

XXIV. *Inedited Documents relating to the Imprisonment and Condemnation of Sir Thomas More: Communicated by JOHN BRUCE, Esq. F. S. A., in a Letter to THOMAS AMYOT, Esq. F. R. S., Treasurer S. A.*

Read 15th December, 1836.

MY DEAR SIR,

17, King's Parade, Chelsea,
29th November, 1836.

IF you agree with me in considering the two documents appended to this communication to be worthy of the attention of the Society of Antiquaries, I shall feel myself obliged by your transmitting them to the Secretary. They relate to that pure-minded sufferer for conscience-sake Sir Thomas More, whose character and fate render any thing which concerns him in the latter period of his life, of interest to the constitutional lawyer and the historian, as well as to the biographer.

It is not my intention to preface these documents with any lengthened detail of circumstances which I am aware are sufficiently well known; but one or two particulars are necessary to be called to mind in order to place their real value in a proper point of view.

Sir Thomas More was committed to the Tower on the 17th April 1534, for refusing to take, *not* the oath of supremacy, as is generally supposed, but the oath appointed by the statute of the 25th Henry VIII. cap. 22, to maintain the succession to the throne in the issue of that monarch by Anne Boleyn. The refusal of More, and various other persons, to take that oath was founded upon the circumstance that the form tendered to them contained assertions of the invalidity of the King's first marriage, and of the validity of his second marriage, and of his divorce from Queen Katharine. If those assertions, which were unnecessarily, and, as it would seem, illegally introduced into the form,

had been excluded, More would have taken the oath, for, it is worthy of remark, that he admitted the right of Parliament to alter the succession to the throne at pleasure.

It was enacted by the statute which imposed the oath to the succession, that a refusal to take that oath should be deemed misprision of treason, and that offenders should suffer imprisonment at the King's pleasure, and forfeit all the goods, chattels, and estates of which they were possessed at the time of "conviction and attainder of such offence." The last quoted words were probably considered to have reference to a conviction and attainder by the course of the Common Law; and therefore, in the case of Sir Thomas More, no forfeiture was insisted upon until it had been authorised by another Act of Parliament passed in the Parliament which met on the 3rd November, 1534. The latter Act was intituled "An Act concernyng the Attainder of Sir Thomas More," and was first printed in the authentic edition of the Statutes.^a After reciting two grants of lands made by the King to Sir Thomas, by letters patent, dated the 8th May 1522, and the 16th January 1525, and that he had obstinately, frowardly, and contemptuously refused to take the oath to the succession, and had also unkindly and ingrately served the King by divers and sundry ways, means, and condicions, it was enacted that the grants which had been made to him should be null and void; that by his refusal to take the oath he had committed misprision of treason, and should stand attainted of the same; and that he should suffer imprisonment and forfeiture of his goods, chattels, and estates, in such manner as if he had been convicted of misprision of treason by due order of the Common Law.

The passing of this Act of Parliament gave occasion to the first of the documents to which I desire to draw the attention of the Society, and a copy of which will be found in an Appendix to this letter. The original occurs in a volume of the Arundel MSS.^b which contains various collections relating to Sir Thomas More and Bishop Fisher, and at any event one original letter from the former to Mrs. Roper. This volume passed through the hands of Bishop Burnet, who extracted from it the letter to Mrs. Roper, but took no notice of the following paper, which is, indeed, placed in such a manner as to

^a Vol. iii. p. 528. -

^b No. 152, fol. 320 b.

be very easily overlooked. It is a petition to the King from the wife and children of Sir Thomas More, praying for his release from the Tower with only such entertainment of living out of his own forfeited estates as the King thought proper "in the way of mercy and pity to grant to him." In its form this document bears considerable resemblance to the early bills in Chancery, and from that circumstance, and also from the style of the composition, it may be inferred that it was probably written by Sir Thomas More himself; an inference which is in some degree aided by the circumstance that it follows in the volume immediately after a passage extracted from a Latin work of Sir Thomas's, in which he had argued, that all perjury was mortal sin. It is not unlikely that at the same time that he sent to his family the original draft of this petition, he transmitted to them that extract as an answer to their affectionate and reiterated entreaties that he would procure his release by submitting to take the oath.

It will be found from the facts alluded to in the petition that it must have been written about the month of December 1534, and that at that time no apprehension was entertained that the life of Sir Thomas was in any danger from the law.

The second document I inclose to you is a copy of the record of the indictment preferred against Sir Thomas More, and upon which he was put to death. In the beautiful biography of this admirable person which formed Sir James Mackintosh's last contribution to literature, it is remarked, that "it is lamentable that the records of the proceedings against such a man should be scanty. We do not," he continues, "certainly know the specific offence of which he was convicted."^c This is a deficiency which I trust the Society of Antiquaries will think it comes strictly within its objects to supply. With that impression I have appended a copy of the long formal document itself; but as its barbarous Latinity, and its "perpetual iteration," (if I may not follow Falstaff's words more closely,) render it unfit for public reading, I shall shortly state its contents in a translated abstract.

Two copies of this document exist in the volume of Arundel MSS. to which I have before referred, both substantially alike, although with such differences

^c Mackintosh's *Life of Sir Thomas More*, p. 97.

in the contractions, and other minute matters, as seem to indicate that they were not copied from one another, but derived, either from the original entry upon record, or from some authentic transcript. The only historian who seems to have seen this document is Lord Herbert. The family biographers of More had their information as to its contents from those who were present at the trial. Roper expressly says, "Thus much touching Sir Thomas More's arraignment, being not there present myself, have I by the credible report of the Right Worshipful Sir Anthony Saintleger, and partly of Richard Haywood and John Webb, gentlemen, with others of good credit, at the hearing thereof present themselves, as far forth as my poor wit and memory would serve me, here truly rehearsed unto you." ^d This mode of obtaining information sufficiently accounts for the mistakes which have crept into Roper's narrative, and have been thence transferred from one to the other of More's biographers. If it were worth while to dwell upon the subject, the growth of various inaccuracies might be easily traced; but the value of documental illustration is now universally admitted, and such an inquiry would therefore be tedious without being really useful. It would prove incontestably that historical certainty can be founded upon nothing but documents; but that is a point which, at the present day, I hope it is not necessary either to argue or enforce.

The document is in the following form:—

Middlesex, to wit, An Inquisition taken at Westminster, before Sir John Fitz James, Knight; Sir John Baldewyn, Knight; Sir Richard Lyster, Knight; Sir John Port, Knight; Sir John Spelman, Knight; Sir Walter Luke, Knight; and Sir Anthony Fitzherbert, Knight; Justices, &c. on Monday next after the feast of Saint John the Baptist, by a Grand Jury composed of sixteen persons, whose names are enumerated, and who say upon their oath; that by a certain Act of Parliament of the 26th Henry VIII. it was enacted that the King and his heirs and successors should be taken, accepted, and reputed, the only Supreme Head on earth of the Church of England, and should have and enjoy, annexed to the Imperial Crown of this realm, as well the title and style thereof, as all honours, dignities, profits, and commodities to the said dignity belonging; and that, by a certain other Act of the same parliament, it

^d Roper's *Life of More*, edit. 1832, p. 89.

was enacted, that if any person, after the first day of February then next, should maliciously wish, will, or desire, in words or writing, or by craft imagine, invent, practise, or attempt to deprive the King, or the Queen, or the heir apparent, of the dignity, title, or name of their royal estates, that every such person, with his aidours, counsellors, consenters, and abettors, should be adjudged traitors, and suffer the pains of death, and other penalties, limited and accustomed, in cases of high treason.—That one Thomas More, late of Chelsea, in the county of Middlesex, Knight, not having the fear of God before his eyes, but instigated by the devil, on the 7th day of May, in the 27th year of the reign, being apprised of the said statutes, falsely, traitorously, and maliciously, in the Tower of London, imagining, inventing, practising, and attempting, and also wishing and desiring to deprive the King of his title of Supreme Head of the Church, being interrogated before Thomas Cromwell, the King's principal Secretary, and certain other persons, as to whether he accepted and took the King for Supreme Head of the Church, according to the said statute, the said Thomas then and there maliciously held his peace, and refused to give a direct answer to the said interrogatory, saying, in the English tongue, the words following: "I will not meddle with any such matters, for I am fully determined to serve God; and to think upon his passion, and my passage out of this world." That afterwards, on the 12th day of the said month of May, the said Thomas More, knowing that one John Fisher, clerk, who was then a prisoner in the Tower, had been examined concerning the premises, and had expressly denied the King to be Supreme Head of the Church, he, the said Thomas More, expecting that the said John Fisher and himself would be again examined about the same matters, wrote divers letters to the said John Fisher, and caused the same to be delivered to him by one George Gold, by which said letters the said Thomas More falsely, maliciously, and traitorously counselled the said John Fisher in his said treason, and consented thereto; intimating in his said letters the aforesaid silence which, when interrogated, he had maintained, and communicating his aforesaid negative reply in the English words aforesaid, and, moreover, in the said letters, writing and asserting these English words: "The act of parliament," meaning the act lastly before mentioned, "is like a sword with two edges; for if a man answer one way it will confound his soul, and if he answer the other way it will confound his body."

And afterwards the said Thomas More, fearing that the said John Fisher in his examination should happen to make use of the words written by the said Thomas More to the said John Fisher as aforesaid, on the said 26th day of May, by his other letters, to the said John Fisher directed, and delivered as before, falsely, maliciously, and traitorously desired the said John Fisher to make his answer according to his own mind, and in nowise to make any such answer as he the said Thomas More had before written to the said John Fisher, lest he should furnish occasion to the King's Counsellors to think that there was a confederacy between them ; nevertheless it arose out of the said letters that the said John Fisher, having been by the said letters of the said Thomas More falsely, maliciously, and traitorously taught and instructed, and thereby as it were encouraged, afterwards, on the 3rd June, in the 27th year aforesaid, being examined concerning the premises by Sir Thomas Audeley, Knight, Chancellor of England, Charles Duke of Suffolk, Thomas Earl of Wilts, and others, altogether held his peace, and refused to give a direct answer thereto, saying, in the English tongue, the words following : " I will not meddle with that matter, for the statute is like a two-edged sword ; and if I should answer one way I should put my life in jeopardy, and, answering another way, I put my soule in more jeopardy ; wherefore to this matter I will make no answer at all ; " and the said Thomas More, being again interrogated on the said 3rd day of June, in the said 27th year, falsely, maliciously, and traitorously persevered in his said silence, and would not make any direct answer, but imagining to deprive the King of the dignity, title, or name of his royal estate, and to sow and generate sedition and malignity in the hearts of his true subjects, spoke openly the following words : " The law and statute whereby the King is made Supreme Head be like a sword with two edges ; for, if a man say that the same laws be good, then it is dangerous to the soul, and if he say contrary to the said statute, then it is death to the body ; wherefore I will make thereto no other answer, because I will not be occasion of shortening my life." And moreover the said Jurors say, that the said Thomas More and John Fisher, in order to conceal their most false and wicked treason, burnt all the letters which passed between them immediately after reading the same.

That afterwards, on the 12th June in the 27th year aforesaid, there came

to the said Thomas More, in the Tower, Richard Rich, Solicitor General to the King, and in the course of conversation the said Richard Rich affectionately urged the said Thomas More to the utmost of his power to conform to the Acts aforesaid, to which the said Thomas More replied: "Your conscience will save you, and my conscience will save me." And the said Richard Rich, then and there protesting that he had no commission or authority to treat with the said Thomas More in that behalf, asked him, if it should have been enacted by parliament that he, the said Richard Rich, was King, and that it should be treason to deny it, what would be the offence of the said Thomas More if he should say that he the said Richard Rich was King? and the said Richard Rich further said, that he verily thought in his conscience there would be no offence, but that the said Thomas More ought to say so, inasmuch as he was bound to obey the Act of Parliament. To which the said Thomas More replied, that he should offend if he were to say "No;" because he might be bound by an Act of Parliament in such a matter, which was one with respect to which a man might exercise a discretion. But he said, that that was a frivolous case, and that he would put another case of a higher character: "Suppose it should be declared by Act of Parliament, that God should not be God, and that if any one impugned that Act it should be treason. If the question were put to you, 'Richard Rich, will you say that God shall not be God according to the statute?' and you were to say 'Aye,' would you not offend?" To which the said Richard Rich replied, "Nay, certainly, because it is impossible that God should not be God; and because your case is too high, I will propose one to you which lies between the two. You know that our Lord the King is constituted Supreme Head on earth of the Church of England, and why then, should not you, Master More, affirm and take him for such, as, in the former case, in which I was made King, you agree you would have taken me for King?" And the said Thomas More, falsely, traitorously, and maliciously persevering in his treason and malice, replied, "That the cases were not alike, because a King might by Parliament be made, and by Parliament be deposed, and that every subject being present in Parliament gives his consent to such an Act; but, as to the case of the Supreme Head, a subject could not be bound, because it was not a thing to which he could give his consent in Parliament; and that although the King might be so accepted in England, the

most part of foreign nations are of a contrary opinion." And the jurors aforesaid say, that in this manner the aforesaid Thomas More falsely, traitorously, and maliciously, by craft imagined, invented, practised, and attempted, to deprive the King of his dignity, title, and name of Supreme Head on earth of the Church of England.

These are the charges. The record ends with the names of the petty jurors by whom Sir Thomas More was found guilty; and the entry of the frightful sentence of the Law in cases of Treason.

The certainty which this document confers upon the circumstances connected with this memorable trial and condemnation are too obvious to need pointing out, nor is it necessary for me to dwell upon its absurdities; the treason inferred from silence; the unfair construction put upon the letters to Fisher; and the other palpable iniquities with which it abounds.

It is almost incredible that a man who had filled the most dignified office in the State, and "over whom," it has been remarked, "it does not seem that in any moral respect Socrates himself could claim a superiority," should have been doomed to an ignominious death upon pretences such as these. In the minds of those who condemned Sir Thomas More it is evident that the enactments of a Parliament were regarded with that tacit submission and acquiescence which ought to be reserved for those moral laws, the obligations of which are superior to all human legislation. If, to this perversion in morals, we add the violence of party spirit, consequent upon the destruction of institutions long established, and venerable, even if erroneous, we may perhaps account for some portion of the apparent insensibility with which the people witnessed an act of cruelty so atrocious.

It will be observed that two most important points of constitutional law are affirmed in the Indictment in such manner as to prove that they were neither forgotten nor disputed even in the reign of Henry VIII. I allude to the doctrines that Parliament might depose the Sovereign at pleasure; and that every person was held to be virtually present in Parliament, and, by his representatives, to give his consent to the Acts passed.

I am, my dear Sir, very truly yours,

JOHN BRUCE.

To THOMAS AMYOT, Esq. F.R.S.
Treasurer S. A., &c.

APPENDIX.

No. I.

PETITION FROM THE WIFE AND CHILDREN OF SIR THOMAS MORE TO HENRY VIII.

(Arundel MS. No. 152, fol. 320 b.)

IN lamentable wise beseche yo^r moste noble grace yo^r moste humble subiects and contynuall bedefolke, the poore miserable wyffe and children of yo^r trew, poore, hevy subiecte and bedeman S^r Thomas Moore, Knighte, y^t wheras the same S^r Thomas, being yo^r graces prisoner, in yo^r Tower of London, by the space of eighte monethes and above, in greate cōtinuall sicknes of bodye and hevines of harte, duringe all w^{ch} space, notwithstandinge y^t the same S^r Thomas Moore had, by refusinge of the othe, forfayted unto yo^r moste noble grace all his goods and cattells & the p^{fy}tt of all his landes, annuities and fees, y^t as well hyme selfe as yo^r saide bedwoman his wiffe shoulde lyve bye, yet yo^r most gracious highenes, of yo^r moste blessed disposition, suffred yo^r saide bedewoman, his poore wiffe, to reteyne and keepe still his moveable goodes, and the reueneues of his lands, to keepe her saide husband and her poore howseholde wth. So it is now, moste gracious soveraigne, y^t now late, by reason of a new acte, or twane, made in this laste passed proga^cōn of yo^r p^{li}ament, not onelye the saide former forfayture ys confirmed, but also thinheritance of all suche landes and tenements as the same S^r Thomas had of yo^r moste bowntifull gyfte, amountinge to the yearelie valew [of] lx^{li}. is forfayted allso. And thus, (except yo^r mercifull favor be shewed,) yo^r saide poore bedewoman, his wyffe, w^{ch} broughte faire substance to hyme, w^{ch} is all spent in yo^r graces s^rvice, ys likelie to be utterlye undone, and his poore soñe, one of yo^r saide humble suppliants, standinge chardged & bownden for the paymente of greate soñies of money due by the saide S^r Thomas unto yo^r grace, standithe in dangeer to be cast aweye and undone in this worlde allso. But, over all this, the saide S^r Thomas hymeselfe, after his longe trew s^rvice to his power diligentlie done to yo^r grace, is likelie, in his age and contynuall sickenes, for lacke of comforte and good kepinge to be shortlie distroyd, to the wofull heavines and dedlie discomforte of all yo^r saide sorrowfull suppliants. In considera^cōne of the premises, y^t his offence ys growen not of eny malice, or obstinate mynde, but of suche a longe continued and depe rooted scrupple as passeth his power to avoyde & put away, it may like yo^r moste noble maiestie, of yo^r moste habundant grace, To remitte and p^{do}n yo^r moste grevous displeasure to the saide S^r Thomas, & to have tendre pittye and cōpassion uppō his longe distres, & greate heavines, and, for the tendre mercye of God, to delyver hyme out of

prison, and suffre hyme quietlie to lyve the remanaunt of his liffe, wth yo^r saide poore bedewoman his wiffe, and other of yo^r poore suppliants, his children, wth onlye suche interteynmente of lyvinge as it shall lyke yo^r most noble magistye of yo^r gracious almoys and pyttye to appointe hyme, And this in the waye of mercye and pittye, & all yo^r saide poore bedfolke shall daylie duringe their lyves pray to God for the pres^rvacon of yo^r moste Royall estate.

No. II.

INDICTMENT AGAINST SIR THOMAS MORE.

(*Arundel MS. No. 152, fol. 308, and fol. 322 b.*)

Midd', scilicet: Inquisitio capta apud villam Westm', in comitatu predicto, coram prefatis Johanne Fitz-James milite, Johanne Baldewyn milite, Ricardo Lister milite, Johanne Port milite, Johanne Spilman milite, Waltero Luke milite, et Anthonio Fitzharbert milite, Justiciariis &c. dicto die Lune proximo post festum Sancti Johannis Baptiste, per sacramentum Thome Tailer, Roberti Grant, Willielmi Russell, Henrici Croke, Roberti Bowden, Eustacii Ripley, Christoferi Procter, Henrici Grafney, Johannis Grove, Willielmi Grymbilly, Johannis Apswell, Johannis Miller, Johannis Wilkinson, Thome Colte, Willielmi Stevenson, et Walteri Philips, juratorum, qui dicunt, super sacramentum suum, quòd, cum per quendam actum in parleamento Domini nostri Regis nunc apud London' tertio die Novembris anno regni sui vicesimo primo inchoato, et abinde eodem tertio die Novembris usque ad Villam Westm' in comitatu Midd' prorogato, et postea, per diversas prorogaciones, usque ad et in tertium diem Novembris anno regni sui vicesimo sexto continuato, et tunc apud dictam villam Westm' tento, editum, inter cetera, auctoritate eiusdem parleamenti inactitatum sit, quòd idem Dominus rex, heredes et successores sui, huius regni reges accepti, acceptati et reputati erunt unicum Supremum Caput in terra Anglicane Ecclesie, habebuntque et gaudebunt, annexum et unitum imperiali corone huius regni, tam titulum et stilum inde quàm omnia honores, dignitates, preeminencias, privelegia, auctoritates, immunitates, commoda et commoditates dicte dignitati Supremi Capitis eiusdem Ecclesie incumbencia et pertinentia, prout in eodem actu, inter alia, plenius continetur; Cùmque etiam per quendam alterum actum, in dicto parleamento dicto anno vicesimo sexto tento, editum, inter cetera inactitatum sit, quòd si aliqua persona, aut aliquè persone, post primum diem Februarii tunc proximi sequentis, maliciose optaverit, voluerit, seu desideraverit per verba vel scripta, aut arte imaginaverit, inventaverit, practitaverit, sive attemptaverit, aliquod damnum corporale fiendum aut committendum regalissime persone domini Regis, Regine,

aut eorum heredibus apparentibus, vel ad deprivandum eos, aut eorum aliquem, de dignitate, titulo, seu nomine regaliū statuum suorum, quod quolibet talis persona et persone, sic offendentes in aliquo premissorum post dictum primum diem Februarii, atque eorum auxiliares, consentores, consilarii et abettatores, inde legitime convicti existentes, secundum leges et consuetudines huius regni adiudicabuntur proditores, et quod quolibet talis offensa in aliquo premissorum que committeretur aut fieret, post dictum primum diem Februarii, reputabitur, acceptabitur, et adjudicabitur alta prodicio, et offensores in eisdem, ac eorum auxiliares, consentores, consilarii, et abbettatores, legitime convicti existentes de aliqua tali offensa qualis predicatur, habebunt et pacientur tales penas mortis, et alias penalitates quales limitate sunt et consuete in casibus alte prodicionis, prout in dicto altero actu manifeste patet.

Quidam tamen Thomas More, nuper de Chelchithe, in comitatu Midd', miles, Deum pre oculis non habens, sed instigatione diabolica seductus, septimo die Maii anno regni dicti domini vicesimo septimo, statutorum predictorum satis sciolus, false, proditorie, et maliciose, apud Turrin London', in comitatu predicto, imaginans, inventans, practitans et attemptans, atque volens, et desiderans, contra legiancie sue debitum, prefatum serenissimum dominum nostrum regem de dignitate, titulo, et nomine statūs sui regalis, videlicet, de dignitate, titulo et nomine suis Supremi Capitis in terra Anglicane Ecclesie, deprivare, dicto septimo die, apud dictam Turrin London', in Comitatu predicto, coram Thoma Cromwell armigero, primario Secretario Domini Regis, Thoma Bedell clerico, Johanne Tregonwell legum Doctore, Consiliariis dicti Domini Regis, et coram diversis aliis personis ejusdem domini Regis veris subditis, per mandatum ipsius Domini Regis examinatus et interrogatus, an ipse eundem Dominum Regem Supremum Caput in terra Ecclesie Anglicane accipiebat, acceptabat, et reputabat, et eum sic accipere, acceptare, et reputare, vellet, secundum formam et effectum statuti predicti prius recitati, idem Thomas tunc et ibidem maliciose penitus silebat, responsumque directum ad illud interrogatorium facere recusabat, et hec verba Anglicana sequentia dictis domini Regis veris subditis adtunc et ibidem edicebat, videlicet, "I will not medle with any such matters, for I am fully determind to serve God, and to thinke upon his passion and my passage out of this world;" posteaque, videlicet duodecimo die dicte mensis Maii, anno vicesimo septimo supradicto, prefatus Thomas More, sciens quendam Johannem Fisser clericum, tunc, et diu antea, in dicta Turri London', pro diversis grandibus misprisionibus per ipsum Johannem erga dicti domini nostri Regis regiam Majestatem perpetratis, fore incarceratum et detentum, ac per dictos domini Regis veros subditos, de eius acceptione, acceptacione, et reputacione, ejusdem domini Regis in premissis fuisse examinatum, eundemque Johannem Fisser false, proditorie, et maliciose, expresse negasse prefatum dominum Regem sic accipere, acceptare, et reputare, Supremum Caput in terra Ecclesie Anglicane fore, idemque Thomas More, existimans se ipsum et prefatum Johannem

Fissher de premissis alias ex verisimili tunc fore examinandos et interrogandos, diversas literas dicto duodecimo die Maii, apud dictam Turrim London', in predicto Comitatu Midd', continuando maliciam suam predictam, false, maliciose, et proditorie scripsit, easque prefato Johanni Fissher in dicta Turri London' tunc existenti porrexerat, et, per quendam Georgium Gold, eisdem die, anno, et loco transmitti et deliberari fecit; per quas quidem literas predictas predictus Thomas More false, maliciose, et proditorie prefatum Johannem Fissher in dicta eius falsa prodicione consulebat et consentiebat, et, per easdem intimans eidem Johanni dictum silentium quod idem Thomas More ut prefertur interrogatus habuisset, responsumque suum negatum, in verbis Anglicanis supra scriptis expressis verbis scriptis revelans, et, insuper, per easdem literas false, proditorie, et maliciose scribens et asserens hec verba Anglicana, videlicet, "The acte of parleament" (dictum actum posterius recitatum innuens) "ys lyke a swerd with two edges, for if a man answer one waye it will confound his soule, and if he answer the other way it will confound his body;" postmodum prefatus Thomas More, metuens ne contingeret prefatum Johannem Fissher in ejus responso, supra iterata examinatione ipsius Johannis fienda, predicta verba, per ipsum Thomam eidem Johanni Fissher ut prefertur scripta, consiliariis dicti domini regis eloqui, idem Thomas More, apud Turrim London' predictam, vicesimo sexto die Maii anno vicesimo septimo supradicto, per eius alias litteras scriptas et prefato Johanni Fisher directas, et apud Turrim London' deliberatas, eundem Johannem Fissher false, maliciose et proditorie desiderabat, quatenus idem Johannes responsum suum secundum ejus proprium animum faceret, et cum aliquo tali responso quale idem Thomas prefato Johanni Fissher antea scripsisset nullatenus intromitteretur, ne forsán dictis consiliariis domini Regis occasionem putandi præberet quod equalis erat inter eosdem Thomam et Johannem consideratio. Attamen, ex dictis literis prefati Thome More prius scriptis, et dicto Johanni Fissher ut præmittitur porrectis et deliberatis, ita insecutum est, videlicet, idem Johannes Fissher, per dictas literas prefati Thome More false, maliciose, et proditorie doctus, et instructus, et exinde quodammodo animatus, postea, videlicet, tertio die Junii anno vicesimo septimo supra dicto, apud Turrim London' predictam, per Thomam Audeley militem, Cancellarium Anglie, Carolum Ducem Suff', Thomam Comitem Wiltes', dicti Domini Regis nobiles subditos et consiliarios, et alios eiusdem domini Regis venerabiles subditos et consiliarios, denuo de premissis examinatus et interrogatus, penitus silebat, responsumque directum ad id facere nolebat, sed hec Anglicana verba sequentia adtunc et ibidem dictis nobilibus et venerabilibus domini Regis subditis et consiliariis false, proditorie, et maliciose edicebat, videlicet, "I will not medle with that matter, for the Statute ys like a two edged swerd, and, if I should answer one way, I should put my life in ieoperdy, and, answering another way, I put my soule in more ieoperdy; wherefore, to this matter I will make no answer at all." Prefatusque Thomas More, dicto tertio die Junii, anno vicesimo septimo supradicto, apud Turrim

predictam, per dictos domini Regis nobiles et venerabiles subditos et consiliarios iterum de premissis interrogatus, in dicto ejus silentio false, maliciose, et proditorie adtunc et ibidem perseverabat, directumque responsum ad premissa facere nolebat, immo false proditorie, et maliciose, adtunc et ibidem imaginans, inventans, practitans, et attemptans, atque volens, et desiderans, prefatum Dominum nostrum regem de dignitate, titulo et nomine status sui regalis supradicti deprivare, seditionemque et malignitatem in cordibus verorum subditorum domini Regis erga eundem dominum regem inserere et generare, prefatis nobilibus et venerabilibus dicti Domini Regis subditis et consiliariis adtunc et ibidem subsequencia verba Anglicana palam dicebat, videlicet, "The law and statute whereby the King is made Supreame Head, as is aforesaid, be like a swerd with two edges; for, if a man say that the same lawes be good, then is it dangerous to the soule; and if he say contrary to the said statute, then is it deathe to the body. Wherefore I will make therto no other answer because I will not be occasion of shortenynge my life." Et insuper juratores predicti dicunt, quod predicti Thomas More et Johannes Fisser, ad eorum supradictum falsum et nefandissimum proditorium propositum celandum, omnes et omnimodas literas alterutrum scriptas et deliberatas, et eorum unus et alter, immediate post lecturas earundem combussit. Et, post hec omnia et singula premissa, ut premititur peracta et dicta, videlicet, duodecimo die Junii, anno vicesimo septimo supradicto, accessit ad prefatum Thomam More, in predictam Turrim London', Ricardus Riche, Generalis Solicitor dicti Domini Regis, habitoque, tunc et ibidem, inter eosdem Thomam More et Ricardum Riche colloquio, de diversis premissa tangentibus, idem Ricardus Riche caritative movebat prefatum Thomam More, quatenus se vellet, actibus et legibus superscriptis conformare; ad quod idem Thomas, respondendo prefato Ricardo Riche, dicebat, "Conscientia vestra salvabit vos, et conscientia mea salvabit me." Prefatusque Ricardus Riche, adtunc et ibidem protestans quod tunc non habebat commissionem, sive mandatum, cum eodem Thoma More de materia illa tractare, sive communicare, eundem Thomam More adtunc et ibidem interrogabat, si inactitatum fuisset auctoritate parleamenti quod idem Ricardus Riche erat rex, et quod si quis id negaret prodicio esset, qualis esset offensa in prefato Thoma More si idem Thomas diceret quod prefatus Ricardus Riche erat rex, pro certo, ulterius dicebat idem Ricardus Riche, in conscientia ejus quod nulla esset offensa, sed quod idem Thomas More obligatus erat sic dicere, et eundem Ricardum acceptare pro eo quod consensus prefati Thome More per actum parleamenti erat obligatus. Ad quod prefatus Thomas More, adtunc et ibidem respondens, dicebat, quod ipse offenderet si diceret non, quia obligatus esset per actum pro eo quod consensum suum ad id præbere potuit, sed dicebat quod idem casus erat casus levis; quamobrem idem Thomas adtunc et ibidem prefato Ricardo Riche dicebat, quod ipse alium casum sublimiorem proponere vellet, sic dicens, "Posito quod per parleamentum inactitatum foret quod Deus non esset Deus, et quod si quis impugnare vellet, actum illum foret

prodicio, si interrogaretur questio a vobis, Ricarde Riche, velitis dicere quod Deus non esset Deus accordante statuto, et si sic diceretis, non offenderetis?" Ad quod idem Ricardus, respondens prefato Thome More, adtunc et ibidem dicebat; "Immo, pro certe; quia impossibile est fieri quod Deus non esset Deus. Et quia casus vester adeo sublimis existit, proponam vobis hunc casum mediocrem, videlicet, novistis quia dominus noster rex constitutus est Supremum Caput in terra Ecclesie Anglicane, et quare non deberetis vos, Magister More, eum sic affirmare et acceptare, tam sic quam in casu premissio quo ego prefectus eram rex, in quo casu conceditis quod obligamini me sic affirmare et acceptare regem?" Ad quod prefatus Thomas More false, proditorie, et maliciose in dictis ejus proditione et malicia perseverans, predictumque ejus proditorium et maliciosum propositum et appetitum preferre et defendere volens, prefato Ricardo Riche adtunc et ibidem sic respondebat, videlicet, quod casus illi non erant consimiles, quia, rex per parleamentum fieri potest, et per parleamentum deprivari potest, ad quem actum quilibet subditus ad parleamentum existens suum prebet consensum, sed, ad primacie casum, subditus non potest obligari, quia consensum suum ab eo ad parleamentum prebere non potest; et, quamquam rex sic acceptus sit in Anglia plurime tamen partes extere idem non affirmant." Sicque juratores predicti dicunt, quod prefatus Thomas More false, proditorie, et maliciose, arte imaginavit, inventavit, practitavit, et attemptavit prefatum serenissimum Dominum nostrum Regem de dictis dignitate, titulo et nomine Supremi Capitis in terra Anglicane Ecclesie penitus deprivare, in ipsius Domini Regis contemptum manifestum, et corone sue regie derogationem, contra formam et effectum statutorum predictorum, et contra pacem ejusdem Domini Regis.

JURATORES.

Thomas Palmer, miles.
 Thomas Sperte, miles.
 Georgius Lovell, armiger.
 Thomas Burbage, armiger.
 Galfridus Chamber, gent'.
 Edwardus Stokwod, gent'.

Willielmus Browne, armiger.
 Jasper Leake, armiger.
 Thomas Billington, armiger.
 Johannes Parnell, gent'.
 Ricardus Bellamy, gent'.
 Georgius Stok, gent'.

Consideratum est, quod predictus Thomas More ducatur per prefatum Willielmum Kyngston, deputatum &c. usque Turrin London'. Et inde, per medium civitatis London', directe usque ad furcas de Tiborne trahatur; et super furcas illas ibidem suspendatur, et, vivens, ad terram prosternatur; et interiora sua extra ventrem suum capiantur, ipsoque vivente comburentur; et caput ejus amputetur; quodque corpus ejus in quatuor partes dividatur; et quod caput et quarteria sua ponantur ubi Dominus Rex assignare voluerit, &c.