

PROCEEDINGS

OF THE

Cambridge Antiquarian Society.

OCTOBER 20, 1890, TO MAY 27, 1891,

WITH

Communications

MADE TO THE SOCIETY.

No. XXXIII.

BEING No. 3 OF THE SEVENTH VOLUME.



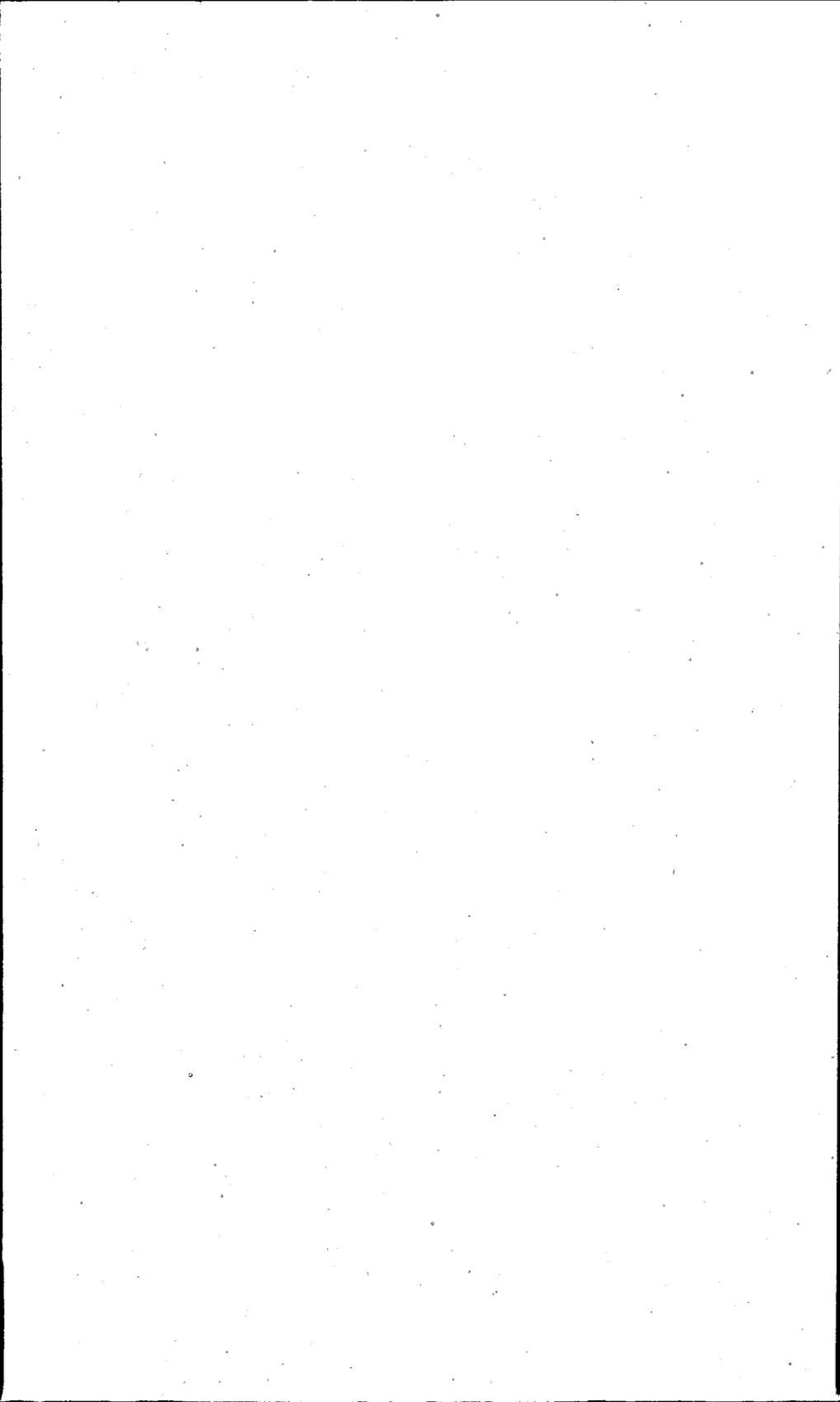
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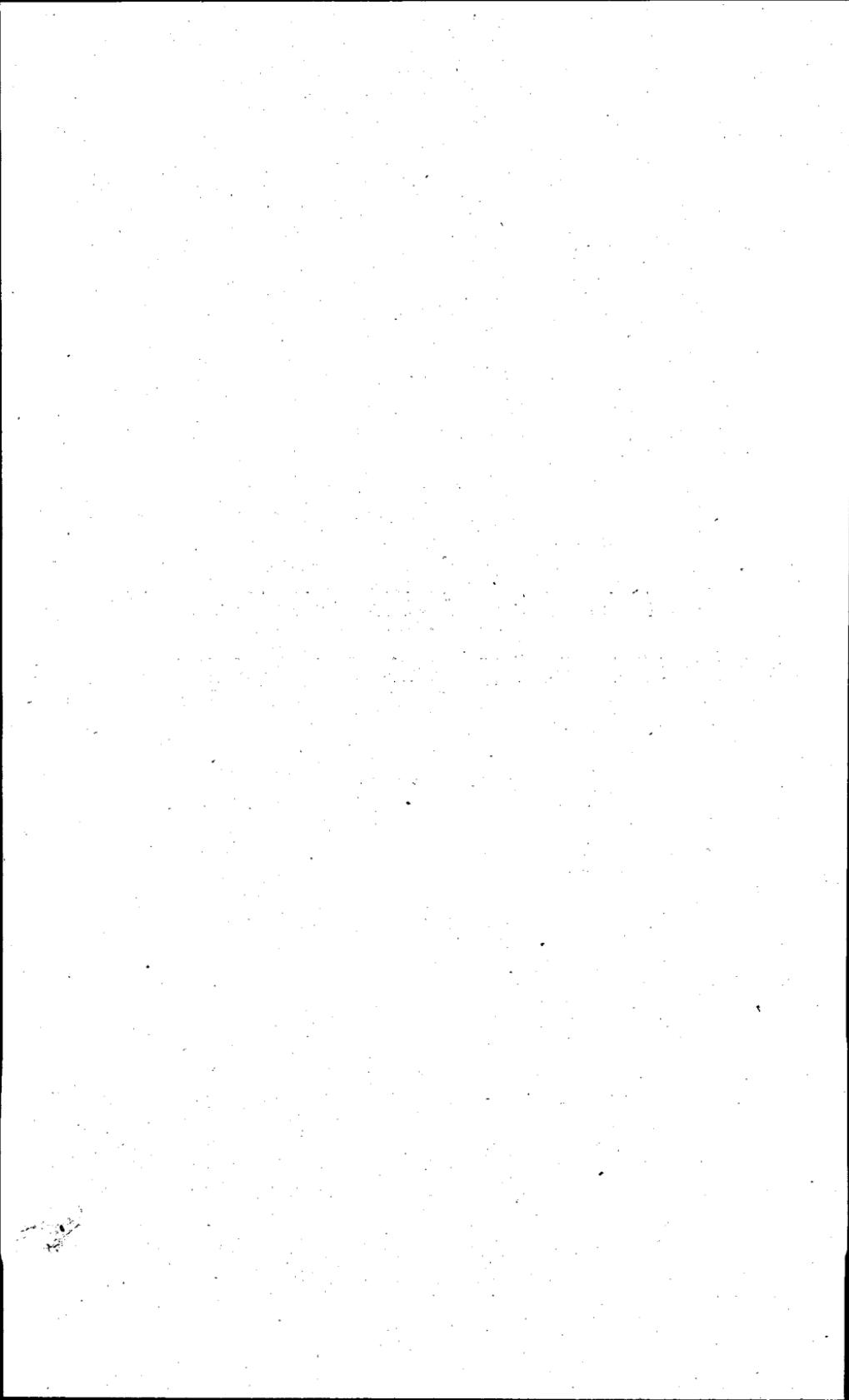
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1892.

Price 7s. 6d.



CAMBRIDGE ANTIQUARIAN
PROCEEDINGS AND COMMUNICATIONS.



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OF THE
Cambridge Antiquarian Society,
WITH
COMMUNICATIONS
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VOL. VII.



NEW SERIES.

VOL. I.

1888—1891.

CAMBRIDGE:

PRINTED FOR THE CAMBRIDGE ANTIQUARIAN SOCIETY.

SOLD BY DEIGHTON, BELL & CO.; AND MACMILLAN & BOWES.
LONDON, GEORGE BELL AND SONS.

1893.

Cambridge:

PRINTED BY C. J. CLAY, M.A. AND SONS,

AT THE UNIVERSITY PRESS.

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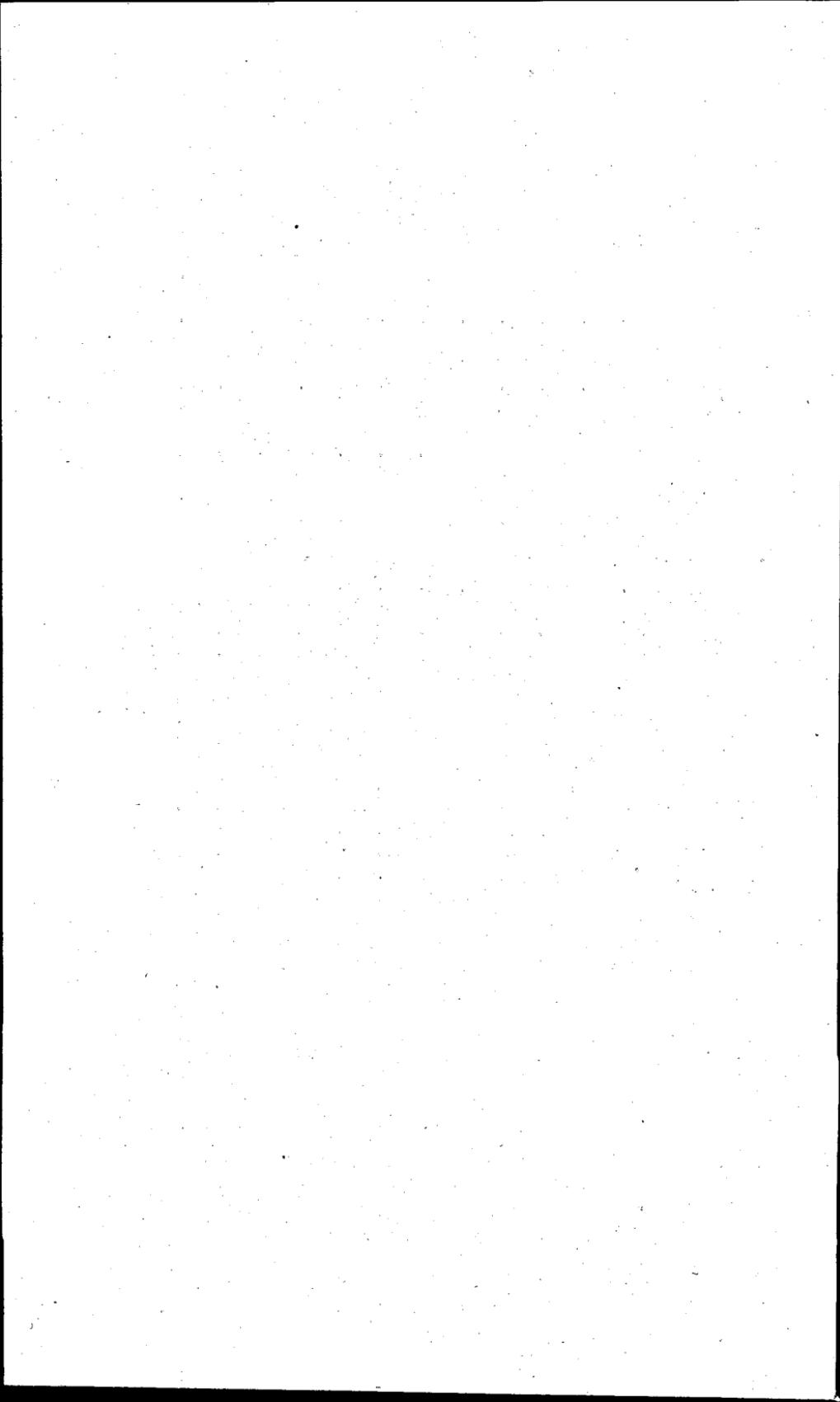
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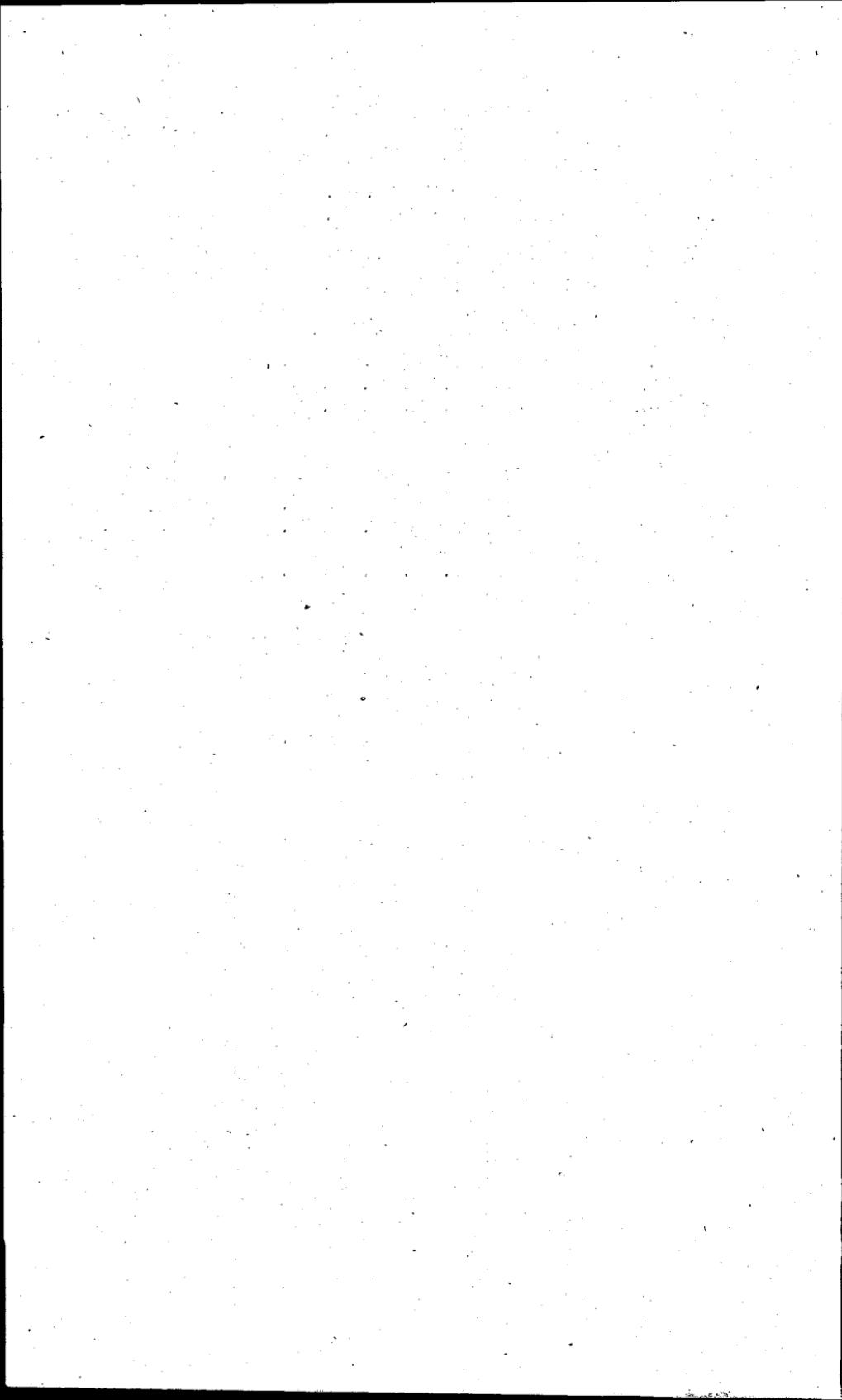
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II. ORIGINAL LETTERS CONCERNING THE CONTROVERSY
BETWEEN THE COLLEGES OF ST JOHN'S AND
TRINITY RELATIVE TO THE ENCLOSURE BY THE
LATTER COLLEGE OF GARRET HOSTEL GREEN
AND TRINITY COLLEGE MEADOW.

Soon after the foundation of Trinity College negotiations were opened with the Corporation of Cambridge for the acquisition by the College of certain Common lands on both sides of the River to the West of the College. This led to a controversy with St John's which extended over many years. An account of this is given in Willis and Clark's *Architectural History* (*ut supra*), Vol. II. pp. 407—412; and the case for Trinity College, taken from the *State Papers*, will be found at p. 411. The matter is mentioned both by Baker and Cole. The former (MSS. Baker, xi. 298, MSS. Harl. Mus. Brit. 7038) says:

The enclosure at Trinity beyond the River, was made (after great opposition) about the year 1600, with the consent of the Town, Merton College, Trinity Hall, Jesus, and St John's College, which had a right of common there, and in one letter, Jesus College is sayd, as likely to have a Lordship by St Radegund, as any other. A Balk was to be reserv'd betwixt St Johns and Trinity Ditch, and a Pipe from that conduit was insisted on, when Mr Booth's Conduit was intended in the Countess of Shrewsbury's Court, with other considerations mentioned, in an annuall acknowledgement. The two great objections from St Joh: Coll: were, I: The Statute, *de non alienandis Collegii terris &c*: 2: Annoyance. v. Liter: inter Archiv Col. Jo. There are severall letters from Archbishop Whitting gift, who was vehement in the thing.

Cole (MS. xli. 320. Add. MSS. Mus. Brit. 5842) has this note:

Trinity College having no Ground without its walls, got, of the Corporation of Cambridge, a small Plot of Common Ground on the Side of the River, containing about 7 Acres; in Recompence of which the College, out of their Lands round the Town have laid out 25 Acres for the Benefit of the Inhabitants. By the consent of the Corporation, other Colleges have made the same Inclosures; viz: King's College and St John's College. St John's

College claims a Right and Interest in this Common, and for their Consent for its Inclosure by Trinity College, demand

First, An Acknowledgement of 12d. per annum Rent. Secondly, a Partition Walk, as they term it, of 16 Feet Breadth. Thirdly, That the Corporation, in Consideration of the large Grant made them by Trinity College, should yeild to St John's one little Plot of Ground, to be also inclosed, leading from their Backside Gates, into the Fields. Lastly, a Quill to be brought from Trinity College Conduit Pipes to serve them with water.

In Answer to the Foregoing :

St John's College says, That Time out of mind, they have used the saide Waste for Walking and other Exercises; and their Tenants Cattle have fed on it, and they have impounded other Cattle. That they have 600 Acres of Land within the Ground where this Waste lies.

Lent to me by Professor Lort of Trinity College in July 1770,
who told me that he transcribed it from the MSS. in the British
Museum. W^m. COLE.

When Mr J. W. Clark was preparing the *Architectural History* for the press Whitgift's letters to St John's College could not be found. I have, however, recently found them, together with several others relating to the same matter.

Archbishop Whitgift to St John's College.

After my right hartie Commendations. I doo vnderstand that Trinitie College hath obteyned the good will of the Towne of Cambridge, that for the better ease and conveniencie of that Societee they may enclose that portion of grounde, which lyeth beyond the River, and behinde the College: Wherein it may bee; that some ffarmers of landes belonging to your College thereaboutes, may challenge Common of Pasture for their Cattell. And forasmuche as I am enformed, that the rest of the Lordes in ffee, who haue Maners there also, are for all their partes right well contented, that Trinitie College shall haue the vse and benefite thereof, which may bee a greate pleasure vnto them: I am in all earnest maner to desier you, that you will likewise geue your consent therenvntoo, so that the work there nowe in hand may quietly goe forward, without exception theretoo by you to bee taken, or any their molestation. You

cannot but knowe howe well I wish to Trinitie College: and therefore I hope you will haue a speciall regarde of this my Motion vnto you in the behalfe thereof: and assuredly I will not forgett your readinesse in performing this my request, but remayne thankfull vnto you for it, in any occasion that shall bee offred concerning you. And so not doubting of your forwardnesse in so reasonable a cause, I committ you to the tuition of allmighty god. ffrom Lambehithe, the viith of Marche 1599.

Yor assured loving ffrende
Jo : CANTUAR.

Addressed : To my verie louing ffrendes the Maister and Séniors of St Johns College in Cambridge.

Dr Thomas Nevile¹ to Dr Clayton².

Sir, so it is that we haue of late compounded with the towne of Cambridge for the inclosinge of that whole plott of grownde which lyeth beyond the river ouer against our Colledge. And vpon request made haue more obteyned of our verie good frinds (such as are the Lords of Manners there aboue the towne) that they also (tenderinge our greate ease and conveniencie) are for their parts right willinge therewithall. Nowe whereas the ffarmers of Landes belonginge to your Colledge may challenge libertie of feedinge therin, I was verie forgetfull if at our last beinge togither I did not make the like request vnto you, which I had made vnto them. I do assure you it was my full purpose so to do. But if that were not then done, to recompence the omission, I haue nowe procured his Grace earnestlie to recomend this our Colledge cause vnto you. And for my owne parte so desirous am I to maintaine peace and all good Offices of frindship betweene the Colledges, that if your self shall advise anie other course yet more to be taken for the better satisfacion of your Societie, I will endevour the same by

¹ Master of Magdalene 1582—93, Master of Trinity 1594—1615. Dean of Peterborough 1590—91, Dean of Canterbury 1597.

² Master of St John's College 1595—1612.

all I am able. Thus remembiring my hartiest commendacions
I betake you vnto Gods blessed keeping. From Puddlewharf
in London. 8 Mar: 1599.

Your very assured loving frind
THOMAS NEVILE.

Addressed: To the right worshipful my verie loving frind
Mr Dr Clayton Maister of St Johns Colledge in Cam-
bridge.

Mr Robert Booth to Dr Clayton.

Sir, this bearer together with my letter now to your self
and the Seniors will fully acquaint you with the effect which
your ioynt letter to me concerning your building hath wrought.
I doubt your cross neighbours will much overrule you for that
which is now in question. I desyre greatly that you might by
composicion gett a brawnch from their conduit pipe for your
Colledg, bycause I suppose one would gladly (vpon that help)
make you a fayre conduit in your new Court. Yf you cannot
have reason at theyr handes, then I hope you shall fynde frendes
able to cross theyr desyre, at the least when it shall come to be
confirmed by act of parliament. Theyr honours love you well
and salute you kyndelye: and so with harty commendacions
from my self and your other frendes here, I committ you to god.
In hast in brodestreat. 28 March 1600.

yours to commaund assuredly
ROB: BOUTH¹.

Addressed: To the right worshipful my assured frend Mr Dr
Claiton M^r of St Johns Colledge in Cambr.

Mr Henry Alvey to Dr Clayton.

Sir, We came to London in reasonable tyme on tweus-
day to haue entred vpon our busines, but I had so foule
a fall by a stumbling iade by the way that I escaped well that

¹ Robert Bouth or Booth was of Cheshire, B.A. 1576. See *Camb. Antiq. Soc. Com.* i. p. 348.

I was not spoyled havinge the hackney horse fallinge vpon me: which gave the occasion to them of the start of vs: Early vpon wedensday (after summe litle speeche with Mr Boothe) we addressed vs to the deane¹, whom we founde much moved, and answeringe peremptorily, in most earnest speaches, not muche wanting to the highest resolution: after summe large conference, he would needes with vs in all hast to Lambethie; his grace we founde wholly possessed of the cause, and preoccupied by prevention but not for vs: Mr Morrell had bene with him but as his grace said spoke not a worde of that matter. It fell owt well that ther letters to your selfe and vs were answered in writinge, for it was expected; and the former returne of answer to the deane by Mr Morrell, by whom it was done by worde of mouthe, by him (as he signified) muche mislyked. It appeared by my lordes boathe persuadinge in the cause, and his threateninge the effectinge of the inclosure by summe superiour meanes (if we would not willingly accorde) that his grace is wholy theires: the matter we debated a good longe tyme, and discussed matters togeather, his grace, the deane, my self and Mr Brig in the gallery; our allegations were our statute, 2^o their opposinge by this cause them selves and the towne (agreeinge vpon private respectes of petty commodities other to other) not only to vs, but to the rest of the vniversity, who had in former tyme had great differences with the towne who should haue the preeminence in beinge lordes of the soyle, which by this their composition and manner of proceedinge they had yelded to the towne, to the vniversityes preuidice and the townes incoragement, the first that we opposed caused summe stay, the seconde stunge not a litle: a thirde we had of the manifolde annoyances, and their slender regard that they made of our consent not before to seeke it that we had given them occasion by manifestinge our grievance, and signifyed a purpose to crosse their course, if we were vnreasonably delt with all.

¹ Thomas Nevile, dean of Canterbury 1597—1615, Master of Trinity 1593 to his death in 1615.

His grace, for the tyme, seemed to make light of all we could say, and said our colledges opposition in this case came rather of stomacke then any good grownde: yet we escaped with owt any great chyding, though we did not muche forbear or spare Mr deane, so farr as our cause ministred vs matter; in so muche as it seemed his coller was not more kinled this good whyle: tyme will not give leave to touch the particulars, though in deede our cominge vp in this sort, and allegations which he never dreamed of, especially the two first, the one staying vs for yelding and making against them (if they haue the lyke statute as in course of speeche was by vnapvysednes cast owt) in exchanging land with the towne, and alienating of that which is the colledges, thother touched him nerely, and affected my lordes grace, who seemed much to mislyke that any way the towne should be any waies intytuled by this action to be lordes of the soile, and wished Mr deane to provyde against it. For our statute whylst we vrged it in wordes, exemplifyinge the interpretation of it to make for our plea, by former practyse in Cottnams matter, and other particulars, nothinge swayed with his grace: alwaies he alledged dissimilitudes in the cases, where in deede we could see none, and so replyed; and further desyred for future our discharge of oathe and to answer all chalenges in tyme to come, we might haue it vnder his graces hand for our better satisfaction that in such cases of commons we were loosed from all bound of oathe taken to that statute which her maesty by his grace and others had lately given vnto vs; where was said by vs that by the helpe of that his graces interpretation, by Cotnam, and summe thinges els, we should herafter recompence our losse received by Trinityes inclosure by such liberty as should be lefte vs in this point of our statute. Here his grace paused, and made a stay, answeringe, that he vsed not to determyne hasteley, but after muche speeche too and froo and in end after we had brought forth the statute booke it self (which his grace looked not for, and the deane did not ounce imagin we would haue stooode vpon, or had had any suche defence for our denyall) we pressinge the wordes for our selves,namely those generalls,*terras,solum,pascua,pasturas,prata,*

bona immobilia, though the deane had in former talke termed it pasture, yet it would not be yelded that their case fell into, or within the compasse of this statute. My lordes opinion was the mynd of the law was not as he thought to be extended to commons, but would not averr it of him self or defyne till he had the advyse of lawers for that clause, and there vpon wished our staye in towne till that might be done, but first lesse we should haue produced a counterfett copy, he fetched our statutes owt of his studie, and conferred our and that togeather, which agreed in every tytle. We lett his grace see (in his gallery mapp for Cambridge) the current of the river course, as they of Trinity purposed to draw it, and manifestly shewed (to our sense) the inconvenience to vs, but his answer was the deane would see that nether in that, nor other respectes we should be encombred, and the deane spoke well and said all should be to his grace's lykinge: after dinner we were thus dismissed (which seemed summewhat strange to vs) my lordes grace ryse as we had thought to haue gone into summe place for repose, and after to haue harde vs further, at his pleasure, and spake a word to Mr Deane and he took me by the hand straight to his barge, and intended to transport me back againe with him to London; (as we geathered lesse we shoulde haue secounded our sute to his grace) but a shower overtakinge vs we stayed at the gates in all earnest parley more then half an hower, the deane, doctour Barlo, and we, of our matter: and so were we brought to his house, and their spent in speech nere two howers.

He had said before that if that should be any part of condition to haue other draine then our river that runneth aboute our colledge close, thereto by no meanes he would ever agree, but in his house he came after to conferr, and consider how by drawing a plott we would shew what we required, vpon occasion of wordes from him that he would not haue stode with our colledge for a farr greater matter before Dr Barlo, (as by the way I cast owt) can you then be content we should haue a pype from your conduit, he seemed not vpon that sudden speache by reason of his larg offer of curtesy to our colledge before in words to mislyke, and there also (as talke was

offred), a worde fell from me that we would look for summe acknowledgment of our former interest in that place to haue for perpetuity if it were but vjd yearely. He answered if it were xijd they would not sticke, and saide if they had thought vs to be venall as they tooke the towne to be, they would as with them haue delt by money and given vs consideration, as he confessed they should do to the towne more then you heard of before, for in money they are to give Camb : towne as him self confessed before his grace fyfty powndes ; at his house at our drawinge of the forme of the ditch in his window, how we would haue it contrived, I mentioned a severall one which we would haue them to make, and leave vs a balk betwixt their ditche and ours of xij foote broade, and a little he seemed to relent of his former resolution, and cast in his mynde how that might be, and said it should be indifferent for both to cast our ditches vpon, when there was clensinge of them and a common walke, but fully yelded not to the motion. Againe we said we would certainly haue from them and the towne that it should put in our choise so much as lay in them, that with owt gainsay we might vse in severall that litle plott before our gates, and we would haue that laid by the towne for vs though they rebated so muche in quantity of that ground which they should allow them of thother syde of Cambridge towards Barnwell because that litle would be more worth to vs and our tenants then all the whole of the other in the place by them assygned. He lyked meravelouse well of that thing but denyed to solicit the towne for vs, but offred frankly their colledge consent and we said we would ether make the towne yelde if they made any account of that gaine they should haue from Trinity by this exchange or all should remaine in *statu quo*. But for any of those demaundes or others what so ever when as first we had seene our maine exceptions taken away and all principall pointes of dowtes cleared which yet stand in our way, we would haue them made but yet as motions, and by speaches in way of talk, vpon supposition, and no other way ; but the graund lettes removed they should fynd our colledge reasonable, and to be ruled by his grace, who as I should haue said before redd your letter and kept it to

him self, but the seniours he redd openly to the deane. Mr deane said before his grace that all had consented but we and named Dr Legg, Trinity Hall, Merton Colledge &c. I excepted I had heard to the contrary but named none. Yet he confessed that Doctor Duport had not bene moved, (but this was after we had been at Lambeth.) And of all in Cambridge Jesus Colledge is as lykely to haue a lordship by Radigund as any other. The deane said if any lord or colledge proved backward in this busines it was by our procurement, or by meanes of our standinge in yt, for the former I answered no. And to an allegation of Dr Nevyles that he took it more the townes right then the vniuersities for the principall lordship of the soile, I reioned that other heades, and diverse of them I had heard of contrary iudgment in a case of settinge of willowes. He said they should give him leave to dissent. I replied as not thinkinge that mynde so much to favour the vniuersityes priveledges; but that worde was not well taken of the deane, so as thereby, and for dealinge in this cause, I haue lost the deanes love, and was charged to be the man most to make this sturr, and who might quyet all if I woulde; he said it was tolde him that we had immediatly (vpon the receipt,) answered his Grace's letters *negative*, and that we had brought this matter to the consistory in Cambridge. We tould him bothe were vntruethes; he said he heard you should come uppon [] in Easter week and that Mr Morrell should tell him (as he taketh it) but we had not spoken with Mr Morrell when I writh these things we sought him all abroade.

After vpon thursday vnderstandinge that Mr Morrell was owt of the city I sent one vnto him and he marveled muche at our cominge to London and said he had dispatched that matter before, but I pray god both you and we all can come to any reasonable accorde: you must be intreated to come vpp, if by any meanes it may be, for we perceave my lord looketh with both eyes of his favour towarde them. I tould the deane, if we had but a glympse of his countenance in this case we were so confident in our cause, that we hoped to make it seeme lawfull and good in the hearinge of all the body of the counsell.

If your self can not possibly come, send vs the burser Mr Binlingsley¹ with instructions (if his grace will needes haue it) what we shall demaunde and stand vpon for consideration, for as we found him at the first he is that way mynded : I pray you the burser may inquire what consideration Kinges colledge giveth the towne for their inclosure and in what tyme that inclosure was made, as also of Mr Balls inclosure if it can be learned how that did and doth stand presently with owt impeaching of the vniversityes privelege.

Thus haue you a small discourse of summe part of our proceedinges as I could scrible in summe hast havinge my heade trobled with these busines, beinge so hard layed too that we stand in neede of your good helpe and so we are not with owt hope of a convenient issue, if god will: for they are I take it, and I see it are more troubled, and disquieted at the matter then we. The lord keepe you, and bless vs all: And so I take my leave.

your worship's to vse in the lord.

HENRY ALVEY².

Addressed : To the right worshipfull his approved good frind
M^r D^r Clayton master of St: Johns Colledge in Cambridge
these.

Archbishop Whitgift to St John's College.

Salutem in Christo. I haue heard by Mr Alvey and some others of your Colledge, what the poyntes are, where vpon you seeme to stand as yet against Trinitie Colledge in their moste reasonable (in myne opinion) and necessarie enterprize. Wherevnto I thought good to write vnto you myne aunswere in fewe wordes.

And first towching your statute *De non alienandis Collegij terris &c.* I am resolved in myne owne iudgment, that it nothing concernith this matter in question. And for my

¹ Will. Billingsley, B.A. 1582, M.A. 1586, B.D. 1593.

² Henry Alvey, son of Robert Alvey and Catharine daughter and co-heiress of William Bou de Hulme (Thoroton's *Antiquities of Nottingham*, p. 335), B.A. 157 $\frac{1}{2}$, Fellow 1577; Third Provost of Trinity College, Dublin, 1601—9, died in Cambridge, 25 January, 1626 (Ussher's *Letters*, No. 117).

further confirmation therein, I haue conferred both with Civilians and Common Lawyers, who all concurre in iudgment with mee, and are whollie of this mynde, that this intended inclosure is no way within the compasse of that statute. And in truthe, it cannot colourable or otherwise be comprehended in anye one worde, nor in all the wordes there set downe.

Secondlie towching the obiection of annoyance that may thereby happen to your Colledge; I doe assure you, that there is no suche meaning. And M^r Deane hath promised mee to take care that you shall haue no iust cause to complayne thereof.

Thirdlie for your Tenauntes; they are all of that nature that I am sorie to think, much more to haue it knowne, there should bee so slender frendlie consideration and litle love betweene Colledges, as once to make mention of anye of them.

Lastlie, concerning the preuidice that by this action may arise to anye title or clayme the Vniversitie hath or may haue to the Commons; I haue seene so manye precedents of former grawntes in lyke sorte made to diverse Colledges in Cambridge from the towne, and some to your owne Collèdge; that I am out of doute, there can be no preuidice therein.

And therefore I doe once agayne hartilie pray you, and as a frend advise you, not to stand any longer with them in this present case; protesting vnto you, that if the case were your owne, I would deale as earnestlie and effectuallye with Trinitie Collèdge for you, as I doe now with you for them.

And so with my verie hartie commendacions I committe you to the tuicion of Almyghtie God. From Lambeth, the xxxijth of March, 1600.

Your verie loving frend

Jo: CANTUAR:

Addressed: To my verie loving frendes the Master and Seniors of St John's Colledge in Cambridge.

Mr Robert Booth to Dr Clayton.

Sir, concerning the matter now in question betwene your overthwart neighbours and you, you may be assured of very

good frendes, yf you be fyrme to your selves. They of whom Mr Alvey was by a grave father willed to tell you, that if they should heare that you stood against this matter, would concyeve otherwise of your self, then would stand with your good; they (I say) will do you right, yf they shalbe made privy to the particulers of the case and of your desyre. Sync the Colledg hath shewed itself in the matter, vnless you may have one courtesye for another, you wilbe much condemned of your best frendes, yf you do not stand out to the vttermost: and they may do litle for you that cannot fynde in their hertes to allowe you theyr wast water: make other demaundes besides that of a pype from theyrs, but never yeild to them vnless they grawnt you this pype simply to ronne at all tymes without limitacion of tyme vnless they shall want water. Let me have knowledg that I may informe your frendes when and how you awnswer his Graces letter now sent, or to be sent by Mr Morrell, about this matter. Whatsoever shew is made, I doubt not but you will perceyve them shortlye to quaile, vnless you begynne to quaile afore them. Yf you fynde cause by theyr holding out against you an epistle from your College to Mr Secretary will do well whom you may account of your College for so he accountes himself, making therein your case and desyre playne; and desyre him to succeede his honourable father in protecting you. In standing out you may procure good to your College, abate your adversaries braves: and satisfye good frendes. In relenting you shall preuidice your College drawe on new wronges and discredit yourselves specially with them that love you best. I pray you lett me be from tyme to tyme acquainted with all thinges as they pass: and withstand them by advyse of lawe in peaceable and lawfull manner only, and not too hastely. Keep this letter to yourself and be assured that I write vpon better growndes then it is fitt now to signifie. With most harty commendacions I rest

Tuus totaliter

3^o. Apr: 1600.

ROB: BOUTH.

You may take occasion to seeke vnto Mr Secretary as to your Steward of the whole body of the vniuersity or rather as

to one on whom your Colledg dependes wholly. Let none see this letter but burne it: and send me a note of your particular greivances and desyres and the reasons of bothe so as I may shew it to your best frendes who wilbe constant, but you must not boste of it.

ROB: BOUTH.

Addressed: To the right worshipfull my assured frend Mr Dr Clayton Master of St Johns Colledg in Cambridge.

Mr Robert Booth to Dr Clayton.

Sir, As I verly think, your adversaries have now done theyr vttermost, and now your frendes beginne to worke, and whatsoever shew is now made I hope you shall see a chawnge shortlie. If your Colledg relent before your frendes know it and approve it, it wilbe a great wrong to them, and cannot but be so taken: for they are resolved to stand most firmly to you. We send this footman to you with these letters least his Graces letter (which as I heare Mr Morrell hath) should too much animate you. We expect to heare oft from you whiles this matter is in question betwene your neighbours and you.

This bearer is sent to you and willed to go forward to such place as you shall appoint him: least having divers errantes he should omitt to deliver this to you with that speed we desyre. I pray you therfore appoint him to go forward into Norfolke to my sister Clippesby, and give him the inclosed letter herin, which is directed to her to carry her and to bring awnswer back to my Ladie from her and the rest there. And so in hast I committ you to the highest. In London 3^o. Apr: 1600.

Tuus totaliter.

ROB: BOUTH.

my Lord & Lady salute you very kyndlye.

Will this bearer to call on you in his way out of Norfolk that we may heare from you at his retorne to vs.

R: Bo:

Addressed: To Dr Clayton.

Archbishop Whitgift to St John's College.

Salutem in Christo. Your vnykynde and vn-neighbourly dealing with Trinitie College in so small a matter is come to her Maiesties knoledge, togeather with my endeavour on that Colleges behalf: and I doo assure you that in the hearing of diuerse persons, her Highnesse expressed in some vehemensie her dislyke of your frowardnesse in so necessarie and reasonable a matter; towarde so greate and worthie a College, of her Fathers foundation, and her owne patronage; and did reprove mee, for taking that indignitie at your handes, in not yelding to my motion in suche a tryfle: Saying That I did not vse that authoritie in forcinge of you, which I ought and might doo, (as it pleased her to say,) in many respectes. All which I thought good to signifie vnto you, before I proceede against you in any other course: hoping that in the meane tyme you will be better aduised, and satisfie nowe not my request, but her Maiesties expresse pleasure geven vnto mee. Your frowarde and vncharitable proceeding herein hath by some of your owne companie possessed the whole Courte, to your discredit and shame: Whereas I had thought that your discretion had been suche, as to haue kept it within the knoledge onely of suche as would haue kept it secrete, vntill it had been frendely ended. Which I supposed my last letters written vnto you the last of Marche would haue effected. Her Maiesty charged mee, That my lenitie breedes vnto mee contempt. I protest that I love that Vniversitie and everie College in it, as I love myne owne lyfe; and that I have dealt in matters concerning the estate and good thereof and of everie Member therein, as tenderly and carefully, as any ffather could ever deale with his deerest children. But howe I haue been or am regarded, lett the effectes declare. In this cause, what meanes you haue vsed, whom you haue solicited, what vnreasonable demandes you make; what vniust suggestions you vse; what iniurie you haue doon to your best fréndes, what small respect you haue to mee, the onely man nowe liuing, who hadd the dealing in your Statutes, lett your Actes and proceedinges in this Action declare, I doo not blame you all herein: I am persuaded, that it is

against the disposition of suche as are most considerate among you. But to conclude, it is her Maiesties pleasure, That Trinitie College shall haue their desier in this suyte, and the conditions promised vnto you in my last lettres shall bee performed. And so I committ you to the tuition of almighty god. From Lambehithe, the viijth of April 1600.

Your assured louing ffrende
JO. CANTUAR.

Addressed: To my verie louing ffrendes the Master and Seniors of St Johns College in Cambridge.

Rev. William Pratt to Dr Clayton.

Sir, my dutye remembred etc.

You knowe by this the effecte of my Lord Grace his letter, which youre frendes woulde wishe you shoulde answer in the best manner you can, not yieldinge in anye case from youre right. If they be mandatorye in her Maiesties name, yet they may be thus answered. With all humilitye acknowledge the authoritie, and humblye desyre his Grace that as he hathe alwayes bene a patron to learninge, so he woulde not nowe cast poore St Johns out of his protection: and that he will be pleased to make youre humble submission knownen to her Maiestie, from whome, and by whose good fauoure, you hold youre landes, lyuinges, lawes, and all els, her greate grandmother beinge youre foundres, and that his Grace woulde please to be informed fullye of the preiudices which you receaue by this inclosure. Oure good frendes are fullye possessed with the cause, of whose best helpe we may assure oure selues. Mr Secretar ye¹ beinge informed in it, made this answer that his father was and hymself is a St. John's man and in that regarde he will be readye to doe vs the best good he can. My Lord Treasurer² is, or shall be, acquainted with the matter whose good furtherance also we hope to ob-tayne. And therefore hauinge so good assurance of the helpe

¹ Sir Robert Cecil, Earl of Salisbury, son of the first Lord Burghley.

² Thomas Sackville, Lord Buckhurst. Both Cecil and Sackville were members of St John's College.

of oure honorable frendes, and hauinge bene so farr seene in the matter alreadye, we must not nowe in anye case yielde without theire good approbation lest we be thought to be wantinge vnto them and to our selues. In the meane tyme it were fitte to addresse youre publick letter vnto Mr Secretarye, relyinge on hym as on his father heeretofore, and makinge knownen vnto hym all your allegacions particularlye, as also signyfyinge what is passed betweene his Grace and you, and also desyringe (if her Maiestie be possessed of this cause) his best helpe to satisfye her. You may desyre my Lord's Grace that you may not be pressed to breake oathe and statute concerninge which, as some lawyers saye you may do it, so others say you cannot, and you must satisfye youre owne myndes in that poynte, and though some [of] you be satisfyed therein yet all are not. Desyringe further his Grace's fauorable acceptance of youre reasons and his gracious interpretation of youre doinges and that in a true sence of youre iust cause his [Grace] will not onlye satisfye hym selfe, but also be a meanes that her Maiestie may be satisfyed. Signyfyinge further that the desyre of a braunche from theire conduite, were a greate pleasure to your howse, and no inconuenience to youre neigbours: and that besides youre consentation therein it woulde greatlye satisfye youre posterity, who might fynde that you procured one benefitt by forgoinge another, but this must not be alledged if you stande vppon youre statute, which I thinke best at the firste to doe. It is best to unite the prejudices which you are to receave by this inclosure, as also the reasons of youre demaunde of a branche from theire conduite in a sche-dule by them selues, and delyuer them to hym whome you sende aboute youre busines. And thus I take my leaue, committinge you to the tuition of almighty god. Steuenage 7 Aprill 1600.

your worship's to commaunde
WILLIAM PRATT¹.

I woulde desyre youre secrecie, and to keepe this letter to

¹ Fellow of St John's, 1587. Presented to the Vicarage of Higham, Kent, 1591, resigned 1592 (Mayor-Baker, 435, 6), Rector of Stevenage, 5 December, 1598, died there 1629, age 67 (Clutterbuck's *Herts*, II. 443—4).

youre selfe, for though we may assure oure selues of good frendes, yet we must not make anye greate speache or bragges of them.

Addressed: To the Right worshipfull Mr Dr Clayton Master of St Johns Colledge in Cambridge geue these.

Mr Robert Booth to Dr Clayton.

Sir, your Colledge cause against Trinities inclosure finds honorable and earnest freinds. The last Sunday the matter was so hotte in Courte as the like hath not bene heard there in such a cause. My lord is passinglie earnest for you and your Colledge, Mr Secretary hath openly professed and still doth that he is of your house, and that you shall not have any wronge, nor they of Trinity there inclosure without satisfaction to your Colledge, yf his abilitie be sufficient to procure your righte. This day Dr Nevile hath bene with me, his ende was (as I gesse) that I should be his meanes to my lord to conceive rightlie of his duty to his house notwithstandinge his opposition in this cause, and that I mighte be a meanes to you for pacificacion: of my lords good conceipte of himself I assured him, and for any pacificacion, I said that your Colledge is not now yt selfe, greater persons having voluntarilie without any your suite entred into the cause, vnto whose satisfaction yt behooves you now to looke, and not they to yours. He alledged that our Colledge had delt hardly with the lord Archbishop in seeking to so great persons whiles his grace delt in the matter. I answered that yt was wthout your Colledge privitye vpon my lord of Londons *Caveat*, that yt would go ill with you yf my lord or Mr Secretary should know you delt in yt, for vpon notice of that *Caveat*, I desired my lord to continue his favour to you notwithstanding a controuersy betwene Trinity and you: vpon whose desire to be truly informed I got some of your societie to informe him particularly, whervpon his lordship was moved to favour your iust cause as he doth: and of all liklyhood, the same *Caveat* was the motyve for Mr Secretary to vnderstand and favour your cause also. They alledge against you that many other Colledges have compounded for the like with the towne

as they do now, wthout seeking consent of any of the vniversity ever for yt. That your backside is in like state by composition with the towne only for 8^s 2^d rente or thereabouts yearely, that Dr Nevile pretermytted not your colledge, but thought you not interessed in yt, never havinge hard that you had Manner there, and as yet thinking yt but your scite of a manner only, and that yf he had omitted the Colledge, yet he supposes, that the request made since to you by my Lord Grace's letters and his owne is good satisfaction for that omission. They say also that our Colledge hath no more righte in that comon, then any one scholler servant hath, and that now to compound with you were to putt on all other to seeke composition who have interest there. I would wishe you to search your evidence for helpe thence, and to send some of your societie hither presentlie instructed fully in this cause. This inclosed petition is very well liked of your best freinds, yt were good yt were put into latyne, as you vse, and sent vp to be exhibited to her Maiestie by those whom you send in this buisynes, and yt were well you sent by them also letters of thanks to Mr Secretary, with request to continew his favour and protection; you may take notice of his favour for he doth publishe yt. I need not advise you letters of thanks to my lord who hath done you extraordinary fauour in this cause¹. Let vs vnderstand of all things as they passe and be respective how you ende this cause without the approbacion of your freinds. Take vpon you that this inclosed petition is devised by your selfe and returne this copy thereof together with this my letter inclosed in your letter to me by this bearer. Mr Lyndsell Mr Coke and Mr Hammond and I comend vs kindly to you, and so I rest in haste 9^o April 1600.

Tuus totaliter

ROB: BOOTH.

Let vs have the copies of all that is written to you by the Archbishop and of your answers. Mr Alvey is said by your aduersaries to be a principall incitor to stand in this matter.

¹ See Baker-Mayor, p. 612.

Her Maiestie I doubt not will stand like a Royall iust prince (as she is) indifferente, whatsoeuer you heare to the contrarie.

Your frendes wishe that Mr Pratte may be one to followe this cause.

Addressed: To the Right worshipfull my assured frend Mr Doctor Clayton Master of St Johns Colledge in Cambridge.

Mr Booth to Dr Clayton.

Sir, I fynde no way so fitt to awnswere your letter of the 14th of this May, and to advyse you as you desyre, as by taking vpon me a person and humour vnfitte for me, in an over presumptuous manner to controll your feares and discomfortes. Let it be allowed, that Trinity College men glorye, that some of your College fleere, and others greive and are discoraged, and that most men in other places do skorne your vsage and success, and that great meanes is vsed to incense his Grace against you: it is all answered thus, *intus si rectè, ne labora.* Have you done any thing wherto you were not bownd by your statute and othe? have you intruded your self maliciously into this busynes? or have you proceeded further or in other manner in it, then might very well stand with that duty which you do owe to god and men? Yf your answer be, as it must needs be, negative; what could you have donne otherwyse, then you havé done, but it should have been worse donne? and why should you either greive at the present estate of that which you could not honestlie prevent, or feare such future evilles which an honest man hath not meanes to avoyde? If you will beare with my playness, I assure you I fynde by this your letter that feares and discomfortes are in your mynde multiplied above that which is either true or fitt. Though I be affected hartely in your cause, yet in my iudgement (all circumstances considered) I do not fynde that you have had any harde success in it: you are as free as you were, and Trinitye College have no better (but much worse) assurance of their desyre, then they had before they molested you, and further I canne assure you that neither your enemies

are ferme, nor your frendes vnmyndful of you, who do only attend a fitt tyme to do you good: and therefore my best advyse is that you still hould a constant course as you have hetherto donne; that you suffer substances only (and not likinges, dislikinges, conceiptes, suspicions, rumours, and such like shadowes) to affect you: and that you do so governe your passiones (how iust soever you esteeme them) that your best frendes be not drawne by them, rather to do somewhat presentlye, then to attend their best opportunitye to do better for you. I could not improve your letter to the best advantage, bycause of that which you write in it concerning your building¹: herafter write not of both matters in one paper. I wryte to you as I would be written vnto in the like case: lett not therfore my direct playness deminish your conceit of my love. Let not any of your company (whomsoever you trust best) knowe of any hope that your case may alter to the better: for it is better that they languish a tyme, then that by their receyving an overspeedy comfort, the good which is intended to your howse should be hindred. Concerning your building, order is taken to send into the Cowntrye for mony for it: yf you take order with Mr Cradock for exchawnge lett me know where to fynde him. And thus with my hartiest commendacions I take my leave this 16th of May 1600.

Tuus totaliter

ROB: BOUTH.

My Lady desyres you not to suffer Mr Alvye to leave your Colledge.

Addressed: To the right worshipfull Mr Dr Claiton M^r of St Johns College in Cambridge d^r.

Mr Booth to Dr Clayton.

Sir, I awnswered not your last letter by the Carrier bycause Mr Nevison the bearer herof doth promise to be so soone with you. Concerning your controversye with your crosse neyghours, and their cutting downe Digbyes brydge, I canne advyse no other thing but patience: assuring you that no opportunity is

¹ The Second Court, then being built at the cost of the Countess of Shrewsbury, Booth's patroness.

lost by your frendes to procure your better fortune therin. Concerning your building, it is fallen out very vnluckely that before that our letters were in the Cowntry towardes Mr Coke about mony, Mr Coke was come hether, and so our directions to him in that behalfe were frustrate: but in regard of your need, we purpose to dispatch him hence into the cowntry to morrowe, and we doubt not but you shall heare from him soone after his coming thether. I am commaunded to wryte thus vnto you, by them that thank you for your satisfying their request in keeping Mr Alvye still. Theyr honours commend them very kyndlye to you. Thus with harty commendacions from my Neice Crewe, Mr Lindsell, Mr Coke, Mr Hamond &c to your self and all our good frendes with you I rest

Tuus totaliter

ROB: BOUTH.

24th May 1600
in Brodestreat.

Addressed: To the right worshipfull my assured frend M^r D^r
Clayton M^r of St John's Colledg in Cambridge d^r.

After these letters I have found nothing among the muniments of St John's relating to the matter for a considerable period. But we know from other sources that there was considerable irritation between the Colleges (*Cooper's Annals*, II. 601, *Willis and Clark, Architectural History*, II. 263). Trinity College obtained its enclosure in 1612—13, and St John's obtained by purchase from the Town what is now the site of the 'Bowling Green.'

The following letters preserved in the Treasury shew that there was still some ill feeling, and Sir Henry Savile's shews that it was now the turn of Merton College to seek compensation.

Dr John Richardson to Dr Gwyn¹.

Good M^r Vice Chaunceler I thank you for this dayes worke, which was close and lerned and for your honour and for the honour

¹ Master of St John's 1612—1633. Dr Gwyn was Vice-Chancellor 1615—16.

of the vniuersity, for so many as could heare or iudge of it. And now entendinge a iourney abroad (if my horses fayle mee not) I am once againe to desyre you, to keep the peace, in my absence, as you have done in my presence, betweene your neigbour Colledge, and gallant St John's, who come againe to braue vs and challenge vs in our owne groundes, although I perswad my selfe (vpon my complaint of a former abuse) you did commaund and vse your power to restrayne it.

I pray you Sir, foresee in your wisedome what this distemper may proceede vnto, to the dishonour of our vniuersity, and the wronge of our youth of boath sides, who are impatient of prouocation, especially vpon their owne inheritance.

I did heere yesterday there noyse on our backsyd and would haue gone forth among them, but that I had taken Physike, and this day my Deanes of the Colledge did make an ernest request to mee to stay these beginnings, before I goe abroad, lest some mischiefe should followe before I returne againe.

I repose much in your wisedome and good will to my selfe, wherein I would not haue any breach, for a thousands boyes quarrels, and yet I know that boyes may begin a quarrell which at length will end amongst men of greater place.

When we come to challenge your schollers vpon your groundes, let mee heare of it and try my spirit, which is dull in any thing but frendly respects, wherein you can neuer say it is wanting.

Tuus eternum

JO RICHARDSON¹.

Trinity Col.

March 24, 1615 [1615—16]

Addressed: To the right worshipfull my very good frend Mr Vichauncelor of Cambridg At St John's Colledg.

¹ Master of Trinity, 1615—1625. The letter is endorsed in a somewhat later hand: "In commendation of his sermon and about quarells betweene Trin: and S^t John's."

Endorsed: Concerning the felows orchard. The copy of Dr Guynnes letter to S^r Henry Savile Warden of Merton Colledge in Oxford, 1617.

Right worthy Sir,

Vppon notice gyven me by a neighbour of a Controversy lyke to arise between Martyn Colledge and St Johns about a peice of grownd herto fore inclosed, I thought good by this prvyate letter to treat with yow therof yf happily soe an vnyknd suyte betwen two Colledges might be prevented. I was not forward to beleive you would stryke before you spake, and not first gyve vs knowldg of yowr greivance before you sought remedy by course of law. But yowr patience to other our neighbour Colledge in the lyke trespass drawes me to conjecture that some sinister informations have forced you to mylyke that in vs which yow ar content not to see or els to beare with in others. What malicious toungs may speake I know not, but this I dare vppon my credytle report to be the truthe.

There lay a peice of grownd adioyning to our backsyde about some 3 akers in quantity, the better parte wherof is the inheritance of Bennet Colledge and Lammas grownd, the residue is common. This grownd our schollers allwayes vsed for their exercise whyle it lay open, so as little profit came of it to any tennant nor could any one Comunner amongst such a multitude as had interest in it value his owne parte above xij^d in the yeare. This grownd my predecessor D^r Clayton some eight yeares sync purchased from the towne, which hitherto we have peaceably enioyed. We now make noe benifyte att all of it, but only vse it as a place of Recreation for the fellowes and younge gentlemen of the house which before this Inclosure was common to others with them. Yowr tennant ther had respyte to consider of it, and acquaynt his Landlords with the purpose, who after longe deliberacon, became yf not the leader yet a Cheif agent in the passinge of it. We could not beleive he wold yeild to any thinge that carryed shew of preiudice to his landlords without their consents, And yf then they lyked of it we know not what shold sync alienate their myndes being no

way party of our selves of the least offence eyther offered or intended to any of them. Sir, Considering the quantity of lande belonging to our Colledge being 3 partes of the whole feilds it wer not agaynst reason to challenge something in liewe of the former inclosures preiudicall to our tennants Communing at large. Besydes Trinity Hall and Caius Colledge both possessed of Lordshipps within the towne, doe not fynd their tennants so damaged therby as they shold desyre consideracion for it. And I dowbt not but Martyn Colledge truly informed will deale with St John's as neighbourly, as those of our owne Vniversity. Howsoever yf yow please to referre the profitts of the grownd and other circumstancies to any Indifferent man here or to yowr owne bursters when they keep yowr Courts I hope I shall have so much Interest in St Johns as they shalbe ready to gyve yow and them reasonable content And so *etc* rest

your very loving
friend.

July 7, 1617.

Sir Henry Savile to Dr Gwyn.

Sir, I am as willing as any man liuing that schollars and yong gentlemen should haue all theire honest and lawfull recreation; and soe I haue reason to bee, it hauing been my occupation almost this 60 yeaeres. But I knowe you will not distast that I am iealous of the Colledge inheritance that brought me vpp, which hath lately, as wee conceaue, been preiudiced by Trinity Colledge, and more by St Jhons. The reason why I make a difference betweene you is this; for that the late M^r of Trinity Colledge, my worthy Cosin, doctor Neuill, before the enclosing asked our consents directly by mapp then being in court, and promised consideration as should be thought reasonable: which hee lyued not to performe, falling not long after into that mortall disease, which made him vnfitte to be talked withall, and soe brought him to his ende. Neyther did we strike you of St Johns before we spake, yf the attendance of our Tenant 6 or 7 times ypon you by our Colledge expresse

commaundement, and you would neuer vouchsafe to speake with him, bee a speaking in law, as they say a tender is a payment in law. But Sir, that you may knowe I neyther seeke trouble nor law, especyally with Colledges, if it please you, I will make you and Trinity Colledge a fayre offer: eyther make vs such consideration as may bee proportionable in some sort to our losses, and suche as the Kinge which then was did thinke reasonable in Kinges Colledge case; or ioyne with vs in a quiett and peaceable tryall, which may bee dispatched in 2 or 3 tearmes, and whatsoeuer the euent bee, soe the triall bee vpon the mayne poynt, wee shalbe contented soe to end the whole matter with you both. And to that effect I purpose, if sicknes or greater busynes doe not hinder mee, to be at Cambridge my selfe about the 20th of September next, 2 or 3 dayes vnder or ouer; where if wee doe not end all Controuersyes betweene Colledge and Colledge by one of these twoo waies, it shall not bee our faultes, I dare presume soe much of our Company; praying you, that if you cannot be there at that time, or D^r Richardson, I may knowe by a word from you, and soe spare my paynes in iourniing; which to a man of my age wilbee longe and laborious: as if I cannot keep my day, I will certyfie you by a messenger expressly to that purpose. And soe I rest

your very loving frende
HEN. SAVILE

Eton ultimo Julij
1617

Of other poyntes of your letter wee shall talke further at our meeting, if it please god.

Addressed: To the Right worshipfull his very loving frende
M^r D^r Gwin Master of St Johns in Cambridge.

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