

all their outwarde Wittes be closed fro all outwarde seyng and hearing, and fro all Distroublance and Lettingis. And syns Christe blessed them that saw hym not bodely, and haue beleuyd feithfully in hym; it sufficeth than to all Men, thorow hearing and knowing of Goddis Worde, and to doo there after, for to beleue in God, though they see neuer Ymagis made with Mannis Hande, after ony Person of the Trinite, or of ony other Seynte.

And the Archebishop said to me with a feruent Spyrite, I say to the, Losell, that it is right well done to make and to haue an Ymage of the Trinite, ye what saist thou? Ys it not a stiering thinge to beholde soche an Ymage?

And I said, Sir, ye said right now, that in the olde Lawe, or Christe toke Mankynde, no Likeneffe of ony Person of the Trinite was shewid to Men: wherefore, Sir, ye said it was not than lesull to haue Ymagis; but now ye say, syns Christe is becomen Man, it is lesull to make and to haue an Ymage of the Trinite, and also of other Seyntis. But, Syr, this thing wolde I learne of you, Syns the Father of Heuen, ye and euery Person of the Trinite was without beginnyng God Almighty, and many holy Prophetis that wer dedely Men wer martirefed violently in the olde Lawe, and also many Men and Women than died holy Confessours: why was it not than as lesull and necessarie as now to haue made an Ymage of the Father of Heuen, and to haue made and hadde other Ymagis of Marties, Prophetis, and holy Confessours, to haue ben Kalendaris to aduise Men, and move them to Deuocion, as ye say that Ymagis now doo?

And the Archebishop said, The Sinagogue of Jues hadde not Authorite to approue thes thingis, as the Chirche of Christe hathe now.

And I said, Sir, Seint *Gregory* was a great Man in the newe Lawe, and of great Dignite: and as the comon Lawe witnessith, he commendid greatly a Bishop, in that he forbadde vtterly the Ymagis made with Mannis Hande sholde be worshipped.

And the Archebishop said, Vngracious Losell, thou fauerist no more Trewthe than an Hounde, syns at the Roode at the Northe Dore at *London*, at our Lady at *Walsingham*, and many other diuerse Places in *England*, ar many great and preisable Miracles done; shulde not the Ymagis of soche holy Seyntis and Placis, at the Reuerence of God and our Lady, and other Seyntis, be more worshippid than other Placis and Ymages wher no soche Miracles ar done?

And I said, Sir, ther is no soche Vertue in ony Ymagery, that ony Ymagis sholde herefore be worshipped; wherefore I am certain, that ther is no Miracle done of God in ony Place in Erthe, because that ony Ymagis made with Mannis Hande sholde be worshippid. And herefore, Sir, as I preached openly at *Sbrewisbury* and other Placis, I say now here before you, that no body sholde truste that ther war ony Vertue in Ymagery made with Mannis Hande, and herefor no body sholde vowe to them, nor seake them, nor knele to them, nor bow to them, nor pray to them, nor offer any thinge to them, nor kysse them, nor encense them: For lo the most worthy of soche Ymagis, the brasen Serpente by *Moyse* made at Goddis bidding, the goode Kyng *Ezechie* destroyed worthily and thankfully, forbycause it wes encensed. Therefore, Sir, yf Men take

goode hede to the writing and to the lerning of Seynt *Augustine*, of Seynt *Gregory*, and of Seynt *John Chrysostome*, and of other Seyntis and Doctours, how they speake and write of Miracles that shall be done now in the laste ende of the Worlde, it is to dreade, that for the Vnfeithfulnesse of Men and Women, the Fende hath great power for to worke many of the Miracles that now ar done in soche Placis: For bothe Men and Women delyte now more for to heare and knowe Miracles, than they do to knowe Goddis Worde, or to hear it effectuously. Wherefore to the great Confusion of all them that thus doo, Christe saith, *The Guacion of Adulterers requireth Tokyns, Miracles and Wonders*. Neuerthelesse as diuerse Seyntis say, now whan the Feithe of God is published in *Christendome*, the Worde of God sufficeth to Mannis Saluacion without soche Miracles; and thus also the Worde of God sufficeth to all feithfull Men and Women, without ony soche Ymagis. But, goode Sir, syns the Father of Heuen that is God in his Godhead, is the moste unknowen thing that may be, and the moste wonderfull Spirit, hauyng in it no Shape or Likeneffe of ony Members of ony dedely Creature; in what Likeneffe or what Ymage may God the Father be shewid or peintyd?

And the Archebishop said, As holy Chirche hath sufferid and yet sufferith the Ymagis of all the Trinite, and other Ymagis to be peyntid and shewid, sufficeth to them that ar Membres of holy Chirche; but syns thou art a rotten Membre, cutt away from holy Chirche, thou fauerest not the Ordinaunce therof. But syns the Daye passith, leaue we this Mater.

And than he said to me: What saist thou to the thirde Poynte that is certified against the, preching openly in *Sbrewisbury*, that Pilgrimage is not lesull? And ouer this thou saidist, that those Men and Women that go on Pilgrimagis to *Canturbery*, to *Beuerley*, to *Karlington*, to *Walsingham*, and to ony soche other Placis, ar accursed, and made foolish, spending their Goodes in waste.

And I said, Sir, by this Certificacion I am accused to you, that I sholde teache that no Pilgrimage is lesull. But I said neuer thus: For I knowe that ther be trew Pilgrimagis, and lesull and full plesaunt to God; and therefore, Sir, how so euer myne Enemies haue certified you of me, I tolde at *Sbrewisbury* of two maner of Pilgrimagis.

And the Archebishop said to me, whom callest thou trewe Pilgrimes?

And I said, Sir, with my Protestacion I call them trewe Pilgremis trauelyn toward the blisse of Heuen, which in the state, degree, or ordre that God calleth them, doo besy them feithfully for to occupie all their Wittes bodely and gostely, to knowe trewly and to keape feithfully the biddinges of God, hatyng and fleyng all the feuen dedely synnes, and cuery braunche of them, reulyng them verteuously (as it is said before) with all their Wittes, doyng discretely, wilfully and gladly all the Werkis of mercy bodely and gostely after their connyng and power, ablyng them to the gyftes of the Holy Goste, disposing them to receyue in their Soules, and to holde therein the right Blessinges of Christe, beseyng them to knowe and to kepe the seuene principall Vertues; and so than they shall obteyne here thorow grace for to use
thankfully

thankfully to God all the Conditions of Charitie, and than they shall be moouyd with the good Spirit of God for to examyne ofte and diligently their Conscience, that nother wilfully nor wittingly they erre in ony Article of Beleue, hauyng continually (as fraile will suffer) all their besynesse to drede and to flee the Offence of God, and to loue ouer all thing, and to seke euer to doo his pleasaunt Will. Of these Pilgremis I said, what so euer goode thought that they ony tyme thinke, what vertuous Worde that they speake, and what fruitefull worke that they worke, eury soche Thoughte, Worde and Werke is a steppe numbered of God toward hym into Heuene. Thes foresaid Pilgremis of God, delyte fore whan they heare of Seyntis or of vertuous Men and Women, how they forsoke wilfully the Prosperity of this Lyfe, how they withstode the Suggestion of the Fende, how they restrained their fleschly Lustes; how discrete they wer in their Penauce doyng; how patient they wer in all their Adversities, how prudent they wer in counseling of Men and Women, moouyng them to hate all synne, and to flye them, and to shame euer greatly thereof, and to love all Vertues, and to draw to them, ymaginyng how Christe and his Folowers by example of hym, suffered Skornis and Sciaunders, and how paciently they abode and toke the wrongfull manasyng of Tyrauntis, how homely they wer and feruible to poore Men, to relieue and comforte them bodely and gostely after their power and connyng, and how deuote they wer in Praiers, how feruent they wer in heuently Desyres, and how they absented them fro spectacles of veyne seyngis and hearingis, and how stable they were to lett and to destroye all Vices, and how laborious and ioifull they wer to sowe and to plante Vertues. Thes heuently condicions and soche other haue the Pilgremis, or endeuer them for to haue, whose Pilgrimage God acceptith. And ageyne I saide, as their Werkis shew the mooste part of Men and Women that go now on Pilgrimage haue not the foresaid Conditions, nor loueth to besy them feithfully for to haue. For as I well know, syns I haue full ofte assaide, examyne whosoever will twentie of thes Pilgremis, and he shall not fynde thre Men or Women that knowe surely a Commaundment of God, nor can say their *Pater-noster* and *Ave-maria*, nor their *Credo* redely in ony maner of Language. And as I haue learnid and also know somewhat by Experience of thes same Pilgremis, tellyng the Cause why that many Men and Women go hither and thither now on Pilgrimages, it is more for the helthe of their Bodies than of their Soules, more for to haue Richeffe and Prosperitie of thys Worlde, than for to be enryched with vertues in their Soules, more to haue here worldely and fleschely Friendship, than for to haue Friendship of God and of his Seintes in Heuen. For whatsoever thing Man or Woman dothe, the Friendship of God, nor of ony other Seynte, cannot be hadde without keaping of Goddis Commaundmentis. Forther with my Protestacion I say now as I said in *Shrewisbury*, though they that haue fleschely willes trauell for their Bodies, and spende mekill Money to seake and to visite the Bonys or Ymagis (as they say they do) of this Seynte or of that; soche Pilgrimage goyng is nother praisable nor thankfull to God nor to ony Seinte of God: Syns in effect all soche Pilgrimes despise God and all his Commaundmentis

and Seyntis, For the Commaundmentis of God they will nother knowe nor keape, nor conforme them to lyue vertuously by Example of Christe and of his Seyntis. Wherefore Syr, I haue prechid and taucht openly, and so I purpose all my Lyfe time to do with Gods helpe, saying that soche fond People wast blamefully Gods Goods in ther veyne Pilgrimage, spending their Goodes upon vicious Hostlers, which ar ofte vnclene Women of their Bodies; and at the leste those Goodes with the which thei shoulde doo Werkis of Mercie after Goddis bidding to poore nedy Men and Women. ¶ Thes poof Mennis Goodes and their lyuelode thes runners about offer to riche Priestis, which haue mekill more lyuelode than they neade: and thus those Goodes they waste wilfully, and spend them vnjustely ageinst Goddis bidding upon Straungers, with which they sholde helpe and releue after Goddis will their poor nedy Neighbours at home: ye and ouer this soly, ofte tymes diuerse Men and Women of thes Runners thus madly hither and thither in to Pilgrimage borowe hereto other Mennis Goodes, ye and sometyme they stele Mennis Goodes hereto, and they pay them neuer agein. Also Sir, I know well that whan diuerse Men and Women will go thus after their own Willes, and fynding out one Pilgrimage, they will orden with them before to haue with them both Men and Women that can well synge wanton Songes, and some other Pilgremis will haue with them Bagge Pipes; so that eury Towne they come throwe, what with the Noyse of their Synging, and with the sounde of their Piping, and with the Jangelyng of their *Canterbury* Bellis, and with the Barkyng out of Doggis after them, that they make more Noyse than if the Kyng came there awaye with all his Clarions, and many other Menstrelles. And if thes Men and Women be a Moneth in their Pilgrimage, many of them shall be an half year after great Janglellers, Tale-Tellers and Lyers.

And the Archebishop said to me, Leude losell, thou seeest not ferre ynough in this mater, for thou considerest not the great Trauell of Pilgremys, therefore thou blamest that thing that is praisable. I say, to the that it is right well done, that Pilgremys haue with them both Syngers, and also Pipers, that whan one of them that goeth barfote stryketh his Too upon a Stone and hurteth hym fore, and maketh hym to blede; it is well done that he or his Fellow begyn than a Songe, or else take out of his Bosome a Bagge-pype for to driue away with soche Myrthe the hurte of his Fellow. For with soche solace the Trauell and Werinesse off Pylgremes is lightly and merily broughte forthe.

And I said, Sir, Seynte *Paule* teacheth Men to wepe with them that wepe.

And the Archebishoppe said, What janglist thou ageinst Mennis Deuocion? what soeuer thou or soch other say, I say that the Pilgrimage that now is used, is to them that doo it a praynable and a good meane to come the rather to Grace. But I holde the unable to know this Grace; for thou enforrest the to lett the Deuocion of the People: syns by Authoritie of Holy Scripture Men maye lesfully haue and use soche solace as thou reprocst. For *David* in his laste Psalme teacheth me to haue diuerse Instrumentes of Musick for to praise therewith God.

And I saide, Sir, by the Sentence of diuerse Doctours expounding the Psalmes of *David*, the

Musike and Menstrelcy that *Dauid* and other Seyntes of the olde Lawe spake of, owe now nother to be taken nor used by the Letter, but the Instruments with their Musike ought to be interpreted gostely: for all those Figures are called Vertues and Graces, with which Vertues Men sholde please God and praise his Name. For Saynt *Paul* saith, All soch thynges befell to them in figure. Therefore Sir, I understaund that the Letter of this Psalme of *Dauid*, and of soche other Psalmes and Sentences, dothe slee them that take them now letterally. This Sentence I understond Syr, Christ approueth himself, putting out the Menstrelles, or that he wolde quycken the deade Damsell.

And the Archebishop said to me, Leude losell, is it not lesfull to us to haue Organes in the Chirche for to worship therwithall God? And I said,

Ye, Syr, by Mannis Ordynaunce, but by the Ordynaunce of God, a goode Sermonne to the Peoples understondyng were mekill more plesaunt to God.

And the Archebischoppe sayde, that Organes and good delectable Songe quyckened and sharpened more Mennys Witts than sholde ony Sermonne.

But I said, Sir, lusty Men and worldly louers delyte and couete, and trauell to haue all their Witts quickened and sharpened with diuerse sensible solace: but all the feithful Louers and Followers of Christe haue all their delyte to heare Goddis Worde, and to vnderstond it truely, and to worke thereafter faithfully and continually. For no doute to dreade to offende God, and to loue to please him in all thing, quyckeneth and sharpeneth all the Wittes of Christes chosen People: and ableth them so to grace, that they joye greatly to withdrawe their Eares, and all their Wittes and Membres frome all worldly delyte, and from all fleschly solace: For Seynte *Jerome* (as I thinke) saith, No body may joye with this Worlde, and reigne with Christe.

And the Archebishop (as yf he had been displeased with myne answer) said to his Clerkes, What gesse ye this ydote will speake there, wher he hath none dreade, fyns he speaketh thus nowe here in my Presence? Well, well, by God thou shalt be ordered for. And than he spake to me all angerly.

What saist thou to this forthe Pointe, that is certified against the, preching openly and boldely in *Shrewisbury*, that Priestes haue no Title to Tythes?

And I said, Sir, I named ther no Worde of Tithes in my preaching. But, more than a Moneth after that I was arreasted there in Pryson, a Man came to me in to the Pryson askyng me what I sayde of Tythes. And I saide to him, Sir, in this Towne are many Clerkes and Priestes, of which some are called Religious Men, though many of them be Seculers, therefore aske ye of them this Question. And this Man saide to me, Sir, our Prelates say, that we ar also obliged to pay our Tythes of all things that renewe to us; and that they ar acursed, that withdrawe ony part wittingly fro them of their Tythes. And I said, Sir, to that Man, as with my Protestacyon I say now here before you, that I hadde wonder that ony Prieste dare say, Men to be acursed without grounde of Goddis Worde. And the Man said, Sir, our Priestes say that they

curse Men thus by Authoritie of Goddes Law. And I sayde, Sir, I know not wher this Sentence of cursing is authorized now in the Bible. And therefore, Syr, I pray you that ye will aske the moste conning Clerke of this Towne, that ye may knowe wher this Sentence cursyng them that tythe not now is written in Goddes Lawe: for yf it were written there, I wolde right gladly be learned where. But shortely this Man wolde not go from me, to aske this Question of another body; but required me there, as I wolde answer before God, if in this case the cursing of Priestes wer laful and approued of God. And shortely herewith came to my Mynde the Learning of Seynt *Peter*, teaching Priestes especially to halow the Lord Christ in their Hartes: beinge euermore redye (as ferre as in them is) to answer thorowe Faith and Hope to them that aske of them a reason. And this Lesson *Peter* teacheth Men to use with a meke Spyrit, and with dreade of the Lord. Wherefore, Syr, I said to this Man in this wise: In the old Lawe which endyd not fully till the tyme that Christe rose up ageyn fro Dethe to Lyfe, God commaunded Tythes to be gunen to the *Leuites*, for the great Besynesse dayly Trauell that pertayned to their Office. But Priestes, because their trauell was mekyll more easy and light, than was the Office of the *Leuites*, God ordeyned that Priestes should take for their lifelode to do their Office, the tenth part of tho Tythes that wer giuen to the *Leuites*. But naw (I said) in the newe Lawe nother Christe, nor ony of his Apostles tooke Tythes of the People, nor commaunded the People to pay Tythes nother to Priestes, nor to Deacons. But Christe taught the People to do Almesse, that is Werkes of Mercy, to poor neddy Men, of Surpluse, that is superfluousse of their Temporal Goodes, which they hadde more than them nedid reasonably to their necessary lyuelode. And thus (I said) not of Tythes, but of pure Almesse of the People Christe lyued and his Apostles, whan they were so besye in teachyng off the Worde of God to the People, that they might not trauell other wyse for to gett their lyuelode. But after Christes ascension, and whan the Apostles had receyued the Holy Goste, they traueled with their Handes for to get their lyuelode, whan that they myght thus doo for besye preachyng. Therefore by example of hymselfe Seynt *Paule* teacheth all the Priestes of Christe for to trauell with their Hande, whan for besye teaching of the People they myght thus do. And thus all these Priests whose Priestehode God accepteth nowe, or will accepte or dyd in the Apostles tyme, and after their Dcease, will do to the Worldes ende. But (as *Cisterciensis* telleth) in the thousande Year of oure Lorde Jesu Christe, two hundreth and a leuenth Yere, one Pope the tenth *Gregory* ordered new Tythes first to be gyuen to Priestes now in the newe Lawe. But Seynt *Paule* in his tyme, whose trace or example all Priestes of God enforce them to folow, seyng the couetousnesse that was among the People, desyryng to destroye this foule Synne thorow the Grace of God and the true vertuousse lyuynge an Example of hymselfe, wrotte and taught all Priestes for to folowe him as he folowed Christe patiently, willingly, and gladly in hys Pouerte. Wherefore *Paule* saithe thus, the Lorde hath ordered that they that preache the Gospell shall lyue of the Gospell. But we (saith *Paul*) that couet and besy us to be feithfull Followers of

Christ,

Christ, vs̄ not this Power. For lo (as *Paul* witnesseth afterwarde) whan he was full pore and nedy preaching among the People, he was not chargeous vnto them, but with his handes he traueled not only to get his owne lyuyng, but also the lyuyng of other poore and nedy Creatures. And syns the People was never so couetouse nor so auarose (I gesse) as thei are now, it were good Counsell, that all Priestes toke good hede to this heuenly Learnyng of *Paul*, folowing him here, in wilfull Pouerte, nothing charging the People for their bodely lyuelode. But because that many Priestes do contrary to *Paul* in this forsayde Doctryne; *Paul* biddeth the People take hede to those Preyistes that folow him as he had geuen them example. As, if *Paul* wolde say thus to the People, Accept ye none other Priestes than thei that lyue after the fourme that I haue tauchte you. For certeyn in whatsoever Dignite or Ordre that ony Prieste is in, yf he conforme him not to folowe Christe and his Apostles in wilful Pouerte, and in other heuenly Vertues, and specially in true preachyng of Goddes Worde; though soche a one be named a Prieste, yet he is no more but a Prieste in name, for the worke of a very Prieste soch a one wanteth. This Sentence approueth *Augustine, Gregory, Chrysofome, and Lincoln* plainly.

And the Archebishop said to me, Thinkest thou this holsome Learninge for to sowe openly, or yet priuely among the People? Certeyn this Doctryne contrarieth playnly the Ordinaunce of holy Fathers, which haue ordened, graunted and licensed Priestes to be in diuerse Degres, and to lyue by Tythes and Offrynges of the People, and by other Dewties.

And I said, Syr, if Priestes were now in measurable mesure and nombre, and lyued vertuously, and taucht besyly and truely the Word of God by example of Christ, and of his Apostles, withouten Tythes, Offerynges, and other Dewties that Priestes now chalenge and take, the People wolde gyue them freely sufficient lyuelode.

And a Clerke said to me, How wilt thou make this good that the People will gyue frely to Priestes their lyuelode, syns that now by the Lawe euery Prieste can scarcely constrayne the People to gyue them their lyuelode?

And I said, Sir, it is now no wonder, though the People grudge to gyue Priestes the Lyuelode that they aske; for mekill People knowe now how that Priestes shulde lyue, and how that they lyue contrary to Christe and to his Apostles: And therefore the People is full heuy to paye (as they do) their temporall Goodes to Persones, and to other Vicares and Priestes, which sholde be feithfull Dispensatours of the Pareshes Goodes, taking to themselves no more but a scarce Lyuing of Tythes nor of Offrynges by the Ordinaunce of the comon Lawe. For whatsoever Priestes take of the People, be it Tythe or Offering, or ony other Dewtie or Seruyce, the Priestes ought not to haue thereof no more but a bare Lyuing, and to parte the Residew to the poore Men and Women specially of the Parishes, of whom they take this temporall Lyuyng. But the most dele of Priestes nowe wasteth their Pareshes Goodes, and spendeth them at their owne Will after the Worlde in their veyne Lustes, so that in few places poore Men haue dewly (as they sholde haue) their owne Sustenance, nother of Tythes nor of Offerynges, nor of other large Wages and

Foundations that Priestes take of the People in diuerse maners aboute it, that they neede for nedeful Sustenance of Meat and Clothyng. But the poore nedy People ar forsaken, and left of Priestis to be susteynd of the Paroshenis, as if the Priestis toke nothing of the Paroshenis, for to help the poor People with. And thus, Syr, into ouer great Chargis of the Paroshenis they pay their Temporal Goods twise, wher ones myght suffice, if Priestis wer trew Dispensatours. Also Sir, the Paroshenis that pay their temporal Goodes (be they Tythes or Offerings) to Priestis that doo not their Office among them justely, are parteners of euery Synne of those Priestis; because that they susteyne those Priestis soly in their Synne with their temporall Goods. Yf thes things be well considerid, what wonder is it than, Syr, if the Paroshenis grudge ageinst thes Dispensatours?

Than the Archebishop said to me, Thou that sholdest be judged and reulyd by holy Chirche, presumptuously thou demest holy Chirche to haue erryd in the Ordinaunce of Tythes and other Dewties to be payd to Priestis. It shall be long or thou thryue Losell, that thou despicest thy gostely Mother, how darist thou speake this Losell among the People? Ar not Tythes geuyn to Priestis for to lyue by?

And I said, Sir, Seynt *Paul* saith that Tythes wer gyuen in the old Lawe to *Leuites* and to Priestis, that came of the Lynage of *Leui*; but our Priest he saith came not of the Lynage of *Leui*, but of the Lynage of *Juda*; to which *Juda* no Tythes were promised to be geuyn. And therefore *Paul* saith, syns the Priesthode is chaunged from the Generacion of *Leui* to the Generacion of *Juda*, it is necessary that chaungyng also be made of the Lawe. So that Priestis lyue now without Tythes and other Dewties that they now claime, folowinge Christe and his Apostles in wilfull Pouertie, as they haue geuyn them example. For syns Christe lyued all the tyme of his preaching by pure almes of the People, and by example of hym his Apostles lyued all the same wyse, or els by the trauell of their Handis, as it is said aboute, euery Prieste whose Priesthode Christe approuyth knowith well, and confessith in Worde and in Werke, that a Disciple owith not to be aboute his Master; but it sufficeth to a Disciple to be as his Master, symple, and pure, meke and patient; and by example specially of his Master Christe, euery Priest shoulde reule hym in all his lyuyng, and so after his connyng and power a Prieste sholde besy hym to enfourme, and to reule whome soeuer he myght charitably,

And the Archebishop said to me with a great Spirite, Goddis curse haue thou and myne for this teaching; for thou woldist hereby make the olde Lawe more fre and perfect than the new Lawe. For thou saist that it is lesfull to *Leuites* and to Priestis to take Tythes in the old Lawe, and so to enjoye their Priuilegies; but to us Priestis in the new Lawe thou saist it is not lesfull to take Tythes: and thus thou geuiest *Leuites* of the olde Lawe more fredome than to Priestis of the new Lawe.

And I said, Sir, I mervell that ye vnderstonde this playne Text of *Paul* thus. Ye wote well, that the *Leuites* and Priests in the olde Lawe that tooke Tythes, wer not so fre nor so perfite as Christe and his Apostles that tooke no Tythes. And Sir, there is a Doctour (I thinke that it is Seynt *Jerome*) that saith thus, The Priestis that chalenge

challenge now in the new Lawe Tythes, say in effecte, that Christe is not becomen Man, nor that he hath yet suffered dethe for Mannis loue. Wherefore this Doctour saith thys Sentence, Syns Tythes were the Hyres and Wagis limyted to *Leuites* and to Priestes of the olde Lawe for bearing about of the Tabernacle, and for sleayng and fleayng of Beastis, and for burning of Sacrifice, and for keeping of the Temple, and for tromping of Battell before the oste of *Israel*, and other diuerse Obseruauncis that pertaine to their Office; those Priestis that will challenge or take Tythes, denye that Christe is comen in Flethe, and doo the Priestis Office of the old Lawe for whome Tythes were graunted; for els (as this Doctour saith) Priestis take now Tythes wrongfully.

And the Archebishop said to his Clerkes, Herde ye euer losell speake thus? Certeyn this is the Learning of them all, that wher so ever they come, and they may be suffered, they enforce them to expunge the freedome of Holy Chirche.

And I said, Sir, why call you the takyng of Tythes, and of soche other Dewties that Priestes challenge now wrongfully, the fredome of holy Chirche? syns nother Christe nor his Apostles chalengid nor tooke soche Dewties. Herefore thes takyngis of Priestis now ar not callyd justely the fredome of Holy Chirche; but all soche geuyng and takyng ought to be called and holden the sclauderous couetoufnesse of Men of the Holy Chirche.

And the Archebishop said to me, Why Losell wilt not thou and other that ar confedered with the, seake out of holy Scripture, and of the Sentence of Doctours, all sharp Authorities ageynst Lordis, and Knyghtis, and Squyeris, and ageynst other Seculer Men, as thou doelste ageynst Priestes?

And I said, Sir, what so euer Men or Women, Lordis or Ladies, or any other that ar present in our preaching specially, or in our communynge, after our connyng we tell out to them their Office and their Charges; but Syr, syns *Christostome* saith, that Priestis ar the Stomake of the People, it is needfull in preaching and also in communynge, to be most besy about this Priesthode, syns by the vicioufnes of Priestis both Lordis and Commons ar mozte synfully infected and ledde into the worste: And because that the couetoufnes of Priestis, and Pride and the boste that they haue and make of their Dignity and Power, destroieth not only the Vertues of Priesthode in Priestis themselfe, but also ouer this, it stiereth God to take greate Vengeance both upon Lordis and upon Comons, which suffer thes Priestes charitably.

And the Archebishop said to me, Thou judgest euery Prieste proude that will not go arayed as thou doste. By God I deme hym to be more meke that goeth euery day in a scarlet Gowne, than thou in that threde bard blew Gowne. Whereby knowest thou a proude Man?

And I said, Sir, a proude Prieste may be knowen when he denyeth to folow Christe, and his Apostles in wilfull Pouerte and other Vertues, and couetith worldly Worship, and taketh it gladly, and gatherith to gither with pletyng, manasyng, or with flattering, or with Simony ony worldly Goodis: and mozte if a Prieste besy hym not chefely in himself, and after in all other Men and Women, after his connyng and power to withstond Synne.

And the Archebishop said to me, Though thou knewest a Prieste to haue all thes Vices, and though sawest a Prieste louely lye now by a Woman, knowing hir fleschly; woldest thou herfore deme this Prieste dampnable? I say to the, that in the tournyng about of thy Hande soche a Synner may be verily repented.

And I said, Sir, I will not dampne any Man for any Synne that I know done or may be done, so that the Synner leueth his Synne. But by Authority of holy Scripture, he that synneth thus openly as ye shew here, is dampnable for doying of soche a Synne, and most especially a Prieste that sholde be example to all other for to hate and flie synne; and in how short tyme that euer ye say that soche a synner may be repented, he oweth not of hym that knoweth not his synnyng to be judged verily repentaunt, without open euidence of greate shame and hartly sorow for his Synne. For whosoever, and specially a Prieste that vseth Pride, Enuy, Couetoufnes, Lechery, Simony, or ony other Vices; and shewith not as opyn euidence of Repentaunce as he hath gyuen euyll example and occasion of synning, if he contynew in ony soche Synne as long as he may, it is likely that Synne leueth hym, and he not Synne; and as I vnderstonde, soche a one synneth unto Dethe, for whome no body oweth to pray, as Seynt *John* saith.

And a Clerke said than to the Archebishop, Sir, the lenger that ye appose him, the worse he is; and the more that ye besy you to amende him, the waiwarder he is: for he is of so shrewde a kynde, that he shamyth not onely to be hymself a foule neste, but without Shame he besieth him to make his Neste fouler.

And the Archebishop said to his Clerke, Suffer a while, for I am at an ende with him: for there is one other poynte certified ageynst hym, and I will heare what he saith thereto.

And so than he said to me, Lo it is here certified ageynst the, that thou preachidst openly at *Shrewisbury*, that it is not lefull to sweare in ony case.

And I said, Sir, I preached neuer so openly, nor I haue not tauchte in this wise in ony place. But Sir, as I preachid in *Shrewisbury*, with my Protestacion I say to you now here; that by the Authority of the Gospel and of Seynt *James*, and by witnesse of diuerse Seyntis and Doctours, I haue preachid openly in one place or other, that it is not lefull in ony case to sweare by ony Creature. And ouer this, Sir, I haue also preachid and tauchte by the forsaide Authorities, that no body sholde sweare in ony case; if that without Othe in ony wyse he that is charged to sweare myght excuse hym to them that haue power to compell hym to sweare in lefull thyng and lafull. But if a Man may not excuse hym without Othe to them that haue power to compell hym to sweare, than he ought to sweare only by God, takyng him onely that is sothefastnesse, for to witnesse the sothefastnesse.

And then a Clerke asked me yf it wer not lefull to a Subjecte at the bidding of his Prelate for to knele down and towche the holy Gospell Booke and kyffe it, saying, So helpe me God and this holy Dome; for he sholde after his connyng and power do all thyng that his Prelate commaundeth hym.

¶ And I said to them, Sirs, ye speke here full generally or largely: What if a Prelate commaunded his Subjecte to doo an unlauffull thyng, should he obey thereto?

And the Archebishop said to me, a Subjecte ought not to suppose that this Prelate will bidde him doo an unlauffull thing; for a Subjecte ought to thinke, that his Prelate will bidde hym doo nothing but that he will answere for before God that it is lesfull; and than though the bidding of the Prelate be unlesfull, the Subjecte hath no parell to fulfill it, syns that he thinketh and judgeth that what so euer thing his Prelate biddeh him doo, that it is lesfull to hym for to doo it.

And I said, Sir, I truste not hereto. But to our firste purpose, Sir, I tell you that I was onys in a gentill Mannis House, and there war than two Clerkes there, a Master of Diuinite, and a Man of Lawe, which Man of Lawe was also communing in Diuinite; and among other thinges thes Men spake of Othes, and the Man of Lawe said, At the bidding of his Souereign which hadde Power to charge hym to sweare, he wold lay his Hand upon a Booke, and heare his Charge; and if his Charge to his understandinge were unlesfull he wolde hastely withdrawe his Hande from the Booke: and if he perceiued his Charge to be lesfull, he wolde holde still his Hande upon the Booke, takyng there only God to witnesse, that he wolde fulfill that lesfull Charge after his power. And the Master of Diuinitie said than to hym thus, Certeyn he that leyeth his Hande upon a Booke in this wyse, and makyth there a Promesse to doo that thing that he is commaunded, is obliged there by Booke Othe than to fulfill his Charge. For no doute he that chargeth hym to lay his Hande thus upon a Booke towching the Booke and swearing by it, and kyssing it, promysing in this fourme to doo this thyng or that, will say and witnesse that he that towcheth thus a Booke and kysseth it, hath sworne upon that Booke: and all other Men that see that Man thus doo, and also all tho that heare hereof in the same wyse, will saye and witnesse, that thys Man hath sworne upon a Boke: wherfore the Master of Diuinite sayde, it was not lesfull nother to gyue nor to take ony soche charge upon a Boke, for euery Boke is nothing els but diuerse Creatures of whiche it is made of. Therefore to sweare upon a Boke, is to sweare by Creatures, and this swearinge is euer unlesfull. This Sentence witnesseth *Christostome*, plainly blaming them greatly that bring forthe a Boke for to sweare upon, charginge Clerkes that in no wise they constrayne ony body to sweare, whether they think a Man to sweare true or false.

And the Archebishop and his Clerkes scorned me, and blamyd me greatly for this sayyng. And the Archebishop manassed me with great Punishment and sharpe, except I leste this Opinion of swearinge.

And I saide, Sir, this is not myne Opinion, but it is the Opinion of Christe our Sauyour, and of Seynt *Jamis* and of *Christostome*, and other diuerse Seyntes and Doctours.

Than the Archebishop badde a Clercke rede the Homely of *Christostome*, which Homely thys Clerke helde in his Hande written in a Roll, which Rolle the Archebishop caused to be taken from my Fellow at *Canterbury*; and so than this Clercke redde this Roll till he came to a Clause, wher

Christostome faithe, that it is synne to sweare well.

And than a Clerke (*Malueren*, as I gesse) said to the Archebishop, Sir, I pray you were of him, how that he vnderstondeth *Christostome* here, saing it to be synne to swere well.

And so the Archebishop asked me how I vnderstode here *Christostome*.

And certeyne I was somewhat afraide to answere hereto, for I had not besyed me to study about the Sense thereof; but lyfting up my Mynde to God, I prayed him of Grace. And as faste as I thought how Christe said to his Apostles, *Whan for my Name ye shall be brought before Judges, I shall gyue into your Mouth Wisdome, that your Aduersaryes shall not ageynst saye*; and trustyng feithfully in the Worde of Gode, I said, Sir, I know well that many Men and Women haue now swearing so in Custome, that thei know not nor will not knowe that they do euell for to sweare as they do; but they thinke and say that they do well for to sweare as they do, though they know well that they sweare vntruely. For they saye, they may by their swearing (though it be false) voide blame or temporall harme, which they sholde haue yf they sweare not thus. And, Sir, many Men and Women maynteyne strongly that they sweare well, whan that thing is sothe that they sweare for. Also full many Men and Women now say, that it is well done to swear by Creatures, whan they may not (as they saye) otherwise be beleued. And also full many Men and Women now say, that it is well done to sweare by God, and by our Ladye, and by other Seyntes, for to haue them in Mynde. But syns all these Saiynges are but Excusations and Synne, me thinketh, Sir, that this Sentence of *Christostome* may be alleged welle ageynste all soch Swerers, witnessyng that all thes synne greuouly, though they thinke themself for to swear in this forsaide wyse well. For it is euyll done and great synne for to sweare trewthe, whan in ony manner a Man may excuse him without Othe.

And the Archebishop said, that *Christostome* might be thus vnderstode.

And than a Clerke said to me, Wilt thou tarye my Lorde no lenger, but submit the here mekely to the Ordinaunce of Holy Chirche, and laye thyne Hande upon a Booke touching the Holy Gospell of God, promysinge not onely with thy Mouth, but also with thyne Harte to stande to my Lordes Ordinaunce?

And I said, Sir, haue I not told you here, how that I herde a Master of Diuinitie say that in soche a case it is all one to touche a Boke, and to sweare by a Boke?

And the Archebishop said, There is no Master of Diuinitie in *England* so great, that yf he hold this Opinion before me, but I shall punishe him, as I shall do the, except thou swear as I shall charge the.

And I said, Sir, is not *Christostome* an ententyfe Doctour?

And the Archebishop said, Ye.

And I sayde, Yf *Christostome* proueth hym woorthy great blame that bryngeth forthe a Boke to swere upon, it muste nedes folowe that he is more to blame that sweareth on that Boke.

And the Archebishop said, Yf *Christostome* ment accordingly to the Ordinaunce of Holy Chirche, we will accepte him.

And than said a Clerke to me, Ys not the Worde of God and God himself equipollent, that is, of one Authorite?

And I saide, Ye.

Than he said to me, Why wilt thou not sweare than by the Gospell of God, that is Gods worde, fyns it is all one to sweare by the Worde of God, and by God himselfe?

And I said, Sir, fyns I may not nowe other wyse be beleued but by swearynge, I perceyue (as *Augustine* saithe) that it is not spedfull that ye that shold be my Brothern sholde not beleue me: therefore I am redy by the Worde of God (as the Lorde commaunded me by his Worde) to sweare.

Then the Clerke said to me, Laye than thyne Hande upon the Boke, touching the Holy Gospell of God, and take thy Charge.

And I said, Sir, I vnderstonde that the holy Gospell of God may not be touched with Mannes Hande.

And the Clerke saide, I fonded, and that I sayde not trewth.

And I asked this Clerke, whether it wer more to reade the Gospell, or to touche the Gospell.

And he said, it was more to reade the Gospell.

Than I said, Sir, by Authorite of Seynt *Jerome*, the Gospell is not the Gospell for reding of the Letter; but for the beleue that Men haue in the Worde of God, that it is the Gospell that we beleue, and not the Letter that we rede: for because the Letter that is touched with Mannes Hande is not the Gospell, but the Sentence that is verely beleued in Mannis Hart is the Gospell. For so Seynt *Jerome* saith, the Gospell that is the vertue of Goddes Worde is not the Leauys of the Boke, but it is in the Root of Reason. Nother the Gospell (he saith) is in the Writing aboue of the Letters; but the Gospell is in the marking of the Sentence of Scriptures. This Sentence approueth Seynt *Paule*, saynge thus, The Kingdome of God is not in Worde, but in Vertue. And *Dauid* saith, the Voice of the Lorde, that is his Worde, is in Vertue. And after *Dauid* saith, Thorow the Worde of God, the Heauens were fourmed, and in the Spirite of his Mouth is all the Vertue of them. And I pray you, Syr, vnderstonde ye well how *Dauid* saith, that in the Spirite of the Mouthe of the Lorde is all the Vertue of Angells and of Men?

And the Clerke said to me, Thou woldest make us to fonde with the: Saye we not that the Gospellis are written in the Masse-Boke?

And I sayde, Syr, though Men use to saye thus, yet it is unperfyte Speche. For the principall parte of a thinge is properlye the hooll thyng: for lo, Mannes Soule, that may not now be sene here, nor touched with ony sensible thing, is properlye Man. And all the Vertue of a Tree is in the Roote thereof, that maye not be sene; for do awaye the Roote, and the Tree is destroyed. And, Syr, as ye sayde to me right nowe, God and hys Worde are of one Authoritie; and, Syr, Seynte *Jerome* witneseth that Christe, very Godde and very Man, is hidde in the Letter of his Lawe: thus also, Syr, the Gospell is hidde in the Letter. For, Syr, as it is full likely many diuerse Men and Women here in the Erthe touched Christe, and sawe hym and knewe his bodeley Person, which nother touched nor sawe, nor knewe ghostely his Godhede: right thus, Sir,

many Men now touche and see, and write and rede the Scriptures of Goddis Lawe, whiche nother touche, see nor rede effectuallye the Gospell. For as the Godhede of Christe, that is the Vertue of God, is knowen by the Vertue of thorowe Belefe, so is the Gospell, that is Christes Worde.

And a Clerke said to me, Thes be full mystic Matters, and unfaucery, that thou shewest here to vs.

And I said, Sir, if ye that ar Masters know not playnly this Sentence, ye may fore drede that the Kingdome of Heuene be taken fro you, as it was fro the Princes of Priestes, and fro the Elders of the Jewes.

And than a Clerke (as I gesse *Malueren*) sayde to me, Thou knowest not thyne Equiuocacyons, for the Kyngdome of Heuene hathe diuerse vnderstondinges. What callest thou the Kingdome of Heuene, in this Sentence that thou shewest here?

And I said, Sir, by good Reason and Sentence of Doctours, the Realme of Heuene is called here the vnderstonding of Godes Worde.

And a Clerke said to me, Frome whome thinkest thou that this vnderstondinge is taken awaye?

And I said, Sir, by Authorite of Christe himselfe, the effectuall vnderstondinge of Christes Worde is taken awaye from all them chesely, whiche are greate lettered Men, and presume to vnderstonde high thynges: and will be holden wise Men, and desyre Mastershippe and hie State and Dignite; but they will not conforme them to the lyuyng and teaching of Christe and of his Apostles.

Than the Archebishop said, Well, well, thou wilt judge thy Souereyns. By God the Kyng doeth not his Deutie, but he suffer the to be condemned.

And than another Clerke said to me, Why on *Friday* that last was, counseldest thou a Man of my Lordes, that he sholde not shriue him to Man, but only to God?

And with this asking I was abasshed, and than by and by I knewe that I was fittely betrayed of a Man that came to me in Presone on the *Friday* before, comunyng with me in thys matter of Confessyon; and certayn by his Wordes (I thoughte) that this Man came than to me of full feruent and charitable Will: But knowe I nowe he came to tempt me, and to accuse me (God forgyue him, yf it be his will). And with all myne Harte whan I hadde thoughte thus, I said to this Clerke, Sir, I pray you that ye wolde fetche this Man hither; and all the Wordes as nere as I can repete them, which that I spake to hym on *Friday* in the Pryson, I will reherse nowe here before you all, and before hym.

And (as I gesse) the Archebishop said than to me, They that are nowe here suffylse to repete them: How saidest thou to him?

And I said, Sir, that Man came and asked me of diuerse thinges; and after his askyng I answered hym (as I vnderstode) that goode was: and as he shewed to me by his Wordes, he was sory of his lyuyng in Courte, and right heuy for his owne vicious lyuyng; and also for the Viciousnesse of other Men, and speciallye of Priestes euyl lyuyng: and herefore he sayde to me with a sorrowfull Harte (as I gesse) that he purposed fully within shorte tyme for to leaue the Court, and besy him to know Gods Lawe, and

and to conforme all his Lyfe thereafter. And whan he hadde said to me thes Wordis and mo other, which I woulde reherse and he wer present, he praid me to heare his Confession. And I said to hym, Sir, wherfore come ye to me to be confessed of me? ye wote well that the Archebifhop puttith and holdeth me here as one unworthy, other to gyue or to take any Sacrament of Holy Chirche.

And he said to me, Brother I wote well, and fo wote many mo other, that you and soche other ar wrongfully vexed, and herefore I will comon with you the more gladly. And I said to hym, Certeyn I wote well that many Men of this Court, and specially the Priestis of this Housholde, wolde be full euyll a payde, both with you and with me, if they wiste that ye wer confessed of me. And he said that he cared not therefore, for he hadde full litle Affection in them: and (as me thought) he spake thes Wordis, and many other, of so goode Will, and of so hye Desire, for to haue knowen and done the pleafant will of God. And I said than to hym, as with my foresaid Protestacion I say to you now here; Sir, I counsell you for to abiente you frome all euyll Company, and to drawe you to them that looue and besy them to knowe and to keape the Preceptis of God: and than the good Spirite of God will mooue you for to occupie besily all your Wittes, in gathering to gither of all your Synnes, as far as ye can bethinke you, shamynge greatly of them and sorrowyng hartely for them: ye, Sir, the holy Goste will than put in your Harte a good will, and a feruent Desyre for to take and to holde a good purpose to hate euer, and to flie (after your connyng and power) all occasion of Synne: and so than Wysdome shall come to you frome aboue, lightenyng with diuerse Beamis of Grace, and of heuenly desyre, all your Wittes, enfourmyng you how ye shall truste stedfastely in the Mercie of the Lorde, knouledgyng to him onely all your vicious Lyuyng, praying to him euer deuoutely of charitable Counsell and Continuance, hoping without doute, that yf ye contynew thus besiyng you feithfully to knowe and to keape his biddingis, that he will (for he only may) forgyue you all your Synnes. And this Man said than to me, Though God forgyue Men their Synnes, yet it behoueth Men to be affoyled of Priestis, and to doo the Penance that they enjoyne them. And I said to him, Sir, it is all one to affoyle Men of their Synnes, and to forgyue Men their Synnes: Wherfore syns it perteinyth onely to God to forgive Synne, yt suffisith in this case to counsell Men and Women for to leave their Synne, and to comforte them that besye them thus to doo, for to hope stedfastely in the Mercie of God. And ageynward, Priestis owght to tell sharpely to customable Synners, that if they will not make an ende of their Synne, but contynew in diuerse Synnes while that they may synne, all soche delerue Peyn without any ende. And herefore Priestis shoulde euer besy them to liue well and holily, and to teache the People besely and trewly the Worde of God, shewing to all folke in open preaching, and in preuy counselyng, that the Lorde God onely forgeuyth Synne. And therefore those Priestis that take upon them to affoyle Men of their Synnes, blaspheme God: syns that it perteinyth only to the Lorde to affoyle Men of all their Synnes. For no doubtte a thousande Yeaere after that Christe was Man, no

Prieste of Christe durste take upon hym to teache the People nother priuely nor apertely, that they behoouyd nedis to come to be affoyled of them, as Priestis now doo. But by Authoritie of Christis Worde, Priestis bound indured customable Sinners to euerlasting Peyns, which in no tyme of their lyuyng wolde besy them feithfully to know the biddinges of God, nor to keape them. And ageyn, all they that would occupie all their Wittes, to hate and to flie occasion of Synne, dreding over all things to offend God, and loouyng for to please him continually, to thes Men and Women, Priestis shewid how the Lorde affoileth them of all their Synnes. And thus Christe promysed to conferme in Heuen all the binding and loosyng, that Priestis by Authorite of his Worde bynde Men in Synne that ar indured therein, or loose them out of Synne here upon Erthe that ar verely repentaunt. And this Man hearing thes Wordis said, that he myght well in Conscience consent to this Sentence; but he said, Is it not needful to the Lay People that cannot thus doo, to go shriue them to Priestis? And I said, yf a Man feale himself so distrobed with ony Sinne that he cannot by his owne Witte auoide this Synne without Counsell of them that ar herein wyser than he, in soche a case the Counsell of a goode Prieste is full necessarie. And if a good Prieste faile, as they do now commonly, in soche a case Seynt *Augustine* saith that a Man may lefully comon and take Counsell of a vertuous Seculer Man; but certeyn that a Man or Woman is ouer laden and to bestely, which cannot brynge their owne Synnes into their Mynde, besiyng them Night and Day for to hate and to forsake all their Synnes, doyng a fighe for them after their connyng and power. And, Sir, full accordingly to this Sentence, upon Midlenton *Sunday* two Yeaere (as I gesse) now agone, I harde a Monke of *Faversham*, that Men called *Moredon*, preache at *Canterbury* at the Crosse within *Christe-Church* Abbey, saiying thus of Confession: As thorow the Suggestion of the Fende, without counsell of any other body, that of themself many Men and Women can ymagine, and fynde meanys and wayes inough to come to Pride, to Thefte, to Lechere, and to other diuerse Vyces: In contrarie wyse this Monke said, Syns the Lorde God is more redy to forgyue Synne than the Fende is or may be of power to mooue ony body to Synne, than who so euer will shame and sorow hartely for their Synnes, knouledging them feithfully to God, amending them after their power and connyng, without counsell of ony other body than of God and hymself, thorow the Grace of God, all soche Men and Women may fynde sufficient meanys to come to Goddis Mercie, and so to be cleane affoyled of all their Synnes. This Sentence I said, Sir, to this Man of yours, and the selfe Wordis as nere as I can gesse.

And the Archebifhop said, Holy Chirche approueth not this Learnynge.

And I said, Sir, Holy Chirche of which Christe is hed in Heuen and Erthe, must nedys approue this Sentence. For lo hereby all Men and Women may, if they will, be sufficiently tauchte to know and to keape the Commaundementis of God, and to hate and to flie continewally all occasion of Synne, and to looue and to seke Vertues besely, and to beleue in God stably, and to truste in his mercy stedfastly, and so to come to perfite Charite, and contynew therein perseuerent-

ly. And more the Lorde askith not of ony Man here now in this Lyfe; and certeyn, syns Jesu Christe dyed upon the Crosse wilfully to make Men fre, Men of the Chirche ar to bolde and to besy to make Men thrall, bynding them under the peyne of endlesse Curse (as they say) to doo many Observaunces and Ordinauncis, which nother the luyng nor teaching of Christe, nor of his Apostles approueth.

And a Clerke said than to me, Thou shewist playnely here thy Disceite which thou haste learned of them that trauell to sowe Popill among Wheate. But I counsell the to go away clene frome this Learning, and submyt the lowly to my Lorde, and thou shalt fynde hym yet to be gracious to the.

And as faste than another Clerke said to me, How wast thou so bolde at *Paulis Crosse* in *London*, to stonde there harde with thi Tippet bounden about thyne Hedde, and to repreue in his Sermonne the woorthy Clerke *Alkerton*, drawyng away all that thou myghtist; ye and the same Day, at afternone thou metyng that woorthy Doctour in *Watlyng-strete*, callidst hym false Flaterer and Ypocrite.

And I said, Sir, I thynk certainly that there was no Man nor Wooman that hated verely Synne, and loouyd Vertues, hearing the Sermonne of the Clerke of *Oxforde*, and also *Alkerton's* Sermonne; but they sayd or might justely say, that *Alkerton* reproouyd the Clerke untrewly, and sclaudered hym wrongfully and uncharitably. For no doute if the luyng and teaching of Christe chefely, and of his Apostles be trewe, no body that looueth God and his Lawe, will blame any Sentence that the Clerke than preachid there, syns by Authorite of Goddis Worde, and by approued Seyntis and Doctours, and by open Reason, this Clerke approued all thingis clerly that he preached there.

And a Clerke of the Archebishops said to me, His Sermonne was false, and that he shewith openly, syns he dare not stande forthe, and defende his preaching that he then preached there.

And I said, Sir, I thinke that he purposith to stande stedfastely thereby, or els he sclaudereth fouilly hym self, and also many other that haue great Truste, that he will stande by the trewith of the Gospell. For I wote well his Sermonne is written both in *Latyne* and in *Englysch*, and many Men haue it, and they sett great pryse thereby. And Sir, if ye wer present with the Archebishop at *Lambeth* when his Clerke apered, and was at his Answer before the Archebishop, ye wote well that this Clerke denyed not there his Sermonne; but two days he maynteinyd it before the Archebishop and his Clerkis.

And then the Archebishop, or one of his Clerkis said, I wote not which of them, that Harlot shall be met with for that Sermonne. For no Man but he and thou, and soche other false Harlotis praisith ony soche preaching.

And then the Archebishop said, Your cursed Secte is besy, and it joieth right greatly to contrarie, and to destroye the Priuilege and Fredome of Holy Chirche.

§ And I said, Sir, I knowe no Man that trauell so besely as this Secte dothe (which you repreue) to make Rest and Peace in holy Chirche. For Pride, Couetousnesse and Simony which distrooble moste Holy Chirche, this Secte hatith and fliethe, and trauellith besely to mooue all other Men in lyke maner unto Meaknesse; and wilfull

Pouerte and Charite, and fre miniftryng of the Sacramentis, this Secte louyth and vsith, and is full besy to mooue all other Folkis thus to doo. For thes Vertues owe all Membres of Holy Chirche to their hedde Christe.

Than a Clerke said to the Archebishop, Sir, it is ferre Daies, and ye haue ferre to ryde to Nyght; therefore make an ende with him, for he will none make. But the more, Sir, that ye besy you for to drawe hym toward you, the more contunax he is made, and the ferder from you.

And than *Malueren* said to me, *William* knele downe and praye my Lorde of Grace, and leaue all thy Fantasies, and become a Childe of Holy Chirche.

And I said, Sir, I have praied the Archebishop ofte, and yet I pray hym for the looue of Christe, that he will leaue his Indignacion that he hathe ageinst me; and that he will suffer me after my connyng and power, for to doo myne Office of Priestehode, as I am chargid of God to do it. For I couete nought els but to serue my God to his pleasing, in the state that I stande in, and haue taken me to.

And the Archebishop said to me, Yf of good Harte thou wilt submyt the now here mekely to be reulid fro this tyme forthe by my counsell, obeyng meekly and wilfully to myne Ordinaunce, thou shalt fynde it moste profitable and best to the for to doo thus. Therefore tary thou me no lenger, graunte to doo this that I haue said to the now here shortly, or deny it utterly.

And I said to the Archebishop, Sir, owe we to beleue that Jesu Christe was, and is very God and very Man?

And the Archebishop said, Ye.

And I said, Sir, owe we to beleue, that all Christis luyng and his teaching is trewe in euery poynte?

And he said, Ye.

And I said, Sir, owe we to beleue, that the luyng of the Apostles, and the teaching of Christe, and of all the Prophetes, are true, which are written in the Bible for the Health and Saluacion of Goddes People?

And he said, Ye.

And I said, Syr, owe all christen Men and Women after their connyng and power for to conforme all their luyng to the teaching specially of Christe, and also to the teaching and luyng of his Apostles, and of Prophetes, in all thinges that are plefant to God, and edification to his Churche?

And he said, Ye.

And I said, Sir, ought the Doctine, the bidding or the counsell of ony body to be accepted or obeid unto, excepte this Doctine, thes biddinges or this counsell may be graunted and affermed by Christes luyng and his teaching specially, or by the luyng and teaching of his Apostles and Prophetes?

And the Archebishop said to me, Other Doctine ought not to be accepted, nor we owe not to obey to any Mannes bidding or counsell, except we can perceyue that this bidding or counsell accordeth with the bidding and teaching of Christe, and of his Apostles and Prophets.

And I said, Sir, is not all the learninge and biddinges and counsellis of Holy Chirche meanes and healfull remedies to know and to withstond the preuy Suggestions, and the aperte Temptacions of the Fende; and also wayes and healfull remedies to flee Pride, and all other dedely Synnes, and the

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Braunches of them; and fouereyn meanes to purchase Grace, for to withstonde and ouercome all the fleschly Lustes and Mouynges?

And the Archebishop said, Ye.

And I said, Sir, whatsoever thing ye or any other body bid or counsell me to do, accordingly to this forsaide Learning, after my connyng and power throwe the helpe of God I will mekely with all myne harte obey thereto.

And the Archebishop sayde to me, Submitte the than now here mekely and wilfully to the Ordinaunce of Holy Church, which I shall shewe to the.

And I said, Sir, accordingly as I haue here nowe before you rehered, I will now be redy to obey full gladly to Christe the hede of all Holy Church, and to the learnyng and biddynges and counselles of euery pleasyng Membre of hym.

Then the Archebishop striking with his Honde ferseylly upon a Cupborde, spake to me with a greate Spyrite, saying, By Jesu, but yf thou leaue soche Addicions obliging the now here, without any excepcion to myne Ordinaunce, or that I go out of this place, I shall make the as sure as any These that is in the Pryson of *Lantern*. Aduyle the now what thou wilt do: and than as if he had ben angered, he went fro the Cupborde where he stode to a Wyndowe.

And than *Malueren* and another Clerke came nerer me, and they spake to me many Wordes full plesently: and another while they manased me, and counselled full besily to submyt me, or els they sayde, I shoulde not escape ponishing ouer mesure; for they saide I shoulde be degraded, cursed and burned, and so than dampned. But now they said, thou maiste eschewe all these Mischeues, yf thou wilt submit the wilfully and mekely to thys worthy Prelate that hath cure of the Soule. And for the pytie of Christe (said they) berhinke the, howe great Clerkes the Bishop of *Lincoln*, *Herford*, and *Purney*, wer and yet are, and also *B.* that is a well vnderstondinge Man, which also haue forsaken and reuoked all the Learnynge and Opinions, that thou and soche other holde. Wherefore syns eche of them is mekill wyser than thou arte, we counsell the for the beste, that by the example of thes four Clerkes thou folowe them, submyttinge the as they did.

And one of the Bishopes Clerkes said than there, that he herde *Nicoll Herforde* say, that syns he forsoke and reuoked all the Learning and Lolardes Opinions, he hathe had mekill greater Favour, and more delyte to holde ageinst them, than euer he hadde to holde with them while he helde with them.

And therefore *Malueren* said to me, I vnderstonde and thou wilt take the to a Priest, and shryue the clene; forsake all soch Opinions, and take thy Penance of my Lord here, for the holding and teaching of them, with in shorte tyme thou shalt be greatly comforted in this doing.

And I said to the Clerkes that thus besily counselled me to folow thes forsaide Men, Sirs, if thes Men, of whome ye counsell me to take example, had forsaken Benefyces of Temporall Profyte, and of worldly Worshippe, so that they had absented them and eschewed frome all Occasyons of Couetousnesse, and of fleschely Lustes, and had taken them to symple lyunyng, and wilfull Pouerte, they hadde herein geuen goode example to me, and to many other to haue folowed them. But

now, syns all thes foure Men haue slaundrovfly and shamefully done the contrarye, consentyng to receyue and to haue and to holde Temporall Benefyces, lyuynge now more worldly and more fleschely than they did before, conformyng them to the Maners of this Worlde; I forsake them herein, and in all their forsaide slaunders doynge. For I purpose with the help of God into Remission of all my Synnes and of my foule cursed lyuynge, to hate and to fyre prively and apertly, to folow thes Men, teaching and counsellyng whomefoeuer that I may for to flye and eschewe the waye that they haue chosyn to go in, whiche will lede them to the worste ende, if in conuenient tyme they repente them not, verely forsakyng and reuokynge openly the Slaunder that they haue put and every Daye yet put to Christes Church. For certeyn so open Blasphemye and Slaunder as they haue spoken and done in their reuokynge and forsakyng of the treuthe; ought not, nor maye not priuely be amended dewly. Wherefore, Sirs, I praye you that ye besye you not for to moue me to folowe thes Men in reuokynge and forsakyng of the trewth and sothefastnesse as they haue done and yet doo, wherein by open euydence they steire God to greate wrothe, and not onely ageynst them selfe but also ageynste all them that faouere them or consente to them herein, or that comoneth with them, except it be for their amendement. For whereas thes Men firste were persued of Enemyes, now they haue obliged them by Othe for to slaunder and persue Christe in his Membres. Wherfor as I truste stedfastely in the Goodnes of God, the worldly Couetousnesse, and the lustie lyuynge, and the slyding fro the treuth of thes Runagates, shall be to me and to many other Men and Women an example, and an euidence to stonde the more stilly by the trewth of Christe. For certeyn, right many Men and Women doo marke and abhorre the foulnesse and cowardnesse of thes forsaide untrewre Men, howe that they are ouercome and stopped with Benefyces, and withdrawen fro the treuth of Goddes Worde, forsaking vtterly to suffer therfore bodely Persecucion. For by this vnfeithfull doynge and Apostasie of them, specially that ar great lettered Men and haue knowledged openly the treuth, and now other for Pleasure or Displeasure of Tyrantes haue taken Hyer and temporal Wages to forsake the Trewthe, and to holde ageinst it, slaundering and persewing them that couete to folowe Christ in the waye of Righteousnesse, many Men and Women therefore are nowe moued: But many mo, thorow the Grace of God, shall be moued hereby for to learne the Treuth of God, and to doo thereafter, and to stond boldely thereby.

Then the Archebischoppe sayde to his Clerkes, Besy you no lenger aboute hym; for he and other soche as he is are confedered so to gither, that they will not sweare to be obedient, and to submytte them to Prelates of holy Chirche. For nowe syns I stode here, his Felowe sent me worde that he will not sweare, and that he counselled hym that he shoulde not sweare to me. And, *Lofell*, in that thyng that in the is, thou haste besyed the to loose thys yonge Man; but blessed be God, thou shalt not haue thy purpose of hym: For he hath forsaken all thy Learnynge, submytting him to be buxum and obedient to the Ordinaunce of holy Church, and wepeth full bitterly, and curseth the full hartely for the venemous Teachyng whiche thou haste shewed to hym, counsellyng

him to doo thereafter. And for thy false counsel-lynge of many other and hym, thou haste greate Cause to be righte fory. For long tyme thou haste besied the to peruert whom so euer thou mightest; therefore as many Deashes thou arte worthy of, as thou hast geuen euell Councelles: And therefore by Jesu thou shalt go thyther, where *Nicoll Harforde* and *Tom Purnay* were herbered. And I vndertake, or thys daye eighte dayes thou shalt be righte gladde for to doo what thyng that euer I bydde the doo. And, Losell, I shall assaye if I can make the there as soroufull (as it was tolde me) thou waste gladde of my laste going out of *England*; by Seynt *Thomas* I shall tourne thy Joye into Sorowe.

And I sayde, Sir, there can no Body preue laulyly that I ioyed euer of the manner of youre goynge out of this Lande. But, Sir, to saye the sothe, I was joyfull whan ye were gone; for the Bishop of *London*, in whos Pryson ye leste me, founde in me no Cause for to holde me lenger in hys Pryson, but at the requeste of my Frenedes, he delivered me to them, asking of me no manner of submittyng.

Than the Archebishoppe said to me, Wherefore that I yede out of *England* is vnknown to the; but be this thinge well knowne to the, that God (as I wote well) hath called me ageyne, and broughte me into this Lande for to destroye the and the false Secte that thou arte of, as by God I shall persue you so naroulye, that I shall not leave a steppe of you in thys Lande.

And I said to the Archebishop, Sir, the holy Prophete *Jeremy* said to the false Prophete *Anany*, *Whan the Worde that is the Prophecye of a Propete is knowen or fulfilled, than it shall be knowen that the Lorde sent the Propete in treuthe.*

And the Archebishop, as if he hadde not been pleasid with my Saiynge, turned hym away warde hyther and thyther, and sayde, By God I shall sette upon thy Shynnes a pair of Perlis, that thou shalt be gladde to change thy Voice.

Thes and many mo wonderous and conuicious wordes were spoken to me, manassing me and all other of the same Secte for to be punished and destroyed vnto the vttermoste.

And the Archebishop called than to hym a Clerke, and rowned with him; and that Clerke went forthe, and sone he brought in the Constable of *Saltwode Castell*, and the Archebishop rowned a good while with hym, and than the Constable went forthe, and than cam in diuerse Seculers,

and they scorned me on euery syde, and manassed me greatly; and some counselled the Archebishop to burne me by and by, and some other counselled hym to drounde me in the Sea, for it is near hande there.

And a Clerke standyng besyde me there, knelede downe to the Archebishoppe, praiyng hym that he wolde delyuer me to hym for to saye Matenes with hym, and he wolde vndertake that within thre dayes I sholde not resiste any thyng that were commaunded me to doo of my Prelate.

And the Archebishop said, that he would ordeine for me himselfe.

And than after came in ageyn the Constable, and spake priuely to the Archebishop.

And than the Archebishop commaunded the Constable to lede me forthe thens with hym, and so he did; and whan we wer gone forthe thens, we wer sent after ageyn. And whan I came in ageyne before the Archebishop, a Clerke badde me knele downe, and aske Grace, and submit me lowly, and I sholde fynde it for the beste.

And I said than to the Archebishop, Sir, as I haue said to you diuerse tymes to day, I will wilfully and lowly obey and submit me to be ordenid euer after my Connyng and Power to God, and to his Lawe, and to euery Membre of holy Chirche, as ferre forth as I can perceyue that thes Membres accorde with their Hedde Christe, and will teach me, reule me, or chastyse me by Authorite specially of Goddis Lawe.

And the Archebishop said, I wiste well he wolde not without soche Addicions submit hym.

And than I was rebukyd, scornyd, and manasyd on euery syde; and yet alter this diuerse Persones cried vpon me to knele down and submit me, but I itood still and spake no worde: and than there was spokyn of me, and to me many greate Wordis: and I stode and herde them manasse, curse, and scorne me; but I said nothing.

Than a while after the Archebishop said to me, Wilt thou not submit the to the Ordinance of holy Chirche?

And I said, Sir, I will full gladly submit me, as I haue shewid you before.

And than the Archebishop badde the Constable to haue me forthe thens in haste; and so then I was led forth, and brought into a foul dishonest Prison, where I came never before.

After this it is not known what became of him; but most probably he died in Prison.

III. *The Trial and Examination of Sir JOHN OLDCASTLE*, Lord COBHAM, for HERESY, before the Archbishop of Canterbury, September 23, &c. 1413. the 1st of Henry V. Collected by John Bale.*

AFTER that the true Seruante of Jesus Chryst, *Johan Wycleue*, a Man of very excellent Lyfe and Learning, had for the space of more than xxvi. yeares mooste valeauntly battelled with the great Antichrist of *Europa*, or Pope of *Rome*, and

his diuersly disgyfed Host of anoynted Hypocrites, to restore the Church again to the pure Estate that Chryst left her in at hys Ascensyon, he departed hens most christely into the handes of God, the yeare of our Lord 1387, and was buried in his owne Parrish-Church at *Latterwoto* in

* Holin. Chron. 544. a. 1. Hall's Chron. 24. b. Stow's Annals, 344. c. See also Hale's H. P. C. Vol. 1. p. 141. & seq.

in *Lecestershere*. No small Nombre of godly Disciples left that good Man behynd hym to defend the Lowlynesse of the Gospell against the exceading Pryde, Ambition, Symony, Auarice, Ipocrysy, Whoredom, Sacrylege, Tyrannye, ydolatrourse Worshipinges, and other fylthy Frutes of those stifnecked Pharyses. Agaynst whome *Thomas Arundel*, than Archebishop of *Caunterbury*, so ferce as ever was *Pherao*, *Antiochus*, *Herodes*, or *Cayphas*, collected in *Pauls Church* at *London* an unyuersall Synode of all the Papisttall Clergye of *England*, in the yere of our Lord a M.CCCC. and xiii. as he had done diuerse other afore, to withstand their moost godly Enterpryse. And thys was the fyrst Yere of King *Henry* the Fifth, whom they had than made fit for theyr hande.

As these hygh Prelates with their Pharysees and Scribes were thus gathered in thys pestilent Councell against the Lord and his Woorde, fyrst there resorted vnto them the xii Inquisitours of Heresyces (whom they had appointed at *Oxford* the yere afore, to serche out Heretikes with all *Wicleues* Bookes) and they brought two hundreth and lxvi. faithfull Conclufyons, whome they had collected as Heresyces of the seyde Bokes. The Names of the seyd Inquisitours were these; *Johan Witnam* a Master in the *New-College*, *Johan Languedon* Monke of *Chry-Churche* in *Conterbury*, *Wilyam Ufforde* Regent of the *Carmelytes*, *Thomas Claxton* Regent of the *Dominikes*, *Robert Gylbert*, *Rycharde Earthydale*, *John Lucke*, *Rycharde Suedisbam*, *Richarde Flemming*, *Thomas Rottborne*, *Robert Rondbery*, and *Richard Grafdale*. In the meane season caused they their hyred Seruantes to blowe it forth abroade throughout all the hole Reame, that they were there congregated for an wholsome Unite and Reformacion of the Church of *England*, to stoppe so the Mouthes of the comen People. Such is always the comen Practise of these subtile Sorcerers, whyls they are in doing Mischiefe, to blere the Eyes of the vnlearned Multytude, with one false Craft or other.

After a certain Communication they concluded among themselves; that it was not possible for them to make whole Christes Cote without Seme (meaning thereby their patched Popysh Synagoge) onlesse certeyn great Men were brought out of the way; which semed to be the chiefe Mainteners of the seyde Disciples of *Wicleue*: Among whome the most noble Knight *Sir Johan Oldcastell*, the † Lord *Cobham*, was complained of by the generall Proctours, yea rather Betrayers of Christ in his faithful Membres, to be the chiefe Principal. Him they accused first for a mighty Maintener of suspected Preachers in the Diocesefes of *London*, *Rochefer*, and *Hereforde*, contrary to the Mindes of their Ordynaries: Not only they affirmed him to have sent thyder the seyd Preachers, but also to have assisted them ther by force of Armes, notwithstanding their sinodall Constitucion made afore to the contrarye. Last of all, they accused him, that he was farre other wise in Beleue of the Sacrament of the Altre, of Penance, of Pilgrymage, of Ymage-worshipping, and of the Ecclesiastycall Power, than the holy Church of *Rome* had taught many years afore.

In the ende it was concluded among them; that wythoute anye farther Delaye; Proceffe shulde oute agaynst hym, as agaynst a moost pernycyous Heretike.

Som of that Felloushypp; whyche were of more

craftye Experyence than the other; wold in no case haue that matter so rashlye handeled, but thought thys waye moche better. Consydering the seyd Lord *Cobham* was a Man of great Byrth, and in fauer at that tyme with the King; theyr Counsell was to know first the Kinges Mynde, to faue all thynges right vp. This Counsell was well accepted, and ther vpon the Archebishop *Thomas Arundell*, wythe his other Byshoppes, and a great part of the Clergy, went strayght wayes vnto the Kyng, as than remayninge at *Kenynnton*; and there layed forth most greuous Complayntes against the saied Lord *Cobham*, to his great Infamy and Blemyshe, being a Man most godly. The King gentilly harde those bloud thursty Rauenours; and farre otherwise than became his Princelye Dignite, he instauntly desyred them, that in respect of his noble Stock and Knighthode, they shuld yet fauourably deale with him; and that they wold, if it were possible, without all rigour or extreme handeling, reduce him again to the Churches Unite. He promised them also, that in case they were not contented to take some Deliberacion, his selfe wold ferously common the matter with him.

Anon after the Kyng sent for the seyde Lord *Cobham*; and as he was come, he called him secretly, admonishing him betwixt him and him, to submit him selfe to hys Mother the holy Church, and as an obedient Chyld to acknowledge him selfe culpable. Vnto whom the Christen Knight made this Answere, You most worthy Prince, faith he, am I always prompt and wylling to obeye, for so moche as I knowe you a Christen Kinge, and the appointed Minister of God, bearing the Sworde to the Punishment of Yll-doers, and for the Sauegarde of them that be vertuous. Unto you next my æternal God, owe I my whole Obedience, and submit my thervnto, as I haue done euer, all that I have eyther of Fortune or Nature, redy at all times to fulfill what so euer ye shall in that lorde commaund me; But as touching the Pope and hys Spirituality, truly I owe them neyther Sute nor Seruice; for so moch as I knowe hym by the Scriptures to be the great Antichryste; the Sonne of Perdicyon, the open Adversary of God, and the Abominacyon standing in the holy place. Whan the King had hearde this, with sochelyke Sentences more, he wolde talke no longer with him, but leste hym so vtterly.

And as the Archebishop resorted again vnto him for an Answere, he gaue him his full Auctorite to cyte him, examine hym; and punyshe him according to the deuellishe Decrees, whiche they call the Lawes of holy Church. Then the seyd Archebishop, by the Counsell of hys other Bishoppes and Clergy, appointed to call before him Syr *Johan Oldcastell*, the Lord *Cobham*, and to cause him personally to appeare to answere to suche suspect Articles as they shuld lay against him. So sent he forth his chiefe Sommener, with a very sharp Citation, vnto the Castell of *Cowling*, where as he at that tyme dwelt for his Solace. And as the seyde Sommerer was thether comen; he durste in no case entre the Gates of so noble a Man without his Lycens; and therefore he returned home agayne, hys Message not done. Than called the Archebishop one *Johan Butler* vnto him, whych was than the Dorekeeper of the Kynges Priue Chamber, and with him he covenanted through Promises and Rewards to haue this matter craftely brought

* So called in right of his Wife, who was Granddaughter and Heir of Lord Cobham.

brought to passe vnder the King's Name. Wherevpon the sayd *John Butler* toke the Archebishops Sommener with hym, and went vnto the sayd Lord *Cobham*, shewing him that it was the Kings Pleasure that he shuld obeye that Citacyon, and so cyted him fraudulently. Than said he vnto them in few woordes, that in no case wold he consent to those moost deuclish Practises of the Priestes. As they had informed the Archebishop of the Answere, and that it was mete for no Man priuately to cyte him after that without parell of Lyfe, he decreed by and by to haue him cyted by publike Proesse or open Commaundment. And in al the hast possible, vpon the Wednyday before the Natiuite of oure Ladye in *September*, he commaunded Letters Citatory to be set vpon the great Gates of the Cathedral Church of *Rocheſter*, (which was but iij. *English* myles from thens) charging him to apere personally before him at *Ledys*, in the xi. daye of the same moneth and yeare, all Excuses to the contrary set apart. Those Letters were taken downe anon after, by such as bare fauer vnto the Lorde *Cobham*, and so conueyed asyde. After that caused the Archebishops newe Letters to be set vpon the Natiuitie day of our Ladye, which also were rent downe and vtterly consumed.

Than for so moche as he did not apere at the day appoynted at *Ledys* (where as he fate in Consistory, as cruell as euer was *Cayphas*, with his Court of Hipocrites aboute him) he judged hym, denounced him, and condemned him of most depe Contumacy: after that whan he had bene falsely infourmed by his hierd Spyes, and other glosing Glauerers, that the sayd Lord *Cobham* had lawghed him to scorne, disdayned all his Doings, maintained his old Opinions, contemned the Churches power, the Dignitie of a Bishop, and the Ordre of Presthode (for all these was he than accused) in hys mody Madnes, without iust profe, dyd he openly excommunicate him. Yet was he not for all this ferce Tiranny qualified, but commaunded him to be cited a fresh, to apere afore him the Saturday before the Feast of Saint *Mathew* the Apostle, with these cruell Threatinges added therunto; That if he did not obey at that day, he wold more extremely handle him: and to make him selfe more strong towards the performance thereof, he compelled the Lay-Power, by most terrible Menacinges of Curses and Interdictions, to assyst him against that cecicious Apostate Schismatike, that Heretike, that Troubler of the publycke Peace, that Enemye of the Realme, and greate Adversarye of all holy Church; for all these hateful Names dyd he giue him.

This most constaunt Seruant of the Lord and worthy Knight Sir *Johan Oldecastell*, the Lord *Cobham*, beholding the vnpacable Fury of Antichrist thus kindeled against him, perceiuing him self also compased on every side with deadly Daungers, he toke Paper and Penne in hand, and so wrote a Christen Confession or Rekening of his Faith (which foloweth here after) and both signed and sealed it with his own hande: Wherein he also answereth to the iij. chefest Articles that the Archebishop layed against him. That doone, he toke the Cotype with him, and wente therwith to the Kyng, trustinge to fynd Mercy and Fauer at his hande. None other was that Confession of his, than the common Beleue or Somme of the Churches Faith, called the Apostles Crede, of all Christen Men than vsed. As thus;

The Christen Beleue of the Lord Cobham.

I Beleue in God the Father Almighty, Maker of Heuen and Earth; and in Jesu Christ his only Sonne our Lord, which was conceyued by the Holy Gost, borne of the Virgin *Mary*, suffred, vnder *Ponte Pilate*, crucified, dead, and buried, went down to Helle, the third daye rose againe from Death, ascended vp to Heuen, sitteth on the right hand of God the Father Almightye, and from thens shall come agayne to judge the Quicke and the Dead. I beleue in the Holy Gost, the vniuersall holy Church, the Communion of Sainctes, the Forgeuenes of Sinnes, the Vprising of the Flesh, and everlasting Life. *Amen.*

And for a more large Declaracion (saith he) of this my Faith in the Catholick Church, I stedfastly beleue that there is but one God Almighty, in and of whose Godhead are these iij. Parsonnes, the Father, the Sonne, and the Holy Gost, and that those iij. Parsonnes are the same selfe God Almyghtyes. I beleue also that the seconde Parsonne of this most blessed Trinite, in most conuenient tyme appoynted thereunto afore, toke Flesh and Bloud of the most blessed Virgyn *Mary*, for the Sauegard and Redempcion of the vniuersall kynd of Man, which was afore lost in *Adam's* Offence. Moreouer, I beleue that the same Jesus Christ our Lord, thus being both God and Man, is the onely Head of the whole Christen Church, and that all those that hath bene, or shal be faued, be Membres of this most holy Church: And this holy Church I think to be diuided into iij. sortes or Companyes.

Wherof the first sort be now in Heauen, and they are the Saynctes from hens departed. These, as they were here conuersaunt, conformed alwayes theyre Lyues to the most holye Lawes and pure Examples of Chryste, renouncyng Sathan, the Worlde, and the Flesh, wythe all their Concupiscences and Euels. The second sort are in Purgatory (yf any such be by the Scriptures) abydyng the Mercy of God, and a full Delyuerance of Payne. The thyrde sorte are here vpon the Earth, and be called the Church Mylytaunt. For Daye and Nyght they contend agaynst the crafty Assaultes of the Deuel, the flattering Prosperities of thys Worlde, and the rebellyouse fylthynges of the Fleshe.

Thys latter Congregation by the iuste Ordinance of God is also seuered into three diuerse Estates, that is to say into Priesthode, Knighthode, and the Comens. Amonge whom the Wyll of God is, that the one shuld ayde the other, but not destroye the other. The Priestes fyrst of all secluded from all Worldlynesse shuld conforme theyr Lyues vtterly to the Examples of Chryst and his Apostles. Euermore shulde they be occupied in preaching and teaching the Scriptures purely, and in geuing wholsom Counse.s of good liuing to the other two Degrees of Men. More modest also, more louing, gentyll, and lowlye in Spirite shuld they be than any other sortes of People.

In Knighthode are all they whych beare Sword by Lawe of Office. These shuld defende Gods Lawes, and see that the Gospell were purely taught, conforming their Lyues to the same, and secludyng all false Preachers: yea these ought rather to hafard their Lyues than to suffer such wycked Decrees as eyther blemisheth the eternal

Testament of God, or yet letteth the fre Passage therof, wherby Heresies and Schismes might spring in the Church. For of none other ryle they as I suppose, than of erronyous Constitucions, craftely fyrst creping in under Hypocrites lyes for auauntage. They ought also to preserue Gods Peple from Oppressors, Tirauntes, and Theues, and to se the Clergy supported so long as they teache purely, pray rightly, and minister the Sacraments frely. And if they se them do otherwise, they are bound by Law of Office to compell them to chaunge their doinges, and to se all thinges performed according to Gods Prescript or Ordinaunce.

The latter Fellowship of this Church are the common Peple, whose Dewtye is to beare their good Mindes and true Obedience to the aforeseyd Ministers of God, their Kinges, Cyuile Gouvernours and Priestes. The right Office of these is justly to occupy euery Man in his Faculte, be it Merchaundise, Handy-craft, or the Tilthe of the Grounde. And so one of them to be as an helper to another, followynge all wayes in theyr sortes the just Commaundementes of theyr Lord God.

Ouer and besydes all thys, I moost faithfully beleue that the Sacramentes of Chrystes Church are necessary to all Chrysten Beleuers, thys alwayes sene to, that they be truly ministred according to Christes fyrst Institucion and Ordinaunce. And for so moch as I am malyciously and most falsely accused of a misbeleue in the Sacrament of the Aulter, to the hurtfull Slaundre of many; I signifye here unto al Men, that this is my Fayth concerning that. I beleue in that Sacrament to be contayned very Christes Body and Bloude under the Similytudes of Breade and Wyne, yea, the same Body that was conceyued of the Holy Gost, born of *Mary* the Virgin, done on the Crosse, dyed, that was buried, arose the thyrd Day from the Death, and is now glorified in Heauen. I also beleue the vniuersal Lawe of God to be moost true and perfight, and they which do not so followe it in theyr Fayth and Workes at one time or other, can neuer be saued. Where as he that seketh it in Faith, accepteth it, learneth it, delyghteth therein, and perfourmeth it in Loue, shall tast for it the felicity of euerlasting Innocency.

Finally this is my Faith also, that God wyll axe no more of a Christen Beleuer in this Lyfe, but only to obey the Preceptes of that most blessed Law. If any Prelates of the Churche require more, or elsse anye other kynd of Obedience, than thys to be vsed, he contemneth Christ, exalting himself aboue God, and so becometh an open Anti-christe. All these Premisses I beleue particularlye, and generally all that God hath left in his Holy Scryptures that I shuld beleue: Instauntly desiring you, my Lyege Lord and most worthy King, that thys Confession of mine may be justly examined by the most godly, wise, and learned Men of your Realme. And if it be found in all Pointes agreying to the Verite, than let it be so allowed, and I thervppon holden for none other than a true Christiane. If it be proued otherwise, than let it be vtterly condemned: prouided alwayes, that I be taught a better Beleue by the Word of God, and I shall most reuerently at all times obey therunto.

Thys brefe Confessyon of hys Fayth, the Lorde *Cobham* wrote (as is mencyoned afore) and so toke it wyth hym to the Court, offeryng it wyth all Mekenesse vnto the Kyng to rede it ouer.

The Kyng wold in no case receiue it, but commaunded yt to be delyuered unto them that shuld be his Judges. Than desyred he in the Kinges Presens, that an hondred Knights and Esquiers might be suffered to come in vpon hys Purgacyon, which he knewe wolde clere him of all Heresy. Moreouer he offred hym self after the Law of Armes, to fyght for Lyfe or Death with any Man lyuing, Christen or Heythen, in the Quarrell of his Faith, the King and the Lordes of his Counsell excepted. Fynally with all gentleness he protested before all that were present, that he wold refuse no manner of Correction that shuld after the Lawes of God be ministred vnto him; but that he wold at all times with all Mekenes obey it. Notwithstanding all thys, the Kyng suffered him to be summoned personally in his own Preuy Chambre. Than sayed the Lorde *Cobham* to the Kyng, that he had appealed from the Archbyshop to the Pope of *Rome*, and therefore he ought, he sayd, in no case to be his Judge. And hauyng hys appeale there at hande redye written, he shewed yt wyth all Reuerence to the Kyng. Wherwith the Kyng was than moche more displeasid than afore, and sayd angerlye unto him, that he shuld not pursue his Appeal: but rather he shuld tarry in hold, tyll such time as it were of the Pope allowed. And than, wold he or nyld he, the Archebishop shuld be his Judge. Thus was there nothing allowed that the good Lorde *Cobham* had lawfully afore required. But for so moch as he wold not be sworn in all things to submit himselfe to the Church, and so to take what Penaunce the Archebshoppe would enjoyne him, he was arested againe at the Kinges Commaundment, and so led forth to the Tower of *London*, to kepe his Day (so was it than spoken) that the Archbyshop had appoynted hym afore in the Kinges Chambre.

Then caused he the aforeseyd Confession of his Faith to be copped againe, and the Answer also (which he had made to the iiij. Articles proponed agaynst him) to be wryten in maner of an Indenture in two Shetes of Paper; that whan he shuld come to his Answer, he might geue the one Copy vnto the Archebishop, and reserue the other to himselfe. As the Day of Examinacion was comen, whyche was the xxij. Day of *Septembre*, the Saturday before the Feast of Saint *Mathewe*, *Thomas Arundell* the Archebyshop; sytting in *Cayphas* Rouse, in the Chapterhouse of *Paules*, wyth *Richard Glyfforde* Bishhop of *London*; and *Henry Bolingbroke* Bishhop of *Winchester*, Sir *Robert Morley* Knight and Lefetenaunt of the *Tower*, brought personally before him the seid Lorde *Cobham*, and there left hym for the time, vnto whom the Archebishop sayd these wordes.

The fyrst Examination of the Lord Cobham, September 23.

SIR *John*, in the last general Conuocation of the Clergye of thys our Prouynce, ye were detected of certain Heresy, and by sufficient Witnessse founde culpable; whervppon ye were by fourme of spirituall Lawe cyted, and wold in no case appeare: In conclusion, vppon your rebellious Contumacie, ye were both priuately and openlye excommunicated. Notwithstanding we neuer yet shewed oure selfe unreadye to haue geuen you youre Absolucion (nor yet do not to
thys

thys hoire) wolde ye haue mekely axed it. Unto this the Lord *Cobham* shewed as though he had giuen none eare, hauing his Mynde otherwise occupied, and so desyred none Abfolucion: But he sayd, he wold gladly before him and his Brethren make Reherfall of that Fayth, which he helde and entended always to stande to, yf it wolde please them to lycens him therunto; and then he toke out of hys Bosome a certein Writing endented, concerning the Articles whereof he was accused, and so openly redde it before them, geuing it vnto the Archebyshop, as he had made thereof an ende; whereof thys is the Copy.

I *Johan Oldecastell* Knight and Lord *Cobham*, wyll all Chrysten Men to vnderstand, That *Thomas Arundell*, Archbyshop of *Canterbury* hath not onely laid it to my Charge malityously, but also very vntruly by hys Letter and Seale, written against me in most slanderouse wyse, that I shuld otherwyse fele and teach of the Sacramentes of the Church (assigning specially the Sacrament of the Aulter, the Sacrament of Penance, the worshipping of Ymages, and the going of Pilgrimage vnto them) far other wise than either beleueth or teacheth the vniuersall holye Church. I take Almyghte God vnto wytnesse, that yt hath bene and nowe is, and euermore wyth the helpe of God yt shall be my full Intent and Wyll, to beleue faythfully and wholly all the Sacramentes that ever God ordeined, to be minystrred in the holy Church; and morouer, for to declare me in these iij. Points afore reherfed.

I beleue that in the moost worshypfull Sacrament of the Alter, is Christs very Body in forme of Bread, the same Body that was borne of the blessed Virgin *Mary*, done on the Crosse, dead and buried, and that the thyrd day arose from Death to Lyfe, the which Body is nowe glorified wyth the Father in Heaven. And as for the Sacrament of Penance, I beleue that it is nedefull to all them that shall be saued, to forsake theyr Sinne, and to do Penance for it wyth true Contricion to God, Confession of their Fautes, and dewe Satisfaction in Chryste, lyke as Gods Laws limiteth and teacheth, els can they haue no Saluation; This Penance I desyre all Men to do. And as for Images, I vnderstand that they perteyn nothing to our Christen Beleue, but were permitted long sins the Faith was geuen vs of Christ, by sufferance of the Church, for to be as Kalendars vnto Laymen, to represent or bring to mind the Passion of our Lorde Jesus Christ, with the Martirdom and good liuing of the Saintes.

I think also, that whatsoever he which doth that worship to dead Ymages, that is duely belonging vnto God, or that putteth his Faith, Hope, or Confidence in the helpe of them, as he shuld do only in his eternal lyuing God, or that hath Affection in one more than in an other, he perpetrateth in so doing the abhominable Sine of Idolatry, Moreouer in this am I fully perswaded, that everye Man dwellyng on thys Ærth is a Pilgrim, eyther towards Blesse, or els towards Payne.

And that he which knoweth not, nor wyll not knowe, nor yet kepe the holy Commaundementes of God in hys lyuyng here (all be it that he goth on Pylgrimage into all quarters of the Worlde) yf he departeth so, he shall surely be dampned. Agayne, he that knoweth the holy Commaundementes of God, and so performeth them to the

ende of his Life to his power, shal without fayle be saued in Christ, though he neuer in his Lyfe go on Pylgrimage as Men vse now a dayes, to *Caunterbury*, *Walsingham*, *Compostell*, and *Rome*, or to any other Places.

Thys Answere to his Articles thus ended and redde, he delyuered it to the Bysshopes, as is sayde afore. Than counceled the Archbissshop wyth the other two Byshoppes, and with dyuerse of the Doctours, what was to be done in thys matter, commaunding him for the time to stande aside. In conclusion, by theyr Assent and Informacion, he sayd thus vnto him: Come hyder Sir *Johan*; In this your Writing are many good thinges conteyned, and ryght Catholyck also, we deny yt not; but ye must consyder that thys daye was appoynted you to answere to other Poynts concerning those Articles, whereof as yet no mencion is made in this your Byll: And therefore ye must yet declare vs your Mind more plainly; as thus, Whether that ye holde, affirme, and beleue, that in the Sacrament of the Alter, after the Consecration rightly done by a Pryest, remaineth materall Breade or not? Moreouer, whether ye do hold, affirme, and beleue, that as concerning the Sacrament of Penance (wher as a competent nombre of Priests are) everye Chrysten Manne is necessarily bound to be confessed of hys Synnes to a Priest ordayned by the Church or not?

After certein other Communication thys was the Answere of the good Lord *Cobham*, That none otherwise wold he declare his Minde, nor yet answere vnto hys Articles, than was expresselye in hys Wrytinge there conteyned. Than sayd the Archbissshop agayne vnto him. Syr *Johan* bewar what ye do; for if ye answere not clerely to those thinges that are here objected against you, specially. at the time appointed you only for that purpose, the Lawe of holy Church is, that compelled ones by a Judge, we may openly proclayme ye an Heretike. Unto whom he gaue this Answere, Do as ye shall thinke it beste, for I am at a point. Whatsoeuer he or the other Byshoppes did aske him after that, he bad them resort to his Byll, for therby wold he stande to the verye Death; other Answere wold he not geue that day: wherwith the Bissshops and Prelates were in a maner amased and wonderfully disquyeted. At the last the Archbissshop counselled again with his other Bissshops and Doctours, and in the end thereof declared vnto him what the holy Church of *Rome*, folowing the Sayinges of Saint *Austyn*, Saint *Hierom*, Saint *Ambroje*, and of other holy Doctours, had determined in these matters, no maner of mencion ones made of Christ; which Determinacion (sayth he) ought all Chrysten Menne bothe to beleue and to folowe.

Than said the Lord *Cobham* vnto him, That he wold gladlye bothe beleue and obserue whatsoever the holy Church of Christes Instytucion had determined, or yet whatsoever God had willed him eyther to beleue or to do; but that the Pope of *Rome* with his Cardinals, Archbyshopes, Bissshops, and other Prelates of that Church, had lafull power to determyne suche matters as stode not with his Word throughly, that wolde he not (he sayd) at that tyme asfyne. Wyth thys the Archbyshoppe bad hym to take good Aduysement tyll the Mondaye nexte followinge (which was the xxv. daye of *September*) and then justyie to answere speciallye vnto thys Pointe, Whether there remayned

ed materyal Breade in the Sacrament of the Aulter, after the Wordes of Consecration, or not? He promysed him also to sende vnto him in wryting those matters clerely determined, that he myght than be the more perfyght in hys Answere making; and all this was not els but to blynde the multitude with somewhat. The next day following (according to his Promes) the Archbishop sent unto him into the Towr this folysh and blasphemouse Wryting, made by him and by his vnlearned Clergye.

The Determination of the Archbishop and Clergye.

THE Faith and Determinacion of the holy Church touching the blesful Sacrament of the Aulter, is this, That after the sacramentall Wordes be ones spoken by a Priest in his Masse, the materiall Bread, that was before Bread, is turned into Christes very Body; and the materyal Wyne, that was before Wyne, is turned into Chrystes very Bloud; and so there remayneth in the Sacrament of the Aulter, from thens forth, no materyal Breade, nor materiall Wyne, which were there before the sacramentall Wordes were spoken. How beleue ye this Article? Holy Church hath determined, that euery Chrysten Man lyuing here bodyly vppon Earth, ought to be shruen to a Priest ordeyned by the Church, if he may come to him: How fele ye thys Article?

Christ ordeyned Sainct *Peter* the Apostle to be his Vicar here in Earth, whose See is the holy Church of *Rome*; and he graunted that the same power which he gaue vnto *Peter*, shuld succede to al *Peters* Successours, which we call now Popes of *Rome*; by whose speciall power in Churches particular, be ordeyned Prelates, as Archbishops, Bishops, Parsons, Curates, and other Degrees more, unto whom Christen Men ought to obeye after the Lawes of the Church of *Rome*. Thys is the Determinacion of holy Church: how fele ye this Article? Holy Church hath determined, that it is meritorious to a Christen Man to go on Pilgrimage to holy Places, and there specially to worship holy Relyques and Ymages of Saintes, Apostles, Martirs, Confessours, and all other Saintes besydes, approued by the Church of *Rome*; how fele ye thys Article?

And as the good Lord *Cobham* had red ouer thys moost wretched Wryting, he maruelled greatly of their madde Ignorance; but that he consydered amonge, that God had giuen them ouer for theyr Unbelueys sake, into moost depe Errours and Bindnesse of Soule. Agayne, he perseyued thereby, that theyr vttermoost Malyce was purposed against him, howsoeuer he shulde answere; and therefore he put his Lyfe into the handes of God, desyring his onely Spyrit to assist him in his next Answere. When the feyd xxv. day of *Septembre* was come (which was also the Monday afore *Myghelmasse*) in the sayd yeare of our Lorde, M. CCCC. and xiiij. *Thomas Arundell*, the Archbishop of *Caunterbury*, commaunded his iudiciall Seate to be remoued from that Chapterhouse of *Pauls*, to the Dominike Fryers wythin *Ludgate* at *London*; and as he was there fet with *Rychard* the Bishop of *London*, *Henry* the Bishop of *Winchester*, and *Benet* the Bishop of *Bangor*, he called in vnto him his Counsell and his Officers, with diuerse other Doctours and Fryers; of whom these are the Names here followynge.

Master *Henry Ware*, the Officyall of *Caunterbury*; *Philip Morgan*, Doctour of both Lawes; *Howell Kiffin*, Doctour of the Canon Lawe; *Johan Kempe*, Doctour of the Canon Lawe; *Willyam Carleton*, Doctour of the Canon Lawe; *Johan Witnam*, of the *New Colledge* in *Oxford*; *Johan Whighthead*, a Doctour of *Oxford* also; *Robert Wombeswell*, Vicar of *Saint Laurence* in the *Jewry*; *Thomas Palmer*, the Warden of the *Mynors*; *Robert Chamberlaine*, Prior of the *Dominickes*; *Rychard Dodington*, Prior of the *Augustines*; *Thomas Walden*, Prior of the *Carmelites*, all Doctours of Diuinitie; *Johan Steuens* also, and *James Cole*, both Notaries, appointed there purposely to write all that shuld be eyther said or done: All these, with a great sort more of Pryestes, Monks, Channons, Fryers, Parish-Clarkes, Belringers, and Pardoners, disdained him with innumerable Mockes and Scornes, rekening him to be an horrible Heretik, and a Man acursed afore God.

Anon the Archbyshoppe called for a Masseboke, and caused all those Prelates and Doctoures to sweare there vpon, that everye Man shulde faythfullye doo hys Offyce and Dewtye that daye; and that neyther for Fauer nor Feare, Loue nor Hate of the one Partye nor the other, any thing shuld ther be witnessed, spoken, or done, but according to the Trueth, as they wold answere before God and all the World at the day of Dome. Than were the two forseyd Notaries sworne also to wryt and to witnes the Wordes and Proesse that ther shuld be vttered on both Parties, and to saye their mindes (if they otherwise knewe it) before they shuld regester it; and all thys Dissimulation was but to colour their Mischeues before the Ignoraunt Multytude.

Consydre herin (gentyll Reader) what this wicked Generacion is, and how farre wyde from the just Feare of God; for as they were than, so are they yet to this daye.

After that cam forth before them Sir *Robert Morley* Knight, and Lefetenaunte of the *Tower*, and he brought with him the good Lord *Cobham*, there leauing him among them, as a Lambe among Wolues, to his Examinacion and Answere.

The latter Examinacion of the Lord Cobham, September 25th.

THAN sayd the Archbyshoppe vnto hym, Lord *Cobham*, ye be aduyled (I am sure) of the Woordes and Proesse which we had vnto you vppon Saturdaye last past in the Chapterhouse of *Pauls*, which Proces were now no long to be rehearsed agayne: I sayd vnto you than, that ye were acursed for your Contumacy and Disobedience to holy Church, thinking that ye shulde with Mekenes haue desired your Absolucion.

Than spake the Lorde *Cobham* with a most cherefull Contenance, and sayd, God sayth by his holye Prophet, *Maledicam benedictionibus vestris*, which is as much as to say, I shall curse, wher as you blesse.

The Archbissshop made than as though he had continued forthe hys Tale, and not heard him, saying, Sir, at that tyme I gentilly proferd to haue affoyled you if ye wold haue asked it; and yet I do the same, if ye will humblye desyre it in due Forme and Maner, as holy Church hath ordeined.

Than sayd the Lord *Cobham*, Naye, forsoth, wyll I not, for I neuer yet trespased against you, and therefore I will not do it; and with that he

kneled downe on the Pauement, holding vp hys handes towards Heauen, and sayed, I shryue me here vnto the my eternall luyunge God, that in my frayle Youth I offended the (Lorde) most greuously in Pryde, Wrath, and Glottony, in Couetousnes and in Lechery. Many Men haue I hurt in mine Anger, and done manye other horryble Synnes, good Lord I aske the Mercy: and therewith wepingly he stode up againe, and sayd with a mighty Voice, Lo, good People, lo, for the breaking of God's Lawe, and his great Commaundements, they never yet cursed me; but for theyr owne Lawes and Tradicions most cruelly do they handle both me and other Men: and therefore both they and theyr Lawes, by the Promes of God, shall vtterly be destroyed.

At this the Archbishop and hys Companye were not a lytle blemysht; notwithstanding he toke Stomack vnto him agayn, after certain wordes had in excuse of theyr Tyrannye, and examined the Lorde *Cobham* of his Christen Beleue.

Whereunto the Lorde *Cobham* made thys godly Answer. I beleue (saith he) fullye and faythfullye the vnyuersall Lawes of God; I beleue that all is true which is conteyned in the holy sacred Scriptures of the Byble; finally, I beleue all that my Lorde God wolde I shulde beleue.

Than demaunded the Archbishop an Answer of the Byll which he and the Clergy had sent him into the *Tower* the day afore, in maner of a Determynation of the Church concerning the iiii. Articles whereof he was accused, specially for the Sacrament of the Alter, how he beleued therin?

Wherunto the Lord *Cobham* said, That with that Byll he had nothing to do; but this was his Beleue (he said) concerning the Sacrament, That his Lord and Sauer Jesus Christ, sytting at hys last Supper with his most dere Disciples, the Night before he shuld suffer, toke Bread in his hand, and geuing Thankes to his eternall Father, blessed it, brake it, and so gaue vnto them, saying, *Take it vnto ye, and cate therof all; this is my Body which shall be betraid for you, do this here after in my remembrance.* This do I thoroughly beleue (saith he) for this Faith am I taught of the Gospell in *Matthew*, in *Marke*, and in *Luke*, and also in the first Epistle of Saint *Paul* to the *Corinthians*.

Than asked the Archbyshoppe, If he beleued that it were Breade after the Consecracion or sacramentall Wordes spoken ouer it.

The Lord *Cobham* sayd; I beleue that in the Sacrament of the Aulter is Christs very Body in fourme of Breade; the same that was born of the Virgin *Mary*, done on the Crosse, dead, and buried, and that the third day arose from Death to Lyfe, whych nowe is glorified in Heauen.

Than sayd one of the Doctors of Lawe, After the sacramentall Wordes be vttered, there remaineth no Breade but the onely Body of Christ.

The Lorde *Cobham* sayd than to one Master *Johan Wighthead*, You said ones unto me in the Castell of *Coulynge*, that the sacred Host was not Chrystes Body; but I helde than against you, and proued that herein was his Body, though the Seculars and Friers could not therin agree, but helde yche one against other in that Opinyon: these were my Woordes than if ye remembre it.

Than shouted a fort of them together, and cryed with great noyse, We say all that it is Gods Body.

And dyuerse of them asked hym in great Anger,

Whether it were materiall Breade after the Consecratyon or not?

Than loked the Lord *Cobham* earnestly vppon the Archbishop, and sayde, I beleue surely that it is Chrystes Body in fourme of Breade; Sir, beleue not you thus?

And the Archbishops sayd, Yes mary do I.

Than asked him the Doctours, Whether it were onely Chrystes Body after the Consecration of a Priest, and no Bread or not?

And he sayd vnto them, It is both Christs Body and Bread. I shall proue it as thus: For lyke as Chryst dwelling here vppon the Earth, had in him both Godhede and Manhead, and had the inuisible Godhead couered under that Manhead, which was only visible and seane in him: so in the Sacrament of the Aulter is Chrystes very Body and very Bread also, as I beleue the Breade is the thyng that we see with our Eyes, the Bodye of Christ (whiche is his Flesh and his Blood) is there vnder hydde, and not seane, but in Fayth.

Than synyled they yche one vppon other, that the People shulde judge hym taken in a greate Heresy; and wyth a great bragge diuerse of them sayde, It is a foule Heresy.

Than asked the Archbishop, What Breade it was? And the Doctours also inquired of hym, whether it were materyall or not?

The Lord *Cobham* sayd unto them, the Scriptures maketh no mencion of this woorde materyall; and therefore my Faith hath nothing to do therewith: But thys I say and beleue it, that it is Chrystes Bodye and Breade; for Chryst sayde in the Syxt of *Johans* Gospell, *Ego sum panis viuus, qui de Celo descendi*; I which came downe from Heauen am the luying, and not the dead Bread: therefore I say now again, like as I said afore, as our Lord Jesus Chryst is very God and very Man, so in the most blessed Sacrament of the Aulter, is Chrystes very Body and Breade.

Than seyde they all with one Voyce, It is an Heresy.

One of the Byshoppes stode vp by and by, and said, What, it is an Heresy manifest, to saye that it is Breade after the sacramentall Wordes be ones spoken, but Chrystes Body onely.

The Lord *Cobham* said, Sainct *Paule* the Apostle was (I am sure) as wyse as you be nowe, and more godlye learned. And he called yt Breade, wrytting to the *Corinthians*, *The Breade that we breake, sayth he, is it not the partaking of the Body of Christ?* Lo, he calleth it Bread and not Chrystes Body, but a meane whereby we receyve Chrystes Body.

Than sayd they agayne, *Paule* must be otherwise vnderstanded. For it is surely an Heresy to saye that it is Breade after the Consecration, but onely Chrystes Body.

The Lord *Cobham* asked, howe they coulde make good that Sentence of theirs?

They answered him thus, For it is against the Determination of holy Church.

Than sayde the Archbishop vnto him, Sir *Johan* we sent you a Wrytting concerning the Faith of thys Blessed Sacrament clerely determined by the Church of *Rome*, our Mother, and by the Holy Doctours.

Than sayd he againe unto him, I knowe none holier than is Christ and his Apostles. And as for that Determinacion, I wote it is none of theirs, for it standeth not with the Scriptures,

but

but manifestly against them. If it be the Churches, as ye saye it is, it hath bene hers onely sins she receiued the greate Poyson of worldly Possessions, and not afore.

Than asked they hym, to stoppe hys Mouth therewith, if he beleued not in the Determinacion of the Church?

And he said vnto them, No forsooth, for it is no God. In all oure Crede is in but thryse mentioned concerning Beleue; in God the Father, in God the Sonne, in God the Holy Goost. The Byrthe, the Death, the Buriall, the Resurrection and Ascensyon of Christe hath none in, for beleue but in hym. Neyther yet hath the Church, the Sacramentes, the Forgyuenes of Synne, the latter Resurrection, nor yet the Lyfe Everlasting, any other in, than in the Holy Goost.

Than sayd one of the Lawiers, Tush, that was but a Worde of Office. But what is your Beleue concerning Holy Church?

The Lord Cobham answered, My Beleue is (as I sayde afore) that all the Scriptures of the Sacred Bible are true. All that is grounded vppon them, I beleue throughly. For, I know, it is God's pleasure that I shuld so do. But in youre lordly Lawes and ydell Determinations haue I no beleue. For ye be no part of Christis holy Church, as your open Dedes doth shew; but ye are very Antichrists, obstinately set against his holy Law and Will. The Lawes that ye haue made are nothing to his Glorye; but onely for your vayne Glory and abhominable Couetousnes.

This they said, was an excedding Herisy (and that in a great fume) not to beleue the Determination of Holy Church.

Than the Archbishop asked him, what he thought holy Church?

He said vnto him: My Beleue is, that holy Church is the nombre of them which shall be sauued, of whom Christ is the Head. Of this Church one part is in Heauen with Christ, an other in Purgatory (you say) and the third is here in Ærth. This later part standeth in thre degrees, in Knighthode, Priesthode, and the Comunalte, as I saide afore plainly in the Confessyon of my Beleue.

Than saide the Archbishop vnto him, Can ye tell me who is of this Church?

The Lord Cobham answered, Yea truly can I.

Than said Doctour Walden the Prior of the Carmelites, It is doubte vnto you who is thereof. For Christ sayth in *Math. Nolite iudicare*, Presume to judge no Man. If ye here be forbidden the Judgment of your Neighbour or Brother, moche more the Judgment of your Superior.

The Lord Cobham made him thys Answer, Chryst sayth also in the same selfe Chapter of *Math. That lyke as the yll Tree is knowne by his yll fruit, so is a false Prophet by his Works, appeare they neuer so glorious*. But that ye left behind ye. And in *Johan* he hath this Text, *Operibus credite*, Beleue you the outward doings. And in another place of *Johan*, *Iustum iudicium iudicate*, Whan we knowe the thing to be true, we may so judge it, and not offende. For *Dauid* sayth also, *Recte iudicate sicut hominum*, Judge rightly always ye Children of Men. And as for your Superiorite, were ye of Christ, ye should be meke Ministers, and no proud Superiours.

Then said Doctour Walden unto him, Ye make here no difference of Judgements: Ye put no di-

uersite betwene the yll Judgements, which Chryst hath forbidden, and the good Judgements, which he hath commaunded us to haue. Rash Judgment and right Judgment, al is one with you. So is Judgment presumed, and Judgment of Office. So swift Judges always are the learned Scolers of *Wickleue*. Unto whome the Lord Cobham thus answered, It is well sophistried of you forsooth; preposterouse are your Judgements euer more. For as the prophet *Esay* saith, *Ye judge yll good, and good yll*. And therefore the same Prophet concludeth, *That your wayes are not Gods wayes, nor Gods wayes your wayes*. And as for that vertuose Man *Wickleue*, whose Judgment ye so highly disdayne; I shall saye here for my part both before God and Man, that before I knew that despised Doctrine of his, I neuer absteyned from Synne. But syns I learned therein to feare my Lord God, it hath otherwise, I trust, been with me: so much Grace could I neuer finde in all your gloriouse Instructions.

Than sayde Doctour Walden again yet unto hym, It were not well wyth me, so meny vertuous Men lyuyng, and so many learned Men teaching, the Scriptures being also so open, and the Examples of Fathers so plenteouse, if I that had no Grace to amende my Life till I hearde the Deuell preache. Saint *Iherom* saith, that he whych seketh suche suspected Masters, shall not fynde the mydday Lyght, but the midday Deuell.

The Lord Cobham said, Your Fathers the olde Pharisees ascrybed Chrystes Miracles to *Belzebub*, and hys Doctrine to the Deuell. And you as their naturall Children haue still the same self Judgment, concerning his faithful Followers. They that rebuke your viciously lyuyng, must nedes be Heretykes; and that must your Doctours proue, whan ye haue no Scriptures to do it. Than said he to them all, To judge you as ye be, we nede no farther go than your owne propre Actes. Where do ye fynd in all Gods Lawe, that ye shuld thus syt in Judgment of any Christen Men, or yet sentens anye other Man vnto Death, as ye do here daily? No ground haue ye in all the Scriptures so lordely to take it vppon ye; but in *Annas* and in *Cayphas*, whiche fate thus vppon Chryst, and vppon his Apostles after his Ascensyon, of them onely haue ye taken it to judge Christes Membres as ye do, and neyther of *Peter* nor *Johan*.

Than sayde some of the Lawyers, Yes forsooth, Sir, for Christ judged *Judas*.

The Lord Cobham sayd, No, Christ judged him not, but he judged himselfe; and therupon went forth, and so did hang himselfe. But indede Christ sayd, wo vnto him for that couetous Act of his, as he doth yet styll unto many of you. For sens the Venime was shed into the Church, ye never folowed Christ: neither yet have ye stand in the Perfection of Gods Lawe.

Then asked him the Archbyshoppe, What he meant by that Venim?

The Lord Cobham sayd, your Possessyons and Lordshippes. For than cryed an Aungell in the Ayre (as your owne Chronycles mencioneth) Wo, wo, wo, this Day is Venime shedde into the Church of God. Before that tyme all the Byshopes of *Rome* were Martirs in a maner. And sens that time we rede of very few: but indede sens that same time one hath put down an other,

one hath poysoned an other, one hath cursed another, one hath slayne an other, and done much more Mischeffe besides, as all the Chronicles telleth. And let all Men confydre well thys, That Christ was meke and mercifull; The Pope is proud and a Tiraunt. Christ was pore and forgaue; the Pope is riche, and a most cruell manslayer, as his dayly Actes doth prove him. *Rome* is the very Nest of Antichryst, and out of the Nest cometh all his Disciples; of whome Prelates, Priestes and Monkes are the Body, and these pylde Friars are the Tayle, whyche couereth his moost fylthy part.

Than sayed the Pryor of the Fryre *Augustines*, Alac, Syr, why do ye say so? That is uncharitably spoken.

And the Lord *Cobham* said, not only is it my Saying; but also the Prophet *Esayes* long afore my tyme. The Prophet, sayth he, which preacheth Lyes, is the Tayle behind. As you Fryers and Monkes be lyke Pharisees diuided in your outward Apparell and Viages, so make ye diuysyon among the Peple. And thus, you with such other are the very naturall Membres of Antychryst.

Than said he vnto them all, Christ saith in his Gospell, *Wo to you Scribes and Pharisees, Hypocrites, for ye close up the Kingdom of Heauen before Men. Neyther entre ye in your selues, nor yet suffre any other that would entre into it. But ye stop up the wayes thereunto with your owne Tradicions, and therefore are ye the Household of Antichrist; ye will not permit Gods veryte to haue Passage, nor yet to be taught of his true Ministers, fearing to haue your Wickedness reprobud. But by such wayne Flatterers as upholde you in your Mischeues, ye suffer the common Peple most miserably to be seduced.*

Than saide the Archbishop, By oure Lady, Sir there shall no suche preache within my Diocesse, (and God will) nor yet in my Jurisdiction, (yf I may knowe yt) as either maketh Diuision, or yet Diffension amonge the poore Commons.

The Lord *Cobham* sayd, Both Chryst and his Apostles were accused of Sedicion making, yet were they most peaceable Men. Both *Daniel* and Christ prophcyed, that such a troublous tyme shulde come, as hath not been yet sens the Worldes beginning. And this Prophecye is partly fulfilled in your Daies and Doinges. For many haue ye slaine already, and more wyl ye slee hereafter, if God fulfill not his Promes. Chryst saith also, if those Days of yours were not shortened, scarcely shuld any Flesh be saued. Therefore loke for it justly, for God wyl shorten your Dayes. Moreouer, though Priestes and Deacons for preaching of Gods Word, and for ministring the Sacraments, with Prouision for the Pore, be grounded in Gods Lawe, yet haue these other Sectes no maner of ground thereof, so far as I haue red.

Than a Doctour of Lawe, called Master *Johan Kempe*, plucked out of his Bosome a Copyc of that Byll which they had afore sent him into the *Tower*, by the Archbishops Council, thinking thereby to make shorter worke with him. For they were so amased with his Answeres (not al vnlike to them which disputed with *Steven*) that they knew not well howe to occupye the tyme, there Wyttes and Sophistrie (as God wolde) so faylced them that Day.

My Lord *Cobham* (sayth this Doctour) we must brefely know your Mynde concerning these iiiij. Poyntes here following. The fyrst of them is thys. And then he redde vpon the Byll. The Fayth and the Determinacion of holy Church, touching the Blessed Sacrament of the Alter is this, That after the Sacramentall Wordes be ones spoken by a Pryest in hys Masse, the materyall Bread that was before Bread, is turned into Christes very Bodye. And the materiall Wyne that was before Wyne, is turned into Christes very Bloude. And so there remaineth in the Sacrament of the Aulter from thens forth no materyall Bread nor materyall Wyne, which were there before the Sacramentall Wordes were spoken: Sir, beleue ye not this?

The Lord *Cobham* sayed, This is not my Beleue; but my Faith is (as I sayd to you afore) that in the worshypfull Sacrament of the Aulter, is very Christes Body in fourme of Breade.

Than said the Archbishop, Sir *Johan*, ye must say otherwise.

The Lord *Cobham* saide, Nay, that I shall not, if God be vppon my syde (as I trust he is) but that there is Christes Body in fourme of Breade, as the comen Beleue is.

Than redde the Doctour againe.

The second Point is this, Holy Churche hath determined that euery Christen Man lyuing here bodely vppon Earth, ought to be shryuen to a Priest ordeined by the Church, if he may come to him: Sir, what say ye to this?

The Lord *Cobham* answered and said, A diseased or fore wounded Man had nede to haue a sure wyse Chyrurgion, and a true; knowing both the ground and the danger of the same. Moost necessary were it therefore, to be fyrst shryuen vnto God, which only knoweth our Diseases, and can helpe us. I deny not in this the going to a Priest, if he be a Man of good Lyfe and Learning: For the Lawes of God are to be required of the Priest, which is godly learned. But if he be an Ydiote, or a Man of viciouse lyuyng, that is my Curate, I ought rather to flee from him, than to seke vnto him. For sooner might I catch yll of him that is nought, than any Goodnesse towards my Soule Helth.

Than redde the Doctour againe.

The third Pointe is this, Christe ordeined Sainct *Peter* the Apostle to be his Vicar here in Ærth, whose Sec is the Church of *Rome*. And he graunted, that the same Power which he gaue vnto *Peter*, shulde succede to all *Peter's* Successors, which we call now Popes of *Rome*. By whose speciall Power in Churches partycular he ordeined Prelates, as Archbishops, Parsons, Curates, and other Degrees more; vnto whom Christen Men ought to obeye after the Lawes of the Church of *Rome*. This is the Determinacion of holy Church: Sir, beleue ye not this?

To this he answered and said, He that foloweth *Peter* moost nighest in pure Lyuing, is next vnto him in Succession; but your lordely Ordre estemeth not greatly the lowly Behauer of pore *Peter*, what soeuer ye prate of him; neither care you greatlye for the humble Maners of them that succeded him tyll the time of *Silvestre*, which for the more part were Martirs, as I tolde ye afore. Ye can lett all their good Condicions go by you, and not hurt your selues with them at all; all the Worlde knoweth

knoweth thys well inough by you, and yet ye can make boast of *Peter*.

With that one of the other Doctours axed him, Than what do ye say of the Pope?

The Lord *Cobham* answered, As I said before, he and you together maketh whole the great Antichrist, of whom he is the great Heade; yow Byshops, Priestes, Prelates and Monkes, are the Body, and the begging Friers are the Taile, for they couer the Filthinesse of you both with their subtyl Sophistrye: Neuer will I in Conscience obey any of you all, tyll I see you with *Peter* follow Chryst in Conuersation.

Than redde the Doctour againe: The fourth Pointe is this, Holy Church hath determined, that it is meritoriousse to a Chrysten Manne to go on Pilgrimage to holy Places, and there specially to worship holy Relikes and Ymages of Saintes, Apostles, Martirs, Confessours, and all other Saintes besydes, approued by the Church of *Rome*: Sir, what say ye to this?

Whereunto he answered, I owe them no Seruice by any Commaundment of God, and therefore I minde not to seke them for your Covetousnes: It were best ye swept them fayre from Copwebs and Dufte, and so layed them up for catching of Scathe; or els to bury them faire in the Ground, as ye do other aged Peple which are Gods Ymages. It is a wonderfull thing, that Saintes now being dead, shuld become so covetous and nedye, and therevpon so bitterly begge, which al their Lyfe time hated all Covetousnesse and Begginge. But this I saye vnto you, and I wold all the World shuld marke it, That with your Shrines and Idolles, your fayned Absolutions and Pardons, ye drawe vnto you the Substaunce, Welthe, and chiefe Pleasures of all Christen Realmes.

Why, Syr (said one of the Clerkes) will ye not worship good Ymages?

What Worship shuld I geue vnto them? sayd the Lord *Cobham*.

Than sayde Fryer *Palmyr* vnto him, Sir, ye well worshyp the Crosse of Christ that he dyed vppon.

Where is it? said the Lord *Cobham*.

The Fryer sayd, I put ye the Case, Sir, that it were here euen now before you?

The Lord *Cobham* answered, This is a great wyse Manne, to put me an ærnest Question of a thing, and yet he his selfe knoweth not where the thing it selfe is: yet ones again aske I you, what Worshyp I shuld do unto it?

A Clerke said unto him, Such Worship as *Paul* speaketh of, and that is this, *God forbidde that I shuld joye but onely in the Crosse of Jesu Christ*.

Then sayd the Lord *Cobham*, and sprede his Armes abroade, This is a very Crosse, yea and so moche better than your Crosse of Woode, in that it was created of God; yet will not I leke to haue it worshipped.

Than said the Bishop of *London*, Sir, ye wote wel that he died on a material Crosse.

The Lorde *Cobham* sayd, Yea, and I wote also that our Saluacion came not in by that materyall Crosse, but alone by him which dyed therevpon. And well I wote that holy Saint *Paull* rejoyced in none other Crosse, but in Christes Passion and Death onely, and in his own Sufferings of like Persecution with him, for the same selfe Verite that he had suffered for afore.

And other Clerke yet asked him, Wyll ye than do none Honour to the holy Crosse?

He answered him, Yes, if he were myne, I wolde lay him vp honestlye, and see vnto him that he shuld take no more Scathes abroade, nor be robbed of his Goodes as he is now a dayes.

Than sayd the Archbishop vnto him, Sir *Johan*, ye haue spoken here many wonderfull Wordes, to the flaundrous Rebuk of the whole Spirituaite, geuing a great yll Example vnto the common fort here, to haue vs in the more disdayne. Moche time haue we spent here about you, and al in vaine so farre as I can see. Well, we must be now at this short Point with you, for the day passeth away; ye muste cyther submit your selfe to the Ordinaunce of holy Church, or else throwe your self (no remedy) into moost depe Daunger; se to it in time, for anon it will be els to late.

The Lorde *Cobham* said, I knowe not to what purpose I shuld otherwise submitte me; moch more haue you offended me, than euer I offended you, in thus troubling me before thys Multitude.

Than sayd the Archbishop againe vnto him, We ones again require you to remembre your selfe wel, and to haue none other Opinion in these maters, than the universall Fayth and Beleue of the holy Church of *Rome* is: and so lyke an obedient Child to return again to the Vnite of your Mother. Se to it, I say in time, for yet ye may have Remedy, where as anon it will be to late.

The Lord *Cobham* sayd expresslye before them all, I will none otherwise beleue in these Pointes than I haue tolde ye here afore, do with me what ye will.

Finally, than the Archbishop sayd, Wel, than I see none other but we must needs do the Lawe, we must procede forth to the Sentence diffinitive, and both judge ye and condempne ye for an Heretike.

And with that the Archbyshoppe stode vp, and redde there a Byll of his Condemnacion, all the Clergye and Layte avaylyng their Bonnettes; and thys was thereof the Tenour:

The diffinitive Sentence of his Condemnacion.

IN Dei Nomine, Amen. Nos Thomas, permissione diuina, Cantuariensis Ecclesie Archiepiscopus, Metropolitanus totius Anglie primas, & Apostolicæ sedis Legatus, and so forth in barberous *Latin*, which we haue here translated into *Englisch*, for a more playne Vnderstanding to the Reader.

In the Name of God, so be it. We *Thomas*, by the Sufferaunce of God, Archbishop of *Caunterbury*, Metropolitane and Primate of all *England*, and Legate from the Apostolyke Seate of *Rome*, willeth this to be knowen vnto all Men. In a certain Cause of Heresy, and vppon diuerse Articles, where vppon Sir *John Oldcastle* Knight, and Lord *Cobham*, after a diligent Inquisition made for the same, was detected, accused, and presented before vs in our last Conuocation of all our Province of *Canterbury*, holden in the Cathedrall Church of *Paules* at *London*; at the lauffull Denouncement and Request of our universall Clergy in the seyde Conuocation, we proceded against him according to the Lawe (God to witnes) with al the Fauor possible. And following Christes Example in all that we might, which willeth not the Death of a Synner, but rather that he be conuerted and lyue, we took vpon vs to correct him, and sought all other ways possible to bring him
again

again to the Churches Vnite, declaring vnto hym what the holie and vniuersall Church of *Rome* hath sayd, holden, determined, and taught in that behalfe. And though we found him in the Catholike Faith farre wyde and so stifnecked, that he wold not confesse his Erroure, nor purge him selfe, nor yet repent him thereof; we yet pitying hym of fatherly Compassion, and intierlye desyrynge the Helthe of his Soule, appoynted him a competent tyme of Delyberacion, to se if he wold repent and seke to be reformed; and sens we haue found him worse and worse. Considering therefore that he is incorrygible, we are driuen to the very Extremite of the Lawe, and with great Heuynes of Hart, we now procede to the Publicacyon of the Sentence diffinityue agaynst him.

Than brought he forth an other Byll, conteyning the sayd Sentence, and that he redde also in his banger *Latyne*; *Christi nomine inuocato, ipsumque solum pre oculis habentes, quia per acta martirata*, and so forth; which I haue also translated into *Englisch*, that Men may understand it.

Christ we take unto witnes, that nothing els we seke in this our whole Enterpryse, but his only Glory. For as much as we haue found by dyuerse Actes done, brought forth and exhibited by sondry Evidences, Sygnes, and Tokens, and also by many most manifest Proues, the said Sir *Johan Oldcastell* Knight, and Lord *Cobham*, not only an evident Heretyke in hys own Parson, but also a mighty Mainteyner of other Heretikes, against the Faith and Relygion of the holy and vniuersal Church of *Rome*, namely, about the two Sacramentes of the Alter, and of Penaunce, besides the Popes Power and Pilgrimages: And that he, as the Chyld of Iniquite and Darkenes, hath so hardened his Hart, that he will in no case attend vnto the Voice of hys Pastour: neyther will he be alured by strayght Admonishments, nor yet be brought in by fauourable Wordes. The Worthenes of the Cause first wayde on the one side, and his Vnworthynes again considered on the other syde, his Fautes also aggravated, or made double through his damnable Obstinacy. We being loth that he which is nought shuld be worse, and so with hie Contagiousnes infect the Multitude; by the sage Councell and Assent of the very discret Fathers, our honorable Brethren and Lordes Bishopes here present, *Richard of London*, *Henry of Wynchester*, and *Benit of Bangor*, and of other great, learned, and wyse Men here, both Doctours of Diuinite and of the Lawes, Canon and Ciuyle, Seculars and Religious, with dyuerse other expert Men assisting vs, we sentencyally and dyffinityuely, by thys present Writeing, judge, declare, and condemne the seid Sir *Johan Oldcastell* Knyght, and Lord *Cobham*, for a most pernicious and detestable Heretyke, conuycted vpon the same, and refusing vtterly to obey the Church agayne, committing hym here from hens forth as a condemned Heretik to the secular Jurisdiction, Power, and Judgment, to do him ther vpon to death. Furthermore, we excommunicate and denounce acursed not only this Heretike here present, but so many els besydes as shall here after, in fauer of his Erroure, eyther receive him or defend him, counsell him or helpe him, or any other way maintein him, as very Fauters, Receiuers, Defenders, Councelers, Ayders, and Maynteyners of condemned Heretiks.

And that these Premysse maye be the better knowen to all faythfull Chrysten Men, we commit yt here vnto your Charges, and gaue you strayght Commaundement thervpon by thys Wrytyng also, that ye cause this Condemnacion and diffinityue Sentence of Excommunycacyon, concerning both thys Heretyke and his Fawters, to be publyshed through oute all Dyoces in Cyties, Townes, and Vyllages, by your Curates and Parysh Priestes, such time as they shall haue most recourse of People, and se that it be done after this sort. As the People are thus gathered deuoutlye together, lett the Curate euery where go into the Pulpit, and there open, declare, and expounde thys Proceff in the Mother Tonge, in an audyble and intelligible Voyce, that it maye well be perseued of all Men; and that vpon the feare of this Declaracion also, the People maye fall from their yll Opinions conceiued now of late by sediciouse Preachers. More ouer, we will that after we haue deliuered vnto yche one of you Bishoppes (which are here present) a Coppie hereof, that ye cause the same to be written out again into dyuers Coppies, and so to be sent vnto the other Bishoppes and Prelates of our whole Prouince, that they may also see the Contents thereof solempnely published within their Dioces and Cures. Finally we wyll that both you and they signifye again vnto vs seriously and distinctly by your Wrytinges, as the matter is without fayned Colour in euery Point perfourmed, the Daye wherupon ye receyued thys Proceffe, the tyme when it was of you executed; and after what sort it was done in euerye Condicion, according to the Tenour hereof, that we may knowe it to be iustly the same.

A Coppie of thys Wrytinge sent *Thomas Arundel* the Archbishop of *Caunterbury*, afterward from *Maydeston* the x. Daye of *October*, within the same Yeare of oure Lorde M. CCCC. and xiii. unto *Richard Clifford* the Bishop of *London*, which thus beginneth, *Thomas Per-*
missione Diuina, &c.

See this,
P. 50.

The sayde *Richard Clifford* sent an other Coppie thereof, enclosed within hys owne Letters, unto *Robert Mascall*, a Carmelite Fryer, which was than Bishop of *Herford* in *Walis*, written from *Hadham* the xxiii. Day of *October*, in the same Yere; and the beginning thereof is this, *Reuerende in Christo Pater, &c.*

The said *Robert Mascall* directed an other Copy thereof from *London* the xxvii. Day of *November* in the same Yere, enclosed in his owne Commission also, vnto his Archdeacons and Deanes in *Herford* and *Shrewisbary*. And this is thereof the beginning, *Venerabilibus & discretis viris, &c.*

In like maner did the other Bishopes within their Dioces.

After that the Archebishop had thus red the Byll of his Condemnacion, with most Extremite, before the whole Multitude; the Lord *Cobham* sayd with a most cherefull Countenance, Though ye judge my Body, which is but a wretched thing, yet am I certein and sure, that ye can do no harme to my Soule, no more than could Sathan vpon the Soule of *Job*. He that created that, will of his infinite Mercy and Promess save it, I haue therein no manner of doubt. And as concerning these Articles before reherfed, I will stande to them, euen to the very Death, by the Grace of my eternall God.

And

And therewith he turned him vnto the People, casting hys Handes abroade, and saying with a very loude Voice, Good Christen People, for Gods loue be well ware of these Men: for they will els begyle you, and leade you blindelyng into Hell with themselues. For Christ saith plainly vnto you, *If one blind Man leadeth another, they are lyke both to fall into the Dytche.*

After thys he fell downe there vppon his Knees, and thus before them all prayed for his Enemies, holding vp both his Handes and his Eyes towards Heauen and saying, Lord God eternal, I beseeche the for thy great Mercies sake to forgeue my pursuers, if it be thy blessed will. And than he was delyuered to Syr Robert Morleye, and so ledde forth againe to the Tower of London. And thus was there an ende of that Dayes worke.

Whyle the Lord Cobham was thus in the Tower, he sent out priuily vnto his Friends; and they at his desire wrote this lytle Bill here following, causing it to be set up in diuerse Quarters of London, that the Peple shulde not beleve the Slaunders and Lyes that his Ennemies the Bishops Seruants and Priestes had made on him abroade. And this was the Letter.

For as much as Sir John Oldecastell Knight and Lord Cobham, is vntuly conuicted and imprisoned, falsly reported, and slaudred among the comen Peopple by his Aduersaries, that he shuld otherwise both seie, and speake of the Sacraments of the Church, and specially of the Blessed Sacrament of the Aulter, than was written in the Confession of his Belieue, which was indinted and taken to the Clergy, and so set up in diuerse open places in the Cite of London, Knowen be it here to all the World, that he neuer sens varyed in any Poynt therfro; but this is plainly his Beleue, that all the Sacraments of the Church be proffyttable and expedient also to all them that shal be saued, taking them after the intent that Christ and his true Church hath ordayned. Further more he beleued that in the Blessed Sacrament of the Aulter is verely and truly Christs Body, in fourme of Bread.

After thys the Bynops and Pryestes were in make Obloquie, both of the Nobilite and Comens, partly for that they had so cruelly handled the good Lord Cobham; and partlye againe, because hys Opinion (as they thought at that tyme) was perlyght concerning the Sacrament. As they feared thys to grow to further inconuenience towards them both wayes, they drew their Heads together, and at the last consented to use an other Practise, somewhat contrary to that they had done afore.

They caused it by and by to be blowne abroade by their feed Seruants, Fryendes and babeling Sir Jobnes, that the sayde Lord Cobham was becomen a good Man, and had lawlye submitted him selfe in all things vnto Holy Church, vtterly chaunging his Opinion concerning the Sacrament. And thervppon they contrefayted an Abjuration in his Name, that the Peple shuld take no hold of that Opinion by any thing they had hearde of him before, and to stande so in the more Awe of them, considering hym so great a Man, and by them subdued.

This is the Abjuration (say they) of Syr Johan Oldecastell Knight, sometime the Lord Cobham.

An Abjuration counterfayted of the Bishoppes.

IN Dei nomine, Amen. I Johan Oldecastell denounced, detected and conuicted of and vppon

diuerse Articles fauering both herefy and Errour; before the Reuerend Father in Christ, and my good Lord Thomas, by the Permission of God, Lord Archebishop of *Caunterburye*, and my laful and rightful Judge in that behalfe, expressely graunt and confesse, That as concerning the Ystate and Power of the moost Holy Father the Pope of Rome, of his Archbishops, his Bishops, and his other Prelates, the Degrees of the Church, and the Holy Sacramentes of the same, specially of the Sacramentes of the Aulter, and of Penance, and other Obseruances besides of our Mother Holy Church, as Pilgrimages and Pardons; I affyrme (I say) before the said Reuerend Father Archbishop, and els where, that I being yl seduced by diuerse sediciouse Preachers, haue greuouly erred and heritically persisted; blasphemously answered, and obstinately rebelled. And therefore I am by the sayd Reuerend Father, before the Reuerend Fathers in Christ also the Bishops of *London, Winchestre* and *Bangor*, lawfullye condemned for an Heretyke.

Neuertheless yet, I now remembring my selfe, and coueting by this meane to auoide that temporal Payne, which I am worthy to suffer as an Heretike, at the Assignacion of my most excellent Christen Prince and Liege Lord King Henry the Fift, nowe by the Grace of God most worthy Kyng of both *Englande* and of *France*; minding also to preferre the wholsom Determinacyon, Sentence and Doctryne of the Holy and Uniuersal Church of *Rome*, before the vnholsom Opinions of my self, my Teachers; and my Followers: I frely; willyngly, deliberately, and throughly confesse, graunt, and affyrme the mooste Holye Fathers in Christ, Sainct Peter the Apostle; and his Successours Bishoppes of *Rome*, specially now at thys tyme my moost blessed Lorde Pope Johan, by the Permyssyon of God the xxiii. Pope of that Name, which now holdeth Peter's Seate (and each of them in their Succession) in full Strength and Power, to be Chrystes Vycar in Ærth, and the Head of the Church Milytaunt. And that by the Strength of hys Office (what thogh he be a great Sinner, and afore knowen of God to be damned) he hath full Auctorite and Power to rule and gouerne, bind and lose, saue and destroy, accurse and assoyle, al other Christen Men.

And agreably styl vnto this, I confesse, graunt, and affyrme all other Archbishops, Bishoppes, and Prelates, in their Prouinces, Dyocesess, and Parishes (appointed by the seid Pope of *Rome*, to assyst him in his Doinges or Busines) by his Decrees, Canons, or Vertue of his Office, to haue had in tymes past, to haue now at this tyme, and that they ought to haue in tyme to come, Auctorite and Power to rule and to gouerne, binde and lose, acurse and assoyle the Subjectes or Peoples of their aforeseid Prouinces, Dyocesess, and Parishes; and that theyr said Subjectes or Peoples ought of right in all things to obey them. Furthermore I confesse, graunt and affyrme, that the sayde Spyrtyuall Fathers, as our moost Holy Father the Pope, Archbishops, Bishops and Prelates, haue had; haue now and ought to haue hereafter, Auctorite and Power for the Estate, Order and Gouernaunce of theyr Subjectes or Peoples, to make Lawes, Decrees, Statutes and Constitucions; yea, and to publysh, commaunde and compell theyr said Subjectes and Peples to the Obseruation of them.

• Moreouer, I confesse, graunt and affyrme that all these forsayd Lawes, Decrees, Statutes and Constitucions, made, publyshed and commaunded accordyng to the fourme of Spirituall Lawe, all Christen Peple and euery Man in him selfe is straightly bound to obserue, and mekelye to obeye, accordyng to the diuersite of the forsayde Powers. As the Lawes, Statutes, Canons and Constitucions of our most Holy Father the Pope, incorporated in his Decrees, Decretals, Clementynes, Codes, Chartes, Rescriptes, Sextiles and Extrauagauntes the World over all; and as the Prouincial Statutes of Archebishops in their Prouinces, the Sinodall Actes of Byshoppes in theyr Dioces, and the commendable Rules and Customes of Prelates in their Colleges, and Curates in their Parishes, all Christen People are both bound to observe, and also moost mekely to obeye. Ouer and besides all this, I *Joban Oldcastell*, vtterly forsakinge and renouncyng all the aforesayd Errours and Heresyces, and all other Errours and Heresyces lyke vnto them, lay my Hande here vppon this Boke, of Holy Euangelye of God, and swear, that I shall neuermore from hens forth hold these forsayd Heresyces, nor yet any other lyke vnto them wetingly. Neyther shall I geue counsell, ayde, helpe nor fauer at any tyme to them that shall holde, teache, affyrme or mainteine the same, as God shall helpe me and these Holy Euangelyes.

And that I shall from hens forth faithfully obeye, and inuolably obserue all the Holy Lawes, Statutes, Canons, and Constitucions of all the Popes of *Rome*, Archbishops, Bishops and Prelates, as are contayned and determind in theyr Holye Decrees, Decretals, Clementines, Codes, Chartes, Rescryptes, Sextyles, Summes Papall, Extrauagantes, Statutes Prouincyall, Actes Synodall, and other ordinary Rules and Customes constituted by them, or that shall chaunce hereafter dyrectly to be determined or made. To these and all such other, wyll I my selfe with all Powr possible apply. Besydes all this, the Penauce which it shal please my said Reuerend Father, the Lorde Archbishop of *Caunterbury*, hereafter to enjoyne me for my Sinnes, I will mekely obeye and faithfully fulfill. Finally, all my Seducers and false Teachers, and all other besydes, whom I shall hereafter knowe suspected of Heresyce or Errours, I shall effectuallye present, or cause to be presented, vnto my sayd Reuerend Father Lord Archbishop, or to them which hath his Auctorite, so sone as I can conueniently do it, and see that they be corrected to my vttermoost power. *Amen.*

The cruell Complaint of the Clergy, and Tyrannouse Acte ther vppon made.

NEuer came this Abjuracyon to the Handes of the Lord *Cobham*, neyther was it compyled of them for that purpose; but onely therwyth to bleare the Eyes of the unlearned Multitude. And whan they perceyued that Polycye wolde not helpe, but made more and more against them, than fought they out an other false Practyse. They went vnto the King with a most greuouse Complaint, lyke as they did afore in his Fathers tyme, that in euery Quarter of the Realme, by reason of *Wickleues* Opinions, and the said Lord *Cobham*, were wonderful Contentions, Rumours, Tumultes,

Vprouers, Confederations, Diffencions, Diuisions, Differences, Discordes, Harmes, Slaunders, Scismes, Sectes, Sedicions, Perturbacions, Parels, vnlawfull Assemblies, Variaunce, Strifes, Fyghtinges, rebelliousse Ruffelinges and dayly Insurrections. The Church (they said) was hated; the Diocesanes were not obeyed; the Ordinaries were not regarded; the Spirituall Offycers, as Suffraganes, Archdeacons, Chauncelers, Doctours, Commissaries, Offycials, Deanes, Lawyers, Scribes and Sommeners were euery where despyed; the Lawes and Liberties of Holy Church were troden vndre fote; the Chrysten Fayth was ruynouslye decayed; Gods Seruice was laught to Scorne; the Spiritual Jurisdiction, Auctorite, Honour, Power, Polycy, Lawes, Rytes, Ceremonies, Curses, Keyes, Censures and Canonical Sanctions of the Church were had in an vttere Contempt.

So that all in a maner was come to nought.

And the cause of this was, that the Heretikes and Lollards of *Wickleues* Opinion, were suffered to preach abroad, so boldly to gether Conuenticles vnto them, to kepe Scholes in Mens Houses, to make Bokes, compyle Treatises, and wryte Ballets, to teach priuately in Angles and Corners, as in Wodes, Feldes, Medowes, Pastours, Groues, and in Caues of the Ground. This wolde be (they sayd) a Destruction to the Commonwelth, a Subuercion to the Land, and an utter Decay of the Kinges Estate Ryall, if remedy were not sought in tyme. And this was their Policy, to couple the Kinges Auctorite wyth that they had done in theyr former Councell of Craft, and so to make it thereby the stronger. For they perceiued themselves very farre to weake els to follow against their Ennemies, that they had so largely enterprised. Upon this Complaint, the King immediately called a Parliament at *Leichestre*; it might not in those Daies be holden at *Westminstre*, for the great fauer that the Lord *Cobham* had both in *London*, and about the Cyte. Yet were they deceiued; that they doubted most, lyghted there sonest upon them.

A Byll was put in there again by the Commons, against their continuall wasting of the Temporalities, lyke as it had bene twise afore by procurement of the seid Lord *Cobham*, both in the Daies of *Richard* the Second, *Anno* 1365. and also of King *Henry* the iii. *Anno Domini* 1410. wher vpon was growne all this Malice afore specified; but this was than workemanly defeated by an other proper practyse of theyrs.

They put the King in remembrance to claime his Right in *Fraunce*, and graunted him therevnto a Dime, with other great Subsidy of Mony. Thus were Christes People betrayed euery way, and their Liues bought and sold by these most cruell Theues. For in the said Parliament, the King made this most blasphemouse and cruell Acte, to be as a Law for euer, That whatsoever they were that shoulde rede the Scriptures in the Mother Tong (which was than called *Wickleues* Larning) they shuld forfeit Land, Catel, Body, Lif and Godes from theyr Heyres for euer, and so be condemned for Heretykes to God, Ennemies to the Crowne, and most errant Trayters to the Lande.

Besides this, it was inacted that neuer a Sanctuary, nor priuileged Ground within the Realme, shulde holde them, though they were still permitted both to Theues and Murtherers. And if in case they wold not gyue ouer, or were after their

their Pardon relapsed, they shulde suffer Death in two manner of kindes; That is, they shulde first be hanged for Treason against the King, and then be burned for Heresy against God, and yet neither of both committed.

The beginning of that Act is this, *Pro eo quod magni rumores, &c.* Anon after was it proclaymed throughout the Reame, and than had the Bishops, Priests, Monkes and Fryers, a Worlde somewhat to theyr Mindes. For than were many taken in diuerse Quarters, and suffered most cruel Death. And many fled out of the Lande into *Germany, Bohem, Fraunce, Spain, Portingale*, and into the Weld of *Scotland, Wales* and *Ireland*, working ther many Murders against their false Kingdom, to long to wryte. In the *Christmas* followinge was Syr Roger Aeton Knyght, Master Johan Browne Esquire, Sir Johan Beuerlaye, a learned Preacher, and dyuerse other more attached for quarrelling with certeine Priestes, and so imprisoned. For all Men at that time could not paciently suffre theyr blasphemouse Braggas.

The Complaint was made vnto the King of them, that they had made a greate Assemble in Sainct Gyles Felde at *London*, purposing the Destruction of the Land, and the Subuercyon of the Comonwelth. As the King was thus informed, he erected a Banner (with *Walden*) with a Crosse thereupon, as the Pope doth comonly by his Legate, when he pretendeth to warre against the *Turke*; and with a great nombre of Men entered the same Felde, where as he found no such Company, yet was the Complaint judged true, because the Bishoppes had spoken it at the Information of their Priests. All this hath *Thomas Walden* in diuerse of his Workes, which was at the same tyme a *Wright* or *Carmelite* Friere, and the King's Cook flour; and partly it is touched both by *Robert Fabian*, and by *Polidorus Virgilius* in their English Chronicles: but not in all pointes rightly. In the meane season Sir *Johan Oldcastle* the Lord Cobham, escaped out of the Towr of *London* in the Night, and so fledde into *Wales*, whereas he continued more than *iiii.* Years after †.

Some Wryters haue thought this escape to come by the said Syr Roger Aeton, and other Gentlemen, in dispiasure of the Priestes, and that to be the cheefe occasion of their Deathes, which might well be; but *Walden* doth not so vtter it, which reigned the selfe same time. In *January* next following was the aforementioned Syr Roger Aeton, Master Johan Browne, Syr Johan Beuerlaye and xxxvi. more (of whom the more part were Gentylnen of Byrthe) convicted of Heresy by the Bishops, and condemned of Treason by the Temporalte, and according to the Acte, were fyrste hanged and than brent in the sayd Sainct Gyles || Feld. In the same Yeare also was one *Johan Claydon* a Skinner, and one *Richard Turmin* a Baker, both hanged and brent in *Smystfild* by that vertuous Act; besides that was done in al other Quarters of *England*, which was no small number, if it were now throughly knowen.

[In the mean while the Lord Cobham, who shifted from Place to Place to escape the Hands of them who he knew

would be glad to lay hold on him, had convey'd himself in secret wise into an Husbandman's House not far from *St. Albans*, within the Precinct of a Lordship belonging to the *Abbot* of that Town: the *Abbot's* Servants getting Knowledge hereof, came thither by Night, but they missed their Purpose, for he was gone; but they caught divers of his Men, whom they carried streight to Prison. The Lord Cobham herewith was fore dismay'd for that some of them, who were taken, were such as he trusted most, being of Counsel in all his Deuices.

In the same Place were found Books written in *English*, and some of those Books in time past had been trimly gilt, limned and beautified with Images, the Heads whereof had been scrap'd off; and in the Litany they had blotted out the Name of our Lady and other Saints, till they came to the Verse *Parce nobis Domine*. Divers Writings were found there also in derogation of such Honour as then was thought due to our Lady.

The *Abbot* of *St. Albans* sent the Book so disfigur'd with Scrapings and Blottings out, with other such Writings as there were found, unto the King, who sent the Book again unto the Archbishop, to show the same in his Sermons at *Paul's-Cross* in *London*, to the end that the Citizens and other People of the Realm might understand the Purposes of those that were called *Lollards*, to bring them farther into discredit with the People.]

The latter Enprisoning and Death of the Lord Cobham.

IN the Yeare of oure Lorde a M.CCCC. and xv. dyed *Thomas Arundell*, which had bene Archbishop of *Caunterbury* more than xxxii. Yeares, to the great Destruction of Chrysten Beleeue. Yet died not his prodigiouse Tyrannye with hym; but succeeded with his Office in *Henry Chicheley*, and in a great sort more of the spyghtful Spiritualltie. For their Malice was not yet sated against the good Lord Cobham. But they confedered with the Lord *Porwys* (which was at that time a great Gouvernour in *Wales*) feeding him with lordly Giftes and Promises, to acomplysh their Desyre. He at the last, thus monied with *Judas*, and outwardly pretending him great Amity and Fauor, moost cowardlye and wretchedly toke hym, and in conclusion so sent him up to *London*, whereas he remayned a Moneth or two imprysoned again in the *Tower*. Upon the 14 Dec. he was brought before the Parliament, and after long Processe they condemned him againe of Heresy and Treason by force of the afore named Act †. He rendering Thanks unto God that he had so appointed him to suffre for his Names sake.

And upon the Day appointed he was brought out of the *Tower*, with his Armes bound behynd him, hauing a very cherful Countenance. Than was he layd vpon an Hurdle, as though he had been a moost haynouse Traiture to the Crowne, and so drawn forth into Sainct Gyles Felde, where as they had set vp a newe paire of Galowes. As he was comen to the Place of

H Execution,

* On the Feast of St. Simon and Jude.

† See the King's Proclamation, with a Promise of Reward for apprehending him, 11 Jan. 1414. Rym. Feed. Vol. 9. p. 89.

|| *Walden*, as some suppose, call'd 'Ty-burn.

‡ It is pretended by some Historians, that he had been indicted and outlaw'd for High Treason, and was executed upon *St. Paul's-Cross*: The Indictment it self is extant [See the Appendix] but it appears by many Marks to be a Forgery [for which see Fox's Acts and Mon. Vol. 1. p. 655] the Sentence it self plainly showing he was executed in pursuance of the late Act.

Execution, and was taken from the Hardle, he fell down deuoughtly upon his Knees, desyringe Almightye God to forgeue his Enemies. Than stode he up and beheld the Multitude, exhorting them in most godly maner to folow the Laws of God, written in the Scriptures; and in any wyse to beware of such Teachers as they se contrary to Christ in their Conuerfacion and Liuing, with many other special Councels †. [When at his last Hours he was urg'd to confesse himself to a Priest, whose Service was offer'd for that Purpose, he not only with a noble Scorn rejected him, but openly protested, *That if the Apostles Peter and Paul were there, he would not confesse to them, since one infinitely greater, God himself, was present; and as from him only he implor'd and hoped for Pardon, so to him alone he would make Confession of his Sins.* The cruel Preparations of his Torments could make no Impression of Terror upon him, nor shock his

illustrious Constancy: but in him were seen united the fearless Spirit of a Soldier, and the holy Resignation of a true Christian.] Than he was hanged vp ther by the middle in Chaynes of Yron, and so consumed alyue in the Fyre, praising the Name of God, so long as his Life lasted. In the ende, he commended his Soule into the Handes of God, and so departed hens most Christenly, his Body resolved to Ashes.

And this was done in the Yeare of our Lord M.CCCC. and xviii. which was the sixt Yere of the Reygne of King *Henry* the Fifth, the People ther present shewyng great Dolour. How the Priestes that time faied, blasphemed, and cursed, requiring the People not to pray for hym, but to judge him dampned in Hell, for that he departed not in the Obedience of their Pope; it were too long to wryte.

*Archiepiscopus Cantuariensis contra
Dominum Oldcastle, 1 Hen. 5. A. D.
1413.*

*The Archbishop of Canterbury against
the Lord Oldcastle, 1 Hen. 5. in
the Year 1413.*

[*Extracted from the Records at Lambeth, and may be found in Rymers's Fœdera, Tom. 9. p. 61.*]

T *Thomas, Permissione Divina Cantuariensis Archiepiscopus, totius Angliæ Primas & Apostolicæ Sedis Legatus, venerabili Fratri nostro, Domino Richardo, Dei Gratia, Londinensi Episcopo, salutem & fraternam in Domino Charitatem.*

Nuper coram Nobis, in Convocatione Prælatorum & Cleri nostræ Cantuariensis Provinciæ in Ecclesia nostra Sancti Pauli ultimo celebrata cum iisdem Prælati & Clero, super Unione & Reformatione Ecclesiæ Anglicanæ tractantibus, inter cetera, per nos, & eosdem Prælatos & Clerum conclusum extitit, quasi pro impossibili, scissuram Tunicæ Domini inconsutilis reformare, nisi prius certi magnates Regni, Autores, Fautores, Protectores, Defensores, & Receptores horum Hæreticorum qui dicuntur Lollardi, essent rigide reprehensi, ac, si opus fuerit, per Censuras Ecclesiæ, una cum invocatione Brachii Secularis, a suis Deviis revocati:

Et facta subsequenter, in eadem Convocatione, inter Procuratores Cleri & alios, qui, de singulis Diocesibus ejusdem nostræ Provinciæ, ibidem in magno numero interfuerunt, inquisitione diligenti, repertum fuit inter eosdem, ac nobis detectum & delatum, quod Dominus Johannes Oldcastellus Miles, fuerat & est principalis Receptator, Fautor, Protector & Defensor eorumdem.

Ac quod præsentium in Diocesibus Londinensi, Roffensi, & Herfordensi, ipsos Lollardos, ab Ordinariis sive Diocesanis locorum minime licentiatos, contra Constitutionem Provinciam inde factam, ad prædicandum transinfit, ac eorum prædicationibus nefariis interfuit, & Contradictores, si quos repererat, Minis & Terroribus, ac Gladii Secularis potentia, compescuit:

Afferens & affirmans, inter cætera, quod nos, & Confratres nostri, Suffraganei nostræ Provincie,

T *Thomas, by Divine Permission, Archbishop of Canterbury, Primate of all England, and Legate of the Apostolick See, to our venerable Brother Richard, by the Grace of God, Bishop of London, Health and brotherly Love in the Lord.*

Whereas in our late Consultation, concerning the Unity and Reformation of the Church of *England*, in Convocation of the Prelates and Clergy of our Province of *Canterbury*, last held in our Church of *St. Paul's*, with the said Prelates and Clergy; among other things it was concluded by us, and the said Prelates and Clergy, next to impossible, to repair the rending of our Lord's seamless Coat, unless first of all certain great Men of the Kingdom, the Authors, Abettors, Protectors, Defenders and Entertainers of those Hereticks, who are called Lollards, were severely reprehended, and reclaim'd from their Errors, if other means fail'd, by the Censure of the Church, assisted by the Secular Arm:

And accordingly, upon the most diligent Enquiry in the said Convocation, by the Proxies of the Clergy, and others there assembled in great Numbers from each Diocess of our said Province, it was found by them, and made known and presented to us, that Sir *John Oldcastle* Knight, was and is the principal Receiver, Abettor, Patron and Defender of the same.

And that he sent the Lollards to preach about in the Diocesess of *London*, *Rochester*, and *Hereford*, without any Licences from the Ordinaries or Diocesans of the Places, contrary to the Synodical Constitution made for that purpose; and that he was present at the wicked Preachings of the same, and silenced all Opposers he met with, with Threatnings and Terrors, and the power of the Secular Sword:

Asserting and affirming, amongst other things, that we and our Brethren the Suffragans of our Province,

† *Stow's Annals, 355 b; Holin. Chro. 561 b. 1. Hall's Chro. 58 b.*

‘ *ciæ, non habuimus nec habemus Potestatem aliquam hujusmodi Constitutionem faciendi.*

‘ *Aliterque sensit & sentit, ac dogmatizat & docet de Sacramentis Altaris & Pœnitentiæ, Pereginationibus, & Adorationibus Imaginum, & Clavibus, quam Romana & Universalis Ecclesia docet & affirmat.*

‘ *Quare, ex parte eorundem Prælatorum & Cleri, tunc fuimus requisiti, ut de & supra Præmissis, contra eundem Dominum Oldcastellum procedere dignaremur.*

‘ *Nos tamen, ob reverentiam Domini nostri Regis (cujus & tunc idem Dominus Johannes Familiaris extiterat) ac ob honorem nihilo minus Ordinis Militaris, una cum omnibus Confratribus & Suffraganeis nostris dictæ nostræ Provinciæ, tunc præsentibus, & magna parte Cleri ejusdem nostræ Provinciæ, ad præsentiam dicti Domini nostri Regis, tunc in Manerio suo de Kenyngton existentis, personaliter accidentes, contraque eundem Dominum Johannem querelam deponentes, defectus ejusdem Domini Johannes partim recitavimus.*

‘ *Sed ad Rogatum ipsius Domini nostri Regis, ipsum Dominum Johannem sine dedecore ad unitatem Ecclesiæ reducere cupientes, omnem Executionem præmissorum ad tempus magnum distulimus.*

‘ *Sed demum quia præfatus Dominus noster Rex circa Reductionem ejusdem, post magnos labores, non profecit, prout idem Dominus noster Rex nobis, tam verbo, quam in scriptis, referre dignabatur; nos subsequenter eundem Dominum Johannem, de & super Præmissis personaliter responsurum coram nobis, ad certum terminum effluxum, decrevimus evocandum, ac Nuncium nostrum cum his nostris Citatoriis ad dictum Dominum Johannem transmisimus, tunc in Castro suo de Coulyng degentem.*

‘ *Cui nuncio nostro dedimus in mandatis, ut Castrum dicti Domini Johannis nullo modo ingrederetur nisi licentiatus, sed per medium cujusdam Johannis Botteleri, Ostiarii Cameræ dicti Domini nostri Regis, ipsum Dominum Johannem requireret quatenus aut daret dicto Nuncio nostro Licentiam ingrediendi ut citaret eundem, aut saltem extra Castrum suum prædictum faceret sui Copiam, ut sic Citatione posset apprehendi.*

‘ *Qui tamen Dominus Johannes dicto Johanni Bottelero, ex parte Domini nostri Regis sibi Præmissa exponenti publice respondit, quod nullo modo citari voluit, nec Citationem ipsius aliquam tolerare.*

‘ *Nosque præterea, de præmissis nobis facta fide, ulterius legitime procedentes, facta nobis primitus fideli Relatione quod idem Dominus Johannes personali Citatione apprehendi non potuit, decrevimus eundem citandum per Edictum, in valvis Ecclesiæ Cathedralis Roffensis, sibi vicinæ, & non nisi modicum ultra tria Milia Anglica a dicto Castro de Coulyng distantis, publice affingendum: prout eum sic citari fecimus, & hujusmodi Edictum nostrum in valvis dictæ Ecclesiæ publice & patenter affigi, ad comparandum coram nobis secundo Die Septembris jam præteriti de & super præmissis, atque nihilo minus certis aliis Hæreticam pravitatem concernentibus, personaliter responsurum.*

‘ *Quo Die adveniente, nobis, in Capella majori, infra Castrum de Ledys, nostræ Diocesis,*

vince, never had, nor have Authority to make any Constitution of this kind.

And concerning the Sacraments of the Altar and Penance. Pilgrimages, Adorations of Images, and the Power of the Keys, he has believed, and does believe, and dogmatizes and teaches otherwise than the Roman and Universal Church holds and affirms.

Wherefore the said Prelates and Clergy then besought us, that we would be pleased to proceed against the said Sir John Oldcastle, for and upon the Premises.

But in reverence to our Lord the King, (with whom the said Sir John was a great Favourite) and as much out of respect to the Order of Knight-hood, with all our Brethren and Suffragans of our said Province, and a great part of the Clergy of our said Province, we waited on our said Lord the King, at his Palace at Kenyngton; and making complaint against the said Sir John, we in some measure represented the Errors of the said Sir John.

But at the Instance of our Lord the King, and our own Desire to reduce the said Sir John to the Unity of the Church, without bringing him to open Shame, we deferr'd for a long time all execution of the Premises.

But forasmuch as we had it from the King's own Mouth, and under his Hand, that all his pains to reclaim this Man had proved vain and ineffectual; we thereupon decreed to summon the said Sir John to appear before us at a certain time now past, to answer for and concerning the Premises; and we sent our Officer with these our Citations to the said Sir John, then dwelling at his Castle of Cowling.

To which our Officer we gave in Command, that he should not in any wise enter the Castle of the said Sir John without leave; but by the Mediation of one John Buttler, Door-Keeper to the Privy-Chamber of our Lord the King, he shou'd apply to Sir John himself, for his leave to enter his Castle, in order to give him a Citation; or at least that he wou'd appear without the Castle, and suffer the Citation to be serv'd upon him.

But Sir John publicly answered the said John Buttler, tho' in the Premises he had made use of the King's Name, that he wou'd by no means be cited, nor suffer any manner of way such Citation to be served upon him.

Upon this faithful Account given us, that it was impossible to serve the said Sir John personally with a Citation; and we being fully persuaded thereof, decreed that he should be cited by an Edict, which should be publicly fix'd on the great Doors of the Cathedral Church in Rochester, which is but three English Miles from his said Castle of Cowling. Accordingly we caus'd him to be cited, and our Edict to be fix'd in publick and open View on the great Doors of the said Church, charging him to appear before us on the second Day of September now past, personally to answer to and for the Premises, and other Allegations of Heretical Pravity against him.

On the Day appointed we held a Court in the greater Chapel in our Castle of Leedes, in

quod tunc inhabitabamus, & ubi tunc residebamus cum Curia nostra, pro Tribunali sedentibus, facta fide quæ requiritur, in præmissis, ac audita per nos & recepta relatione, juxta assertionem, & prout communiter prædicatur in partibus ubi dictus Dominus *Johannes* se incastellat & fortificat in Castro suo prædicto, ac Opiniones suas defendit, Claves Ecclesiæ ac Potestatem Archiepiscopalem multipliciter contemnendo :

Nos eundem Dominum *Johannem*, sicut præmittitur, citatum publice & alta Voce præconizari fecimus, ac sic præconizatum, diutius expectatum, & nullo modo comparentem, reputavimus, prout erat, meritò contumacem, & in poenam contumaciæ suæ hujusmodi ipsum in Scriptis excommunicavimus tunc ibidem.

Et quia ex ferie Præmissorum, & aliis perspicuis Indiciis, & factorum Evidentiis, concepimus quod idem Dominus *Johannes* in defensionem hujusmodi Erroris sui, contra Claves Ecclesiæ se fortificat & incastellat, ut præmittitur (quorum prætextu vehemens suspicio Hæresis atque Schismatis insurgit) contra eundem decrevimus ipsum Dominum *Johannem* iteratò personaliter, si apprehendi poterit, alioquin per Edictum, ut prius, citandum, ut compareat coram nobis Die Sabbati, proximo post Festum Sancti Matthæi Apostoli & Evangelistæ, proxime futuro, causam rationabilem, si quam habeat, quare contra eundem ad graviora procedi non debeat tanquam publicum Hæreticum, Schismaticum, ac Hostem universalis Ecclesiæ, quare etiam pro tali pronunciarum non debeat, ac auxilium Brachii Secularis contra eundem solemniter invocari; personaliter propositurum, ulteriusque responsurum, facturum, & recepturum, circa omnia & singula Præmissa, quod Justitia suadebit.

Quo termino (videlicet, Die Sabbati proximo post Festum Sancti Matthæi, prædicto 23. die ejusdem Septembris adveniente) coram nobis, in Domino Capitulari Ecclesiæ Sancti Pauli Londinensis, pro Tribunali sedentibus, assidentibusque nobis universalibus Confratribus nostris, Dominis *Riccardo Londinensi*, & *Henrico Wintoniensi*, Dei gratia Episcopis, comparuit personaliter Dominus *Robertus de Morley* Miles, Custos Turris Londinensis, secumque præfatum Dominum *Johannem Oldcastellum* Militem adduxit, & coram nobis collocavit :

Nam parum ante per Regios Ministros comprehensus est, & in Turri clausus.

Cui quidem Domino *Johanni Oldcastello* sic personaliter præsentem, nos totam seriem facti, prout in Actis diei præcedentis continetur, bonis & modestis terminis, ac modo multum suavi recitavimus; videlicet,

Quomodo idem Dominus *Johannes*, de & super Articulis superius recitatis, in Convocatione Prælatorum & Cleri dictæ nostræ Provinciæ, ut præmittitur, detectus & delatus extiterat.

Quomodoque citatus & propter suam contumaciam excommunicatus.

Et, postquam ad hoc deventum fuerat, nos obtulimus paratos ad absolvendum eundem.

Ipse tamen Dominus *Johannes*, ad hujusmodi oblationem non advertens, dixit quod libenter recitaret nobis & dictis Confratribus meis, Fidem suam quam tenet & affirmat.

Sicque, Licentia petita & obtenta, extraxit de Sinu suo quandam Schedulam indentatam, &

contenta

our Diocess, in which we then lived and resided with our Court; and after the necessary proof of the Premises, and we had heard and receiv'd the Relation, as it is commonly reported in the Parts where the said Sir *John* immures and fortifies himself in his said Castle, and defends his Opinions, by contemning the Keys of the Church, and impugning the Archiepiscopal Authority :

We caused Proclamation aloud and in open Court, to be made for the said Sir *John* to appear; and after Proclamation made, and we had long waited, and he not appearing, we justly pronounced him, as he was, Contumacious; and then and there return'd him excommunicated, in Punishment for so high a Contumacy.

And because from the Series of the Premises, and other plain Demonstrations and Evidences of Fact, we apprehend that the said Sir *John* strengthens and fortifies himself in defence of his Errours against the Authority of the Church, as is premised, (which gives great handle to suspect him of Heresy and Schism) we decreed against the said Sir *John*, that he shou'd be a second time cited personally, if he could be found; if not, by Edict, as before, to appear before us on the Saturday next after the Feast of the Apostle and Evangelist St. *Matthew* next ensuing, to shew, if he has reasonable Cause, why he ought not to be proceeded against as a publick Heretick, Schismatick, and an Enemy of the Catholick Church, and why he ought not to be adjudg'd as such, and the Assistance of the Secular Arm be solemnly call'd for against him; personally to propound, and further to answer, do, and receive concerning all and singular the Premises, what in Justice is meet.

At which time (namely, the Saturday next after the Feast of St. *Matthew*, being the 23d day of *September*) as we held our Court in the Chapter-house of St. *Pauls* in *London*, with our Brethren, *Richard* Lord Bishop of *London*, and *Henry* of *Winchester* in Sessions with us, Sir *Robert Merley* Knight and Lieutenant of the *Tower* of *London*, appear'd in Court with the said Sir *John Oldcastle* Knight, and deliver'd him to us :

For he had been arrested a little before by the King's Order, and confin'd to the *Tower*.

To the said Sir *John Oldcastle* thus personally appearing, we repeated, in soft and moderate Terms, and in a manner very courteous and obliging, all our Proceedings against him, as they stand upon the Journal of the former Day; namely,

How he the said Sir *John* stood presented and charg'd by and upon the Articles above-mention'd, in Convocation of the Prelates and Clergy of our said Province.

And how he had been cited and excommunicated for his Contumacy.

And, tho' by his Default it was come to this, we notwithstanding shew'd our selves ready and willing to absolve him.

But he the said Sir *John* taking no notice of this our Overture, answer'd, He would gladly make Profession, before us and my said Brethren, of the Faith which he believ'd and maintain'd.

For which we giving leave, as he desir'd, he drew out of his Bosom an indented Writing, and there

‘ contenta in eadem publice ibidem perlegit, eandemque Schedulam nobis realiter tradidit & Articulorum, super quibus extitit examinatus quæ est talis.

‘ *Ego Johannes Oldcastellus, Miles, Dominus de Cobham, cupio omnibus imotescere Christianis, testemque adhiberi Deum, nunquam me aliter induxisse Animum, nec inducturum, ducente Domino, quam ut firma indubitataque fide omnia illius Sacramenta amplectar, quæcumque ab ipso ad usum suæ Ecclesiæ sunt tradita :*

‘ *Præterea, ut in quatuor his Generibus Fidei meæ apertius exponam Sententiam,*

‘ *Principio, Credo reverendum hoc Altaris Sacramentum Christi existere Corpus sub Panis specie, id ipsum inquam quod a Maria natum Matre, pro nobis crucifixum, mortuum ac sepultum, sit demum post triduanam mortem redivivum, ac subductum ad dextram immortalis Patris, nunc cum ipso triumphat sempiternæ Gloriæ particeps.*

‘ *Tum de Pœnitentiæ Sacramento ita habet Fides mea, ut credam apprime necessariam quibuscunque ad salutem anhelantibus, peccatricis Vitæ correctionem, talemque subeundam prioris Vitæ Pœnitentiam, ex vera Confessione, indissimulata Contritione, legitimaque Satisfactione, qualem divinæ nobis præscribunt Literæ alioqui nullam futuram salutis spem.*

‘ *Tertio de Imaginibus hunc in modum sentio, ut non meræ Fidei esse illas existimem, sed, post Christi in Orbem inventam fidem, permittente Ecclesia, in usum irrepsisse, ut Laicis ac Ignaris subserviant pro Calendario, quarum admonitu tum Christi tum Sanctorum aliorum Martyria ac pia exempla facilius in memoriæ Oculos traducantur : Cæterum, si quis hac Representatione secus abutatur, ut his ipsis Sanctorum Simulacris cultum eum præstet qui debetur iis quos repræsentant, imo huic potius cui Divi ipsi universum honorem debeant, hanc in eis collocantes fiduciam quæ in Deum unice sit transferenda, sive ita erga mutas has Imagines affecti, ut his aliqua parte sint affixi, aut huic quam illi additiore, mea Sententia nihil abscedant ab Idololatria, criminaliter peccantes in Deum omnis honoris autorem.*

‘ *Postremo, sic mihi persuadeo, nullum in terris inquilinum esse, quin sive ad vitam sive ad supplicium peregrinetur : Quisquis ita vitam instituerit ut in Præcepta Dei, quæ aut nescit aut doceri non vult, impingat, huic frustra salutem expectari, etiamsi Orbis omnes angulos expatietur ; contraque, qui illius observat Præcepta iusta, haud posse interire, quamvis nusquam ille in toto vita perambulet Peregrinationis ergo, neque Romam, neque Cantuariam, neque Compostellam, sive quocunque perambulare solet vulgus hominum.*

‘ *Qua Scheda, cum istis Articulis contentis, in eadem, ut præfertur, per dictum Dominum Johannem perlecta, nos cum Confratribus nostris prædictis, aliisque pluribus Doctoribus & Peritis, super his communicavimus, ac demum, de consilio & assensu eorundem, præfato Domino Johanni Oldcastello duximus tunc ibidem.*

there openly read the Contents of it, and afterwards with his own hand presented to us the said Writing, touching the Articles whereof he was accus'd ; of which this is the Copy.

I *John Oldcastle* Knight, and *Lord Cobham*, desire it may be known to all Christians, and I call God to witness, that I never have entertain'd, and, by the help of God, never will entertain any Persuasion, which is not consistent with a firm and undoubting belief of all the Sacraments, which were ordain'd and appointed by Christ himself for the use of his Church.

Moreover, that my Faith, as to the four Points alledg'd against me, might be more clearly understood, I declare,

First of all, That I believe that in the adorable Sacrament of the Altar, the very Body of Christ does exist, under the Species of Bread : the same Body, I mean, that was born of his Mother *Mary*, that was crucify'd for us, that dy'd and was bury'd, and rose again the third day from the Dead, and was exalted to the right hand of his eternal Father, where he now sits Partaker with him in his Glory.

Then for the Sacrament of Penance, I believe it is chiefly necessary for all that desire to be sav'd, to amend their wicked Lives, and undergo such a Penance for the sinful Part of them, as by a true Confession, an undissembled Contrition, and lawful Satisfaction, manifests it self to be agreeable to the Holy Scriptures, without which none can hope for Salvation.

Thirdly, With respect to Images, I hold that they are no Ingredient in the Christian Belief, but, long after the Publication of the Faith of Christ, were introduc'd into the World, by the permission of the Church, to be as a Calendar to the Laity and the Ignorant, that by visible Representations of the Sufferings of Christ, and of the pious Lives and Martyrdoms of the Saints, the remembrance of those things might the more easily be impress'd on their Minds : but if one so abuses this Representation, as to give that Worship to these Images of the Saints, which is due to the Saints themselves, or rather to him to whom the Saints themselves owe all Honour and Adoration, and putteth his Confidence in them, which is only to be plac'd in God, or is so affected towards these senseless Images, as to be more devoted to them than God, in my Opinion he is guilty of Idolatry, and wickedly sins against God, the only Object of Worship.

Lastly, I am fully persuaded, that there is no abiding place upon Earth, but that we are all Pilgrims either on the way to Happiness, or tending to Misery : He that either knows not, or will not be instructed in, nor live in the Practice of the Commandments of God, it is in vain for him to expect Salvation, tho' he went on Pilgrimage into all Quarters of the World : And on the other side, he that lives in Obedience to the Holy Commandments of God, will undoubtedly be sav'd, tho' he never went a step on Pilgrimage in his Life, either to *Rome*, or *Canterbury*, or *Compostell*, or to any other Places.

Sir *John* having thus read his Writing, we with our Brethren the Bishops abovemention'd, and divers other Doctors and learned Men, held a Consultation about the Contents of it : and by the Advice and Agreement of the same, we thus apply'd to the said Sir *John Oldcastle*, at the same Time and Place.

‘ Ecce Domine *Johannes!* in hac Scheda plu-
 ‘ ra bona continentur & fatis Catholica; sed vos
 ‘ habetis terminum istum ad respondendum fu-
 ‘ per aliis, Errores & Hæreses sapientibus, qui-
 ‘ bus per contenta in hac Scheda non est plene
 ‘ responsum, & propterea vos oportet ad eadem
 ‘ & fidem vestram, atque assertiones, in eadem
 ‘ Scheda expressas, circa eadem plenius decla-
 ‘ rare, (videlicet)

‘ An teneatis, credatis, & affirmetis quod in
 ‘ Sacramento Altaris, post Consecrationem rite
 ‘ factam, remaneat Panis materialis vel non?

‘ Item, an teneatis, credatis, & affirmetis,
 ‘ quod in Sacramento Pœnitentiæ, necessarium
 ‘ fuerit, quod habens copiam Sacerdotis, confi-
 ‘ teatur de peccatis suis Presbytero, per Eccle-
 ‘ siam ordinato?

‘ Quibus sic datis, inter multa & varia, per
 ‘ dictum *Johannem Oldcastellum* dicta, respondit
 ‘ expresse,

‘ *Se nolle prædicta aliter declarare, nec aliter quam*
 ‘ *in dicta Scheda continetur, aliquantulum ad eadem*
 ‘ *respondere.*

‘ Unde nos ipsi Domino *Johanni* compatientes
 ‘ benigno & affabili modo diximus tunc ibidem:
 ‘ Caveatis, Domine *Johannes!* quia si ad hæc, vo-
 ‘ bis objecta, clare non respondeatis in termino
 ‘ legitimo, vobis jam dato per Judicem, poterim-
 ‘ us vos pronunciare & declarare Hæreticum.

‘ Ipse tamen Dominus *Johannes* se tenuit ut
 ‘ prius, & noluit aliter respondere.

‘ Consequenter tamen nos cum dictis Confra-
 ‘ tribus nostris & aliis de Concilio nostro consului-
 ‘ mus, & de communicato Consilio eorundem de-
 ‘ claravimus eidem Domino *Johanni Oldcastello*,
 ‘ quid sancta Romana Ecclesia, in hac materia
 ‘ sequens dicta beatorum *Augustini, Hieronomi, &*
 ‘ *Ambrosii*, ac aliorum Sanctorum, determinavit;
 ‘ quas determinationes oportet quoscunque Ca-
 ‘ tholicos observare.

‘ Ad quæ idem Dominus *Johannes* respondit,
 ‘ *Quod bene voluit credere & observare quicquid*
 ‘ *sancta Ecclesia determinavit, ac quicquid Deus vo-*
 ‘ *luit se credere & observare; sed quod Dominus noster*
 ‘ *Papa, Cardinales, Archiepiscopi, & Episcopi, cæteri-*
 ‘ *que Prælati Ecclesie haberent potestatem talia de-*
 ‘ *terminandi, noluit ad tunc aliquantulum affirmare.*

‘ Unde nos, adhuc sibi compatientes, sub spe
 ‘ melioris deliberationis, promissimus eidem Do-
 ‘ mino *Johanni* quod certas Determinationes, in
 ‘ materia antedicta, ac super quibus idem Domi-
 ‘ nus *Johannes* debuit clarius respondere, sibi ede-
 ‘ remus in Scriptis, terminis Latinis, pro leviori
 ‘ intellectu ejusdem, in Anglicum translatis.

‘ Super quibus jubebamus eundem ac cordialiter
 ‘ rogavimus, ut in Die Lunæ, proximo tunc se-
 ‘ quente, plene & clare suum daret Responsum.

‘ Quas quidem Determinationes eodem die
 ‘ transferri fecimus, ac eidem Die Dominica
 ‘ proxima sequenti, realiter liberari; quarum De-
 ‘ terminationum tenor sequitur & est talis:

‘ *Fides ac Determinatio Sanctæ Ecclesie Catholice*
 ‘ *de sacrosancto Sacramento Altaris est hæc, quod post*
 ‘ *Consecrationem in Missa à Sacerdote factam, materi-*
 ‘ *alis Panis commutetur in materiale Corpus Christi,*
 ‘ *Vinumque*

Look you, Sir *John!* in this Writing of yours,
 it must be confess'd there are contain'd many good
 things and right Catholick; but this day was ap-
 pointed you to answer to other Points, which favour
 of Error and Heresy, which your Declaration has
 not fully answer'd; and therefore you ought to
 explain your self more clearly as to those Points,
 and more particularly declare your Faith and Af-
 sertions express'd in the said Writing, *viz.*

Whether you hold, believe, and affirm, that
 in the Sacrament of the Altar, after Consecra-
 tion by the Priest, there remaineth material Bread
 or not?

Also, whether you hold, believe and affirm,
 that in the Sacrament of Penance, it is necessary,
 where a Priest can be had, to confess your Sins to
 the Priest, ordain'd by the Church?

To which State of the Questions, amongst ma-
 ny other things said by the said Sir *John*, he an-
 swer'd expressly,

That he would not declare himself otherways,
 nor return any other Answer, than in his said
 Writing.

Upon this we reply'd to the said Sir *John*, with
 much Patience, and in a courteous and affectio-
 nate manner; Sir *John*, it behoves you to consider
 well of this matter, because if you don't return
 a clear Answer to the Articles exhibited against
 you, within the time assign'd by the Judge, we
 may proceed to pronounce and declare you an
 Heretick.

But Sir *John* would abide by his former An-
 swer, and afford us no other.

We therefore advis'd with our Brethren the Bi-
 shops above-mention'd, and others of our Coun-
 cil, and by their Advice we declar'd to the said
 Sir *John Oldcastle*, what the holy Roman Church,
 following the Doctrines of St. *Austin*, St. *Jerom*,
 and St. *Ambrose*, and other Fathers, in these
 Points, had determin'd; which Determinations
 all Catholicks were oblig'd to submit to.

To which the said Sir *John* gave for Answer,

That he would readily assent to and observe the
 Determinations and Decisions of holy Church, and
 all that God requir'd him to believe and observe;
 but that our Lord the Pope, the Cardinals, the
 Archbishops, and Bishops, and other Prelates of
 the Church, had power to determine such things,
 he would by no means affirm.

We, still patiently bearing with him, in hopes
 he might be better inform'd by mature Delibe-
 ration, promis'd the said Sir *John*, That certain
 Determinations, relating to the Points above-
 mention'd, and to which he ought to give a clearer
 Answer, should be translated from the *Latin* into
English, that he might the more easily understand
 them, and they be publish'd for his Use.

And we commended and affectionately en-
 treated him to prepare and deliver in a full and
 clear Answer to the same, on Monday next fol-
 lowing.

And we caus'd these Determinations to be
 translated the same day, and to be deliver'd into
 his own hands the next Sunday, the Tenor of
 which Determinations is as follows:

The Faith and Determination of the holy Ca-
 tholick Church, concerning the Sacrament of the
 Altar, is this, That after Consecration by a Priest
 at Mass, the Substance of the Bread is chang'd
 into

‘ *Vinumque materiale in materialem Sanguinem Christi; itaque jam nec Panis nec Vini post Consecrationem ulla manet substantia quæ prius aderat.*

‘ Quid huic respondes Articulo?

‘ *Item, Sancta Ecclesia determinavit quod quemlibet oportet Christianum, in Terris degentem, peccata Sacerdoti, per Ecclesiam ordinato, confiteri si liceat accedere.*

‘ Ut hunc sentis Articulum?

‘ *Christus ordinavit Sanctum Petrum suum Vicarium in Terris, cujus Sedes est Ecclesia Romana, concedens ac permittens eandem Auctoritatem, quam tribuit Petro, & omnibus Petri Successoribus, qui nunc dicuntur Papæ Romani; quorum Potestate in Ecclesiis particularibus ordinantur ac constituuntur Prælati, utpote Archiepiscopi, Episcopi, Curati, & ceterique Gradus Ecclesiastici; quibus Christianus Populus debet Obedientiam, juxta Traditiones Romanæ Ecclesiæ.*

‘ Hæc est Determinatio sanctæ Ecclesiæ.

‘ Ut sentis hunc Articulum?

‘ *Ad hæc, sacrosancta Ecclesia determinavit quod sit necessarium cuiusvis Christiano peregrinari ad sancta loca, ibique maxime adorare sanctas reliquias Apostolorum, Martyrum, ac Confessorum, omniumque Sanctorum quoscunque approbavit Romana Ecclesia.*

‘ Ut hunc sentis Articulum?

‘ *Quo Die Lunæ (videlicet) 25. Die dicti Mensis Septembris, coram nobis ac Confratribus nostris prædictis, adjunctoque venerabili Fratre nostro, Benedicte, Dei gratia, Bangorensi Episcopo, jussu & mandato nostro.*

‘ *Consiliarii & Ministri nostri (videlicet) Magister Henricus Ware, Curie nostræ Cantuariensis Officialis; Philippus Morgan, utriusque Juris Doctor; Howellus Kyffen, Decretorum; Johannes Kemp & Williclmus Kerleton, Legum Doctores; ac Johannes Witnam, Thomas Palmer, Robertus Womberwel, Johannes Withead, Robertus Chamberlayne, Richardus Dodyngione & Thomas Walden, sacræ Paginæ Professores; necnon Jacobus Cole & Johannes Sevyngs, Notarii nostri, in hac parte assumpti; jurati erant omnes & singuli ad sancta Dei Evangelia, tacto Libro, quod de & super materia prædicta, ac in tota Causa hujusmodi suum fidele Consilium & Ministerium præberent, atque toto mundo.*

‘ *Consequenterque comparuit dictus Dominus Robertus de Morlay Miles, Custos Turris Londoniæ, ad Dominum Johannem Oldcastellum secum adduxit, & coram nobis statuit.*

‘ *Cui nos affabiliter & suaviter recitavimus Acta prioris Diei, ac, ut prius, recitavimus quomodo excommunicatus fuerat & est idem Dominus Johannes, ac rogavimus & requisivimus eundem quatenus peteret & admitteret in forma debita Ecclesiæ Absolutionem.*

‘ *Cui idem Dominus Johannes expresse respondit tunc ibidem:*

‘ *Quod nullam Absolutionem in hac parte peterit nobis, sed a solo Deo.*

‘ *Consequenter nos suavi & modesto modo rogavimus & requisivimus eundem Dominum Johannem quatenus, de & super Articulis sibi oppositis, suum clarum daret responsum.*

into the material Body of Christ, and the Substance of the Wine into the material Blood of Christ; therefore after Consecration, there remaineth not any of the Substance of Bread and Wine, which were in both before it.

What Answer do you give to this Article?

Also Holy Church hath determin'd, that it is the Duty of every Christian living in the World, to confess his Sins to a Priest, ordain'd by the Church, if he has the Opportunity of such an one.

What are your Sentiments of this Article?

Christ ordain'd St. Peter to be his Vicar on Earth, whose See is the Church of Rome; and that all the Successors of Peter, who are now call'd the Popes of Rome, should succeed in the same Power and Authority with which Christ invested him; by whose special Power are constituted and ordain'd Prelates in particular Churches, as Archbishops, Bishops, Curates, and the rest of the Ecclesiastical Order; to which all Christians owe Obedience, according to the Traditions of the Roman Church.

This is the Determination of Holy Church, and what is your Opinion of this Article?

Besides these, the Holy Church hath ordain'd, that it is the indispensable Duty of every Christian Man to go on Pilgrimage to holy Places, and there to adore the sacred Relicks of the Apostles, Martyrs, and Confessors, and of all the Saints in the Calender of the Roman Church.

How do you hold this Article?

On Monday the 25th of the said Month of September, we assembled with our Brethren the Bishops above-mention'd, with the Addition by our Order and Command, of our venerable Brother Benedicte, by the Grace of God Bishop of Bangor.

And our Counsellors and Officers, namely, Mr. Henry Ware, Official of Canterbury; Philip Morgan, Doctor of both Laws; Howel Kyffen, John Kemp and William Carleton, Doctors of the Canon Law; and John Witnam, Thomas Palmer, Robert Womberwel, John Withead, Robert Chamberlain, Richard Doddington, and Thomas Walden, Doctors in Divinity; also James Cole and John Stevens, our Notaries, both called to assist, and take the Examinations, in the Trial, were all and every of them sworn upon the holy Evangelists, as they would answer it to God and the World, faithfully to discharge their Duty that day, in the Matter and Cause abovemention'd.

After this Robert Morley Knight, and Lieutenant of the Tower of London, brought Sir John Oldcastle into Court, and set him before us:

To whom we affably and courteously repeated the Proceedings of the former Day, and, as before, told him, How he had been, and still stood, excommunicated; and we intreated and besought him to desire and accept of Absolution, in the usual Form of the Church.

To which Sir John then answered in these words:

That he desired no Absolution from us, but only from God.

Upon this we pray'd the said Sir John, with an Air of Kindness and Concern, to give his full Answer to the Articles exhibited against him.

Et primo circa Sacramentum Eucharistie ;
ad quem Articulum, inter cætera, dixit & re-
spondit,

*Quod sicut Christus in Terra degens, habuit
in se Divinitatem & Humanitatem, Divinitatem
reconditam sub Humanitate, que
in eo erat & non visibilis : sic in Sacramento
Altaris & ceteris Sacramentis & ceteris Pontificis
Institutionibus, & Corpore Christi, sub eo-
dem modo sunt recondita.*

*Idem etiam de Sacramentis hujusmodi, in
Sæculo præterito, per nos sanctis, per
sanctam Romanam Ecclesiam & Doctores sanctos
determinata, & non negata, Determinatum
Ecclesie, fuit, ut non esset de Determinatione
Ecclesie, sed de quibusdam contra scripturas
& præsertim Evangelium fuit edita, & ve-
nerum esse in præsentia, & non ante.*

Quo etiam ad sermone Penitentie & Confessio-
nis dixit & asseruit expresse tunc ibidem ;

*Quod, si quis, in aliquo genere Peccati constitutus,
a quo ipse surgere non potest, & pedes & genua ejus
sibi adire aliquem Sacerdotem & alium Sacerdotem
pro Confessione ab eo habenda, sed quod confiteretur
Peccatum suum proprio, & alteri Praesente, et-
iamsi haberet Corporum ejus, non esset necessarium
ad salutem, quia sola Contritio Peccati, & Injusti-
tiam deleri potest, & ipse Peccator purgari.*

Circa Adorationem sancte Crucis dixit & as-
serit tunc ibidem, — *Quod solum Corpus Christi,
quod pendebat in Cruce, debet adorari, quia illud
Corpus solum fuit, & non Crux adoranda.*

Et interrogatus, quem honorem faceret ima-
gini ipsius Crucis ? respondit veris expressis,

*Quod solum solum honorem, & reverentiam, quod bene
mundaret eam, & portaret in casa custodiam.*

Quoad potentiam Clavium, Dominum nos-
trum Papam, Archiepiscopos, Episcopos, & al-
ios Prælatos dixit,

*Quod Papa est verus Antichristus, hoc est Caput
eiusdem, Archiepiscopi, Episcopi, necnon alii Præ-
lati, Membra, & Fratres Cauda illius ; quibus
Papa, Archiepiscopi, & Prælati non est obedi-
entiam, nisi quatenus fuerint imitatores Christi &
Petri, in vita, moribus, & conversatione : &
quod ipse est Successor Petri, qui est in vita melior,
& moribus purior, & nullus alius.*

Ulterius dixit idem Dominus Johannes alta
voce, manibus expansis, alloquendo circumstan-
tes :

*Ipsi qui judicant & volum dammare me, sedu-
cent vos omnes & filios, & vos ducunt ad Infer-
num, Ideo cavetis ab eis.*

Quibus sic per eam dictis, nos iterum ac sæ-
pius, seibili vultu, dictum Dominum Johannem
alloquebamur eundem, verbis, quibus potuimus,
exhortando ut ad Unitatem Ecclesie rediret, cre-
deret & teneret quod Ecclesia Romana credit &
tenet, qui respondebat expresse :

And first we demanded what he had to say a-
bout the Sacrament of the Eucharist ? To which
Article, among other things, he answer'd and
said,

That as Christ, when he liv'd upon Earth
had the Divine and Human Nature united toge-
ther in him, and the Divine was veild and cover'd
under the Human, and only the Human visible
and outward ; so in the Sacrament of the Altar,
there is the very Body of Christ, and real Bread
too ; the Bread is the thing we see with our
Eye, and the Body of Christ, which is hidden
under it, we do not see.

And the Faith about this Sacrament of the Al-
tar, express'd in the Writing which we lent to
him, as determin'd by the holy Roman Church and
the Fathers, he expressly deny'd to be the Deter-
mination of the Church ; or if it was the Deter-
mination of the Church, he asserted such Deter-
mination to be made contrary to the Holy Scrip-
tures, and after the Church was aggrandiz'd and
corrupted, and not before.

To the Articles about Penance and Confession,
he answer'd in these Words :

That if any one is so intangled in the Snarcs of
Sin, that he knows not how to extricate himself,
it is advisable and expedient for him to apply to
some pious and discreet Minister for Ghostly
Council : but that he should confess his Sin to his
own or any other Priest, tho' he had never so good
an Opportunity, is not at all necessary to Salva-
tion, because such a Sin can be forgiven only up-
on Contrition, and on that alone can the Sinner
be clear'd.

Concerning the Adoration of the holy Cross,
he then declared and asserted, — That the Body
of Christ, which hung upon the Cross, ought only
to be worshipp'd, because that Body was and is the
only adorable Cross.

And being ask'd what Honour he allow'd to the
Image of the Cross ? he answer'd in these express
words ;

That to keep it clean and in his Closet, was the
only Honour he vouchsaf'd it.

As to the Power of the Keys, our Lord the
Pope, Archbishops, Bishops, and other Prelates,
he said,

The Pope and we together made up the true
Antichrist : the Pope was the Head, the Arch-
bishops, Bishops, and other Prelates the Body and
Limbs, and the Friars the Tail of Antichrist :
To which Pope, Archbishops, and Prelates there
was no Obedience due, any further than they
imitated Christ, and Peter, in their Lives, Man-
ners, and Conversation ; and that he is the Suc-
cessor of Peter, who follows him in the Pu-
rity of his Life and Conversation, and no o-
ther.

The said Sir John aided, addressing himself
with a loud Voice, and extended Hands, to the
People that were present :

Those who sit in Judgment upon me, and are
desirous to condemn me, will seduce you all, and
themselves, and lead ye to Hell ; take therefore
good heed of them.

Upon his saying this, we apply'd to the said
Sir John, and besought him, with Tears in our
Eyes, and exhorted him in the most compassionate
manner we could, to return to the Unity of the
Church, to believe and embrace the Faith and
Doctrines of holy Church. To which he return'd
this peremptory Answer ;

Se aliter non credere nec tenere quam superius expressit.

Videntes ergo quod in eo, prout apparuit, proficere non potuimus, tandem, cum cordis amaritudine, processimus ad Sententiæ diffinitivæ prolationem in hunc modum.

In Dei nomine, Amen. Nos Thomas, permissione Divina, sanctæ Cantuariensis Ecclesiæ Archiepiscopus, & Minister humilis, totius Angliæ Primas, & Apostolicæ sedis Legatus.

In quadam Causa sive Negotio Hæreticæ Pravitatis, de & super diversis Articulis, super quibus Dominus Joannes Oldcastellus Miles, Dominus de Cobham, coram nobis, in ultima Convocatione Cleri nostræ Cantuariensis Provinciæ, in Ecclesia Sancti Pauli Londini celebrata, post Inquisitionem diligentem ibidem inde factam, detectus & delatus extiterat, & per nostram Cantuariensem Provinciam notorie & publice diffamatus, ad Denunciationem & Requisitionem totius Cleri prædicti in eadem Convocatione, inde nobis factam, favore possibili, Deo teste, quo potuimus, legitime procedentes contra eundem, ac Christi vestigiis inhærendo, *qui non vult mortem Peccatoris, sed magis ut convertatur & vivat*; nitbamur eundem corrigere, ac viis & modis, quibus potuimus atque scivimus, reducere ad Ecclesiæ Unitatem, declarantes eidem quod in hac parte sancta Romana, & universalis Ecclesia docet, tenet, determinavit, & prædicat.

Et quamvis eundem, in Fide Catholica devium invenerimus adeo duræ cervicis, quod Errorem suum noluit confiteri, aut se purgare de eodem, nec etiam detestari; eidem paterno nichilominus compatientes affectu, ac ipsius salutem cordialiter affectantes, præfiximus eidem certum terminum competentem ad deliberandum, & si voluisset, pœnitendum & reformandum seipsum.

Ac demum, eo quod eundem consideravimus incorrigibilem, servatis primitus quæ in hac parte de Jure requiruntur, cum dolore & amaritudine Cordis, ad diffinitivæ Sententiæ prolationem procedimus in hunc modum.

Christi Nomine invocato, ipsumque solum habentes præ oculis, quia, per Acta inabitata, producta, exhibita, Signa, Evidentias, & Indicia, diversa insuper probationem genera, reperimus eundem Dominum Joannem Militem fore & esse Hæreticum, Hæreticisque credentem, in fide & observantia sacrosanctæ Romanæ & universalis Ecclesiæ, & præsertim circa Sacramenta Eucharistiæ & Pœnitentiæ, quod, tanquam Iniquitatis & Tenebrarum Filius, in tantum obduravit Cor suum, ut non intelligat vocem sui Pastoris, nec velit Monitionibus allici, nec reduci Blanditiis, investigatis primitus, rimatis, & diligenter pensatis meritis Causæ antedictæ, ipsiusque Domini Joannis demeritis Culpis per ipsius damnabilem pertinaciam aggravatis:

Nolentes quod is, qui nequam est, fiat nequior, & alios inficiat sua Labe, de Consilio & Assensu, magnæ Discretionis & Sapientis Virorum, venerabilium Fratrum nostrorum, Dominorum, Ricardi Londoniensis, Henrici Wintoniensis, & Benedicti Bangorensis, Episcoporum, & aliorum nonnullorum,

That he would not believe nor maintain otherwise than he had before declar'd.

Seeing therefore he was so harden'd in his Errors, that we had no hopes of working on him to renounce them, we proceeded, with regret and bitterness of Heart, to pronounce the following definitive Sentence.

In the Name of God, Amen. We Thomas, by Divine Permission, Archbishop and humble Minister of the holy Church of Canterbury, Primate of all England, and Legate of the Apostolick See.

Whereas in our last Convocation of the Clergy of our Province of Canterbury, holden in the Cathedral Church of St. Paul, London, after Consultation upon several heretical Tenets, and strict Inquiry made who were the Authors and Abettors of the same, Sir John Oldcastle Knight, and Lord Cobham, was detected and presented of and for the said Heresies, as having given great Scandal throughout our Province of Canterbury, by openly and avowedly professing the same; upon the Address and Representation of all the Clergy in the said Convocation for a Process, we proceeded according to Law against the said Sir John, and (as God knows) with all the Equity and Favour that could possibly be shew'd: and following the steps of Christ, *who would not the Death of a Sinner, but rather that he should be converted and live*, we endeavour'd to reclaim the said Sir John, and try'd all ways and means that we could devise to reduce him to the Unity of the Church, declaring unto him the Doctrines, Tenets, and Determinations of the Holy Roman and Universal Church, relating to those Points.

And tho' we found he had apostatiz'd from the Catholick Faith, and was so confirm'd in his Error, that he would not confess it, nor clear himself of it, nor disavow it; yet forbearing him in paternal Love, and out of a sincere Desire of his Salvation, we allow'd him a competent time for Deliberation, and wherein he might repent and reform himself.

But forasmuch as we have experienc'd the said Sir John to be incorrigible and irreclaimable, we at last with Grief and Heaviness of Heart, in obedience to what the Law requires, proceed to give Sentence definitive against him.

In the Name of Christ, and having his Honour only in view; forasmuch as we have found by divers Acts done, produc'd, and exhibited by Indications, Presumptions and Proofs, and many other kinds of Evidence, that Sir John Oldcastle Knight is really and truly an Heretick, and a Follower of Hereticks, against the Faith and Religion of the holy Roman and Catholick Church, and particularly with respect to the Sacraments of the Eucharist and Penance; that, as a Child of Darkness and Iniquity, he had hardened his Heart to that degree, that he refuses to hear the Voice of his Pastor, and will not be prevailed upon by gentle Monitions, nor reduc'd by soft Persuasions, tho' the Merits of our Cause, and the Demerits of his own, he had diligently canvass'd and weigh'd, and so aggravated the Wickedness of his Error by his damnable Obstinacy:

We unwilling that he should contract further Degrees of Guilt, by infecting others with the Contagion of Heresy, by the Advice and Consent of Men famous for Discretion and Wisdom, our venerable Brothers, the Lords, Richard Bishop of London, Henry Bishop of Winchester, and Benedict Bishop

‘ nullorum, in sacra Theologia, Decretis, & Jure
 ‘ Civili Doctorum, aliarumque religiosarum & peri-
 ‘ tarum Personarum, nobis assistentium, præfatum
 ‘ Dominum Joannem Oldcastellum Militem, Domi-
 ‘ num de Cobham, de & super hujusmodi detestabili
 ‘ reatu convictum, & ad Ecclesie Unitatem peni-
 ‘ tentialiter redire nolentem, Hereticum, ac in his
 ‘ que tenet, docet, determinavit, & prædicat sacro-
 ‘ sancta Romana & universalis Ecclesia, & præser-
 ‘ tim in Articulis superscriptis, errantem judicavi-
 ‘ mus, declaravimus, & condemnavimus sententiali-
 ‘ ter & diffinitive in his Scriptis, relinquentes eun-
 ‘ dem exnunc, tanquam Hereticum, Judicio secu-
 ‘ lari.

‘ Ipsumque nihilominus Hereticum, omnesque alios
 ‘ & singulos, qui eundem de cætero, in sui favorem
 ‘ Erroris, receptaverit vel receptaverint, defensaverit
 ‘ seu defensaverint, sibi Consilium, Auxilium, seu
 ‘ Favorem in hac parte præbuit vel præbuerint, tan-
 ‘ quam Fautores, Receptatores, & Defensores
 ‘ Hereticorum, excommunicavimus, & excommuni-
 ‘ catos denunciavimus etiam in his Scriptis.

‘ Et ut ista Præmissa omnibus in Christo cre-
 ‘ dentibus, innotescant, vestræ Fraternalitati com-
 ‘ mittimus & commendamus, quatenus præfatum
 ‘ Dominum Johannem Oldcastellum, sicut præmitti-
 ‘ tur, per nos fuisse & esse damnatum, Hereticum,
 ‘ Schismaticum, & in Articulis superscriptis er-
 ‘ rantem, omnesque alios & singulos, qui eundem
 ‘ Dominum Johannem de cætero, in sui favorem
 ‘ Erroris, receptaverit vel receptaverint, defensa-
 ‘ verit vel defensaverint, aut sibi Auxilium, Con-
 ‘ silium, vel Favorem in hac parte præbuerit vel
 ‘ præbuerint, tanquam Receptatores, Fautores,
 ‘ & Defensores Hereticorum, per dictam nos-
 ‘ tram Sententiam diffinitivam, excommunicatos
 ‘ in Ecclesia vestra, per vestras Civitates & Dico-
 ‘ ceses, per singulos Subditos vestros & Curatos
 ‘ earundem, in Ecclesiis suis, cum major in eis-
 ‘ dem affuerit Populi Multitudo, alta & intelli-
 ‘ bili Voce & in Lingua materna, prout supra se-
 ‘ riosius continetur in hoc processu, declarent,
 ‘ publicent, & exponent, ut sic Opiniones erro-
 ‘ neæ Populi, qui aliter concepit forte in hac ma-
 ‘ teria quemadmodum se habet rei veritas, hac
 ‘ Declaratione publica rescindantur.

‘ Quod idem per vos singulis Confratribus nos-
 ‘ tris, nostræ Cantuariensis Provinciæ Suffraga-
 ‘ neis, de verbo ad verbum, rescribi & innotesci
 ‘ volumus & mandamus, ut ipsi omnes & singuli,
 ‘ per suas Civitates & Dioceses, modum & for-
 ‘ mam hujus nostri processus, dictam etiam per
 ‘ nos latam Sententiam, & cætera omnia & singula
 ‘ contenta in iisdem, publicent, intiment, & de-
 ‘ clarent, & consimiliter per Subditos suos & Cu-
 ‘ ratos faciant publicari.

‘ De Die vero Receptionis præsentium, & quid
 ‘ feceritis in Præmissis, & quomodo hoc nostrum
 ‘ Mandatum fueritis & fuerint executi, debite &
 ‘ distincte certificetis & certificent, dicto Negotio
 ‘ expedito, Litteris vestris & suis Patentibus, ha-
 ‘ bentibus hunc tenorem.

‘ Datum in Manerio de *Maydeston*, x. die Men-
 ‘ sis Octobris, Anno 1413, & nostræ Translatio-
 ‘ nis Anno 18.

Bishop of *Bangor*, and some other Doctors of Di-
 vinity, and of Canon and Civil Law, and o-
 ther religious and learned Persons, call'd to our
 Assistance; we do peremptorily and definitively,
 by this present Writing, judge, declare, and con-
 demn the said Sir *John Oldcastle* for an Heretick,
 convicted of the detestable Crime of Heresy, and
 utterly refusing to be reconcil'd to the Church by
 Repentance, and an Apostate from those Doc-
 trines, in the above-mention'd Articles especially,
 which the holy *Roman* and Catholick Church
 holds, teaches, and hath determin'd; and we leave
 him from henceforth as an Heretick, to the secular
 Judgment.

And furthermore, we have excommunicated,
 and by these Presents do denounce excommuni-
 cated, the said Heretick, and all others, who
 shall hereafter, in favour of his Error, counte-
 nance, defend, or afford him any Counsel, Aid,
 or Comfort; deeming such Person or Persons as
 Abettors, Encouragers, and Defenders of Here-
 ticks.

And that these Premises might be promulg'd
 and known to all Christians, we charge and enjoin
 you, forasmuch as the said Sir *John Oldcastle* was
 and is condemn'd by us for an Heretick, a Schis-
 matick, and as erroneous in the above-mention'd
 Articles, and also all other Persons, who out of
 Favour or Affection to his Error, shall hereafter
 countenance, defend, or afford him any Counsel,
 Aid, or Comfort, are excommunicated, as deem'd
 Abettors, Encouragers, and Patrons of Here-
 ticks, according to our said definitive Sentence,
 to give Orders and Directions to your Priests and
 Curates of your respective Cities and Dioceses,
 in their respective Churches, when there is the
 greatest Congregation of People, to declare, pub-
 lish, and expose with loud and audible Voice,
 and in our Mother-Tongue, the said Heretick,
 and Hereticks, according to our said definitive
 Sentence, and the Order observ'd in this Pro-
 cess; to the end that any wrong Notions, which
 possibly the People may have given into con-
 cerning these Matters, and our Proceedings upon
 them, might be rectify'd by this publick Declara-
 tion.

Moreover, we will and command you the Bi-
 shops here present, to take Copies hereof word
 for word, and send one to each Bishop of our
 Province of *Canterbury*, that so all and every of
 them may publish, intimate, and declare, and
 cause by their respective Priests and Curates to be
 publish'd, in their several Cities and Dioceses, the
 Manner and Form of this our Proceeding, and
 also the said Sentence pronounc'd by us, and all
 and singular Contents of the same.

And, Lastly, we require of you and them, that
 this Business be dispatch'd with all convenient
 Expedition; and that you and they do duly and
 punctually advise and certify us of the time of
 receiving these Presents, and how this our Com-
 mand has been executed, by your and their Let-
 ters Patent, according to the Tenor hereof.

Given at our Palace at *Maydstone*, on the 10th
 day of *October*, in the year of our Lord 1413, and
 of our Translation the 18th.

IV. *The Trial of Sir THOMAS MORE Knight, Lord Chancellor of England, for High-Treason in denying the King's Supremacy, May 7. 1535. the 26th of Henry VIII.*

A Bill being preferred in Parliament, November 1534 to attaint *Elizabeth Barton*, and several others of High-Treason, Bishop *Fisher* and Sir *Thomas More* were also brought into it for Misprision of Treason, for the refusing of the Oath of Succession—Says my Lord *Herbert*. The same Author avows the Bill did so pass; but Sir *Thomas's* Great-Grandson, in his Life, shews the contrary, and that notwithstanding the Archbishop of *Canterbury*, the Lord Chancellor, Duke of *Norfolk*, and Secretary *Cromwell*, by the King's Command, went to him and pressed him to a Compliance; yet the Chancellor influenc'd the King so far, that the matter of Misprision was dropt.

Sir *Thomas* was also examin'd at other times by the Lord Chancellor, Dukes of *Norfolk* and *Suffolk*, Mr. Secretary, and others of the Privy-Council, who press'd him, with all the Arguments they could think of, to own the King's Supremacy in direct and open Terms, or plainly to deny it; but he being loth to aggravate the King's Displeasure, would say no more than that the Statute was like a two-edged Sword, for if he spoke against it, he should be the Cause of the Death of his Body; and if he assented to it, he should purchase the Death of his Soul. Those Examinations being over, *Richard Rich*, newly made Solicitor General, and afterwards Lord *Rich*, with Sir *Richard Southwell*, and Mr. *Palmer*, Secretary *Cromwell's* Man, were sent by the King to take away his Books. *Rich* pretending Friendship to him, and pretending he had no Commission to talk with him about the former Affair of the Supremacy, he put a Case to him thus: If it were enacted by Parliament that *Richard Rich* should be King, and that it should be Treason in any body to deny it, what Offence it were to contravene that Act? Sir *Thomas More* answer'd, That he should offend if he said so, because he was bound by the Act; but that this was *casus levis*. Whereupon Sir *Thomas* said, he would propose a higher Case: Suppose it were enacted by Parliament, *Quod Deus non sit Deus*, and that it were Treason to contravene, whether it were not an Offence to say it according to the said Act? *Rich* reply'd, yea; but said withal, I will propose a middle Case, because this is too high: The King, you know, is constituted supreme Head of the Church upon Earth; why should not you, Master *More*, accept him for such? as you would me, if I were made King by the aforesaid Supposition. *More* answered, the Case was not the same, because, said he, a Parliament can make a King, and depose him; and that every Parliament-Man may give his Consent thereunto, but that a Subject cannot be bound so in the Case of Supremacy. *Quia consensum ab eo ad Parliamentum præbere non potest* (so says my Lord *Herbert* it is in my Copy if

it be not mistaken,) *Et quanquam Rex sic acceptus sit in Anglia, plurimæ tamen Partes exteræ idem non affirmant.*

Sir *Thomas* having continued a Prisoner in the Tower somewhat more than a Twelvemonth, for he was committed about the middle of *April 1534*, and was brought to his Trial on the 7th of *May 1535*. he went into the Court leaning on his Staff, because he was much weakened by his Imprisonment, but appeared with a cheerful and composed Countenance. The Persons constituted to try him, were,

Sir <i>Thomas Audley</i> , Lord Chancellor,	Sir <i>Richard Leicester</i> ,
<i>Thomas Duke of Norfolk</i> ,	Sir <i>John Port</i> ,
Sir <i>John Fitz-James</i> ,	Sir <i>John Spelman</i> ,
Lord Chief Justice,	Sir <i>Walter Luke</i> ,
Sir <i>John Baldwin</i> ,	Sir <i>Anthony Fitz-Herbert</i> .

The Indictment was very long, but where to procure a Copy of it, I could never learn; it's said in general, it contain'd all the Crimes that could be laid to the charge of any notorious Malefactor; and Sir *Thomas* professed it was so long, that he could scarce remember the third part of what was objected therein against him. It was read aloud by the Attorney-General; and Sir *Thomas's* mortal Sin seem'd plainly to be his refusing the Oath of Succession, already mention'd.

To prove this, his double Examination in the Tower was alledged against him, the first before Secretary *Cromwell*, *Thomas Beade*, *John Tregonnel*, &c. to whom he professed he had given over all Thoughts of Titles either to Popes or Princes, tho' the whole World should be given him, he being fully determin'd only to serve God. The second time before the Lord Chancellor, the Duke of *Suffolk*, Earl of *Wiltshire*, and others, before whom he compared that Oath to a two-edged Sword, as before observed.

Presently after the Indictment was read, the Lord Chancellor and the Duke of *Norfolk* spoke to him to this effect: *You see now how grievously you have offended his Majesty; yet he is so very merciful, that if you will lay aside your Obstinacy, and change your Opinion, we hope you may obtain Pardon and Favour in his sight.* But Sir *Thomas* stoutly reply'd, Most Noble Lords, I have great reason to return thanks to your Honours for this your great Civility, but I beseech Almighty God, that I may continue in the Mind I am in, thro' his Grace, unto Death.

Then having Intimation given that he might say what he thought fit in his own Defence, he began thus: When I consider the length of my Accusation, and what heinous Matters are laid to my charge, I am struck with Fear, lest my Memory and Understanding, which are both im-

paired, together with my bodily Health, thro' a long Indisposition contracted by my Imprisonment; should now fail me so far, as to make me incapable of making such ready Answers in my Defence, as otherwise I might have done.

The Court being sensible of his Weakness, ordered a Chair to be brought in, wherein he might seat himself, which he did accordingly, and then went on thus. This my Indictment, if I mistake not, consists of four principal Heads, each of which I purpose, God willing, to answer in order. As to the first Crime objected against me, that I have been an Enemy out of stubbornness of Mind to the King's second Marriage; I confess, I always told his Majesty my Opinion of it, according to the Dictates of my Conscience, which I neither ever would, nor ought to have concealed: for which I am so far from thinking my self guilty of High-Treason, that on the contrary, being required to give my Opinion by so great a Prince in an Affair of so much importance, upon which the Peace of the Kingdom depended; I should have basely flatter'd him, and my own Conscience, had not I spoke the Truth as I thought: Then indeed I might justly have been esteemed a most wicked Subject, and a perfidious Traitor to God. If I have offended the King herein; if it can be an Offence to tell one's Mind freely when his Sovereign puts the Question to him; I suppose I have been sufficiently punish'd already for the Fault, by the great Afflictions I have endured, by the loss of my Estate, and my tedious Imprisonment, which has continued already near fifteen Months.

The second Charge against me is, That I have violated the Act made in the last Parliament: that is, being a Prisoner, and twice examined, I would not, out of a malignant, perfidious, obstinate and traitorous Mind, tell them my Opinion, whether the King was Supreme Head of the Church or not; but confessed then, that I had nothing to do with that Act, as to the Justice or Injustice of it, because I had no Benefice in the Church: yet then I protested, that I had never said nor done any thing against it; neither can any one Word or Action of mine be alledged, or produced, to make me culpable. Nay, this I own was then my Answer to their Honours, that I would think of nothing else hereafter, but of the bitter Passions of our Blessed Saviour, and of my Exit out of this miserable World. I wish no body any harm, and if this does not keep me alive, I desire not to live; by all which I know, I would not transgress any Law, or become guilty of any treasonable Crime: for this Statute, nor no other Law in the World can punish any Man for his Silence, seeing they can do no more than punish Words or Deeds; 'tis God only that is the Judge of the Secrets of our Hearts.

* *Christo-pher Hales.* * *Attorney.* Sir *Thomas*, tho' we have not one Word or Deed of yours to object against you, yet we have your Silence, which is an evident sign of the Malice of your Heart: because no dutiful Subject, being lawfully ask'd this Question, will refuse to answer it.

Sir Thomas More. Sir, my Silence is no sign of any Malice in my Heart, which the King himself must own by my Conduct upon divers Occasions; neither doth it convince any Man of the Breach of the Law: for it is a Maxim amongst the Civilians and Canonists, *Qui tacet consentire videtur*, he that holds his peace, seems to give his

Consent. And as to what you say, that no good Subject will refuse to give a direct Answer; I do really think it to be the Duty of every good Subject, except he be such a Subject as will be a bad Christian, rather to obey God than Man; to be more cautious to offend his Conscience, than of any thing else in the whole World; especially if his Conscience be not the Occasion of some Sedition and great Injury to his Prince and Country: for I do here sincerely protest, that I never revealed it to any Man alive.

I come now to the third principal Article in my Indictment, by which I am accused of malicious Attempts, traitorous Endeavours, and perfidious Practices against that Statute, as the Words therein do alledge, because I wrote, while in the *Tower*, divers Packets of Letters to Bishop *Fisher*; whereby I exhorted him to violate the same Law, and encouraged him in the like Obstinacy. I do insist that these Letters be produced and read in Court, by which I may be either acquitted or convinced of a Lye; but because you say the Bishop burnt them all, I will here tell you the whole truth of the matter. Some of my Letters related only to our private Affairs, as about our old Friendship and Acquaintance: One of them was in answer to his, wherein he desired me to let him know what Answers I made upon my Examinations concerning the Oath of Supremacy; and what I wrote to him upon it was this, That I had already settled my Conscience, and let him satisfy his according to his own Mind. God is my Witness, and as I hope he will save my Soul, I gave him no other Answer; and this I presume is no Breach of the Laws.

As to the principal Crime objected against me, that I should say upon my Examination in the *Tower*, That this Law was like a two-edged Sword; for in consenting to it, I should endanger my Soul, and in rejecting it should lose my Life: it's evidently concluded, as you say, from this Answer, because *Fisher* made the like, that he was in the same Conspiracy. To this I reply, That my Answer there was conditional, if there were both danger either in allowing or disallowing that Act; and therefore, like a two-edged Sword, it seem'd a hard thing it should be put upon me, who had never hitherto contradicted it either in Word or Deed. These were my Words; what the Bishop answered, I know not: if his Answer was like mine, it did not proceed from any Conspiracy of ours, but from the Similitude of our Learning and Understanding. To conclude, I do sincerely avouch, that I never spoke a Word against this Law to any Man living, tho' perhaps the King's Majesty has been told the contrary.

There was little or no reply made to this full Answer, by Mr. Attorney, or any body else; the word Malice was what was principally insisted on, and in the mouths of the whole Court, tho' for proof of it no body could produce either Words or Actions: nevertheless, to set the best gloss that could be upon the matter, Mr. *Rich* was called to give Evidence in open Court upon Oath, which he immediately did, affirming what we have already related concerning a Conference between him and Sir *Thomas* in the *Tower*. To which Sir *Thomas* made answer, If I were a Man, my Lords, that had no regard to my Oath, I had had no occasion to be here at this time, as is well known to every body, as a Criminal; and if this Oath, Mr. *Rich*, which you have taken be true,

true, then I pray I may never see God's Face, which, were it otherwise, is an Imprecation I would not be guilty of to gain the whole World.

More having recited in the Face of the Court all the Discourse they had together in the *Tower*, as it truly and sincerely was, he added: In good Faith, Mr. *Rich*, I am more concerned for your Perjury, than my own Danger; and I must tell you, that neither my self, nor any body else to my knowledge, ever took you to be a Man of such Reputation, that I or any other would have any thing to do with you in a Matter of Importance. You know that I have been acquainted with your manner of Life and Conversation a long time, even from your Youth to the present Juncture, for we lived in the same Parish; and you very well know, I am sorry I am forced to speak it, you always lay under the Odium of a very lying Tongue, of a great Gamester, and of no good Name and Character either there or in the *Temple*, where you was educated. Can it therefore seem likely to your Lordships, that I should in so weighty an Affair as this, act so unadvisedly, as to trust Mr. *Rich*, a Man I had always so mean an Opinion of, in reference to his Truth and Honesty, so very much before my Sovereign Lord the King, to whom I am so deeply indebted for his manifold Favours, or any of his noble and grave Counsellors, that I should only impart to Mr. *Rich* the Secrets of my Conscience in respect to the King's Supremacy, the particular Subject, and only Point about which I have been so long pressed to explain my self? which I never did, nor never would reveal, when the Act was once made, either to the King himself, or any of his Privy-Counsellors, as is well known to your Honours, who have been sent upon no other account at several times by his Majesty to me in the *Tower*. I refer it to your Judgments, my Lords, whether this can seem credible to any of your Lordships.

But supposing what Mr. *Rich* has sworn should be true, seeing the Words were spoke in familiar and private Conversation, and that there was nothing at all asserted, but only Cases put without any offensive Circumstances; it cannot in justice be said, that they were spoke maliciously, and where there is no Malice, there is no Offence. Besides, my Lords, I cannot think so many reverend Bishops, so many honourable Personages, and so many virtuous and learned Men, of whom the Parliament consisted in the enacting of that Law; ever meant to have any Man punish'd with Death, in whom no Malice could be found, taking the Word *Malitia* for *Malevolentia*; for if *Malitia* be taken in a general Signification for any Crime, there is no Man can be free: Wherefore this word *Maliciously* is so far significant in this Statute, as the word *Forcible* is in that of *Forcible Entry*; for in that Case if any enter peaceably; and puts his Adversary out forcibly, it is no Offence; but if he enters forcibly, he shall be punished by that Statute.

Besides, all the unspeakable Goodness of his Majesty towards me, who has been so many ways my singular good and gracious Lord, who has so dearly loved and trusted me, even from my first Entrance into his Royal Service, vouchsafing to honour me with the Dignity of being one of his Privy-Council, and has most generously promoted me to Offices of great Reputation and Honour, and lastly to that of Lord High-Chancellor; which Honour he never did to any Lay-

man before, the same being the highest Dignity in this famous Kingdom, and next to the King's Royal Person, so far beyond my Merits and Qualifications; honouring and exalting me by his incomparable Benignity, for these twenty Years and upwards, heaping continual Favours upon me; and now at last, at my own humble Request, giving me liberty to dedicate the Remainder of my Life to the Service of God for the better saving of my Soul, has been pleased to discharge and free me from that weighty Dignity; before which he had still heaped more and more Honours upon me: I say, all this his Majesty's Bounty, so long and so plentifully conferred upon me, is enough, in my opinion, to invalidate the scandalous Accusation so injuriously surmized and urged by this Man against me.

This touched the Reputation of Mr. *Rich* to the very quick, and was a Slur that could not be effaced, without the utmost difficulty; and the only way to do it, was, if possible, to produce substantial and creditable Witnesses to attest the contrary: and therefore he caused Sir *Richard Southwell*, and Mr. *Palmer*, who were in the same Room with Sir *Thomas* and Mr. *Rich* when they conferred together, to be sworn as to the Words that passed between them. Whereupon Mr. *Palmer* deposed, *That he was so busy in thrusting Sir Thomas's Books into a Sack, that he took no notice of their Talk.* And Sir *R. Southwell* likewise swore, *That because his Business was only to take care of conveying his Books away, he gave no ear to their Discourse.*

Sir *Thomas* having urged other Reasons in his own Defence, to the discrediting of Mr. *Rich's* Evidence; the Judge proceeded to give the Charge to the Jury. Whether Sir *Thomas* had challenged any of the Pannel, when they were returned to serve, does not appear; but the twelve Persons on whose Verdict his Life now depended, were these:

Sir <i>Thomas Palmer</i> , Knt.		<i>Jasper Leake</i> , Gent.
Sir <i>Thomas Peirt</i> , Knt.		<i>William Browne</i> , Gent.
<i>George Lovell</i> , Esq;		<i>Thomas Billington</i> , Gent.
<i>Thomas Burbage</i> , Esq;		<i>John Parnel</i> , Gent.
<i>Geoffry Chamber</i> , Gent.		<i>Richard Bellame</i> , Gent.
<i>Edward Stockmore</i> , Gent.		<i>George Stoakes</i> , Gent.

Now the Jury having withdrawn, scarce were out a quarter of an Hour before they return'd with their Verdict, by which they found the Prisoner guilty; upon which the Lord Chancellor, as chief in the Commission for this Trial, immediately began to proceed to Judgment: which Sir *Thomas* observing, he said to him; My Lord, when I was concern'd in the Law, the Practice in such Cases was to ask the Prisoner before Sentence, whether he had any thing to offer why Judgment should not be pronounced against him. The Lord Chancellor hereupon stopping his Sentence, wherein he had already proceeded in part, asked Sir *Thomas*, *What he was able to say to the contrary?* who presently made Answer in these words: For as much as, my Lords, this Indictment is grounded upon an Act of Parliament; directly repugnant to the Laws of God and his Holy Church, the Supreme Government of which, or of any part thereof, no Temporal Person may by any Law presume to take upon him, being what of right belongs to the See of *Rome*, which by special Prerogative was granted by the Mouth of our Saviour Christ himself to *St. Peter*, and the Bishops of *Rome* his Successors only, whilst he lived;

lived, and was personally present here on Earth: it is therefore, amongst Catholick Christians, insufficient in Law, to charge any Christian to obey it. And in order to the Proof of his Assertion, he declared among other things, That whereas this Kingdom alone being but one Member, and a small part of the Church, was not to make a particular Law disagreeing with the general Law of Christ's universal Catholick Church, no more than the City of *London*, being but one Member in respect to the whole Kingdom, might enact a Law against an Act of Parliament, to be binding to the whole Realm: so he shewed farther, That Law was even contrary to the Laws and Statutes of the Kingdom yet unrepealed, as might evidently be seen by *Magna Charta*, wherein are these Words; *Ecclesia Anglicana libera sit, & habet omnia jura integra, & libertates suas illesas*: And it is contrary also to that sacred Oath which the King's Majesty himself, and every other Christian Prince, always take with great Solemnity, at their Coronations. So great was Sir *Thomas's* Zeal, that he further alledg'd, that it was worse in the Kingdom of *England* to refuse Obedience to the See of *Rome*, than for any Child to do to his natural Parent: for, as *St. Paul* said to the *Corinthians*, *I have regenerated you, my Children, in Christ*; so might that worthy Pope of *Rome*, *St. Gregory the Great*, say of us *Englishmen*, *Ye are my Children, because I have given you everlasting Salvation*: for by *St. Augustine* and his Followers, his immediate Messengers, *England* first received the Christian Faith, which is a far higher and better Inheritance than any carnal Father can leave to his Children; for a Son is only by Generation, we are by Regeneration made the spiritual Children of Christ and the Pope.

Here the Lord Chancellor took him up, and said; That seeing all the Bishops, Universities, and the most learned Men in the Kingdom had agreed to that Act, it was much wondered that he alone should so stiffly stickle, and so vehemently argue there against it.

His Answer was, That if the Number of Bishops and Universities were so material as his Lordship seem'd to make it; then, my Lord, I see no reason why that thing should make any Change in my Conscience: for I doubt not, but of the learned and virtuous Men now alive, I do not speak only of this Realm, but of all Christendom, there are ten to one of my mind in this matter; but if I should take notice of those learned Doctors and virtuous Fathers that are already dead, many of whom are Saints in Heaven, I am sure there are far more, who all the while they lived thought in this Case as I do now. And therefore, my Lord, I do not think my self bound to conform my Conscience to the Counsel of one Kingdom, against the general Consent of all Christendom.

Here it seems the Lord Chancellor, not willing to take the whole Load of his Condemnation upon himself, asked in open Court the Advice of Sir *John Fitz-James*, the Lord Chief Justice of *England*, Whether the Indictment was valid, or no? who wisely answered thus: *My Lords all, By St. Gillian* (for that was always his Oath) *I must needs confess, That if the Act of Parliament be not unlawful, then the Indictment is not in my Conscience invalid*. Some have wrote, That the Lord Chancellor should hereupon say, *Quid adhuc desideramus testimonium, reus est mortis*, and then presently proceeded to give Sentence to this effect:

That he should be carried back to the Tower of London, by the Help of William Kingston, Sheriff, and from thence drawn on a Hurdle through the City of London to Tyburn, there to be hanged till he should be half dead; that then he should be cut down alive, his Privy Parts cut off, his Belly ripped, his Bowels burnt, his four Quarters set up over four Gates of the City, and his Head upon London-Bridge.

This was the Judgment pronounc'd upon this great Man, who had deserv'd so well both of the King and Kingdom, and for which *Paulus Jovius* calls King *Henry VIII.* another *Phalaris*.

This severe Sentence was afterwards, by the King's Pardon, chang'd to beheading, because he had borne the greatest Office in the Kingdom; of which Mercy of the King's, word being brought to Sir *Thomas*, he merrily said, God forbid the King should use any more such Mercy to any of my Friends, and God bless all my Posterity from such Pardons.

When he had receiv'd Sentence of Death, he spake thus with a resolute and sedate Aspect: Well, seeing I am condemn'd, God knows how justly, I will freely speak for the disburdening my Conscience, what I think of this Law. When I perceiv'd it was the King's Pleasure to sift out from whence the Pope's Authority was deriv'd; I confess I study'd seven years together to find out the truth of it, and I could not meet with the Works of any one Doctor, approv'd by the Church, that avouch a Layman was, or ever could be the Head of the Church.

Chancellor. Would you be esteem'd wiser, or to have a sincerer Conscience than all the Bishops, learned Doctors, Nobility and Commons of this Realm?

More. I am able to produce against one Bishop which you can produce on your side, a hundred Holy and Catholick Bishops for my Opinion; and against one Realm, the Consent of *Christendom* for a thousand years.

Norfolk. Sir *Thomas*, you shew your obstinate and malicious Mind.

More. Noble Sir, it's no Malice or Obstinacy that makes me say this, but the just Necessity of the Cause obliges me to it for the Discharge of my Conscience; and I call God to witness, that nothing but this has excited me to it.

After this the Judges kindly offering him their favourable Audience if he had any thing else to say; he answer'd most mildly and charitably, I have no more to say, but that as the blessed Apostle *St. Paul*, as we read in the *Acts* of the Apostles, was present, and consenting to the Protomartyr *Stephen*, keeping their Clothes that stoned him to death, and yet they are both now holy Saints in Heaven, and there shall continue Friends to Eternity; so I verily trust, and shall therefore heartily pray, that albeit your Lordships have been on Earth my Judges to Condemnation, yet that we may hereafter meet joyfully together in Heaven to our everlasting Salvation: and God preserve you, especially my Sovereign Lord the King, and grant him faithful Counsellors.

Sir *Thomas*, after his Condemnation, was conducted from the Bar to the *Tower*, an Axe being carry'd before him, with the Edge towards him.

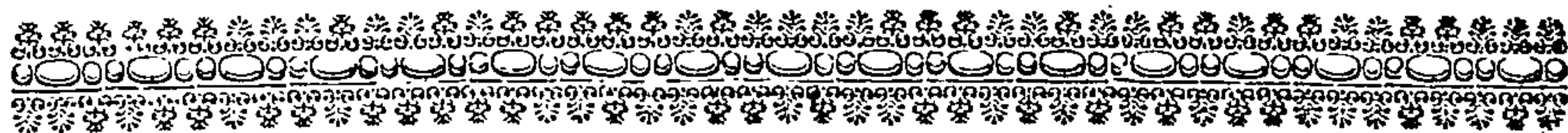
SIR *Thomas More* having remain'd a Prisoner in the *Tower* about a Week after his Sentence, on the 6th of *July* early in the Morning, his old Friend

Friend Sir *Thomas Pope* came to him with a Message from the King and Council, to acquaint him; That his Execution was appointed to be before Nine that Morning. Whereupon Sir *Thomas* said, He thank'd him heartily for his good News. *I have been, says he, much obliged to his Majesty for the Benefits and Honours he has most bountifully confer'd upon me; yet I am more bound to his Grace, I do assure you, for confining me in this Place, where I have had convenient Place and Opportunity to put me in mind of my last End. I am most of all bound to him, that his Majesty is pleased to rid me out of the Miseries of this wretched World.* Then Sir *Thomas Pope* acquainted him, it was the King's Pleasure he shou'd not use many Words at the Place of Execution. Sir, said he, *you do well to acquaint me with the King's Pleasure; for I had otherwise design'd to have made a Speech to the People; but it matters not, and I am ready to conform myself to his Highness's Pleasure. And I beseech you, Sir, you wou'd become a Suitor to his Majesty, that my Daughter Margaret may attend my Funeral.* To which *Pope* reply'd, That the King was willing his Wife and Children, and other Friends should be present. Sir *Thomas Pope* being about to take his Leave, cou'd not refrain from Tears. Whereupon Sir *Thomas More* said, *Let not your Spirits be cast down, for I hope we shall see one another in a better Place, where we shall be free to live and love in Eternal Blifs.* And to divert *Pope's* Grief, he took up his Urinal and shook it, saying merrily, *I see no Danger but that this Man may live longer, if the King pleases.*

About Nine he was brought out of the *Tower*; his Beard was long, his Face pale and thin, and carrying a Red Cross in his Hand, he often lift up his Eyes to Heaven; a Woman meeting him with a Cup of Wine, he refus'd it, saying, *Christ*


at his Passion drank no Wine, but Gall and Vinegar. Another Woman came crying, and demanded some Papers she said she had left in his Hands, when he was Lord Chancellor, to whom he said, *Good Woman, have Patience but for an Hour; and the King will rid me of the Care I have for those Papers; and every thing else.* Another Woman followed him, crying, he had done her much Wrong when he was Lord Chancellor, to whom he said, *I very well remember the Cause, and if I were to decide it now, I shou'd make the same Decree.*

When he came to the Scaffold, it seem'd ready to fall; whereupon he said merrily to the Lieutenant, *Pray, Sir, see me safe up; and as to my coming down, let me shift for myself.* Being about to speak to the People, he was interrupted by the Sheriff, and thereupon he only desired the People to pray for him, and bear witness he died in the Faith of the Catholic Church, a faithful Servant both to God and the King. Then kneeling, he repeated the *Miserere Psalm* with much Devotion; and rising up, the Executioner asked him forgiveness. He kiss'd him, and said, *Pluck up thy Spirits, Man, and be not afraid to do thine Office; my Neck is very short, take heed therefore thou strike not awry for saving thine Honesty.* Laying his Head upon the Block, he bid the Executioner stay till he had put his Beard aside, for that had committed no Treason. Thus he suffered with much Chearfulness; his Head was taken off at one Blow, and was placed upon *London-Bridge*, where having continued for some Months, and being about to be thrown into the *Thames* to make room for others, his Daughter *Margaret* bought it, inclos'd it in a Leaden Box, and kept it for a Relique: *Hall's Chron. Vol. 2. f. 2.*



V. The Trial of Sir NICHOLAS THROCKMORTON * Knight, in the Guildhall of London, for High-Treason, the 17th of April, 1554. the 1st of Mary.

The Commissioners appointed to try him were,

 IR *Thomas White* Knight, Lord Mayor of *London*; The Earle of *Shrewesbury*; The Earle of *Derby*; Sir *Thomas Bromley* Knyght, Lorde Chief Justice of *Englande*;

Maister *Stanford*, } Sergeants;
Maister *Dyer*, }
Maister *Edward Griffin*, Attourney-General;
Maister *Sendall*, } Clerkes of the Crowne.
Peter Tichbourne, }

Sir *Nicholas Hare* Knyght, Mayster of the *Rolls*;
Sir *Frauncis Englesfelde* Knight, Maister of the Courte of *Wardes and Liberties*;

Firste, after Proclamation made, and the Commission read, the Lieutenant of the *Tower*, Maister *Tho. Bridges*, brought the Prisoner to the Barre; then Silence was commaunded, and *Sendall* said to the Prisoner as followeth:

Sir *Richard Southwell* Knight, one of the *Privy-Council*;

Sir *Edward Walgreve* Knight, one of the *Privy-Council*;

Sir *Roger Cholmeley* Knight;

Sir *Wyllyam Porteman* Knyght, one of the Justices of the King's *Benche*;

Sir *Edward Saunders* Knight, one of the Justices of the *Common Place*;

Sendall. Nicholas Throckmorton Knighte, hold up thy hande, Thou art before this time indited of High Treason, &c. that thou then and there didst falsly and traiterously, &c. conspire and imagine the Death of the *Queenes* Majestie, &c. and falsly and traiterously didst leuie Warr againste the *Queen* within hir *Realm*, &c. and also thou wast adherente to the *Queenes* Enimies within hir *Realm*, giving

giuing to them Ayde and Comfort, &c. and also falsly and trayterously didst conspire and intend to depose and deprive the Queen of hir Royal Estate; and so finally destroy hir, &c. and also thou didst falsly and traiterously deuise and conclude to take violently the *Tower of London*, &c. Of al which Treasons and euery of them in Manner and Forme, &c. art thou gilty or not gilty?

Throckmorton. May it please you my Lords and Maisters, which be authorisid by the Queenes Commission to be Judges this day; to giue me leaue to speake a fewe words, which doth both concerne you and me; before I aunswere to the Enditement, and not altogithers impertinente to the Matter, and then pleade to the Enditement.

Bromley. No, the Order is not so, you must first pleade whether you be gilty or no.

Throckmorton. If that be your Order and Law, judge accordingly to it.

Hare. You must firste aunswer to the Matter wherwith you are charged, and then you may talke at your pleasure.

Throckmorton. But things spoken out of place wer as good not spoken.

Bromley. These bee but delays to spende time, therefore answer as the Law willethe you.

Throckmorton. My Lords, I pray you make not too much haste with me, neither thinke not long for your Diner, for my Case requireth leysure, and you haue well dined when you haue done Justice truly. Christ said, *Blessed are they that hunger and thirste for Righteousnesse.*

Bromley. I can forbear my Dinner as well as you, and care as little as you peraduenture.

Shrewsbury. Come you hither to checke us, *Throckmorton*; we will not be so used, no, no, I for my part haue forborne my Breakfast, Dinner and Supper, to serue the Queene.

Throckmorton. Yea, my good Lord, I know it right well; I meant not to touche your Lordship, for youre Service and Paines is euidently knowen to all Men.

Southwell. M. *Throckmorton*, this Talke neede not, we know what we haue to do, and you would teach us our Duties; you hurt your Mater, go to! go to!

Throckmorton. M. *Southwell*, you mistake me, I meant not to teach you, nor none of you, but to remember you of that I trust you all be well instructed in, and so I satisfie my selfe, since I shall not speake, thinking you all know what you haue to doe, or oughte to know, so I will aunswer to the Inditement, and do pleade not gilty to the whole, and to euery part thereof.

Sendall. How wilt thou be tried?

Throckmorton. Shall I be tried as I would, or as I shuld?

Bromley. You shall be tried as the Law will, and therefore you must say by God and by the Countrey.

Throckmorton. Is that your Law for me? it is not as I wold; but since you wil haue it so, I am pleased with it, and do desire to be tried by faithful just Men, which more fear God than the World.

The Names of the Jurours.

<i>Lucas.</i>		<i>Bascfeeld.</i>
<i>Yong.</i>		<i>Kightley,</i>
<i>Martyn.</i>		<i>Lowe.</i>
<i>Beswike.</i>		<i>Whetston.</i>

Pointer.
Bankes.

Calthrop.
Cater.

What time the Attorney went forthwith to Mr. *Cholmley*, and shewed him the Sheriffs Returne, who being acquainted with the Citizens, knowing the Corruptions and Dexterities of them in such Cases, noted certaine to be chalenged for the Q. (a rare case) and the same Men being knowen to be sufficient and indifferent, that no Exceptions were to be taken to them, but only for their upright Honesties, notwithstanding the Attorney prompting Sergeant *Dier*; the said Sergeant chalenged one *Bacon*, and another Citizen peremptorily for the Queen. Then the Prisoner demanded the cause of the Challenge: the Sergeante aunswered; we neede not shew you the cause of the Challenge for the Queen. Then the Inquest was furnished with other honest Men, that is to say, *Whetstone* and *Lucas*, so the Prisoner vsed these Words.

Throckmorton. I trust you have not provided for me this Day, as in times past I knew another Gentleman occupying this woful place was prouided for. It chanced one of the Iustices upon Jealousie of the Prisoner's acquittal, for the goodnesse of his Cause, said to another of his Companions a Justice, when the Jury did appeare, I like not this Jury for our purpose, they seeme to be too pitiful and too charitable to condemne the Prisoner. No, no, said the other Judge (*viz. Cholmley*) I warrant you, they be picked Fellowes for the nonce, he shall drink of the same Cup his Fellowes haue done. I was then a loker on of the Pageant as others be now here, but now wo is me, I am a Player in that woful Tragedie. Well, for these and such other like the black Oxe hath of late troden on some of their Feet, but my trust is, I shall not be so used. Whylest this Talke was, *Cholmeley* consulted with the Attorney aboute the Jury, which the Prisoner espied, and then sayde as heere ensueth, Ah, ah Maister *Cholmely*, will this foule packing neuer be left?

Cholmeley. Why what do I, I pray you, M. *Throckmorton*? I did nothing, I am sure you do picke Quarrels to me.

Throckmorton. Well Maister *Cholmely*, if you do well, it is better for you, God help you.

The Jury then was sworne, and Proclamation made, that whosoever would giue Evidence againste Sir *Nicholas Throckmorton* Knight, shoulde come in and be heard, for the Prisoner stood upon his Deliuernance: whereupon Sergeant *Stanford* presented hymself to speake.

Throckmorton. And it may please you Maister Sergeante, and the others my Masters of the Queenes learned Counsell, like as I was minded to haue said a fewe Words to the Commissioners, if I mighte haue had leaue, for their better remembrance of their Dueties in this place of Justice, and concerning direct indifferency to be used towards me this Day; so by your Patience I do thinke good to say somewhat to you, and to the rest of the Queenes learned Counsell, appointed to giue Evidence againste mee. And albeit you and the rest by Order be appointed to gyue evidence againste mee, and entertheyned to sette forth the Depositions and Matter against me, yet I pray you remember I am not alienate from you, but that I am your Christian Brother; neither you so charged, but you ought to consider Equitie, nor yet so priuiledged, but that you haue a Duetie of God appoynted you how you

shal do youre Office, whiche if you exceede, will be greuouly required at youre hands. It is lawfull for you to vse your Gifts, which I know God hath largely giuen you, as youre Learning, Arte and Eloquence, so as thereby you do not seduce the Minds of the simple and unlearned Jury, to credite Matters otherwise than they be. For Maister Sergeant, I knowe howe by Perswasions, Enforcements, Presumptions, applying, implying, inferring, conjecturing, deducing of Arguments, wresting and exceeding the Law, the Circumstances, the Depositions and Confessions, that unlearned Men maye bee enchanted to thinke and judge those that bee things indifferente, or at the worst but ouersights, to be great Treasons; such power Orators haue, and such Ignorance the Unlearned haue. Almighty God by the Mouth of his Prophete, doth conclude such Advocates bee cursed, speaking these Words, Cursed bee hee that doth his office craftily, corruptly, and maliciously. And consider also, that my Bloud shall be required at your hands, and punished in you and yours, to the third and fourth Generation. Notwithstanding you and the Iustices excuse always such erronious doings, when they be after called in question by the Verdict of the twelue Men; but I assure you, the Purgation serueth you as it did *Pilate*, and you washe your Handes of the Bloudshed, as *Pilate* did of Christs. And now to your matter.

Stanford. And it please you, my Lords, I doubt not to proue evidently and manifestly, that *Throckmorton* is worthely and rightly indicted and arraigned of these Treasons, and that he was a principall deuiser, procurer and contriuer of the late Rebellion, and that *Wyat* was but his Minister. How say you, *Throckmorton*, dyd not you send *Winter* to *Wyat* into *Kent*, and did deuise that the Tower of *London* shoulde be taken, with other Instructions concernyng *Wyat*'s Sturre and Rebellion?

Throckmorton. May it please you that I shall aunswer particularly to the matters objected against me, in as much as my Memorie is not good, and the same much decayed since my greuous Emprisonment, with want of Sleep, and other Disquietnesse: I confesse I did say to *Winter*, that *Wyat* was desirous to speake with him, as I understoode.

Stanford. Yea Sir, and you deuised together of the taking of the Tower of *London*, and of the other great Treasons.

Throckmorton. Noe, I did not so; proue it.

Stanford. Yes Sir, you met with *Winter* sundry times, as shall appeare, and in sundry Places.

Throckmorton. That graunted, proveth no such matter as is supposed in the Inditement.

Stanford red *Winter*'s Confession, whyche was of this effect; That *Throckmorton* mette with *Winter* one Day in *Tower-street*, and told him, that Sir *Thomas Wyat* was desirous to speake with him, and *Winter* demanded where *Wyat* was: *Throckmorton* aunswered, at his House in *Kente*, not farre from *Gillingham*, as I heard say, where the Shyps lye. Then they parted at that time, and shortly after *Throckmorton* met with *Winter*, vnto whome *Winter* sayd, Maister *Wyat* dothe much mislike the comming of the *Spanyardes* into this Realme, and feareth their short arriual here in as much as dayly he heareth thereof; dothe see daily diuers of them arrive heere, scattered like Soldyers; and therefore he thinketh good the Tower of *Lon-*

don should be taken by a sleighte, before the Prince came, least that peece be deliuered to the *Spanyardes*. How say you *Throckmorton* to it? *Throckmorton* aunswered, I mislike it for diuers respects; euen so do I, sayde *Winter*. At another tyme *Throckmorton* mette me the sayd *Winter* in *Poules*, when hee had sent one to my House to seeke me before; and he said to me you are Admiral of the Fleet that now goeth into *Spayne*. I aunswered yea. *Throckmorton* saide, when will your Shippes be ready? I saide, within tenne Dayes. *Throckmorton* sayde, I vnderstand you are appointed to conduct and carrie the Lord Priuie Scale into *Spayne*; and considring the Daunger of the *Frenchmen*, which you say arme them to the Sea apace, me thinke it well done, you put my sayde Lorde and his Traine on Lande in the West Country to avoyde all Daunger. *Throckmorton* saide also, that *Wyat* changed his purpose, for taking the Tower of *London*: I said I was glad of it; and as for the *Frenchmen*, I care not much for them, I will so handle the matter, that the Queenes shippes shall bee I warrant you in safegard. Another time I met with M. *Throckmorton* when I came from the Emperours Ambassadors, vnto whome I declared, that the Emperour had sent me a sayre Cheyne, and shewed it unto *Throckmorton*, who said, for this Cheyne you haue sold your Country. I saide, it is neyther *French* King nor Emperoure that can make me sell my Country, but I will be a true *Englishman*: then they parted. This is the summe of the Talke betwixt *Throckmorton* and *Winter*.

Stanford. Now my Masters of the Jury, you haue heard my sayings confirmed with *Winter*'s Confession: how say you *Throckmorton*, can you denie it? if you will, you shall haue *Winter* iustifie it to your Face.

Throckmorton. My Lords, shall it please you that I shal answer?

Bromley. Yea, say your mind.

Throckmorton. I may truly denye some part of this Confession; but bycause there is nothing material greatly, I suppose the whole to be true, and what is herein depofed, sufficiente to bring me within the compas of the Enditement.

Stanford. It appeareth that you were of Counsel with *Wyat*, in as much as you sente *Winter* downe to him, who uttered unto him diuers traitorous Deuises.

Throckmorton. This is but conjectural; yet sithence you will construe so maliciously, I will recompte how I sent *Winter* to *Wyat*: and then I pray you of the Jury, judge better than Maister Sergeante doth. I met by chance a Seruant of Maister *Wyat*'s, who demanded of me for *Winter*, and shewed mee, that his Maister woulde gladly speake with him; and so without any further Declaration, desired me, if I met *Winter*, to tel him Maister *Wyat*'s mind, and where he was. Thus much for the sending downe of *Winter*.

Attourney. Yea, Sir, but how say you to the taking of the Tower of *London*, which is Treason?

Throckmorton. I aunswere, though *Wyat* thought meete to attempt so dangerous an Enterprife, and that *Winter* enformed me of it, you cannot extende *Wyat*'s Deuises to be mine, and to bring me within the compas of Treason; for what maner of reasoning or prooffe is this, *Wyat* woulde haue taken the Tower, ergo *Throckmorton* is a Traitor? *Winter* doth make my Purgation in his owne Confession, euen now redde as it was by

Maister Sergeante, though I say nothing; for *Winter* doth auowe there, that I did much mislike it. And because you shall the better understand that I did alwayes not alow these Master *Wyat's* Deuises, I had these Words to *Winter*, when he enformed me of it; I think M. *Wyat* would no *Englissmen* hurt, and this Enterprise cannot be done without the hurt and slaughter of both Parties; for I know him that hath the Charge of the Pece, and his Brother, both Men of good Service; the one had in charge a picce of great Impotence, *Bolloyne* I meane, which was stoutly assayed, and notwithstanding he made a goode accompt of it for his time, that like I am sure he will do by this his Charge. Moreouer, to accompte the taking of the *Tower* is uery dangerous by the Law. These were my Wordes to *Winter*. And besides, it is very unlike, that I of all Men would confederate in such a matter against the Lieutenant of the *Tower*, whose Daughter my Brother hath married, and his House and mine alyed together by Mariage sundry times within these few Yeres.

Hare. But how say you to this, that *Wyat* and you had Conference together sundry times at *Warner's* House, and in other places?

Throckmorton. This is a very general Charge, to haue Conference; but why was it not as lawful for me to confer with *Wyat*, as with you, or any other Man? I then knew no more by *Wyat*, than by any other; and to proue to talke with *Wyat* was lawful and indifferent, the last Day I did talke with *Wyat*, I sawe my Lord of *Arundel*, with other noble Men and Gentlemen, talke with him familiarly in the Chamber of Presence.

Hare. But they did not conspire nor talke of any stur against the *Spanyards* as you did pretend, and meant it against the Queen; for you, *Croftes*, *Rogers* and *Warner*, did oftentimes deuise in *Warner's* House aboute youre traiterous purposes, or else what did you so often there?

Throckmorton. I confesse I did mislike the Queenes Mariage with *Spain*, and also the comming of the *Spanyards* hither; and then me thought I had reason to do so, for I did learne the Reasons of my misliking of you M. *Hare*, M. *Southwell*, and others in the Parliament House; there I did see the whole Consent of the Realm against it; and I a Hearer, but no Speaker, did learne my misliking of those Matters, confirmed by many sundry Reasons amongst you: but as concerning any sturre or vprore againste the *Spanyards*, I neuer made any, neyther procured any to be made; and for my much resort to M. *Warner's* House, it was not to conferre with M. *Wyat*, but to shew my Friendship to my very good Lord the Marques of *Northampton*, who was lodged there when he was enlarged.

Stanford. Did not you, *Throckmorton*, tell *Winter* that *Wyat* had changed his Mind for the taking of the *Tower*; whereby it appeared euidently that you knew of his doings?

Throckmorton. Truly I did not tell him so, but I care not greatly to giue you that Weapon to play you withal: now let us see what you can make of it?

Stanford. Yea, Sir, that proueth that you were priuie to *Wyat's* Mind in all his Deuises and Treasons, and that there was sending betwixt you and *Wyat* from time to time.

Throckmorton. What M. Sergeant, doth this proue

against me, that I knew *Wyat* did repent him of an euil deuised Enterprise? Is it to know *Wyat's* Repentance, Sinne? No, it is but a Venial Sinne; if it be any, it is not deadly. But where is the Messenger or Message that *Wyat* sent to me touching his Alteration? and yet it was lawful ynough for me to heare from *Wyat* at that time, as from any other Man, for any acte that I knew he had done.

Dyer. And it may please you my Lordes, and you my Maisters of the Jurie, to prove that *Throckmorton* is a principal doer in this Rebellion, there is yet many other things to be declared: amongst other, there is *Croftes* Confession, who sayeth, that he and you and your Accomplises, did manye times deuise aboute the whole Matters, and hee made you priuie to all his Determinations, and you shewed him that you would go into the West Countrey with the Earle of *Deuon*, to Sir *Peter Caroe*, accompanied with others.

Throckmorton. M. *Croftes* is yet liuing, and is here this day; how hapneth it he is not brought Face to Face to iustifie this matter, neither hathe bin of all this time? Will you knowe the Truerh? either he sayd not so, or he wil not abide by it, but honestly hath reformed himself. And as for knowing his Deuises, I was so well acquainted with them, that I can name none of them, nor you neyther, as matter knowen to mee.

Attourney. But why did you aduise *Winter* to land my Lord Priuie Seale in the West Countrey?

Throckmorton. He that told you that my mind was to land him there, doth partly tel you a reason why I said so, if you would remember as well the one as the other; but because you are so forgetful, I will recite wherefore: In communication betwixt *Winter* and me, as he declared to me that the *Spanyards* provided to bring their Prince hither, so the *Frenchmen* prepared to interrupt his Arrival, for they began to arme to the Sea, and had already certain Shippes on the West Coast, (as he heard) unto whom I saide, that peradventure not onely the Queenes Shippes under his Charge might be in jeopardy, but also my Lorde Priuie Seale, and all his Trayne, the *Frenchmen* beeing wel prepared to meete with them; and therefore for all Euent it were good you should put my said Lord in the West Countrey, in case you espie any jeoperdie. But what doth this proue to the Treasons, if I were not able to giue conuenient Reasons to my talke?

Stanford. Mary Sir, now commeth the Proofes of youre Treasons: you shal heare what *Cuthbert Vaughan* sayth against you.

Then Sergeant *Stanford* did reade *Vaughan's* Confession tending to this effect, That *Vaughan* comming out of *Kent*, met with *Throckmorton* at M. *Warner's* House, who after he had don Commendations from *Wyat* to him, desired to know where *Crofts* was; *Throckmorton* answered, either at *Arundel* House where he lodgeth, or in *Poules*. Then *Vaughan* desired to know howe thyngs went at *London* saying, M. *Wyat* and we of *Kent* do much mislike the Mariage with *Spaine*, and the comming of the *Spanyardes* for diuers respects; howbeit, if other Countries mislike them as *Kent* doth, they shall be but hardly welcome: and so they parted. Shortly after *Throckmorton* met with *Vaughan* in *Poules*, unto whom *Throckmorton* declared with sundry Circumstances, that the Western Men were in readinesse to come forwards; and that

that Sir *Peter Caroe* had sent unto him euen now, and that he had in order a good Band of Horsemen, and an other of Footemen. Then *Vaughan* demanded what the Erle of *Devon* would do; *Throckmorton* answered he will marre all, for he will not go hence; and yet Sir *Peter Caroe* wold mete him with a Band both of Horsemen and Footemen, by the way of *Audeuer*, for his Safeguard; and also he should haue bin well accompanied from hence with other Gentlemen, yet all this wyl not moue him to departe hence. Moreouer, the said Erle hath, as is said, discovered, al the whole matter to the Chancellor, or else it is comen out by his Taylor, aboute the trimming of a Shirte of Mayle, and the making of a Cloke. At another time, *Vaughan* saith, *Throckmorton* shewed him, that he had sent a Poste to Sir *Peter Caroe* to come forwarde with as much speede as might be, and to bring his force with him. And also *Throckmorton* advised *Vaughan* to will M. *Wyat* come forward with his Power, for nowe was the time, in as much as the *Londoners* would take his part, if the matter were presented unto them. *Vaughan* said also, that *Throckmorton* and *Warner* should haue ridden with the said Erle Westward. Moreouer, the said *Vaughan* deposed, that *Throckmorton* shewed him in talke of the Erle of *Pembroke*, that the said Earle woulde not fight against them, though hee woulde not take their partes. Also *Vaughan* said, That *Throckmorton* shewed hym that he would ride downe to *Barkeeshire* to Sir *Francis Englefield's* House, there to meete his eldest Brother, to moue him to take his part. And this was the Summe of *Cutbert Vaughan's* Confession:

Stanford. How say you, doth not heere appeare euident matter to proue you a Principal, who not onely gave order to Sir *Peter Caroe* and his Adherents, for their rebellious actes in the West Countrey; but also procured *Wyat* to make his Rebellion, appointing him and the others also, when they should attempt their Enterprise, and how they should order their doings from time to time? Besides all this euident Matter, you were specially appointed to go away with the Earle of *Devon*, as one that would direct all things, and give order to all Men; and therefore *Throckmorton*, since this matter is so manifest, and the euidence so apparent, I would aduise you to confesse your fault, and submit your selfe to the Queenes Mercy.

Bromley. Howe say you, will you confesse the matter? and it will be best for you.

Throckmorton. No, I will neuer accuse my selfe unjustly; but in as muche as I am come hither to bee tried, I pray you let me haue the Law favourably.

Attourney. It is apparent that you lay at *London* as a Factor, to giue Intelligence as well to them in the West, as to *Wyat* in *Kent*.

Throckmorton. How proue you that, or who doth accuse me but this condemned Man?

Attourney. Why, will you denie this matter? you shall haue *Vaughan* justifie his whole Confession here before your Face.

Throckmorton. It shal not neede, I know his unshamefastnes, he hath aduowed some of this vnttrue talk before this tyme to my Face; and it is not otherwise like, considering the price, but he wil do the same again.

Attourney. My Lords and Maisters, you shall haue *Vaughan* to justifie this heere before you all, and confirm it with a Booke Oth.

Throckmorton. He that hath said and lyed, will not, being in this case, sticke to sweare and lye.

Then was *Cutbert Vaughan* brought into the open Court.

Sendall. How say you, *Cutbert Vaughan*, is this your own Confession, and wil you abide by all that is here written?

Vaughan. Let me see it, and I will tell you.

Then his Confession was shewed him.

Attourney. Bycause you of the Jury the better may credite him, I pray you my Lords let *Vaughan* be sworn.

Then was *Vaughan* sworne on a Booke to say nothing but the Truth.

Vaughan. It may please you my Lords and Maisters, I could haue bin well content to haue chose seauen Yeres Imprisonment, though I had bin a free Man in the Law, rather than I would this Day haue gyuen Euidence against Sir *Nicholas Throckmorton*, vnto whome I bear no displeasure; but sithence I must needes confesse my Knowledge, I must confesse all that is there written is true. How say you M. *Throckmorton*, was there any displeasure betwene you and me, to moue me to say aught against you?

Throckmorton. Not, that I know: how say you *Vaughan*, what Acquaintance was there between you and me, and what Letters of Credit, or Token did you bring me from *Wyat*, or any other to moue me to trust you?

Vaughan. As for Acquaintance, I knew you as I did other Gentlemen; and as for Letters, I brought you none other but Commendations from M. *Wyat*, as I did to diuers other of his Acquaintance at *London*.

Throckmorton. You might as well forge the Commendations as the rest; but if you haue done with *Vaughan*, my Lords, I pray you giue me leaue to aunswere.

Bromley. Speak, and be short.

Throckmorton. I speak generally to all that be heere present, but especially to you of my Jury, touching the Credit of *Vaughan's* Depositions against me, a condemned Man; and after to the Matter: and note I pray you the Circumstances, the better to induce somewhat material. First I pray you remember the small Familiaritie betwixt *Vaughan* and me, as he hath auowed before you. And moreouer, to procure Credite at my hand, he brought neither Letter nor Token from *Wyat*, nor from any other to me, which he also hath confessed here, and I will suppose *Vaughan* to be in as good Condition as any other Man here, that is to say, an uncondemn'd Man; yet I referre it to your good Judgment, whether it were lyke that I knowing onely *Vaughan's* Person from another Man, and having none other Acquaintance with him, would so frankly discouer my mind to him in so dangerous a matter. How like, I say, is this, when diuers of these Gentlemen now in Captiuitie, being my very Familiars, coulde not depose any such matter against me, and neuertheless vpon their Examinations haue said what they could? And though I be no wise Man, I am not so rash to vtter to an unknowen Man (for so may I call him in comparison) a matter so dangerous for me to speake, and him to heare; but bycause my Truth and his Fals-

hood shall the better appear unto you, I will declare his Inconstancy in v uttering this his Evidence; and for my better Credite, it may please you, Mr. *Southwell*, I take you to witness, when *Vaughan* first justified this his unjust Accusation against me before the L. *Paget*, the L. Chamberlaine, you M. *Southwell*, and others, he referred the Confirmation of this surmised matter to a Letter sent from him to Sir *Thomas Wyat*; which Letter doth neither appeare, nor any Testimony of the said M. *Wyat* against mee touching the matter: for I doubt not Sir *Thomas Wyat* hath bin examin'd of me, and hath sayde what he could directly or indirectly. Also *Vaughan* saith, that yong *Edward Wyat* could confirme this matter, as one that knew this pretended Discourse betwixt *Vaughan* and me; and thereupon I made sute that *Edward Wyat* might either be brought face to face to me, or otherwise be examined.

Southwell. M. *Throckmorton*, you mistake your matter, for *Vaughan* said, that *Edward Wyat* did know some part of the matter, and also was priuie to the Letter that *Vaughan* sent to Sir *Thomas Wyat*.

Throckmorton. Yea, Sir, that was *Vaughan's* last shift, when I charged him before the Master of the Horse, and you, with his former Allegations touching his witness; whom when hee espyed, woulde not do so lewdly as hee thought, then he vsed this Alteration: but where is *Edward Wyat's* Depositions of any thing against me, now it appeareth neither his firste nor his last Tale to be true? For you knowe, M. *Bridges*, and so doth my Lord your Brother, that I desired twice or thrice *Edward Wyat* shuld be examined; and I am sure, and most assured, he hath bin willed to say what he could, and here is nothing deposed by him against me, eyther touching any Letter or other Conference; or where is *Vaughan's* Letter sent by Sir *Thomas Wyat* concerning my Talke?

But now I will speake of *Vaughan's* present Estate, in that he is a condemned Man, whose Testimonie is nothing worthe by any Lawe; and bycause false Witness be mentioned in the Gospel, treating of Accusation, hearke I pray you what S. *Jerome* sayeth, expounding the place: it is demanded why Christes accusers be called false Witnesses, which did report Christ's Words not as he spake them; they be false witnesses, saith S. *Jerome*, which do ad, alter, wrest, double, or do speake for hope to auoid Death, or for malice to procure another Man's Death: for all Men may easily gather he cannot speake truely of me, or in the case of another Man's Life, where he hath hope of his owne by Accusation. Thus much speaketh S. *Jerome* of false Witness. By the ciuil Law there be many Exceptions to be taken agaynst such Testimonies; but bycause we be not gouerned by that Law, neither I haue my Trial by it, it shal be superfluous to trouble you therewith, and therefore you shall heare what your owne Lawe doth say. There was a Statute made in my late Soueraigne Lord and Maister his time, touching Accusation, and these be the Words:

Be it enacted, That no Person or Persons, &c. shall be indited, arraigned, condemned, or convicted for any Offence of Treason, Petit Treason, Misprision of Treason, for which the same Offendor shal suffer any Paynes of Death, Imprisonment, Loss or Forfeiture of his Goodes, Lands, &c. vnlesse the same Offendor be accused by two

sufficient and lawful Witnesses, or shall willingly without Violence confesse the same. And also in the sixth Yere of his Raigne, it is thus ratified as ensueth:

That no Person nor Persons shall bee indited, arraigned, condemned, convicted or attainted of the Treasons or Offences aforesaide, or for anye other Treasons that now bee, or hereafter shall be, vnlesse the same Offendor or Offendors be thereof accused by two lawfull and sufficient Accusers; whiche at the time of Arraignement of the Parties so accused (if they be then liuing) shall be brought in Person before the said Partie accused, and auowe and mainteine that they haue to say againste the saide Partie, to proue him gilty of the Treasons or Offence contained in the Byll of Inditement layd against the Partie arraigned, vnlesse the sayd Partie arraigned shall be willing without Violence to confesse the same.

Here note I pray you, that our Lawe dothe require two lawfull and sufficient Accusers to be brought face to face, and *Vaughan* is but one, and the same most vnlawfull and insufficient; for who can be more unlawful and insufficient than a condemned Man, and suche one as knoweth to accuse me is the meane to saue his owne Lyfe? Remember, I pray you, howe long and how many times *Vaughan's* Execution hath bin respited, and how often hee hath bin conjured to accuse, (whych by Goddes Grace hee withstoode vntill the last Houre) what time perceyuing there was no way to liue, but to speake againste mee or some other (his former Grace beeyng taken away) did redeeme his Lyfe most unjustly and shamefully, as you see.

Here. Why shoulde he accuse you more than any other, seeing there was no displeasure betwixte you, if the matter had not bin true?

Throckmorton. Bycause he must eyther speake of some Man, or suffer Deathe; and then he did rather choose to hurte him he did least know, and so loued least, than any other well knowne to him, whome he loued most. But to you of my Jury I speake especially, and therefore I pray you note what I say: In a matter of lesse weight than Trial of Life and Lande, a Man may by the Law take Exceptions to suche as be impaneld, to trie the Controuersies betwixt the Parties: as for example, a Man may challenge that the Sheriffe is hys Enemie, and therefore hath made a parcial Returne, or bycause one of the Jury is the Sheriffe my Aduersaries Seruante; and also in case my Aduersaries Villaine or Bondman be empanelled, I may lawfully challenge him, bycause the Aduersarie parte hath power ouer hys Villayne's Landes and Goodes, and hath the vse of hys Bodye for seruile office: muche more I may of right take exception to *Vaughan's* Testimonie, my Lyfe and all that I haue depending therevpon; and the same *Vaughan* beeyng more bounde to the Queenes Highnesse, my Aduersarie (that wo is me therefore, but so the Lawe dothe here so tearme hyr Majestie) than anye Villayne is to hys Lord; for hir Hyghnesse hath not onely Power ouer hys Bodye, Lands, and Goodes, but ouer his Lyfe also.

Stanford. Yea, the Exceptions are to be taken agaynst the Jury in that case; but not agaynst the Witness or Accuser, and therefore youre Argument serueth little for you.

Throckmorton. That is not so, for the vse of the Jurie,

Jurie, and the Witnes, and the Effect of their doings doth serue me to my purpose, as the Law shall discusse. And thus I make my Comparison: By the Ciuil Law the Judge doth giue Sentence upon the Depositions of the Witnes, and by your Law the Judge doth giue Judgement upon the Verdict of the Jury, so as the effect is both one to finish the matter, Trial in Law, as well by the Depositions of the Witnes, as by the Juries Verdict, though they varie in Forme and Circumstance; and so *Vaughan's* Testimonie being credited, may be the material Cause of my Condemnation, as the Jury may be induced by his Depositions to speak their Verdict, and so finally therevpon the Judge to giue Sentence. Therefore I may use the same Exceptions against the Jury, or any of them, as the principal mean, that shall occasion my Condemnation.

Bromley. Why, do you denie, that euery part of *Vaughan's* Tale is untrue?

Attourney. You may see he will denie all, and say there was no such Communication betwixt them.

Throckmorton. I confesse some part of *Vaughan's* Confession to be true, as the Name, the Places, the Time, and some part of the Matter.

Attourney. So you of the Jury may perceiue the Prisoner doth confesse something to be true.

Throckmorton. As touching my sending to Sir *Peter Caroe*, or his sending to me, or concerning my Advice to *M. Wyat* to sturre, or to repaire hither, or touchyng the Earle of *Deuon* parting hence, and my going with him, and also concerning the matter of the Earle of *Pembroke*, I do aduow and say that *Vaughan* hath said untruely.

Southwell. As for my Lord of *Pembroke*, you neede not excuse the matter, for he hath shewed himselfe cleere in these matters like a Nobleman, and that we all know.

Hare. Why what was the talke betwixt *Vaughan* and you so long in *Poules*, if these were not so, and what meant your oft Meetings?

Throckmorton. As for our often Meetings, they were of no set purpose, but by chance, and yet no oftner than twice; but sithence you would know what Communication passed betwixt us in *Poules* Church, I will declare. We talked of the Incommodities of the Marriage of the Queene with the Prince of *Spayne*, and how grieuous the *Spaniards* would be to vs here. *Vaughan* said, that it should be very dangerous for any Man that truly professed the Gospel to liue here, such was the *Spaniards* Crueltie, and especially against Christian Men. Whereunto I answered, it was the Plague of God come justly vpon us; and now Almighty God dealt with us, as he did with the *Israelites*, taking from them for their vnthankfulness their Godly Kings, and did send Tirants to raig over them; even so he handled us *Englishmen*, whiche hadde a most godly and vertuous Prince to raigne ouer vs, my late Soueraigne Lord and Master King *Edwarde*, vnder whome we might both safely and lawfully professe Gods Word; which with our lewd doings, demeanour, and liuing, we handled so irreuerently, that to whip vs for our Faultes, he woulde send vs Straungers, yea such very Tyrants to exercise great Tyrannie ouer vs, and did take away the vertuous and faithfull King from amongst us; for euery Man of euery Estate did colour his naughty Affections with a pretence of Religion, and made the Gospell a staulking Horse to bring their euil desires to effect. This

was the summe of our talke in *Poules*, somewhat more dilated.

Stanford. That it may appeare yet more euidently howe *Throckmorton* was a principal Doer and Counsellor in this matter, you shall heare his owne Confession of his own hand writing. The Clerke did begin to reade; *Throckmorton* desired *M. Stanford* to read it, and the Jury well to marke it. Then *M. Stanford* did read the Prisoner's own Confession to this effect, that *Throckmorton* had Conference with *Wyat*, *Caroe*, *Croftes*, *Rogers* and *Warner*, as well of the Queenes Mariage with the Prince of *Spayne*, as also of Religion, and did particularly confer with euery the forenamed of the matters aforesaid. Moreouer, with Sir *Thomas Wyat*, the Prisoner talked of the brute, that the Western Men should much mislike the comming of the *Spaniards* into this Realme, beeing reported also that they intended to interrupt theyr arriual here. And also that it was said, that they wer in consultation about the same at *Exeter*. *Wyat* also did say, that Sir *Peter Caroe* could not bring the same matter to good effect, nor was there any Man so mete to bring it to good effect, as the Erle of *Deuon*; and especially in the West Country, in as much as they did not draw al by one line. Then *Throckmorton* ask'd how the *Kentishmen* were affected to the *Spaniards*? *Wyat* said, the People like them euill ynough, and that appeared now at the comming of the Count *Egmont*, for they were ready to sturre against him and his Traine, supposing it had bin the Prince; but said *Wyat*, Sir *Robert Southwell*, *M. Baker*, and *M. Moyle*, and their Affinitie, which bee in good Credite in some places of the Shire, wil for other malicious Respects hinder the Libertie of their Country. Then *Throckmorton* should say, though I know ther hath bin an vnkindnesse betwixt *M. Southwell* and you for a Money matter, wherein I trauelled to make you Friends, I doubt not, but in so honest a matter as this is, he will for the safeguard of his Country joyne with you, and so you may be sure of the Lord *Burgainey* and his Force. Then *Wyat* said, it is for another matter than for Money that we disagree, wherein he hath handled me and others very doubly and vnneighbourly; howbeit; he can do no other, neither to me, nor to anye other Man, and therefore I forgiue him. Item, with Sir *Peter Caroe*, *Throckmorton* had Conference touching the Impeachment of the landing of the said Prince, and touchyng Prouision of Armour and Munition, as ensueth; that is to say, that Sir *Peter Caroe* told *Throckmorton*, that he trusted his Countrymen would be true *Englishmen*, and would not agree to let the *Spaniards* to gouerne them. Item, the said Sir *Peter Caroe* sayd, the matter importing the *French* King as it did, he thought the *French* King would work to hinder the *Spaniards* coming hither, with whome the said Sir *Peter* dyd thinke good to practise for Armour, Munitions and Money. Then *Throckmorton* did advise him to beware that he brought any *Frenchmen* into the Realme forceably, in as much as he could as euill abyde the *Frenchmen* after that sort as the *Spaniards*. And also *Throckmorton* thought the *French* King vnable to give aide to us, by meanes of the great Consumption in their own Warres. *M. Caroe* said, as touching the bringing in of *Frenchmen*, he meant it not, for he loued neither Partie, but to serue his own Countrey, and to help his Countrey from Bondage; declaring further to *Throck-*
morton,

morton, that he had a small Barke of his owne to worke his practise by; and so he said, that shortly he intended to depart to his own Countrey to vnderstand the Deuotion of his Country-men. *Item*, *Throckmorton* did say, he would for his part hinder the comming in of the *Spaniards* as much as he could by Perswasion. *Item*, to *Sir Edward Warner*, he had and did bemone his owne Estate, and the Tyrannie of the tyme extended upon dyuers honest Persons for Religion, and wished it were lawfull for all of each Religion to liue safely according to their Conscience; for the Law (*Ex officio*) will be intolerable, and the Cleargies discipline now may rather be resembled to the *Turks* Tyrannie, than to the teaching of Christian Religion. This was the Summe of the matter, whiche was red in the foresaid Confession, as matters most grieuous against the Prisoner. Then *Throckmorton*, said, sithence M. Sergeante you haue red and gathered the place as you think, that maketh most against me, I pray you take the Paynes, and reade further, that hereafter whatsoeuer become of me, my Words be not peruerted and abused to the hurt of som others, and especially against the great Personages, of whome I have bin sundry times (as appeareth by my Answers) examined; for I perceiue the Net was not cast only for little Fishes, but for the great ones, *juxta adagium*.

Stanford. It shall be but losse of tyme, and we haue other things to charge you withall, and this that you desire doth make nothing for you.

Dyer. And for the better Confirmation of al the Treasons objected against the Prisoner, and therein to proue him guiltie, you of the Jury shall heare the Duke of *Suffolkes* Depositions against him, who was a Principal, and hath suffered accordingly. Then the said Sergeant red the Dukes Confession touching the Prisoner, amounting to this effect; That the Lord *Thomas Grey* did informe the said Duke, that *Sir Nicholas Throckmorton* was priue to the whole Deuises againste the *Spaniardes*, and was one that shoulde goe into the *West-Country* with the Earle of *Deuonshire*.

Throckmorton. But what doth the principall Author of thys matter say againste me, I mean the Lord *Thomas Gray*, who is yet liuing? Why is not his Deposition brought against me, for so it ought to bee, if he can say any thing? Will you know the Trueth? Neyther the Lord *Thomas Grey* hath sayd, can say, or will say any thing against me, notwithstanding the Duke his Brothers Confession and Accusation, who hathe affirmed manye other things besides the Trueth. I speake not without certaine knowledge: for the Lord *Thomas Grey*, being my Prison-Fellow for a small time, informed me, that the Duke his Brother had misreported him in many things, amongst others in matters touching me, which he had declared to you Mr. *Southwell*, and other the Examinors not long ago. I am sure if the Lord *Thomas* could or would haue said any thing, it should haue bin here now: And as to the Dukes Confession, it is not material, for he doth referre the matter to the Lord *Thomas's* Report, who hath made my Purgation.

Attorney. And it please you my Lordes, and you my Maisters of the Jury, besides these matters touching *Wyats* Rebellion, *Sir Peter Caroes* Treasons, and confederating with the Duke of *Suffolke*; and besides the Prisoners Conspiracie with the Earle of *Deuon*, with *Crofts*, *Rogers*, *Warner*, and sundry others in sundrye Places, it

shall manifestly appeare vnto you, that *Throckmorton* did conspire the Queenes Majesties Death with *William Thomas*, *Sir Nicholas Arnold*, and other Traitors intending the same; which is the greatest matter of all others, and most to be abhorred; and for the Prooffe hereof you shall heare what *Arnold* sayth. Then was *Sir Nicholas Arnold's* Confession redde, affirming that *Throckmorton* shewed vnto him, riding betwixt *Hinam* and *Crosse Laund* in *Glocestershire*, that *John Fitzwilliams* was verye much displeas'd with *William Thomas*.

Attorney. *William Thomas* deuided, that *John Fitzwilliams* should kyll the Quene; and *Throckmorton* knew of it, as appeareth by *Arnold's* Confession.

Throckmorton. First I denie that I saide anye suche thing to Mr. *Arnold*; and though he be an honest Man, he may either forget himself, or deuiſe meanes how to vnburthen himselfe of so weightie a matter as this is; for he is charged with the matter as principal, which I did perceiue when he charged mee with his Tale; and therefore I do blame him the lesse, that he seeketh how to discharge himself, vsing me as a witnes, if he could so transferre the Deuice to *William Thomas*. But truely, I neuer spake anye suche wordes vnto him; and for my better Declaration, I did see *John Fitzwilliams* here euen now, who can testifie, that he neuer shewed me of any Displeasure betwixt them: and as I know nothing of the Displeasure betwixt them, so I know nothing of the Cause. I pray you, my Lordes, let him bee called to depose in thys matter what hee can. Then *John Fitzwilliams* drew to the Barre, and presented himselfe to depose his knowledg in the mater in open Court.

Attorney. I pray you, my Lordes, suffer him not to be sworne, neither to speake; we haue nothing to do with him.

Throckmorton. Why shulde hee not bee suffered to tell Trueth? And why bee yee not so well contented to heare Troth for mee, as Untroth against me?

Hare. Who called you hither *Fitzwilliams*, or commaunded you to speake? you are a verye busie Officer.

Throckmorton. I called him, and do humbly desire that he may speake and be heard as well as *Vaughan*, or else I am not indifferently used; specially seeing Maister Atturney doth so presse this matter against me.

Southwell. Goe youre wayes *Fitzwilliams*; the Courte hath nothing to doe with you; peraduenture you woulde not bee so readie in a good Cause.

Then *John Fitzwilliams* departed the Court, and was not suffered to speake.

Throckmorton. Since this Gentlemans Declaration maye not bee admitted, I trust you of the Jurie can perceyue, it was not for anye thinge hee had to say against me; but contrariwise, that it was feared he would speake for mee. And nowe to Maister *Arnoldes* Depositions against me, I say I did not tell him anye such wordes; so as if it were material, there is but his yea and my nay. But because the wordes be not fore strayned against me, I praye you, Maister Atturney, why might not I haue tolde Maister *Arnolde*, that *John Fitzwilliams* was angrie with *William Thomas*, and yet knowe no cause of the Anger? it might be vnderstande, to disagree ofentimes. Who doth confesse that I knowe any thing of *William Thomas* Deuise

Deuise touching the Queenes Death? I will answer, no Man: For Maister *Arnolde* doth mention no worde of that matter, but of the Displeasures betwixte them; and to speake that, dothe neyther prooue Treason, nor knowledge of Treason. Is here all the Euidence againste me that you haue to bring mee within the compasse of the Inditement?

Stanford. Methinke the Matters confessed by others against you, together with your owne Confession, will weye shrewdlye. But howe saye you to the Rising in *Kent*, and to *Wiat's* Attempte againste the Queenes Royal Person at hir Palace?

Bromley. Whye do you not reade *Wiat's* Accusation to him, whiche dothe make him Partener to his Treasons?

Southwell. *Wiat* hath grieuouslye accused you, and in manye thinges that others haue confirmed.

Throckmorton. Whatsoeuer *Wiat* hath saide of me in hope of his Life, he vsayde it at his Death. For since I came into this Hall, I hearde one saye (but I knowe him not) that *Wiat*, upon the Scaffold, didde not onelye purge my Ladie *Elizabeth* hir Grace, and the Earle of *Deuonshire*, but also all the Gentlemen in the *Tower*, saying, they were all ignoraunt of the Sturre and Commotion; in whiche number I take my selfe.

Hare. Notwithstanding he saide, all that he had written and confessed to the Counsaile, was true.

Throckmorton. Nay, Sir, by your patience, Maister *Wiat* sayde not so, that was Maister Doctors Addicion.

Southwell. It appeareth you haue added good Intelligence.

Throckmorton. Almightye God prouided that Reuelation for mee this Daye since I came hither: for I haue bene in close Prison these lviii. Dayes, where I hearde nothing but what the Birdes tolde mee, which did flie ouer my heade. And now to you of my Jurie I speake especiallye, whome I desire to marke attentively, what shall be sayde: I haue been indited, as it appeareth, and now am arreigned of compassing the Queenes Majesties Death, of leuying Warre againste the Queene, of taking the *Tower of London*, of deposing and depriuing the Queene of hir Royall Estate, and finally to destroy hir, and of adherence to the Queenes Enimies. Of all whiche Treasons, to proue mee guiltie, the Queenes learned Counsaile hath giuen in Euidence these Pointes materiall: that is to saye, for the compassing or imagining the Queenes Death, and the Destruction of hir Royal Person, Sir *Nicholas Arnolde's* Depositions; whiche is, that I shoulde saye to the said Sir *Nicholas* in *Glocestershire*, that Maister *John Fitzwilliams* was angrie with *William Thomas*. Whereunto I haue answered, as you haue hearde, bothe denying the matter; and for the prooue on my side, doe take Exception, because there is no Witnessse but one. And neuerthelisse, though it were graunted, the Depositions proue nothing concerning the Queenes Death. For leuying of Warre againste the Queene, there is alledged my Conference with Sir *Thomas Wiat*, Sir *James Crofts*, Sir *Edwarde Rogers*, Sir *Edwarde Warner*, againste the Marriage with *Spaine*, and the comming of the *Spaniardes* hither; which talke I do not denie in sorte as I spake it, and ment it; and notwithstanding the malicious gathering this Day of my Conference, proueth yet no leuying of Warre. There is also alledged for prooue of the same Article, Sir *James Croft's* Confession,

which as you remember, implieth no such thing, but generall talk againste the Mariage with *Spaine*, and of my departing Westwarde with the Earle of *Devon*; which the sayde *James* doth not auowe, and therefore I praye you consider it as not spoken. There is also for prooue of the sayde Article; the Duke of *Suffolkes* Confession, with whom I neuer had Conference; and therefore he aduouched the tale of his Brother's Mouth, who hath made my Purgation in those Matters, and yet if the matter were proued, they be not greatly materiall in Lawe. There is also alledged for the further prooue of the same Article, and for deposing and depriuing the Queene of hir Royall Estate, and for my adhering to the Queenes Enimies, *Cutbert Vaughan's* Confession, whose Testimonie I haue sufficiently disproued by sundrie Authorities and Circumstances, and principally by your owne Lawe, which dothe require two lawfull and sufficient Witnessses to be brought face to face. Also for the taking of the *Tower of London*, there is alledged *Winter's* Depositions, which vttereth my misliking, when he vttered vnto mee Sir *Thomas Wiat's* Resolution and Deuise for attempting of the sayde peece. And last of all, to enforce these matters; mine owne Confession is engriued greatly against me, wherein there doth appeare neyther Treason, neyther concelement of Treason, neyther whispering of Treason, nor procurement of Treason. And for as much as I am come hither to be tried by the Lawe, though my Innocencie of all these Pointes materiall objected, be apparent to acquite mee, wherevnto I doe principallye cleaue; yet I will for your better Credit and Satisfaction shewe you euidentlye, that if you woulde beleue all the Depositions layde against me, which I trust you will not doe, I ought not to be attainted of the Treason comprised within my Inditement, considering the Statute of Repeale the last Parliament, of all Treasons, other than suche as be declared in the xxv. Yeare of King *Edwarde* the Thirde; both which Statutes I pray you my Lords my be redde here to the Enquest.

Bromley. No, for there shall be no Bookes brought at your desire; we know the Law sufficiently withoute Booke.

Throckmorton. Do you bring me hither to trie mee by the Lawe, and will not shewe me the Lawe? What is your Knowledge of the Lawe to these Mens Satisfactions, which haue my Triall in hande? I pray you, my Lordes, and my Lordes all, let the Statutes bee redde, as well for the Queene, as for mee.

Stanford. My Lord Chief Justice can shew the Lawe, and will, if the Jurie doe doubt of any Poynt.

Throckmorton. You knowe it were indifferent that I should knowe and heare the Law whereby I am adjudged; and forasmuch as the Statute is in *Englishe*, Men of meaner Learning than the Justices, can vnderstande it, or else now shoulde we know when we offend?

Hare. You knowe not what belongeth to youre case, and therefore we must teach you: it appertaineth not to vs to provide Bookes for you, neyther fit wee here to be taught of you; you should haue taken better hede to the Law before you had come hither.

Throckmorton. Because I am ignoraunt, I woulde learne, and therefore I haue more neede to see the Law, and partlye as well for the Instructions
of

of the Jurie, as for my owne Satisfaction, which mee thinke, were for the Honor of this Prefence. And now if it please you my Lorde Chiefe Justice, I do direct my Speach specially to you. What time it pleased the Queenes Majestie, to call you to this Honourable Office, I did learne of a great Personage of hir Highnesse Priuie Counsayle, that amongst other good Instructions, hir Majestie charged and enjoyned you to minister the Law and Justice indifferently without respect of Persons. And notwithstanding the old Error amongst you, whiche did not admit any Witnessse to speake, or any other matter to be hearde in the favor of the Aduersarie, hir Majestie being partie, hir Highnes pleasure was, that whatsoever could be brought in the fauor of the Subject, shoulde be admitted to be hearde. And moreouer, that you specially, and likewise all other Justices, shoulde not perswade themselues to sit in Judgment otherwise for hir Highnesse, than for hir Subject. Therefore this maner of indifferent proceeding being principally enjoined by Gods Commandement, which I had thought partly to haue remembred you and others here in Commission in the beginning, if I might haue had leaue; and the same also being commanded you by the Queenes owne Mouth, me think you ought of right to suffer me to haue the Statutes red openly, and also to reject nothing that coulde be spoken in my Defence: and in thus doing you shal shew your selues worthy Ministers, and fit for so worthie a Mistresse.

Bromley. You mistake the matter, the Queene spake those Wordes to maister *Morgan* Chiefe Justice of the Common Place; but you haue no caute to complaine, for you haue been suffered to talke at your pleasure.

Hare. What woulde you doe with the Statute-Booke? the Jury doth not require it, they haue hearde the Euidence, and they must vpon their Conscience trie whether you bee guiltie or no, so as the Booke needeth not: if they will not credite the Euidence so apparent, then they know what they haue to doe.

Cholmley. You ought not to haue any Bookes red here at your Appointment, for where doth aryse any doubt in the Law, the Judges sitte here to informe the Court; and now you doe but spende time.

Attourney. I pray you my Lorde Chiefe Justice reapeate the Euidence for the Queene, and giue the Jurie their Charge, for the Prisoner will keepe you here all day.

Bromley. How saye you, haue you any more to saye for your selfe?

Throckmorton. You seeme to giue and offer mee the Lawe, but in very dede I haue only the Forme and Image of the Lawe; neuerthelesse, since I cannot be suffred to haue the Statutes red openly in the Booke, I will by your Pacience gesse at them, as I may, and I pray you to help me if I mistake, for it is long since I did see them. The Statute of Repeale made the last Parliament hath these Wordes, Be it enacted by the Queene, that from henceforth none Acte, Deede, or Offence, being by Acte of Parliament or Statute made Treason, Petit Treason, or Misprision of Treason, by Wordes, Writing, Printing, Cipherring, Deedes, or otherwise whatsoever, shall be taken, had, deemed, or adjudged Treason, Petit Treason, but only such as be declared, or

expressed to be Treason, in or by an Acte of Parliament made in the xxv. Yeare of *Edward III.* touching and concerning Treasons, and the Declaration of Treasons, and none other. Here may you see this Statute doth referre all the Offences aforesayde, to the Statute of the xxv. of *Edward III.* which Statute hath these Wordes touching and concerning the Treasons that I am indited and arraigned of; that is to saye, Whofoeuer doth compasse or imagine the Death of the King, or leuie War against the King in his Realm, or being adherent to the Kings Enimies within this Realme, or elsewhere, and bee thereof probably attainted by open Deede by People of their Condicion, shall be adjudged a Traytor. Now I praye you of my Jurie which haue my Lyfe in Triall, note well what things at this daye bee Treasons, and howe these Treasons must be tried and decerned, that is to saye, by open Deede, which the Lawes doth at some time terme *ouert acte.* And now I aske, notwithstanding my Inditement, which is but matter alledged, where doth appeare the open Deede of any compassing or imagining the Queenes Death; or where doth appeare any open Deede of being adherent to the Queenes Enimies, giving to them ayde and comfort; or where doth appeare any open Deede of taking the Tower of *London*?

Bromley. Why doe not you of the Queenes learned Counsell aunswere him? Me thinke, *Throckmorton*, you neede not to haue the Statutes, for you haue them meetely perfectly.

Stanford. You are deceyued, to conclude all Treasons be by the Statute of the xxv. Year of *Edwarde* the Thirde; for that Statute is but a Declaration of certaine Treasons, whiche were Treasons before at the Common Lawe. Euen so there doth remayne diuers other Treasons at this day at the Common Lawe, which be not expressed by that Statute, as the Judges can declare. Neuerthelesse, there is matter sufficient alledged and proued against you to bringe you within the compasse of the same Statute.

Throckmorton. I praye you expresse those Matters that bring me within the compasse of the Statute of *Edwarde* the Third; for the Wordes be these, And be thereof attainted by open Deede by People of like Condicion.

Bromley. *Throckmorton*, you deceyue your selfe, and mistake these Wordes, by People of their Condicion; for thereby the Lawe doth vnderstande the discovering of your Treasons. As for example, *Wiat* and the other Rebelles, attainted for their great Treasons, already declare you to be his and their adherent, in as much as diuerse and sundrie times you had Conference with him and them aboute the Treason; so as *Wiat* is now one of your Condicion, who as the Worlde knoweth, hath committed an open trayterous Fact.

Throckmorton. By your leaue, my Lorde, this is a very straunge and singular Understanding. For I suppose the meaning of the Lawe-makers did vnderstande these Wordes, By People of their Condicion, of the State and Condition of those Persons whiche shoulde bee on the Inquest to trie the Partie arreygned, guiltie or not guiltie, and nothing to the bewraying of the Offence by another Man's act, as you say: for what haue I to doe with *Wiat's* actes, that was not nigh him by one hundred Myles?

Attourney.

Attorney. Will you take vpon you to skill better of the Lawe than the Judges? I doubt not but you of the Jurie will credit as it becommeth you.

Cholmley. Concerning the true vnderstanding of these Words, By People of their Condicion, my Lord Chief Justice here hath declared the Truth; for *Wiat* was one of your Condicion, that is to say, of your Conspiracie.

Hare. You doe not denie, *Throckmorton*, but that there hath bene Conference, and sending betweene *Wiat* and you, and he and *Winter* doth confesse the same, with others; so as it is playne, *Wiat* may well be called one of your Condicion.

Throckmorton. Well, seeing you my Judges rule the vnderstanding of these Wordes in the Statute, By People of your Condicion, thus straungelye against mee, I will not stande longer vpon them. But where dothe appeare in mee an open Deede, wherevnto the Treason is speciallye referred?

Bromley. If thre or foure do talke, deuise, and conspire together of a trayterous Acte to be done, and afterwards one of them doth commit Treason, as *Wiat* did; then the Lawe doth repute them, and euerye of them as their Actes; so as *Wiat's* Actes do implie and argue your open Deede, and so the Lawe doth terme it and take it.

Throckmorton. These be marueylous Expositions, and wonderfull Implications, that another Man's acte, whereof I was not privy, should be accounted myne; for *Wiat* did purge me that I knew nothing of his stirre.

Hare. Yea, Sir, but you were a principal Procurer and Contriuier of *Wiat's* Rebellion, though you were not with him when he made the stirre. And as my Lord here hath sayd, the Lawe always doth adudge him a Traytor, which was priuie and doth procure Treason, or any other Man to committe Treason, or a trayterous acte, as you did *Wiat*, and others; for so the Ouert Acte, of those whiche did it by your Procurement, shall in this case be accounted your open Deede. We have a common case in the Lawe, if one by Procurement shoulde disseise you of your Lande, the Lawe holdeth vs both wrong doers, and giueth remedie as well against the one as the other.

Throckmorton. For God's sake applie not such Constructions against me; and though my present Estate doth not moue you, yet it were well you shoulde consider your Office, and think what measure you giue to others, you your selues I say shall assuredly receyue the same agayne. The state of mortall Life is such, that Men know full little what hangeth ouer them. I put on within this xii. Moneths such a Mind, that I mooste wofull Wight, was as unlike to stande here, as some of you that sit there. As to your case last recited, whereby you woulde conclude, I haue remembred and learned of you Master *Hare*, and you Master *Stanforde* in the Parliament House, where you did sit to make Lawes, to expounde and explaine the Ambiguities and Doubtes of Lawe sincerely, and that without Affections: There, I say, I learned of you, and others my Maisters of the Lawe, this difference betwixt such Cases as you remembred one euen nowe, and the Statute whereby I am to be tried. There is a Maxime or Principle in the Lawe, which ought not to be violated, That no penal Statute may, ought, or shoulde be construed, expounded, extended, or wrested, otherwise than the simple

Wordes and nude Letter of the same Statute doth warrant and signifie. And amongst diuers good and notable Reasons by you there in the Parliament House debated, Maister Sergeant *Stanforde*, I noted this one, why the said Maxime ought to be inuiolable: you said, considering the priuate Affections many tymes both of Princes and Ministers within this Realme, for that they were Men, and woulde and coulde erre, it shoulde be no Securitie, but very dangerous to the Subject, to referre the Construction, and extending of Penall Statutes to anye Judges Equitie, as you termed it, which might eyther by feare of the higher Powers be seduced, or by Ignorance and Follye abused. And that is an answer by procurement.

Bromley. Notwithstanding the principle, as you alledge it, and the precisenesse of your sticking to the bare wordes of the Statute, it doth appeare and remaine of recorde in our Learning, that diuerse Cases haue bene adjudged Treason, without the expresse wordes of the Statute, as the Quenes learned Counsell there can declare.

Attorney. It doth appeare, the Prisoner did not only intise or procure *Wiat*, *Caroe*, *Rogers*, and others, to committe their trayterous Actes, and there doth his open factes appear, whiche *Vaughan's* Confession doth witness; but also he did mynde shortlye after to associate himselfe with those Traytours; for he minded to haue departed with the Earle of *Deuonshire* Westwardes.

Throckmorton. My Innocencie concerning these matters, I trust, sufficiently appeareth by my former Answers, notwithstanding the condemned Man's unjust Accufation. But because the true vnderstanding of the Statute is in question; I saye, procurement, and specially by words onely, is without the compasse of it: and that I doe learne and proue by the principle which I learned of Maister *Stanforde*.

Stanforde. Maister *Throckmorton*, you and I maye not agree this Day in the vnderstanding of the Lawe, for I am for the Queene, and you speake for your selfe: the Judges must determine the matter.

Bromley. He that doth procure another Man to commit a Felony or a Murther, I am sure you know well ynough, the Lawe doth adudge the Procurer there, a Felon or a Murtherer; and in case of Treason, it hath bene alwayes so taken and reputed.

Throckmorton. I doe and must cleaue to my Innocencie, for I procured no Man to committe Treason; but yet for my Learning I desire to heare some case so ruled, when the Lawe was as it is nowe. I do confesse it, that at suche time there were Statutes prouided for the procurer, counsaylour, ayder, abetter, and suche like, as there were in King *Henrie* the VIIIth's tyme, you might lawfullye make this cruell Construction, and bring the procurer within the compasse of the Lawe. But these Statutes being repealed, you ought not nowe so to doe; and as to the principal procurer in Felonie and Murther, it is not lyke as in Treason, for the Principal and Accessaries in Felonie and Murther be triable and punishable by the common Law; and so in those cases the Judges may use their Equitie, extending the determinacion of the fault as they thinke good: but in Treason it is otherwise, the same being limited by Statute Law, which I say and aduow is restreyned from any Judges Construction by the Maxime that I recited.

Stanforde. Your Lordships do know a case in R. 3. time, where the Procurer to counterfeyt false Money, was judged a Traytor, and the Law was as it is now.

Hare. Maister Sergeaunt doth remember you *Throckmorton*, of an Experience before our time, that the Lawe hath bene so taken, and yet the procurer was not expressed in the Statute, but the Lawe hath ben always so taken.

Throckmorton. I neuer studied the Law, wherof I do much repent mee; yet I remember, whylest Penall Statutes were talked of in the Parliament-House, you the learned Men of the House remembered some Cafes contrarie to this last spoken of. And if I misreport them, I pray you helpe me. In the like case you speake of concerning the Procurer to counterfeyte false Money, at one time the Procurer was judged a Fellow, and at another time neither Fellow nor Traytor; so as some of your Predecessours adjudged the Procurer no Traytour in the same case, but leaned to their principle, though some other extend their Constructions too large. And here is two cases with me, for one against me.

Bromley. Bicause you replie so fore upon the principle, I will remember, where one taking the Great Seale of *Englande* from one Writing, and putting it to another, was adjudged a Traytour in *Henry* the IVth's tyme, and yet his act was not within the expresse words of the Statute of *Edwarde* the Third. There be diuerse other such like cases that maye be alledged and need were.

Throckmorton. I pray you my Lord Chief Justice, call to your good Remembraunce, that in the selfe same case of the Seale, † Justice *Spilman*, a graue and well learned Man, since that time, woulde not condemn the Offender, but did reprove that former Judgment by you last remembered, as erroneous.

Stanforde. If I had thought you had bene so well furnished with Booke Cafes, I woulde haue bene better provided for you.

Throckmorton. I haue nothing but I lerned of you specially M. Sergeant, and of others my Masters of the Law in the Parliament House; and therefore I may say with the Prophet, *Salutem ex inimicis nostris.*

Southwell. You haue a very good Memorie.

Attorney. If the Prisoner may auoyde his Treasons after this maner, the Queenes Suretie shall bee in great jeopardy. For *Jack Cade*, the Blacksmith, and diuerse other Traytors, sometime alledging the Law for them, sometime they ment no harm to the King, but against his Counsell; as *Wiat*, the Duke of *Suffolke*, and these did against the *Spanyardes*, when there was no *Spanyardes* within the Realme. The Duke and his Brethren did mistake the Lawe, as you doe, yet at length did confesse their Ignorance, and submitted themselves. And so were you best to doe.

Throckmorton. As to *Cade* and the Blacksmith, I am not so well acquainted with their Treasons as you bee; but I haue red in the Chronicle, they were in the Fielde with a force against the Prince, whereby a manifest acte did appeare. As to the Duke of *Suffolke's* doings, they appertaine not to mee. And tho you woulde compare my speache and talke against the *Spanyardes*, to the Duke's actes, who assembled a force in Armes, it is euident they differ much: I am' sorie to engreue any other Mans doings; but it serueth me for a piece of my Defence, and therefore I wish that no Man

should gather euil of it, God forbid that words and acts be thus confounded.

Attorney. Sir *William Stanley* used this shifte that the Prisoner useth now, he sayde he did not leuie War against King *Henry* the VII. but sayde to the Duke of *Buckingham*, that in a good Quarrell he wold aid him with 500 Men; and neverthelesse *Stanley* was for those Words attainted, who, as all the Worlde knoweth, had before that time serued the King very faithfully and truly.

Throckmorton. I pray you Maister Attorney do not conclude me by blinde contraries. Whether you alledge *Stanley's* case trulye or no, I knowe not. But admitte it be as you saye, what dothe this proue against me? I promised no ayde to Maister *Wiat*, nor to anye other. The Duke of *Buckingham* leuied Warre against the King, with whom *Stanley* was confederate so to doe, as you saye.

Attorney. I pray you, my Lords, that be the Queenes Commissioners, suffer not the Prisoner to vse the Queenes learned Counsell thus; I was neuer interrupted thus in my Life, nor I neuer knewe any thus suffered to talke, as this Prisoner is suffered: some of us will come no more at the Barre, and we be thus handled.

Bromley. *Throckmorton*, you must suffer the Queenes learned Counsell to speake, or else we must take order with you; you haue had leaue to talke at your pleasure.

Hare. It is proued that you did talke with *Wiat* against the coming of the *Spanyardes*, and deuised to interrupt their arrivall, and you promised to doe what you couide againste them; wherevpon *Wiat* being encouraged by you, did leuie a force, and attempted Warre against the Queenes Royal Person.

Throckmorton. It was no Treason, nor no procurement of Treason, to talke againste the coming hither of the *Spanyardes*, neyther it was Treason for me to saye, I woulde hynder their comyng hither as muche as I coulde, vnderstanding me rightly as I meant it; yea though you would extend it to the worste, it was but Words, it was not Treason at this day as the Law standeth: and as for *Wiat's* doings, they touche me nothing, for at his Death, when it was no tyme to report untruly, he purged me.

Bromley. By sundry Cafes remembered here by the Queenes learned Counsell, as you haue hearde, that procurement which did appear no otherwyse but by Words, and those you would make nothing, hath bin of long tyme, and by sundry well learned Men in the Lawes adjudged Treason. And therefore your procurement being so euident as it is, we may lawfully say it was Treason, bycause *Wiat* performed a trayterous acte.

Throckmorton. As to the said alledged fore Precedents against me, I haue recited as many for me, and I would you my Lord Chief Justice shuld incline your Judgments rather after the example of your honourable Predecessors, Justice *Markham*, and others, which did eschewe corrupte Judgments, judging directly and sincerely after the Law, and the Principles in the same, than after such Men, as swaruing from the Truth, the Maxime, and the Law, did judge corruptely, maliciously, and affectionately.

Bromley. Justice *Markham* had reason to warrant his doings; for it did appeare, a Merchant of *London* was arraigned and slanderously accused of Treason for compassing and imagining the King's Death,

† See *Leak's Case*, Kel. Rep.

Death, he did say he would make his Sonne Heire of the Crown, and the Merchant meant it of a House in *Cheapside* at the Signe of the *Crowne*; but your Case is not so.

Throckmorton. My Case doth differ, I graunt, but specially bicause I haue not suche a Judge: yet there is another cause to restraine these your strange and extraordinarie Construptions; that is to say, a Prouiso in the latter end of the Statute of *Edwarde* the Thirde, hauyng these Wordes: Provided always, if any other Case of supposed Treason shall chaunce hereafter to come in Question or Trial before any Justice, other than is in the said Statute expressed, that then the Justice shall forbear to adjudge the sayd case, untill it be shewed to the Parliament to trie, whether it should be Treason or Felonie. Here you are restrained by expresse Words to adjudge any case that is not manifestly mentioned before, and untill it be shewed to the Parliament.

Portman. That Prouiso I understand of cases, that may come in trial, which hath bin in vre, but the Law hath always taken the Procurer to be a principal Offender.

Sanders. The Law alwayes in cases of Treason dothe accompte all Principalles, and no Accessaries as in other Offences; and therefore a Man offending in Treason, either by couert acte or procurement, whereupon an open Deede hath ensued, as in this case, is adjudged by the Lawe a principal Traytoure.

Throckmorton. You adjudge (mee thinke) Procurement very hardly, besydes the Principall, and besides the good Example of your best and most godly learned Predecessors, the Judges of the Realme, as I haue partly declared; and notwithstanding thys grieuous racking and extending of this worde Procurement, I am not in the danger of it, for it doth appear by no Deposition, that I procured neyther one or other to attempt any acte.

Stanforde. The Jurie haue to trye, whether it bee so or no, let it weygh as it will.

Hare. I knowe no Meane so apparent to try Procurement as by Words, and that Meane is probable ynoughe agaynst you, as well by youre owne Confession, as by other Mennes Depositions.

Throckmorton. Totalke of the Queenes Maryage with the Prince of *Spayne*, and alio the comyng hyther of the *Spanyardes*, is not to procure Treason to be done; for then the whole Parliament-houise, I meane the common House, diddle procure Treason: but since you wyll make no Difference betwixte Wordes and Actes, I praye you remember an Estatute made in my late Soueraigne Lorde and Maisters tyme, Kyng *Edward* the Sixth, whiche apparently expresseth the Difference; these bee the woordes: Who so euer dothe compassse, or imagine to depose the Kyng of his Royall Estate by open Preaching, expresse Wordes or Sayings, shall for the first Offence lose and forfayte to the King all his and their Goodes and Cattailles, and also shal suffer Imprisonmente of their Bodyes at the King's Will and Pleasure. Whosoever, &c. for the second Offence shall lose and forfayte to the Kyng the whole Issues and Profytes of all his or their Landes, Tenementes, and other Hereditaments, Benefices, Prebendes, and other spiritual Promotions. Whosoever, &c. for the thirde Offence, shall for Term of Lyfe or Lyues of suche Offendour or Offendors, &c. and shall also forfeite to the Kynges Majestie all his or their Goodes and Cattailles, and suffer during

his or their Liues perpetuall Imprisonement of his or their Bodies. But whosoever, &c. by Writing, CIPHERING, or Acte, shall for the firste Offence be adjudged a Traitour, and suffer the Paines of Deathe. Here you may perceiue howe the whole Realme and all your Judgementes hathe beefore this vnderstande Wordes and Actes, diuerslye and apparantlye; and therefore the Judgementes of the Parliamente did assigne Diuersitie of Punishmentes, because they woulde not confounde the true Vnderstanding of Wordes and Deedes, appointing for compassing and imagining by Worde, Imprisonment; and for compassing and imagining by open Deede, Paines of Death.

Bromley. It is agreed by the whole Bench, that the Procurer and the Adherent be deemed alwayes Traytors, when as a trayterous Acte was committed by anye one of the same Conspiracie; and there is apparent Prooue of youre adhering to *Wiat*, both by your owne Confession and other wayes.

Throckmorton. Adhering and procuring bee not all one; for the Statute of *Edwarde* the Thirde doth speake of adhering, but not of procuring, and yet adhering ought not be further extended, than to the Queenes Enimies within her Realme, for so the Statute doth limit the Vnderstanding. And *Wiat* was not the Queenes Enemie, for hee was not so reputed, when I talked with him last; and our Speech implied no Enmitie, neyther tended to anye Treason, or procuring of Treason: and therefore I praye you of the Jurie note, though I argue the Lawe, I alledge my Innocencie, as the best part of my Defence.

Hare. Your adhering to the Queenes Enimies within the Realme is evidently proued: for *Wiat* was the Queenes Enemie wythin the Realme, as the whole Realme knoweth it, and he hath confessed it, both at his Arrainement and at his Death.

Throckmorton. By your leaue, neither *Wiat* at his Arreignment, nor at his Death, did confesse, that he was the Queenes Enemie, when I talked last with him, neyther he was reputed nor taken in xiiij. dayes after, vntill he assembled a Force in Armes, what time I was at your House, Master *Inglefelde*, where I learned the first Intelligence of *Wiat's* Stirre. And I aske you, who doth depose that there passed anye maner of Aduertisement betwixt *Wiat* and mee, after he had discovered his Doings, and shewed himselfe an Enemie? If I had bene so disposed, who did let mee, that I did not repaire to *Wiat*, or to sende to him, or to the Duke of *Suffolke* eyther, who was in myne owne Countrey? and thither I might haue gone and conueyed my selfe with him, vn suspected for my departing homewards.

Inglefelde. It is true that you were there at my House, accompanied with others your Brethren, and, to my knowledg, ignorant of these Matters.

Bromley. *Throckmorton*, you confessed you talked with *Wiat* and others against the comyng of the *Spanyardes*, and of the taking of the *Tower of London*; wherevpon *Wiat* levied a Force of Men against the *Spanyardes* he sayde, and so you saye all, but in Deede it was against the Queene, which he confessed at length: therefore *Wiat's* Actes doe proue you Counsayler and Procurer, howsoever you woulde auoyde the matter.

Throckmorton. Me think you would conclude me