Robert bishop of Lincolne appealed from mé to carift.

612.

Iohn Hus complaineth of Michaell de Caulis, his great chemie.

that all the faythfull feruauntes of Iesus Christ, and especially the Princes, Barons, Knightes, Esquires and all other whiche inhabite our Country of Boheme, should vnderstand & know these things and haue compassion upon me which am so greeuously oppressed by the excommunication whiche is out agaynst me, the whiche was obtayned and gotten by the instigation and procurement of Michaell de Causis my great enemy, and by the consent and sur-theraunce of the Canons of the Cathedrall Churche of Prage, and geuen and graunted out by Peter of Sain& Angelles Deane of the Church of Rome, and Cardinall and also ordayned judge by Pope Iohn the xxiii who hath continued almost these two yeares and would geue no audience vnto my Aduocates and Procurators (which they ought not to deny:no not to a Iew or Pagan, or to any hereticke, whatsoeuer he were) neyther yet woulde he receiue any reasonable excuse for that I did not appeare personally neyther would he accept the testimonials of the whole Vniuersity of Prage with the seale haging at it, or the witnes of the sworn Notaries, and fuch as were called vnto witnesse. By thys all men may euidetly perceive that I have not incurred any fault or crym of contumacie or disobedience, for somuche as that I did not appeare in the Court of Rome, was not for any contempte, but for reasonable causes. And moreover, for fomuch as they had layd embushmentes

for me on enery fide by wayes where I should passe, and also be-

cause the perils & dangers of others, have made me the more cir-

cumspect and aduised, and for somuche as my procurours were

willing and contented to bind themselues even to abide the pu-

nishment of the fire, to answere to all such as would appose or lay

any thing agaynst me in the Court of Rome, as also because they

dyd imprison my lawfull procuratour in the sayd Court, without

any cause, demerite or faulte as I suppose. For somuch then as the

order and disposition of all auncient lawes, as well denine of the

old and new testament, as also of the Canon lawes is this, that the

Iudges should resorte vnto the place where the crime or faulte is

nally that there shold be a fit and meete place appoynted whether

as the accused party might without daunger or perill, resorte or come, and that the Judge and witnesses should not be enemies vn

to hym that is accused. And also for somuche as it is manifest that

all these conditions were wanting and lacking, as touching my

appearaunce for the safegard of my life, I am excused before God

from the friuolous pretended obstinacie and excommunication. Wherupon I I. Hus do present, & offer this my appeale vnto my

Lord Ieiu Christ, my iust judge, who knoweth defendeth, and just-

ucth vertuoully and gooly. I answer: my words are these

That the deuilion of all humaine works is in two parties that is, that they be eyther vertuous or vicious: For for

much as it doth appeare that if any man be vertuous and

godly, and that he do any thing, he doth it then vertuously

and godly. And contraviwile if a man be vicious & naught

that whiche hee doth is vicious and naught. For as vice which is called crime or offence, and thereby understande

beadly sinne, both universally infect or deprace all the acts and doinges of the subject, that is of the man whiche doth them: so likewise vertue and godlines doth quicken all the

actes and dovings of the vertuous a godly mantin somuch that he being in the flate of grace, is layd to praye and doe

good works even fleping, as it were by a certain meanes

working. As S. Augustine, S. Bregory and diners other

affirme. And it appeareth in the fire thapter of Luke: If thine eye that is to lay, the minde of intention be simple,

not depraced with the perucrienes of any linne or offence

all the whole body, that is to lay, all the acres and doinges shall be cleare and shyning, that is, acceptable and grateful

The 22. Article. A vicious and naughty man lineth bi=

ly judgeth enery mans just and true cause.

The procurator of I. Hus laid in prison at Rome.

The pope pro-ued to do against his owne canon

committed or done, and there to enquire of al fuch crimes as shal be objected and layed agaynst hym which is accused, or slandered and that of fuch men as by conversation have some knowledge or vnderstanding of the party so accused (the whiche may not be the euill willers or enemies of hym , hich is so accused or slaundered but must be men of an honest conversation, no common quarrell pickers or accusers, but servent louers of the law of God) and si-

A knot found in cloudly and naughtely; but a rettuous and godly man ly= à milhei

The tree that is good brin geth forth good fruit.

2. Cor. 10.

vinto Bod. But if thine eye be cuil, the whole body is dark ned And in the fecond to the Cozin.r. Chapter. All thinges that you do, do them to the glory of Bod. And lykewife in the first Epistle to the Cozinthians, and last chapter it is . Cor. vit. fayd: Let all your doinges be done with charitie, wherfore all kinde oflyfe and lining according buto charitic, is bertuous and godly: and if it be without charitie, it is bici= ous and euill. This laying may well be prooned out of the 23, chapter of Deuteronomy, where Bod speaketh unto people that hee that keepeth by commandementes, is bleffed in the house and in the field, out going and in com= ming, accoing and waking: but he that both not keepe his commaundementes is accurled in the house and in fields

in going out and comming in , Aceping, and waking &c. The fame also is enident by S. Augustine vpon the Pial. where he writeth, that a good man in all hys doinges doth prayle the Lord. And Gregory laith that the fleep of faints and holy men both not lack their merite. How much more then hys doinges which proceede of good zeale, be not we out reward and consequently be vertuous and good? And contrariwife it is understanded of hym, which is in dead ly finne, of whome it is spoken in the law, that whatsoener the vncleane man doth touch, is made vnckane

To this end both that also appertagne which is before repeated out of the first of Malachie. And Bregogie in the first booke and first question, sayth: we doe detile the bread, which is the body of Christ, when as we come biworthe ly to the table, and when we being defiled, doe drinke bys bloud. And S. Augustine vpon the 146. Plalme, saythist thou doest exceed the due measure of nature, & does not ab stayne from glottony, but goige thy felfe op to dronkennes whatfoener faude or prayle thy congue both fpeake, of the grace and fauour of Bod, thy life both blafphenie the faine When he had made an end of this arcicle, the Cardinall of Cardinall of Cambray Cambray fayd: The scripture sayth that we be all sunces. And agayne, if we lay we have notinue, we deceive our felues, and to we thould alwayes line in deadly finne. John Bus aunswered, the Scripture, speaketh in that place of veniallsinnes, the whiche doe not veterly expell or put a= way the habite of vertue from a man, but do affociate the felues together. And a certayne English man whose name was w.fayd: but those sinnes do not affociate themselues with anveacce mozally good. John Bus alledged agaync S. Augustines place opon 146. Plalme the whiche when be rehearled, they all with one mouth layd, what makes this to the purpole?

The 13. article. The minister of Christ living according to his law, and having the knowledge and understanding of the feriptures, and an earnest delive to edifie the people, ought to preach, notwithanding the precended excommu= nication of the pope. And morcover if the pope or anye o= ther ruler, doe forbid any prieftes or minister lo disposed, ought to be not to preach, that he ought not to bey him. I aunswere, obeyed. that these were my wordes. That albeit the excommunication were eyther threatned or come out agaynst hym, in such fort that a Christian ought not to doe the comman= dementes of Chailt, it appeareth by the wordes of \$.19c= ter, and the other Apoliles, that we ought rather to obey Bod, then man, whereupon it followeth that the minister of Chilf lyning according onto this lawe. &c. ought to preach notwithitanding any pretended excommunication For it is enident that it is commanded buto the ministers of the Church to preach the word of Bod. Actes 5. BD D Act., 5. hath commaunded us to preach and testifie unto the people, as by diners other places of the feripture, and the holy fathers, rehearled in my treatile it both appears more at large. The fecond part of this article followeth in my trea-

tife in this maner.

By this it appeareth that for a minister to preache, and almose ge a rich man to gene almes, are not indifferent workes, but uing be not duties and commaundementes. Wherby it is further cuident, if the pape or any other ruler of the Church do com= maund any ininiffer disposed forto preach, not to preach, or onight not to obey hym. And be adoed moreouver, to the inspected and be doed more all that a minister to precede excommunication, the which is unfully differ preach: dered and genen forth contrary to the order of the law and Bods commaundements. For the which the meete Mini= fter appointed therunto ought not to ceale from preaching neyther yet to feare dammation.

Then they objected buto him, that he had fayd & fuche kinde of excommunications were rather bleffinges. Merc= ly faid Hus, euc fo do I now fay again, that eucry excom= munication, by the whichea man is untuffly ercommuni- bleffinges. cate: is buto him a dicling afore Bod, according to flay-ing of the Prophet: I will curle where as you blede: and contrariwife, they that curle, but thou D Lord thalt blette. Then the Cardinal of flozence, which had alwayes a Rotary ready at his hand to write fuch thinges as he coman= ded him, laid: The law is, that every excommunication, be it never lo buight ought to be feared. It is true fand John Bus, for I bo remember eight causes, for the whiche excomunication ought to be feared. Then layd the Cardinall. is there no more but eight? It may be, faid John Bus, that thère be moze.

The privit. Article. Every man which is admitted buto y ministery of the Church, receivethalfo by specialicomaundement, the office of a preacher, and ought to execute and fulfil that commaundement, not withflanding any ercommunica.

objecteth.

Iohn Hus aunsyvereth.

23.

Forbidding to preach, whether ir

Preaching & different, but duties & commaunde To forbida And to forbid a rich man to geue almofe, is both one. How the popes cur-finges are

The Cardinall of Florence with his Notarie, 8. Caufes why excommunication ought tobe feared.

Deu . 2 7.