

From Calendar of State Papers, Spain, vol. 5.1, 1534-35, edited by Pascual de Gayangos. London: Her Majesty's Stationary Office, 1886, pp. 507-10.

1 July [1535]
S. E. Inglaterra,
L. 806, f. 47.
B. M. Add. 28, 587,
f. 33

180. NEWS FROM ENGLAND.

On the first day of July mdxxxv. Master Thomas Mauro (More), Lord Chancellor of England, appeared before the judges appointed by the King [to try him]. The indictment specifying the charges against him having been read in his presence, the new Chancellor [Sir Thomas Audeley] and the duke of Norfolk turned towards him, and addressed him in these words: "You see, Master More, that you have grievously offended His Royal Majesty; yet if you will repent, and change that opinion, in which you have hitherto most obstinately persevered, we trust so much in His Majesty's clemency and kind heart, that pardon and mercy will, we have no doubt, be obtained for you." More's answer was: "Milords, I thank you very much for your good will, but yet I pray God Almighty to keep me firm in this opinion of mine, that I may continue in it till the hour of my death. Respecting the charges brought against me, I doubt whether my understanding, my memory, or my tongue will be sufficient to compass them all, grave and manifold as they are. After the long and hard imprisonment, and the grave illness under which I am now suffering, I apprehend that I shall be unable to answer the many articles of which the indictment consists." After which, at the command of the judges, a chair was brought, and the exchancellor began his defence as follows:

"With regard to the first article of the indictment, that in order to show my wickedness and malice against the King, I have opposed and resisted with all my power the King's second marriage, I have nothing to state in my defence save that what I have said against it has been said according to conscience. For this reason I would not, nor will I now, conceal my true sentiments, bound as I am to declare the truth. Had I done so, I should certainly have been unloyal and a traitor. For this error, if it can be so called, I was sentenced to perpetual confinement in a dungeon, where I have already passed 15 months, having, besides, had my property confiscated. I will, therefore, answer the principal charges you bring against me. You say that I have incurred the penalty established in the statute made in the last Parliament, and that I was committed to prison for having feloniously and falsely deprived His Majesty, the King, of his right names, titles, honor, and dignity of Supreme Chief and Head of the Anglican Church after God, which title, dignity, and pre-eminence have been conferred on him by Parliament. As a proof whereof you charge me with having, when asked by the King's principal secretary, and of his honourable Privy Council, what was my opinion of the said statute, answered nothing except that, being a dead man as to the world, I cared not for such things, and that all my attention was fixed on the passion and death of Jesus Christ. My answer to such an accusation is that your statute cannot condemn **[508]** my silence, and sentence me to death; for no statute, no law in the world, can inflict punishment on a man for his silence, but only for having said or done something against it."

Here the King's attorney interrupted More by saying that silence in his case was a manifestation of his wicked thought and bad estimation of the said statute, inasmuch as all the good and loyal subjects of His Majesty, upon being asked what they thought of the said statute, were bound to answer categorically, without dissimulation or reserve of any kind, and to affirm that the statute was good and holy. "Certainly," replied Master More, "if it be true what common law says, that he who holds his tongue consents, my silence ought to be interpreted as an approval of your statute rather than as a contemptuous opinion of it. As to your assertion that all good subjects are obliged to answer, I can tell you that subjects and vassals must look first to their conscience and soul, and then to worldly considerations, provided by their doing so (and such is my care) they do not promote scandal or revolution in the state. I can, moreover, declare and affirm that whatever was the thought of my conscience in this particular affair, I never revealed it to any one whomsoever.

“Respecting the second article, in which it is said that I have spoken and acted against the said statute, and written to the bishop of Rochester eight letters in which I attack the statute, I only say that I should like to see those letters produced and read in public. But since you maintain that the Bishop himself committed them to the fire, and that they cannot be produced, I will tell you what the substance of them was. They were familiar letters, such as our old acquaintance and friendship demanded. One of them was an answer to another of his, in which he asked me how I had replied to the interrogatory about the statute read to me at the first examination at the Tower. I wrote to him that my answer had been as my conscience dictated, and that if interrogated on the subject he ought to do the same, and carry out his manly purpose. I swear on my conscience that such was the content of my said letters to the Bishop, in which there is nothing said against the statute that deserves death.

“Respecting the third charge, namely, that at my examination before the Privy Council I answered that your statute was like a two-edged sword, cutting both ways, so that the approvers of it would lose their souls, and the contradictors their bodies, and that the bishop of Rochester, as you say, made use of a similar argument in his declaration,—which is a further proof of our being confederated and allied to each other,—I will say that I made use of the expression conditionally, that is to say, that if there were a statute like a two-edged sword, cutting both ways, how could a man conduct himself so as to avoid one of the two dangers? How may the Bishop have answered that question of the interrogatory, I cannot say. If he did answer it in terms similar [509] to mine, that may be caused by our sentiments and doctrine on this particular being the same, not because we were previously agreed about it. So far from it, that I firmly believe that I never said or did any thing maliciously against the statute, though it may be that my words have been misinterpreted and wrongly reported to the King’s gracious Majesty.”

Thereupon an usher was told to summon a jury composed of 12 men, according to the use of the country, to whom the said articles were given, that they might deliberate and decide whether the said Master Thomas More had, or had not maliciously contravened the said statute; who, after a quarter of an hour’s retirement and secret consultation, came back before the ordinary judges and magistrates, and declared the said Master More to be guilty; upon which the Chancellor (Sir Thomas Audeley), in the form and tenour of the new law, pronounced sentence of death upon him.

Master More then addressed his judges in these words: “Since I am condemned to death (and God knows why) I will now, for the discharge of my conscience, speak freely of your statute. For the last seven years I have been studying the matter. I know of no approved doctor of the Church saying that a temporal lord could or ought to be head of the spiritual. Here, the Chancellor interrupting him, said “Master More, you wish to be held as more conscientious and learned than all the bishops of this realm, and all the peers and nobles.” Master More replied, “For each bishop following your opinion I have on my side one hundred holy men. For a Parliament (God knows how assembled) in your favour, I have all the General Councils held for the last thousand years. For one kingdom in your favour, I have France and all the Christian powers.” Hearing this, the duke of Norfolk said to him, “More, now your wickedness becomes manifest.” He replied, “Milord, what I say is needed for the declaration and discharge of my conscience, as well as for the repose of my soul. Of this I call God to witness, He who is the only searcher of human hearts. I further maintain that your ordinance is a bad one, for you all made a vow not to act against the Church, which is only one in Christendom, entire and indivisible. Not only have you no authority without the common consent of Christians all over the world to make laws and frame statutes, Acts of Parliament, or Councils against the said union in Christendom, but you and the others sin capitally in so doing. I know very well that the reason of your condemnation of me is no other than my constant refusal to consent to this second marriage of the King; but I have faith in the Divine bounty and mercy, that since St. Paul, as written in his life, first persecuted St. Stephen, and both are now united in Paradise, so shall every one of us, though we may be at variance in this world, be in the conformity and

union of perfect charity hereafter. On this score I pray [510] Almighty God to permit by His clemency that the King may be saved and preserved, and good counsel given to him.”

Whilst on his way to the Tower, one of his daughters, named Margaret, mixed herself with the people, and notwithstanding the archers and sheriffs (*porqueros*) reached him. Overpowered by her father’s extreme anguish and torment, fearless of the people collected around the spot, a very public one, she went up to her father and embraced him, weeping and silent.¹ The father wishing to console her, after asking leave of the guards, said to her, “Margaret, take “patience, and do not grieve; God has willed it so. For many years didst thou know the secret of my heart.” After that, having retired 10 or 12 paces, she again returned to her father, clung to and embraced him; and the father, greatly moved to pity, and with tears in his eyes, but an unflinching countenance, said, “Friends, pray for my soul.” On the Wednesday following Thomas More was beheaded on Tower Hill. Some minutes before the execution he addressed the bystanders, and begged them to pray for him from this world, as he would pray for them in the other; after which he admonished and entreated them with great earnestness (*instancias*) to pray to God for the King, and that he should be well counselled, protesting all the while that he died as a good servant of God first, and of the King afterwards.

*Spanish. Contemporary copy.*² pp. 10.

1 “Se mezcló por entre toda la gente, en medio de la compañía de los archeros y porqueros, la qual sojuzgada y vencida del extremo dolor y tormento paterno, sin tener respeto alguno ni á la muchedumbre de las gentes ni al lugar harto publico,” &c.

2 Two copies of this paper are in Bergenroth’s volume (Add. 28,587), the 16th of the collection; one at fol. 336, the other at 340. Both seem to be imperfect; the first even more than the second.