

Let the hartie desires of so many godly men through the whole world, moue you, so earnestly wishing that some good Kings woude extend their authoritie to the true reformation of the Church of God, to the abolishing of all Idolatrous worship, and the furthering of the couric of the Gospell. Regarde also and consider I beseeche you, those godly persons, which are with you in bands for the Soulders sake, being the true members of Christ.

And if that cruell Decree be not altered, the Bishops will neuer cease to rage agaynst the Church of Christ without mercy or pittie. For them the deuill vseth as instruments and ministers of his furie and malice agaynst Christ. These he directh vnto slay and kill the members of Christ, whose wicked and cruell proceedings and subtilie sophistications, that you wil not prefer before our true and most righteous request, all the godly most humbly & hartily do pray & beseech you, which if they shall obtayne, no doubt but God shal recompence to you great rewards for your pittie, and your excellent vertue shalbe renowned both by penne and voyce of all the godly, whyles the world standeth. For Christ shall iudge all them that shall deserue either well or euill of his Church. And whyles letters shal remaine, the memoriall worthie of such noble deserts, shall neuer dye or be forgotten with the posteritie to come. And seeing we seeke the glory of Christ, and that our Churches are the Churches of Christ, there shall neuer be wanting such as both shall defend the righteous cause, and magnific with due commendation such as haue well deserved, & likewise shal condemne the vniust crueltie of the enemies.

Christ goeth about hungry, thirstie, naked, prisoned, complaining of the raging furie of the Bishops, and of the wrongfull oppression and crueltie of dyuers Kings and Princes, entreating that the members of his body be not rent in peeces, but that true Churches may be defended, & his Gospell advanced. This request of Christ to heare, & receiue, and to embrace, is the office of a godly King, and seruice most acceptable vnto God.

Intreating a litle before, page 1143. of certayne olde instruments for prooufe of Priestes lawfull Marriage in times past, I gaue a litle touch of a certayne recorde taken out of an olde Martyrologe of the Church of Cant. touching Liuingus a priest, and his wife, in the time of Lanfranke. Wherein I touched also of certain lands and houses restored againe by the said Lanfranke to the Church of S. Andrew. Now for asmuch as the perfect note thereof is more fully come to my hands, and partly considering the restoring of the sayde landes, to be to Christes Church in Canterbury, and not S. Andrew in Rochester: and also for that I haue founde some other presidentes approving the lawfull Marriage of Priestes, and legitimation of theyr children, I thought good for the more full satisfying of the reader, to enter the same, as followeth.

\* A note out of an old Martyrologe of Caunterbury.

O Bijt Guilielmus Rex Anglorum, &c. Hic reddidit Ecclesie Christi omnes ferè terras, &c. That is: After the death of William King of England, the sayd Lanfranke restored agayne to Christes Church in Caunterbury, all the landes whiche from auncient memory vnto these latter dayes, haue bene taken away from the right of the sayd Church. The names of which landes be these: In Kent, Raculfe, Sandwiche, Rateburgh, Wodetun, the Abbay of Limming, with the lands and customes vnto the same monasterye belonging, Saltwude, &c. (Stooke and Denentun, because they belonged of olde time to the Church of S. Andrews, them he restored to the same Church.) In Sutherey, Murtelac, the Abbay of S. Mary in London, with the landes and houses which Liuingus Priest, and his wife had in London. All these Lanfranke restored agayne for the health of his owne soule, freely, and without money, &c.

\* A note for the legitimation of Priestes children, ex termino Michael. Anno 21. Henr. 7. fol. 39. page. 2.

Note, that in the xix. yeare of this King, in an Assise at Warwicke, before Syr Guye Fairfax, and Syr Iohn Vauifour, it was found by Verditte, that the father of the tenant had taken the order of Deacon, and after married a wife, and had issue, the tenant dyed, and the issue of the tenant did enter. Vpon whome the pleyntife did enter as next heyre collateral to the father of the tenant. Vpon whome he did reenter, &c. and for difficultie, the Iustices did adioune the Assise. And it was debated in the Eschequer chamber: If the tenant shall be a Bastard, &c. And heere by aduise it was adiudged that he shall not be bastard, &c. ¶ Frowicke chiefe Iustice sayd to me in the xix. yeare of Henry the vij. in the common place, that he was of counsaile in this matter,

and that it was adiudged as before, which Vauifour did graunt. ¶ And Frowicke sayd, that if a Priest marry a wife, and hath issue and dyeth, his issue shall inherite, for that the espousals be not voyde but voydable. ¶ Vauifour: if a man take a Nunne to wife, this espoufall is voyde.

Frowicke. opinion that the issue of a Priest shall inherite.

Note, that in the latter Impression of Henry the vij. yeares of the lawe, this word Priest in this case aforesayd in some bookes is left out: whether of purpose or by negligence, I leaue it to the Reader to iudge.

\* Another note for legitimation of Priestes children.

AD Curiam generalem D. Philippi & D. Mariae Dei gratia, &c. xvj. die Iulij, Anno Reg dict. Regis & Reginae, primo & tertio irrotatur sic. Praesentatum est per totum homagium quod Symon Heynes \* Clericus diu antè istam Curiam, vid. per duos annos iam elapsos, fuit festus secundum consuetudinem huius Manerij in dominio suo vt de feodo, de & in duabus acris terræ, percellis de xxxv. acris & dimidij terræ, nuper in tenura Ioannis Heynes. Ac de & in vno tenemento vocat. Bernardes nuper in tenura Ioannis Cotton. Ac de & in lvij. Acris & ij. rod. dis terræ & pastura, siue plus siue minus, prout iacent in campis de Myldenhall prædicta in diuersis pecijs, vt patet in Curia hic tenta die Iouis proximo post festum Sancti Lucae Euangelistæ, An. regni Regis Henrici vij. xxxvij. Necnon de & in xij. acris terræ natuæ iacentibus in Townesfield & Twamesfield in diuersis pecijs. Ac de & in quatuor Acris & dimidio terræ iacentibus in Myldenhall prædicta. Ac de & in quinque rod. dis terræ iacentibus in Halywelsfield. Qua propter præmissa, idem Symon nuper habuit ex sursum redditione Willielmi Heynes prout pater in Curia hic tenta die Martis proximo post Dominicam in Albis Anno regni Regis Edwardi vj. primo. Et sic festus idem Symon de omnibus supradictis præmissis inde obijt solus festus. Et quod Ioseph Heynes est filius & hæres eius propinquior, & modo ætatis quinque annorum & amplius. Qui quidem Ioseph præsens hic in Curia in propria persona sua, petit se admittit ad omnia supradicta præmissa tanquam ad ius & hæreditatem suam. Et D. Rex & D. Regina ex gratia sua speciali, per Clementem Heigham militem Senescallum suum, concesserunt ei inde sefinam tenendam sibi, hæreditibus, & assignatis eius, per virgam ad voluntatem dict. D. Regis & D. Reginae secundum consuetudinem huius Manerij, per Teruitia & redditus inde debita, &c. Saluo iure, &c. Et dat Dominò Regi & D. Reginae v. lib. de fine pro ingressu suo habendo, & fidelitas inde respectuatur quouisque, &c. Et vltierius consideratum est per Curiam quod dict. Ioseph est infra ætatem vt præfertur. Ideo determinatum est & concessum est per consensum Curie quod Ioanna Heynes nuper vxor prædicti Simonis, ac mater prædicti Ioseph habeat custodiam eiusdem Ioseph, quousque idem Ioseph peruenerit ad suam legitimam ætatem.

\* Note that this Symon Heynes a Doctour & Priest is not called otherwise here in form of law then Clericus, as in the Euidences before, other Priestes are called.

Note that the opinion of Frowicke hath alway bene taken to be law, as may appere by this president that passed before, Syr Clement Heigham being learned in the lawe, & late chiefe Baron of the exchequer in the time of late Queene Mary.

Concerning these vij. Articles passed in this Acte aforesayd in the 21. yeare of King Henry, sufficiently hetherto hath bene declared, first what these Articles were: secondly by whom and from whom chiefly they proceeded: thirdly, how erroneous, pernicious, repugnant and contrarious to true doctrine, christian religion, and the word of God, to nature also it selfe, all reason and honesty, and finally to the auncient lawes, customes, and examples of our forefathers during the daies of a thousande yeares after Christe they were. Fourthly, yee haue heard also what unreasonable and extreme penaltie was set vpon the same, that a man may deeme these lawes to be writen not wyth the inke of Steuen Harduer, but with the blood of a Dragon, or rather the clause of the Diuel. The breach wherof was made no lesse then treason and felony, and no lesse punishment assigned thereto then death.

The penalty of the 6 articles declared.

Dracons leges sanguine Scripte.

Besides all this, the wordes of the Acte were so curious and subtle, that no man could speake, wyte or cypher agaynst them, without present daunger, yea scarcely a man might speake any word of Christ and his Religion, but he was in perill of these vij. Articles. Duer & besides, the Papistes began so finely to interpret the Act, that they spard not to indite men for abusing their countenance & behaviour in the Church. So great was the power of darkenesse in those dayes. And thus much concerning this Acte.

Potestas tenentiarum.

Besides these vij. Articles in this foresayde Acte concluded, there was also another constitution annexed withall, not without the aduise (as may seme) of the Lord Cromwell, which was this: that Priestes and Ministers of the Church, seeing now they would needes these lawes be bound from all Matrimony, should therefore by law likewise be bound to such honesty and continencie of life, that carnally they should vse & accustom no maner of woman married or single, by way of aduoutrie or fornication: the breach wherof, for the first tyme, was to forsake goddes, & to suffer imprisonment at the Kings pleasure: and for the second time,

An acte agaynst fornication of vniarmed Priestes.

He meaneith Shakro, Latimer Cromer, and others.

The deuils instruments by whom he worketh.

Liuingus Priest, and his wife.

Ex Archibus. Eccles. Cant.

S. Andrewes. Church in Rochester.

Liuingus Priest & married man.

M. 11. H. 7.

A Deacons taketh a wife, hath issue & dyeth, the issue adiudged not Bastarde.