

**WALL OF THE NEW CEMETERY (BETAHAIM NOVO)
OF THE SPANISH AND PORTUGUESE JEWISH
CONGREGATION
QUEEN MARY, UNIVERSITY OF LONDON
331–333 Mile End Road
E1**

London Borough of Tower Hamlets

A standing building assessment

Ordnance Survey national grid reference: 536160 182338

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Summary

Assessment in February 2007 of a brick wall in the grounds of Queen Mary, University of London, at 331–333 Mile End Road, London E1, has determined that this was originally built to enclose parts of a cemetery, known as the ‘Betahaim Novo’ or ‘New Cemetery’, of the Spanish–Portuguese Jews’ Congregation. This cemetery was established on the site in 1726–33, was extended in 1849–53, and was last used early in the 20th century. The stretch of wall examined, originally around the south-east corner of the cemetery, was accessible only on its inner face, towards the cemetery. This stretch of the wall contains fabric apparently belonging to both the 18th and 19th-century periods of use of the cemetery, and can be seen to be directly related to a portion of the cemetery, with about 2,000 burials, that is still in place forming an open space within the campus of the college. The wall clearly merits its statutory listing as a building of architectural or historic interest, which would require the wall to be archaeologically investigated and recorded before any of it was demolished or substantially altered, at a suitable time when both faces of the wall were accessible.

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1 Background

Proposed redevelopment of part of the campus of Queen Mary, University of London, and an adjoining area at 331–333 Mile End Road, London E1, may entail demolition of part of a brick wall which is statutorily listed, grade II, as a building of special architectural or historic interest. This assessment has been commissioned by Wilkinson Eyre, architects, on behalf of Queen Mary, University of London, to accompany an application for listed building consent for partial demolition of the wall.

2 Aims, scope and method of assessment

2.1 The main aim of this assessment is to make a considered statement as to the architectural and historic interest of the structure at present on this site. An assessment such as this should therefore comprise firstly a description of the structure as it now exists, referring to its location, method of construction, materials, character, appearance and setting. Secondly the assessment should consider the history of the structure, determining the date of its construction, its original form and purpose, and the extent and purpose of subsequent changes, at least in outline. Thirdly an account should be offered of the significance of these various aspects of the structure.

2.2 Examination of the physical fabric of the structure has been limited to whatever was obvious on its internal face, generally to the north and west (Fig 2). The opposite, external face was inaccessible and could not be examined; indeed, adjacent buildings have been butted up to this face in many places. This examination has resulted in notes and photographs which will be deposited in due course in the Museum of London archaeological archive, under the site code HQM06.

2.3 The historical information derives largely from documentary evidence, but this may be qualified and augmented as a result of further physical examination of the fabric of the structure. The most useful and easily available documentary evidence consists of press cuttings and transcripts of burial registers, copies of which are at Tower Hamlets Local History Library and Archives, Bancroft Road. More documentary research could be carried out to amplify and clarify the history of the structure and the cemetery, were this desired.

2.4 No previous study of this structure appears to exist, and references to the cemetery are few. The relevant volume of the *Buildings of England* (Cherry et al 2005, 455) mentions the cemetery in passing, distinguishing it carefully from an older cemetery further to the west along Mile End Road. The ‘south-east and south-west boundary walls to Jewish Burial Ground...’ are statutorily listed as a building of special architectural or historic interest, grade II. The listing description goes on to say only, ‘Panelled brick wall on rendered plinth with brick capping.’ A commemorative tablet in the north wall of the Old Cemetery was listed in 1950, and the whole of the Old Cemetery in 1974. The brick walls of the New Cemetery, on the present site, were listed in 1973. The listing description gives the Ordnance Survey location of these walls, to the nearest 100m grid square, as TQ 3682, which is to the east of the location for the Old Cemetery, given as TQ 3582. Thus, despite possible lack of clarity in the listing description, it may be deduced that the listing of the cemetery boundary walls refers definitely to the present site.

2.5 Several documents provide a framework within which to consider the significance of the structure, which qualifies as a ‘building’ for this purpose. *Planning Policy Guidance 15: planning and the historic environment* (DoE 1994) states the criteria used for statutory

listing of buildings, and indicates how they are to be applied. English Heritage also provides guidance with regard to the treatment of buildings in conservation areas, and explicitly considers the merits of buildings other than those already statutorily listed (EH 1995). The London Borough of Tower Hamlets' *Local Development Framework* and its constituent documents contain relevant information and advice (2002).

3 Location and subdivisions of the wall

The wall examined runs on a somewhat irregular line from south-west to north-east with several changes of direction, all roughly right-angled (Fig 2). Only the southerly portion of this line has been examined closely, as marked. Approximate Ordnance Survey national grid references to the two ends of this part of the line are as follows: the south-western limit, on the north side of Mile End Road, is at 536160 182338 (TQ 3616 8233); the north-eastern limit is at 536173 182411 (TQ 3617 8241). The wall continues westwards from the former point, along the north side of Mile End Road, and northwards from the latter point, along the east side of the remaining part of the cemetery, which forms an open space within the campus of the college. Eight consecutive lengths of the wall were examined, separated from each other by right-angled turns. These lengths are labelled (1) to (8) on Figure 2 and are referred to thus in this document.

4 Outline description and history of the wall

4.1 Jews of Spanish and Portuguese origin, Sephardim, settled and practised their religion in London after being readmitted to England during the Commonwealth. They established a burial ground for their community in 1657, on the north side of the Mile End Road, about 2.5km from their synagogue in Bevis Marks on the eastern edge of the City. By the early 18th century more land was required for the community's cemetery, and in 1726 a separate plot of land about 2.5 acres (1ha) in extent, called 'Cherry Tree', was bought a short distance further to the east along the north side of Mile End Road. At first this was kept as an orchard until the first burials took place there in 1733. This was thereupon called the Betahaim Novo or 'New Cemetery' while the earlier was called the Betahaim Velho or 'Old Cemetery'; some interments continued to be made in the latter, in family graves.

4.2 When the New Cemetery was opened in 1733 a brick wall is documented as having been erected around the site. The wall in lengths (1), (2) and (3) is on the line of the earliest wall around the cemetery shown on a map of 1799–1819 (Fig 3). The southern boundary of the cemetery is not shown so clearly on an earlier map of 1746, by Rocque, and possibly either the boundary was changed slightly during the 18th century, perhaps as more ground was occupied by graves and less by fruit trees, or alternatively the 1746 map was not surveyed very precisely. Of the surviving walls, (1) and the base of (2) and (3) are possibly of 18th-century origin, containing, for the most part, dark red hand-made bricks, laid rather irregularly but generally to English bond and set in crumbly cream–yellow lime mortar (Figs 5 and 6). Much of this wall face has been repointed and there are many signs of patching and alteration.

4.3 In 1733, according to Barnett (1955), a 'fine mortuary hall' was also built, which remained until it was demolished in 1922. The plot of land for the New Cemetery had cost £450 to buy and a much greater sum, £2,000, was spent on its buildings, walls and so on

(Rodrigues-Pereira et al 1997, ix–xi). The only building shown on the 1799–1819 map is in the centre of the southern half of the cemetery, and this could have been the ‘mortuary hall’.

4.4 In the late 18th and early 19th centuries grave-robbing was much feared. A newspaper advertisement of 1786 offered a reward of £50 for assistance in apprehending and convicting robbers of recent graves in ‘the Portuguese cemetery’, by which must be meant the New Cemetery. A watchman’s hut on wheels was set up over newly-filled graves, and the contemporary rules for the watchmen included the injunction to see ‘that no tree grows near the walls surrounding the burial ground, or near enough for its branches to help anyone trying to climb [the walls]’ (translated and quoted by Barnett, 1955). This indicates that the cemetery had walls around it, and they were high enough to have to be climbed with the help of overhanging tree-branches, if there were any.

4.5 By the 1840s the new cemetery was going to have to be enlarged, and more land adjoining it to the east, covering some 4.5 acres (1.8ha), was bought in 1849 and used for burials from 1853. The burials were always in very orderly rows, being successively laid out and filled from the rear of the cemetery going towards the Mile End Road. ‘The numbers of the rows were to be “conspicuously painted in White letters on a Black Ground on the Wall with a line marking the width of each Carreira [or row]”’ (Barnett 1955, x).

4.6 By the time of the first edition of the Ordnance Survey large-scale map, in 1870, the cemetery had clearly been extended to the east, and the line of the wall at (4)–(8) is shown on this map as well as (1)–(3); these wall-lines continue to be shown on subsequent maps, such as the revision of 1893–4 (Fig 4). The junction of the two parts of the cemetery can be seen in the existing walls (Fig 7), and it is marked by a change in the level of the ground, the extension to the east being at a slightly higher level than the initial area of the cemetery to the west.

4.7 A small rectangular building, one corner of which adjoins the junction of (1) and (2), was possibly a watch-house, referred to in documentary sources. On the 1870 and later maps, such as that of 1893–4, this is shown as having a small garden attached, which suggests that it was where a watchman could have lived. By 1961, the possible watch-house at the junction of (1) and (2) appears to have been the only building left connected with the cemetery, despite the watch-house being documented as having been demolished in 1892 or 1922. A map of 1962 shows the rectangular plot as existing but empty, as if the corner building had gone by then, and thereafter not even the plot appears.

4.8 By the end of the 19th century the community’s cemetery moved to north London. In 1895 unused land on the east of the New Cemetery at Mile End amounting to 2 acres (0.8ha) was sold to the Great Eastern Railway, and another cemetery, at Hoop Lane, Hampstead, was in use from 1896. The New Cemetery at Mile End was closed in 1936, and the superintendent’s lodge and mortuary hall were demolished. According to Rodrigues et al (1997, x) ‘paths were levelled and the boundary walls and gates rebuilt’. The walls to the east, (7) and (8), retain their original top courses intact, as the coping still rises and falls to accommodate former changes of level in the adjacent ground (Fig 8). This area of the cemetery seems to have been fairly level, so the changes of ground level must have been immediately outside the cemetery. The latter ground, according to a map of 1938, was occupied as in 1893–4 (Fig 4) partly by houses and partly by open areas, such as gardens, yards and Govey’s Place, adjoining the cemetery wall. Almost all the latter ground had been built up by about 1947, according to a map of that date.

4.9 In 1972, when a compulsory purchase order was likely to be made in order to rebuild and enlarge the adjacent Queen Mary College, the major part of the cemetery, to the west, was cleared and the land sold to the college. About 7,000 bodies were exhumed and reburied near Brentwood, Essex. 'A small section containing graves from 1865 to 1916' [about 2,000] was left intact in the eastern part of the cemetery (Fig 9), the part which had been added in 1849. In 1975 listed building consent was obtained to reduce the boundary wall on the street frontage to 6ft (1.83m).

4.10 The New Cemetery fronted directly on to the Mile End Road, except for two rectangular plots of land on the south-east, one of which was owned in the 18th century by Richard Govey, hence the name of the short side-road into it from Mile End Road, and the other, even smaller, to the west, which contained until the mid 20th century a public house called the 'Three Mackerels'. It is the acquisition of these two plots and the proposed demolition of the buildings on them, which abut the cemetery wall to their rear, which has given rise to the present assessment.

5 The interest and significance of the wall

5.1 As the wall is statutorily listed the significance of its architecture and history can be considered in terms of the applicability of the criteria for statutory listing of buildings (DoE 1994, 26–7, paragraph 6.10). These include (letters added for ease of reference):

[A] 'architectural interest:...of importance to the nation for...their architectural design, decoration and craftsmanship;...important examples of particular building types and techniques...and significant plan forms;

[B] 'historic interest:...illustrate important aspects of the nation's social, economic, cultural or military history;

[C] 'close historical association with nationally important people or events;

[D] 'group value, especially where buildings comprise an important architectural or historic unity or a fine example of planning...'

The criteria include age and rarity as relevant considerations (ibid 27, paragraph 6.11). Thus 'most buildings of about 1700 to 1840 are listed, though some selection is necessary.' The criteria for such selection are specified with regard to buildings of later than 1840, although they are presumably relevant to buildings of before 1840: 'the best examples of particular building types, and only buildings of definite quality and character.' Selectivity applies if listing is primarily for historical reasons (ibid, 27, paragraph 6.13), 'where a substantial number of buildings of a similar type and quality survive.' Aesthetic merit is not all-important (ibid 27, paragraph 6.14): 'The external appearance of a building...is a key consideration...but the special interest of a building will not always be reflected in obvious visual quality. Buildings which are important for reasons of technological innovation, or as illustrating particular aspects of social or economic history, may well have little external visual quality.' In general these criteria emphasise national significance, 'although this cannot be defined precisely. For instance, the best examples of local vernacular building types will normally be listed. But many buildings which are valued for their contribution to the local scene, or for local historical associations, will not merit listing' (ibid 27, paragraph 6.16), and it is open to planning authorities to protect such buildings by other, lesser means.

5.2 The significance of the wall can also be considered in relation to the published conditions under which unlisted as well as listed buildings are held to make a positive contribution to the special architectural or historic interest of a conservation area (EH 1995, 5, paragraph 4.4). 'The following questions should be asked [letters added for ease of reference]:

[E] 'is the building the work of a particular architect of regional or local note?

[F] 'has it qualities of age, style, materials or any other characteristics which reflect those of... other buildings in the conservation area?

[G] 'does it relate by age, materials or in any other historically significant way to adjacent listed buildings, and contribute positively to their setting?

[H] 'does it, individually or as part of a group, serve as a reminder of the gradual development of the settlement in which it stands, or an earlier phase of growth?

[I] 'does it have a significant historic association with established features such as the road layout, burgage plots, a town park or a landscape feature?

[J] 'does the building have landmark quality, or contribute to the quality of recognisable spaces, including exteriors or open spaces within a complex of public buildings?

[K] 'does it reflect the traditional functional character of, or former uses within, the area?

[L] 'has it significant historic associations with local people or past events?

[M] 'does its use contribute to the character or appearance of the conservation area?'

'Any one of these characteristics could provide the basis for considering that a building makes a positive contribution...' (Paragraph 4.27 of PPG15 makes a presumption in favour of preserving unlisted buildings that make a significant contribution to the character of a conservation area.)

5.3 The buildings can be assessed and evaluated in relation to each of the numbered points above.

[A] The line of the western part of the stretch of wall examined, (1) to (3), dates from the opening of the cemetery in 1733. The fabric of the present wall may be substantially 18th-century in (1), and the base of an early wall, possibly 18th-century, remains at (2) and (3), which have otherwise been rebuilt, possibly in the 20th century.

[B] and [C] The wall was constructed to enclose a private cemetery, which reflects the resettlement and re-establishment of the Spanish and Portuguese Jewish community in London in modern times.

[D] The wall, by its nature, is a linear structure, and all parts of the wall are related to each other. The 18th-century wall survives well to the west, and the 19th-century wall to the north-east.

[E] The architect of the wall is at present unknown, and may well have been simply a local builder.

[F] Not applicable.

[G] The wall examined, (1) to (8), is obviously related to other stretches of the same wall, also listed, and to the Old Cemetery, which is listed in its entirety, some 300m to the west.

[H], [I] and [K] Historically this site represents the development of Mile End, especially in its early phases when it was not continuously built up. The wall is directly related to the surviving cemetery to the north, which is the major part of a 19th-century extension to the cemetery. The western parts of the wall, (1) to (3), with other stretches of the cemetery wall further to the west, belong to an earlier phase of the cemetery's existence, which has otherwise been cleared.

[J] The buildings do not possess landmark quality in themselves, although they form at present a visually interesting boundary to the campus of Queen Mary.

[L] The wall has an indirect connection with local people and past events of known significance.

[M] The buildings are not in a conservation area.

6 Conclusions

6.1 The standing wall is undoubtedly of significance for the history of the immediate locality, sufficient to justify its archaeological investigation and recording. Its designation as a listed building is due to its historical associations rather than to its architectural interest, which are of national significance. The local planning authority, the London Borough of Tower Hamlets, may be expected to attach a condition to planning consent and listed building consent for demolition of any part of the wall to the effect that the affected part of the wall should be archaeologically investigated and recorded before and, if necessary, during demolition. The archaeological examination and recording of the fabric of the wall should be applied to both its faces and, if necessary, at least a sample of its foundations. This analysis and recording should match 'Level 2' of the relevant English Heritage specifications, comprising physical examination and survey, and a comprehensive photographic record.

6.2 The academic requirement to publish the results of the investigation would be met by reporting the results in summary form in appropriate professional journals and in the annual excavation round-up in *London Archaeologist*.

6.3 The original site records and drawings should be deposited in due course in the Museum of London archaeological archive, under the site code HQM06. Copies of the final report will be given to the client, the London Borough of Tower Hamlets (as local planning authority), a suitable local studies centre, the London Metropolitan Archives, English Heritage, Greater London Archaeological Advisory Service and the Museum of London.

6.4 There need be no requirement to salvage, for archaeological reasons, any of the materials, except possibly a sample of bricks for examination off site.

7 Acknowledgements, references and copyright

7.1 The assessment was commissioned by Wilkinson Eyre, architects, and the author and project manager would particularly like to thank Felix Lewis. The author also thanks the staff at Tower Hamlets Local History Library and Archives for their assistance in obtaining press cuttings and other information about the site.

7.2 Bibliography

This list includes works consulted as well as those cited in the text.

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7.3 MoLAS grants the architect and developer of the site a licence to use the original text and illustrations in this report, provided that the source is acknowledged.



Fig. 1 Location of the site

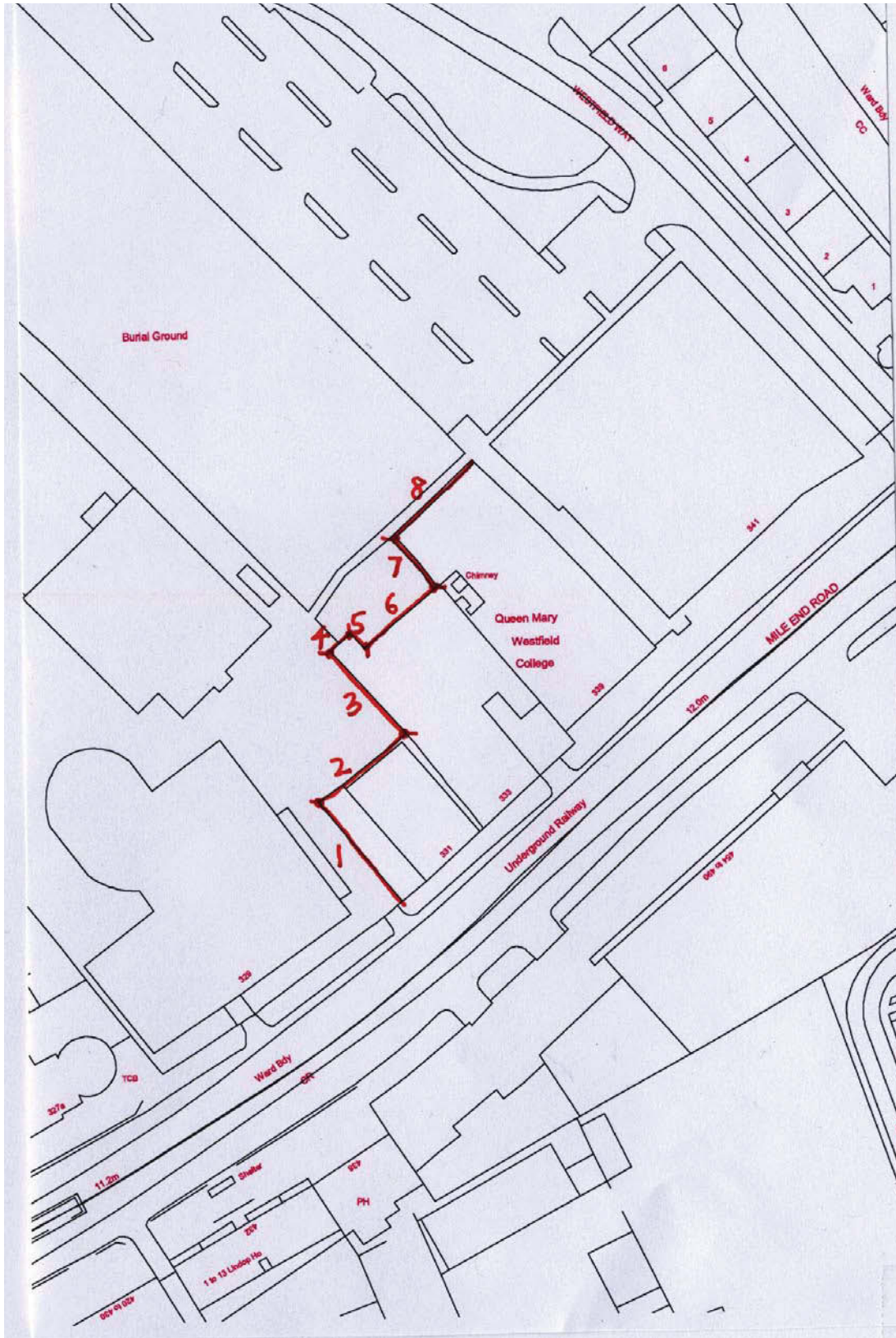


Fig 2 Outline plan of the site, showing numbered lengths of the cemetery wall

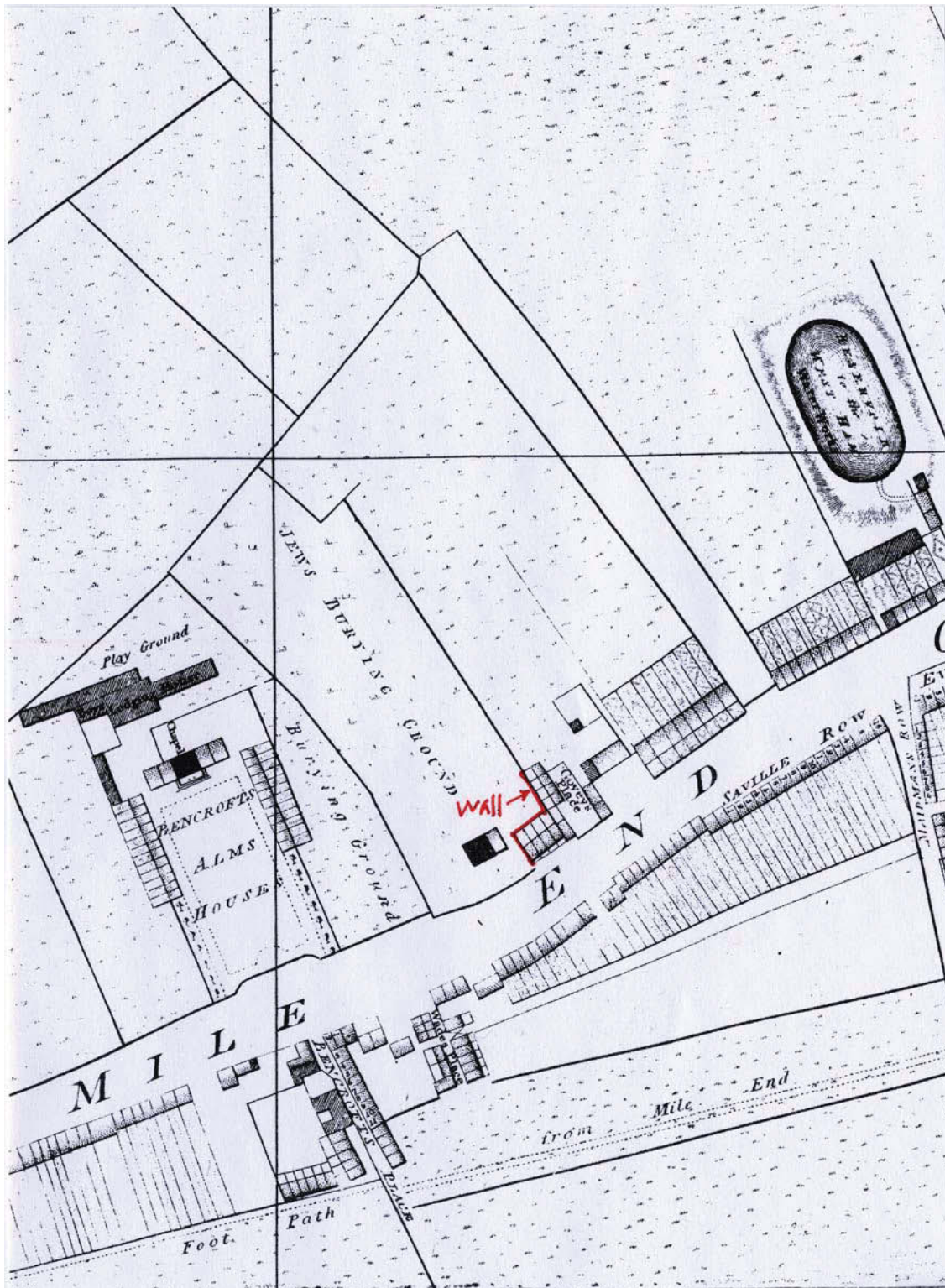


Fig 3 The site in 1799-1819 (Horwood)

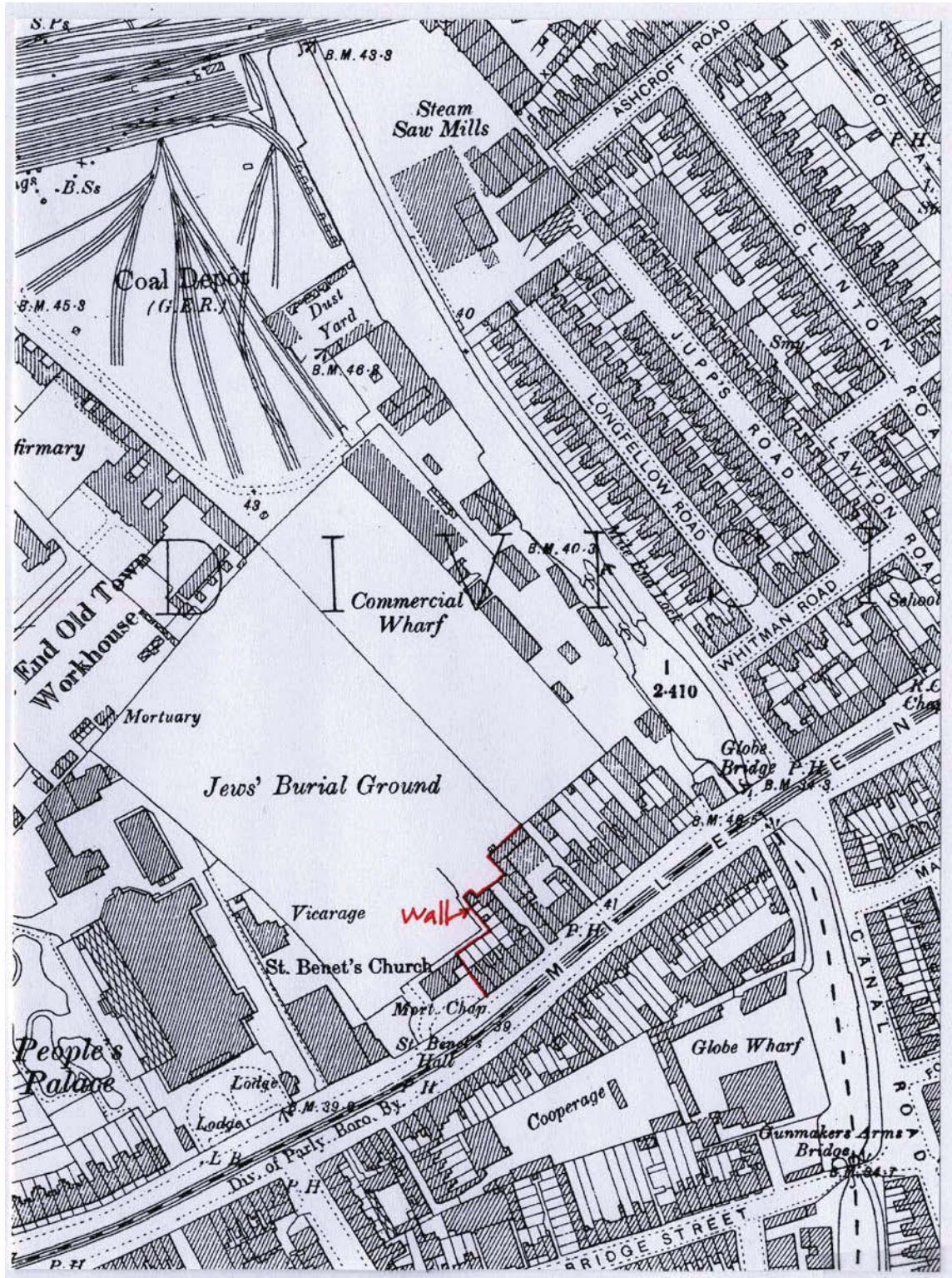


Fig 4 The site in 1913-14 (OS 1916)



Fig 5 The earliest part of the cemetery wall, (2) left and (1) right, near Mile End Road, looking south-east (MoLAS)



Fig 6 An internal corner of the wall, (3) left and (2) right, showing different ground levels and rebuilds, looking south-east (MoLAS)



Fig 7 The junction of the 1733 and 1853 sections of the cemetery, (3) right and (4) left, respectively, looking south-east (MoLAS)



Fig 8 The 1853 wall along the southern edge of the cemetery, (6), (7) and (8), looking east (MoLAS)



Fig 9 The remaining part of the New Cemetery in the Queen Mary campus, looking north-west (MoLAS)