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THE TRIAL OF THOMAS MORE[†]

PHILIP INGRESS BELL*

THOMAS MORE, ONE TIME MEMBER OF PARLIAMENT, Under-Sheriff of London, Privy Councilor, Knight, Under-Treasurer of the Council, Chancellor of the Duchy of Lancaster, Lord High Chancellor, was brought to trial on 1 July 1535 before a special court sitting in the King's Bench at Westminster. Though nineteen special commissioners had been appointed for the purpose of this trial, in fact only eleven sat on the Bench, of whom four were members of the Council, Audley — the Lord Chancellor, the Dukes of Norfolk and Suffolk and the Earl of Cumberland. The remaining seven were the holders of the chief legal offices, being the Chancellor of the Duchy, the Lord Chief Justice, the Chief Justices of Common Pleas and of the Exchequer Court, and four Puisne Judges. Further there was a jury of twelve which included two knights. The venue and the court were imposing, and they were intended to impose. It was of course a political trial but all the forms of law were, as we shall see, meticulously observed.

Thomas More, *Miles*, as he is described in the Latin indictment, was charged with the offence of treason, that is breaches of Section 2 of the Treason Act 1534 (26 Henry VIII, cap. 13) which Act was passed by Parliament in the session 3 November 1534 — 18 December 1534, and operated as from 1 February 1535.

The indictment which runs to over seventeen hundred words sets out particulars of four offences dated respectively, 7 May, 12 May, 26 May and 3 June 1535.

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Before giving a short survey of the circumstances which led up to this trial it is as well to explain the procedure which governed all treason trials in the sixteenth century. To us in 1960 the rules must appear ludicrous and designed, as indeed they were, to secure convictions rather than to adjudicate on disputed matters of fact. No person standing trial for treason was in any sense presumed innocent, nor was he to be assisted in any way to prove that innocence. The accused person was not entitled to see the indictment before the trial. He could not give evidence. He could not call any witnesses. He was not allowed the assistance of counsel. He could not cross-examine witnesses. Hearsay evidence was admissible against him. He could not insist on the production of documents. The only resemblance to our modern criminal trials was that the trial was in public and that the accused was entitled to address the Court during as well as at the end of the evidence. Nor must we forget that juries could be fined or imprisoned if their verdict displeased the Court, whilst the judges themselves held office at the King's pleasure! It was under these rules, therefore, that Thomas More was tried. They were not invented for him. They applied to all criminal trials, and it is not to be wondered at that we can search for a long time before we ever read of an acquittal upon a State Trial.

Now how did it come about that Thomas More was brought to trial on this summer day in 1535? Of course any history book will tell us that he was opposed to Henry's marriage to Anne Boleyn and that he died for his belief in the primacy of the Pope. Indeed broadly speaking this is true, and yet his public trial and execution was in many ways not necessary for the King's

purpose.

The King's business, as it is called, had overshadowed the Court for some years even before 1528, when Clement VII set up in England in the April of that year his Legatine Court to answer the charge that the King was living in adultery. It will be remembered that though Henry chose not to appear as petitioner, and thus prevented his Queen having any *locus standi*, his case was that by virtue of a passage in Leviticus XVIII the natural law forbade utterly marriages between a man and his deceased brother's widow. Further, it was contended that if the first marriage had been consummated no dispensation was permissible, and by way of alternative he pleaded that the Papal Bull of Dispensation was not valid as being based upon certain political considerations which were mere rhetoric. This point had however to be abandoned when a clear unconditional Brief of Dispensation from Julius II was produced.

In June 1529 Francis, Henry's chief supporter, lost his last army and Charles the Emperor, Queen Catharine's uncle, became master of the Continent. England, which had deserted Francis, was outside the peace settlement. Clement withdrew the case to Rome; Wolsey fell and the Reformation Parliament met on 3 November and, changing the face of England, did not dissolve until April 1536. It was clear to everyone concerned with State affairs, and must have been clear to More, that the breaking-point was near.

We know, of course, that the King was well aware of More's views. He had as long ago as 1527 been invited to consider the King's case. Nor was the matter ignored when he was made Lord Chancellor in October 1529. Writing to Cromwell on 6 March 1533 when he successfully repelled

the first attempt to implicate him in a charge of treason, More refers to the clear understanding between Henry and himself, and indeed it had up to then always been honoured, that he would not be used in the matter of the marriage since he could not in conscience support the King's case. No Succession Act, no Supremacy Act, no new Treason Act had then been passed, and no attempt was made to treat his silent disapproval nor this letter as treason, nor to impugn, as we shall see later the Council impugned, the King's power to implement his assurance that More should "in no wise other thing do or say therein than upon that he should perceive his own conscience would serve him, looking first to God and after God unto him."

Yet the ground for that ultimate break with Rome was quickly laid, whilst the Lord Chancellor, that man whom the Duke of Norfolk commended to Parliament for his "admirable wisdom, integrity and innocence," stood by.

The point of no-return, as we might perhaps describe it, came in February 1531 when Convocation, to avert a mass indictment for Praemunire, voted £100,000 to the King in acknowledgment of his defence against heresy. But the clergy were not to escape so easily. In modern language they were to be the "loss leaders." They must acknowledge Henry to be "The Protector and Supreme Head of the English Church and Clergy."

Would the King accept the qualification "so far as the Canon Law allows"? He would not. Would Convocation accept "After God"? No! The bishops found it too loose. Would Fisher's amendment save their face? "So far as the law of Christ allows." Yes, and so Warham, Archbishop of Canterbury, elaborated the proposal. It

was to be "Protector and Supreme Head of the Church and clergy of England, whose especial protector, single and supreme Lord and, as far as the law of Christ allows, even Supreme Head, we acknowledge his majesty to be." A long silence followed, and said Warham "*Qui tacet consentire videtur,*" and so was it done. Note this well! Silence then satisfied Henry! It was otherwise on 1 July 1535! On the following day More resigned office.

It was, we may say, this submission of the Clergy which constituted the point of no-return for More. He may have thought that resignation was perhaps a safe escape. At first indeed there was a lull for two years, from May 1531 to May 1533, whilst diplomacy twisted and turned to avert the final breach with Rome. Even as late as February 1533 the Papal Nuncio attended upon Henry on the opening of Parliament. In March Cranmer, to get the Pope's approval, foreswore himself on election to the See of Canterbury. And then in April Convocation voted by seventy-five votes to sixteen against the Papal power to allow a consanguineous marriage and found as a fact that Arthur and Catharine had cohabited. In May Cranmer declared Henry's marriage valid and ratified Anne Boleyn's secret January marriage. The pregnant Anne was crowned in June, and there followed the excommunication of the King and sundry Bishops. All this was accomplished whilst More clung tenaciously to retirement and, but for his refusal to attend Anne's coronation, who knows whether he might not have lived out his life in his Chelsea garden with his family? But Anne Boleyn, "the woman scorned," then, though for so short a while, triumphant, is thought to have inflamed the King's resentment and the hunt, a long tortuous

hunt which was to take More to Tower Hill in just two years' time, the hunt was as from then begun in earnest.

We cannot now delay to describe the three failures to entrap Sir Thomas. The accusations of bribes so manifestly malicious that they were dismissed by the Council: the alleged authorship of a controversial pamphlet, which allegations collapsed after More had written at length to Cromwell and the King. Cromwell came nearer to success in his attempt to have More attainted, that is condemned by Parliament, for complicity in Elizabeth Barton's, the Nun of Kent's, so-called revelations. Only the united pressure of the Council persuaded the King to take More's name out of the Bill lest Parliament on hearing him should affront the King's authority by dismissing him from the Bill.

It is said that Henry sought advice as to whether a person named in a Bill of Attainder had a right to be heard by Parliament and was advised he had not. It seems likely this advice arrived too late for the King's purpose. But as More then saw clearly, "*Quod aufertur, non differtur,*" and within a matter of weeks, the Succession Act 1534 having been passed, More was presented with a choice. As we all know, he refused the tendered oath and was committed to the Tower in April 1534 without any semblance of a trial, which imprisonment was later ratified by Act of Attainder passed in November of that year. That winter saw the net spreading. The wholesale success of the Succession Act and the abject surrender of hierarchy, clergy, nobility and Commons led easily to the last turn of the screw, namely the Supremacy Act and the Treason Act with which we have now to deal.

How to get Thomas More within these

provisions was Cromwell's problem, and this is the way it was done.

The Indictment of Thomas More first recites the two Acts upon which he was charged. Thus the Supremacy Act was recited to establish the King's title and the Treason Act to establish what acts or words relative to the Supremacy Act constituted treason. Refusal of the Oath of Succession was only Misprision of Treason, punishable by imprisonment during the King's pleasure. The Supremacy Act and the Treason Act were death-dealing statutes.

This is the relevant passage cited in the Indictment, taken from the Supremacy Act:

Albeit the King's Majesty justly and rightfully is and ought to be the Supreme Head of the Church of England and so is recognised by the clergy of this Realm in their Convocation [the surrender of 1531 had been ratified by Parliament in 1533] . . . be it enacted by Authority of this present Parliament That the King our sovereign Lord his heirs and successors Kings of this realm shall be taken, accepted and reputed the only Supreme Head in earth of the Church of England called Anglicana Ecclesia and shall have and enjoy annexed and united to the Imperial Crown of this Realm the Title and Style thereof.

There is not however any penal clause in this Act. It is in effect purely declaratory.

It is not without interest to see how this Supremacy Act altered in Queen Elizabeth's reign. That Act required an oath to be taken by specified classes of persons to the effect that she was "the only supreme Governor of this Realm . . . as well in all Spiritual or Ecclesiastic things and causes as temporal." Nor was refusal of this oath Misprision of Treason. It simply disqualified from public office. If however any person advisedly, maliciously and directly

put in use or execution anything for extolling the pretended jurisdiction of any foreign Prince or Prelate, by writing, printing, teaching or express words, that on a *third* offence became High Treason. Note the difference. Henry seeks confirmation of his title; Elizabeth resists any rival title.

The enforcement of the Supremacy Act was left to a separate Treason Act. After the usual flamboyant and argumentative preamble, which included a reference to "too great a scope of unreasonable liberty" which was "not to be given to all cankered and traitorous hearts, willers and workers of the same," it enacted "that if any person or persons after 1 February 1535 do maliciously wish will or desire by words or writing or by craft imagine, invent, practice or attempt any bodily harm . . . or to deprive them . . . of their dignity, title or name of their Royal Estate or slanderously and maliciously publish or pronounce by express writing or words that the King shall be heretick, schismatick, tyrant infidel or usurper of the Crown," was guilty of treason.

Now there are a few particular points to note about this Statute. "Words" themselves had never previously been acts of treason. They could of course be overt acts, part of treasonable activities. The consultations of plotters would be evidence under existing Treason Statutes of compassing the death of the monarch. Nor had it hitherto been possible to convict without two witnesses to the alleged treason. Queen Elizabeth had to restore this requirement, and if it had existed in 1535 even Rich's perjury, as we shall see, would have failed to obtain a conviction. It is moreover alleged by Roper, that the Commons were with difficulty persuaded to pass the Bill and submitted only on the terms that the word

"maliciously"—"malitia" was inserted. We shall have cause to consider what little effect in law this word was found to have.

Curiously enough "words" were again made actionable in the reign of Queen Anne at the time of the Jacobite Rebellions. It was made not Treason but the offence of "Praemunire" "maliciously and directly by preaching, teaching or advised speaking to declare and affirm that the Queen was not the lawful and right Queen and that the Prince of Wales hath any right and title. The offence had to be reported within three days, prosecuted within three months and evidenced by the oath of two witnesses." There is no record of any prosecution under this Act.

This, then was the law to be applied at Westminster on 1 July 1535. Under this law Houghton, Laurence, Webster and Reynolds had already been condemned on 28 April. Under it Middlemore, Exmewe and Newdigate suffered on 19 June. The aged and pious Bishop Fisher had too already been executed. There were thus plenty of precedents, but all these accused had at some stage admittedly denied the Supremacy since the Acts had become operative. Ultimately More's defence was that he had never declared his mind on the matter.

Now let us turn to the specific charges. The first charge, cut down to the essentials, alleged that "On the 7th May being asked by the King's order whether he acknowledged and took the King for the supreme head on earth of the Church of England he then and there was of malice wholly silent and refused to give a direct reply."

There was here no dispute as to the facts. The record of the Council's visit was no doubt available. It was not contradicted by More. Yet of all the charges this was manifestly the weakest. The Treason Act

neither empowered the Council to insist on an answer nor laid down any penalty for refusal to answer. As late as April in that year Cromwell was in consultation with the Law Officer, it seems, as to how far the Act could be stretched.

Now refusal to swear an oath had been made Misprision of Treason under the Succession Act. For this refusal More was already suffering, and even a new refusal could not add anything to the maximum penalty he was already suffering. This gap in the treason net was closed two years later by an Act which made it an offence not to answer interrogations – thus by implication admitting the invalidity of this very charge. Nor indeed was there at that date any official style or title of the King in his spiritual capacity. The King was so described, no doubt, in the Supremacy Act, but not until nine years after was an exact title conferred on the King. Most important of course was the defence that there were no “words or writing” alleged. Could silence be construed to be “by craft, imagining or inventing.”

As to this More neatly turned the tables on the judges by reminding them of the old legal maxim “Silence gives consent,” without of course subscribing to the reality of the maxim. Who can doubt that the Court had not forgotten the silence in Convocation which had been accepted as agreeing to the title The Supreme Head on Earth of the Church in England. Alternatively More relied on the word “malice” and argued that even if “silence” could be an offence against the Statute his silence was not “malicious” and could not be so taken.

Bridgett in his *Life of More* says that the word “malitia” was introduced by the Commons into the Bill so as to exempt “incautious words and words spoken so-

berly as a result of conviction but with no purpose of rebellion or sedition.” This may indeed have been their intention but it is doubtful whether the words did legally bear that construction and it seems that More himself, despite his own argument did not consider the point convincing. The reasons for this view are that More consistently refused to make any statement on the matter even to his family or to Fisher, who expressly mentioned this possible defence and which More advised should not be relied upon. When he was first apprehended his offer to write confidentially to the King at his command why he would not “swear to the Succession Act” (which made it an offence “maliciously and obstinately” to utter anything to the prejudice of the King’s marriage) was rejected on the grounds that the King could not over-rule the Statute and by necessary inference this indicated that even such a letter would be declared malicious. Again, on being taken to the Tower More expressly empowered his own servant to report anything he might say to the King’s detriment. Finally, reporting to his daughter Margaret about this very interview with the Council, he must have believed that “malice” in the sense of ill-feeling was irrelevant when he wrote “their whole purpose is either to drive me to say precisely one way or the other.”

More certainly “ran” the argument, and we will refer to it again when we come to discuss the last charge upon which alone, it is generally suggested, the ultimate finding of Guilty was based.

The odd thing, however, about this charge are the accounts given by Roper and Harpsfield. To read More’s defence as set out by them one would imagine that instead of a specific offence, *i.e.*, refusal to speak on 7 May, there was a general charge

of disloyalty. Their reports record that More said he never spoke of malice but according to his conscience as was his duty when his Prince asked for his opinion, and that in any case he had already been punished. But what he said to Henry was said many years previously and was not a matter mentioned in the indictment. Possibly the past was raked up to establish general bad character and so influence the unhappy jury to his prejudice.

The second charge is more difficult to analyse. It alleges that on 12 May More sent various letters (*sic*) by the hand of George Golde, the servant of the Lieutenant of the Tower, to John Fisher, whom More knew had already denied the Supremacy, in which letters More upheld Fisher's attitude and told him of his own silence. Now it does seem to be established that on 7 May Fisher did state his view to a Fr. Fetcche, who claimed to be Henry's secret messenger, and who declared that no advantage would be taken of what Fisher said, and it was upon that statement that Fisher was condemned.

It is interesting to observe that on the same day Cromwell had also tried unsuccessfully to get a similar confidential statement from More. It is also true that More was himself formally examined on 12 May, as was Fisher, when both of them refused to answer. It is also clear that some letters did pass between the two during their imprisonment and that George Golde carried the letters. The evidence for this was the record of the statements made by Fisher himself when examined by the Council on 12 June; More's own admissions on 14 June, and George Golde's own answers on examination by the Council.

Of course the only relevant letter or letters would be those sent after 7 May

when Fisher admittedly made his statement, yet everyone seems to have spoken broadly of what happened during the whole of the imprisonment. Thus Fisher said he had first received a letter in July 1534 — that he received no counsel from More, though each had asked how the other had fared before the Council. It seems unlikely More would have known of Fr. Fecche's visit, so he could hardly have approved Fisher's answers as is alleged. The matter of a defence based on absence of malice was not raised in any letter. It seems that the Bishop told George Golde, the servant of the Lord Lieutenant of the Tower, to call More's attention to the word "malitia" which his, Fisher's, brother, had pointed out to Fisher. More admitted some correspondence with Fisher and with his daughter Margaret. He said they contained no advice of any sort and that he wanted Golde to show them to a friend to make sure no questions could arise thereon, but that Golde burnt them all. Golde, who it seems could not read, admitted carrying in all some twelve letters as well as four to Margaret. His most damaging statement was that he had been told by More and Fisher to burn some of these, but of course these might well have been the earlier ones. The other possible witnesses, *i.e.*, More's servant Wood, and the Bishop's servant Wilson, are not mentioned in the indictment, although they had also been examined, presumably because, as we know, both were staunch in saying they knew of no advice given. There is no record of More being challenged on this denial nor, as we shall see happened on the last charge, any attempt to corroborate the records by parole testimony. We might conclude, therefore, that this charge also misfired.

The third charge is also a curious one. It alleges another letter written by More on 26 May advising Fisher to formulate his own answers to the Council and not to make use of his, lest they be suspected of confederacy. This charge is supported by the further allegations that in effect the letter failed of its purpose because, when separately interviewed on 3 June, each in fact used the same defence, and each compared the Act whereby the matter of Supremacy arose as a two-edged sword, *i.e.*, "if a man answer one way it will confound his soul, and if the other way it will confound his body."

We have a pretty full account of More's examination on 3 June in the letter he wrote to Margaret. Cranmer, Audley, Suffolk (the King's brother-in-law), Wiltshire (the Queen's father) and Cromwell were the Commissioners. It is on this occasion that More said "A man may in such a case lose his head and have no harm." But it was a bitter interview. More was reminded of his dealings with heretics and thieves. He was taunted with cowardice and his modest answer was, "I have not been a man of such holy living as I might be bold to offer myself to death lest God for my presumption might suffer me to fall." Yet in this letter, though he does not record using the words "two-edged sword" he does explicitly refer to the dilemma of loss of soul or body. More in fact did not deny the substance of this allegation as to what he had said, only pointing out that even in saying this his description of the Act was conditional and not absolute. As for the coincidence that Fisher replied in similar vein, the explanation was "the correspondence and conformity of our wits, learning and study." According to the Rastell Fragments the Council tried to get a statement

from Fisher by saying such statements would not be malicious, being by the King's command, but Fisher would not speak knowing that this plea had failed the Carthusians on 25 May. Pressed, reports Rastell, he compared the new laws to a "two-edged sword." It is, however, curious that Wood, More's servant did, it seems, say on examination that Golde brought a verbal message from Fisher asking what reply More had given and that More had said his reply was that he would not dispute the King's title. Wood goes on to say that he later carried a further letter from More advising Fisher not to make the same answer lest the Council think they had agreed and he himself would meddle with no man's conscience. Again one observes that Wood gave no evidence and is not mentioned in the indictment. In truth we cannot tell whether this charge was effective. It is, however, interesting to observe that according to the Bishop of Faenza the rumour was spread on the Continent after More's death that it was for treasonable correspondence with Fisher that More was condemned. Moreover in the News Letter circulated on the Continent describing the trial only the first three charges are mentioned. But even if the facts alleged in the indictment were established they fell very short of proving any denial or conspiracy to deny the supremacy. At the most it was a conspiracy to keep silent which, unless silence was an offence, could not be a criminal conspiracy. Significantly this matter was not part of the indictment against Fisher.

We come now to the last charge which all biographers consider proved fatal. The indictment purports to set out, wholly in Latin, a conversation between Rich and More on 12 June. In the other charges the alleged treasonable words are set out in

English. The indictment does not allege that anyone else was present at the interview. In the charge there is set out the steps in the conversation which led to More finally stating that no subject could give his consent to the King's Supremacy through Parliament and therefore could not be bound by an Act of Parliament and that the King was not accepted as Supreme Head in England in many places abroad. These two statements were relied on as denying the King's Supremacy and maliciously depriving him of his title.

There are, of course, several reports of what More's defence was to these allegations but Roper's account is the basic account. There certainly was a conversation. More gave his version of it but we do not know what this was. Certainly Rich intended to get some statement. But the account set out in the indictment is palpably false.

"Surely in vain the net is spread in the sight of any birds." The opening reference to whether More would accept Rich as King if Parliament so decreed would of itself show what was coming next. Apart from the known honesty of More the probabilities were all against his speaking his mind. He had successfully and carefully long resisted speaking. No bribe or promise of secrecy, which might have trapped him, is alleged. Moreover, he well knew the character of Rich. In commenting on this, More said "Neither I nor any other man else to my knowledge ever took you to be a man of such credit as that, in any matter of importance, I or any other would at any time vouchsafe to communicate with you." Moreover More's denial, though not on oath, since that was not permitted, carried the more weight because if he did not mind about telling the truth why else was he in

prison? He could have taken the original succession oath. He could have accepted the supremacy when the Council examined him. He could have accepted the pardon which the Court offered him, before the trial began. No such offer was made in any other treason trial, and this by itself emphasising the political nature of this trial. If he was lying in his denial why had he not and did not now, lie about his view on the Supremacy? The charge simply cannot be accepted as proved. Indeed the Solicitor-General, Rich, whom it appears was badly shaken by the attack on his character, called in hope of corroboration Richard Southwell (subsequently knighted and whose portrait is in the Uffizi) and a Mr. Palmer, Cromwell's servant. Neither of these two were of good repute, Southwell having been fined £1,000 for being concerned in a murder, and Palmer a noted dicer who also played cards with Henry and later was hanged. To their credit they refused to corroborate any part of Rich's evidence, saying they could not hear as they were packing and removing More's books.

More, besides denying he had spoken as alleged, raised an alternative defence. He pleaded that if he had spoken "it was spoken but in secret familiar talk, nothing affirming and only in putting cases." Thus, what was spoken was not maliciously spoken. "Malitia" he contended should be read as "Malevolentia." If it be taken for sin (that is for wrong) no man can then excuse himself. If "malitia" did not mean "spitefully" or "with ill-will or evil intention" against the King but only "without lawful excuse and intentionally" certainly no man could be excused. The fact is that in murder — where malice aforethought forms part of the charge, in offences against

the Malicious Damage Act and Offences Against the Person Act, where malice is always alleged, it is not used as meaning ill-will or "malevolentia." Malice only means the deliberate doing of a forbidden act. The only case in law where malice bears the popular meaning is in the law of slander. A plea of qualified privilege is defeated if it be proved that the person who uttered the defamatory statement was actuated by personal spite. Of course, these are modern examples and it would, no doubt, be possible to say that the point was an open one in 1535. It is, however, not without interest to observe that when a new Succession Act had to be passed when the King married Jane Seymour, it was thought necessary to absolve from punishment those who had previously disputed the validity of Anne Boleyn's marriage. This was done, reads the Statute (28 Henry VIII, cap. 7), because such persons "had proceeded of no malice but upon true and just grounds for punishment."

That strictly is the end of the trial. The jury were out for fifteen minutes, not as in Fisher's case for three hours, nor was it necessary to threaten them. They returned a verdict of guilty without identifying which of the charges they accepted or rejected.

We read that when the Lord Chancellor rose to give the terrible words of sentence, More had to remind him that even at this stage a prisoner was entitled to state why judgment should not be given against him.

More, we know from various accounts, now at last spoke openly his mind. The Act of Supremacy was impious. It was an invasion of the rights of the Church. It was against Magna Carta. It was contrary to the King's oath. It was against the law of the Church. But, he continued, he well knew that the true reason of his condemna-

tion was that he refused to consent to the King's second marriage. He drew a comparison between the position of John the Baptist who rebuked Herod and Philip's wife.

The Duke of Norfolk, almost as if relieved to have some evidence at last, declared "We now plainly perceive that ye are maliciously bent," to which More replied that necessity required him to discharge his conscience. One other incident may be mentioned. The Lord Chancellor asked the Lord Chief Justice if the indictment was sufficient, meaning, one supposes, if it disclosed facts justifying conviction. The answer is curious: "I must confess that if the Act of Parliament be lawful then the indictment is good enough." Was this a cynical reply? Was it evasive? Was it an answer indicating some lingering doubt? We cannot, indeed, tell!

Sentence was passed and More's final words were of benediction. He prayed that he and his judges might yet "hereafter in Heaven merrily all meet together to our everlasting salvation." Nor did he forget the King, whom he desired God to preserve and defend and send him good counsel.

So it all ended, 425 years ago. We can perhaps imagine the end of that weary day. The darkening Westminster Hall; the slow procession to the river; the silent crowds; the judges, uneasy and conscience-stricken, hurrying away to their houses, to the Inns of Court halls, to drink perhaps, and to try to forget. The jurymen, too! What would they say to their wives about what they had done to Master More whose intercession with the King after the apprentice riots in 1517 had saved the lives of so many young Londoners?

At Tower Wharf, Thomas More's son John, his daughter Margaret, and his

adopted and heroic daughter Margaret Clement who attended the tortured Carthusians, were waiting for him. They embraced and, as we read, Margaret impulsively returned and "having respect neither to herself nor to the press of people and multitude that were about him, suddenly turned back again, ran to him as before, took him about the neck and divers times together most lovingly kissed him and at last with a very full heart was fain to depart from him."

And so too must we depart from this story of the Trial and, remembering the characters in the drama and what end some of them in turn came to, the prison, the block, disease and dishonour, I find myself echoing those haunting lines of Browning

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— so applicable to the members of that Court:

Then they left you for their pleasures
Till in due time one by one
Some with lives that came to nothing
Some with deeds as well undone
Death came tacitly and took them
Where they never see the sun.

There are seven churches in the Archdiocese of Westminster dedicated to St. Thomas More. His statue stands outside Lincoln's Inn, which venerates his memory. He is depicted on two large paintings in the House of Commons. To the shame of the City of London which he served so well there is no public record in the city of their most distinguished Under-Sheriff.

But Thomas More was canonised on 10 February 1935 and for him the sun can never set.