

ther in the foresayd Judgement. It foloweth.

(B) Per Sacramentum xij. iuratorum extitit presentatum. &c. If there had bin true dealing in this, the Jurors should have bene named. But it is not like, that there was euer any such Judgement found by any Jurors, and therefore they did best, not to name the Jurours, least they would have denied this Judgement to be their Acte: it foloweth more in proces of the Judgement.

(C) Et dictum Ioan. Oldcastle Regentem Eiusdem regni constituere. &c. If there were no other argument, this were sufficient to disprove the manifest vnttruth of this surmised Judgement. When as the king was not yet gone to Fraunce, nor determined to go, how could they conspire then to make a Regent? For the king went in July folowing, vidz. the second yeare of his raigue, leauing behinde him the Queene his mother in law, for Regent, whereby it may be gathered, that this matter was vnttruly entred and stolen into the Records with an antedate, or els at the least, there appeareth manifest vnttruth, that they should conspire to make a Regent, when a Regent was not thought vpon, unlesse it were all ready run into the heads of the Cleargie, who shortly after fearing their temporalities (as Caxton saith) perswaded the King to make warres in Fraunce. This word Regent therefore proceedeth of the secret spirit of the Cleargie, and maketh the whole matter very suspitious, to be grounded altogether vpon the malice of the Cleargie, and their vnttrue surmises. It foloweth moreouer.

(D) Quasi gens sine capite in finalem destructionem. &c. How doth this stand with that goeth before, that they conspired to make a Regent, except you will say that to make a Regent is to be a people without an head? It foloweth.

(E) Cum quam pluribus rebellibus dicti regis ignotis ad numerum viginti millium hominum. &c. A strange matter that they should knowe of the conspiracie of twentie thousand, and yet knowe of no moe names of the rebels, but the Lord Cobham onely, or one or two mo. And all the rest were ignoti.

(F) Priuatum insurgentes. &c. This smelleth of the Cleargies owne penning, without any great abuse of learned counsaile: for otherwise such as had bene herein skilfull, would neuer haue put in priuatum insurgentes.

(G) Die Mercurij proximo post festum Epiphaniae D. anno R.R. praedicto, &c. This wednesday next after the Epiphany, was the x. day of the moneth of January, and the same day when both the conspiracie was put in execution, and the same day when the commission was giuen out to enquire, also when the fact was by enquire presented, whereby it may seeme a strange thing that so great a conspiracy knowne beforehand, was not suppressed nor enquired of by any commission, but onely by a commission bearing date of the same day, vpon which day by the purport of the Judgement, the conspiracie should haue bene put in execution, by open rebellion, as it is aforesayd.

(H) Praedictum D. nostrum Regem fratres suos videl. Thomam Ducem Clarence, Ioannem de Lancastre, & Humfredum de Lancastre, &c. If the kings learned counsaile had dealt in this Judgement, as in case of treason they should haue done, if it had bene a matter of truth, they would neuer haue handled it so slenderly, and wrongly, as to name the Dukes of Bedford, and of Gloucester: John of Lancaster, and Humfrey of Lancaster, who were made Dukes in the 13. yeare of the raigue of King Henry the fourth their father, as appeareth by Caxtones Chronicle.

(I) Et ibidem versus campum praedictum, modo guerrino arriati proditorie modo insurrectionis, contra ligeantias suas equitauerunt ad rebellandum dictum D. nostrum regem, &c. This is falsified by plaine evidence of histories. And Copus hymselfe confesseth no lesse. For he so sayth and confesseth page line That Sir John Oldcastle was not there in person, but onely, that his consent and good will was there.

Againe, seeing this equitation or riding toward Saint Biles field was vpon the wednesday next after the feast of Epiphany (as in this Judgement and processe of outlawry is aboue testified) which was the tenth daye of January, and commission also the same day was charged, and the Jewry moreouer impanelled the same daye, & yet no Jewry named: Item, the verdict the same day presented, how all these can concur together, and all in one day, let the reader after he haue well considered the matter, vnder his iudgement therein, not only whether it be like, but also whether it be possible.

Diuer and beside all this it is to be noted, that if this matter had bene truly and duly handled, as touching the reason, then had it not bene needefull to haue brought Sir

John Oldcastle into the Parliament house, before the Lords to haue had his iudgement. For by the outlawry (if it had bene true) he was attained, and without anie more adoe should haue had iudgement in the Kings Bench as a Traytor. But the chiefe Justice knowing the handling of the matter, durst not belike enterpise so far. Wherefore it was deuised, that he should certifie the record into the Parliament, which he did together, with the Bishops sentence filed to the record, which was verie strange.

And thereupon the Lords gaue such a iudgement, as was not due for a Traytor. For that they gaue no iudgement, that he should be drawne, hanged, and set downe a liue, and then bowelled and quartered, which is the iudgement of a Traytor. And albeit the Parliament might haue attained him without any more ado: And by the same Act of attainder haue ordeined a speciall iudgement, as they should thinke good: yet when hee was before attained by the outlawry, they could not lawfully varie from the common iudgement of treason. At least how could or should the iudgement of Sir Roger Acton, Maister Bygone, and John Benerley, who were iudged in the Guildhall before and without the Parliament, vary from the said common iudgement of Traytors, if they had truly committed, and bene convicted of such high treason?

Adde this moreouer to the foresayd Notes: that if Sir John Oldcastle after his escape out of prison, had bene culpable and so attained of that high treason, whereby his lands had bene immediately forfait vnto the King by the processe of his outlawry: what needed the king then in the second yeare of his raigue, in the Parliament after holden at Lyecester, haue made that prouiso to haue his lands forfait to him by vertue of Parliament, vpon his escape on the day of his arrest: when as the lands and cartails of his had bene forfeite before, by the processe of the outlawry, as is before specified?

Thus you see (Maister Coppe) how little aduantage you can wraist out of this Commission and inditement against the Lord Cobham and his fellowes to proue them traytors. And admit the said Lord Cobham was attained of treason by the Acte, and that the King, the Lordes, and the Commons assented to the Act: yet it bindeth not in such sort (as if in deed he were no Traytour) that any man may not by search of the truth bitter and set forth sincerely and iustly the very true cause whereby his death hapt and followed.

Thus then hauing sufficiently cleared the Lord Cobham and his parteners, from all that you can object vnto them out of records and Statutes: let vs now come to your English Chroniclers, wherewith you seeme to presse me, & to oppresse them whome ye name to be Robert Fabian, Edward Halle, Polydor Virgilius, Thomas Cooper, Richard Graf-ton, with other bryefe Epitomes and Summaries, &c. Concerning which authours, as I haue not to say, but to their commendation in this place: so if that you had aouched the same, to the commendation rather then to the reproofe of other, I would better haue commended your nature, and beleued your cause. But now like a spidercatcher sucking out of euery one, what is the worst, to make vp your leyball, you heape vp a donghill of dirtie Dialogues concerning nothing in them but malicious railing, virulent slanders, manifest vnttruths, opprobrious contumelies, & stinking blasphemies, able almost to corrupt & infect y^e aire. Such is the maladie & caoethes of your pen, y^e it beginneth to barke, before it hath learned well to write. which pen of yours notwithstanding I do not heere reproof nor contemne, as neither do I greatly feare y^e same. God of his mercy keepe y^e sword out of the Papists hand, it is not the pen of the papists I greatly passe vp, though xx. Copes, and so many surplices, were set against the booke of Monuments, were I so disposed (Maister Coppe) to dally, or as the Breckes do say *dyt vndrewen*, and to repay againe as I am prouoked. But in despightful railing, and in this Satyricall sort of barking I geue you ouer, and suffer you therein to passe not only your selfe, but also Cerberus himselfe if ye will, the great bandog of Soluto. Wildnes and humanitie rather beseyneth and is the grace of the Latine phrase. If ye could hit vpon the vaine thereof, it would win you much more honestie, with all honest men. But the Lord hereafter may cal you, which I beseech him to do, and to forgiue you that you haue done.

In the meane time seeing this your prating pen must needs be walking, yet this you might haue learned of these your own authours whom you aledge, more ciuilly to haue repered your fume, in exclaiming against the, whose cause is to you not perfectly known. And now byciely to answer to these

The L. Cob. fir R. Acto, &c. proued no traitors.

The 13. note or argumēt.

Answer to the allegations of Fabian, Polydore, and Hall, &c.

Modestie commended in writers.

(B) The second note of the names of the Iurers left out.

(C) The 3. argumēt by making a Regent, the king being not yet gone ouer.

(D) The 5. argumēt by cotrariecie.

(E) The 6. argumēt, by the persons vnknowen.

(F) The 7. argumēt by the vnkilfull penning.

(G) The 8. argumēt by the date and tyme.

(H) The 9. argumēt, by error and wrong naming the Dukes.

(I) The 10. note or argumēt by the absence of the partie.

The 11. note or argument.

The 12. note or argument.