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## *A Gray's Inn Saint*

### 1.

On a wet morning in December, 1581, a big crowd of Londoners had gathered for a favourite entertainment in the area around Marble Arch. Forefathers perhaps of today's Arsenal and Chelsea supporters, they occupied the space around the traffic island by the Odeon Cinema where the gallows, Tyburn Tree, stood, and they probably stretched westwards as far as Tyburn Convent in which for many years now Benedictine contemplative nuns have prayed without ceasing. The watchers spread over the routes of the 6, 15 and 88 buses and the Green Line from Guildford to Hertford. They were waiting for the hanging and quartering of another Londoner, a Jesuit, Edmund Campion. Near the front was a group of students from Gray's Inn.

When the hanging was over and the brutal surgery began, one of the students, Henry Walpole from Norfolk, had his elegant clothes splattered with blood from a part of the body tossed by the hangman into the cauldron of boiling pitch. The incident had a profound effect on him and almost certainly contributed to his later decision to become a missionary priest and a Jesuit himself. That afternoon, much moved, he returned to Gray's Inn and in the following days wrote a poem\* of thirty six-line stanzas about what he had seen. He had come into contact with Campion and had attended the public debates between the Jesuit and the Deans of St. Paul's and Windsor and had listened enthralled to Campion's wit and eloquence. Later he had been at his trial at Westminster.

Another Norfolk man, Henry Vallenger, printed the poem, which had a wide circulation. Catholic sympathies were still strong even in London. It's publication did not meet with the approval of the authorities and Vallenger was fined the equivalent of some £4,000 and had his ears cropped for good measure.

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\* The poem is given in full in Jessop's "One Generation of a Norfolk Family" (Burns & Oates, 1879) at p. 106. Here (and in other quotations) the spelling has been modernised.

Walpole escaped punishment. One of the stanzas went as follows:

*"We cannot fear a mortal torment: we,  
These martyrs' bloods have moistened all our hearts,  
Whose parted quarters when we chanced to see  
We learned to play the constant Christian parts.  
His head doth speak and heavenly precepts give  
How we that look should frame our lives to live."*

In a sense it was prophetic of its author's own future.

2.

Later, Cardinal Allen described Walpole as a well-spoken serious-minded and spiritual young man. He was born in Docketing, in north-west Norfolk in October, 1558, at the end of Queen Mary's reign, in a house on the high ground inland from the North Sea and the long beaches of Thornham, Titchwell and Brancaster. The family were distinguished in the county, even then, owned large properties in the undulating country between Docketing and King's Lynn (where Sandringham is) and were the ancestors of Sir Robert Walpole, the first Prime Minister, and, of course, of Horace. Henry was baptised a Catholic and grew up under the wide and lucid skies and in the clear light of Norfolk. It is a windy, bracing county which gives much opportunity for solitude.

When he was eight he was sent to Norwich Grammar School, an Edward VI foundation, which was housed in a large brick and flint building, still there today, opposite the west door of the tall-spired Cathedral. Fellow-students, whose lives were to turn out very differently from his, were Edward Coke, future Chief Justice, and Robert Greene, future dramatist. The headmaster was Stephen Limbert who had a strong taste for Puritanism in its most rigid form.

With the other boys, Walpole attended services in the Cathedral and he must have listened unwillingly to much that was (to say the least) unflattering to the Pope and contemptuous of Catholicism. He may have seen two remarkable examples of today's most fashionable activity, the protest, or "demo", or sit-in, or break-in, remarkable both for the place in which they occurred and the age and occupation of the participants: on one occasion five Cathedral Canons marched into the Choir of the Cathedral, smashed the organ and tried to stop a choral service which was evidently not to their taste; on another, Stephen Limbert himself was a party to a riot



**HENRY WALPOLE**

BY PERMISSION OF LORD WALPOLE. FROM A PORTRAIT AT WOLTERTON HALL, NORFOLK

in the Cathedral directed against what was said to be a popish manner of chanting the lessons. Apparently it is true to say that there is nothing new under the sun.

Walpole was bright. He studied the classics extensively and showed the fondness for poetry which was to be expected in that first Elizabethan age. From school he went at the age of seventeen to Cambridge, to Peterhouse, where the Master was Andrew Perne, a Norfolk man, once Rector of the Church of Walpole St. Peter, near King's Lynn, who was known as Perne Ambo, or Perne facing-both-ways, from the bizarre elasticity of a conscience which enabled him to accept and function under the pro-papal statutes of Mary and to continue undisturbed under the anti-papal statutes of Elizabeth. At least that made life more comfortable for Walpole, since Perne turned a blind eye to the fact that he did not attend the Protestant services in the Chapel which were formally obligatory.

Walpole did not take a degree since to qualify it was necessary to take the Oath of Supremacy: that he was never willing to do, then or later, not even under Topcliffe's heavy persuasion.

## 3.

From Peterhouse, aged 21, he came in 1579 to Gray's Inn, to study for the Bar, a profession in which the family were already well-known. Two members of it had been Judges, in the reigns of Edward III and Richard II, one of them probably Lord Chancellor. His uncle, Serjeant John Walpole, of Harpley in Norfolk, had been one of the most successful barristers of his day. He was a member of Gray's Inn, Lent Reader in 1550, Member of Parliament for King's Lynn in 1554, raised to the degree of serjeant-at-law in the following year. On 14th October, 1555, there was a feast in the Inner Temple Hall to celebrate the occasion of his and others receiving the coif: it cost £15,000-£20,000 at today's prices. In Norfolk he added manor to manor with the profits of his enormous practice but he died, doubtless from overwork and perhaps over-feeding, in middle age, in his professional prime.

Machyn in his Diary has the following account of the funeral\*:  
(1557)

"The 3 day of November was buried in the parish of St. Dunstons in the West, Serjeant Walpole, a Norfolk man, with a pennon and a coat of arms borne with a herald of arms; and there was all the

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\* Camden Society: 1847.

Judges and Serjeants of the coif, and men of law, a two hundred, with two white branches, twelve staff torches and four great tapers, and priests and clerks; and the morrow, the Mass of Requiem.”

It is clear from the acuity which he displayed at his trial at York, that Henry Walpole must have taken part keenly in the moots and other discussions in Hall and that he had inherited a good share of the ability which had made the Serjeant so successful. However, in the Inn he had the character of being a better theologian than a lawyer, and was known to hold uncompromisingly to his opinions. Gray's was then a favourite haunt of Catholics and of those of Catholic inclination: amongst these Walpole found his companions. Some of them, men from distinguished and substantial families, were members—as Walpole was—of a society which provided financial and other aid to the Catholic priests who were coming in secret to England. There was a Catholic club in Chancery Lane to which Father Parsons came from Dover, after a lucky escape, in 1580.

It cannot be doubted that Walpole joined whole heartedly in these activities. Then came the killing at Tyburn: after that Walpole was outspoken in praise of Campion: it was whispered that he was the author of the poem which had lost Vallenger his ears. He came under the suspicion of the Council and a warrant was issued for him. Prudently, he left London and returned to Norfolk followed by those whose task it was to hunt priests and those who helped them; but Walpole managed to evade them, spending some time concealed in a hiding-hole. Then he set out for the North, hiding-up in the woods during the day, and travelling by night. At Newcastle, he took ship for France, setting out on a course of action which, in any ordinary connotation, was to end in ignominy and disaster: but that was more than eleven years away, and he had work to do.

4.

He arrived in Rheims on 7th July, 1582, and began his training for the priesthood, determined to return to England as a missionary priest. He studied in the Venerable English College in Rome and in the College at Pont à Mousson in France. In February, 1584, he joined the Society of Jesus. He was ordained priest at Paris in December, 1588.

His first task as a priest was to act as chaplain to the Spanish Forces in the Netherlands where England and Spain were at war. He was captured by his own countrymen and put in the common jail in Flushing in great discomfort and with little food. Fortunately

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one of the young English officers was a relation, a cousin from Norfolk, who mitigated the rigours of his imprisonment so far as he could and got a message back to his family in England with the result that his brother Michael came over and paid the ransom necessary to set him free. Walpole returned to his duties as chaplain. Such were the courtesies of 16th century warfare.

In 1592 he took his final vows as a Jesuit, his long training over. He was sent to Spain as Vice-Rector of the English College at Valladolid founded by Father Parsons; but he did not stay long. The time for his return to England and the fulfillment of his ambition was approaching.

He left Spain in August, 1593, and arrived at the English College in Douai in September. His original plan had been to cross from Calais but there was plague in Dover and no ship would make the journey. Finally he arranged for a passage with the captain of one of three privateers which were operating in the Channel and in November, 1593, he set sail in stormy weather from Dunkirk. He had stipulated that he should be put ashore on the coast of East Anglia. What he did not know was that aboard one of the other privateers was a man, a member of the English security forces, who knew all about him and about what he intended to do.

Strong winds took them northwards. It was impossible to go ashore. Sailing on into the North Sea, they passed the point where the Norfolk coast turns westwards towards Brancaster. When they were off Flamborough Head, Walpole insisted that he should be put ashore and on 4th December he landed at Bridlington with two others, his brother, Thomas, and an English mercenary, Edward Lingen. The man from another ship landed too, and went about his duties.

Walpole and his companions spent a night in the woods and at daybreak they made their way to an inn at Kilham where within a short time they were arrested and taken to York to appear before the Council of the North.

5.

The Earl of Huntingdon was in the chair. They could get little out of Walpole. He said he was a priest and a Jesuit but he would say nothing else. They wanted to know where he was going and whom he wanted to see and what information he had about the activities of English Catholics on the Continent and in England; but

they got nowhere. Feeling that more expert and experienced assistance was necessary, they sent to London for Topcliffe who came, characteristically, without delay.

Topcliffe, too, was a Gray's Inn man\*: but that seems to have had no effect on his attitude to his prisoner. Fellow member of the Society or not, Topcliffe's only concern was to get him to talk as much and as quickly as possible. Walpole, however, would tell him nothing that he wanted to know: "I am a priest and a Jesuit" he said, in substance, and left it at that. Frustrated, Topcliffe said he would take him to the Tower or to the Bridewell and that he would talk there, to which Walpole replied that he would do nothing against his conscience. In London Topcliffe had a wide range of equipment for making the reluctant talk.

Walpole was brought to London and put in the Salt Tower where he remained in barbarous conditions for the next fifteen months, Topcliffe and his assistant being in charge of him. He was tortured on fourteen occasions, by various methods. He was hung by his wrists, with his feet off the ground, for considerable periods of time. The result of one session, or perhaps several sessions, with certain instruments was that his hands were crushed and deformed: some evidence of this is to be found in his handwriting which afterwards was like the unformed handwriting of a child, quite different from what appears in his earlier letters.

Under torture he was asked the question (a usual one for Jesuits) about the lawfulness of assassinating Queen Elizabeth. Part of his reply was: "For my own part, I protest before God, as I have often done, that I abhor to think thereof, and never did nor would not move any man thereunto for all the good in the world, Jesus is my witness."

Some sixty years previously another lawyer, Thomas More, member of Lincoln's Inn, once a Lord Chancellor, had been imprisoned, though not tortured, in another part of the Tower of London and he had given himself to meditation and contemplation and had written his *Dialogue of Comfort against Tribulation*, the uncompleted *Treatise on the Passion*, and the letters to his daughter Meg which are an incomparable expression of fatherly tenderness and love. Walpole, too, gave himself to constant prayer, in the long hours when he was left alone but when the pain of torture remained. He managed to carve his name and some religious symbols on the wall of his cell where they can be seen today. His spirit did not

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\* See the article by Father Christopher Devlin, S.J., in *Graya* No. 55 (Easter, 1962), p. 23.

break. He said nothing which would compromise his faith nor those who shared it. He was one of Topcliffe's failures.

When the archives of the Public Record Office were opened in the last century, ten confessions were found, allegedly written and signed by Walpole, in which, to put it bluntly, he gave away both his friends and his faith. In my view, the documents are clearly forgeries, brought into being to serve some purpose of Topcliffe's. It is perhaps sufficient to give one reason here: the handwriting was not the childish product of a crippled hand, but the well-formed script of an untortured adult. There are a number of other very cogent reasons but space does not allow me to set them out here.<sup>1</sup>

In the Spring of 1595 they took him back to York for trial at the Mid-Lent Assizes before the Earl of Huntingdon, and Beaumont J. and Ewens B. In prison Walpole (as a contemporary record puts it) "waited many days before the Judges coming": even then complaint was evidently being made of the length of time a prisoner might have to wait in custody before his case came on for trial at Assizes.

The form of trial, from the brief contemporary account we have of it<sup>2</sup>, is in outline similar to that of Thomas More in Westminster Hall, which is very fully recorded. More, probably the best advocate of his or perhaps any other day, cross-examined witnesses, devastatingly in the case of Rich, and addressed the Judges in mitigation (first having gently to point out his right to do so) in a speech full of charm and skill and learning and charity.

Walpole in some ways was no less skilful. At one stage he said to his judges:

"I find, my Lords, I am accused of two or three things. First: that I am a priest, ordained by the authority of the See of Rome. Second: that I am a Jesuit, or one of the Society of Jesus. Third: that I returned to my country to exercise the ordinary acts of those two callings, which are no other than to gain souls for God. I will show that none of these three things can be treason. Not the being a priest, which is a dignity and office instituted by our Lord Jesus Christ and given by Him to His apostles, who were priests, as were also the holy Fathers and Doctors of the Church who converted

<sup>1</sup> See "Henry Walpole, S.J." by Father Clement Tiger, S.J. (Office of the Vice-Postulation, 114 Mount Street, London W1Y 6AH).

<sup>2</sup> In "Historia Particuler de le Persecution de Ingleterra" (1599) written by Diego de Yepes and based on material supplied by Father Joseph Cresswell, an English Jesuit.



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and instructed the world. And the first teachers who brought over the English nation to the light of the Gospel were also priests; so that were it not for priests we should all be heathens: consequently to be a priest can be no treason."

Beaumont J. (who was a Peterhouse man) may have found this a little theological and perhaps not wholly relevant. He intervened: "Indeed, the merely being a Jesuit is no treason; but what makes you a traitor is returning into the kingdom against the laws."

Walpole: "If to be a priest is no treason, the executing of the office or the doing the functions of a priest can be no treason."

Beaumont J.: "But if a priest should conspire against the person of his prince, would not this be treason?"

Walpole: "Yes, but then neither his being a priest nor filling the duties of his calling would make him a traitor, but the committing of a crime contrary to the duty of the priest, which is far from being my case."

Walpole was having the better of the argument. Beaumont J. now introduced something which to modern ears sounds a little like the assertion of guilt by association. He said: "You have been with the King of Spain and you have treated and conversed with Parsons and Holt and other rebels and traitors to the Kingdom; and you have returned hither contrary to the laws, and therefore you cannot deny your being a traitor." Walpole answered: "To speak or treat with any person whatsoever out of the Kingdom can make me no traitor, as long as no proof can be brought that the subject about which we treated was treason: neither can the returning to my native country be looked upon as a treason, since the cause of my return was not to do with any evil, either to the Queen or to the Kingdom."

Beaumont J. then decided to narrow the argument down to what might, for him, be surer ground. "Our laws appoint," he said, "that a priest who returns from beyond the seas and does not present himself before a Justice for three days to make the usual submission to the Queen's Majesty in matters of religion shall be deemed a traitor."\*

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\* 27 Eliz. I c.2 (1585): "An Act against Jesuits, Seminary Priests and such like disobedient persons." Beaumont J. accurately stated the combined effect of ss. 3 and 10 of the Act.

Perhaps Walpole remembered the skills he had practised in moots in Gray's Inn Hall when he replied: "Then I am out of the case for I was apprehended before I had been one whole day on English ground."

It was a bull point\*. Yepes says that Beaumont was "put to a non-plus". Most judges, perhaps, would have been non-plussed. As sometimes happens even today, one of the other judges, Ewens B., came to his brother's rescue and took the discussion onto another point.

The summing-up to the jury was not long. They were told that Walpole was a priest and a Jesuit, that he had been with the King of Spain, Father Parsons and Father Holt, and that he had returned to seduce Her Majesty's subjects from the religion by law established and to reconcile them to Rome; and they were directed to find the prisoner guilty of treason.

As the jury were leaving Court, Walpole said to them:

"Gentlemen of the jury, I confess most willingly that I am a priest, and that I am of the Company of Jesus or a Jesuit, and that I came over in order to convert my country to the Catholic faith, and to invite sinners to repentance. All this I will never deny: this is the duty of my calling. If you find anything else in me that is not agreeable to my profession, show me no favour. In the meantime, act according to your consciences, and remember you must give an account before God."

The jury were out for only a short time and came back with a verdict of Guilty.

6.

Walpole and Father Henry Rawlins, a Douai priest, were drawn on one hurdle, feet to heads, from York Castle, past Ousebridge, to the Knavesmire. Father Rawlins was dealt with first; then Walpole mounted the ladder to the scaffold and the rope was put round his neck. He was offered his life if he would conform to the Established Religion but refused: asked what he thought of the Queen's

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\* A similar point, but the other way round, was taken (unsuccessfully on the evidence) in 1968 in another case concerning illegal immigrants: *R.v. Brixton Prison Governor. Ex parte Hussain*, *The Times* newspaper, 12th September, 1968, p. 10.

Supremacy, he answered: "She claims it but I may not grant it." Then he prayed for all those who had been the cause of his death, recited the Our Father and was cut off in the middle of saying a Hail Mary when they turned him off the ladder. They allowed him to hang until he was dead before the other things were done.

## 7.

At his death, Walpole was thirty-five years old. His life is easily summarised: he went to school, college and Gray's Inn; he spent eleven years on the Continent mainly in training as a priest and member of the Society of Jesus; he returned to England, was at liberty for less than one day, spent fifteen months in prison, was convicted of treason and hanged. Put in that way, it does not seem that he achieved very much.

On Sunday, 25th October, 1970, in St. Peter's in Rome, before a vast congregation of English people among whom were descendants of the martyrs' families, Pope Paul VI canonised Henry Walpole and thirty-nine others, the Forty Martyrs. In the process which led up to the ceremonies, those concerned examined the life of Henry Walpole to discover heroic virtue, if it was there. No doubt what they found was fortitude. In those fifteen months all that he could do was to have courage, loyalty and constancy in his faith: perhaps it is as much as any man can do. Above all, he had charity.

Among the other thirty-nine martyrs were Edmund Gennings, seminary priest, and Swithun Wells, schoolmaster. They were put to death in Gray's Inn Fields on the 10th December, 1591, at or near the place where Verulam Buildings stand. Out of forty new Saints three were associated, one closely, two remotely, with Gray's Inn.

The Honourable Society has a diverse and many-sided history.

R. J. HARVEY.

