

Summa totalis.

the Popes coffers of late yeares. Syniades, or Agillios, every Syniade mounting to x. thousand crownes. Now what hath risen besides in other Realmes and Patrios, let other men coniecture.

Wherefore if the Gospell send vs to the fruites to know the tree, I pray you what is to be thought of the Church of Rome, with these fruites of lyfe? Or if we will seeke the Church in length and number of yeares, where was this Church of Rome with these qualities then, at what tyme the Church of Rome was a persecuted Church, not a persecuting Church? And when the Bishops thereof did not make Martyrs, as these do now, but were made Martyrs them selues, to the number of xlv. in order one after another? Or when the Bishops thereof were elected & created, not by factions conspiring, not by power or partes taking, not by money or friends making, as they be now, but by the free voyces of the people & of the Clergy, with the consent of the Emperour ioynd with all, and not by a few conspired Cardinals, closed vp in a corner, as they be now &c.

The inuention and power of this new church of Rome examined.

And yet if there were no other difference in the matter, but onely corruptio of life, all that we would tolerate, or els impute to the common fragilitie of man, and charge them no further therein, then we might charge our selues. Now ouer and beside this deformitie of life, wherein they are cleane gone to the former steppes of the true Church of Rome, we haue moreover to charge them in greater pointes, more nearely touchyng the substantiall ground of the Church, as in their inuention presumptuously vsurped, in their title falsely grounded, and in their doctrine heretically corrupted. In all which thre pointes, this latter pretended Church of Rome, hath vnder sequestred it selfe from the Image and nature of the ancient and true Church of Rome, and haue erected to them selues, a new Church of their owne making, as first vsurping a iurisdiction neuer knowne before to their ancient predecessors. For although the Church of Rome in the old primitive tyme had his due authoritie and place due vnto that sea, among other Patriarchall Churches, ouer and vpon such Churches as were within his precinct, & bordering neare vnto it, as appeareth by the Actes of Nicene Councell: yet the vniuersall fullness and plenitude of power in both the regiments, spirituall & temporall, in deposing & dispensing matters of the Church, not to him beloging, in taking Appcales, in geyng elections, inueyng in benefices, in expeyting him selfe from obedience & subiection of his ordinary power & Magistrat, with his coartine power newly erected in the church of Rome, was neuer receaued nor vied in the old Roman church, fro which they disagree in all their doings. For although Victor the bishop of Rome, an. 200. went about to excommunicate the East Churches, for the obseruation of Easter day: yet neither did he proceede therein, neither was permitted by Irenaus so to doe. And although Boniface the first likewise, writing to the Bishops of Carthage, requirred of the to send by their appellations vnto the Church of Rome, alledgyng moreouer the decree of Nicene Councell for his authoritie: The Bishops & Clergy of Carthage assembling together in a generall Councell (called the vi. Councell of Carthage) to the number of 217. Bishops, after they had perused the decrees in the autentick copies of the foresayd Nicene Councell, & found no such matter, by the sayd Bonifacius alledged, made therefore a publike decree, that none out of that countrey should make any appeale ouer the sea, &c. And what maruell if appeales were forbidde them to be made to Rome, wheras both here in England the kyngs of this land would not permit any to Appale fro them to Rome, before king Henry the ij. because of the murder of Thomas Becket, being therunto compelled by Pope Alexander the iij. And also in Fraunce vj. like prohibitions were expressly made by Ludouicus Pius, an. 1268. which did forbid by a publicke instrument, called Pragmatica sanctio, all exactions of the Popes court within his Realme. Also by kyng Philip named Le bel, an. 1296. the like was done, which not only restrained all sedynge or goyng vp of his subiects to Rome, but also that no money, armour, nor subsidies, should be transported out of his Realme. The like also after him did king Charles the v. surnamed the Wise, and his sonne likewise after him Charles the vij. who also punished as traitours, certaine seditious persons for appealing to Rome. The like resistance moreouer was in the sayd countrey of Fraunce, against the Popes reseruatiōs, p̄uentiōs, & other like practices of his vsurped iurisdiction in vj. dayes of pope Martin the v. an. 1418. Item, when kyng Henry the vij. in England, and kyng Charles the vij. in Fraunce, did both accord with the Pope, in inueyng & in collatiō of benefices, yet notwithstanding the highe Court of Parliament in

This new Church of Rome in thre pointes challenged.

Nicene Councell, Cap. 6.

Victor stopped from his excommunication by Irenaus. Boniface the first falsifieth the Councell of Nice.

The 6. Councell of Carthage.

Appellations to Rome forbidden in England.

Appellations to Rome forbidden in Fraunce.

Ex Annonio de gestis Fracorum Lib 5. Cap. 33.

The Popes iurisdiction resisted in Fraunce.

Fraunce did not admit the same, but still maintayned the old libertie & customes of the French Church. In so much that the Duke of Berry came with the kynges letters patēt to haue the Popes procurations & reseruatiōs admitted, yet the court of Parliament would not agree to the same, but the kyngs Procurator generall was layne to go betwixt them, as is to be seene in their Registers. an. 1425. the fifth day of Marche. In the dayes of the which kyng Charles the vij. was set forth in Fraunce, Pragmatica sanctio, as they call it, agaynst the Annates, reseruatiōs, expectatiues, and such other procedyngs of the Popes pretended iurisdiction, an. 1438. wherefore what maruell if this iurisdiction of the Popes Court in excommunicating, in taking Appcales, and geyng of benefices, was not vied in the old Church of Rome, when as in these latter dayes it hath bene so much resisted?

Pragmatica sanctio.

And what should I speake of the sojne and maner of elections, now vied in the Church of Rome, cleane altered from the maner of the old Church of their predecessors? For first in those ancient dayes, when as yet the Church remayned in the Apostles onely, & a few other Disciples, the Apostles then with prayer and imposition of handes, elected Bishops & Ministers, as by the Apostles James was made Bishop of Hierusalem. Ioule in Creta elected Titus, and Timothee in Ephesus. Also Peter ordained Linus and Clement in Rome, &c. After which tyme of the Apostles, when the Church began more to multiply, the election of Bishops and Ministers stode by the Clergie & the people, with the consent of the chief Magistrat of the place, and so continued during all the tyme of the primitive Church, till the tyme, and after the tyme of Constantine the 4. Emperour, which Emperour (as writeth Platina and Sabellicus. Enead. lib. 6.) published a law concerning the election of the Romane Bishop, that he should be take for true Bishop, whom the Clergy and people of Rome did chuse & elect, without any taryng for any authoritie of the Emperour of Constantinople, or the Deputie of Italy: so as the custome and fashion had euer bene before that day, an. 68. And here the Bishops began first to write out their elections and their neckes a litle from the Emperours subiection, if it be so as the sayd Platina and Sabellicus after him reporteth. But many coniectures there be, not vnp̄probable, rather to thinke this constitutiō of Constantine to be forged and vntreue. First, for that it is taken out of the Popes Bibliothecarie, a suspected place and collected by the keeper and maister of the Popes Librarie, a suspected author, who whatsoever sayned writings or Apocrypha he could finde in the Popes chestes of Records, making any thynge on his maisters side: that he compiled together, and therof both Platina, Sabellicus, & Gratianus take most part of their reportes, & therefore may the more be suspected, &c.

The Popes iurisdiction concerning elections examined.

Platina. Sabellicus. Enead. lib. 6.

Constitutiō the 4. Emperour of Constantinople. The Popes bibliothecarie suspected. The constitution of Constantine the 4. Emperour of Constantinople examined.

Secondly, where Platina and Sabellicus say that Constantine moued with the holynes of Pope Benedict the first made that constitutiō, how seemeth that to staue with truth, when both the Emperour was so farre of from him being at Constantinople, & also for that the sayd Pope reigned but x. monethes: which was but a small tyme to make his holines knowne to the Emperour so farre of. And giue he were so holy, yet that holynes might rather be an occasiō for the Emperour so to confirme and maintaine the olde receaued maner of his institution, then to alter it.

The third coniecture is this, for that the sayd constitutiō was not obserued, but shortly after by the sayd Benedict was broken in the election of Pope Conon. And yet notwithstanding albeit the constitutiō were true, yet the election there by was not take away from the people, and limited to the Clergy onely, and much lesse might be taken away fro the Clergie, and be limited onely to the Cardinals, without the consent of their Prince and ruler, according to their owne Rubric in their Decrees, where the Rubric sayeth: De ordinatione Episcoporum: Nullus inuitis deitur Episcopus, cleri, plebis, & ordinis consensus & desiderium requiratur, &c. That is: Let no Bishop be geuen to any people agaynst their wisdome: but let the consent & desire both of the Clergie and of the people, and of the order, be also required, &c. And in the same Diff. also, cap. Sacrorū, we read the same libertie & interest to be graunted by Carolus Magnus, and Ludouicus his sonne, not to a few Cardinals onely, but to the order as well of the Clergy, as of the people, to chuse not onely the Bishop of Rome, but any other Bishop within their owne Diocesse whatsoeuer, and to the Monkes likewise, to chuse their owne Abbot, setting aside all respect of persons and gifts, onely for the worthynesse of life, and gift of wisdome, so as might be most profitable for doctrine, and exāple vnto the flocke, &c. And this continued till the tyme of the foresayd Carolus Magnus, and Ludouicus

Rubrica de ordinatione Episcoporum. Cap. Sacrorum.