſtes as woulde not come home, if they be not ouer heauy they may heare them home, and thoſe that be to heauy to be boren home, taye ropes to theyr tailes and draw them home. And then myght he ſai yet a little farther, and that is this, that he maruelled much y I could for haine and feare of myne owne conſcience, reſemble and lyken together, gentle hounds or goodly greyhoundes, to ſuch ſi fauored maſtiffes. And then to prove them very ſarre unlyke put his diſſerēces and hys diuerſitieſ, and ſay a maſtiffe hath you wote well a greate tolte head, and a great moſel and a thycke boſtuuous boſy, wher as a greyhounde hath a proper head, wth a goodly ſmal long ſnowe, & fayre long ſlender ſides, and the hounds yet muſche leſſe lyke to. And thereupon myght he ther conclude (as he now concludeth here) and ſay thus.

D And thus it apeareth y maſtiff moſe can neither proue the maſtiffes to be like to the greyhoundes, nor to the other geſtle hounds neither, & that for the caules before remembred. Wherefore it ſemeth y though al bandogges & maſtiffes wer clerly put awaſ: yet mes houses shulde be deſded wel enough, & their beaſtes brought home wel enough to, ſo they ſhould lo.

Pow if he riall triumphed vpō thiſ,

and thought he had auoyded me well: I could no farther go therin in good faith but let him take y gloz to him. And ſure ly with any wiſe mā y readerh ouer here in thiſ chapter, both hiſ wordeſ & mine, e one after another cōſidereth wherſoſe I reſeble the together: hal fynde I dare voldly warrant, that with hiſ dyſſerēces, and hiſ diuerſitieſ, he winneth like woſhyp in thiſ.

But nowe to turne agayne as I promiſed to the firſt point, that is to wit hiſ deuife of open accuſers: cōſider wel thiſ good chyſte reader, y wher as thiſ good mā in hiſ booke of diuſiſio, wher he wold haue the ſuit ex officio left of: he then referted vs yet both open accuſationeſ & preſentmenteſ, to put heretikeſ to anſwer upon. But nowe in thiſ, rh. chapyter of hys, in hys booke of Sale & Biſance, for fauour toward the catholike faith, he diuſeth no more agaynt heretikeſ but open accuſers alone, & ſaith that open accuſers ſhall ſufficiently ſerue y matter. And unto that here that I ſai, & that euery mā ſeeh, y no mā wil in heretyle make hiſelf a party by way of open accuſing: thereto ſaith thiſ good man nothing.

He ſeeth perdy verye wel, that in many thinges for boden by ſondyz Statutes for the comon weale, as againſt y great exelle of apparell and ſome ſuche other thinges: the law doth inuyte and hyze every man to thaccusing of the breakers of the ſame by giuing them the tone halfe of the forfaiture. And yet for all that as long and as many lawes, and as ſoze as haue bene made againſt ſuche exelle of apparel, & as much as ſome men might haue wonne bi the ſuit: yet how ſew folk haue bene ſoudien that haue take thoſe actions, & therby acuſed thoſe offēders, the kynges courtes can declare, and the little amendment may ſhew.

Ryotte be open thinges and enqytable, with paines alſo ſet vpon the conſelours, yet manye great ryotteſ go by, vnfounđ & the conceelours never ſpoken of, & a ſtatute was ther ſayne to be made that it might be purſued, and punyſhed by the kynges counſayl without preſentment, and that euuen by ſuite in manner ex officio to. For though the partyeſ y made the ryotte, and the party vpon whom it was made, were ſo well agreed againſt, that neither nother would by theyr willes haue the matter moued or any more ſpoken of it: yet maye the kynges counſayl vpon ſecret informacion, cauſe the kynges attorney to make a bil of y ryot, and

Grand put the parties to answer, and send
for what wytnesses they wyl.

Now this man wyl not be so mad I
crow to lay me for a difference, that in y
sute ex officio there is none accuser, & that
here the kinges atturney is. For as I
haue laid before the spirituall courte
should assigne in lykewyse an officer of
theyz owne without either peril or cost:
what would that auayle the party?

If this good man had therfore diuised
rewardes for accusers, & great paincs of
forfaitures for them that would cōceite
Band hyde: yet would not al that haue hol
pen wel the matter in heretikes. And we
neth he then that hys bare diuise of open
accusers alone, nevther compelled nor
hyred, wyl helpe it: Nay not and take en
dightimentes & presentments to them, w
paines set vpon the conceilours to.

And this hathe all chrisendome good
Chisten readeris perceived, and there
foxe in every good chisten countrey, do
they vse the same suit of office (which vp
on a lyghte reason this man calleth un
reasonable) and haue vled manye longe
yeres. Thys law also whych thys good
man thus impugneth vpon hys own un
reasonable reason, was thought a lawe
right reasonable as I told you in a gene

Call counsayle at Rome there holden by
Pope Innocent the third & many great
wyle and wel learned vertuous men ther
at. There were themballours of al the
realnes and countries chisened, and
among thoþher themballours of Eng
lād. There were themballours of both
the emperours, that is to wyt Almayne
and Grece. Ther wer also the iiii. great
Patriarches, that is to wyt the Patri
arche of Antiochia, and the Patriarche
of Alerandria bi theyz deputis, and the
Patriarche of Constantynople, and the
Patriarche of Hierusalem in their own
proper persons. In thys greate full and

Dwhole counsayle of Chisendome, was
thys law agreed and approued. And fro
the first makyng al Chisten countreyes
receiued it, & haue by the continuall vse
euere synce alowed it. And thys realme
hath found it so necessary, that by statu
tes it hath streghed it. And al true chri
sten countries to thys day styll obserue
it, nor no countrie hathe ther any where
left and forſaken it, except liche places
only as haue left and forſaken the faith
of Christ, wyt all whose ensamples I
trust thys realme is to faithful to folow
vpon such good reason as thys good ma
nere bringeth, whereof the verye whole

sum whē se is gathered together, a mou
teth to no moxe, but that it mai sometime
happen, þ an innocent may take harme
therby, a reason that ones receiued, mai
suffer no law to stand. For what law ca
he geue so made in ai this wrold, where
by none innocent can possibly take hurt:
But here you se playnly proued against
thys good man, that by the chaungyng,
ther woulde surely folowe a nother ma
ner of peril, the decay of the catholyqus
faſte by thencouragynge of heretikes,
whych woulde be well content that we
made lawes to burne them twyſe when
they be proued heretikes, so that þ good
counsayle of this good man be folowed, ¶
that the suit ex officio may be chaunged in
to such open accusers, as in ſeven peare
thal never one come forth, nor one here
tyke of lykelyhod ones be put to answer
wyth a nother good counsayle of thys
good mans alſo diuised for theyz farther
ſafegard agaynſt arreſting of the, wher
of we be to ſpeake afterward in another
chapiter. Haue thys good man what he
wyl, if we breake thys lawe ſo longe ap
proued thozowe chisendome, and take
hys deuyle in the ſede: hys woord wyl
never ſo ſray þ thing, but that after hys
wayes ones taken, and by hys newe ayrl
counsayle the good olde lawes broken,
men ſhould ſhortly ſe wythout any dout
great encrease of heretikes, which wher
as they were wont but to crepe together
in corneris, and ſecretly ſcoulk together
in lurkies lanes, thal ſoone ware bolde &
put out theyz hornes and flock & swarm
together ſo thiche in the open ſreetes, þ
ſuch mischiefe would finally folow ther
on, as wo wyl euerye good man be that
ſhould lyue to ſe it. And yet would God
of hys goodnes tourne at length þ chiche
harme vppon theyz headeſ. But better
folke ſhould firſt ſeele ſo much thereof, þ
it were better foþ both, that by theſe god
lawes wel kept whiche thys good man
would breake, theſe heretikes be wel re
preſſed, and kept vnder by tymeſ.

The rbi. chapter.

¶ Is. vii. chappter beginneth in
the liii. leafe, wherin he firſt
recyterth agayn hys own wo
des written in his booke of di
ſuſion wherein he dyſputed a
gainſt the lawe in the chaptter Accusator,
Perag. Licet, wherby it is ordyned that
thoughe one being accuſed and ſwozen
confesse nothyng, and yet afterwarde
hee confeffeth bothe of hym ſelſe and
other

G other such thinges as it may wel apere, that if he were not sozwozen in the second, he was sozwozen in the first, and yet that lawe there admitteth hym soz a wytnesse in the same courte and in that matter of heresy, if ther appeare manyfesto tokens that he dothe it not of lyghtnesse of mynde, nor of hatered, nor soz other cozruption, which he saith is ther soze a daungerous lawe, and moze lyke to cause vntrue and vnlawefull men to condempne innocentes, then to condēpne offendours.

And you shall vnderstante good readers, that in his boke of diuision, he not onely did impugne the law that he speakeþ of here, but also a noþer chappyter *In fidei favorem*, because that therþy such as **B**are accursed, & such as are parties to the same offence, shalbe witnesse in heresy.

This reason of hys good reader, albe it that me then thoughte and yet thyncke so unreasonable, that I rekened it lyttle worth the answering, as a reason reproued by the comon law and by the cours & usage of al realmes christened, and in other crimes besyde heresy playnly reprooved, & the contrary well vsed in thys realme here also: yet in the .xli. chapter of myne apology fo. 228. in thys mater wyse I answered hym.

C ~~I~~ This pece concerning the testimony of knownen euyll persons to be receyued and taken in heresye, I haue somewhat touched in the third chapter of the third booke of my dyalogue, where syt they may reade it that wyl, I wyl make here no long tale again therof. But wel he worteth that heresy, whereby a Christen man becommeth a false traytour to God is in al lawes spiritual and temporal both, accompted as great a crime as is the treason committed againte anye worldy man. And then why shoulde we finde so great a faut, that such wytnesse shoulde be received in a cause of heresye, as are receyued not onely in a cause of treason, but of murder also, and of other more singule felonys, not onely in fauour

D of the prince, and detestacion of suche odious crimes, but also for the necessity whiche the nature of the matter worketh in the prose. But syt the euill folke vse not to make good folk of couſel in doing of theyz euyll dedes, chose þ are done, shuld passe vnpunyshed, and mo lyke be committed a freshe, but if they were received for records to theyz condempnyng, that were of theyz counsayle and partners to the doing. Whych kynde of folk wil not

let to sweare twyse nay, before they confessone yea, & yet theyz one yea moze true vpon theyz bare woord, then theyz twyse nay vpon a solempne oþer, and yet confesseth they not so ſimply, but that it is comonly holpen with som ſuch circumſtāces as make þ mater moze cleerþ.

Now as to þose things that I wrote in my dyalogue cōcerning great criminall wytnesses to be taken in great criminall causes, he answereth w no word at al. Howbeit to say the truch he the less needed. For he geueth ouer here, all that faut that he found in the chapter *In fidei favorem*, as a thing wherin hymſelfe leeth now that he was ouerſene then, & therfoze he letteþ þ here paſte by, as though he had neuer ſpoken therof, and ſticked onely vpon that one caſe of hym that is ones sozwozen.

But now let vs ſe what he ſaith here concerning thys ſelf ſame caſe. First he ſaith that the lawes, though they muſte deuile ſuch waies as euil persons maye be punyched: yet the makers of þ lawes muſt (as much as in thē is) prouyde that innocentes shalbe ſaued harmles. This is very truce as much as in them is, the other point being prouyded for to, that offendours may be punyched. But then **G** ſay I that it is not in al the wittes of the woerde, for punyment of miſcheuous wretches, to deuile a law in ſuche wyſe, that men may be ſure that none innocēt can take harme thereby. And then yf he graunt me this (which whyþer he graunt or no, yet very truce it is) then ſaye I that his onely reaſon againſt the ſuit *ex officio*, & againſt this law to, that is to ſitte that innocentes may take harme thereby, is ſuche a reason that if it were ſolowed in every law wherby miſeguided folk are punyched, ther ſhould no lawe stand for their punyment at al; but leſt it might miſſe haſſe that ſome innocent myghte take harme, we ſhould let al miſcheuous folke alone, and therþy ſuffer many mo þ good innocent men take harme.

But then goeth this good man farther and ſaith that the punishment of an offēder muſt be by a dewe and a reasonable order. And that is very truce alſo, & therfoze we ſhal agre wel in that. But then goeth he farther and ſaith.

~~I~~ I can not ſe what dewe or reasonable order of tryall it is that he that upon his oþer hath the fyſſle cleared hym ſelfe, and hys neyghbour of heresyes, ſhoulde after contrarye to hys fyſſle oþer, be received againe as a wytnes, to condēpning hym

The debellacion

A hym that he cleared before, & that in the same court, & in the same master.

Though this good man can not see it: other men can se it, & haue sene it, & daily do se it to wel inough. I haue sene such things as this is my selfe proued, I can not tel how ofte, that in the excuse of a cheese some haue taken an oth, that þ felon was with him in his owne house, at such tyme as the felonys shold be don in a nother place. And a man wold haue wett he had ben credibl & said truth. And yet afterward hath himselfe confessed þ the

B both twaine, & his bare word then more true, then before was his solempne oth. And every man that hath meddled much with such examinacions, hath a sure ex- perience, that this is a comon fashyon of murdereris & theues and such as are the- ues receiuours, of whō at the firste face some semē honest men, & are so somtyme reputed, & come soþt for declaracion of them that are suspected & in trouble, and depose for them, and yet after vpon som other occasion in examining of the mat- ter, begyn to be suspected the self, & after ward confess it to, both of them self and the whom thei came to clere by their per- iury before. And I am very sure ther be

C not a few þ haue herd such euidece, gene- in causes of felonys diuers times to þ iury

But hereupō because I speake in mine apology of such witnessesse in felonys: this good man maketh here a dout, what ma- ner witnessesse I meane, whither I mene the. xii. mē that are the iury, or other wit- nessesse that are broughte into the courte for to enforme them. And then firste if I meane the. xii. men, then he aunswereþ me certaine thinges, to shew that he can skyl of the law. But verly as for me, I hal put him out of that dout, that I mett not them. For I never toke the. xii. men for wytnesses in my life. For why shuld I cal them witnessesse, whose verdicte the

D judge taketh for a sure sentence concer- ning the fact, without an examinacion of. xi. men, is of the circumstāces, wherby they know or ge a sentence, be led to believe their verdicte to be true?

And also wherfore shold I meane to cal them witnessesse, whō I se desprie wit- nessesse at the barre to enforme them in þ matter, as wytnesses enforme a judge? He myght therefore haue spared hys la- bour in that pece wel inough. For I neit her ment the iury, nor never toke them for wytnesse.

If he wyl aske me what they be then: I say they be the iury. And if he wil wyt-

furthermore what person thei represent **E** of those that are vsuall in other courtes wherin ther be no iuries vled: then can I metely wel tel hym to, if the tale were as necessary as it wold be long. But the cometh he to the tother part and saythe. **F** And if maister More by that terme, wytnesse, meane such witnes, as be som tyme brought into the kings courtes to geue euidece to an enquest, þā is that witnes no such witnes, as þ witnes ben in the spiritual court, that shal acquit or condempne the parties: for of those wit- nessesse so brought into the kynges courtes to giue euidence to an enquest at the co- mon law, no mencion shal be made in the **G** recordes, ne the iury be not bound alway to folow the wytnesse. For if the iury of theyz owne knoweledge or otherwyse know the truth agaist the saing of such wytnes, they be bounden to fynde acco- ding to the truth, and let the wytnes go. And yet if it hapned, þ such collaterall wytnes first testified vpon theyz oþre, þ the party were not gyldy: & after it were informed the judges, that they renoked theyz first saying, and wold say that the party were guilty: I can not thinke, that the judges would any moze call them to heare their saying therin. And thoughts they wold, yet as I sayd before, it wer farre vnlkye to thys case. For theyz say- eng ther, is but as an euidence, whyche the iury shold not be bound to belieue, but as the truth is. I can not se therfore, how maister More cā proue hys sayeng that such wytnesses, that is to say, such as be perjured in the same court, shold be afterward received as wytnesse in a- ny of the kynges courtes. **H**

Now good readers euermore remem- ber this, that it is not inough for hym þ wyl auoyde a resēblance betwene two thinges, it is not inough I saye for hym to proue that in some poyntes those two thinges are vnlkye, (for so muste euerþ two thinges nedes be, for els were they not two but one) but he must proue that they be vnlkye in the selfe same poynte wherin, & to the selfe same purpose wher- fore, ther were so resembled together. **I**

And now I say that in that poynt for that purpose for whyche I resemble the, I say that they be lyke. I dyd not saye þ they were lyks in the maner of the ex- minacion, and puttyn of theyz names and theyz deposycions in the recordes, in whyche thynges thys manne saythe, and I confess that they be vnlkye, but I sayde they were lyke in thys poynte that

A that lyke as he that hath bene swozen & clered one as far sozth as in hym was of heresy, may yet be receiued swozen again and heard, & by hys new contrary deposicion may hurt the same partie whō he dyd cleare, before y same spiritual iudge, whych lawfully may gyue credence unto hym upon certayn cyzcumstances by hys wyldeome wel wayed, so may in like wyse he that hath bene swozen, & by hys othe cleared a man as muche as in hym was of felonie, be yet receyued & swozen agayne and heard, and by hys new contrary deposicion may hurt the same party whom he dyd before cleare in a temporal court, before the self same iudges, by the reaso that the iury may lawfully beleue hym in the second othe, vpon certain consideracions by theyz wyldeomes willy wayed, notwithstanding hys former othe in the same court to the contrary.

And al be it that here before I thought vpon no farther then vpon such wytnesses taken before the kynges counsayl, or iustices of the peace, men of wozhyp in the country, and afterward thole deposicions wyldeome contrary othes and all the circumstancies therwylde geuen in evidence to the iury at the barre in y face of the kyngs ordinary court, sytting vpon the deliueraunce of the prisoner: yet sythe thys good man dyssymuleth that point, & draweth me sozth before the iudges, I am well content to wayte vpon hym thyther. And I nothyng doute but that euē ther he shold, the case myght so fal, synde it true that I tel hym.

That is not so sayeth thys good man. For if it happened that suche collateral wytnesses, syll testifid vpō their othe y the party were not gyly, & after it were enformed the iudges that they recouered theyz syll saying, and woulde saye that the party were gyly: I can not thyncke that the iudges would any more cal them to heare theyz saying therin.

Here you le good readers that he proueth this poynyt by none other thing, the onely by hys owne thinking. Now albe

Dit that against his thynckyng that they would not, it were enough for me to say that I thinke they wold: yet wyl I not leue it so bare, but I wil shew som cause wherfore in som case they shold, and I wyl also put you some suche case, which if the case happed I nothyng doute but they woulde.

Wha perit: Syzze the cause wherfore a person red person is ones perfured is repelled from bearing repelled from wytnesse againe, is because the law pre-

sumeth that he setteth not so much by an othe, but that his othe not wrytstandyng bearyng wytnes agayne.

Now syth this presumpcion is the general let, and therfore the reason of h general lawe: if the case happen that thys presumpcion be more then counterpay led with a contrary presumpcion vpon the other syde, ther is the contrary presumpcion a reason sufficient, to make in that case a contrary law, or a law that halbe soz that case an exception out of that general rule.

Now syz he that on hys othe cleareth himself and his felow to, either in heresy or in felonie, doth after confess and swere also the contrary: ys we woulde not beleue him in the second othe, because we synde him therby perfured in y first, then in that we judge him in the first to haue swozen false, it implieth that enen therby we judge hi in h secōd to sat true.

If he wyl refuse his secon othe, & not thyncke hym wrythe to be believed, because that he sware the contrary before, and therby presume hym a false shewre when he shold by the second othe proue himself ones perfured, and the we could not tell in whyther othe of the twayne: here I say the first presumpcion is over boorne with the second. For it is an other presumpcion that no man wyl cast away hys soule soz nought. And yet a greater presumpcion that no man wyl cast away hys soule, to do hurt eyther to hys owne body or to hys friendes.

Now looke me then vp thys mas two othes, hys first othe and hys secōd. And though ther be a comō presumpcion ther, in alto, wherupon the credence of all othes resteth, that is to wit, that a man reputed good & honest, wil not soz his fren des body, nor soz his owne neyther, cast hys soule away by perury: yet whē him self after sheweth vpon his secōd othe, that he was perfured in the syll, the presumpcion of hys truth in hys syll othe, is taken away by the secōd.

Now the secōd if it be to the accusyng of himselfe & his friend both, whom hys first othe excused, hath these other. ii. presumpcions soz to beare against y first presumpcion general of his vnrouth for hys perury. The tone, that though it be presumed in the law, y he wold be falle & soz swozen for somwhat: yet is it presumed that he wil not be soz swozen for ryghte noughte. And yet as I sayde it is more strogly presumed y he wil not be soz swozen to the hurt of hymselfe & hys friend.

And

And therfore hath his secōd oþe enough to beare it against the firſt, ſith he in the firſt he ſware for hys friendes aduantage & hys own, for which (ſith he now appereth false in the conco: h or the other) he was thē likely to be forſworen. And in þ ſeconde if he were forſworen, it were to theyz both harme. And therefore is that oþe presumed to be true, though þ man himſelfe be presumed false.

This is I crow to no man any dout, but that though a man had ben openly perturbed thrice: yet if the wozide myght

W(as it may not) be ſure þ in another matter he would for al that ſwearē true, the world would receive his oþe. Now for as much as of no mās oþ any man can be ſo ſure, but that he may be by poſſiblity deceipted: the law goth as farſooþth as it can, & taketh theyz othes for a profe, whiche are in that caſe by presumption lykely to ſwearē true. And ſythe that he therfore whom the reſpect of his friends ſafegard & his own, gaue occaſion to be forſworen in the firſt, in the ſecond ſwearēth contrary wiſe to theyz both parill & harme: therfore in that caſe reaſon beaſteth the law, that in ſuch heighnous cri- mes his ſecond oþe ſhould be received.

CHere haue I shewed you a reaſon which ſemeth me ſufficient, that both in heretie & felony, the iudges ſhuld be content not wyrthſtanding the firſt oþe, in ſome caſe to ſuffer hym ſwearē the contrarye.

But now for the tempoſal courts, let vs put ſome caſe for a ſample, to ſee whi- ther the iudges would if the caſe happeſſo, heare the wytneſſes agayne oþ not.

I wyl not put the caſe in treaſo, wher in ther wold I wene be no dout, but that þ after hys euidence gyuen vpō his oþe in clearing there the priſoner, he happeſſo euen ſodainly ther at the barre to repente himſelfe, & ſay that he was hyzed to be forſworen, & that he was forſworen in dede, & then wold tel another tale far contrary to the firſt, ere euer he went fro þ barre: wold his tale not be heard trow you: yes & (the iury ſo deſiring as peraduenture they woulde) the iudges would ſwearē him to I ſuppoſe, and very good reaſon wold beare it that they ſhould.

But as I ſay let reaſon go, & com but euē unto felony. If two oþ the wytneſſes woulde at the barre excuse upon their othes, ſom one man of felony, and after-ward when they wer ſtepped fro the barre happeſſo to be heard rowne and reioycē to gether, that thei had giuen good euidēce for acqūitale of theyz felow, with whō

them ſelfe had ben at the ſame robbery: if they were ſodainly brought agayne to þ iudges, the iury not yet departed fro the barre, & beynge ſeverally queſtioned in þ ſodayne abaſhment, ſeing that God had ſo vicer their falſehod, began to haue re moze & came forth wyrth the truthe, and agreed in the circumſtaunces, & tolde al one tale, confeſſing bothe the priſoner & them ſelue gyly, and wold be content to to ſwearē that this tale wer true contrari to the oþ þ they ſware ther before: wold not the iudges trow you geue the þ hea- ring: yes yes I dout not, and the iury to.

And thus you ſe clearely good reders, that in thys poyn̄t if thys man had wiſe, & lywright, he ſhould haue geue it ouer.

And now albeit that here I might end this chapter, & haue no neede at al to go any further: yet to the farther opening, how liitle hold there is in the cauſes that he laieth of diſſimilitude & unlikenes, betwene the wytneſſes brought into a ſpiri- tual court, & the wytneſſes brought in to the tempoſal for informacion of þ iury, I marueil much iſ himſelf know not that lyke as the iury may iſ thei ſe cauſe why, way the wytneſſes at light, & quye the priſoner for al the wytneſſes wordz, ſo may the ordinarie do to. For in hys eſtimacion the power lyeth, to way & co- ſider the quaſties of the wytneſſes & all ſuch other circumſtaunces as may my- nylly oþ encreace theyz credence.

Rea and bnto the other ſide, the wytneſſes are not in the tempoſall courtes waryed and eſtemed ſo light, but that the iury ſhal yf they beleue them not, be ſom tyme drycken to pelde a good rekenyng why. For though the woordes of the wytneſſes be not entred in the record, yet in attaynt they ſhal agayne be gyuen in euidence againſte the petit iury, and teſti- fy by the court and by the othes of them that before heard them depoſe.

And then yf it apere bnto the graund iury in theyz conſcience, that the petit iury wylfully of ſom corrupt mynde re- garded not the wytneſſes, and therefore in the gyuyng of theyz verdyct paſſed a- gainſte theyz owne conſcience: euerye man well woteth that they ſhall be at- taſted.

And neceſſity hath alſo drȝne þ kings grace & hys counſayl for the ſure puniſh- ment of felons, to prouide that if the iury likewiſe regard þ wytneſſes ſo ſleight- ly, that the iudges think they quye the felon againſte their owne conſcience: they bind the ſomtime to apere befor þ kings coun-

A couſel. And ther haue ther diuers iuris
ben proued so to haue myſle vſed the ſelfe
therin, þ chei haue ben puniſched therfor.

Now wyll I good reders come vnto
þ pece, which as a thing alredy cōfuted
and of it ſelue vñworthy to be ſturched) I
wold haue paſſed ouer & not ones vouch
faſed to write one word therin, ſaupnge
that I ſe hūt to haue taken ſuch labour
therabout, that he ſemeth to wene that
he hath deſcended it wel, which whyther
he haue well deſended or not, your ſelue
thal good reders iudge. These wer hys
wordes in hys booke of diuision.

¶ Hys is a daungerous law, & moze
lyke to cauſe vñtrue and vnlawful men
to condeſpne innocentes, then to con-
deſpne offendres. And it helpeſt little,
that iſ ther be tokēs, that iſ not don of
hatred nor for coruption of mony; that
it ſhuld be take, for ſomtime a wolf may
ſhew himſelf in the apparel of a lambe.
And iſ the iudge be parcial, ſuch tokēs
maiſt be ſonter accepted the truly ſhewed.

To this pece these were my woordes
in myne apology. fo. 229.

¶ With euyl folk vſe not to make good
folke of theyz coulſayle in doyng of their
euil dedes, thos that are don ſhuld pasſe
vnpunished, and mo lyke be committed
a freſhe, but iſ they were receiued for re-
cordes to their condeſpning, that were
of their counſaile & parteners to the do-
ing. Which kinde of folke wil not let to
ſweare twiſe naye, beſore they confeſſe
ones yea, & yet their one yea more true
upon their bare word, then theyz twiſe
nay upon a ſolempne oþ, & yet confeſſe
they not ſo ſimply, but that it is comoly
holpen with ſom ſuch circumſtañces as
make the matter moze cleare.

Now ſe you wel that as himſelf ſhew-
eth, the law prouideth well againſte all
light receiuyng of ſuch confeſſion. And
yet this pacifier ſaith þ al that helpeth li-
tle, because the iudge may be parciall, &
the witnes may be a wolfe, ſhewing
himſelf apparell in the apparel of a
lambe. Which apperyng in apparel,
D poore men that can not apparell theyz
ſpeche with apparel of rechorik, vſe comly
to cal a wolfe in a lambe ſkynne.

But what oþer may ſerue agaynſte
ſuch obiections? What place is there in
thys woorld ſpiritual or teþozal of which
the iudge may not haue ſome ſay that he
is, or at h leſt wiſe (as he ſaith here) may
be parciall. And therfore not onely ſuch
wytnelle ſhould be by thiſ reason of hys
reſected in heresy, treaſon, murder, or ſe-

lonye, but also by hys other reaſon of a
Wolfe in a lambe ſkyn, al maner of wi-
nes in euery matter. For in euery mat-
ter may it happen, that he that ſemeth a
labe, may be in dede a wolfe, & be noughe
wher he ſemeth good, & ſwere false wher
he ſemeth to ſay true. And therfore thys
patche of thiſ pacifier concerning wyt-
neſſe, euery wiſle man maye beare wyt-
neſſe that there is liſle wyt therin, & leſſe
good woulde growe therof, if ſolka wold
folowe hys inuenſion, and make of the
laues a chaunge. ¶

Now that you haue good reders heard
what we ſai both beſore. Now ſhai you ſe
how ſubſtantially thiſ ma deſedeth hys
firſt woordes againe. These are lo in thiſ
xvi. chap. of hiſ new booke hys woordes.

¶ Nowe by reaſon of thiſ obiection I
wyl ſpeak ſom what farther in thiſ ma-
ter, the I diſ in þ ſaid treatiſe. And firſt
I wyl ſay thus, that it is to me a great
meruayle, to le maſter More ſo farre ou-
uerſene, or els iſ he be not ouverſene ther-
in, that then he wold iſ he could, deceiue
other and make them ſo farre ouverſene,
to belieue that it ſhould be one lyke rea-
ſon of a periured wiſneſſe, that wil ſroke
like a lambe, and ſay contrarye to that
he hath depoſed beſore, and of a wytneſſe
that commeth to depoſe in a matter that
he was never yet ſwoȝn vpon. For whē
a wytneſſe is brought in, that was never
ſwoȝn vpon the matter beſore, þ iudge
may not by þ lauſ refuse hym, nor iudge
any defauſ in hym, unles he know a ſuf-
ficient cauſe himſelfe in that behalfe, or
that the partyes do allege it: but he muſt
believe, that he is honest, good and indi-
ferent, tyl the contrarye be ſhewed, as e-
very man is in charyty bound to doe of
hys neyghboure. But when a wytneſſe
hath depoſed in the court, and then wyl
offer hymſelfe to depoſe to the contrarye
that he ſaide beſore, the iudge may wþ
good coniſcience myſtrut and thyneke,
that he doth it of lyghtnes of mynde, ha-
tered, or for coruption of mony. ¶

If I were in thiſ poyn̄ ouverſene, I
nede not greatlye to be alſhamed of the o-
uerſyght. For then hath ther bene man
ſuch other men ouverſene also, as I wold
not wylle to be wyſer. And I no moze
entend to deceiue other men in thiſ ma-
ter, þe many other haue entended, that
vſed and allowed thiſ thyng that I de-
ſcind nowe beſore, ſuch men as with the
condicione that I were neuer worſe, I
woulde neither wylle to be better. Thiſ
man maketh as though he were greate
hame

The debellacion

Ashame for me, to liken together a person ones perjured, and a person that was never yet ones sworn. I would in dede be ashamed to lyken them together in every poynt, al though there were no moze difference betwene them, but that þe one had a long nose and the other a shorte. But I am not much ashamed to say that for some purpose, where he speaketh of the one, I may speake of the other, and lyken them wel enough together. For I may say (as I sayde) that like wyle as he that hath forsworne hymself, mai faine

Bhym selfe to saye true, and looke lyke a lambe, & yet be a Wolfe in dede: even so I say mai he that never was sworen before.

þea saych this man, but yet these two be not lyke. For he that was never sworen, there is no cause to mistruste, nor presume that he wyl playe the Woulfe in a lambes saynne. But he that hathe bene forsworen, is of reason to bee mistrusted, and it is to be presumed, that he wyl play the woulf in a lambes skinne.

Marke yet in the meane whyle, that if I could make no farther answer: yet had I wanne and he losse, For hys first woordes were in hys booke of division, that he that confesseth hymself forswore should in no case be received to swere a-

Cgaine the contrary, because that though there semeth a good cause to belieue hym in his seconde othe, yet it may be that he doth but fain, & I said so mai he to fain & dyssible þe never was sworen before. And then þe the onely power and habillity to fain, wer a cause sufficiët to put an one man bearing witness upon hys othe: every man were by reason repelled, for every man is able to fayn. This was as you se the tyng that I then sayd. Whiche thyng neither this man nor any man is able to confute, nor proue the forsworen man and the man unsworen vnylike in the poynt that I likened them, that is to wyt in power & abillite to faine. And

Dfarther þe that, went not I. For I had no farther cause in answering him ther while he went no farther ther, nor sayde none other, but þe he that was forsworen may faine. And now reade your self hys wordes, and looke whyþer I saye true.

But nowe thys beyng pronounced as it is pved playn, þe he hath a fal in those wordes whyþe he spake before: let vs a little se whither wþ thys leisour after his matter agayne considered a freshe, he haue caught any better hold now. And surely me thinketh not one whyt.

For wher his newe reason resteth in

this, that he whiche confesseth hymselfe ones forsworn, is by reason mistrusted, as one not onely to be able to swere fale and wylly cloke hys falehood vnder a colour of trouth, but also presumed that he so wil do in dede: to this I say that he faith trouth as long as ther is no greater presumption on the other syde to serue for hys second othe. But when the case happeneth that ther is, as it happeneth in the case of thys law, then is the presumption that he wyl sweare fale gone, as I shewed you before. And then that presumption by a greater presumption beyng purged: hys man forsworne & the man unsworen are in the thing that I resembled. Then for, waren wel like again. And that the laid presumption is purged: I shewed you before, in þe it is nowe a greater presumption for his second othe, that he wyl not forswearre hymselfe, to the peril of hys frende and hymselfe to:

Then goeth he farther, and enforceth his reason wþ the reason of the law before that Paragraph Licet was made. And therin thus he sayth.

FIn so much that before that Parag. Licet was made the judge might non otherwise haue don of iustice, but to haue refusid to haue take any farther exampnation of him. And if he had, & the other had said contrari to þe he had said before: his saying had ben void in the law. ¶

And this thyng wherwith he thynketh hys reason made þe stronger, maketh his reason a great deale feabler. For whyle the general rule of refusig such witnesse in al cases, was made so longe before: it apereth plainly þe necessity found þe fawc and caused out of the generall rule thys case to be made an excepcion, & so the law made by better deliberacio. And in such other horrible crimes, the same lawe is vþed in temporall courts, & was also before that law made by the church.

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

GWhat the makers of the said Paragraph met, to put into the discretion of the judge, þe if he saw by euident tokenes þe it is not don of lightnes of minde, nor of hatred, nor for corrupcion of money, that his sateng shal stand as wel against him self as against other: I can not tell. For I can not se how ther can be any euident token in any such case, but þe ther might be in such a perjured witnes som tyme inward hatred or corrupcion that the judge can not know, so that he cannot judge of certeinty that ther is none. ¶ Conly-

A Consider nowe god readers, that all
y strength of this reasō hangeth in this,
that the iudge canot surely see sometime
whether the periured witnesse doe it soz
the trouth, or haue an hatred in his brest
so secret that the iudge cannot see it, and
therfore he cannot certaintly iudge that
he hath none. Consider here nowe that
he sayth not that it is presumed, or must
be presumed, that the periured witnesse
hath so (for if he so sayd, he shoulde say to
no purpose. For as I haue shewed you
how that presumption may be onerway-
ed with greater presumptions to the co-
trari) but he saith that it may be in dede,
that the forsworne witnesse hath so.

B And then saye I yet agayne, if we goe to
the possiblitie of the dede, and not vnto
the presumption and likelyhod, he that
was never sworne before, maye haue a
secret hatred whiche the iudge cannot se,
aswell as he may that was twyse sworen
before. And theron I say also yet again,
that if the iudge wer charged to geue no
sentence but such as he knew of certain-
tie sure to be true: he could never vpon
any witnessess in this woorlde geue anye
sentence at all. For no witnes wer there
but he might sweare false and the iudge
might wene he sweare true.

C Now if this man woulde say that he
meaneth no farther certayntie, then on-
ly a sure thinking in the Judges owne
conscience, and that therfore he modered
all hys other wordes with thys word (conscience)
saying that the iudge could
not with conscience iudge of certayntie
y there wer no hatred: this mening wer
a very marring of al that he goeth about
there to proue. For though the periured
witnesse might haue (and happely hadde
in dede a secret hatred in his own brest,
as another witnes might haue (thappe-
ly had in dede) that never was sworen be-
fore: yet might the iudge being induced
by certayn tokens and likelihodes haue
a sure and a certayn perswasion and be-
liefe in his own conscience, that neither
the one nor the other had any hatred at
the tyme, but onely deposid the trouth.
And therfore if he would say y he meant
thus: he marred all hys matter.

But it appeareth playn that he meant
in the tother maner vpon whiche there
must nedes folowe (if he were not in hys
saying deceued) that euery iudge in euer-
y sentence that he shold geue vpon any
witnesse, were they never so honest in
apparauice, wer in a daunger ineuita-
ble. And that he meneth in that maner,

that the belies of hys own conscience in-
duced reasonably thereto, coulde not ex-
cuse the iudge if he wer deceued and the
thyng otherwyse in dede: he declareth
farther by the wordes that next ensewe,
where he goeth farther thus.

D And therefore me semeth that the
makers of the said paragraph laid ouer-
gret a daunger to the Judges, that they
shoulde haue libertie to accepte (if they
would) the saying of him that so offreth
himself against his first oth, for so much
as the Judge cannot be sure to sau hys
conscience therein, but if he clearely re-
fuse to accept any thing that the witnes
would say contrary to hys sy; & othe. For
if the Judge dyd otherwyse, and there-
upon the witnesse testifie agaynsse the
partie, and yet the partie not gyldis in
dede: I suppose verilye, that the Judge
wot partie to the same offence.

E And I suppose not the contrary, but
am very sure of the contrary. For I am
verye sure, that where the Judge seeth
such tokenes as seme vnto hym manifeste
and open tokenes, to proue that his secōd
othe is not offred of any corrupt affecc-
ion, but of remorse of his perurye and of
a mynd to amend his fault and say true;
he falleth in no daunger of conscience,
though the trouth be otherwyse in dede.
For if ther never had lawe been made at
all to refuse any witnes because he was
once periured: the iudge had been cleare
at libertie vpon reasons and likelihodes
leading his conscience, to haue received
hym agayne without any peryll of hys
conscience at all, wheresoeuer hymselfe
hadde thought greater likelyhod that he
would say trouth at the secōd oth, then
he did before at the firſt. And then sith he
was now letted to receuel him, and hys
libertie therin restrayned but by a lawe
made: what peryll can he moze falle in
whē a secōd law hath set him at large,
then if the forme law had never made
the restraynte.

F Also where the lawe there prouydeth,
that the Judge shall styl reject that wit-
nes, which offereth to tell the trouth vpon
a secōd oth contrary to hys syſte, but if there appere manifest tokenes that
he doe it not of any corrupt affection: it
meaneth none other, but that if the to-
kenes seme such vnto the iudge, that they
induce him in hys conscience so to beleue
& thinke, and not that he shalbe certain
and sure that the thyng is so in dede, by
looking into the secret corners of the ma-
nes heart, no moze then the kynges iud-
ges at

The Debellacion

A ges at the cōmon law, by what wordes soever they geue therquest an othe, nor by what p̄ecyle wordes soever they receive their verditte, meane not to charge the vpon peril of their soules to say none otherwise then the trouth of the thyngē shall be in dede, but as the trouthe shall seeme to them to be, vpon such thinges as they shal perceiue either by the evidence geuen them at the barre, or otherwyse ere they came there. For the judges the self in the iudging of a matter of lawe, never mene precisely that the law is so.

B For then if other Judges after reuered that indgement, or iudged the same case otherwyse in another tyme betwene other men, the same Judges or the other had p̄suade their soules in peryll, dōyngē both twayne theyz best to iudge as well as they coulde.

C But sith no man can see farther than his even will serue hym, no nor no man can see farther then his own reason can vpon the matter thoro wylde debated pertene: if either the xi. men or the judges, neither negligent nor corrupt, iudge as they thyngē true, their soules are safe y-nough, as safe as is the soule of the carpenter, that putteth in his frame no timber but such as is god & sounde as farre as men can see, and yet some of it secretly may be such in verye dede, as soone after shal sayle and fall down all the rose. Hys soule is safe y-nough, though hys purse may happe to sweate, if he bounde himself to provide the timber at his own perill. But so byndeth himselfe neither iudge nor iury for the witnes on peryll of their owne soules, that the other shal sweare true.

D And thus yon see god readers, that the Judge is oute of peryll, b̄syng diligēce and trouth, though the witnes be false & haue hatred in his heart, where y Judge weneth none vpon tokēs y he thinkeþ manifest, although y witnesse were sozwne before. And thus is thys god man in this matter al gone quite awry.

But yet beyng soze troubled with the wyld wolle, that may sweare false and seeme true, nothyngē mistrusted because he cummeth lapped in a lambe skynne: this god mā goeth farther yet, and therin thus he sayth.

E And where I sayde in the sayde treatyse, as before appeareth, that sometime a wolfe may shewe hymselfe in the apparel of a lambe, and that if the judge be parcial, such tokens may soner be accepted then truely shewed. It is euident

ynough, that by those wordes I note no judge to be parcial, but I say that if the judge be parcial, such tokens may be sooner accepted then truely shewed. As who sayth, the judge may accepte such a token to be trewe, though there appears some suspicion of vncruelth in y witnes. In which acceptaunce he shal moze liberally and without offence of the lawe doe wrong to the partie that is accused, then he coulde doe by accepting of anye other witnes agaynt the law, that wer never sworne before. For if he accepte any such witnes contrary to the rules of the law, it appereth to all the that know the law, that he doeth agaynt the lawe therin: and that wil sound somewhat to his rebuke, and that will make hym the moze loth to doe it. But if the Judge accepte such a perjured witnes where there is no sufficient token to prove y he doth it not for lightnes of mynd, hatred, corruption, nor such other: yet he breaketh no lawe therin. For all is commyted to his discretion. And y may happily geue a boldnes to some iudge to accept such a perjured witnes, where he ought not to accept him. And though the saide Pera-gra. say that if ther be such tokens as besoze apeareth, that then in fauour of the sayth his witnes shalbe taken: yet I can not see, if the party accused be giltylesse in dede, as he may be for all that witnesse, how it can be taken in fauour of y faith, to accept the witnes. For it cannot bee sayd in fauour of the faith, to condemne an innocent.

All thys tale when it is all told, wayeth vnto no moze, but that if the Judge be parcial, than he may abuse the lawe, and then that lawe in that case may doe harme in heresye.

Now besyde that, the quest hearing the same witnes sozwne first, and after contrarie, mare if they be parcial, doe lyke harme in felonye: what lawe was there euer made, wherin the judge could doe none harme if he would be parcial? What lawes may there serue, if the ministers would be false? Thys manne is content that to a mannes condamnation the presumption shal serue that the witnesse wil sweare but true, such witnesse at the leaste wylde as are not prooued false before, and yet may they marre all if they be false and parcial. And whan he presumeth such indifferency in a witnesse; why feareth he so soze parcialitie in a iudge; if he say he mistrust the judges, because of some some sayes; thā must he myscruse

So mistrust witnessess, sories, and iudges, & altogether. For such Some sayes ther lacke not that can saye well by no man.

Thus reason of his dweth but putte a suspicion in mennes heades against the iudges, for euerie thyng that is putte in their discretion. But surelye (as I haue often heard that great, wyse, and ryght woxhyppefull man syr John Fineur say, late chief iustice of the kinges bch) who so taketh from a iustice the order of hys discretion, taketh surely from hym more than half hys office. If thys realm shoulde mistrust iustices: it must in the lawes than make many such chaunges, as I never sawe nedeyet, nor trust I neuer shall. What harme might any Justice of the peace doe, if he were dyposed to be false and parciall? And euer shall be hable to doe, make what lawes men will, but if men would utterly put away y office. And than in stede of one harme that maye happe, we shall haue an hundreded happe in very dede.

Consider also, god readers, that by the lawes afore made, there was not onely sozboden to beare witnes, he that appeared to be once sozsworn, but also many other maner of criminous persons, for the generall presumption that they wer vnwoozthy credence, and yet haue ben by other lawes after made, received to beare witnes agaynst themselfe, and their felowes in heresye and in treason both, for the necessarie as I haue sayde, and vpon presumpcions more probable that they wer in that case well likely to swere true.

Nowe if this god ma for feare of such harme as may by possibilitie fall vppon an innocent, will put one of these from witnessing: he must repell them all. For as the latter lawes haue since receyued all: so the former lawes generallie dyd fyrfst refuse them all. For the generalle rule is naturally before hys particular exceptions.

And than if he would in lykewyse repelle them all, than for one harme that may happe, and happelye neuer shall: he shoulde haue many mischievous people very bold, whyle they might be sure they makte nedes passe unpunyshed, because theyr prieny mischiefe could never well be proued, but if they would whan they went about it, take honest men with the to beare record of it.

And thus you see god readers, verre cleare and playn, that thys god manne hath hitherto brought you furth no rea-

son. And I thinke he saw that hymself, **G** and therfore he thought he woulde lare better at last, and not leauie it so. For tha goeth he farther and sayth.

And farthermoze it appereth also, that the wordes of y sayd treatise extend no farther but to such as be iudges, where there is before them such a perjured witnes, and not to all Judges. And in lykewyse those woordes, that a wolfe may shewe hymselfe in the apparell of a lambe, stretche onely to such a perjured witnes. For there is no other witnesse spokē of in y sayd treatise in y place. **P**

Thus man goeth to hys woordes and fgeateth what I saye, whiche is, that though hys woordes goe no farther, yet the reason of hys woordes (if it were reason as I haue proued it none) woulde stretche so farre farther, that it woulde marke al. And this poyn特 haue I proued you very cleare and playn.

And therby is meant, that such a perjured witnes may happily shew hym selfe to denye that he sayd before, of a cōpunct heart and of a new knowledge of **G** the trueth, and of a verye zeale vnto the sayth: and yet doe it in dede of couetyse, falshod, rancour, and malice to the party. And so as the ghospell sayth, he maye **M**athew 7:1 haue outward to appeare in the apparel of a shepe, and withinfurth be a rauping wolfe. And such one may that perjured witnes be, that is spoken of in the laid treatise. And of such a witnes in heresye the sayd treatise speketh onely there and of none other witnes, as to the readers will appear. And therefore as me **H** semeth, master Moze findeth default in this behalfe, where he had no cause reasonable so to doe. **D**

Nowe god readers, where as thys man sayeth, that he meante that suche a sozsworne witnesse maye happily playe the wolfe in a lambes skyne: I graunt that he meant so. But as I graunt that to hym, so must he graunt this agayn to me, that so may he play too, that was neuer sworne before. And than whyle he goeth no farther, but that the tone happily may, and cannot himself say naye but that the other happily maye so too: there foloweth vpon that, the thing that I sayd before, whiche thys man sayth he mernasleth much that I wold say, that is to wi, that by that wyse reason there shoulde be received in such criminal causes, no maner witnes at all.

Nowe if he leauie his maye happilye, & say that it is liklye, that the sozsworne

S. H. **witnes,**

Awitnesse will saye false, and the other true that never was sworne before, and that the witnes once so sworne afore, is in his second othe contrary to his fy;st, moze likely to play the wylle Wolfe in the lambes skinne, than such a playne simple man as was never sworne before: I will be so bolde soz thys once as in some case to tel him boldly nay. For where he sayde a little afore, that he coulde not see how there could be any such evident token in any such case, but that such a persured witnes might doe it of a secret hatred, and seme charitable, and so playe h wylle Wolfe in the simple lambes skinne: **B**I can see well ynough, that in some case ther may be an evident token, that some such witnesse as was so sterk forsworne, wer after in his seconde othe swearing the contrary, lesse likely to iye and play the wylle Wolfe in the lambes skynnes, than were an other that never was in hys lyfe before neyther sozsworne noz sworne.

CFor if he that was before vpon hys oth examined bothe of hymselfe and hys sonne, o2 of himselfe and his father, o2 his other speciaall knownen frend, and on hys othe clered them all, doe at another time vpon a new othe confesse them al gyltie, and hymselfe also, and where peraduen-
ture himselfe must to the syre, because he was abiured before, & they maye turne yet in tyne and be but abiured: wer not this an evident token that he doth it not of any secrect hatred, nor playeth not the wylle Wolfe in a lambes skynne: For per-
wisse to confess hymself gyltie in suche case, and puttyngh hymself in worse case than his felowes, wer but a pore poynt of a wylle Wolfe. And as I put thys case soz emysample: so may ther be manye o-
ther. For the tokens might be playne yn-
ough though they wer lesse playn than thus. And therefore to conclude in thys
Dmatter, this man hath no reason in thys world to defende hys fy;ste booke with-
all.

And therfore where he spēdeth a patch in the ende, about hys declaracion, that it maye be lawefull for hym to fynde defaulce at lawes made by the churche, so that he fynde them upon a sufficient rea-
son, because all that poynt nothing hel-
pech hym here in this law, against whitch he sheweth no reason reasonable, but a reason as unreasonale as euer rea-
sonable man heard: I shall I saye therfore let that piece passe by, and here make an end of his.xvi. Chapiter.



Is. xvii. Chapiter begynneth
Folio.1ij. In the begynning
wherof he meruaylich that I
speake so oft in mine Apology
of hys bling thys woord some
say. And he sheweth that in a tale tolde
hym by other folke, therre is god reason
that he so shoulde say, and that I vse the-
same word my self too sometime, and tel-
leth two places where. Folio.77. and
Folio.100. I neither did noz will fynde
fault that he vse this woord some say, noz
I will not let (where the case requireth) ¶
to say my self, that some say this or that.
For I know well it is english. But the
faulce that I found and yet synd, is that
hys booke of division abuseth the figures
of so manye some sayes, to the sedicious
slander of the cleargy, and specially of
chordinaries in the punishment of here-
sy, to b;ing them in obloquye of the peo-
ple therby. And wheras vpon coplaynes
made, the matters haue late been ex-
amined, and the truelth hath been playnly
proued contrary: yet hath he never one
Some say therof in all his booke, neither
in the tone booke noz the other, but all
hys some sayes evermore say euill, and
never a soinc say well. This is the fault ¶
that I synd. For if he made a booke with
syue times as many god some sayes, as
his some sayes in that booke be naughte:
I would synde in hys some sayes no de-
faulce at all. For some say is (as I saye)
god english. But when a booke is full of
shewd Some sayes: there doe some men
say, that Some say is as shewde an en-
glish, as any dowche woman speakeith.

But nowe to shewe that in all hys
Some sayes he meaneth none harme, he
goeth further, and for a saunple he brin-
geth forz one whiche is in verye dede a ¶
very malicious nougthy pestilent some a pestilent
say, wherof the pretence is the sauergardsome say.
of innocentes, the effecte is the dekaye
of the sayth by the boldyng of heretikes,
the instrument is a false imagined slan-
der agaynst the Ordinaries. And as wi-
llie as those shewes that beguyle hym
haue holpe hym to inuolue and intryke
the matter: I shall vse so playn and open
a way therin, that every man shall well
see the trouth.

Lee, these are thys good mannes
woordes.

¶ And one of the (Some sayes) that
he syndeth defaulce at is thys: I saye in
the eyghte Chapiter of the sayde treatise
thus;

Gthus: And here some saye, that because ther is so gret a desye in spiritual men, to haue men abiured or to be noted with heresye: And that some as it wer of a pollicie done noysse it, that the realme is full of heretikes, moxe then it is in dede, that it is very perilous, y spirituall me shold haue authoritie to arrest a man for euerly light suspcion or complaynte of heresy, cyll that desye of punyshmente in spiritual menne be ceassed and gone but that they shoulde make processe agayns them, to bring them in vpon payn of cursing: and then if they tary xl. dayes, the kinges lawes to bring them in by a wryte of Excommunicato capiendo, & so to be brought foorth oute of the kynges gaole to aunswere.

BAnd it followeth in the sayd eyght Chapiter thus. But surely as it is somewhat touched before in the. viii. Chapiter, it semeth that the church in tyme past haue done what they could to kyng a bout, that they might punishe heresye of themself, without calling for anye helpe therein of the secularre power. And therfore they haue made lawes that heretikes might be arrested and put in prisone, and stockes if nede wer, as appeareth in Clementinis de hereticis Cap. Multorum querela. And after at the speciall calling on of the spirituallie, it was enacted by parliament, that Ordinaries might arrest men, that preache, hold, teache, or ensourme other in heresye, there prohibite, or that thereof holde any conuenticles or scholes.

CFor some men thinke that the sayd Clemencie was not of effect in y kynges lawes to arrest any man for heresye. But if a man were openly and notably suspected of heresye, and ther wer sufficient record and witness agaynst hym, and ther wer also a double, that he would fise and not appeare, wherby he myght infect other, it semeth conuenient that he be arrested by the bodye, but not vpon every lyghte complaynt that full lightlye may be untrue. And that it will be right expedient that the kynges hyghnes and hys counsayle looke specially vpon this matter, & not to cease til it be brought to moze quietnes then it is yet: and to sise with great diligēce, that pryde, couetise, nor wroldly loue be not judges, nor innocentes be punyshed, ne yet that wilfull offenders goe not without due correction.

And when maister More in hys Apology hath recited the sayd wordes of the sayd treatise: then he endeououreth himselfe very much, to make it appearre that y mōtions that be made in the sayde trea-

tise in the place before rehearsed be b̄n: ¶ reasonable, & cannot be brought about: or elles that if they wer brought aboue they shoulde dwe herte and no god. And to make hys sayinges the moze accepta ble, he layeth sometime defaut in my sayinges, and sayth that I thereby defame the Judges spirituall, where I defame them not, but saye only that it is expedient that the kinges highnesse & his counsayle see, that pride, couetise, nor wroldly loue be no Judges. And whether tho wordes amount to that effect, that master More sayth they dwe, that is to saye, ¶ that I defame all spiritual judges it appears evidently they dwe not. ¶

Now god readerz, to the entent that you may the moze plainly perceve, both the god mynde of this god mannes first booke of diuisioun, and also hys secounds booke here in defence of the same: take the labour to reade the. xlvi. Chapiter of mine apology. fo. 232. And then shal you thinke I (suppose,) y all his defence is so saynt that I little nedē to replye.

For first where he sayth, that I saye ¶ that in those wordes, he dyffameth the Judges spirituall: I would he hadde rehersed my wordes with which I say so. For I am sure ynone my woordes be no larger than the truthe. But that is his vsuall craft to leaue out for the moze part, both my wordes and the place, be cause menne might wene it wer in some part of my booke though they remember not where.

But nowe because he sayth, that it is euident that those wordes of hys doe not amount vnto the diffamacion of the spirituall Judges: I haue shewed and provéd in dede in one or two places of mine Apology, that all the great matter of his complaynt, vpon the crueltie of the spirituall Judges in handlyng men for heresye, sith there hath been very fewe troubled therfore in any dyoces in England or Wales, by the space of these. xx. yeres or. xxx. last passed, except onely Lincoln and London, & that therfore the false complaynt of mishandling, could haue littele colour any ferther then thole two dyoceses, & yet to say the trouth never complaynt broughte forth by any such man but in London dyoces, nor yet not but in London & some piece of Essex alone, & the complaigntes vpon eramination hadde by the kinges honourable counsaile, alway founde causeles & false: sith thys is I say so cleare, that no man can saye the contrary, but that this is true, I declare

And so bee
al heretyke.

S. liij. and

The Debellation

And shewe in my sayd Apology, þ where with his false somme sayes he defameth & laboureth to bring in obloquy of the people, all the spirituall judges in the realm: of wronȝ and cruell handeling men for heretyn, all the menne that hys falie somme sayes (if they wer true) dyd couche, were yet in dede so fewe, that he myghte in a maner aswell speake of them by name. And in vrye dede so fewe they be. For they be as fewe or fewer, then are þ iudges eyther of the tyme bēch or the tocher.

B And therfore when he cummeth now foorth vñ̄er shadow of a shewde some saye, and sheweth that the spirituall men haue a great deslyze to putte men to abſurac̄ion, and to haue men noted of heretyn, & that therefore tyll they leaue that condic̄ion, it wer well done they should haue lesse authortie, and that it will be righte expediente that the kyng and hys counsayle loke specially vpon this matter, and to see with great diligence, that pryde, conetise, nor wozldly loue, be not Judges, nor innocentes punyshed, nor yet that offenders goe not withoute due correcc̄ion: is not this a lewde coloured Slaunger and (withoute any such thyng p̄oued) a shameles diffamacion?

C If this god man woulde in likewyse wryte and putte in pr̄ent another booke, and therin speake fyſt of iustices in ge‐nerall, as it might ſeme to touche all the judges of every base court, and iustices of the peace too, and then by ſome certaine circumſtaunces reſtrayn it in ſuch wiſe that every man may ſee that he meaneth onely the kynges Judges at Westminſter, and ſay, that ſome ſay that ſpecial‐lye of late the matters of common pleas be euill handeled by the Judges, & that in writtes of errour, and in pleas of the crown, the Judges miſchandele the peo‐ple ſore & doe muſche wronȝ, & that ſome ſay that they haue thys euill deſyze, and

D that, and that tyll they haue left them, it wer well done that they had lesse authortie. And then after ſuch a false folyle ſome ſay, come furth with hys ſaying, & in approbacion of hys other ſaying, con‐clude and ſay thus much ferther, it will be right expedient therfore, that the kynges highnes and his counſaile loke ſpeciallye upon this matter, and to ſee with great diligence that pryde, conetice, nor wozldly loue be not judges &c. wer this wyly fooliſh handeling no false diffama‐cion at all?

And no we when he handeleth the spi‐rituall Ordinaries with lyke woordes

for heretyn, and his ſome ſayes falſe ſma‐gyned lyſes, & though his booke of diuily‐on laboureth to draw that falſe fufpici‐on farther, yet himſelf ſeeth by experiece that whyle there hath in long whyle but in two dyocesles very ſew been punyſhed for heretyn, the flaunger that he ſowcht, toucheth ſome verye fewe, no leſſe then though he wrote in their names. Howe‐can he therfore for veri shame ſaye that it is no diffamacio? Meneth he the rea‐ders of his wolke were all ſuche fooles, that he myghte auoyde his playne open dede with hys bare boldc wood, where he ſayth it appereth euidently nay, where euery wiſe man that reþeth it, ſeeth well himſelf that it well appeareth euidently yes.

No we goeth he ferther with another piece and ſayth.

F For yet my wordes prooue not þ I wold haue all ſpirituall judges chan‐ged. For the ſpirituall Judges that be nowe, may be Judges ſtil, and haue all the properties before rehearſed, as well as other, for any thing that I haue ſaid. And yet mayster Moze taketh it other‐wyſe, and ſayth, I would haue ſuch iud‐ges, as haue no ſpyce of any of the ſayde poynates. And he ſayth, that till ſuch iud‐ges may be found, heretynkes may make mery for a little ſeasō, whyle men walke about and ſeche for ſuch iudges, whiche he wenieth will not be done in a wekes wolke. ¶

Here he leaueth out agayne the place of myne that he toucheſt. For whe that is once readde, all his gaſteale is gone.

For therell haſt thou ſe that I conſider his wordes, and declare two wayes that þ god man might mene, of which twain he taketh here the tyme, and the tocher he letterth ſlip. And yet in taking hys woordes as he wold now ſeme: my woordes whiche he diſembleth here, turne vp all his tale, and that the man ſaw full well, and therfore wynked at the. But I ſhall bryng them in agayne here, and repeate them for hym. Loe good readers in the xlvi. Chapter. fo. 253. after his woordes rehearſed at length, thus I begyn mine owne.

F In this procesſe lo god readers, this paciſer declareth, that he woulde haue the kynges highnes and hys counſaile ſo ſpeciallye loke upon this matter, that neither innocentes ſhould be punyſhed, nor yet wilful offendres go without due correcc̄ion. Who could ende and con‐clude all his matter moſe ſtriftfully? But

A But now the speciall wayes whereby he deuileth, that the kinges highnes and his counsayle shold bring this thing about be twayne.

The tone is ys, they prouide that neither men that be proude nor covetous, nor haue any loue to the wrold, be suffered to be iudges in any cause of heresye.

The other is, that the bishoppes shall arrest no man for heresye, tyll the desyze that spirituall men haue to cause menne abiture heresies, and to punishe them for heresy be ceased and gone.

And surely I thynke that hys two deuises will serue sufficently for the tone part, that is to wit, that none innocētes shall be punished. But I feare me verye soze, that they will not serue halfe so sufficently for the other parte, that is to wit, that wilfull offenders go not without correction.

For now to begynne with his first deuise, that none be suffered to be iudges in cause of heresye, that are proude or covetous, or haue loue to y wrold if he mene of such as haue none of these affections with notable enormitie, the till he proue them that are alredy woorse then he proueth them yet, that is to say, til he proue it otherwyse by some of their outerageous dedes in the dealinge and mischandling of men for heresy, that he here disfameth them of, then he hath yet proued, and that he proue their cruel wrongsfull dealing, otherwyse then by some sayes, or by his owne saying: the kinges highnes and his counsayle can see for all hys wholesome counsayle, no cause to change those iudges y are already, but to leaue them stille, and then serueth that diuysse of nought.

And on the other side, if he mene that the kinges hyghnes shall suffer none to be iudges in cause of heresye that hath any spruce at all, either of pryde, or of covetise, or any loue at al vnto this wrold: heretikes may sit still & make mery for a little season, whyle men walke aboue & seke for suche iudges. For it will not be lesse then one hole wekes worke I wene both to find such and to be sure that they be such.

Here haue you hearde god readers, a resonable cause why that I shold take him y he wold haue the spirituall iudges, such as shold haue no spruce of pryde, covetous, nor wroldly loue. For eyther he must meane so, or elles (as I sayde) he must meane on the other maner which I rehearse syſt, & which he wold nowe

ſeme to mene. But then (as I haue sayd) ¶ if he ment in the fyrst fashion as he wold now ſeme: all his tal is ouerturned. For then hadde he no caufe of any ſuch complaint. For he neither had himſelf when he wrote nor anye man elles, proued by any of them the contrarype. And then neded he not to ſpend out his profound wiſdom, in making ſuch exhortacions to þ kinges highnesse & hys counsayle, to ſee with ſo great diligēce (as though they had be ſo long negligent) to the thyng þ himſelfe could not ſay nay, but y it was merely well ynoch enough already. And thus ¶ you ſe god reader that he left out & diſſembled that firſt parte of my woordes, because he wift nece what to ſay thereto. And therfore ſith, except he meant in the firſt maner (which he could not do with ouer the marring of all hys matter) you ſe well that himſelf droue me to thinke, that he wold haue the kinges grace and his counsayle, ſe diligently þ there shold be no ſpiritual iudges, but they that had no ſpruce of pryde, covetise, or wroldly loue at all. And then might heretikes as ¶ I ſaid (while ſuch iudges wer in ſeking) make mery for a little while. And I kept my ſelf merely wel within my boundes. For where I ſayd it woulde be a wekes worke to ſeke them: I wene it would be foſtnight full ere we found them.

But then goeth he ferther ſomewhaſt about to ſhewe, that I haue miſchandled his woordes, and with ioping mine own vnto his, haue made it ſeme that he ſaith much woorſe by þ ſpiritualty þ he either ſaid or ment. But when you haue heard all his tale and mine too, you ſhall well ſe god reders þ he ſhal never while he liueth conuey this geare ſo clene. For these are firſt his woordes here.

¶ And he ſaith þ it will be the moze har to find ſuch iudges. For he ſayth, that I haue put þ matter out of doubt, that wheras men would haue wend ſowneſſ to haue found them, that there I ſay it wilbe merueylous harde to fynd any one of them, either prelates, ſecular priſies, or religious perſones. For he ſaith that I ſay playnly, þ haue they never ſo manye vertues beſide, that yet I ſaye, it will be harde to fynd any one ſpirituall man, but that he is ſo infected with deſyze & affection to haue the wroldly ho‐noure of preſteſſes exalted, that he is thowre ſuch pride farre fro ſuch indifferēcy and equitie, as ought and muſt be in ſuch iudges, whiche as he ſaith, I alligne to be ſuch, that they muſt haue no ſpruce

¶. iiiij. of pryde,

A of pryde, couetise, nor loue towarde the wozlde.

As to thys last rehearsed sentence of maister More this is y trouth therein, I say in an other place of the said treatise, other then y, that maister More hath rehersed here, that is to say, in y. b. Chapter of y sayd treatise, that though many spirituall men may be found, y haue many great vertues, and great giftes of God, as chasitie, liberalitie, pacience, sobernes, temperaunce, cunning, & such other: yet it will be hard to find any one spirituall man that is not infect with y sayd desyre & affection, to haue y worldly honour of priestes exalted. And there

B my sentence endeth, as to thys purpose. But then as it appereth before, maister More in his said Apology addeth immidiately to those wordes of mine, wordes of his owne putting in, whiche be these: That he is through such pryde farre fro such indifferencie & equitie, as ought and must be in the iudges, whiche he sayth I alligne. And he cōbyneth tho wordes to mine, in such maner as though I speake them my self. So that they y shall reade the, can none other wise take the, but as my wordes: wherby he perverteth clere, ly my meaning and my sentence therin.

C For my sentence, ne yet my meanyng therin, is not but that judges spirituall may haue some spycce of pride, couetise, & worldly loue, & yet be mete iudges in heresp, as the frailtie of man suffreteth. For we be no aungelles but sinners, y lightly may fall & be deceiued. Ne I meane not, ne yet my wordes amount not to it, but that a man may haue a desyre and affection to haue the worldly honour of priestes exalted, and yet be a mete iudge in heresy. For I suppose, that a man may haue that desyre in some degree, and to some entent, and not offend therin, specially dedly. Howbeit he may also lightly offend therin, if he be not right well ware.

If this god man here say true in these aforesayd wordes of hys, **D** And there my sentece endeth as to this purpose: Then am I content to confess y he saith well, & I wrong. But on the other syde now, if he saye not true, but that in the dissaming & flaunderyng of the spirituallie, hys sentence ended not there, but wet there much farther furth, & so farre furth also, as amoindt bnto as much as I say y he sayd, and bnto much more too: then will every man beare me record, y I missereport not him, but he me.

E Now shall you god readers, sone see this tryed betwene vs. For hys whole wordes as they lie there together, I shal now rehersse you here. Loe, these shal be as you shall fynd the both in his boke of diuision, and in mine apology. Folio. 237.

F And though many spiritual men may be found, y haue right many great vertues & great gylfes of god, as chasitie, liberalitie, pacience, sobernes, tempe- rance, cunning, & such other: yet it wil be hard to find any one spirituall man y is not infect with the sayd desyre & affection to haue the worldly honour of priestes exalted & preferred, & therfore if any ley man report any euil of a priest, though it be openly knowē that it is as he saith: yet they will be more diligent to cause y ley man to cease of that saying, then to doe that in them is to resourme that is a misse in the priest that it is spoken of, taking as it wer an occasiō to doe the lese in suche reformacions, because ley men speake so much agaynst them. But surely that will be none excuse to spirituall rulers aforē God, when he shall aske accoumpte of his people that wer committed vnto their keping. **G**

H Nowe you see god readers, howe untrue it is that this man telleteth you. For here you see that hys sentece leaueth not where he sayth it left as to that purpose: but you see that it goeth furth farther about that purpose syll, to shewe that it will be harde to fynde any one spiritual man iust and indifferent, but that the desyre and affection to haue the worldly honour of priestes exalted and preferred hath so farre infected them, that if a ley man report any euill of a priest, though it be openly knowē that it is as he saith, yet they will not only rather put the ley man to silence, then any thyng amende the priest, but that they will also doe the lese to the amendment of the priest, because the ley man speakest of it. Which affection cannot be but a verye proude damnable frowardnes.

And therfore while this god pacifper there sayth, that all the priestes be so far infect with such a proude damnable desyre of their worldly exaltacion, that it will be harde to fynde any one of them any other. And then a little before those wordes (as you may se in hys sayd Chapter in myne Apologie. Folio. 235. he saith bnder the figure of a grete rumour among the peple, that spiritual men punishe heresies rather to opp̄elle the that speake any thing against their worldly honour

Ahonour & rches ge: then soz zeale of the sayth: these woordes of hys beyng there such, iudge nowe god reader whether I might not well saye that thys god man saith it will be harde to find any one spirituall man, but þ he is so infected with the desyre & affection to haue the worldly honoure of priestes exalted, that he is through such pryde farre fro such indifferency and equitie, as ought and must be in such judges as himselfe assygneth to be such as they must haue no spycce of pride, covetise, or loue toward þ world. I am very sure that his woordes maynteyne myne and moze two.

Gay(sayth he) for I doe not meane þ they hold haue no spycce therof. For they may haue some spycce thereof: & yet may be judges in heretye well ynough. For they may haue that desyre in some degré and some entent, and not offend therein, specially deadly.

But I haue against that proued afore that he must mene so: or elles must haue left his tale vntold. For if he ment to be content with folke of meane condicions without notable enemities, suche they wer already, and then had hys greater exhortacion little place.

CAlso this pride with which his words say that they be all so soze infected, that it wilbe very hard to find any one other, is a very pestilent pryde, and in an hygh degree, and such as he could not wel deuile a moze deaddely dictamacyon of the whole spiritualltie, then those woordes be which if they wer true (as they be false) playnly proued, þ in all the whole cleargy it wer hard to fynde any one god honest man, or mete to be a iudge, either in heresy or in any thing els. And so wolde he by thys deuice of his, take away as I sayd from examinacion of heresy, al the spirituall iudges, and leauue them none at all.

And yet god readers, to the ende that you may the better perceiue what those woordes of this man amouþ vnto, which he woulde make you wene here, that I bothe missetherearste and missecontrue: bouchefaste to reade my woordes that I wryte vpon them in mine Apology. fo. 238.

But nowe thys god pacifyer percey- us, that it will be hard to beare it, but that his woordes clearlye take awaye fro the cleargy, al such indifferency and iuste, as himselfe assygneth to be required of necessarie, In every man that shoulde be suffered to be iudge in heresy, he fal-

leth to another hyssee to save the matter **G**þpryght. And therein thus he sayth.

And furthermore, though it were as maister More taketh it to be, that my woordes shouide souinde to that effecte that the judges that wer then, wer thos: rowe such pryde farre fro the indifferency and equitie that I assygne: yet þ proueth not but that they be nowe indyssent and ryghteous. For they myght syth the making of the layde treatise, become through grace, indyfferent, ryghteous, meke, liberall, and louyng to god and their neighbour, though they were **G**not so then. And if they be, of then heretykes shall not make mercy for lacke of iudges, a weke ne yet a day. For þ same judges may sit still without chaunging to haire and examyne them when nede shall be. Thus as me semeth, it appereth every way, that the excepcion that maister More taketh of changeing of spirituall iudges is but of small effect.

Thys reason hath lo, some subteltie: but it hath no substance. For if they wer all so nougheye so late, as this god man **G**saith they wer, it wil be but hardily beleued, that so many of them, vpon so shorþ a sermon of this porze preacher, shoud be so well changed so soone, but þ as I said, theretikes were well lyke, yet one weke leger to make mercy, before men myght haue so sure experiance as to put them so soone in trust to be judges in heresy, whos this pacifyper had perswaded to be so far vnmete for the matter so late. And therfore it appeareth every way þ this good mans inuencion is toward euil of very great, toward god of very small effect. **H**

Then goeth he furth on with the master and thus he sayth.

GThen sayth Maister More further that if Sonic saye be no sufficient profe, then is my tale al lost. And to these woordes I will aunswere thus. I will agree that my saying that soe say this or this, is no profe, neither to proue that some say so, ne yet to proue that it is so. For in evry profe must be two witnesse at the least: but if two will saye it is so, then it is a profe.

And surelye if maister More will enquire for the truthe in thys matter, he shall fynd that there be manye moe then two that saye so. And verelye if manye men say so, though the truthe be not so, yet the tale is not al lost to say that some men say so. For then it shall put the byshoppes & cleros spirituall in mind that they are bounde in conscience to helpe them

The Debellation

Athem that say so all that they can, fro the daunger that they runne in by that saying. And if it be true, then maye the spirituall rulers orde the matter as they shall see cause, and refourme it in suche charitable maner that none shall say so hereafter: but they will of malice doe it, and renne into the flaundre of the Pharisays: and that would charitably be examined, whether it be so or not.

BThis is a pretye piece, and suche as I haue seldom sene the like come out of a ny wise manes mouth. Foz though that in iudgement, men must presume a thing is true, which two god honest persones swoz ne and examined depose & testifise, that themself haue seen the dede, or herd the woordes spoken by the mouth of the persone which foz such dede or saying is accused: yet sayeth no man foz all that, that because two men say it and sweare it to, therfore it is so. Foz as to the necessarie consequence of the dede, thys argument is very saynt y thys man maketh. Two men say it is so ergo it is so.

CThen vpon this argumēt such as you see, he sendeth me to enquierē and then I shall (he sayth) synde, that there be many moe then two that say so. That may wel happen now, by occasion of his booke of diuision. But what if I enquired of the

that I shoulde happe to synde not onelye many moe then two hundred, that wold say that the spirituall men foz such euill affections as thys god pacifyer surmyseth, haue great desyre to abiure menne or note them of heresye: yet while al they could among them all ley no profe at al, but alway the trouth proued contrary, both by that, that in farre y most part of thys realme, and take Wales thereto, there haue not ben before his booke of diuision, fyue menne abiured in. xv. yere. And in those that haue been, rigour hath not been vsed moe then necessarie: but

Dthere hath bene vsed moe then necessarie fauour, and that this hath been alredy proued ofter then once, before the kinges honourable counsayle, I wold not essemme the babbeling of two hundred, no not though they wer two thousand, and yet many moe to, the mountenaunce of two strawes, foz any thing that I wold regarde any god man the worse. But I wolde foz their own partes be soze ashamed to heare them, and clearly perceyuing that they so lewdely lyed: I wolde be soze ashamed to tell the tale agayne after them. And this I saye, if I shoulde with inquiry thus happe to synde, as I

verely trust I shoulde not if I dydde en. ¶ quitere.

But nowe hys Some saye beyng so false as it is, it is a wrold yet to see what a sonde shyst he syndeth, that he woulde not yet by hys wylle haue hat lyte loste. Foz he sayth, ¶ that though the trouth be not so, yet the tale is not lost to saye y some menne saye so. Foz (he sayeth that) then it shall purte the bishoppes and spirituall rulers in mynde, that they are bounde in conscience to helpe them that saye so all that they can, fro the daunger that they runne in by so saying.

FWhat god I praye you can this false Some say do: Foz what can the spirituall menne doe soz theyz helpe that so belye them: any other then aduyse them to leave such lying: And that had been a better parte foz thys good pacifyer to haue playde hymself, and so to haue told them vpon whose tale he wrote it: than to the reproche and rebuke of so manye good worshypfull menne make a booke of diuision, and therin write every lewd wōrde, that any lewd folke, or any false shrewes woulde tell hym. Whose cul tongue the spiritualltie can never appease, but isto please them they shoulde dysplease God, and withoute lettynge heresyes growe and goe furth, shoulde themself rather dooe euill then let lewde folke speake eyyll.

And nowe to thensent good readers, that you maye the more clearelye see, to howe little purpose the pacifyer hath in this poynct answered me, ye shall understand that my wordes in mine Apology which he woulde senie to answer well here, wer these. Folio. 257.

G¶ But yet is thys pacifyer not so fauourable towarde folke suspected of heresye, as to take away the power of the bishoppes foz euer of arresting them, and to drie thordnaries foz euer to sue expectationes agaynst heresies and processe of excommunicacion, but will haue he sayth, the bishoppes power of arresting no lenger suspended, then as long as spirituall menne haue that greate desyre to cause men abiure or to haue them punished foz heresye, as though he hadde well proued that they haue so, because he sayeth that some men say so.

But nowe yf Some saye be no suffisient profe, than is hys tale lost. Foz the he sheweth no cause why that power of theyz shoulde in anye case be more suspeded now, then in any time here before. And on y tother side if some say be a god profe,

I professe, then the suspending wil be as long
as a depreyning for ever, sith there shall
never be any tyme in whiche there shall
lache one or other some saye to say moze
then trouth. ¶

To god readers, here you see, that unto
the secound parte of these woordes of
mine, he aunswere nothing at al. And
than haue you seene before that unto the
sayng his aunswere is so sieble, that it had
been better for hym to haue done there-
with as he doeth with the other, leaue
it unaunswered to.

But nowe goeth he ferther and saith.

¶ Then saith maister More yet fer-
ther, that which is a light suspition and
which is a heauy, and whiche witnes be
sufficient and which not, must be way-
ed by the spirituall Judges, and vpon
theyr waying of the matter for lyght or
heauy, to folowe the arrest of the partie,
or the leauing of the arrest. Now verely
in this poynt me thinketh that maister
More maketh a ryght god iunction, that
is to say, that the matter shoulde be era-
mined before the arrest. For it hath been
sayd in times past, that in such case the
arrest hath many tymes gone before the
examinacion. Neuertheles, vnder what
maner the examinacion and the arreste
shoulde be made in such case, I wil make
no deuyse at this time. For happily ma-
ister More would anon synde a defaulte
at it, and therfore I wil leaue it to them
that haue authoritie, to treate ferther of
it, and to deuyse how to auoide the mase
that maister More speketh of in his sayd
rlbi. Chapter.

Now god readers, this man maketh
here, as though I had geuen hym in my
woordes, some gret aduantage to ground
some great matter vpon. And therfore
¶ I shall rehearse you what my woordes
wer, that your selfe may see holwe sore I
oversawe my selfe therein, and what he
meaneth by þ mase that he nameth here.
These are þe my woordes in myne Apo-
logy. Folio. 257.

¶ Yet is he content at the last, lest
everye man myght spyre the perill of hys
deuyce, to temper hys deuyce in such
wyse, that till the spiritualltie haue leste
theyr cruell despise of abiurynge and pu-
nishing folke for heresy, they shoulde not
be suffered to arrest folke for every light
suspition, or every complaint of heresy.
Howbeit he graunteth, that where one
is openly and notably suspected of here-
sye, and sufficient recorde and witnesse
agaynste hym, and besydes all that, a-

doubte that he woulde sté, whereby he
myght infect other; than he graunteth it
conuenient that he sholde be arrested by
the body. And therein he bringeth in the
Clementine and the Statute, by whiche
the Ordinaries haue power to arreste
folke for suspition of heresy, and woulde
as farre as I perceyue, haue the kynges
resourne them after his devise. But yet
sith which is a light suspition, and which
is an heauy, and whiche is a lyght com-
playnte, and whiche is an heauye, and
whiche is an open suspition, and which
but a prienyse, and whiche suspition is
notable, and whiche is not notable,
and whiche witnesse be sufficient, and
whiche be not sufficient, be thynges that
must be wayed by the spiritual Judges,
and vpon theyr waying of the matter
for light or heauye, must folowe the ar-
restyng of the partie or the leauyng of
þ arrest: we be come agayn as in a mase
to the poynt where we beganne, that be
the matter gret or small, lefft al the while
they be cruell, they shoulde iudge lyghte
heauye, and small great, their arresting
of any at al must be suspended fro them,
and send them to sue by cytacion, til me
see that same mynde of theirs of desyryng
mennes abiuracion and punishment ve-
terly chaungyd and cease, that is to say,
till ther be no man lefft that wil so much
as say, that some men say that they haue
lefft that mind yet, and make a lye against
of them then, as thosc some haue doone
that haue so sayde alreadye to þe John
Home saye nowe. And long will it be I
warrant you etc cuer al such folk sayle.

And therfoore, sith in the meane season
by this pacifers god deuyse, heretykes
maye god bnarrested, I cannot beleue
that if his way were folowed, it woulde be
any god meane to make that wilfull of-
fenders in heresye shoulde not passe vnu-
punished, as fasse as bothe in the ende of
this Chapter and the other before also,
he calleth vpon the kynges highnes and
his counsayle, & his parliament, to loke
upon thys matter after hys god adver-
tisement, and never cease till they bring
it to effect. ¶

Here yon see, god readers, because
this man with his devices bringeth him
self into a mase, out of whiche he cannot
see holwe to geatte, he woulde nowe sette
other folk to study therabout. And wold
make them very carefull, about achynge
lyttle nedful. For it hath well appea-
red, & wel ben proued to, that the spiritu-
al judges haue yet hitherto in arresting

The Debellation

Afor heresy, right wel examined and considered, syste both thys cause and the necessarie, and haue been rather therin manye tymes to slowe, then anye time ouer hastye. And therfore I may and will say here agayn as I sayd there, that I little doubt, but that if the kinges hyghnesse doe as I doubt not but his highnes will doe, maynteyne and alyste the spirituallie in executing of the lawes, eue those that are already made agaynst heresies, and commaunde euerye temporall offycer vnder hym to doe the same soz hys part: though ther were never moe newe lawes made theresoze, yet shall both innocentes be saued harmeles wel ynough, and offendours punished to.

To this cummeth furth this god man in thyss wyse.

Nowe bercke to those wordes of maister More I dare say thus, that maister More or he hadde spoken tho wordes, hadde occasion by reasonable conjectures to haue doubted moe at the matter then he hath done, & to haue thought it very like, that if the same lawes shold stande as doe nowe in every poynct concerning heresie, that manye innocentes that be not gyltie, myght bpon suspecyon of heresy be drieuen to pourge themselfe, after the will of the Ordinary, and yet be not gyltie. Yea and ouer that maister More myght haue reasonably doubted, and as I suppose in conscience, he ought to haue doubted moe then he hath done, that sometyme innocentes myght happen bpon the suite *Ex officio*, or bpon lyght complaynantes by fauour of offficers, or bpon malice or displeasure, be arrested before examynacyon, and yet maister More hymselfe assenteth, that the examinacion shold be before the arrest. And he myghte haue doubted also, & some innocentes myght by such periured persones, as be aboue rehearsed in thyss

Dchapter be somtyme condened. And therfore the sayde wordes of maister More, wherby he taketh bpon hym to say, as it wer in his own authozitie to perfourme it, that innocentes by thesame lawes as be already made soz heresy, shalbe saued harmeles well ynough, myghte happen to be of small effect to helpe an innocent man or woman that shoulde happen to be wrongfully troubled in tyme to come against his wordes before rehersed.

Now verely to al these wordes of this god man, I dare say thus, that I when I wrote the wordes had and yet haue verely god conjectures to put lyttle doubt

therin. For though I myght thinke that **C**his harm and this harm myght happe: yet sith I haue well seen it proued, that the spirituall judges haue vsed themself in these matters, not only so truely, but ouer that also so fauourably, that no man can proue in this realm such harmes to haue happed yet, but wheras such thynges haue been of late surmyed, h trouble hath been well proued contrarye before the kynges honourable counsayl, I haue and haue very god cause to thinke, that as they haue done well hitherto, so shall they well doe hereafter.

And sith all thyss god mans grounde **S**is no moe, to take away well approued lawes with, but that harme may happe sometime, to some god man therby, which reason he maye make agaynstte the best law that all the world can make: I dare be bold to warrant, that that cold reason so serueltly set furth in such a weighty matter, is not well worth a rythe.

And if menne woulde goe aboue to chaunge these olde long proued lawes: I would as my duetie is, pray god geue the grace to make the chaunges god, but for that lyttle wytte that I haue, I verely belieue and thynke that if anye chaunges bee made rather more slacke then streyghter: then shall the chaunges be made rather farre worse then better. And thus ende I god readers thyss good **G**wannes. xviij. Chapiter.

C The. xviij. chapiter.



Is. xviij. Chapter beginneth.
Folio. lxix. Wherin he beginneth first with the *Ca. n inquisitionis, negotium & li. vi.* Wherby it appeareth, that all lordes & rulers temporal, be prohibited that they shall not in any maner take knowledge or judge bpon heresy. And bpon this himself addeth unto it in hys booke of diuisyon, that he that inquireth of heresye, taketh knowledge of heresye, and that himself sayeth not so alone, but h *summa Rosella* sayth so to. And herupon he concludeth, that it shoulde seine, that all the iustices of the peace be excommunicate, and all stewardes in letes, and al enquestes to, as many as meddle withall. For whether in letes they maye or not, h he saith he doute ih, but he saith y I say they may but he tellet not where I say so, nor as I verelye thynke he never founde it in anye booke of myne. I say in myne Apologye. Folio. 227. that in euerye lete they

Athey doe so, whether they lawefullie so may done or not, therof speke I nothing, albeit I thinke they may well ynough, both without offence of the kinges law, or perill of cursing either.

For I little doubt, but that ther wer of the cleargye at the makynge of the Statute moe men then one, that vnderstode *Summa Rosella*, aswel as this god man doth *Summa Rosella*. Wer then made and in meynes handes.

And I doubt not also as little, but þ there wer at those daves in the cleargye moe then one, that were of complayne in the making of þ statute, that vnderstode the Chapiter *inquisitionis*, aswell as thy *s* man dweth, and aswell as he that made *Summa Rosella* to. And that they wel vnderstode that the sayde Chapiter meant of suche inquisitours, and suche inquisitions, as they make that are in the corps of the law called *Inquisidores heretice pravitatis*, of which ther are in some places speciaall officers to enquire, procede, and do therin as the ordinaries doe: and meant not of such inquisitours and suche inquisitions, as doe none otherwise enquire, but onely by waye of informacion to bryng the matter to thordinaries knowledge.

For as soz the minoure of thy *s* good mannes argument, that he that enquirereth of heresye, takeith knowledge of heresye, so dweth every denoucer, euerie accuser, and in a maner euerie witnessesse so, take vpon them knowledge of heresy in some maner wyle: for they take vpon them as they well maye, that thy *s* thing or that thyng is heresye. But this is not the knowledge that the lawe forbiddeth: but the knowledge that we call holding ple vpon it, which our inquisitions doe not: but onely serue to bryng the matter to thordinaries handes, which elis shoulde peraduenture not haue heard therof.

And soz thy *s* cause, to be sure that by these inquisitions no man shoulde fal in danger of any examination it was substaancialy prouyded in the sayd statute, that the inquisition and hindightment of heresy, shoulde serue the Ordinary nothing to the proceding in the matter: but that he shoulde begynne hys processe agaist the partie a fresh, without laying that hindightment vnto his charge.

And therfore wheras thy *s* god man, by the high authoritie of *Summa Rosella* denouceth here all the iustices of peace accursed. I dare be bold by the hygh autoritie of *Summa Angelica* to denounce them al-

assoyled agayne. And therfore, wheras **C**his god man wenyng that he had well wonne his spures in this point tryumpheth vpon me and sayth.

And to thy *s* lawe mayster More aunswereþ not, but passeth it ouer, as a thing þ as it semeth he little regardeþ, but onely that he sayth that the lawes of thy *s* realme, and of holy church in heries may well stande togerher soz ought that he saþteth: And yet it appeareþ, that vþo this law they doe not agree nor stå together. And therfore me thinketh it woulde not be so lightly passed ouer as **M**ayster More dweth passe it ouer. **F**or it is a dangerous thing to fall into þ least censure of the church. **S**

Ther wer two causes soz for which I auñswered him not, one a general cause, concerning all his matters of lawes of the churche, wherein he syndeth faultes, of which I shall speake afterwarde. Another speciall cause ther was concerning this excommunicacion. And that was that me thought and yet thynke, that he speake therin to chyldishly þ I was ashamed on his behalfe to meddie with it, & to make open his childish handling therof.

But now lith I for hym counte soz so great a conquest, that he put me to sylēce therein, what purpose can he deupsle soz which I shoulde haue aunswereþ anye thing to that poynþ: had I made any profession to prove euery word wrong þ he sayd in all his booke: he knoweth that I sayd not that I would meddle, but with those certayn thinges þ I there speke of. **H**

But nowe suppose that there were in that law such fault as he aledgeþ what could mine auñswer amend the matter, or his booke of hiuision either: If menne wer accursed as he misstakereth it, could my booke or his booke take away þ curse? No, but we maye put the parliament in mynde to make a lawe. His booke alone is as habile to put them in remembrance thereof as hys & myne together. And yet soz that poynþ neither nedeth myne nor his neyther. **F**or the parliament hathe made already a lawe soz these inquisitions. **W**hich if they myght lawefullie make in such fourme as they haue (as I am sure they myght) then am I sure that they fal not in excommunicacion soz it. **N**owe if they myght not lawefullie make it, and ther by fell therin, what could the parliament farther adde vnto it, þ myght deliuere them of it? And therfore I can not in god sayth se to what purpose haþ wroote of that poynþ himselfe.

Po, but

The Debellacion

A No, but this law is one great cause of diuision betwene the spirituallie & the temporallie. That woulde I very sayne wit how. For temporal men be not I wot well, so farre ouersene, as to be angrye with the spirituall men here nowe, for þ law that a Pope made at Rome ere they were boþne. And the spirituall men haue also as little cause agayn of any grudge agaynst the temporallie for the matter. And therfore why he shoulde put it in his booke of diuision, for a cause of diuision, I can diuise no reason. For as for that, that he would shoulde seme a cause here, is to vnreasonable where he sayth.

B As long as that lawe standeth so vnrepelled, some priestes that see it, will say, that they that doe agaynst it, be accursed: and so may lightly fall therby into a wronfull and vntrue iudgement, which though it be no great offence, vñlesse it be of pryde, by dispysing of the temporall power in that behalfe, yet it wold be eschewed. And also if they that be so noysed to bee accursed, heare of it, they wilbe discontented. And so grudges and variancias may ryse and encrease by occasion of it.

C This is a very colde tale, and as dead as euer was doze nayle. For before hym self brought in this babling of hys own about that law, (whiche babbling is yet) as I haue shewed you (to no purpose at all) I never heard anye man talke anye such word of that law in my dayes, nor in god sayth no moze I wene dydde he neither.

For I dare saye he heareth no whereto yet any priestes saye, that the iustices of the peace be accursed for enquiryng against heresies, none I dare say but such priestes as be heretikes. And therefore thys whole tale of hys, saue for the malice þ it meaneth, is even a very trifling.

D For as for the mocion that he maketh so ofte to haue þ lawe repelled, because it is he sayeth, agaynst the lawes of the realme: except he mocke I wot nere what he meaneth. For if the realme here may repell it: then by þ the lawe is here made to the contrary (if it were contrary as it is not) it is repelled alreadye. And if he think that the realme here cannot repell it, then wherto wryteth he and pryncteth that piece in hys booke of diuision, as a thyng for which the temporallie and the spirituallie of this realme shoulde fall in variance for, where neither the making nor the repelling lyeth in neither nother of theyz handes.

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 appeareth in these wordes.

¶ And therfore me thinketh it wold not be so lightlye passed ouer as maister More doþ passee it ouer. For it is a dangerous thyng to fall into þ least censure of the churche. And if it be sayd, that the sayd lawe is boyde, because the church had no authozitie to make it. And that it is therfore not to be feared. And I will yet say thereto, that though it wer boyde, þ yet as long as it standeth so not repelled, it were god to eschewe it, and not to fall wilfully into the daunger of it: and therfore it wer better to repell it then to lette it stande styll, and rather doe hurt then good.

Here you maye see god readers, that where as otherwyse to repelle that law then it is repelled, lyeth not in our handes if our law wer against it, and wher as of crouch it nedeth no repelling at al, but the law of the realme standeth therewith wel ynough, he maketh as though all the iustices of peace were accursed therby, as ofte as they geue the iuries in charge to enquire of heresies: therfore lest they shoulde wilfully fall into the censures of the churche, wherof as he sayth ☉ the least is a daungerous thyng, ye may playnelye see that these wyllye shrewes whiche abuse hys laboure, meane in all this matter nothyng elles, but that they woulde not haue heresies enquired of. And yet they nede not so greatly to care therfore, for any greate thynges that by such inquisitions are in heresies presented. But yet thus declare they theyz god willes these wyllye shrewes that thus desetue this godlymple soule, and set hym so emill a wörke.

If he feare so much the censures of the church as he maketh for, and vnderstād and belieue *Summa Rosella*, so surelye as he pretendeth: it had been better for hym to examine well his booke of diuision, and this his second booke also by the tytles of *Summa Rosella*, and see well whether hymselfe varye not from *Summa Rosella*, and be by the sentence of *Summa Rosella*, fallen in the censures of the churche hymselfe, by some such maner of wryting as his sayd booke haue.

But nowe cometh thys god pacifuer furth with a godly pice & to declare him self indifferent, & to shew also a great ouerlight vsed vpō my part: thus the god man Some say falleth.

And

A And therfore it semeth right erpiente that the sayde lawe bee repelled. And in likewyse it wer god to repell all suche lawes spirituall, as be made contrarie to the kynges lawes, and the custome of the realm. And if it be sayd, that it were god also, that such stacutes and lawes, as bee made and vsed by the temporall power to the griefe of the people, wer also resourmed, and that if I were indifferent, I would make some mocion so to haue it. And so it semeth mayster More doeth partly moue, that I oughte to haue done, and to haue found as well defaulte in the temporall lawe as in the spirituall lawe: Howe be it, because he woulde beare no blame of the temporall lawe in that mocyon, it seemeth that he somewhat initigateth his sentence therin and saith, that if I doe so, and that thā I handle them, that is to say, the temporall lawes & finde defaultes at them, as truely as I doe at these, y is to say, at the spirituall lawes: y then I shoulde make two lyes for one, & yet as I suppose, I haue assigned some defaultes in the spirituall law, which maister More canot tell how they shoulde be excused.

As to hys repellyng, I see as I haue sayd, no substauenice in his wordes. For we repell them as farre as I see we can, C when we kepe them not, but make oure own lawes to þ contrary. And therfore as farre as I see, all y he speketh of these repellinges, laue onely for letting furth of his diuisio, is els but a very bain tale.

But now where he saith that I wolde haue him and seme to moue him, to find faultes in the temporall lawe too: I wot nere whether hys wordes haue herein moze falsehood or moze folye, but surelye they haue both twayn, & eyther the one or the other double.

D For first euerye man may see by hys own wordes evē here, that I moue hym not to bise as for indifferency, to fnd faultes in the temporall lawes as he hath done with the spirituall lawes, when himself here sheweth that I say that if he so dyd, he shoulde make double lyes. This sheweth that he vseth in thys saying, playne and open bnrouth. And syth hys owne bnrouth appereth vpon hys own shewynge, thys sheweth also, that he vseth open folye.

And where he sayth that he hath assyned some defaultes in þ spiritual lawes, whiche I cannot tell how they shoulde be excused: I aunswere him agayn, that vnto all lawes, or all matters that he lyfte

to babble of, am I not bound to medle w, E but of these spiritual lawes y wer made for þ reppressing of heresies, with whiche our temporall lawes are also conformable & concurrant with which thys god wise man for the easse of heretikes, hath nowe founden such faultes as a wise man may be ashamed to speake of, I haue clearely declared that they nedē not to be excused but that for the syndyng of such faultes, his foly to be muche accused. This haue I proued so playne, that he can fynd no gret cause of glory when he loketh back vpon it.

But nowe to thentent you may, good readers see, that eyther thys man is not so symple in hymself as he semeth, or els that some wyly shewes shamefully doe deceyue hym: I beseeche you consider a little eyther the foly or the crachte that the man vseth here.

He hath brought you furth wordes of myne which I speke he saith of þ lawes, wheras of trouth I speake them not of þ lawes at all, as your selfe shall well see. For though he dyssemble the place be cause he woulde not haue you reade it: yet haue I soughte it out for you in the 99. lease of myne Apologie, and there lo these are my wordes.

F And thys pacyfyer aggrieueth (as muche as in hym lyeth) the cleargye of England, so vse of the lawes not made by themselves, but be common lawes of al chrysendarie. If he wyll saye that he blameth but theyz abuses thererof, the trouth apereth in some place otherwyse in hys booke. And yet syth he pracieþ þ poynþ but by a some say, he myght with the same figure layc lyke faultes in the temporallie concerningye the lawes of thys realme, and proue it in lykewyse with a great Some saye to. And there in he sheweth himself not indifferent when he bryngeth in the tone, and leaueth the other ouer.

And on the other syde, if he bryng in the other too, than shal he make y. faultes for one. For if he handle thē as truly as he hadlerh these, than shal he make two lyes for one.

Loe god readers, consider here I beseeche you the maner of thys god man. To the syngle piece of these wordes of myne, in which case is also the law that we be now in hand withall, & inquisitionis, wherewith he woulde in hys booke of disuisyon, aggrieue the cleargye of thys realm whiche never made the lawe he answereth not in al his booke one word, and yet

A yet in his such maner of aggreuyng he bleseth a very sinnesfull, and in his not au- swering, a very shamefull waye.

Than in the remenaunt you see god readers your selfe, that I speake not of the lawes. For whan I saye thus, if he will saye that he blameth but their abusess therof; yet sith he proueth that poynct but by a Some say, he might by the same figure laye like faultes in the temporall tie tw, cōcerning h lawes of this realm: is it not here playne that I lay blame in him, for his belyng of the minysters of the spirituall lawes vnder a sygure of some say, as though they abused the spi- rituall lawes in misse handelyng of heretikes wherof I speke more after. And I saye that by a lyke sygure of some say, he might dysfame all the temporall mi- nisters tw, and bryng them in grudge & obloquie of the people with lyke lyes of abusing the temporall lawes tw.

No we consider god readers, eyther how fally shis honest mā hath hymself, or els how sollysh he hath suffered false shewes, to make him turne and change the sentence of my woordes fro the men to the lawes, to bryng in hys matters vpon, and saye that I moue hym to synde faultes in the temporall lawes, & putte them in pynt abzode as he doeth in the tother, wheras you playnly see I speake not of h lawes but of the minysters, nor yet advise him to bse such fashion with the temporall minysters neither, less he make two lyes for one.

Is not nowe this chaunge of my sen- tence that he maketh here, a very shame- les dealyng, either of hymself or of some shewde counsayle of his.

And now knitter he to this handling the remenant of y sayd. xir. Chapiter, & sheweth that he speaketh first of the spiritualltie, because the causes of the diuisiōn specially be growen by them, and layeth forth a sort of grieses, some parte very tryfles, and some part remedied befor his boke of diuisiōn made, and some part very folyshē, and some part for all his some sayes vndoubtedlye very false.

He hath there two leaves in the ende of that Chapiter, whiche any wylle man that readeþ them, shal I suppose, fudge a very dreming tale. And therin it seemeth that as he hathe begonne with the spirituall lawes, so he wil aſter procede in the temporalle lawes tw. And sayne would that man make me so fonde as to be hys felowtherin, and saith if I know any ſuch made, as the parliament hadde

none authoſtie to make, or wherenpon C the people haue ſift caule to complayn: it wer well done that I ſhould ſhew the. And ſo he thinketh berelye that charitie ſhould compell me to doe, ſeeing that I am he ſayth, learned in the lawes of the realme.

Berely if I knew any ſuch; yet would I not folowe neyther thys god mannes holy exhortacion, nor his godly ſaumple neither, to do in the tone as he hath done in the tother, but if I lyked hys doyng a little better than I doe.

And if I be learned in the temporall lawes, the leſſe will I folowe his counſayle. For the better that I wer learned in them, the leſſe would I wene it wolde become me, to pynt and putte abzode among the people, a ſlaundrour booke of them to shame them.

And vnto this poyn特 god readers, I haue aūſwered and ſhewed my mynde in myne Apologie before, whereto thys mā geueth a deafe eare alway. And here vpon a ſought occation with a fond wyſe chaunge of my woordes, exhorteth me to the thyng to which I made aūſwers already. And what I before ſayd therin, that he dyſembleth, and ſayeth not one wyſe thereto. But in myne Apologie, god readers, the. 159. leafe theſe were in G thys poyn特 my woordes.

F Hys other murniours & grudges that he ſayth he cannot nowe rehearſe, he reherſeth after many of the in his other chapters, whiche I wil paſſe ouer untouched, both for that the moze part of them be ſuch as euery wylle man will, I ſu- poſe, aūſwer them hymſelfe in the rea- ding, and ſatisfye hys owne mind with- out any nede of mine helpe therein, and for that ſome thinges are ther also ther- in, that are very well ſayd, and ſome al- ſo, that be they god or badde, I purpose not to meddle muche withall, as are the thinges that towche anye lawes or ſta- tutes alredy made, be they of the church or of the realme, defend them I am con- tent to doe, if I thynke them god. But on the tother syde if I thinkē the naught albeit that in place and time conuenient I would geue myne aduyce & counsayle to the chaunge, yet to putte out booke in wryting abzode among h peple agaynst them, that would I neither doe my ſelf, nor in the ſo doyng command anye man that doeth. For if the lawe were ſuch as were ſo farre agaynst the lawe of God, h it wer not poſſible to ſtand with manes ſaluacyon, than in that caſe the ſecrete aduice

Adruise and conusail may become every man, but the open reprooche and rebare-
guciō therof may not in my mynde wel
become those that are no moze spiritual
thā I. And sure if y lawes may be kept
& obserued wout peril of soule, though
the chaunge might be to the better: yet
out of time and place conueiēt to put
the defautes of the lawes abrode amōg
the people in wyrting, and without any
suerity of the chaunge glue the peple oc-
casyon to haue the lawes in derisyon,
Bunder whych they liue namely syth hee
that so shall vse to dooe, may sometime
misstake the matter & thinke the thing
not good wheroft the chaunge would be
worste: that way will I not as thus ad-
vised neither vse my selfe nor advise no
frende of mine to dooe. And therefore I
will as I say leane some thinges of hys
booke untouched, whither he say wel or
ewyl.

Cswere I will therfore be had as repered
in every place where he prouoketh mee
hereafter to the same point. And thus
you see good readers, that whereas hee
hath not in any one chapyter of hys,
brought forth any reasō yet: yet hath he
brought forth least in thys his. cbij. in
which he boschet moll. For by this hath
he plainly declared, that he neyther un-
derstandeth the law *inquisitionis*, that he
allegedeth, nor so much as the poze sume
called *summa rosa*, neither. For that god
manne that made it, vndoubtedly never
ment of such inquisitions as ours are,

Dof which maner hee had happily never
knowen none. And as for the lawe, the
very first wordes therof to him that un-
derstandeth them and considereth them
hereby,
Hole the law well, sufficiently do declare, that y law
forbedeth lay forbideth lay men to meddle with such
men to meddle maner knowledge of heresy, as shoulde
with the
knowledge of be a let and impedement to the ordina-
ries, or other the spirtual inquisitours
& not such knowledge as we take by our
inquisitions, that onely serue to helpe y
tother forth & bring the matter to theyr
handes.

And therefore sith I see well, that
this mā in the laten lawes & Summes,
hath so little understanding: I shall be
the moze content in his lawes and hys
Summes, so much the lelle to dispute oꝝ

meddle with hym.

C The. xii. chapter.

This. xii. chapter he decla-
reth what hee meaneth by
confederacies of the spiri-
tualtye, and saith he mea-
neth confederacies wherby
spirituall men pretende to
maintaine some suchlawes of the chur-
che, and some such constitutions pro-
vincial, as are against h̄kings lawes
and the olde customes of the realme, &
putteth for a sāple, h̄ putting of preſtes
to aūſp̄ere afoſe tempozail iudges, &
the Statute made de silva cedua, and the Sta-
tute of Mortuaries.

As for conuenting of preſtes before
seculer iudges, trouh it is y one tyms
thoſcation of a sermon made the mater
come in communicaſpon before h̄ kynges hyghneſſe. But neither any times
since nor mani yeres afoſe, I never herd
that there was any busynelle about it,
And yet was that matter ceased longe
before any worde sprange of this great
generall deuiflyon, y his booke maketh
as though there were ſuch, in a maner
generall through the whole realme.

And diuerſe ſtatutes haue there ſince
ben made, concerning the ſame point.
And many preſtes conuented as they
were wont to be before, and no busines
made by the ſpiritualty therfore that I
here of, nor I trowe himſelfe neither.

And in likewiſe men cut down their
woodes every vere, in one place and o-
ther of the realme, & eyther is there not
asked the tithe againſt the Statute, or if
ſome person would with good wil gets
it, and therfore aske it, he getteth it not
yet in dede.

For where he ſayeth that if I would
rememb're my ſelfe well howe often the
conſtitucion prouincial, made againſt
the Statute de silva cedua, hath bene put in
execucion of late dayes, to the grieſe of
many lay men: I would not haue ſaid
ſo generally that there is not anye one
conſtitucion prouincial that he ſpeaketh
of to any mannes grieſe or grudge put
in execucion in the time of any of y pre-
lates that are now lyuing, & affyrmeth
that the ſame conſtitucion hath of late
in the tym of diuerſe of the ſame prela-
tes that now be, bene put in execucion,
to the grieſe and grudge of many per-
ſons within thys realme.

L. j.

Fit G

The debellacion

AFirst as touching myne owne remēberāce: in god faith I cannot remēber one. And as to his own remembraunce, b̄pō which he affirmeth it to haue bene done so lately, to the grudge and grieſe of ſo many; he ſhall perdon me though I believe hym not tyll hee proue it, or at the leaſt wylle name them that haue had the winning, and them alſo that haue boyn the loſſe, ſo that I may my ſelfe proue wherther it be true or not. For except he doe the tone, els haue I good cauſe in þ meane while, in this poine to gyue no great credence to him.

B For fyfth I can ſcantly belyue that vpon the perſons bare word, for allegacion of the conſtitucion prouincial, his pariſhen would leſ him haue it. And if there happed any man that would: yet am I ſure they were ſo few, that it wer ſo double foly to lay that for any cauſe of deuiflyon, which were done both but by a few, and alſo not wythout the par-ties wyll, & rather of hiſ owne priuate deuotion, than for any ſere of compulſyon.

C Powe iſ the perſon woulde take it of hiſ periſhen by forſe: I ſee the comē ex-perience therin ſuch: that I dare boldy ſay the whole pariſhe would not ſuffre hym. And yet iſ it were taken in deede: neyther ſhoulde the perſone enioye the proſite, nor the periſhen beare the loſſe but ſhoulde at the kynges commen law recover a ryght large amedes. For wel ye wote hiſ damages ſhould be tareſ him, not by xi. preſtes, but by vii. tempoſall men, & hiſ coaſtes by the kynges iuges & are no preſtes neither.

D Now iſ this man will ſay, that many of the perſons haue in the time of þ pre-lates that now bee liuing, or that were lyuing at the time that hymſelue wrote thole wordes, recovered in any of þ ſpi-ritual courtes, the tithe of ſuch woodes, againſt the ſtatute, by force of that prouincial conſtitucion: I wyl ſee thiſ ma proue iſ ere I believe him in it. For the daunger of that ſuit may be peraduen-ture moze, than I ſuppoſe the perſon wil put in peryll for hiſ titheſ. And alſo the pariſhon may ſoone ſtoppe the ſuit in þ beginning by the kynges prohibicion, wherby the kynges iudges ſhall ſe wherther þ perſon ſue for ſuch titheſ or not, & wil not therin ſuffer him to proceſe.

And therfore till thiſ good ma make mee better proues of thiſ matter than hiſ owne bare ſaieng: he giueth me no cauſe agaynſte ſo many letters to the co-

trary, therin to belieue hiſ worde. But **E** I durſt well warrant iſ, if he coe ones to the naming of the parties, ſo that the ſpecialties of þ matters may be ſought out & made appere: you ſhal surely find it untrue. Now than to maintayne withal hiſ great word of conſederacieſ he bzyngeth foſth that ſome preſtes ſay ſtill, that thoſe titheſ and mortuaryes alſo, for al the ſtatutes be their duetyes ſtill, & that they which pay them not be accuſed. I haue eſpied thiſ good ma iſ **F** a ma of ſadnes, & no gret gamener. For iſ he were he would neuer be angry for an angry worde, ſpoken by a man that is on the leſyng ſyde. Hie is an olde cur-tesye at the cardes perdy, to let the leſer haue hiſ wordes. And in good fayth in thiſ matter I here no ſuche talking at all. And verely thiſ deuice of hiſ to put thiſ for a cauſe of deuiflyon, is in my minde a very chidilie thing. But than goeth he ferther þ preſtes make party-culer conſederacieſ, to maintain obites and preſtes wages, and to haue more at berialles than they haue bene wont **G** to haue, or els to ſhew themſelues not con-tent, that is to ſay to alſe moze tan they can geate, & because they can not geate it, ſhew themſelues not content, that is to witte lowe and loke angerly, and ſay they be not pleased. Be not theſe hyghe matters and meete for that heighnouſe name of conſederacieſ.

And yet goeth he ferther wiſh an other heighnouſe conſederacy, **H** if a preſte haue a buſines to do in ſome cou-ntrieſ: oþer preſtes wiſl as it is ſayd ſo conſeder wiſh him at arbytremētes & other metinges, or els make them, ſuch frendes priuileye, that the oþer partye **I** though he be of right good ſuſtaunce, and haue alſo good right, yet ſhall hee ſometime haue much a dooe to obtaine it. **J**

Is not here good readers a wonder-ful heighnouſe worke, and wel worthy the name of conſederacieſ of the ſpyry-tualy, that but in ſome countreis, nor there neyther of any certaintie, but as ſome ſay, ſome preſtes in the buſineſſe of a noþer preſte, wil, and yet but ſom-tyme neyther at arbytremētes conſe-der wiſh their good worde to helpe for-ther their felowe, or elles to make hym frendes. Dea and then what a miſchicke he ſheweth that enſueth thereupon. The oþer party hath he ſayeth much a dooe to obtaine hiſ right and yet that but ſometime neyther.

K But

A But as for lese hys right by theyr mea-
nes, he sayeth not that any man doth.
We not these heighhouse cōfederacies,
and thinges mete for thys man to make
a booke of deuision for: And yet as thou-
ghe he had very wel aquite himselfe: he
knitteth it vp w̄ these w̄zdes.

T And these be some of the confedera-
cies of priestes that I ment of, and not
the gatheryng togither of the clergy at
the conuocacions.

In good sayth I sawe not howe hee

B Should meane any other thing, nor that
The name of neyther well. For the name of confede-
confederacies taken to an euyll part as this mā

taketh it, doth signify a metting and ga-
theryng togither, and a determynacyō
of certayne euyl folke, conspiring togī-
ther aboue an euill thyng to bee done,
wyth a couenant and promise bi eche of
theim made vnto other, eche to stande
with other therin. Now whereas at cō-
nuocacions good men come togither to
doe good, and therfore he coulde not cal
theim confederacies as he now sayth he
ment not to do: yet I doubted somwhat
whither he so ment or not, because the
conuocacions be at the leastwise come
assemblies togither, whereof he myght
hap I thought to gyue a good thyng an
euyll name. But these matters that hee
now speakest of, I could not ymagyne
that euer he ment to call them confede-
racieſ, wherein he neyther seeth assem-
blies, nor can assigne and proue any co-
spiracy & mutuall promise, in assyning
ech other about the procurement of any
thyng at all good or badde. For where
as he sayth that these be some of the con-
federacieſ that he ment: I am sure no
man doubteth but that these bee eyther
all the confederacieſ that he syndeth, or

D els at the leastwise the greatest. And the
are those that he calleth here particular
confederacieſ, so childishe that in god
faſt I much iernaile, that his hearte
could ſerue him for very shame to ſpeke
of them. And then the other that he ta-
keth for generall confederacieſ, he nei-
ther ſeeth nor assigneth ſo much as any
assembly about the, or promise or aber-
ment to procure and pursue them. And
therfore though ſoe priestes would here
or there ſpeake of them as their own af-
feccion ledeth theim: this is farre fro þ
nature and name of confederacy.

And yet whē he hath al togither done
while he proueth nothing at the biter-
most (though all that he layeth were as
true as it is not) but that they woulde

fayne haue the tithe of tymbre ſhil, and **C**
that thei woulde faine haue the mortua-
ryes ſhil, and that ſome woulde fayne
haue greater wages, and ſome woulde
fayne haue more money at þ verpalles
then for all theire faine willing they cā
geate, when thei woulde only fayn haue
it, and yet in dede gete nouȝt of it, nor
other folke nothing leſe: to make nowe
so great a matter of thys and call it an
hyghouse name of cōfederacieſ, is as
me ſemeth ſomewhat lyke to hym, that
would needes haue an acciou agaynſte
his neyghbour because his neighbours
horſe ſtrode & loked ouer his hedge. For **F**
he ſayd that he ſaw by hys countenaunce
that he woulde haue eaten hys grasse if
hee coulde haue gotten to it. For as
for that, that the hedge letted hym, was
lyttle thanke to him, for hys wyll was
neuer the leſſe. And thus hys. xix. chap.
you ſee good readers how little reaſon
is in it.

The xx. chapiter.

Is. xx. chappter begynninge **G**
In the. lxxvi. leafe hath ſo ly-
tle effecte and ſubſtance in
it, and ſo faintly defedeth his
ſomare matter which it pre-
tendeth to defend, þ I purpose to make
no long worke aboue it.
For if you rede firſt his w̄zdes as they
lie in mine Apology fo. 159. in þ ſecond
ſide beginning at these w̄zdes. **X** And
here mee thinketh I myght ſay: þ I ye
ſhall there good readers ſind, that I re-
heare ſeſe w̄zdes of his euuen whole,
with thole w̄zdes in them, which hee
would in the beginning of this his. xx.
chapiter, make men belieue þ I had w̄-
drawen, as though he they were w̄zdes
of ſuch ſubſtantiall effect, that I woulde **P**
not haue it appere in my booke that hee
had written ſo pitchtely. Afterward
in a nother place where thei be reherſed
againe fo. 162. the prenter of likelhod
lefte them out of ouerlight and halſ. And
ſurely they bee not of ſo great weight,
but þ if the authour had hymſelf leſt the
out in his booke of deuiflyō, it had made
lyttle matter. And if he had ouer þ leſt
out the whole clause: then had he leſt in
his booke one lie the leſſe, and hys booke
the better by ſo much. For wherby pro-
ueth he that the ſpiritual rulers preiede
theiſelvſ be ſo cleane and pure, þ there
is no defaute in theym, but all in þ peo-
ple alone, and in theim ſelſe no maner
faute at all?

E. q.

Wherē

A There herde he euer any spirituall mā
say thys, by the whole spyrtaulcy or by
any one man therof?

They confesse themselfe to be men &
sinners. And they confesse, and know-
ledge also, þ the very cause of this chiese
mychiese that now begynneth to make
deuison, that is to wytte the execrable
heresies, whych mischieses thys good
mannes cull deuiles with chaunge of
good lawes were lykely to maintaine,
if men would folow them: did both be-
gynne, and is also set forth and auaun-
ced forward by those bngraciouse folke
B that are such amonge the spirituality, as
Iudas was amonge the apostles, & this
not in this realme onely, but in other
countrys so. As by frere Luther, and
priest Pomeranc, Oþo the monke, and
frere Lambert, frere Huskin, & Swin-
lius, and here in Englande Lindall,
frere Waris George Jay, and some o-
ther such, as with the sede of sedicione
heresye, haue sower and set forth deuy-
son.

Thys thing the spirituality both kno-
weth and knowledgeth. And therfore
C they do not pretend as thys pacifist sa-
yth they do, that there hath ben no fautes
amōg þe but all amonge þe people. And
therfore this god man where he sayth þ
I left out thre wozdes in þ clause of hys
(which yet I did put in dede) hiselife had
somwhat amended his matter with lea-
ning in of one lye the lesse, if he had left
out the whole clause altogether.

As to that that he sayth I chaunged
hys wozdes in the ende from these woz-
des, the lyght of grace that is spoken of
before wyll not appere, into these woz-
des the lyght of grace that is spoken of
D before, be with you and ever more amē:
therein he sayth very true. For syt hee
was fallen into preaching, I not only
in the syrfe place rehearsed hym as he
spake himself, but afterward also in the
second place I toke the paine for hym to
mende hys collacion in that point, and
make it ende some what more like a ser-
mon with a god graciouse praiour.

Then goeth he forth, and in the same
leafe and the next soloing, hee maketh a
suspiciouse matter, and can not tel what
mind I was of, in chaunging his wozd
spirituall rulers, into thys wozde pre-
lates. But looke god readers vpon the
plece, and you shall see that I dyd it of
good cause. For I do not there say that
he sayeth prelates, but I say there that
peraduenture he wyll say so.

And also besides this that ther ss no be-
ry great dyfference betwene these woz-
des, the prelates and the spyrtaul rulers:
the chaunge from thys wozde the
spirituall rulers into this wozde prela-
tes, semed me þ moze mete & moze prop
for the matter that the pacifist speketh
in that place, wher he speketh of autho-
ritie þ they pretend, and obedience that
they claime.

Howbeit rather then I woulde gyue
any cause of deuisyon agaynst mee, to
hym that bieth to make great deuisyōs
vpon small groundes, I shall be contēt
to gyue him hys owne woode againe.
And therfore I pray you good readers
every of you mend your bookes, & in þ
sede of prelates in that place, put in spi-
rituall rulers. And when you so haue
done, the chaunge shall for the matter
not be very great, and yet so much as it
shalbe, shall more serue me then hym.

But yet to make me sorwe, that euer
I was so far ouersene, as to take away
hys gay golken wozde of spirituall ru-
lers from him, he beginneth as it were
with a great thret and sayth.

E What mayster Moze meaneth to
chaunge rhele wozdes spirituall rulers
into prelates, I cannot tel. But now by
occalyon of the wozdes that mayster
Moze hath spoken, I wyll saye farther
in the matter then I hadde thoughte to
have done.

How happy was I lo, that I had not
the grace to let hys owne wozd stande.
For now wyll he say farther in þ mater
then euer he had thoughte to have done.
And that is(sach he) this.

F That I thinke verely that if so
great an oversight fel into prelates and
spirituall rulers, that they would take
vpon them to preache heresye, that they
woulde that the people shoulde belieue
þeym therein, and to take it to bee ca-
tholycall that they preached. For who
woulde preache any thyng but such as
they woulde haue theyze audience be-
lieue.

Believe mee good readers, that this
man weneth he sayth well fauoredly in
thys point, wherin he taketh such plea-
sure, that afterward folio.lrrir. he fal-
leth into þ same agayn, and sayth thus.

Mayster Moze goeth about only to
proue, þ al my tale is lost, because prela-
tes pretend not to be belieued if they pre-
ch heresye as he taketh it þ I shoulde say
þei doe. And yet I said not so in dede.
And if I did say so, I said but truely.

G Fox

For if they did preache heresy, it is certayne that they would looke to be belieued as I haue layd before, ye and if they would preach and say þ if they preached heresy, that they would þ people shoulde not beleue the: yet if they did after preache the heresy in dede, they would looke that the people shoulde belyene theym. For they would say þ thei were no heresies þ they preached. For who wil confess þ he preacheþ heresy.

Now good readers here have I soy, Benedy you toghether thys good mans gaye wordes in twoo places, wherein I perceyue he pleaseth hymselfe ryght well. But to thentent that you may see whyþ ther he haue so god cause as he weneth, consider well hys wordes and mine before, wherupþ he cometh to thys point. For he maketh as though, I without occasion gryue of hys wordes, had written that the prelates pretend not to bee belieued if they woulde preache heresy. Wherin whither he say true or not you shall see by hys owne woordes, whych are these.

Cþ The lyght of grace wyl not come, as long as the spirituall rulers pretend that their auctoritie is so hygh & so immediate of God, þ the people are bound to obay them and to accept al that they do and teache, withoute argumetes ressistence or grudging.

Now good reades first consider wel here in these wordes of hys, what wise dome the man hath shewed, in makynge such a mumbling of chaunging spyp-tuall rulers into prelates. For when he sayth here, that the spiritual rulers pre-tende that theyr auctoritie is so hygh: what doute is there but though he mene other rulers moe beside whom, hee calleth no prelates, yet hee meaneth prelates to, ye and prelates specially to. And then when he sayeth that the prelates & the other spiritual rulers pretende this or that: may I not wel say that he sayth the prelates pretende thys? Yes verely that I may. And yet in so chaunging his worde: I chaunge it to his aduantage & not vnto mine, in that I make his ody-oule saien much lesse, & nothing moze. And thus first you see good readers thys mannes much oversight in finding of þ faute.

Now consider ferther god reders þ he sayth in those wordes, not þ the spirituall rulers, that is to say both the prelates and all the remanaunt to, pretend their auctoritie to bee hygh and so immeidately deruyed fro god, that the pe-

ple are bounde to obay the in this thing. þ that thyng, one, or twaine, or tenne, or twety, but utterly to accept and obay not onely all theire teachinges, but also all theire doinges to, and neither argue, refylf, nor grudge at anye maner thyng, that they woulde eyther teache or dooe.

Thys generall thyng he sayeth. And therfore though I deale as you se so sauorably with him in my. xxviij. chapter of nynne Apology, as to deuide þ mater and aske whither he ment it by theire whole auctoritie or part: I might wel upon these wordes of hys haue taken it, þ that he had very shamefully belied the, and had layd that they had pretended to haue their whole auctority immediate of god every whit. For if I would so haue layed, hys general wordes wold well haue warranted myne. Also sith hys sayeng is so general, and extendeth vitterly not only to al their teachinges, but also to al these doinges to, and saith that thei pretend, that by goddes immediate ordinaunce the people shoulde accept al togithher, both all that ever they say, & al that ever thei do: by how many maner thinges might I haue confuted hys sayeng, and haue proued it false?

But yet hys sayeng being such, I take but one thing, and that was such, as for the matter that we both specially speake of was next at hande. And therfore I saied, that thei pretend not to haue such an auctority that men shoulde obay the in all thynges, for they pretend not to haue auctoritie to blinde men to beleue and obay them, if thei woulde preche heresies. But thei plainly profess that if thei so woulde men shoulde not beleue the nor obay them therin.

Here you se that where he saith that he ment not þ the prelates woulde preache heresy: he speketh al beside the purpose. For I sayd not that he either so sayed or so ment. But I said and yet say, that in those wordes he saied, þ if they woulde preache heresies, they doe now pretend, þ by the auctoritie which god hath giuen theim, the people were then therin bounden to beleue & obay the. And in his so saying I ther said & yet say, þ he saith verily far vnctrue, & that thei pretend it not, but plainly pretēd þ contrary. And thus in this point þ he maketh a mater woul ground or cause, & that himselfe w hys own wordes gaue me good occasoon to write the thing that I wrote: thys you se good readers proued very plaine.

L. iij. Bus

A But nowe consider his other wor-
des, wherin he lyketh himself so well, &
weneth that he proueth that the spiritu-
all rulers of the realme pretende, that if
they woulde preache heresye, the people
were by goddes ordinaunce boundē to
believe and obey them therin, because
they woulde than say that it were none
heresp. In this post his reasoning hath
I promise you a little more subtiltie tha
substaunce, and yet but simple subtiltie
neither.

B First as for hys case, that is al the spi-
rituall rulers would preache heresye: if
he had ment of the spirituall rulers of
all chzistendome, I would haue admit-
ted hys case none otherwyse, but as me
put and admittē a case impossible, to se
what might ensue theron if it were pos-
sible, as saynt Paule puttēth the case h
if an aungel came from heauen & prea-
ched a contrarye gospelli, yet the same
angel shoulde not be belieued. But now
sith he puttēth it but by the spirituall ru-
lers of one realme, I admit the case as
possible, but yet as such a case, as I trus-
in god this good man shall see the skye
C fall first and catche larkes ere it happe,
though it may be lykely enough to hap-
pen in some one or twaine, or some few
against whom the remanaunt shal pre-
che and teache the trouth.

But now sayth this good man thus.
If it so happened in them all: tha would
they al pretend, that by their auctoritie
givēn them of god the people were bou-
den therin to believe and obey them.
For they woulde than say that their he-
resies were none heresies.

I am cōtent lo to graunt him al this,
and I aske him now what than? For al
thys good readers proueth (you se very
well) no moze, but that if that case hap-
pened þ they also preached, they would
than also pretend. But al this proueth
neuer a whit, that the spirituall rulers
eyther nowe dooe, or at any time haue
done, pretended their auctorite such.
Nowe consider than for what purpose
he speakeþ of such pretending. He lay-
eth (you wote well) theyz pretending of
their auctoritie to be so great, that the
people shoulde obai them without argu-
ment, grudge, or contradiction in all þ
ever they eyther say or do. This he lay-
eth I say for so soze a cause of thys deu-
sion, whych he maketh in hys booke,
that he sayeth the light of grace wil not
come to cease it, till they cease so to pre-
tende.

And therefore god readers syth chys **G**
is the thing that he sayeth, and the pur-
pose that hee sayeth it soz, making it a
cause of deuision present: howe can hee
mayntaine his sayeng wyth a case say-
ned, wherby it may be that they wyll so
pretende hereafter, wheras ever hithe-
to himselfe sayth not nay, but that they
both haue pretended and yet pretend the
contrary? Can hee maintaine that the
temporalty is at deuision with the spi-
ritualtie now alredy, because it may p-
aduenture happe here after by a farre
fet possibilite, that thei may than, noe
man woteth whan, pretend peradue-
a thing, wheroft they presently pretend
the contrary, and profest also that if the
case shoulde so mylchappē hereafter,
they desyre nowe soz than that no man
shoulde therein than belieue theym?
Saw you ever good readers any man
with such a symple subtiltie, cast al hys
matter in the dust so shamefully?
Now where he sayth to mayntaine hys
matter here withal, that it is not to sup-
pose that spirituall rulers wil pretend
that such auctoritie as thei haue of the **G**
graunt of princes, is imediately of God:
I say that therin he sayth trouth, and þ
I suppose that they wyll not. But yet
let himselfe looke wel in his own booke
of deuision, and he shal fynde that him-
selfe sayth the contrary there, of that he
now sayth here, and sheweth some thin-
ges whiche he both sayth that they haue
but by the meane of princes and þ god
minde of the people, and yet sayeth also
that they pretend to haue the same thin-
ges imediately of God. As soz ensa-
ple bothe theire auctoritie to haue the
tent part soz tythe, and the thing why-
che they enjoy by the name of the liber-
ties of the church, wherby their perso-
nes be in many thinges privileged in thys
realme before the person of a lay man.
These thinges himselfe saith that they
haue but by a means and not imedi-
ately of God. And yet he saith in this
same. xx. chapi. that the thinges which
they call the libertes of þ church, they
pretende to haue imediately of god, &
for all that hee sayeth nowe that it is
not to suppose that thei wil pretend so.
And thus you may se good reders, that
for the defēce of thys place, he is dñe
to a shrewde narow strecte, whan to de-
fed one faut he is faine to make twaine.
Now wheras he sayth I myght haue
satisfed my selfe wel inough, and that
the letter of hys woordes were playne:
you

¶ You see that in the rehearising agayne of hys owne wordes fo. lxxx. he is fayne to supprese and steele awai these his own generall wordes, ¶ all that they dooे or rech, to make hys wordes semē plaine. For as you see, they standing still, hys wordes are playne agaynst hym. For himselfe now confesseth, they pretende not to doe by authorite immediate fro god, such thinges as they do by authorite gluen them by pretences.

But because I would fayne fully satisfi hym: I shall now shew you ¶ with hys new declaring ¶ hys wordes were well ynough, he hath made his matter out of al measure worse.

¶ For nowe rede hys wordes agayne. fo. lxxi, and there you shall see that hee sayeth that hee meaneth onely of suche auctorite as the spirituall rulers p̄tende to haue immedately of Godde. And yet after he declareth it ferther and better on the seconde syde of the same lease in the. xiiij. lyne that hee meaneth onely such auctorite, not as they pretende to haue, but as they haue in dede immedately of god. And to chentē me myght see that hee meaneth not of auctorite falsely pretended, but truely had immedately of God, he putteth for the sample their auctorite in ministracion of the sacramentes.

This is his owne expisition of his own wordes, which he would haue taken so plaine, that he is angry with me that I coulde not spyre it, and so satissye myselfe before.

Well goe to now: let vs rehearse hys owne wordes agayne as himselfe for his owne aduaantage foli. lxxx. rehearseth them, and let vs plant in hys owne expisition with them, to make hys sentence the more clere, and than shall wee see to what god conclusion he bringeth all in coclusion. For than commeth his whole tale to thys.

¶ As long as the spiritual rulers wil pretende, ¶ their auctorite is so hygh & so immedately derived of god, in suche thinges as they haue theyr auctorite immedately of God in dede, (as in the ministracion of the sacramentes & such other thynges like) that the people are bounden to obey them withoute argument or ressistence: so long the lyght of grace wil not appere.

Now good readers here be now hys owne wordes with his owne expisition therin. And how lyke you them now? For now the sentence hath he brought

at last with much worke to none other, ¶ but that ¶ light of grace wil not appere as longe as the spiritual rulers pretend to be obated & not resisted in the ministracion of the sacramentes & such other thinges lyke, because they haue theire auctorite therin immedately of god in dede. But tha on the other side, whē soever they wyll not p̄tende, their auctorite so high therin, noz so immedately derived of God, as to bee obated therin, but wil be content ¶ mē grudge & argue and resist them therin, and pul them from the auiter, and suffre theym to ministre no sacramētes nor any such ¶ other thinges lyke: than shall by this god mans new declaracion the light of grace appere by and by. Hath not thys pacifier here good readers, with much laboure at last brought thys matter to a wylle conclusion? If he will now go fro thys agayne, and put in hys other generall wordes agayne, which for hys aduaantage he lefte oute in that place: than is all gone againe that he goeth aboute, and all mine aunswere made (as I haue shewed you) good, & all his own woordes noight. In the lease also. lxxxi. these are hys wordes.

¶ Where I say that as long as hys spirituall rulers wil prende that their auctorite is so high and so immedately derived of god, that the people are bound to obey them without argument & ressistence. &c. ¶ By these wordes I confesse that they haue auctorite immedately derived fro God. But as I sayed before in the seventh chapiter, master Doze hath a right great and a right iuetue wit, wherby he can lightly turne a sentence after his appetite. And so he doth here. &c.

¶ What high witte or iuetue I haue to turne a sentence, let the readers iudge. But surely ¶ heyght of my wit can not rech so high, as to perceiue in those wordes of his, ¶ sentence ¶ himselfe turneth the to, noz I crow no mans els, til these wordes, ¶ Thei haue auctorite, ¶ these wordes, ¶ Thei p̄tend to haue auctorite ¶ be both one thing, which thei wer never yet. And therfore before his confession ¶ he now maketh here new: I myght tha well take that exception whiche I haue brought ther, to a little better effect, tha doth his here, whiche w al his wretelig & al hys newdeclaracions, bringeth all togither ewer the lenger vnto the worse conclusion.

For now to colour this his oversight

L. iiiij. with

Awith all, hee telleth vs whiche maner of pretences he mett in those wordes, whiche he would here so faine defende. And than in stede of preteding to be by goddes ordinaunce belieued and obeyed in all thynges as wel wordes as bedes, he bringeth forth here a fewe amountyng in a somme totall to the infinite number of sower.

BThe kyng is, that the order and displicyon of the thinges that are to be dysposed of the church, be to be disposed by the pxxestes: which point to put as for a matter that hath made deuision betwene them and vs, is a point of small reason as farre as my reason can giue me. For I remembre not of ani bariace that ever arose betweene the and vs for that point.

CThe seconde is, that al chrissten princes must subdue their execusions to bisshoppes, and not to preferre the aboue them. I can not tell you whither there be any such law made or not. But I can tell you well that though there be, thys point wil not serue hys purpose the value of a blude point. For I am sure he never saw in hys dayes any bishop in this realme, vse that pretence agaynst the king, or that ever there arose any deuision therupon.

DThe thirde is, that no charge should be set vpon clerkes by lay power. I never herde yet any deuision rise vpō this point in my dayes, nor he neither in his I dare say. For I never saw the day yet nor he neyther, but that whan any nede of the king & the realme required it, thei haue ever moze ben redy to set tares vpō themself, as liberally and as largely as any man well might with any good reason require.

EThe fourthe is hee sayeth, that if a seculer iudge be negligent in doing of justice, that than after monition to amende it giuen to the iudge, if hee will not, than the spirituall iudge may compell him to it, or els supply his come and here the cause.

If I shold looke now for these iij. lawes it might perdauenture happen þ I shold fynde, that thys man had mistaken some of them, as well as he hath mismeunderstanten some of the other þ he hath spoken of before. But sith that I never knew grudge or deuision ryse here vpon any of them, me nedeth never to loke more for þ matter. For sith thys man never saw that any ipiritual iuge hath interprised, in defaute of iustice to

gyue any such monition, or to supply þ **G**rome; were that lawe never so unreasonale, yet to saye that vpon that lawe the tempozalyre hath here conceyued such grudge as it hath ben a cause of deuision, thys pacifier of deuision may be much ashamed that ever he deuised it. For I dare say that as well this fourth cause, as many of all his other be such, as þ people never neither talked of nor thought vpō, nor before his own booke, had never redde nor herde of. And therfore by the putting in of such thynges: every childe as I layed in myne apolo- gye may sone perceiue that his bookes labour and entende not to quench, but rather to kindle deuision.

And therfore verely with hys ley- enge here enen in the ende and conclusion suche causes of hys deuissō, which causes but dy hymself the people never herde of: I may well saye ones agayne good readers, is not this geare by thys good pacifysyr, brought vnto a wyse con- clusion?

To those wordes written in myne apology the, 159. leafe, this good man **G**answereth thus.

FAnd now to thys conclusyon of master Woze I wyll saye thus, that I besech almighty God, that the ende of all these matters may come to this conclusion that the very groundely causes of these deuisions, that now be not onely in thys realme, but also in maner through al chrissten realmes, may come to perfyte knowledge. For surely I doe not take it, that they beganne either by heresyes, or apostacyes as master Woze in hys apology meaneth that they should doe. **G**

Here you may see good readers that thys good man would be loth þ it shold appere, that the deuision, peryll, and harme haue any where sprongen vpon heresyes begonne and set forth by false apostatas, wedded freres and monkes, as clerely as it is knownen that by thoc- casion therof, ther haue ben slain in Al main wth these very few yeres, aboue. lxxx. persons in one somer and yet since among þ Swichis whan Zwinglius was slaine, many thousandes kylled to, and the warre begonne by the heretykes, and the lashe by goddes greate goodnes layd in theyr owne neckes, as falsly as Frith believeth the catholikes, and against the plaine and open knowē trouth, would with shame inoughe to himselfe make men weene that the ca- tholikes

A tho likes began the warre.

But than goeth he ferther and saith
F And if maister Moze will nedely
 endeavour hym selfe to hyde the truthe
 therin, as it semeth he hath done in this
 chapter, and diuerse other places of her
 apology, by keping secret such abusōs
 and pretences, as in my consciēce have
 ben most p̄p̄ncipal causes of thys deuision,
 wherof parte be recited in the said
 treatise, and part in this aunswere but
 not all. **S**

B Of these there had nedē in dede to be
 mo, and some more true, and some of a
 lytell moze substaunce to, than bee the
 most part of these that this good manne
 hath layed forth yet.

Now here he saith that I kepe secrete
 such abusōs and pretences as be þ prin-
 cipall causes of the deuision, whereof
 himselfe hath he saith shewed some: ei-
 ther he meaneth that those which I kepe
 secrete, be those that himselfe hath wri-
 ten, or other beside them. If he meane
 other: then either hymselfe knoweth the
 or not. If he know theym not: how know-
 eth he that I know them, or that there
 be any such at all: If hymselfe know the
 and shew them not: then he hydeth them
 and kepereth them secrete himselfe as well
 as I. Nowe if he meane but those that
 himselfe hath wrytten: how can I kepe
 those secrete that he hath wrytten? **C** A I
 both gather vp al hys bookeſ & go hyde
 theim, & also make the that haue red the
 goe vntredde the againc, or forȝet what
 they haue redde:

But now after this, lykewyse as hee
 is wont whē reason saileth him to fal to
 preaching: so here, because reasoñ saileth
 him, he saileth to prayeng, & therin thus
 he sayeth.

D **F** I besech almighty god that he haue
 no power to doe it, but that the trouthe
 may come to light therin, though he re-
 siste it al that he can. For if it were knownen,
 and þ fautes charitably reformed:
 all these deuisions woulde shortly haue
 an ende. **A**

Pay perdy, this mā seeth wel ynough
 that though the fautes of the spirituali-
 ty were never so fully reformed, yet
 coulde not all that suffice to bryng all
 deuisions to an ende, but if one thing be
 done, whiche wil never be done, wherof
 (whiche he forgetteth) I gaue hym war-
 ning in the. n̄s. leate of mine Apologye
 in these wordes. n̄

F But now if this pacifier to cease &
 quenche hys deuision, coulde finde the

meanes to make all the whole clergye **G**
 good: yet for all that, sith he layeth for
 causes of thys deuision that some men
 say this by the clergy, and some mē saye
 by them that, were all the clergy uener
 so good in deede, and serued god uener
 so well, this deuision by his owne tale,
 yet could not for all that ceale, except he
 coulde p̄ouide ferther, that no pitcouse
 pacifyer shoulde in lamenting of deuision
 putte forth a booke and saye, that some
 lay men say that some of the clergy bee
 noughe, and loue theire easē and theyr
 welth, and that some say that those that
 seeme best and take most labour & paine, **F**
 be but hypocrites for all that, and serue
 Godde but for bayne glorye to geate
 themſelue laude and p̄aise amonge the
 people. **S**

Also if defautes shoulde be charitably
 reformed, as thys man sayeth he would
 haue them: it would be nedē then to set a
 lyttle moze charitable folke aboue it,
 then those haue ben, that haue begyled
 this good man with euill counsayle in
 hys bookeſ, and haue made hym vnder **G**
 pretent of pacifieng deuision, set forth &
 encrease deuision, with deuising & sp̄e-
 ding abrode causes of murmure and
 grudge, making in some of them an ele-
 phant of a gnarte, and for olde grudges
 bringing forth some such, as the people
 neuer had herde of vnyll they redde hys
 bookeſ & some of the very wroſſ, which
 were most effectuall causes if thei were
 true, bringing forth by hcapes with a
 ſigure of ſome ſaye, & very plaine lies
 in dede. Is thys the waye good readers
 for a pacifier to make peace with, & put
 away deuisions?

And now hymſelue handeling þ mat- **H**
 ter thus, he taketh of hys charitie great
 thought, leſt I go aboue to hynder hys
 holy purpose. And therfore saith.

F I doute me very ſore, that maister
 Moze goeth aboue rather to marre al,
 then to endeououre hymſelue to make all
 well. **A**

Whiche be the lykelyheddes now good
 readers that leade thys good man into
 thys great feare? Because I make open
 the shrewde mynde of hys demure con-
 tenaunce, and the harmeful intent and
 purpose of his holy wholesome wordes. Exceding
 and the ſpiritualty as the body and the
 ſoule of one man, loue wel togither and
 agree and neyther of them be gladde to
 here euill of other, nor to give eare to
 false ſedicioſe flaundre, but the good
 folks

Sfolke d^rkeyther parte. d^ralwe both by one lyne according to both the lawes to repreesse and kepe vnder the bad, & among other vices, speciall such pestilent heresies, as els woulde oppresse h^t catholike sayth, and prouoke h^t displeasure of god, and first sow denisyon, and afterward reare rebellion in h^t realme, as they haue done beso^re thys tyme both here and in other places, & I to thys entent gyue myne aduise to keepe syll those good lawes that both thys realme and al the corps of chissendome haue long vsed &

Fapproued. Because I thus doe so therefore this god man ferech h^t I go aboute to marre all.

But whyle hys bookes go aboute on the other side, to make the wold wene, that heresies be no causes of deuisyon, and to haue heretikes lye in h^t lese fere, with many malicousome somesales falsely flaundereþ the ordinarie, of cruell wrongefull handeling of the people, to dyue the by dredge or by shame or other tediousse basenes, to let heretikes alone, and go aboute with baulde reasons the belf not worþ the a ryþe, to put away the good lawcs that haue bene made agaist them, and vnder colour of a fete uour to the faith exhort men to go wyn the holy lande, and in the meane while yet wþth such wylþ wayes, labour wþth heretiques, to syll vp the stretes at home, and by the decay of the chisken catholique faith, prouoke the wrath of god vpon al our heddes whiche our lord rather turne vpon theyrs that so woulde haue it: hys bookes busely going aboute thys geare, himselfe goeth aboute (ye se well perdy) to make al thing euill.

But now wyll I syrþ finishe vp hys. xx. chapiter, wherein he goeth forwarde thus.

And in thys chapiter master More layeth diuers other obiectionis to proue h^t sayd letter vnceseonable, whiche were very tedious to rehearse at length. And therfore I shal as shourtly as I can, touch some of them.

We know well enough why thei be tedious to reherse. Surely because thei be very tedious to auiswer.

But wher he saith he wil rehearse some of the: he beginneth first to shew that I had no caule to doubt of hys wo^rdes wherein he sayeth that the spirituall rulers pretende theire authozitie to bee so hyghe and so immedately derived from god &c. I had saith he no caule to doubt of what authozitie he ment,

For he saith that his wo^rdes wer plaine enough, that he meaneth onely of such authozitie, as thei pretende to haue immedately from god.

To this I say plainly, that than are hys wo^rdes plaine false. For hys wo^rdes be, that they pretende that their authozitie is so hyghe and so immedately derived from god, h^t the people are bound to obey them and to accept all that they do & teach, without argument, cesissece, or grudge.

Now knoweþ every man very well that they doe not pretende to haue authozitie immedately from god, to do al thing that they now lawfully dooe and may doe, in whiche the people are nowe bounde to accept and obey them.

For as I sayd in myne apology, in many such thinges they pretende & clayme theyz authozitie derived from prynces. And therfore ye se that and he laboure aboute it thys. vii. yeres hee can never defend hys wo^rdes, but that I auiswered him truely, and with the necessarye distinction that I there made, auiswered every parte. And thys hymselfe seeth well inough, and therfore in the. lxx. leafe in the beginning of the second side where he rehearseth his wo^rdes again, he leaueth out these wo^rdes of his own.

G And to accepte al that they dooe and theache.

Upon which wo^rdes the point of the matter hangeth. And therfore here you see now, that whereas in the beginning of thys chapter, he would make it semes that I seale two or thre wo^rdes of his whiche I neither did nor neded for any strenght that was in the: here was himselfe faine to seale away his own wo^rdes, to begyle the reader vpon the reading of the place, and make hym passe ouer his faute for the while unmarked.

And thus good reader you se, that to sau^re hys owne wo^rdes by ryght, and to impugne mine: in those twoo leauies. lxx. and. lxxxi. he bestowed hys labour in vayne.

But then goeth he further and coucheth these wo^rdes of mine Apologie, wyrten in my sayd. xxvi. chapiter. folio. 165.

H Surely in such thinges as h^t whole clergy of chisendome teacheth and oderet h^t in spirituall thinges, as bee diuers of those lawes whiche thys pacifiser in some places of this booke toucheth, being made against heretikes, and albeit that they bee and longe haue bene throught

A through the whole corps of christendoe both temporally & spiritually, by longe vsage and custome ratified, agreed, and confirmed, yet he layeth some lacke in theim calling them very soze, in those thynges I say, that syth I nothing dout in my minde, but in that congregacion to Goddes honour graciously gathered togither the good assystance of the spirite of god is acco:ding to Christes promise as beryly present and assistente as it was wyth his blessed apostles, me wrought with reuerence and withoute resystance, grudge, or argumentes to receyue them. And if a prouinciall counsayle erre, there are in Chrysies church ordinary wyses to reforme it. But in such thinges as anye spirituall gouernours after a lawfull ordre and forme, deuise for the spiritual weale of theyz soules that are in theire charge, & whych thinges are suche as good folke may soone perceiue the for god, in these thinges at the leastwyse shold the god not giue care to the hadde folke and fro:warde, y against the besste thyng that can be deuiled can never lacke a sonde fro:warde argument. ¶

To these wordes this good man awereth me thus.

¶ Then to shewe my mynde in some thynges that maister Woze hathe touched yet ferther in the sayed chapiter: I wyl fyrl agree with maister Woze, that in such thinges as the whole clergi of chrisendum techeth and ordreth in spirituall thynges, and which of long time haue ben by long vsage and custode throught hys whole corps of chrisendum spirituality & temporalitie, ratifyed agreed and confirmed, ought wyth reuerence to be receyued: but yet if the same thynges throught long continuance & throught abusyons that rise by occasio of the, proue hurtful and ouer greuous to the people to bere: the may y people grudge and complayne lawfully to their superiours, & desire that they may bee refor:med, as lawfully as thei maydo to haue temporall lawes reformed when neede requireth. ¶

As unto thys, because he is so gertle to agree wyth mee, I shall as gently agree wyth him againe, but yet hee getteth nought thereby. For sith the lawes agaynst whych hee writteh, made for hys correcccion of heretykes, as I haue in h. xv. xvi. and. xvii. chapyter plainly proved agaynst hym, and reproved his ob:jeccions therin, be good and very rea-

sonable, and that abusyons (by occasio) wherof he would make it now seeme, y in long continuance they beede hurtfull he proueth not one in thys worlde, but by false slauderouse somesales surmised against the ordinaryes, & dyuers times found false before the kinges hono:orable counsayle: this aunswere here of hys, helpeth nothing hys matter.

Then goeth he ferther and layeth on thys wyse.

¶ I wyl also agree that in the congregacion of the clergy, to goddes honour graciously gathered togither: the godd assystance of the spirite of Godde, accordyng to Christes promise, wil be as beryly present and assistente with them, as it was wyth his blessed apostles, if they ordre theimselfe, in meckenes and charitic and put all their trust in god, as hys apostles did. But if they wyl truste in theyz owne wit and in worldy policy: then may they lyghtly leese the spirite of god. And whether it wer so at the making of the lawes, which mayster Woze speketh of concerning heresy or not, I ca: not tell: but thys wyl I say, that if thei were not good and reasonable in themselue at the syrl making, that they were never made by the assystance of the spirite of God. And surely I cannot the se, how the vsage and long continuance of them can ratify or confirme the. For as it is of an euill custome, that the longer it is used, the greater is the offence: so is it of an euill lawe. And lyke as an euyll custome is to be put away, so it is of an euill law. ¶

¶ Of what strengthe the general counsayles be, and whether wee may in any of them by lawful order gathered togider, put any disidence or mistrust, and if we may then in what maner thinges and in what wise they bynd, and whom and how long: I shall not nede for thys matter to dispute with thys good man. And all hys doute concerning the sayed lawes, whether thei be reasonable or not, and whether the continuance of them be good or not: in al these thinges haue I so confuted thys good man already, that these wordes of hys can serue of nocht.

But yet to make it seeme that he saled somewhat, and that no lawe of hys churche which he hath here impugned, made agaynst heretykes, was eyther ratifyed or approued in this realme: ye shal here how properly he proueth. To good readers thele are his wordes.

¶ And

A And the lawes affirmed by vsage & agreement of the people be the lawes of fasting and keping of holydayes, i such other as the people of theyz see agremēt accepte and agree vnto: but these lawes made for punishment of heresies were never agreed by a commen assent of the people, but that some particular persōs, wherof some haue ben guiltye, and some p aduenture not guiltye, haue bē punished thereby right soze against their willes. And that cannot be a confirmation of them that so agree against theire wyll.

But as to them that doe the correccyon.

B It is a confirmation: for they do it with their good wyll. And thoughē that correction were a sufficient confirmation, as agaynst the that he so punished: yet it can not be a confirmation to make h̄ law approued for all the residue of the people. I cannot see therfore that any ratyfyng, agreeing, or confirming of the people can bee proued in the lawes, concerneyng the correccyon for heresy.

C Old ener any man good readers here such another reason as thys is: He de- nieth not but that the suit ex officio, and h̄ order taken in the generall counsaile, & the other further proceding against heresies, according to the come receaved spirituall lawes, haue ben vsually so e accustomed in this realme, and by the prynces of the same and generally by all the people by commen vsage accepted, and ouer that, by plain parliament lawes and orders made for al temporal officers to assit the ordinaries therin, & to put the offenders in execusyon therupon and knowing well al thys, he dis- sinuleth it euery whit, & saith not one word thereto, but argueth that it was

D neuer ratified, in this realme, because the heretikes h̄ are for heresy punished, be burned agaynst their will, and agre not themself thereto. This reason wyll I never labour to confute. For if any man be so mad to like it, I were almost as madde as he if I would reason with hym.

After this he resorzetth againe to the unreasonablenes of the lawes, & prouerth theim unreasonable, by the sentence of hys owne conceite. For these are hys wordes.

E And then wherether the lawes in the selfe be good and indifferent or nor, I wyll reinvete the iudgement in that behalfe to them that haue auothoritie.

But to shew my conceite therin, I shal

with good will even as my conscience **G** moueth me to, and that is, that I could never see, that it was reasonable to bes accepted as a lawe, that a man shoulde be accused and know not his accuser.

And that it is yet mox unreasonable h̄ a man shoulde be condempned, & knowe note these iii. pointes. that the witnesse that condempned him. Also that a man vpon suspiccion shoulde be drisen to make his purgacion at the wyl of the ordinary, or be accursed: Or that a perjured witnesse shoulde condēpne him, that he had clerēd osoze: That a **F** great offender and a leſſe offendēr shoulde haue one lyke punishment, if they renounced: or bee a like arrested and put in prison: I never saw no indifference in it.

Now good readers as for the conceite h̄ the god conscience of thys man hath conceived, is of very trouth but even a very pore conceite, as in the said chapp̄ters the. xv. the. xvi. and the. xvii. every man may sone perceiue.

Howbeit in the last point that he fin- deth so great a faute, that a greater of- fender & a leſſe offendēr, shoulde haue one lyke punishment, this man loketh not well aboue hym whan hee wroote that word. For whan the thyng is well lo- ked ou, the weight of hys reason wil fal upon the wrong syde, and all agaynst hys munde. For wheresoeuer a greater offendēr and a leſſe offendēr be both pu- nished alike: if the greater offendēr haue no more paine than the leſſe hath deser- ued, there is the ordēr somewhat leſſe sharpe, than it shoulde be, but yet not vni- righteous. For if it were, than were h̄ lawes of thys realme unlawfull, that hange vp hym h̄ doeth but robbē a man, as well as hym h̄ robbeth him & killeth **H** him to. Now so is it in h̄ spiritual law, that whan two do both renounce their heresy, and absteine and beare faggottes both, if the one hilde. r. heresies and the other but swaine, the greater offendēr hath no more paine than the leſſe deser- ueth. And therfore if this man in that case complaync: thys complainte (as I said) turneth vnto h̄ other side, and fin- deth the faute in that, that where h̄ leſſe offendēr bereth one faggot, the greater beareth not five, if their bodies be lyke of strenght.

Howbeit good readers all thys tale of hys is to no purpose at al. For in the spirituall law, they way the offendērs, & consider the circumstauncēs, and enioyn the penaunce after the waight or gaūtie of

A of the trespass, and for enprisoning vse to put no mā to it, but where god reasō woulde not suffre hym walke ab;ode. And therfore I suppose, that whan the man was walking this, hys witte was walking toward the holy lande. For if he woulde say that he meaneth by h̄ lesse offender & the moxe offeder such twaine as abyure both, and bere fagottes both, where the one was worthy and the other not worthy at al: I say that neither hys wordes will mayntaine any luche meaning (for he speaketh generally of h̄ lesse offender and the moxe) noz also hee p̄ueth none such but by his flānderouse somelates, which haue bene plaine proued false.

Than goeth he ferther and knytteth vp all the chapyter with thys goodlye conclusion.

X And if any wyl say that these reasōs wil giue a boldenes to heretykes: truly I wyl not fully make aunsware therto. But this will I say, that I thinke verely that thei wil giue a boldenesse to trueth & true men. And verely I haue herd **C** say, that it were better to suffre an offeder goe vnpunished, than to punysh him vnrigheteously and against due oder of justice.

Marke god readeris here for our loydes sake, what maner of reason thys is. The thing that himselfe very well perceiuereth to be the very weyght and pyth of al the matter, and therfore at last obiecteth it against himselfe, as a thyng ȳ had neede to be soyled, what aunsware doeth he make vnto it: He sayth he will not aunsware it fully. In sayth that is spoken very dully: well, syth so great

Dweyght hangeth on it, if he woulde not aunsware it fully, hee shoulde haue aunswered at the leastwile halfe. If not halfe, a fourth part yet, or a fyfth part at the leaſt. For thys that he saith, aūſwereth no part at all. For two thinges he sayth, one that thoughte he can not say nay, but that hys reasons if they be followed, shall giue a boldenesse to heretykes: yet he thinketh they shall also gyue boldenesse to trouth and true meyne.

And by my trouth I thynde verely on the other side, that if heretyques haue boldenesse giuen them, and (as they therby soone shal) take corage and much encreace, thei shal make ȳ trouth shrinke, and many true meſſe aſſerde. And if the giuing boldenes to falsoſ, shal gyue boldenesse to trouth, assay than & gyue boldenes, and than loke whither true meſſe shal

ware the bolder by it.

The second thing that he saith is this whych yet he doth not affirme but sayth he hath herd it sayed.

X That it were better to suffer an offender goe vnpunished, than punysh him vnrigheteously and against due oder of justice.

Thys were somewhat pretely sayd, if thys good man had proued that heretykes myght not be punished by those lawes, but vnrigheteously and agaynſſe the order of iuſtice. But than how hath he proued ȳ? By no meane in this world but twaine. The one, ȳ it is not righte to use noz indifferent, that a greter offeder and a lesse offeder should be punished, imprisoned, or arrested lyke, whiche vñreſonable reasō oppugneth plainlie in all criminall causes almost, al the lawes of thys realme & yet helpeth not hys matter, but impayzeth it much, as a lytle here besyde I haue well & clereſſly proued.

His other reason is hys generall reaſon that is his whole ground, wherupō **G** he buildesth againſſe all thole lawes all hys whole matter, that is to witte, that by thole lawes which are made for punishment of heretykes, it may somtyme fortune that a mā may be punished whiche is no heretyke in dede.

Now is thys reason so vñreasonable to be layed for a reason to take away a law, that if it were admitted for reason it coulde suffer neyther in thys realme, noz in any realme els any law stand in this world, ȳ all h̄ wittes in thys world could imagine or deuise, for any maner punishment of vngraciousfolke. And albeit that of ſuch lawes ſome may bee reformed fro the wozle vnto the better, though never ſtily to ſuch point, but ȳ an innocent may take harme: yet bothe by reaſons experience it appereth plainlie, ȳ theſe lawes whiche he woulde haue chaunged and made more easy, can never haue any good thaunge, but by making them more ſtreigth.

And thus hath this good man ſore ouersene hymſelfe, moxe I crowe than. xx. times in hys. xx. chapiter.

The. xx. chapiter.

Hys. xx. chapiter beginnyng in the. lxxviiij. leafe, because I ſaid in mine apology that there be ſew partes in hys booke of deuylis- on, that shall if they be well
ſort.

A considered, appere so good at length, as they semed to some men at the syrte sight and at superficyall reading: he prouoketh mee to shewe what other fautes I finde therin. And than to prike me soz warde, he bryngeth forth twoo or three thynges, whynch he sayth it semeth most lykely that I shoulde meane. But wherfore it shoulde be most likely þ I shoulde meane those thynges, therof sheweth he nothyng, but leaueth folke occasyon to thynke, that hys own minde misgiveth him in those thinges. For mee hath he never herd make any busines of them.

B And afterwarde in the leafe. 91. a gayne he prouoketh me to the same. And there he reciteth how many chapers of his I meddle not wal, wherin he myght haue made a shoxter wozke if he would haue let them stande that I towched not, and haue spoken of them only that I touched. For they were very few as he that was very vnwylling to haue touched any one at all, saue soz þ much euill that couertly was cloked in them.

C And soz the withdrawyng of that cloke that menne might the better see what it ment: I touched the firste chapter soz a shew, and the. viij. and the. viij. soz þ they laboured to the great decay of the catholike sayth, to put away or chaunge into worse the most specyal god lawes, both of the whole church and of thys realme that haue bene made and obserued long soz the preseruation thercof.

And the first chapter was in effecte nothing els, but by false flaundrouse surmyses agaynst þ ordinaryyes (as though they mishadeled me soz herely) a shewd preperatyue to it. And therfore leauing

D hys other trifles alone: I aunswere in effecte onely these, of whyche so muche harme myght grow. Which thynges if they had bene out of hys booke, all the remanaunt god þ bad togyther, shoulde haue gone forth soz me, and therfore yet so shall they: For I purpose not to embusie my self wþ confutynge of every faute that I fynde in euer ye mannes booke. I shoulde haue then ouer muche a dooe.

Noz I wyll not dysprasse or depraze any thing that I thynke good eyther in hys booke or in any mans els. And therfore I haue in mine apologye sayed expresly, that he saith some thynges wel. But soz as much as there be many thynges nouȝt to: I gyue therfore þ reader warning not to walke away wþ th̄ ouer hastely, but reade th̄ wþh inde-

ment and at usse them well, and not be: C lieue every spirite, but proue whither it i. John.4. be of god or not, & that that is god take. and that that is enyll, lette it go to the deuyll.

I will allow therfore and lyke not a lyttle the great god minde of Hale to warde the vainquishing of the greate Turke, and conquering of the holy lād wherin he spēdet þ tother. iii. chapit. of hys boke. But I mislyke much again, that as hee woulde dilate the sayth, by F force of swoorde in farre countreyes hense: so he laboureth to chaunge and take away the god and holosome lawes, whereby the sayth is preserued here at home.

I like also meruailously well, that such pointes of the catholique sayth as heretikes nowe laboure to distroye, as prayeng to sayntes, pilgrimage, & purgatory, and the sacramentes, and specisally the blessed sacrament of the auter, wheroft in the. lxxvi. leafe hee speaketh so well, that as helpe me god it did mee G good to reade it: this I saye lyketh mee meruailously well, that the right faith of these pointes he confesseth so wel and so fully for hys owne persone. But the better oppinion that I haue of hys own person therin, the moze soz am I to se, that hys bookes are by soe shewde coulable handeled in suche wile, as if they wer folowed, would make þ faith decap and perishe in many other folke. Thys is the great thyng that in hys bookes gresheth me.

For as soz the point that he speakes of in the leafe. 91. of that that the priestes shoulde eate no flesh fro quinquaginie to Easter: I take it soz a matter as smal H as he doeth I. But than he asketh mee wherfore in the. xxri. Chapiter of mine apology beginning in the. 175. leafe, I make to great a mater of it. Whoso list to reade the chapiter, shall see that I wrote it not all in vaine, nor shewe my selfe unwilling that the priestes shoulde doe it neither, though they bee not bounden to it. But the leise that the weighte of the matter was, the moze cause thys man gaue me to speake therof. For the moze was he to blame to put that and other such small matters as that is, for causes of so great a devision, as he surmyseth þ thys is. This was loþ cause þ made me to speake therof. Which cause this man gaue himselfe, and therfore needeth not to meruail as he doth, wherefore I speake therof.

And

And therefore thus haue I good readers now replied to every chapyter of hys booke by row, saue only the lasse thre whiche go about a good viage into the holy lande, a great way farre of fro me. And I haue not leaped so and fro, now forward, now backward, in suche maner as hee playeth in hys aunswere made vnto mee, wythoute eyther order kept or cause appertyng wherfore, saue onely the cause that every man may spy, that he woulde not haue it seene what places he left vntouched. Whiche is in a maner the most part of al togither, that in my booke touched by thre chapters of hys. And I haue on y to other syde not left any one piece unprooued, that myself speake of before, or that any thinge perteyned vnto me.

And therfore wheras in y beginning of the xxxiij. chapter, Simkin Salem giueth his sentence vpon the sayd aunswere to the sayd apologye, and alloweth the sayd aunswere well: me thynketh that if he conysdered not only how much he hath left vnaunswered, & how much of hys owne wordes vndefended, whiche he nothyng hath touched at all, **C** but ouer that how lesly he hath defensed those thinge y hee hath touched here: Salem being indifferent, had bene lyke to haue allowed it but a little.

For setting aside for the while al the remanaunt, if he go but to the very princiwal point alone, wherin he laboureth to chaunge and put awaye those good lawes, the chaunge wheroft (such as hee deuiseith) y decay of the catholique faith and the encrease of heresies would followe: in that point alone, I say we laye agaynst him, the comen consent of thys realme. And he layeth hys owne reason

Dagainst it. We lay agaynst him the consent of the generall counsayle. And agaynst thys he layeth hys own reason. We lay agaynst him the generall approbacion of all christen realms. And agaynst this he layeth his own reason. And what is hys owne irrefragable reason y he layeth against al thys? Surely no more as you se, but y by those lawes an innocent may somtyme take wrong. Against thys reason we lay him, that if thys reason shold stande, than against malefactours there could no law stade. We lay against it also y by his deuices if thei were folowed, by the encrease of heresies many innocentes must needes take much more wrong. To this au-

and now when Salem seeth that he can not auiswer that, & seyth y al the weight of the matter hangeth vpon that: than Sym Salem giueth sentence y he hath aunswere very wel. But surely if such aunswering be well, I wote not which way a man myght aunswere ill.

And therfore wheras Simkin Salem sayth, that if thys good man wil, he wil cause a frende of hys aunswere all the remanaunt: hec may dooe thys good man a much more frendely turne, if he made his frende aunswere this better first that this good man hath aunswere alredy. Howebeit if they list thus to gyue over this, and assay what they can saye better to any other piece: lette them a Goddes name hardely go to soz me. And if they say any thing metely to the matter, I wyl put no frende to Payne to make them aunswere, but at leasure conuenient shal aunswere the my selfe. And where they say well, I will not let to say so. And where they say wronng, I will not let to tel theim. But on the other side if they goe no better to worke, nor no never to the matter, then thys man hath done: I shal peraduenture let them euene alone, and lette them lyke their wryting theymself, & no man els.

But now letting passe al specyall the poynthes: I shal aunswere the generalties y this god man speaketh of. For in the leafe. rc. these are his wordes.

F And now shal I say sowlwhat ferther in a generalitie, as maister Pozohath done, and that is this: that all y I speke in the said treatise, was to appease this deuision, and not to beginne any, ne to continue it. And therefore howe they can save their eoscience, that say I dyd rather intend a deuision then agrement, I cannot tel, their own consciencie shal be iudge. And I entred also somewhat to move y myght bee occasion to put away abusyons, euuleramples, and heresies: & not to encrease the or mainteine them I dare boldly say.

To this I aunswere, that it neither was nor is my minde, that men shold thinke that he ment euill himselfe, as I haue in many places of mine apolyge testifid. But verely I thought and yet thynke, that by some wyly shrewes hys booke was so mischandeled, y it ment nought, though he ment wel. For wheras he saith that with hys booke of deuision, all hys purpose was to appease deuision: I wyl not contend wyth him vpon hys owne mynde.

A But surely this wyl I say, that if I had ben of h̄ minde to sow and set forth deuylpon: I woulde haue vsed even the seise same wates to kyndle it, & he vsed (as he sayth) to quench it.

Then goeth he ferther and sayeth.

A And ferther as maister More knoweth better then I, mentire est contra mentem ire, that is to say to ly is when a man saith agaynt hys owne minde, & in good fayth in all that treatise, I speake nothing but that I thought was true.

E Lo thys I awnswe, that indeede such a thing I haue redde, and as I remembre in Aulus Celli. Which thing though I haue now no leisure to looke for: yet two pointes I remember thereof. One that it is there *mentiri* and *not mentire*, which infinitiue mode in what booke of grammer thys good man hath sounde, I cano not tel. I was aferd it had bene ouerseene in the pryncting. But I haue looked the correccions, and therre finde I no faute sounde therin.

The tother poynt I remembre that there is a difference pat betweene *mentiri et mendacium dicere*, that is as we myght say betwene hym that wittingly lyeth, and hym that telleth a lie wening & it were true. And here it is sayd, wittingly not to tell a lye, pertaineth to a good man. And not to tel a lye vñware, is the part of a wise man. And surely lith the scripture sayeth that he that shoxely belyueith is ouer light: thys good man to belyue so many lies so soone, and with so many somes sales to set the forth in print to the rebuke and slaunder of the spytituall judges, and make men were they misse handled men for heresies, though the mannes innocent minde made the synne the lesse, yet was the thing at the least no lesse, then a very great lightnesse: & also a great pwofe towarde the reprofe of his wordes h̄ folow next, wher he goeth ferther thus.

A And ferther I wyl a certaine maister More as far as in me is, that I neyther had any suttle shrewes counsayle, ne any euyll counsayle at the makynge of the sayd treatise, which hec calleth the booke of deuylpon (as is saied before).

E Lo thys I awnswe, that albest this god m̄n a nd I be at much variaunce here in diuerse thinges: yet for the good and playne professyon of the catholique fayth that I fynde in hym, in god fayth I much better loue hym then in h̄ point to believe him. For if he sayd therin

true, then were all the fautes onely hys owne, in whych as I haue often saied, I much rather thinke, that some suttle shrewes haue deceiued hym.

And besyde sondry other thynges h̄ lede me so to thynke, one verye stronge thyng it this, that every mā may wel se by hys booke, that all such as haue resorted to hym to tell hym any such thynges, as vnder some sayes hee put out a gayne, haue alway told him evill, and never told him good. And of mislehandling for heresies haue cuer tolde hym lies, and never told him true. For wher as the punishment for heresies hath be very litle any where, saue even here at hand, and here but right done to them, & that with much fauour to: they haue made hym good sely soule belyue, that ordynaries mislehandle men for heresy in maner throughout the realme.

Also whereas such slaunderouse clamerath haue vene sundry times of late in all that ever complayned, playnly produed false before the kynges most honurable counsayle, not one man came to tell hym nothyng thercof, nor not one some say therof written in al hys booke, and ouer thys whereas myne owne self haue playnly tolde hym the same thynges in mine apologye by w̄ritting: yet (whych most meruayle were of al, saue for such w̄ly shrewes) every man may well see that he never redde it. For hee sayeth not one w̄orde thereto. And therfore it is etho to perceve what soever himselfe say whych is loth of his goodnessse to putte other folke in faute, that there bee some w̄ly shrewes so muche aboue hym, that they neyther suffer hym any thyng to here but that themselfe liste to tell hym, nor yet any thing to rede, but where themself lyest to turne hym.

And nowe sythe I haue here answered these generalties of hys: I wyl not longe encumber you with anye generalties of myne owne, but generaly I woulde that all were well. And so helpe mee my sauoure and none other wyse, but as I would wishe none heretike one halþorþ harme, that had clerely left his heresy, and were wel tourned to God. But on the tother syde, who so sticke stil therin: rather wold I wylle hym forswē to his sinne, wherby there are many folke many tymes amended, then prosperously to procede in his mischyeve to the losse of hys own soule and other mens to. And toward that point, against

Against all malefactours in the spiritualltye and the temporaltyle to , woulde I wythe all good folke of bothe partes to agree, and eche loue other wel, and sticke fast to the faith, whiche were like soze to decay by the chaunge of these god lawes that hys god mā goth about to destroie. For whose unreasonableness therein h̄ better to be perceiued, with the daunger and peryll that woulde ensue thereon: I wyl desyre you god readers to resorte to myne Apology, & begynning at the leafe 270, reade vnto the leafe 287. wherein you shal I trust be wel and fully satysfied. And vnto all that ever is in all that spoken: this man hath nothing said.

BAnd where as in confuting the fants that this man stindeþ in the suit *ex officio*, and the lawes made against heretikes, I haue vsed some examples of the common lawe, whiche this man hath labored to proue unlyke, and I haue therein clearely confuted hym a freshe, it may peraduenture happen that he wyl nowe take a nother way therein, and say that in such poynþes those spirituall lawes may be reformed, and those temporal to.

Howe be it if he so saye, but if men forgerre what hath bene sayde before: elles shall they see that hys sayeng wyl not serue hym.

CFor firste as I haue sayde oster then ones all redye, the same thynges in the comon lawe be not be chaunged. For yf they bee: there shall come thereof moze harme then good. And if it happen one innocent to take harme by the lawe: ther shall syue for one take moze harme by the chaunge.

Moze ouer if we shold for that cause chaunge those temporal lawes, that is to wit because some innocent may sometime take harme bi the: we must chaunge by the same reason, all that old vsed law that a man may be arrested and remain in prysyon till he fynde suretyes for the peace, vpon the bare othe of his enemys that saithe he is a fearde of him. For by that lawe maye somtyme an innocent take harme to. And yet mulske that lawe stande if we do well. For els shall ther be the chaunge mo innocentis take moze harme.

What trouble haue there many men in Wales, by that they be compelled to be bounden to the peace, bothe for theim selfe and for theyr seruauntes and other frendes to: And yet is the orðer there so necessarye that in mangelordshippes it may not be forborne.

And surelye if we fall to chaungynge lawes vpon that symple grounde: wee must then chaunge so many that it wold not be well.

Besides this if men shoulde reforme and chaunge a lawe, because that an innocent maye somtyme take harme therby: then must they when they haue chaunged it, chaunge it yet agyne, and after that chaunge, yet chaunge it againe, and so forþ chaunge after chaunge and never cease chaunging til the world be all chaunged at the daye of dome. For never can al the wites that are in it, make any one penal law, such that none innocent may take harme therby.

Howe be it if a new lawe were drawen and put forþe to be made against anle suche milchiese as woulde els do muche harme: god reason it were to take an exception to the byl, and shewe that innocentis myght be muche harmed by this point oþ y, and therewith prouide the remedie & put it in the lawe, and stoppe as many suche gappes as then could be spid. Yea and if after the lawe made men founde notable harme, that good folks were muche wronged by it, and the lawe suche that it either myght be forboȝn, or els the meanes found to be chaunged to the better: god reason woulde it to make prouision for it.

But surely to come forþ as this man cometh here, agaynst so god lawes, so well made, and by so great authority, so longe approued thow the whole corps of Christendome, in this realme ratyfied specially by parliament, and that vpon a proofe not without great grounde and cause, euer synce founden to profysable for preseruation of the faische, and proued so necessary vpon this mas owne deuices, that without great encrēace of heresies they can not be forboȝne, nor never canne be chaunged but either to the strayghter oþ els to the wurke: to come now forþ and for appealing of diuisiō, forwift a sclaundre that may make diuisiō, and the labour to chaunge those lawes, vpon none other ground but one ly that an innocent maye happe to take harme by meane of false iudges, & then proue not any wrong done, but by false som tales onely against whiche false som tales the truth is proued contrary, both by iuste examinacion before the kynges counsayle, and ouer that playnelye by this one point also, whiche no man can denye, that there is no lawe prouised against so great a crime, by whiche lawe less

On the page
of lawes com
meth grete
harme.

Alesse people hane in this realme be punisched: therfore to come now thus as thys good man doth, and procure the chauge of these lawes, so old, so good, and so necessary, and to make them more easye, wherewith heretikes would ware bold, which thing himself (as you se) deniyeth not in the ende: what is this good Christen readers, but to procure that the catholyque Christen saythe, myghte fade and fal away?

And yet as soz thys man hym selfe to tell you for conclusion, what I thincke, all be it there are as you see ryght euyll and pernicious thinges in his bookes, with deuyres that woulde make heresies encrease: yet sithe he profesteth so playnely the catholyque Christen sayth, and bi his exhortacion also toward the conquest of the holye lande, declareth hys mynde zealous and seruent toward it, I rather beleue though himself therto say nay, that in those thinges whiche he wrytech so pernious & so noughe, some shewes begyle the good innocent man, then that hymselfe in hys owne mynde, meane all that harine.

But yet for as much as in this point, without sight of mans hart we can but go by gesse, and who so goeth by gesse, may be deceived. (For (as himself saith) a wolfe may looke simply lapt in a sheepes skynne) I shall therefore trusste the best, and leaue hys truth to God. And concerning suche euyll wrytinges, sythe it must needs be, that he wroote them either deceived by some shewes, or els but of hymselfe, I can no moze do for him, but

hartely praye for hym thus. If Shewes G deceiue him: God send them shortly frō hym. If he wrote the of his own mynde: then sith the things be noughe, he wrote them either of euyl wyl, or of oversight. If he wrote them of malycie, God geue the euyl maioze grace. If he wrote the of foli: God giue the good maioze wit.

And thus I beseche our Lord send vs everythone, both the spiritual and the temporal to, both wytle and grace to agree F a charitable together in goodnes, and echē to loue oþr prauer, ther, and echē for other to praye, and for those that of both partes are passed into purgatorye, and there pray for vs as we pray here for the, that they and we bothe thowewe the merites of Christes bytter passion, may bothe wyth our own prayers, and the intercession of al holy satynes in heauen, avoiding the eternal fyre of hel, haue perte powred vpon vs in the very fyre of purgatorye, whiche in those two places verlye bur-

neth soules. And finallye

for our faithe & good
workes, whiche
hys grace

(wo-
kyng wyth
the wils of tho-
ses that wytle haue)
geneth echē good maioze: God
geue vs in heauen
together ever-
lastig glo-
rye.

G