

SUMMARY: The document below is the copy on the patent rolls, dated 29 January 1575, of Queen Elizabeth's grant of the Great Garden of Christchurch to Benedict Spinola (d. 12 July 1580). The grant begins by reciting the terms of two existing leases, firstly that the Master and Fellows of Magdalene College had on 12 July 1544 leased the rectory of St. Katherine Christchurch together with the garden and a dwelling-house within it to Lawrence Owen, Clerk of the Works of London Bridge, for 50 years at £20 annual rent, and secondly that the Master and Fellows on 10 November 1547 granted a further 21-year lease of the entire property to Robert Noke, a point-maker, to commence on 25 April 1595 after the expiry of the 50-year lease which had been granted to Lawrence Owen. The letters patent then state that on 13 December 1574, Roger Kelke (1523/4–1576), Master of Magdalene College, and the Fellows of the College granted the garden and dwelling-house to the Queen for a perpetual rent of £15 per year, with no mention of the rectory. Although the letters patent of course do not state this, the grant to the Queen was contrary to the College's statutes. By the letters patent below, the Queen granted her interest in the garden and dwelling-house to Benedict Spinola, to be held by him in free socage of her manor of East Greenwich, a common conveyancing procedure of the time which prevented lands from falling into wardship. There is no specific reference to the £15 perpetual rent to the Masters and Fellows of Magdalene College, but Spinola doubtless became responsible for it. On 15 June 1580 Oxford purchased Spinola's interest, and in turn became responsible for payment of the £15 perpetual rent to the Master and Fellows of Magdalene College, Cambridge.

These transactions are described in the entry for Roger Kelke in the online edition of *The Dictionary of National Biography* as follows:

*In January 1575 Kelke wrote to Burghley, assuring his patron that the 'College have acted according to your request respecting Mr Spinola'. On 13 December, 'the most important date in [Magdalene's] entire history' (Cunich and others, 215), the college granted to the queen, for an annual rent-charge of £15, 7 acres of freehold land in the parish of St Botolph, Aldgate, London, part of the endowment bequeathed by Thomas Audley, Baron Audley, in 1544; the grant was conditional upon a conveyance by 1 April 1575 to Benedict Spinola, a Genoese moneylender. Though satisfactory in the short term, the disastrously improvident nature of the deal rapidly became apparent as Spinola developed the land and sold it to Edward de Vere, seventeenth earl of Oxford. Subsequent generations' attempts to recover the endowment as unlawfully alienated were to no avail, and for centuries Magdalene's problems were to be quintessentially financial.*

[M: D' Con' forever for Benedict Spinola

The Queen to all to whom etc., greeting. Whereas Robert Evans, late Dean of Bangor & Master of Magdalene College, Cambridge, & the Fellows of the same College by their deed indented bearing date the twelfth day of July in the thirty-sixth year [=12 July 1544] of the reign of the Lord Henry the Eighth, our most dear father, late King of England,

demised, granted & to farm let to a certain Lawrence Owen, Clerk of the Works of London Bridge, all that his rectory of Saint Katherine Christchurch in London with all tithes, oblations & legacies to the same appertaining, together with all that his garden situate, lying & being within the parish of Saint Botolph without Aldgate, London, called le Great Garden of Christchurch, together with the dwelling-house in the same garden in which a certain Thomas Casey, then farmer of the same, was living, from the feast of Saint Mark the Evangelist then last past [=25 April 1544] before the date of the same deed indented continuously to the end & term of fifty years then next following & fully to be ended and completed, yielding therefore yearly twenty pounds of good & lawful money of England;

And whereas also Richard Carr, Master of Arts, Master of Magdalene College abovesaid, & the Fellows of the same College by their deed indented bearing date the tenth day of November in the first year [=10 November 1547] of the reign of the Lord Edward the Sixth, our most noble brother, late King of England, demised, granted and to farm let to a certain Richard Noke of Cambridge, point-maker, all the foresaid rectory together with the great garden & all other the premises with the appurtenances from the feast of Saint Mark the Evangelist which will be in the year of the Lord one thousand five hundred ninety-five until the end & term of twenty-one years thereafter next to come & fully to be fulfilled and ended;

And whereas also a certain Roger Kelke, Doctor of Divinity, Master, & the Fellows of the College of Saint Mary Magdalene in the fair University of Cambridge by their deed indented bearing date the thirteenth day of December in the seventeenth year [=13 December 1574] of our reign gave & granted all that their messuage & garden commonly called the Great Garden or the Covent Garden of Christchurch with the appurtenances situate, lying & being within the parish of Saint Botolph without Aldgate, London, to us, our heirs & successors, forever, yielding therefore yearly to the foresaid Master & Fellows & their successors at the feast of Saint Michael the Archangel fifteen pounds of good & lawful money of England, as by the same deed indented enrolled in our Chancery more fully appears, know ye that we, of our mere motion and certain knowledge, and also in fulfilment of a certain condition mentioned in the same deed indented made to us by the foresaid Master & Fellows, have given & granted and by these presents for us, our heirs & successors, do give & grant to our beloved & faithful subject, Benedict Spinola, gentleman, merchant of Genoa resident in London in England, all that messuage and garden abovesaid with all & singular its appurtenances, and also the reversion & reversions of the same messuage & garden, together with the deed indented thereof made to us by the foresaid Master & Fellows;

To have & to hold the foresaid messuage & garden with the appurtenances, and also the reversion & reversions of the same, together with the foresaid deed indented thereof made to us, to the foresaid Benedict Spinola, his heirs & assigns, forever from us, our heirs & successors, by free socage only as of our manor of East Greenwich in our county of Kent for all exactions, services & demands, & not in chief nor by any other service;

Although express mention etc. In [+testimony of] which thing etc. Witness the Queen at Westminster the 29<sup>th</sup> day of January.

By herself, the Queen.

LM: D' con imperpetuum pro Benedicto Spinola

1 Regina Omnibus ad quos &c Salutem Cum Robertus Evans nuper Decanus de Bangor & Magister Magdalene

2 Collegij Cantabrigie & Socij eiusdem Collegij per Cartam suam indentatam gerentem datum duodecimo die Iulij

3 Anno regni domini Henrici octavi Patris nostri precharissimi nuper Regis Anglie tricesimo sexto dimiserunt

4 concesserunt & ad firmam tradiderunt cuidam Laurencio Awen Clerico operum Pontis Londinensis totam

5 illam suam Rectoriam de sancta Katherina Christchurch in London cum omnibus decimis oblacionibus &

6 legacionibus eidem pertinentibus vnacum toto illo gardino suo scituato iacente & existente infra parochia sancti

7 Botulphi extra Algate London vocato le greate garden of Christechurche vnacum domo

8 mancionali in eodem gardino in quo quidam Thomas Casie adtunc ffirmarius eiusdem inhabitabat

9 a festo sancti Marci Evangeliste adtunc vltimo preterito ante datum eiusdem Carte indentate vsque

10 ad finem & terminum quinquaginta Annorum adtunc proxime sequentium & plenarie finiendorum & implendorum reddendo

11 inde annuatim viginti libras bone & legalis monete Anglie Cumque eciam Richardus Carre magister

12 in artibus Magister Magdalene Collegij supradicti & Socij eiusdem Collegij per Cartam suam indentatam gerentem

13 datum decimo die Novembris Anno regni domini Edwardi sexti preclarissimi fratris nostri nuper Regis Anglie primo

14 dimiserunt concesserunt & ad firmam tradiderunt cuidam Richardo Noke de Cantabrigie Pointmaker totam predictam

15 rectoriam vnacum magno gardino & omnia alia premissa cum pertinentijs a festo sancti Marci Evangeliste

16 quod futurus erit in Anno domini millesimo quingentesimo nonagesimo quinto vsque ad finem & terminum viginti vnus Annorum

17 extunc proxime futurorum & plenarie complendorum & finiendorum cumque eciam quidam Rogerus Kelke Sacre

18 Theologie professor Magister & Socij Collegij sancti Marie Magdalene in alma Academia Cantabrigie

19 per cartam suam indentatam gerentem datum tercio decimo die Decembris Anno regni nostri decimo septimo dederunt

20 & concesserunt totum illud suum mesuagium & gardinum vulgariter vocatum the greate garden or the

21 couent garden of Christchurche cum pertinentijs scituatum iacens & existens infra parochia sancti Botulphi

22 extra Algate London nobis heredibus & successoribus nostris imperpetuum Reddendo inde annuatim predictis magistro &

23 Socijs & suis successoribus ad festum sancti Michaelis Archangeli quindecim libras bone & legalis monete Anglie

24 prout per eandem Cartam indentatam in Cancellaria nostra irrotulatam plenius apparet Sciatis Quod nos ex

25 mero motu ac ex certa scientia nostris aceciam in complementum cuiusdam condicionis in eadem Cartam

26 indentatam nobis per predictos magistrum & Socios confectam mencionate dedimus & concessimus ac per presentes pro

27 nobis heredibus & successoribus nostris damus & concedimus dilecto & fideli subdito nostro Benedicto Spinola

28 generoso Mercatori genoensi London in Anglie residenti totum illud mesuagium ac gardinum supradictum

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29 cum omnibus & singulis suis pertinentijs necnon reuercionem & reuerciones eorundem mesuagij & gardini vna cum Carta

30 indentata inde nobis per predictos Magistrum & Socios confecta habendum & tenendum predicta mesuagium & gardinum cum

31 pertinentijs necnon reuercionem & reuerciones eorundem vna cum predicta Carta indentata inde nobis confecta predicto

32 Benedicto Spinola heredibus & assignatis suis imperpetuum de nobis heredibus & successoribus nostris per liberum socagium tantum

33 vt de Manerio nostro de Estgrenewiche in Comitatu nostro Kancie pro omnibus exactionibus seruicij & demandis & non in Capite

34 nec per aliquod aliud seruicium Eo quod expressa mencio &c In cuius rei &c Teste Regine apud Westmonasterium xxix die

35 Ianuarij

per ipsam Reginam